
HOUSE BILL 1742

State of Washington 54th Legislature 1995 Regular Session

By Representatives Mitchell, Casada and K. Schmidt

Read first time 02/07/95. Referred to Committee on Energy & Utilities.

1 AN ACT Relating to transferring support responsibility for the
2 energy facility site evaluation council to the department of community,
3 trade, and economic development; amending RCW 43.21F.045; reenacting
4 and amending RCW 80.50.030; and adding a new section to chapter 43.330
5 RCW.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.330 RCW
8 to read as follows:

9 The department shall provide administrative assistance, space, and
10 other support as may be necessary for the activities of the energy
11 facility site evaluation council, as provided for in RCW 80.50.030.

12 **Sec. 2.** RCW 43.21F.045 and 1994 c 207 s 4 are each amended to read
13 as follows:

14 The energy office shall have the following duties:

15 (1) The office shall prepare and update contingency plans for
16 implementation in the event of energy shortages or emergencies. The
17 plans shall conform to chapter 43.21G RCW and shall include procedures
18 for determining when these shortages or emergencies exist, the state

1 officers and agencies to participate in the determination, and actions
2 to be taken by various agencies and officers of state government in
3 order to reduce hardship and maintain the general welfare during these
4 emergencies. The office shall coordinate the activities undertaken
5 pursuant to this subsection with other persons. The components of
6 plans that require legislation for their implementation shall be
7 presented to the legislature in the form of proposed legislation at the
8 earliest practicable date. The office shall report to the governor and
9 the legislature on probable, imminent, and existing energy shortages,
10 and shall administer energy allocation and curtailment programs in
11 accordance with chapter 43.21G RCW.

12 (2) The office shall establish and maintain a central repository in
13 state government for collection of existing data on energy resources,
14 including:

15 (a) Supply, demand, costs, utilization technology, projections, and
16 forecasts;

17 (b) Comparative costs of alternative energy sources, uses, and
18 applications; and

19 (c) Inventory data on energy research projects in the state
20 conducted under public and/or private auspices, and the results
21 thereof.

22 (3) The office shall coordinate federal energy programs appropriate
23 for state-level implementation, carry out such energy programs as are
24 assigned to it by the governor or the legislature, and monitor
25 federally funded local energy programs as required by federal or state
26 regulations.

27 (4) The office shall develop energy policy recommendations for
28 consideration by the governor and the legislature.

29 (5) The office shall provide assistance, space, and other support
30 as may be necessary for the activities of the state's two
31 representatives to the Pacific northwest electric power and
32 conservation planning council. To the extent consistent with federal
33 law, the office shall request that Washington's council members request
34 the administrator of the Bonneville power administration to reimburse
35 the state for the expenses associated with the support as provided in
36 the Pacific Northwest Electric Power Planning and Conservation Act
37 (P.L. 96-501).

38 (6) The office shall cooperate with state agencies, other
39 governmental units, and private interests in the prioritization and

1 implementation of the state energy strategy elements and on other
2 energy matters.

3 (7) The office shall represent the interests of the state in the
4 siting, construction, and operation of nuclear waste storage and
5 disposal facilities.

6 (8) The office shall serve as the official state agency responsible
7 for coordinating implementation of the state energy strategy.

8 (9) No later than December 1, 1982, and by December 1st of each
9 even-numbered year thereafter, the office shall prepare and transmit to
10 the governor and the appropriate committees of the legislature a report
11 on the implementation of the state energy strategy and other important
12 energy issues, as appropriate.

13 (10) The office shall provide support for increasing cost-effective
14 energy conservation, including assisting in the removal of impediments
15 to timely implementation.

16 (11) The office shall provide support for the development of cost-
17 effective energy resources including assisting in the removal of
18 impediments to timely construction.

19 (12) The office shall adopt rules, under chapter 34.05 RCW,
20 necessary to carry out the powers and duties enumerated in this
21 chapter.

22 ~~((13) The office shall provide administrative assistance, space,
23 and other support as may be necessary for the activities of the energy
24 facility site evaluation council, as provided for in RCW 80.50.030.))~~

25 **Sec. 3.** RCW 80.50.030 and 1994 c 264 s 75 and 1994 c 154 s 315 are
26 each reenacted and amended to read as follows:

27 (1) There is created and established the energy facility site
28 evaluation council.

29 (2)(a) The chairman of the council shall be appointed by the
30 governor with the advice and consent of the senate, shall have a vote
31 on matters before the council, shall serve for a term coextensive with
32 the term of the governor, and is removable for cause. The chairman may
33 designate a member of the council to serve as acting chairman in the
34 event of the chairman's absence. The chairman is a "state employee"
35 for the purposes of chapter 42.52 RCW. As applicable, when attending
36 meetings of the council, members may receive reimbursement for travel
37 expenses in accordance with RCW 43.03.050 and 43.03.060, and are
38 eligible for compensation under RCW 43.03.240.

1 (b) The chairman or a designee shall execute all official
2 documents, contracts, and other materials on behalf of the council.
3 The (~~Washington state energy office~~) department of community, trade,
4 and economic development shall provide all administrative and staff
5 support for the council. The director of the (~~energy office~~)
6 department of community, trade, and economic development has
7 supervisory authority over the staff of the council and shall employ
8 such personnel as are necessary to implement this chapter. Not more
9 than three such employees may be exempt from chapter 41.06 RCW.

10 (3) The council shall consist of the directors, administrators, or
11 their designees, of the following departments, agencies, commissions,
12 and committees or their statutory successors:

- 13 (a) Department of ecology;
- 14 (b) Department of fish and wildlife;
- 15 (c) Parks and recreation commission;
- 16 (d) Department of health;
- 17 (e) State energy office;
- 18 (f) Department of community, trade, and economic development;
- 19 (g) Utilities and transportation commission;
- 20 (h) Office of financial management;
- 21 (i) Department of natural resources;
- 22 (j) Department of agriculture;
- 23 (k) Department of transportation.

24 (4) The appropriate county legislative authority of every county
25 wherein an application for a proposed site is filed shall appoint a
26 member or designee as a voting member to the council. The member or
27 designee so appointed shall sit with the council only at such times as
28 the council considers the proposed site for the county which he or she
29 represents, and such member or designee shall serve until there has
30 been a final acceptance or rejection of the proposed site;

31 (5) The city legislative authority of every city within whose
32 corporate limits an energy plant is proposed to be located shall
33 appoint a member or designee as a voting member to the council. The
34 member or designee so appointed shall sit with the council only at such
35 times as the council considers the proposed site for the city which he
36 or she represents, and such member or designee shall serve until there
37 has been a final acceptance or rejection of the proposed site.

38 (6) For any port district wherein an application for a proposed
39 port facility is filed subject to this chapter, the port district shall

1 appoint a member or designee as a nonvoting member to the council. The
2 member or designee so appointed shall sit with the council only at such
3 times as the council considers the proposed site for the port district
4 which he or she represents, and such member or designee shall serve
5 until there has been a final acceptance or rejection of the proposed
6 site. The provisions of this subsection shall not apply if the port
7 district is the applicant, either singly or in partnership or
8 association with any other person.

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