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**HOUSE BILL 2193**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Representatives Sandlin, Graham, Klicker, Dent, and Low

AN ACT Relating to the new environmental restoration accelerator for salmon recovery; adding a new section to chapter 43.31 RCW; and adding a new section to chapter 44.28 RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 43.31 RCW to read as follows:

(1) An environmental restoration accelerator is established within the department of commerce to provide regulatory flexibility for salmon recovery projects and programs funded with climate commitment act revenue.

(2) The director of the department of commerce must appoint an administrator and assign staff to run the environmental restoration accelerator. It is the intent of the legislature that administrative funds for the environmental restoration accelerator be appropriated from climate commitment act auction revenue.

(3) Any entity receiving funding for the primary purpose of salmon recovery from the climate investment account created in RCW 70A.65.250, the climate commitment account created in RCW 70A.65.260, the natural climate solutions account created in RCW 70A.65.270, or the air quality and health disparities improvement account created in RCW 70A.65.280 is automatically enrolled in the environmental restoration accelerator.

(4) The administrator of the environmental restoration accelerator must assist every entity in the accelerator by:

(a) Assisting the entity with identifying any regulatory barriers to successfully and efficiently implementing the project or program for which the entity received funding;

(b) Working with the relevant regulatory agency or agencies to see what, if any, regulatory relief may be granted to the entity by the regulatory agency or agencies. Regulatory relief may be in the form of a waiver or modification of state law, a waiver or modification of a state rule, or both, for a trial period. The initial trial period may occur for up to five years and may be extended for the entity by a regulatory agency or agencies until the conclusion of the climate commitment act's compliance obligations for covered entities; and

(c) When regulatory relief is granted to an entity, providing notice to all entities in the environmental restoration accelerator of this relief. The department of commerce must maintain a registry of enrollees so that those who wish to be notified for request of relief by other entities can update their contact information.

(5) Entities enrolled in the environmental restoration accelerator have the right to request regulatory relief, on a form to be prescribed by the administrator of the environmental restoration accelerator, and have the request considered and responded to in 60 days.

(6)(a) The administrator of the environmental restoration accelerator or the relevant regulatory agency or agencies may rescind a grant of regulatory relief if:

(i) The administrator of the environmental restoration accelerator or relevant regulatory agency determines the relief is no longer in the public interest; or

(ii) The program, project, or other qualifying grant has been terminated.

(b) When rescinding regulatory relief, the relevant agency must provide the entity that received the relief with a detailed explanation of the reason for the rescission.

(7) The department of commerce must provide a progress report on the environmental restoration accelerator to the appropriate committees of the legislature by January 1st annually. The report must include:

(a) The number and type of entities requesting regulatory relief;

(b) A review and summary of the types of regulatory relief requested;

(c) The details of all regulatory relief granted by regulatory agencies;

(d) Recommendations or considerations for amending state law or rules to provide permanent regulatory relief; and

(e) Any other information that the department of commerce deems relevant and useful.

(8) This section does not limit the authority of any regulatory agency to take any enforcement action, other than a civil penalty, authorized by law. This section does not limit a regulatory agency's authority to issue a civil penalty as authorized by law based upon a person's failure to comply with specific terms and conditions of any permit or license issued by the agency to that person.

(9) If a regulatory agency determines that any part of this section is in conflict with federal law or program requirements, in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, or in conflict with the requirements for eligibility of employers in this state for federal unemployment tax credits, the conflicting part of this chapter is inoperative solely to the extent of the conflict. Any rules under this section must meet federal requirements that are a necessary condition to the receipt of federal funds by the state or the granting of federal unemployment tax credits to employers in this state.

NEW SECTION. **Sec.**  A new section is added to chapter 44.28 RCW to read as follows:

(1) The joint committee shall conduct an evaluation of the implementation of the environmental restoration accelerator for salmon recovery as described in section 1 of this act and report to the appropriate committees of the legislature by December 1, 2029, on the results of the evaluation.

(2) The report must include recommendations on whether to continue the environmental restoration accelerator in its existing form and any legislative changes that may be needed to improve the program. Specifically, the report must include a comparison of entities that received regulatory relief to similar entities that either did not request regulatory relief or did not receive regulatory relief.

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