

SENATE BILL REPORT

SB 6531

As Reported By Senate Committee On:
Environment, Energy & Water, January 25, 2002

Title: An act relating to amending the authority and duties of the joint committee on energy supply.

Brief Description: Modifying the duties of the joint committee on energy supply.

Sponsors: Senators Fraser, Finkbeiner, Brown, Hochstatter, Poulsen and Morton.

Brief History:

Committee Activity: Environment, Energy & Water: 1/22/02, 1/25/02 [DPS].

SENATE COMMITTEE ON ENVIRONMENT, ENERGY & WATER

Majority Report: That Substitute Senate Bill No. 6531 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fraser, Chair; Regala, Vice Chair; Eide, Honeyford, Jacobsen, Keiser, McDonald and Morton.

Staff: Andrea McNamara (786-7483)

Background: In January 2001, Governor Locke declared an energy supply alert in response to the developing energy crisis. The declaration invoked, for the first time since enacted in the 1970s, the provisions in state law related to the Joint Legislative Committee on Energy & Utilities (Joint Committee). In the ten months following the original declaration of energy supply alert, the Governor and the Joint Committee operated under the procedures outlined in statute for meeting, requesting, considering and issuing extension of orders, and reviewing energy programs.

Current law allows the Joint Committee to meet only when there is a declared state of energy supply alert or energy emergency.

The Joint Committee is authorized to approve, and the Governor is authorized to order, extensions of an energy supply alert for an additional 60 consecutive days and an energy emergency for an additional 45 consecutive days (no less and no more).

Current law does not require any notice or opportunity for the Joint Committee to meet prior to the Governor issuing a declaration. The Joint Committee is required to approve or deny requests from the Governor to extend orders beyond their original expiration dates but does not specify how much time the Governor should or must give the Joint Committee to consider such requests.

Current law requires the Joint Committee to review any programs submitted to the Joint Committee from any source related to production, allocation, or consumption of energy,

including plans submitted by the Governor and any other voluntary local or regional plans submitted by any other source.

Last year's omnibus energy bill renamed the committee from the Joint Legislative Committee on Energy & Utilities to the Joint Legislative Committee on Energy Supply.

Summary of Substitute Bill: The Joint Legislative Committee on Energy Supply (Joint Committee) is authorized to meet at least once per year to receive information about energy supply; during a declared condition of energy supply alert or emergency; and, at the call of the chair in response to gubernatorial action to terminate such a condition.

Flexibility is added to the periods of time for which an extension of an energy supply alert or energy emergency may be approved and ordered. Energy supply alerts and emergencies may be extended initially for the period of time requested by the Governor, or longer, up to specified maximums.

The Governor is required to make a reasonable, good faith effort to provide the Joint Committee with notice that the Governor is considering declaring a condition of energy supply alert or energy emergency. The Governor is also required to provide the Joint Committee with 14 days' notice when requesting an extension of a condition of energy supply alert or energy emergency, unless such notice is waived by the committee.

The obligation to review voluntary or local or regional programs submitted to the Joint Committee for the production, allocation, or consumption of energy is made discretionary, except for review of plans submitted by the Governor which continue to be required.

Substitute Bill Compared to Original Bill: The substitute allows the Joint Committee to approve extensions of supply alerts or emergencies for either the length of time requested by the Governor, or for a longer period of time, up to specified maximums. The substitute changes the legal standard for the Governor's requirement to provide advance notice to the Joint Committee prior to issuing alerts or emergency declarations and allows the Joint Committee to waive the 14-day notice requirement for extensions.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Last year's experience demonstrated a need for additional flexibility in how long extensions should be issued for. There were occasions when both shorter and longer extensions would have been appropriate, but the law did not allow it. It is also appropriate that the Joint Committee be able to meet annually to stay abreast of on-going energy supply issues.

Testimony Against: None.

Testified: PRO: Senator Karen Fraser, prime sponsor; Dave Danner, Governor's Policy Office.

