
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: H-2756.1/91

ATTY/TYPIST: LC:sj

BRIEF TITLE:

1 5770-S.E AMH EN H2756.1

2 **ESSB 5770** - H COMM AMD

3 By Committee on Energy & Utilities

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5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** The legislature finds that the state is
8 facing an energy shortage as growth occurs and that inadequate supplies
9 of energy will cause harmful impacts on the entire range of state
10 citizens. The legislature further finds that energy efficiency
11 improvement is the single most effective near term measure to lessen
12 the risk of energy shortage. In the area of electricity, the
13 legislature additionally finds that the Northwest power planning
14 council has made several recommendations, including an update of the
15 commercial building energy code and granting flexible ratemaking
16 alternatives for utility commissions to encourage prudent acquisition
17 of new electric resources."

18 **"Sec. 2.** RCW 80.04.250 and 1961 c 14 s 80.04.250 are each amended
19 to read as follows:

20 The commission shall have power upon complaint or upon its own
21 motion to ascertain and determine the fair value for rate making
22 purposes of the property of any public service company used and useful
23 for service in this state and shall exercise such power whenever it
24 shall deem such valuation or determination necessary or proper under
25 any of the provisions of this title. In determining what property is
26 used and useful for service, the commission may include the reasonable

1 costs of construction work in progress to the extent that the
2 commission finds that inclusion is in the public interest.

3 The commission shall have the power to make revaluations of the
4 property of any public service company from time to time.

5 The commission shall, before any hearing is had, notify the
6 complainants and the public service company concerned of the time and
7 place of such hearing by giving at least thirty days' written notice
8 thereof, specifying that at the time and place designated a hearing
9 will be held for the purpose of ascertaining the value of the company's
10 property, used and useful as aforesaid, which notice shall be
11 sufficient to authorize the commission to inquire into and pass upon
12 the matters designated in this section."

13 "NEW SECTION. Sec. 3. A new section is added to chapter 19.27A
14 RCW to read as follows:

15 (1) The minimum state energy code for new nonresidential buildings
16 shall be the Washington state energy code, 1986 edition, as amended.
17 The state building code council may, by rule adopted pursuant to
18 chapter 34.05 RCW, amend that code's requirements for new
19 nonresidential buildings provided that:

20 (a) Such amendments increase the energy efficiency of typical newly
21 constructed nonresidential buildings; and

22 (b) Any new measures, standards, or requirements adopted must be
23 technically feasible, commercially available, and cost-effective to
24 building owners and tenants.

25 (2) In considering amendments to the state energy code for
26 nonresidential buildings, the state building code council shall
27 establish and consult with a technical advisory committee including
28 representatives of appropriate state agencies, local governments,
29 general contractors, building owners and managers, design

1 professionals, utilities, and other interested and affected parties.

2 (3) Decisions to amend the Washington state energy code for new
3 nonresidential buildings shall be made prior to December 15th of any
4 year and shall not take effect before the end of the regular
5 legislative session in the next year. Any disputed provisions within
6 an amendment presented to the legislature shall be approved by the
7 legislature before going into effect. A disputed provision is one
8 which was adopted by the state building code council with less than a
9 two-thirds majority vote. Substantial amendments to the code shall be
10 adopted no more frequently than every three years."

11 "NEW SECTION. Sec. 4. If any provision of this act or its
12 application to any person or circumstance is held invalid, the
13 remainder of the act or the application of the provision to other
14 persons or circumstances is not affected."

15 **ESSB 5770** - H COMM AMD
16 By Committee on Energy & Utilities

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18 On page 1, line 2 of the title, after "generation;" strike the
19 remainder of the title and insert "amending RCW 80.04.250; adding a new
20 section to chapter 19.27A RCW; and creating a new section."