

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5921

Chapter 318, Laws of 2009

61st Legislature
2009 Regular Session

CLEAN ENERGY LEADERSHIP INITIATIVES

EFFECTIVE DATE: 05/04/09

Passed by the Senate April 20, 2009
YEAS 32 NAYS 13

BRAD OWEN

President of the Senate

Passed by the House April 16, 2009
YEAS 64 NAYS 33

FRANK CHOPP

Speaker of the House of Representatives

Approved May 4, 2009, 12:50 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5921** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

May 5, 2009

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5921

AS AMENDED BY THE HOUSE

Passed Legislature - 2009 Regular Session

State of Washington 61st Legislature 2009 Regular Session

By Senate Economic Development, Trade & Innovation (originally sponsored by Senators Rockefeller, Pridemore, Ranker, Kline, and Kohl-Welles)

READ FIRST TIME 02/19/09.

1 AN ACT Relating to creating a clean energy leadership initiative;
2 creating new sections; providing an expiration date; and declaring an
3 emergency.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that Washington is
6 recognized as a leader in sustainability and climate change and has the
7 foundation to become a leader in the clean energy technologies,
8 products, and services that will be required throughout the world to
9 provide reliable and reduced-emission energy. However, to become a
10 leader, Washington will need policies and strategies to develop new
11 clean energy technologies, attract federal and private investments,
12 attract and grow clean energy companies, and create green jobs.

13 The legislature further finds that positioning Washington to be
14 competitive for federal and private sector clean energy investments
15 will require collaboration between Washington's state agencies, clean
16 energy technology companies, research institutions, national
17 laboratory, and workforce development system to identify our strengths
18 and develop the requisite policies and strategies.

1 It is the intent of the legislature to create a clean energy
2 leadership initiative that will set the path to leverage Washington's
3 energy infrastructure and make Washington a hub for clean energy
4 technology and a leader in the creation of green jobs and the
5 development, deployment, and export of clean energy technologies and
6 services.

7 NEW SECTION. **Sec. 2.** (1) The office of the governor, in
8 collaboration with a statewide, public-private alliance, shall convene
9 a clean energy leadership council to prepare a strategy for growing the
10 clean energy technology sector in Washington state. The clean energy
11 leadership council shall be supported by public and private resources
12 including, to the extent available, the resources of the energy policy
13 division of the department of community, trade, and economic
14 development and Washington State University's energy program. The
15 governor, in consultation with the public-private alliance, shall
16 appoint and convene the council by July 31, 2009.

17 (2) The clean energy leadership council must develop strategies and
18 recommendations for growing Washington's clean energy sector. The
19 clean energy leadership council must consist of the following clean
20 energy leaders:

21 (a) Up to ten representatives of companies in the clean energy
22 sector;

23 (b) Representatives of two organizations providing support to clean
24 energy companies; and

25 (c) One representative from each of the following: A public
26 university; the Pacific Northwest national laboratory; a venture
27 capital firm making investments in clean energy companies; and a
28 professional services firm serving clean energy technology.

29 (3) The clean energy leadership council must also include the
30 following members:

31 (a) Four members of the legislature, with one member from each
32 caucus of the house of representatives appointed by the speaker of the
33 house of representatives and one member from each caucus of the senate
34 appointed by the president of the senate;

35 (b) The director of the department of community, trade, and
36 economic development or its successor agency;

1 (c) The governor's designee for energy and climate change
2 initiatives within state government; and

3 (d) One representative from the economic development commission.

4 (4) The clean energy leadership council must be cochaired by: (a)
5 A representative of the clean energy sector, selected by the members of
6 the clean energy leadership council; and (b) the director of the
7 department of community, trade, and economic development or its
8 successor agency.

9 (5) The clean energy leadership council must designate one of its
10 members as its representative on the evergreen jobs leadership team to
11 ensure that the efforts of the clean energy leadership council align
12 with the work of the evergreen jobs leadership team in coordinating the
13 state's effort to lead in the green economy.

14 (6) Legislators shall not receive any compensation, including
15 reimbursement of expenses, for their participation on the clean energy
16 leadership council.

17 (7) The clean energy leadership council may appoint such advisory
18 groups as it deems necessary to carry out its work.

19 (8) The clean energy leadership council shall:

20 (a) Conduct a strategic analysis to identify the clean energy
21 industry segments where Washington can either provide national
22 leadership or become one of the top ten states in that segment. The
23 council shall contract with national experts with detailed knowledge of
24 energy markets and other states' operations to conduct the strategic
25 analysis. The strategic analysis must:

26 (i) Identify where Washington has a competitive advantage or
27 emerging strength in research, development, or deployment of clean
28 energy solutions;

29 (ii) Evaluate Washington's competitiveness in its business
30 environment, including regulatory requirements, as it relates to
31 supporting clean energy projects and companies, compared to other
32 states and regions; and

33 (iii) Evaluate Washington's ability to provide national leadership
34 in reducing carbon emissions, developing and deploying utility-scale
35 clean energy applications, and creating exportable products and
36 applications;

37 (b) Develop a set of strategic recommendations, including
38 implementation steps and responsible parties for carrying them out.

1 The strategic recommendations must provide direction for positioning
2 each clean energy segment identified to provide national leadership and
3 must include a delineation of clear, specific outcomes for each segment
4 to achieve. The strategic recommendations must include recommendations
5 on:

6 (i) Consistent policy frameworks that provide stability to
7 encourage investment through a combination of incentives, regulation,
8 taxation, and use of government purchasing power to build viable
9 markets;

10 (ii) The steps necessary for increasing Washington's ability to
11 obtain available competitive federal funds;

12 (iii) The development of public-private partnerships that can help
13 each sector grow, including partnerships to facilitate development and
14 deployment of new technologies at scale;

15 (iv) Necessary investments in universities;

16 (v) Management, entrepreneurial, and emerging business needs;

17 (vi) Joint use facilities, demonstration facilities, and signature
18 research centers that are needed for leadership;

19 (vii) Market access requirements;

20 (viii) Infrastructure needs; and

21 (ix) Capital and financing requirements;

22 (c) Recommend an institutional mechanism to foster effective
23 implementation of its recommendations, including organizational
24 structure, staffing, and funding;

25 (d) Review investments made by the energy policy division of the
26 department of community, trade, and economic development, Washington
27 State University's energy program, utilities, and other entities to
28 identify ways to leverage, increase the effectiveness of, or redirect
29 those funds to increase the state's competitiveness in clean energy
30 technology; and

31 (e) Make recommendations on potential clean energy programs and
32 projects for possible federal funding through the state energy program,
33 consistent with federal requirements and guidelines.

34 (9)(a) By December 1, 2009, the clean energy leadership council
35 shall submit an interim clean energy strategy and initial
36 recommendations to the governor and appropriate committees of the
37 legislature.

1 (b) By December 1, 2010, the clean energy leadership council shall
2 complete and submit its final clean energy strategy and recommendations
3 to the governor and appropriate committees of the legislature.

4 NEW SECTION. **Sec. 3.** (1) The energy policy division of the
5 department of community, trade, and economic development, or its
6 successor agency, must consider the clean energy leadership strategy
7 once it is developed under section 2 of this act when preparing its
8 application for federal state energy program funding and determining
9 the type and number of clean energy projects to fund.

10 (2) The energy policy division of the department of community,
11 trade, and economic development, or its successor agency, must consult
12 the clean energy leadership council, once it has been convened, prior
13 to awarding federal energy stimulus funding for clean energy projects.

14 NEW SECTION. **Sec. 4.** (1) The governor shall designate an existing
15 full-time equivalent position within state government as the single
16 point of accountability for all energy and climate change initiatives
17 within state agencies. All agencies, councils, or work groups with
18 energy or climate change initiatives must coordinate with the person in
19 this designated position.

20 (2) The person designated by the governor under subsection (1) of
21 this section shall chair the evergreen jobs leadership team established
22 in section 3, chapter . . . (Engrossed Second Substitute House Bill No.
23 2227), Laws of 2009.

24 NEW SECTION. **Sec. 5.** This act expires December 31, 2011.

25 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
26 preservation of the public peace, health, or safety, or support of the
27 state government and its existing public institutions, and takes effect
28 immediately.

Passed by the Senate April 20, 2009.

Passed by the House April 16, 2009.

Approved by the Governor May 4, 2009.

Filed in Office of Secretary of State May 5, 2009.