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HOUSE BILL 1929

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State of Washington                      60th Legislature                      2007 Regular Session

By Representatives Hurst, Morris and Kenney

Read first time 02/01/2007.      Referred to Committee on Technology,  
Energy & Communications.

1            AN ACT Relating to authorizing utilities to engage in environmental  
2 mitigation efforts; adding a new section to chapter 35.92 RCW; adding  
3 a new section to chapter 54.04 RCW; and creating a new section.

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

5            NEW SECTION.    **Sec. 1.** The legislature finds and declares that  
6 offset contracts and other greenhouse gas mitigation efforts are a  
7 recognized utility purpose that confers a direct benefit on the  
8 utility's ratepayers.    The legislature declares that this act is  
9 intended to reverse the result of *Okeson v. City of Seattle* (2007) by  
10 expressly granting municipal-owned utilities and public utility  
11 districts the statutory authority to engage in mitigation activities to  
12 offset their utility's impact on the environment.

13            NEW SECTION.    **Sec. 2.** A new section is added to chapter 35.92 RCW  
14 to read as follows:

15            (1) A city or town authorized to acquire and operate utilities for  
16 the purpose of furnishing the city or town and its inhabitants and  
17 other persons with electricity for lighting and other purposes may

1 develop and make publicly available a plan for the utility to achieve  
2 no-net emissions from all sources of greenhouse gases it owns, leases,  
3 uses, contracts for, or otherwise controls.

4 (2) A city or town authorized to acquire and operate utilities for  
5 the purpose of furnishing the city or town and its inhabitants and  
6 other persons with electricity for lighting and other purposes may, as  
7 part of its utility operation, mitigate the environmental impacts of  
8 its operation and any power purchases, such as greenhouse gas  
9 emissions. The mitigation may include all greenhouse mitigation  
10 mechanisms recognized by independent, qualified organizations with  
11 proven experience in emissions mitigation activities. Mitigation  
12 mechanisms may include the purchase of carbon offsets. Any carbon  
13 offset purchased after the effective date of this section must be  
14 recognized by any greenhouse gas registry developed by the state.

15 NEW SECTION. **Sec. 3.** A new section is added to chapter 54.04 RCW  
16 to read as follows:

17 (1) A public utility district may develop and make publicly  
18 available a plan for the district to achieve no-net emissions from all  
19 sources of greenhouse gases it owns, leases, uses, contracts for, or  
20 otherwise controls.

21 (2) A public utility district may, as part of its utility  
22 operation, mitigate the environmental impacts of its operation and any  
23 power purchases, such as greenhouse gas emissions. The mitigation may  
24 include all greenhouse mitigation mechanisms recognized by independent,  
25 qualified organizations with proven experience in emissions mitigation  
26 activities. Mitigation mechanisms may include the purchase of carbon  
27 offsets. Any carbon offset purchased after the effective date of this  
28 section must be recognized by any greenhouse gas registry developed by  
29 the state.

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