H-0362.1

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**HOUSE BILL 1113**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Representatives Slatter, Fitzgibbon, Fey, Doglio, Kloba, Peterson, Valdez, Ryu, Tharinger, Jinkins, Macri, Goodman, Cody, Bergquist, Pollet, Stanford, Santos, Frame, Ormsby, Walen, and Robinson

AN ACT Relating to amending state greenhouse gas emission limits for consistency with the most recent assessment of climate change science and with the United States' commitment under the 2015 Paris climate agreement; amending RCW 70.235.020; and creating a new section.

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

NEW SECTION. **Sec.**  (1) Global climate change is a real and urgent problem caused by human activities. The state of Washington and other states have been and will continue to be negatively impacted by the effects of climate change, including reduced winter snowpack, drought, more frequent extreme weather events, increased frequencies of forest fires and insect infestations, and acidifying oceans that harm shellfish and otherwise disrupt marine ecosystem viability. Although actions by individuals, local governments, environmentally minded businesses, and states are necessary and important, climate change is nevertheless fundamentally a problem of global scope.

(a) The trend of Washington's total annual greenhouse gas emissions over time reflects the state's efforts to reduce greenhouse gas emissions. In 1990, Washington's total annual greenhouse gas emissions were approximately 88.4 million metric tons of carbon dioxide equivalent. In 2007, Washington's total annual greenhouse gas emissions were approximately 101.6 million metric tons of carbon dioxide equivalent. In 2008, Washington enacted legislation to reduce greenhouse gas emissions in the state to 1990 levels by 2025, to twenty-five percent below 1990 levels by 2035, and to fifty percent below 1990 levels by 2050. In 2013, the most recent year for which records are available, Washington's total annual greenhouse gas emissions were approximately 94.4 million metric tons of carbon dioxide equivalent. In 2016, the department of ecology, based on a report from the climate impacts group at the University of Washington, recommended that the state further reduce its greenhouse gas emissions to forty percent below 1990 levels by 2035 and to eighty percent below 1990 levels by 2050.

(b) The United States has also taken certain actions at the national and international scale to reduce greenhouse gas emissions. At the national level, these actions include increasing national fuel efficiency standards for cars and light trucks and requiring all states to develop plans under the federal clean air act to achieve measurable greenhouse gas emissions reductions. At the international level, these actions include entering into an accord with China that commits both nations to measurable reductions of their greenhouse gas emissions, and signing on to the 2015 Paris climate agreement.

(c) The Paris climate agreement is an international agreement within the United Nations framework convention on climate change. Under the Paris climate agreement, each participating nation determines the contribution, known as the intended nationally determined contribution, that it will make toward a global reduction in greenhouse gas emissions. The Paris climate agreement also contains a mechanism for developed countries to fund climate change adaptation and mitigation in developing countries. A total of one hundred ninety-five nations have signed the Paris climate agreement.

(d) The United States signed the Paris climate agreement on April 22, 2016. Under the intended nationally determined contribution that the United States submitted to the United Nations, the United States committed to reducing greenhouse gas emissions to twenty-six percent below 2005 levels by 2025, and to making best efforts to reduce greenhouse gas emissions to twenty-eight percent below 2005 levels. Translated from a 2005 baseline year to a 1990 baseline year, those greenhouse gas emissions reductions equate to nineteen percent and twenty-one percent reductions, respectively, below 1990 levels.

(2) It is the intent of the legislature to declare that, notwithstanding the June 1, 2017, announcement that the United States would withdraw from the 2015 Paris climate agreement, Washington state intends to fulfill its portion of the United States' commitment under the 2015 Paris climate agreement by reducing its greenhouse gas emissions at a rate that is consistent with the intended nationally determined contribution submitted by the United States to the United Nations.

**Sec.**  RCW 70.235.020 and 2008 c 14 s 3 are each amended to read as follows:

(1)(a) The state shall limit emissions of greenhouse gases to achieve the following emission reductions for Washington state:

(i) By 2020, reduce overall emissions of greenhouse gases in the state to 1990 levels;

(ii) By 2025, reduce greenhouse gas emissions to nineteen percent below 1990 levels, and to make best efforts to reduce greenhouse gas emissions to twenty-one percent below 1990 levels, consistent with the commitment submitted to the United Nations as the intended nationally determined contribution by the United States under the 2015 Paris climate agreement;

(iii) By 2035, reduce overall emissions of greenhouse gases in the state to ((~~twenty-five~~)) forty percent below 1990 levels;

((~~(iii)~~)) (iv) By 2050, the state will do its part to reach global climate stabilization levels by reducing overall emissions to ((~~fifty~~)) eighty percent below 1990 levels((~~, or seventy percent below the state's expected emissions that year~~)).

(b) By December 1, 2008, the department shall submit a greenhouse gas reduction plan for review and approval to the legislature, describing those actions necessary to achieve the emission reductions in (a) of this subsection by using existing statutory authority and any additional authority granted by the legislature. Actions taken using existing statutory authority may proceed prior to approval of the greenhouse gas reduction plan.

(c) Except where explicitly stated otherwise, nothing in chapter 14, Laws of 2008 limits any state agency authorities as they existed prior to June 12, 2008.

(d) Consistent with this directive, the department shall take the following actions:

(i) Develop and implement a system for monitoring and reporting emissions of greenhouse gases as required under RCW 70.94.151; and

(ii) Track progress toward meeting the emission reductions established in this subsection, including the results from policies currently in effect that have been previously adopted by the state and policies adopted in the future, and report on that progress.

(2) By December 31st of each even-numbered year beginning in 2010, the department and the department of ((~~community, trade, and economic development~~)) commerce shall report to the governor and the appropriate committees of the senate and house of representatives the total emissions of greenhouse gases for the preceding two years, and totals in each major source sector. The department shall ensure the reporting rules adopted under RCW 70.94.151 allow it to develop a comprehensive inventory of emissions of greenhouse gases from all significant sectors of the Washington economy. The report must describe Washington's per capita and total greenhouse gas emissions as compared to the per capita and total greenhouse gas emissions of the other states in the United States, including Washington's ranking among the other states as an emitter of greenhouse gases on both a per capita and total emissions basis.

(3) Except for purposes of reporting, emissions of carbon dioxide from industrial combustion of biomass in the form of fuel wood, wood waste, wood by-products, and wood residuals shall not be considered a greenhouse gas as long as the region's silvicultural sequestration capacity is maintained or increased.

(4) For the purposes of this chapter, the department must, in coordination with the department of natural resources, calculate and include in its reporting the total emissions of greenhouse gases from wildfires in the state. As part of the reductions identified in this chapter, the state must encourage proactive forest management, including, but not limited to, prescribed burning and mechanized thinning, as a means of achieving the state's greenhouse gas emissions reduction goals.

(5) The joint legislative audit and review committee must prepare and submit to the legislature by June 30, 2020, and every five years thereafter, an analysis of the economic impact, whether positive or negative, and the impact on jobs, whether positive or negative, resulting from the greenhouse gas emissions reductions specified in this section.

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