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SENATE BILL 6046

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State of Washington                      60th Legislature                      2007 Regular Session

By Senators Kilmer, Poulsen, Kline, Oemig, Kohl-Welles, Tom, Murray, Marr and Jacobsen

Read first time 02/15/2007. Referred to Committee on Water, Energy & Telecommunications.

1            AN ACT Relating to granting certain electric utilities the  
2 authority to mitigate the environmental impacts of their operations;  
3 adding a new section to chapter 35.92 RCW; adding a new section to  
4 chapter 54.04 RCW; and creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6            NEW SECTION.    **Sec. 1.** The legislature finds and declares that  
7 offset contracts and other greenhouse gases mitigation efforts are a  
8 recognized utility purpose that confers a direct benefit on the  
9 utility's ratepayers. The legislature declares that sections 2 and 3  
10 of this act are intended to reverse the result of *Okeson v. City of*  
11 *Seattle*, No. 77888-4 (January 18, 2007), by expressly granting  
12 municipal utilities and public utility districts the statutory  
13 authority to engage in mitigation activities to offset their utility's  
14 impact on the environment.

15            NEW SECTION.    **Sec. 2.** A new section is added to chapter 35.92 RCW  
16 to read as follows:

17            (1) A city or town authorized to acquire and operate utilities for  
18 the purpose of furnishing the city or town and its inhabitants and

1 other persons with electricity for lighting and other purposes may  
2 develop and make publicly available a plan for the utility to reduce  
3 greenhouse gases up to and including a plan to achieve no-net emissions  
4 from all sources of greenhouse gases it owns, leases, uses, contracts  
5 for, or otherwise controls.

6 (2) A city or town authorized to acquire and operate utilities for  
7 the purpose of furnishing the city or town and its inhabitants and  
8 other persons with electricity for lighting and other purposes may, as  
9 part of its utility operation, mitigate the environmental impacts of  
10 its operation and any power purchases, such as greenhouse gases  
11 emissions. The mitigation may include all greenhouse gases mitigation  
12 mechanisms recognized by independent, qualified organizations with  
13 proven experience in emissions mitigation activities. Mitigation  
14 mechanisms may include the purchase, trade, and banking of carbon  
15 offsets or credits. Any carbon offset or credit purchased after the  
16 effective date of this section must be recognized by any greenhouse  
17 gases registry developed by the state.

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 54.04 RCW  
19 to read as follows:

20 (1) A public utility district may develop and make publicly  
21 available a plan for the district to reduce greenhouse gases up to and  
22 including a plan to achieve no-net emissions from all sources of  
23 greenhouse gases it owns, leases, uses, contracts for, or otherwise  
24 controls.

25 (2) A public utility district may, as part of its utility  
26 operation, mitigate the environmental impacts of its operation and any  
27 power purchases, such as greenhouse gases emissions. The mitigation  
28 may include all greenhouse gases mitigation mechanisms recognized by  
29 independent, qualified organizations with proven experience in  
30 emissions mitigation activities. Mitigation mechanisms may include the  
31 purchase, trade, and banking of carbon offsets or credits. Any carbon  
32 offset or credit purchased after the effective date of this section  
33 must be recognized by any greenhouse gases registry developed by the  
34 state.

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