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SENATE BILL 5802

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State of Washington

63rd Legislature

2013 Regular Session

By Senators Ranker, Litzow, Frockt, Cleveland, Billig, Kohl-Welles, Murray, and McAuliffe; by request of Governor Inslee

Read first time 02/15/13. Referred to Committee on Energy, Environment & Telecommunications.

1 AN ACT Relating to developing recommendations to achieve the  
2 state's greenhouse gas emission limits; creating new sections; making  
3 appropriations; and declaring an emergency.

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

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

6 (a) Actions to reduce the state's greenhouse gas emissions offer  
7 the potential to improve the state's energy independence and  
8 competitiveness and grow many sectors of the state's economy. Many  
9 climate mitigation actions will involve growing clean energy businesses  
10 and technologies, as well as increasing energy efficiency in  
11 manufacturing, transportation, and buildings. The state's farms and  
12 forest landowners will benefit by providing the feedstock for cleaner  
13 energy fuels while also providing a means to offset carbon emissions.  
14 Increasing energy efficiency, with the associated benefit of reducing  
15 carbon emissions, will benefit consumers and ratepayers while growing  
16 jobs in construction and associated sectors;

17 (b) Action to reduce the state's greenhouse gas emissions is also  
18 needed because Washington state is particularly vulnerable to a warming  
19 climate. Higher winter temperatures are projected to reduce the winter

1 snow pack and decrease summer streamflows in many watersheds, which in  
2 turn will decrease year-round water supplies for municipal and  
3 individual household drinking water, farms, fish runs, power  
4 generation, and many other uses. Other adverse impacts from climate  
5 disruption are likely to be many, including sea level rise, increased  
6 frequency of severe storms, harm to shellfish and other marine life  
7 with increasing acidification of our state's marine waters, increased  
8 forest mortality due to insect activity and increased severity of  
9 forest fires, increased risk of invasive species becoming established  
10 in the state, and increased human health risks from peak summer  
11 temperatures and exposure to insect-transmitted diseases;

12 (c) Recognizing these threats to the state and that increased  
13 emissions of greenhouse gases from human activities is the principal  
14 cause of climate change and ocean acidification, in 2008 the  
15 legislature enacted a series of statewide emission limits. These  
16 statewide limits begin with a return to 1990 emission levels by 2020,  
17 a reduction to twenty-five percent below 1990 levels by 2035, and fifty  
18 percent below that level by 2050. As new assessments of climate change  
19 science become available, the department of ecology is required to  
20 report to the legislature summarizing that science and making  
21 recommendations regarding whether the limits need to be updated to be  
22 commensurate with the state's share of emission reductions necessary  
23 globally to avoid far greater climate disruption;

24 (d) Substantial progress has been made to achieve these reductions  
25 through the implementation of policies, technology advances, and the  
26 choices made by individuals and families to reduce their carbon  
27 footprint. These include increasing the energy efficiency of  
28 appliances, producing more electricity from renewable energy while  
29 phasing out coal-powered electricity generation in the state, requiring  
30 the most efficient technologies for electricity generation from other  
31 fossil fuels, and increasing fuel efficiency in our automobiles which  
32 has the effect of reducing greenhouse gas emissions in the  
33 transportation sector;

34 (e) While these measures, combined with recent reduced fossil fuel  
35 demand, have lowered the trajectory of statewide emissions, recent  
36 analyses demonstrate that the state will not meet its 2020 emission  
37 limits. Without further reduction measures the state will likely far  
38 exceed its 2035 and 2050 limits; and

1 (f) There are many examples of adopted programs throughout the  
2 country and in other nations that may provide useful information as the  
3 legislature considers the policies and mechanisms appropriate to  
4 achieve the necessary remaining emission reductions.

5 (2) Therefore, it is the purpose of this act to commission an  
6 evaluation of existing programs and policies being implemented in other  
7 jurisdictions that seek to reduce greenhouse gas emissions and to  
8 analyze the costs and benefits of differing policies in the context of  
9 Washington state's economy and emission sources. The governor and  
10 members of the senate and house of representatives will use this  
11 evaluation to develop a strategy to ensure achievement of the state's  
12 greenhouse gas emission limits and to recommend additional actions the  
13 governor may take using existing authorities and that the legislature  
14 may take through enactment of new law, as necessary to effectively  
15 implement the strategy.

16 NEW SECTION. **Sec. 2.** (1) The office of the governor shall  
17 contract with an independent and objective organization to prepare a  
18 credible evaluation of approaches to reducing greenhouse gas emissions,  
19 as outlined in this section. The evaluation must be provided in a  
20 final report by October 15, 2013, to the governor for use by the  
21 climate legislative and executive work group created in section 3 of  
22 this act, and prior to that date may provide selective analyses,  
23 drafts, or portions of the report to the work group.

24 (2) The evaluation shall include a review of comprehensive  
25 greenhouse gas emission reduction programs being implemented in other  
26 states and countries, including a review of reduction strategies being  
27 implemented in the Pacific Northwest, on the west coast, in neighboring  
28 provinces in Canada, and in other regions of the country. For each  
29 program, the report must include available information about:

30 (a) The effectiveness in achieving the jurisdiction's emission  
31 reduction objectives, including the cost per ton of emission reduction;

32 (b) The relative impact upon different sectors of the  
33 jurisdiction's economy, including power rates;

34 (c) The impacts upon household consumption and spending, including  
35 fuel, food, and housing costs, and program measures to mitigate impacts  
36 to low-income populations;

1 (d) Displacement of emission sources from the jurisdiction due to  
2 the program; and

3 (e) Any significant cobenefits to the jurisdiction, such as to  
4 public health, from implementing the program.

5 (3) The evaluation must also analyze Washington's emissions and  
6 related energy consumption profile, including:

7 (a) Total expenditures for energy by fuel category;

8 (b) The sources of the fuels, including imports of oil and other  
9 fossil fuels; and

10 (c) An evaluation of the options for an emissions reduction  
11 approach that would increase expenditures upon energy sources produced  
12 in state relative to expenditures upon imported energy sources, and how  
13 that increase would affect job growth and economic performance.

14 (4) The evaluation must also examine and summarize:

15 (a) Opportunities for new manufacturing infrastructure and other  
16 job producing investments in Washington relating to cleaner energy and  
17 greater energy efficiency;

18 (b) How other states and countries have created opportunities in  
19 these sectors;

20 (c) How other jurisdictions have achieved greater independence from  
21 fossil fuels and the costs and benefits to their economy of doing so;  
22 and

23 (d) Existing studies of the potential costs to Washington consumers  
24 and businesses of unmitigated climate change.

25 NEW SECTION. **Sec. 3.** (1) The climate legislative and executive  
26 work group is created. The work group consists of ten members and  
27 includes:

28 (a)(i) The governor, or the governor's designee, and another  
29 representative of the executive branch appointed by the governor;

30 (ii) Four members and two alternates from the house of  
31 representatives, appointed by the speaker of the house of  
32 representatives, consisting of two members and an alternate from each  
33 major caucus in the house of representatives; and

34 (iii) Four members and two alternates from the senate, appointed by  
35 the president of the senate, consisting of two members and an alternate  
36 from each major caucus in the senate.

1 (b) An alternate may serve as a member at a work group meeting only  
2 when a member from that caucus is unable to attend the meeting.

3 (2) The governor or the governor's designee is the chair of the  
4 work group.

5 (3) The purpose of the work group is to recommend a state program  
6 of actions and policies to reduce greenhouse gas emissions, that if  
7 implemented would ensure achievement of the state's emission limits in  
8 RCW 70.235.020, including consideration of current best science, the  
9 effectiveness of the program and policies in terms of costs, benefits,  
10 and results, and how best to administer the program and policies. The  
11 work group recommendations must include a timeline for actions and  
12 funding needed to implement the recommendations.

13 (4) The members and alternates of the work group must be appointed  
14 by July 15, 2013. The work group must meet not less than twice per  
15 month and its first meeting held by August 1, 2013.

16 (5) The work group shall use the report provided under section 2 of  
17 this act to inform the work group regarding experiences in other  
18 jurisdictions, and may call on the author of the report to respond to  
19 questions. All state agencies shall also cooperate with the work group  
20 in providing information regarding previous and current climate action  
21 reports and analyses.

22 (6) The work group shall schedule one or more meetings or portions  
23 of meetings at which the views of the public may be provided to the  
24 work group.

25 (7) The report of the work group must be provided to the  
26 appropriate policy and fiscal committees of the senate and house of  
27 representatives by December 31, 2013.

28 NEW SECTION. **Sec. 4.** Nothing in this act may be construed to  
29 enhance or diminish any existing authority regarding greenhouse gas  
30 emissions.

31 NEW SECTION. **Sec. 5.** Sections 2 and 3 of this act are necessary  
32 for the immediate preservation of the public peace, health, or safety,  
33 or support of the state government and its existing public  
34 institutions, and take effect immediately.

1        NEW SECTION.    **Sec. 6.**    The sum of two hundred fifty thousand  
2 dollars, or as much thereof as may be necessary, is appropriated for  
3 the fiscal year ending June 30, 2014, from the general fund to the  
4 office of the governor for the purposes of this act.

5        NEW SECTION.    **Sec. 7.**    The sum of three hundred fifty thousand  
6 dollars, or as much thereof as may be necessary, is appropriated for  
7 the fiscal year ending June 30, 2015, from the general fund to the  
8 office of the governor for the purposes of this act.

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