

2 **HB 2285** - S AMD - 501  
3 By Senator Prentice

4

5 On page 74, beginning on line 8, after "(y)", strike everything  
6 through "(z)" on line 12, and insert "Staff employed by the department  
7 of ~~((community,))~~ trade~~((,))~~ and economic development to administer  
8 energy policy functions ~~((and manage energy site evaluation council~~  
9 ~~activities under RCW 43.21F.045(2)(m))~~);

10 ~~((~~bb~~))~~ (z) Staff employed by the department of community  
11 development to manage energy facility site evaluation council  
12 activities under RCW 43.21F.045(2)(m); and  
13 (aa)"

14 On page 78, after line 18, insert the following:

15 "**Sec. 406.** RCW 43.21F.025 and 1996 c 186 s 102 are each amended to  
16 read as follows:

17 (1) "Energy" means petroleum or other liquid fuels; natural or  
18 synthetic fuel gas; solid carbonaceous fuels; fissionable nuclear  
19 material; electricity; solar radiation; geothermal resources;  
20 hydropower; organic waste products; wind; tidal activity; any other  
21 substance or process used to produce heat, light, or motion; or the  
22 savings from nongeneration technologies, including conservation or  
23 improved efficiency in the usage of any of the sources described in  
24 this subsection;

25 (2) "Person" means an individual, partnership, joint venture,  
26 private or public corporation, association, firm, public service  
27 company, political subdivision, municipal corporation, government  
28 agency, public utility district, joint operating agency, or any other  
29 entity, public or private, however organized;

30 (3) "Director" means the director of the department ~~((of community,~~  
31 ~~trade, and economic development))~~);

32 (4) "Assistant director" means the assistant director of the  
33 department ~~((of community, trade, and economic development))~~  
34 responsible for energy policy activities;

1 (5) "Department" means the department of ((community,)) trade((,))  
2 and economic development;

3 (6) "Distributor" means any person, private corporation,  
4 partnership, individual proprietorship, utility, including investor-  
5 owned utilities, municipal utility, public utility district, joint  
6 operating agency, or cooperative, which engages in or is authorized to  
7 engage in the activity of generating, transmitting, or distributing  
8 energy in this state; and

9 (7) "State energy strategy" means the document and energy policy  
10 direction developed under section 1, chapter 201, Laws of 1991  
11 including any related appendices.

12 **Sec. 407.** RCW 43.21F.045 and 1996 c 186 s 103 are each amended to  
13 read as follows:

14 (1) The department shall supervise and administer energy-related  
15 activities as specified in RCW 43.330.904 (as recodified by this act)  
16 and shall advise the governor and the legislature with respect to  
17 energy matters affecting the state.

18 (2) In addition to other powers and duties granted to the  
19 department, the department shall have the following powers and duties:

20 (a) Prepare and update contingency plans for implementation in the  
21 event of energy shortages or emergencies. The plans shall conform to  
22 chapter 43.21G RCW and shall include procedures for determining when  
23 these shortages or emergencies exist, the state officers and agencies  
24 to participate in the determination, and actions to be taken by various  
25 agencies and officers of state government in order to reduce hardship  
26 and maintain the general welfare during these emergencies. The  
27 department shall coordinate the activities undertaken pursuant to this  
28 subsection with other persons. The components of plans that require  
29 legislation for their implementation shall be presented to the  
30 legislature in the form of proposed legislation at the earliest  
31 practicable date. The department shall report to the governor and the  
32 legislature on probable, imminent, and existing energy shortages, and  
33 shall administer energy allocation and curtailment programs in  
34 accordance with chapter 43.21G RCW.

35 (b) Establish and maintain a central repository in state government  
36 for collection of existing data on energy resources, including:

37 (i) Supply, demand, costs, utilization technology, projections, and  
38 forecasts;

1 (ii) Comparative costs of alternative energy sources, uses, and  
2 applications; and

3 (iii) Inventory data on energy research projects in the state  
4 conducted under public and/or private auspices, and the results  
5 thereof.

6 (c) Coordinate federal energy programs appropriate for state-level  
7 implementation, carry out such energy programs as are assigned to it by  
8 the governor or the legislature, and monitor federally funded local  
9 energy programs as required by federal or state regulations.

10 (d) Develop energy policy recommendations for consideration by the  
11 governor and the legislature.

12 (e) Provide assistance, space, and other support as may be  
13 necessary for the activities of the state's two representatives to the  
14 Pacific northwest electric power and conservation planning council. To  
15 the extent consistent with federal law, the director shall request that  
16 Washington's council members request the administrator of the  
17 Bonneville power administration to reimburse the state for the expenses  
18 associated with the support as provided in the Pacific Northwest  
19 Electric Power Planning and Conservation Act (P.L. 96-501).

20 (f) Cooperate with state agencies, other governmental units, and  
21 private interests in the prioritization and implementation of the state  
22 energy strategy elements and on other energy matters.

23 (g) Serve as the official state agency responsible for coordinating  
24 implementation of the state energy strategy.

25 (h) No later than December 1, 1982, and by December 1st of each  
26 even-numbered year thereafter, prepare and transmit to the governor and  
27 the appropriate committees of the legislature a report on the  
28 implementation of the state energy strategy and other important energy  
29 issues, as appropriate.

30 (i) Provide support for increasing cost-effective energy  
31 conservation, including assisting in the removal of impediments to  
32 timely implementation.

33 (j) Provide support for the development of cost-effective energy  
34 resources including assisting in the removal of impediments to timely  
35 construction.

36 (k) Adopt rules, under chapter 34.05 RCW, necessary to carry out  
37 the powers and duties enumerated in this chapter.

1 (1) Provide administrative assistance, space, and other support as  
2 may be necessary for the activities of the energy facility site  
3 evaluation council, as provided for in RCW 80.50.030.

4 (m) Appoint staff as may be needed to administer energy policy  
5 functions ~~((and manage energy facility site evaluation council  
6 activities))~~. These employees are exempt from the provisions of  
7 chapter 41.06 RCW.

8 (3) To the extent the powers and duties set out under this section  
9 relate to energy education, applied research, and technology transfer  
10 programs they are transferred to Washington State University.

11 (4) To the extent the powers and duties set out under this section  
12 relate to energy efficiency in public buildings they are transferred to  
13 the department of general administration."

14 Renumber the remaining sections consecutively and correct any  
15 internal references accordingly.

16 Beginning on page 81, line 27, strike all of section 411 and insert  
17 the following:

18 "**Sec. 411.** RCW 80.50.030 and 1996 c 186 s 108 are each amended to  
19 read as follows:

20 (1) There is created and established the energy facility site  
21 evaluation council.

22 (2)(a) The ~~((chairman))~~ chair of the council shall be appointed by  
23 the governor with the advice and consent of the senate, shall have a  
24 vote on matters before the council, shall serve for a term coextensive  
25 with the term of the governor, and is removable for cause. The  
26 ~~((chairman))~~ chair may designate a member of the council to serve as  
27 acting ~~((chairman))~~ chair in the event of the ~~((chairman's))~~ chair's  
28 absence. The ~~((chairman))~~ chair is a "state employee" for the purposes  
29 of chapter 42.52 RCW. As applicable, when attending meetings of the  
30 council, members may receive reimbursement for travel expenses in  
31 accordance with RCW 43.03.050 and 43.03.060, and are eligible for  
32 compensation under RCW 43.03.250.

33 (b) The ~~((chairman))~~ chair or a designee shall execute all official  
34 documents, contracts, and other materials on behalf of the council.  
35 The ~~((Washington state))~~ department of community~~((, trade, and  
36 economic))~~ development shall provide all administrative and staff

1 support for the council. The director of the department of  
2 community(~~(, trade, and economic)~~) development has supervisory  
3 authority over the staff of the council and shall employ such personnel  
4 as are necessary to implement this chapter. Not more than three such  
5 employees may be exempt from chapter 41.06 RCW.

6 (3) The council shall consist of the directors, administrators, or  
7 their designees, of the following departments, agencies, commissions,  
8 and committees or their statutory successors:

9 (a) Department of ecology;

10 (b) Department of fish and wildlife;

11 (c) Department of health;

12 (d) Military department;

13 (e) Department of community(~~(, trade, and economic)~~) development;

14 (f) Utilities and transportation commission;

15 (g) Department of natural resources;

16 (h) Department of agriculture;

17 (i) Department of trade and economic development; and

18 (j) Department of transportation.

19 (4) The appropriate county legislative authority of every county  
20 wherein an application for a proposed site is filed shall appoint a  
21 member or designee as a voting member to the council. The member or  
22 designee so appointed shall sit with the council only at such times as  
23 the council considers the proposed site for the county which he or she  
24 represents, and such member or designee shall serve until there has  
25 been a final acceptance or rejection of the proposed site.

26 (5) The city legislative authority of every city within whose  
27 corporate limits an energy plant is proposed to be located shall  
28 appoint a member or designee as a voting member to the council. The  
29 member or designee so appointed shall sit with the council only at such  
30 times as the council considers the proposed site for the city which he  
31 or she represents, and such member or designee shall serve until there  
32 has been a final acceptance or rejection of the proposed site.

33 (6) For any port district wherein an application for a proposed  
34 port facility is filed subject to this chapter, the port district shall  
35 appoint a member or designee as a nonvoting member to the council. The  
36 member or designee so appointed shall sit with the council only at such  
37 times as the council considers the proposed site for the port district  
38 which he or she represents, and such member or designee shall serve  
39 until there has been a final acceptance or rejection of the proposed

1 site. The provisions of this subsection shall not apply if the port  
2 district is the applicant, either singly or in partnership or  
3 association with any other person."

4 **HB 2285** - S AMD - 501  
5 By Senator Prentice

6

7 On page 1, line 17 of the title, after "43.17.020," insert  
8 "43.21F.025, 43.21F.045,"

EFFECT: Makes the department of community development responsible  
for providing administrative and staff support to the energy facility  
site evaluation council. Eliminates gender-specific terms.

--- END ---