
SENATE BILL 5096

State of Washington

62nd Legislature

2011 Regular Session

By Senators Delvin, Honeyford, Morton, and Holmquist Newbry

Read first time 01/13/11. Referred to Committee on Environment, Water & Energy.

1 AN ACT Relating to withdrawing Washington state's participation in
2 the western climate initiative; amending RCW 70.235.005 and 70.235.010;
3 creating a new section; and repealing RCW 70.235.030.

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

5 NEW SECTION. **Sec. 1.** It is the legislature's intent to suspend
6 Washington state's participation in the western climate initiative.
7 While protecting the environment is of utmost importance, we must
8 balance such regulation with the ability to maintain jobs and protect
9 our economy. Numerous economic studies predict that a regional cap and
10 trade program will cost Washingtonians billions of dollars with massive
11 increases in the price of gasoline, electricity, food, and water,
12 further hampering an already fragile economy. Washington families
13 cannot afford to pay the increased costs of new regulations at this
14 time. Washington businesses cannot drive our economic recovery and
15 create the jobs we need when faced with billions of dollars in new
16 regulations and added costs.

17 **Sec. 2.** RCW 70.235.005 and 2008 c 14 s 1 are each amended to read
18 as follows:

1 (1) The legislature finds that Washington has long been a national
2 and international leader on energy conservation and environmental
3 stewardship, including air quality protection, renewable energy
4 development and generation, emission standards for fossil-fuel based
5 energy generation, energy efficiency programs, natural resource
6 conservation, vehicle emission standards, and the use of biofuels.
7 Washington is also unique among most states in that in addition to its
8 commitment to reduce emissions of greenhouse gases, it has established
9 goals to grow the clean energy sector and reduce the state's
10 expenditures on imported fuels.

11 ~~(2) ((The legislature further finds that Washington should continue~~
12 ~~its leadership on climate change policy by creating accountability for~~
13 ~~achieving the emission reductions established in RCW 70.235.020,~~
14 ~~participating in the design of a regional multisector market-based~~
15 ~~system to help achieve those emission reductions, assessing other~~
16 ~~market strategies to reduce emissions of greenhouse gases, and ensuring~~
17 ~~the state has a well trained workforce for our clean energy future.~~

18 ~~(3))~~ It is the intent of the legislature that the state will: (a)
19 Limit and reduce emissions of greenhouse gas consistent with the
20 emission reductions established in RCW 70.235.020; (b) minimize the
21 potential to export pollution, jobs, and economic opportunities; and
22 (c) reduce emissions at the lowest cost to Washington's economy,
23 consumers, and businesses.

24 ~~((4) In the event the state elects to participate in a regional~~
25 ~~multisector market-based system, it is the intent of the legislature~~
26 ~~that the system will become effective by January 1, 2012, after~~
27 ~~authority is provided to the department for its implementation. By~~
28 ~~acting now, Washington businesses and citizens will have adequate time~~
29 ~~and opportunities to be well positioned to take advantage of the low-~~
30 ~~carbon economy and to make necessary investments in low-carbon~~
31 ~~technology.~~

32 ~~(5) It is also the intent of the legislature that the regional~~
33 ~~multisector market-based system recognize Washington's unique emissions~~
34 ~~portfolio, including the state's hydroelectric system, the~~
35 ~~opportunities presented by Washington's abundant forest resources and~~
36 ~~agriculture land, and the state's leadership in energy efficiency and~~
37 ~~the actions it has already taken that have reduced its generation of~~

1 ~~greenhouse gas emissions and that entities receive appropriate credit~~
2 ~~for early actions to reduce greenhouse gases.~~

3 ~~(6) If any revenues that accrue to the state are created by a~~
4 ~~market system, they must be used to further the state's efforts to~~
5 ~~achieve the goals established in RCW 70.235.020, address the impacts of~~
6 ~~global warming on affected habitats, species, and communities, and~~
7 ~~increase investment in the clean energy economy particularly for~~
8 ~~communities and workers that have suffered from heavy job losses and~~
9 ~~chronic unemployment and underemployment.)~~)

10 **Sec. 3.** RCW 70.235.010 and 2010 c 146 s 1 are each amended to read
11 as follows:

12 The definitions in this section apply throughout this chapter
13 unless the context clearly requires otherwise.

14 (1) "Carbon dioxide equivalents" means a metric measure used to
15 compare the emissions from various greenhouse gases based upon their
16 global warming potential.

17 (2) "Climate advisory team" means the stakeholder group formed in
18 response to executive order 07-02.

19 (3) "Climate impacts group" means the University of Washington's
20 climate impacts group.

21 (4) "Department" means the department of ecology.

22 (5) "Director" means the director of the department.

23 (6) "Greenhouse gas" and "greenhouse gases" includes carbon
24 dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons,
25 sulfur hexafluoride, and any other gas or gases designated by the
26 department by rule.

27 (7) "Person" means an individual, partnership, franchise holder,
28 association, corporation, a state, a city, a county, or any subdivision
29 or instrumentality of the state.

30 (8) "Program" means the department's climate change program.

31 ~~((9) "Western climate initiative" means the collaboration of~~
32 ~~states, Canadian provinces, Mexican states, and tribes to design a~~
33 ~~multisector market-based mechanism as directed under the western~~
34 ~~regional climate action initiative signed by the governor on February~~
35 ~~22, 2007.)~~)

1 NEW SECTION. **Sec. 4.** RCW 70.235.030 (Development of a design for
2 a regional multisector market-based system to limit and reduce
3 emissions of greenhouse gas--Information required to be submitted to
4 the legislature) and 2008 c 14 s 4 are each repealed.

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