
ENGROSSED SECOND SUBSTITUTE SENATE BILL 6718

State of Washington 57th Legislature

2002 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Fraser, Finkbeiner, Regala, Keiser, Jacobsen, Poulsen and Franklin)

READ FIRST TIME 02/12/2002.

1 AN ACT Relating to state government as a leader in clean energy
2 consumption; amending RCW 43.21F.045; adding new sections to chapter
3 43.21F RCW; adding a new section to chapter 43.19 RCW; and creating a
4 new section.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

7 (a) As a significant consumer of energy resources and a committed
8 steward of public health and environmental quality, Washington state
9 government is well-positioned to be a leader in promoting and using
10 clean energy;

11 (b) State government actions to promote and use clean energy are
12 consistent with the state's environmental commitments, including
13 addressing the potential impact to Washington's quality of life due to
14 global climate changes and improving local and regional air quality;

15 (c) State government actions to promote and use clean energy are
16 also consistent with the state's high priority policy objectives to
17 maintain competitive energy costs and a reliable and secure supply of
18 energy resources; and

1 (d) State government actions to promote and use clean energy are
2 also consistent with the state's goals to support economic development
3 opportunities by reducing traffic congestion and stimulating new and
4 emerging energy technologies within the clean energy industry of the
5 state's high-technology sector.

6 (2) The legislature intends state government to adopt a strategy to
7 meet its energy needs by relying on clean energy to the greatest extent
8 practicable.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.21F RCW
10 to read as follows:

11 The definitions in this section apply throughout RCW 43.21F.015,
12 43.21F.045, and section 4 of this act unless the context clearly
13 requires otherwise.

14 (1) "Energy conservation measures" has the same meaning as defined
15 in RCW 43.19.670(3) (a) through (j) and (l).

16 (2) "Clean energy resources" or "qualified alternative energy
17 resources" means the electricity produced from generation facilities
18 that are fueled by: (a) Wind; (b) solar energy; (c) geothermal energy;
19 (d) landfill gas; (e) wave or tidal action; (f) fuel cells; (g) gas
20 produced during the treatment of wastewater; (h) qualified hydropower;
21 or (i) biomass energy based on solid organic fuels from wood, forest,
22 or field residues, or dedicated energy crops that do not include wood
23 pieces that have been treated with chemical preservatives such as
24 creosote, pentachlorophenol, or copper-chrome-arsenic.

25 (3) "State" and "state government" means the executive branch
26 agencies of the state of Washington that are managed by governor-
27 appointed executives and state institutions of higher education.

28 **Sec. 3.** RCW 43.21F.045 and 1996 c 186 s 103 are each amended to
29 read as follows:

30 (1) The department shall supervise and administer energy-related
31 activities as specified in RCW 43.330.904 and shall advise the governor
32 and the legislature with respect to energy matters affecting the state.

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

35 (a) Prepare and update contingency plans for implementation in the
36 event of energy shortages or emergencies. The plans shall conform to
37 chapter 43.21G RCW and shall include procedures for determining when

1 these shortages or emergencies exist, the state officers and agencies
2 to participate in the determination, and actions to be taken by various
3 agencies and officers of state government in order to reduce hardship
4 and maintain the general welfare during these emergencies. The
5 department shall coordinate the activities undertaken pursuant to this
6 subsection with other persons. The components of plans that require
7 legislation for their implementation shall be presented to the
8 legislature in the form of proposed legislation at the earliest
9 practicable date. The department shall report to the governor and the
10 legislature on probable, imminent, and existing energy shortages, and
11 shall administer energy allocation and curtailment programs in
12 accordance with chapter 43.21G RCW.

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

15 (i) Supply, demand, costs, utilization technology, projections, and
16 forecasts;

17 (ii) Comparative costs of alternative energy sources, uses, and
18 applications; and

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

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

26 (d) Develop energy policy recommendations for consideration by the
27 governor and the legislature, including but not limited to strategies
28 and options to encourage state agencies to rely on clean energy
29 resources to the greatest extent practicable.

30 (e) Provide assistance, space, and other support as may be
31 necessary for the activities of the state's two representatives to the
32 Pacific northwest electric power and conservation planning council. To
33 the extent consistent with federal law, the director shall request that
34 Washington's council members request the administrator of the
35 Bonneville power administration to reimburse the state for the expenses
36 associated with the support as provided in the Pacific Northwest
37 Electric Power Planning and Conservation Act (P.L. 96-501).

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

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

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

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

14 (j) Provide support for the development of cost-effective energy
15 resources including assisting in the removal of impediments to timely
16 construction.

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

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

22 (m) Appoint staff as may be needed to administer energy policy
23 functions and manage energy facility site evaluation council
24 activities. These employees are exempt from the provisions of chapter
25 41.06 RCW.

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

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

32 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.19 RCW
33 to read as follows:

34 (1) The department of general administration shall encourage each
35 agency of state government to use clean energy resources as defined in
36 section 2 of this act. Each agency of state government shall determine
37 the amount of clean energy resources that should be purchased and all
38 such purchases shall be made within existing resources.

1 (2) Each agency is encouraged to obtain at least two percent per
2 biennium of its energy consumption from clean energy resources or a
3 reduction in consumption of at least two percent through energy
4 conservation and energy efficiency measures, or a combination thereof.
5 The goal is to reach a cumulative total of ten percent by June 30,
6 2011.

7 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.21F RCW
8 to read as follows:

9 In preparing the biennial energy report required under RCW
10 43.21F.045(2)(h) to be transmitted to the governor and the legislature
11 by December 1, 2002, the department must include the following
12 information:

13 (1) An estimate of the current and potential future contributions
14 to global climate change as a result of state government's current and
15 projected energy consumption;

16 (2) Identification of specific strategies and options to reduce or
17 offset the contributions to global climate change attributable to the
18 state's energy consumption. Strategies and options may include:

19 (a) Reducing the state's consumption of electricity through
20 aggressive pursuit of cost-effective energy conservation and efficiency
21 opportunities;

22 (b) Increasing the proportion of electricity the state generates
23 for its own use or purchases through an electric utility from clean
24 energy resources; and

25 (c) Addressing transportation-related energy challenges such as
26 improving the fuel efficiency of the state's vehicle fleet, using
27 alternative fuels in the state's vehicle fleet, changing the ways state
28 employees and contractors travel, and developing transportation
29 substitutes for state employees and contractors; and

30 (3) A status report on the planning and progress related to
31 implementing section 4 of this act. The status report shall also
32 include an analysis of the projected costs and projected benefits to
33 the state from pursuing the goals set in section 4 of this act.

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