

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5159

53rd Legislature
1993 Regular Session

Passed by the Senate March 17, 1993
YEAS 48 NAYS 1

President of the Senate

Passed by the House April 13, 1993
YEAS 63 NAYS 35

**Speaker of the
House of Representatives**

Approved

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5159** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

Governor of the State of Washington

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5159

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By Senate Committee on Ecology & Parks (originally sponsored by
Senators Talmadge, Owen and Fraser)

Read first time 02/22/93.

1 AN ACT Relating to urban forestry; amending RCW 35.92.355,
2 43.19.668, 76.12.160, and 80.28.024; adding a new section to chapter
3 35.92 RCW; adding a new section to chapter 35A.80 RCW; adding a new
4 section to chapter 80.28 RCW; adding a new section to chapter 43.19
5 RCW; adding new sections to chapter 76.15 RCW; and creating a new
6 section.

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

8 NEW SECTION. **Sec. 1.** The legislature finds that large-scale
9 reduction of tree cover increases the temperature of urban areas, known
10 as the "heat island effect." Planting trees in urban areas for shading
11 and cooling mitigates the urban heat island effect and reduces energy
12 consumption. Tree planting also can benefit the environment by
13 combating global climate change, reducing soil erosion, and improving
14 air quality. Urban forestry programs can improve urban aesthetics that
15 will improve public and private property values.

16 The legislature also finds that urban forestry programs should
17 consider the relationship between urban forests and public service
18 facilities such as water, sewer, natural gas, telephone, and electric
19 power lines. Urban forestry programs should promote the use of

1 appropriate tree species that will not interfere with or cause damage
2 to such public service facilities.

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

5 (1) Municipal utilities under this chapter are encouraged to
6 provide information to their customers regarding landscaping that
7 includes tree planting for energy conservation.

8 (2) Municipal utilities under this chapter are encouraged to
9 request voluntary donations from their customers for the purposes of
10 urban forestry. The request may be in the form of a check-off on the
11 billing statement or other form of request for a voluntary donation.

12 NEW SECTION. **Sec. 3.** A new section is added to chapter 35A.80 RCW
13 to read as follows:

14 (1) Code cities providing utility services under this chapter are
15 encouraged to provide information to their customers regarding
16 landscaping that includes tree planting for energy conservation.

17 (2) Code cities providing utility services under this chapter are
18 encouraged to request voluntary donations from their customers for the
19 purposes of urban forestry. The request may be in the form of a check-
20 off on the billing statement or other form of a request for a voluntary
21 donation.

22 NEW SECTION. **Sec. 4.** A new section is added to chapter 80.28 RCW
23 to read as follows:

24 (1) Gas companies and electrical companies under this chapter may
25 provide information to their customers regarding landscaping that
26 includes tree planting for energy conservation.

27 (2) Gas companies and electrical companies under this chapter may
28 request voluntary donations from their customers for the purposes of
29 urban forestry. The request may be in the form of a check-off on the
30 billing statement or other form of a request for a voluntary donation.

31 **Sec. 5.** RCW 35.92.355 and 1979 ex.s. c 239 s 1 are each amended to
32 read as follows:

33 The conservation of energy in all forms and by every possible means
34 is found and declared to be a public purpose of highest priority. The
35 legislature further finds and declares that all municipal corporations,

1 quasi municipal corporations, and other political subdivisions of the
2 state which are engaged in the generation, sale, or distribution of
3 energy should be granted the authority to develop and carry out
4 programs which will conserve resources, reduce waste, and encourage
5 more efficient use of energy by consumers.

6 In order to establish the most effective state-wide program for
7 energy conservation, the legislature hereby encourages any company,
8 corporation, or association engaged in selling or furnishing utility
9 services to assist their customers in the acquisition and installation
10 of materials and equipment, for compensation or otherwise, for the
11 conservation or more efficient use of energy. The use of appropriate
12 tree plantings for energy conservation is encouraged as part of these
13 programs.

14 **Sec. 6.** RCW 43.19.668 and 1980 c 172 s 1 are each amended to read
15 as follows:

16 The legislature finds and declares that the buildings, facilities,
17 equipment, and vehicles owned or leased by state government consume
18 significant amounts of energy and that energy conservation actions to
19 provide for efficient energy use in these buildings, facilities,
20 equipment, and vehicles will reduce the costs of state government. In
21 order for the operations of state government to provide the citizens of
22 this state an example of energy use efficiency, the legislature further
23 finds and declares that state government should undertake an aggressive
24 program designed to reduce energy use in state buildings, facilities,
25 equipment, and vehicles within a reasonable period of time. The use of
26 appropriate tree plantings for energy conservation is encouraged as
27 part of this program.

28 **Sec. 7.** RCW 76.12.160 and 1988 c 128 s 35 are each amended to read
29 as follows:

30 The department is authorized to sell to or exchange with persons
31 intending to restock forest areas, tree seedling stock and tree seed
32 produced at the state nursery.

33 The department may provide at cost, stock or seed to local
34 governments or nonprofit organizations for urban tree planting programs
35 consistent with the community and urban forestry program.

1 **Sec. 8.** RCW 80.28.024 and 1980 c 149 s 1 are each amended to read
2 as follows:

3 The legislature finds and declares that the potential for meeting
4 future energy needs through conservation measures, including energy
5 conservation loans, energy audits, the use of appropriate tree
6 plantings for energy conservation, and the use of renewable resources,
7 such as solar energy, wind energy, wood, wood waste, municipal waste,
8 agricultural products and wastes, hydroelectric energy, geothermal
9 energy, and end-use waste heat, may not be realized without incentives
10 to public and private energy utilities. The legislature therefore
11 finds and declares that actions and incentives by state government to
12 promote conservation and the use of renewable resources would be of
13 great benefit to the citizens of this state by encouraging efficient
14 energy use and a reliable supply of energy based upon renewable energy
15 resources.

16 NEW SECTION. **Sec. 9.** A new section is added to chapter 43.19 RCW
17 to read as follows:

18 The director of the department of general administration shall seek
19 to further energy conservation objectives among other landscape
20 objectives in planting and maintaining trees upon grounds administered
21 by the department.

22 NEW SECTION. **Sec. 10.** A new section is added to chapter 76.15 RCW
23 to read as follows:

24 The department may enter into agreements with one or more nonprofit
25 organizations whose primary purpose is urban tree planting. The
26 agreements shall be to further public education about and support for
27 urban tree planting, and for obtaining voluntary activities by the
28 local community organizations in tree planting programs. The
29 agreements shall ensure that such programs are consistent with the
30 purposes of the community and urban forestry program under this
31 chapter.

32 NEW SECTION. **Sec. 11.** A new section is added to chapter 76.15 RCW
33 to read as follows:

34 The department shall encourage urban planting of tree varieties
35 that are site-appropriate and provide the best combination of energy
36 and water conservation, fire safety and other safety, wildlife habitat,

1 and aesthetic value. The department may provide technical assistance
2 in developing programs in tree planting for energy conservation in
3 areas of the state where such programs are most cost-effective.

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