
SUBSTITUTE SENATE BILL 6718

State of Washington 57th Legislature

2002 Regular Session

By Senate Committee on Environment, Energy & Water (originally sponsored by Senators Fraser, Finkbeiner, Regala, Keiser, Jacobsen, Poulsen and Franklin)

READ FIRST TIME 02/08/2002.

1 AN ACT Relating to state government as a leader in clean energy
2 consumption; amending RCW 43.21F.015 and 43.21F.045; adding new
3 sections to chapter 43.21F RCW; adding a new section to chapter 43.19
4 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

7 (a) Energy production and consumption account for the vast majority
8 of human-caused greenhouse gas emissions;

9 (b) As a significant consumer of energy resources and a committed
10 steward of public health and environmental quality, Washington state
11 government is well-positioned to be a leader in promoting and using
12 clean energy;

13 (c) State government actions to promote and use clean energy are
14 consistent with the state's environmental commitments, including
15 addressing the increasingly imminent dangers to Washington's qualities
16 of life that are threatened by global climate changes and improving
17 local and regional air quality;

18 (d) State government actions to promote and use clean energy are
19 also consistent with the state's high priority policy objectives to

1 maintain competitive energy costs and a reliable and secure supply of
2 energy resources; and

3 (e) State government actions to promote and use clean energy are
4 also consistent with the state's goals to support economic development
5 opportunities, by reducing traffic congestion and stimulating new and
6 emerging energy technologies within the clean energy industry of the
7 state's high-technology sector.

8 (2) The legislature intends state government to adopt a strategy to
9 meet its energy needs with no net increase in greenhouse gas emissions.
10 The legislature further intends the state to take immediate, short-term
11 steps to limit the emissions attributable to its electricity
12 consumption while developing a long-term, cost-effective strategy to
13 reach the goal of no net increase in greenhouse gas emissions.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.21F RCW
15 to read as follows:

16 The definitions in this section apply throughout RCW 43.21F.015,
17 43.21F.045, and sections 5 and 6 of this act, unless the context
18 clearly requires otherwise.

19 (1) "Energy conservation measures" has the same meaning as defined
20 in RCW 43.19.670(3) (a) through (j) and (l).

21 (2) "Greenhouse gases" includes carbon dioxide (CO₂), methane and
22 natural gas (CH₄), and nitrous oxide (N₂O).

23 (3) "Net increase in greenhouse gas emissions" means a quantity of
24 emissions in excess of the level of emissions attributable to the
25 annual consumption of energy by state government in the year 2000.

26 (4) "Qualified alternative energy resources" has the same meaning
27 as defined in RCW 19.29A.090.

28 (5) "State" and "state government" mean the executive branch
29 agencies of the state of Washington that are managed by governor-
30 appointed executives and state institutions of higher education.

31 **Sec. 3.** RCW 43.21F.015 and 1994 c 207 s 3 are each amended to read
32 as follows:

33 It is the policy of the state of Washington that:

34 (1) The development and use of a diverse array of energy resources
35 with emphasis on renewable energy resources shall be encouraged;

36 (2) The supply of energy shall be sufficient to insure the health
37 and economic welfare of its citizens;

1 (3) The development and use of energy resources shall be consistent
2 with the statutory environmental policies of the state;

3 (4) Energy conservation and elimination of wasteful and uneconomic
4 uses of energy and materials shall be encouraged, and this conservation
5 should include, but is not limited to, resource recovery and materials
6 recycling;

7 (5) In energy emergency shortage situations, energy requirements to
8 maintain the public health, safety, and welfare shall be given priority
9 in the allocation of energy resources, and citizens and industry shall
10 be assisted in adjusting to the limited availability of energy in order
11 to minimize adverse impacts on their physical, social, and economic
12 well being;

13 (6) State government adopt a policy to meet its energy needs with
14 no net increase in greenhouse gas emissions;

15 (7) State government shall provide a source of impartial and
16 objective information in order that this energy policy may be enhanced;
17 and

18 ((+7)) (8) The state energy strategy shall provide primary
19 guidance for implementation of the state's energy policy.

20 **Sec. 4.** RCW 43.21F.045 and 1996 c 186 s 103 are each amended to
21 read as follows:

22 (1) The department shall supervise and administer energy-related
23 activities as specified in RCW 43.330.904 and shall advise the governor
24 and the legislature with respect to energy matters affecting the state.

25 (2) In addition to other powers and duties granted to the
26 department, the department shall have the following powers and duties:

27 (a) Prepare and update contingency plans for implementation in the
28 event of energy shortages or emergencies. The plans shall conform to
29 chapter 43.21G RCW and shall include procedures for determining when
30 these shortages or emergencies exist, the state officers and agencies
31 to participate in the determination, and actions to be taken by various
32 agencies and officers of state government in order to reduce hardship
33 and maintain the general welfare during these emergencies. The
34 department shall coordinate the activities undertaken pursuant to this
35 subsection with other persons. The components of plans that require
36 legislation for their implementation shall be presented to the
37 legislature in the form of proposed legislation at the earliest
38 practicable date. The department shall report to the governor and the

1 legislature on probable, imminent, and existing energy shortages, and
2 shall administer energy allocation and curtailment programs in
3 accordance with chapter 43.21G RCW.

4 (b) Establish and maintain a central repository in state government
5 for collection of existing data on energy resources, including:

6 (i) Supply, demand, costs, utilization technology, projections, and
7 forecasts;

8 (ii) Comparative costs of alternative energy sources, uses, and
9 applications; and

10 (iii) Inventory data on energy research projects in the state
11 conducted under public and/or private auspices, and the results
12 thereof.

13 (c) Coordinate federal energy programs appropriate for state-level
14 implementation, carry out such energy programs as are assigned to it by
15 the governor or the legislature, and monitor federally funded local
16 energy programs as required by federal or state regulations.

17 (d) Develop energy policy recommendations for consideration by the
18 governor and the legislature, including but not limited to strategies
19 and options to allow state government to meet its energy needs with no
20 net increase in greenhouse gas emissions.

21 (e) Provide assistance, space, and other support as may be
22 necessary for the activities of the state's two representatives to the
23 Pacific northwest electric power and conservation planning council. To
24 the extent consistent with federal law, the director shall request that
25 Washington's council members request the administrator of the
26 Bonneville power administration to reimburse the state for the expenses
27 associated with the support as provided in the Pacific Northwest
28 Electric Power Planning and Conservation Act (P.L. 96-501).

29 (f) Cooperate with state agencies, other governmental units, and
30 private interests in the prioritization and implementation of the state
31 energy strategy elements and on other energy matters.

32 (g) Serve as the official state agency responsible for coordinating
33 implementation of the state energy strategy.

34 (h) No later than December 1, 1982, and by December 1st of each
35 even-numbered year thereafter, prepare and transmit to the governor and
36 the appropriate committees of the legislature a report on the
37 implementation of the state energy strategy and other important energy
38 issues, as appropriate.

1 (i) Provide support for increasing cost-effective energy
2 conservation, including assisting in the removal of impediments to
3 timely implementation.

4 (j) Provide support for the development of cost-effective energy
5 resources including assisting in the removal of impediments to timely
6 construction.

7 (k) Adopt rules, under chapter 34.05 RCW, necessary to carry out
8 the powers and duties enumerated in this chapter.

9 (l) Provide administrative assistance, space, and other support as
10 may be necessary for the activities of the energy facility site
11 evaluation council, as provided for in RCW 80.50.030.

12 (m) Appoint staff as may be needed to administer energy policy
13 functions and manage energy facility site evaluation council
14 activities. These employees are exempt from the provisions of chapter
15 41.06 RCW.

16 (3) To the extent the powers and duties set out under this section
17 relate to energy education, applied research, and technology transfer
18 programs they are transferred to Washington State University.

19 (4) To the extent the powers and duties set out under this section
20 relate to energy efficiency in public buildings they are transferred to
21 the department of general administration.

22 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.19 RCW
23 to read as follows:

24 (1) The department of general administration shall make all
25 reasonable efforts to ensure that a portion of state government's
26 electricity consumption be from qualified alternative energy resources,
27 and energy conservation and efficiency measures implemented on or after
28 January 1, 2002, or a combination thereof, according to the following
29 schedule:

30 (a) At least two percent by July 1, 2003;

31 (b) At least four percent by July 1, 2005;

32 (c) At least six percent by July 1, 2007;

33 (d) At least eight percent by July 1, 2009; and

34 (e) At least ten percent by July 1, 2011, and every year
35 thereafter. Reasonable efforts include reviewing energy audits
36 performed pursuant to chapter 43.19 RCW and providing technical
37 expertise and administrative assistance within available resources.
38 For the purposes of this subsection, acquisition or use of qualified

1 alternative energy resources is not limited to those resources offered
2 by electric utilities under the provisions of RCW 19.29A.090 but shall
3 be subject to the approval of the office of financial management where
4 the cost of such acquisitions would exceed the cost of existing
5 electrical service by more than five percent.

6 (2) The department of general administration must pursue, in
7 collaboration with the department of ecology, existing opportunities to
8 sell, trade, or receive other fair value for any emissions reductions
9 credits attributable to state government's shift to consumption of
10 electricity from qualified energy resources. Nothing in this section
11 shall be construed to require the department of general administration
12 to create a state emissions allowance set-aside program.

13 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.21F RCW
14 to read as follows:

15 In preparing the biennial energy report required under RCW
16 43.21F.045(2)(h) to be transmitted to the governor and the legislature
17 by December 1, 2002, the department must include the following
18 information:

19 (1) A measurement of the current and likely future greenhouse gas
20 emissions resulting from state government's current and projected
21 energy consumption;

22 (2) Identification of specific strategies and options to reduce or
23 offset the emissions by sufficient quantity and quality in order to
24 compensate for the greenhouse gas emissions attributable to the state
25 government's energy consumption. Strategies and options may include,
26 but need not necessarily be limited to, the following:

27 (a) Reducing the state's consumption of electricity through
28 aggressive pursuit of cost-effective energy conservation and efficiency
29 opportunities;

30 (b) Increasing the proportion of electricity the state generates
31 for its own use or purchases through an electric utility from qualified
32 alternative energy resources;

33 (c) Addressing transportation-related energy challenges such as
34 improving the fuel efficiency of the state's vehicle fleet, using
35 alternative fuels in the state's vehicle fleet, changing the ways state
36 employees and contractors travel, and developing transportation
37 substitutes for state employees and contractors; and

1 (d) Options for mitigation or offsets that directly avoid,
2 displace, or permanently sequester greenhouse gas emissions as close in
3 time as possible to the occurrence of the actual emissions;

4 (3) An analysis of the feasibility of extending the no net increase
5 in greenhouse gas emissions standard to state agencies other than those
6 defined in section 2(5) of this act, including but not limited to
7 public educational institutions; and

8 (4) A status report on the planning and progress related to
9 implementing section 5 of this act.

--- END ---