

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1895**

Chapter 299, Laws of 2005

59th Legislature  
2005 Regular Session

ENERGY EFFICIENCY--GOVERNMENT ENTITIES

EFFECTIVE DATE: 7/24/05

Passed by the House April 20, 2005  
Yeas 96 Nays 0

FRANK CHOPP

**Speaker of the House of Representatives**

Passed by the Senate April 14, 2005  
Yeas 46 Nays 0

BRAD OWEN

**President of the Senate**

Approved May 6, 2005.

CHRISTINE GREGOIRE

**Governor of the State of Washington**

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1895** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

**Chief Clerk**

FILED

May 6, 2005 - 11:15 a.m.

**Secretary of State  
State of Washington**

---

**SUBSTITUTE HOUSE BILL 1895**

---

AS AMENDED BY THE SENATE

Passed Legislature - 2005 Regular Session

**State of Washington                      59th Legislature                      2005 Regular Session**

**By** House Committee on Technology, Energy & Communications  
(originally sponsored by Representatives Morris, Hudgins, McCoy and  
B. Sullivan)

READ FIRST TIME 03/01/05.

1            AN ACT Relating to statewide energy efficiency; amending RCW  
2 44.39.010 and 44.39.070; adding a new section to chapter 44.39 RCW;  
3 adding new sections to chapter 43.19 RCW; and creating a new section.

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

5            **Sec. 1.** RCW 44.39.010 and 2001 c 214 s 30 are each amended to read  
6 as follows:

7            There is hereby created the joint committee on energy supply ((~~of~~  
8 ~~the legislature of the state of Washington~~)) and energy conservation.

9            **Sec. 2.** RCW 44.39.070 and 2002 c 192 s 1 are each amended to read  
10 as follows:

11            (1) The committee shall meet and function at the following times:

12            (a) At least once per year or at anytime upon the call of the chair to  
13 receive information related to the state or regional energy supply  
14 situation; (b) during a condition of energy supply alert or energy  
15 emergency; and (c) upon the call of the chair, in response to  
16 gubernatorial action to terminate such a condition. Upon the  
17 declaration by the governor of a condition of energy supply alert or  
18 energy emergency, the committee ((~~on energy supply~~)) shall meet to

1 receive any plans proposed by the governor for programs, controls,  
2 standards, and priorities for the production, allocation, and  
3 consumption of energy during any current or anticipated condition of  
4 energy supply alert or energy emergency, any proposed plans for the  
5 suspension or modification of existing rules of the Washington  
6 Administrative Code, and any other relevant matters the governor deems  
7 desirable. The committee shall review such plans and matters and shall  
8 transmit its recommendations to the governor for review. The committee  
9 may review any voluntary programs or local or regional programs for the  
10 production, allocation, or consumption of energy which have been  
11 submitted to the committee.

12 (2) The committee shall receive any request from the governor for  
13 the approval of a declaration of a condition of energy emergency as  
14 provided in RCW 43.21G.040 as now or hereafter amended and shall either  
15 approve or disapprove such request.

16 (3) During a condition of energy supply alert, the committee shall:  
17 (a) Receive any request from the governor for an extension of the  
18 condition of energy supply alert for an additional period of time not  
19 to exceed ninety consecutive days and the findings upon which such  
20 request is based; (b) receive any request from the governor for  
21 subsequent extensions of the condition of energy supply alert for an  
22 additional period of time not to exceed one hundred twenty consecutive  
23 days and the findings upon which such a request is based; and (c)  
24 either approve or disapprove the requested extensions. When approving  
25 a request, the committee may specify a longer period than requested, up  
26 to ninety days for initial extensions and one hundred twenty days for  
27 additional extensions.

28 (4) During a condition of energy emergency the committee shall:  
29 (a) Receive any request from the governor for an extension of the  
30 condition of energy emergency for an additional period of time not to  
31 exceed forty-five consecutive days and the finding upon which any such  
32 request is based; (b) receive any request from the governor for  
33 subsequent extensions of the condition of energy emergency for an  
34 additional period of time not to exceed sixty consecutive days and the  
35 findings upon which such a request is based; and (c) either approve or  
36 disapprove the requested extensions. When approving a request, the  
37 committee may specify a longer period than requested, up to forty-five  
38 days for initial extensions and sixty days for additional extensions.

1        NEW SECTION.    **Sec. 3.** It is the intent of the legislature to  
2 utilize lessons learned from efforts to conserve energy usage in single  
3 state buildings or complexes and extend conservation measures across  
4 all levels of government. Implementing conservation measures across  
5 all levels of government will create actual energy conservation  
6 savings, maintenance and cost savings to state and local governments,  
7 and savings to the state economy, which depends on affordable,  
8 realizable electricity to retain jobs. The legislature intends that  
9 conservation measures be identified and aggregated within a government  
10 entity or among multiple government entities to maximize energy savings  
11 and project efficiencies.

12        NEW SECTION.    **Sec. 4.** A new section is added to chapter 44.39 RCW  
13 to read as follows:

14        The definitions in this section apply throughout this chapter  
15 unless the context clearly requires otherwise.

16        (1) "Committee" means the joint committee on energy supply and  
17 energy conservation.

18        (2) "Conservation" means reduced energy consumption or energy cost,  
19 or increased efficiency in the use of energy, and activities, measures,  
20 or equipment designed to achieve such results.

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

23        (1) Municipalities may conduct energy audits and implement cost-  
24 effective energy conservation measures among multiple government  
25 entities.

26        (2) All municipalities shall report to the department if they  
27 implemented or did not implement, during the previous biennium, cost-  
28 effective energy conservation measures aggregated among multiple  
29 government entities. The reports must be submitted to the department  
30 by September 1, 2007, and by September 1, 2009. In collecting the  
31 reports, the department shall cooperate with the appropriate  
32 associations that represent municipalities.

33        (3) The department shall prepare a report summarizing the reports  
34 submitted by municipalities under subsection (2) of this section and  
35 shall report to the committee by December 31, 2007, and by December 31,  
36 2009.

1 (4) For the purposes of this section, the following definitions  
2 apply:

3 (a) "Committee" means the joint committee on energy supply and  
4 energy conservation in chapter 44.39 RCW.

5 (b) "Cost-effective energy conservation measures" has the meaning  
6 provided in RCW 43.19.670.

7 (c) "Department" means the department of general administration.

8 (d) "Energy audit" has the meaning provided in RCW 43.19.670.

9 (e) "Municipality" has the meaning provided in RCW 39.04.010.

10 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.19 RCW  
11 to read as follows:

12 Financing to implement conservation measures, including fees  
13 charged by the department, may be carried out with bonds issued by the  
14 Washington economic development finance authority under chapter 43.163  
15 RCW.

Passed by the House April 20, 2005.  
Passed by the Senate April 14, 2005.  
Approved by the Governor May 6, 2005.  
Filed in Office of Secretary of State May 6, 2005.