
SECOND SUBSTITUTE HOUSE BILL 2426

State of Washington

60th Legislature

2008 Regular Session

By House Appropriations Subcommittee on General Government & Audit Review (originally sponsored by Representatives Chase, Williams, Morrell, Hasegawa, Hudgins, Campbell, Kagi, and Upthegrove)

READ FIRST TIME 02/07/08.

1 AN ACT Relating to use of high-efficiency lighting in state
2 government; amending RCW 43.19.668 and 43.19.670; adding a new section
3 to chapter 43.19 RCW; and creating a new section.

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

5 **Sec. 1.** RCW 43.19.668 and 2001 c 214 s 23 are each amended to read
6 as follows:

7 The legislature finds and declares that the buildings, facilities,
8 equipment, and vehicles owned or leased by state government consume
9 significant amounts of energy and that energy conservation actions,
10 including energy management systems, to provide for efficient energy
11 use in these buildings, facilities, equipment, and vehicles will reduce
12 the costs of state government. In order for the operations of state
13 government to provide the citizens of this state an example of energy
14 use efficiency, the legislature further finds and declares that state
15 government should undertake an aggressive program designed to reduce
16 energy use in state buildings, facilities, equipment, and vehicles
17 within a reasonable period of time. The use of appropriate tree
18 plantings for energy conservation is encouraged as part of this

1 program. The use of high-efficiency lighting in facilities owned or
2 leased by state government is also strongly encouraged.

3 **Sec. 2.** RCW 43.19.670 and 2001 c 214 s 25 are each amended to read
4 as follows:

5 As used in RCW 43.19.670 through 43.19.685, the following terms
6 have the meanings indicated unless the context clearly requires
7 otherwise.

8 (1) "Energy audit" means a determination of the energy consumption
9 characteristics of a facility which consists of the following elements:

10 (a) An energy consumption survey which identifies the type, amount,
11 and rate of energy consumption of the facility and its major energy
12 systems. This survey shall be made by the agency responsible for the
13 facility.

14 (b) A walk-through survey which determines appropriate energy
15 conservation maintenance and operating procedures and indicates the
16 need, if any, for the acquisition and installation of energy
17 conservation measures and energy management systems. This survey shall
18 be made by the agency responsible for the facility if it has
19 technically qualified personnel available. The director of general
20 administration shall provide technically qualified personnel to the
21 responsible agency if necessary.

22 (c) An investment grade audit, which is an intensive engineering
23 analysis of energy conservation and management measures for the
24 facility, net energy savings, and a cost-effectiveness determination.
25 This element is required only for those facilities designated in the
26 schedule adopted under RCW 43.19.680(2).

27 (2) "Cost-effective energy conservation measures" means energy
28 conservation measures that the investment grade audit concludes will
29 generate savings sufficient to finance project loans of not more than
30 ten years.

31 (3) "Energy conservation measure" means an installation or
32 modification of an installation in a facility which is primarily
33 intended to reduce energy consumption or allow the use of an
34 alternative energy source, including:

35 (a) Insulation of the facility structure and systems within the
36 facility;

1 (b) Storm windows and doors, multiglazed windows and doors, heat
2 absorbing or heat reflective glazed and coated windows and door
3 systems, additional glazing, reductions in glass area, and other window
4 and door system modifications;

5 (c) Automatic energy control systems;

6 (d) Equipment required to operate variable steam, hydraulic, and
7 ventilating systems adjusted by automatic energy control systems;

8 (e) Solar space heating or cooling systems, solar electric
9 generating systems, or any combination thereof;

10 (f) Solar water heating systems;

11 (g) Furnace or utility plant and distribution system modifications
12 including replacement burners, furnaces, and boilers which
13 substantially increase the energy efficiency of the heating system;
14 devices for modifying flue openings which will increase the energy
15 efficiency of the heating system; electrical or mechanical furnace
16 ignitions systems which replace standing gas pilot lights; and utility
17 plant system conversion measures including conversion of existing oil-
18 and gas-fired boiler installations to alternative energy sources;

19 (h) Caulking and weatherstripping;

20 (i) Replacement or modification of lighting fixtures which increase
21 the energy efficiency of the lighting system;

22 (j) Energy recovery systems;

23 (k) Energy management systems; and

24 (l) Such other measures as the director finds will save a
25 substantial amount of energy.

26 (4) "Energy conservation maintenance and operating procedure" means
27 modification or modifications in the maintenance and operations of a
28 facility, and any installations within the facility, which are designed
29 to reduce energy consumption in the facility and which require no
30 significant expenditure of funds.

31 (5) "Energy management system" has the definition contained in RCW
32 39.35.030.

33 (6) "Energy savings performance contracting" means the process
34 authorized by chapter 39.35C RCW by which a company contracts with a
35 state agency to conduct no-cost energy audits, guarantee savings from
36 energy efficiency, provide financing for energy efficiency
37 improvements, install or implement energy efficiency improvements, and

1 agree to be paid for its investment solely from savings resulting from
2 the energy efficiency improvements installed or implemented.

3 (7) "Energy service company" means a company or contractor
4 providing energy savings performance contracting services.

5 (8) "Facility" means a building, a group of buildings served by a
6 central energy distribution system, or components of a central energy
7 distribution system.

8 (9) "Fluorescent lamp" means a gas-discharge lamp that uses a
9 magnetic, electronic, or other ballast and uses electricity to excite
10 mercury vapor in argon or neon gas resulting in a plasma that produces
11 short-wave ultraviolet light that causes a phosphor to fluoresce and
12 produce visible light. "Fluorescent lamp" includes without limitation
13 a compact fluorescent lamp.

14 (10) "High-efficiency lighting" means fluorescent lamp or solid-
15 state lighting.

16 (11) "Implementation plan" means the annual tasks and budget
17 required to complete all acquisitions and installations necessary to
18 satisfy the recommendations of the energy audit.

19 (12) "Solid-state lighting" means a light device that uses light-
20 emitting diodes, organic light-emitting diodes, or polymer light-
21 emitting diodes as sources of illumination rather than electrical
22 filaments or gas.

23 (13) "Technically feasible" means the technology is compatible and
24 appropriate for the current appliance and use.

25 NEW SECTION. Sec. 3. A new section is added to chapter 43.19 RCW
26 to read as follows:

27 (1) Whenever a state agency purchases or requires a bid for the
28 purchase of an indoor lamp, a preference for solid-state lighting shall
29 be exercised if the use of solid-state lighting is technically feasible
30 and the price is competitive with consideration given to the long-term
31 cost-effectiveness and savings of solid-state lighting. If solid-state
32 lighting is not technically feasible or cost-effective for a particular
33 application, then a preference for using a fluorescent lamp shall be
34 exercised if the use of a fluorescent lamp is technically feasible and
35 the price is competitive with consideration given to the long-term
36 cost-effectiveness and savings of fluorescent lamps.

1 (2) The goal of state agencies for the percentage of purchased
2 indoor lamps that are high-efficiency lighting shall be one hundred
3 percent by January 1, 2010.

4 (3) The department of general administration shall prepare an
5 annual report to the legislature on the state's progress in meeting the
6 goals for the purchase of high-efficiency lighting.

7 NEW SECTION. **Sec. 4.** If specific funding for the purposes of this
8 act, referencing this act by bill or chapter number, is not provided by
9 June 30, 2008, in the omnibus appropriations act, this act is null and
10 void.

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