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SENATE BILL 5941

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State of Washington

59th Legislature

2005 Regular Session

By Senators Thibaudeau, Kohl-Welles, Fairley, Regala and Kline

Read first time 02/16/2005. Referred to Committee on Water, Energy & Environment.

1 AN ACT Relating to reducing greenhouse gases; adding a new chapter  
2 to Title 19 RCW; providing an effective date; and declaring an  
3 emergency.

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

5 NEW SECTION. **Sec. 1.** The definitions in this section apply  
6 throughout this chapter unless the context clearly requires otherwise.

7 (1) "Consumer-owned utility" includes a municipal electric utility  
8 formed under Title 35 RCW, a public utility district formed under Title  
9 54 RCW, an irrigation district formed under chapter 87.03 RCW, a  
10 cooperative formed under chapter 23.86 RCW, a mutual corporation or  
11 association formed under chapter 24.06 RCW, a port district formed  
12 under Title 53 RCW, or a water-sewer district formed under Title 57  
13 RCW, that is engaged in the business of distributing electricity to one  
14 or more retail electric customers in the state.

15 (2) "Electric utility" means a consumer-owned or investor-owned  
16 utility.

17 (3) "Greenhouse gases" means carbon dioxide and nitrous oxides as  
18 they relate to electricity generation.

1 (4) "Investor-owned utility" means a corporation owned by investors  
2 that meets the definition of corporation in RCW 80.04.010 and is  
3 engaged in distributing electricity to more than one retail electric  
4 customer in the state.

5 (5) "Permanently offset" means an emitter of greenhouse gases  
6 making an arrangement with another party whereby the other party  
7 permanently reduces greenhouse gas emissions on behalf of the original  
8 emitter.

9 NEW SECTION. **Sec. 2.** (1) Beginning June 1, 2005, every  
10 electricity generating plant in the state of Washington using coal  
11 shall begin reducing or permanently offsetting its greenhouse gas  
12 emissions by twenty-five percent per year.

13 (2) By January 1, 2008, every electricity generating plant in the  
14 state of Washington using coal shall permanently offset its greenhouse  
15 gas emissions by one hundred percent, or completely phase out the use  
16 of coal for electricity.

17 (3) No electric utility in the state of Washington shall enter into  
18 new long-term contracts to purchase electricity using coal from within  
19 or from outside of the state of Washington.

20 (4) Contracts in effect on the effective date of this act shall be  
21 honored but not renewed.

22 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
23 preservation of the public peace, health, or safety, or support of the  
24 state government and its existing public institutions, and takes effect  
25 June 1, 2005.

26 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act constitute  
27 a new chapter in Title 19 RCW.

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