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HOUSE BILL 2826

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State of Washington

64th Legislature

2016 Regular Session

By Representatives DeBolt, Morris, and Smith

Read first time 01/21/16. Referred to Committee on Technology & Economic Development.

1 AN ACT Relating to the repeal of certain duties of the state  
2 energy office with regard to preparing the state energy strategy  
3 document; amending RCW 43.21F.025 and 43.21F.045; repealing RCW  
4 43.21F.010, 43.21F.088, and 43.21F.090; and repealing 1994 c 207 s 1  
5 (uncodified).

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

7 **Sec. 1.** RCW 43.21F.025 and 2010 c 271 s 402 are each amended to  
8 read as follows:

9 (1) "Assistant director" means the assistant director of the  
10 department of commerce responsible for energy policy activities;

11 (2) "Department" means the department of commerce;

12 (3) "Director" means the director of the department of commerce;

13 (4) "Distributor" means any person, private corporation,  
14 partnership, individual proprietorship, utility, including investor-  
15 owned utilities, municipal utility, public utility district, joint  
16 operating agency, or cooperative, which engages in or is authorized  
17 to engage in the activity of generating, transmitting, or  
18 distributing energy in this state;

19 (5) "Energy" means petroleum or other liquid fuels; natural or  
20 synthetic fuel gas; solid carbonaceous fuels; fissionable nuclear  
21 material; electricity; solar radiation; geothermal resources;

1 hydropower; organic waste products; wind; tidal activity; any other  
2 substance or process used to produce heat, light, or motion; or the  
3 savings from nongeneration technologies, including conservation or  
4 improved efficiency in the usage of any of the sources described in  
5 this subsection;

6 (6) "Person" means an individual, partnership, joint venture,  
7 private or public corporation, association, firm, public service  
8 company, political subdivision, municipal corporation, government  
9 agency, public utility district, joint operating agency, or any other  
10 entity, public or private, however organized; and

11 ~~((7) "State energy strategy" means the document developed and  
12 updated by the department as allowed in RCW 43.21F.090.))~~

13 **Sec. 2.** RCW 43.21F.045 and 2015 c 225 s 73 are each amended to  
14 read as follows:

15 (1) The department shall supervise and administer energy-related  
16 activities as specified in RCW 43.330.904 and shall advise the  
17 governor and the legislature with respect to energy matters affecting  
18 the state.

19 (2) In addition to other powers and duties granted to the  
20 department, the department shall have the following powers and  
21 duties:

22 (a) Prepare and update contingency plans for implementation in  
23 the event of energy shortages or emergencies. The plans shall conform  
24 to chapter 43.21G RCW and shall include procedures for determining  
25 when these shortages or emergencies exist, the state officers and  
26 agencies to participate in the determination, and actions to be taken  
27 by various agencies and officers of state government in order to  
28 reduce hardship and maintain the general welfare during these  
29 emergencies. The department shall coordinate the activities  
30 undertaken pursuant to this subsection with other persons. The  
31 components of plans that require legislation for their implementation  
32 shall be presented to the legislature in the form of proposed  
33 legislation at the earliest practicable date. The department shall  
34 report to the governor and the legislature on probable, imminent, and  
35 existing energy shortages, and shall administer energy allocation and  
36 curtailment programs in accordance with chapter 43.21G RCW.

37 (b) Establish and maintain a central repository in state  
38 government for collection of existing data on energy resources,  
39 including:

- 1 (i) Supply, demand, costs, utilization technology, projections,  
2 and forecasts;
- 3 (ii) Comparative costs of alternative energy sources, uses, and  
4 applications; and
- 5 (iii) Inventory data on energy research projects in the state  
6 conducted under public and/or private auspices, and the results  
7 thereof.
- 8 (c) Coordinate federal energy programs appropriate for state-  
9 level implementation, carry out such energy programs as are assigned  
10 to it by the governor or the legislature, and monitor federally  
11 funded local energy programs as required by federal or state  
12 regulations.
- 13 (d) Develop energy policy recommendations for consideration by  
14 the governor and the legislature.
- 15 (e) Provide assistance, space, and other support as may be  
16 necessary for the activities of the state's two representatives to  
17 the Pacific northwest electric power and conservation planning  
18 council. To the extent consistent with federal law, the director  
19 shall request that Washington's councilmembers request the  
20 administrator of the Bonneville power administration to reimburse the  
21 state for the expenses associated with the support as provided in the  
22 Pacific Northwest Electric Power Planning and Conservation Act (P.L.  
23 96-501).
- 24 ~~(f) ((Cooperate with state agencies, other governmental units,  
25 and private interests in the prioritization and implementation of the  
26 state energy strategy elements and on other energy matters.~~
- 27 ~~(g) Serve as the official state agency responsible for  
28 coordinating implementation of the state energy strategy.~~
- 29 ~~(h) No later than December 1, 1982, and by December 1st of each  
30 even-numbered year thereafter, prepare and transmit to the governor  
31 and the appropriate committees of the legislature a report on the  
32 implementation of the state energy strategy and other important  
33 energy issues, as appropriate.~~
- 34 ~~(i))~~ Provide support for increasing cost-effective energy  
35 conservation, including assisting in the removal of impediments to  
36 timely implementation.
- 37 ~~((j))~~ (g) Provide support for the development of cost-effective  
38 energy resources including assisting in the removal of impediments to  
39 timely construction.

1       ~~((k))~~ (h) Adopt rules, under chapter 34.05 RCW, necessary to  
2 carry out the powers and duties enumerated in this chapter.

3       ~~((l))~~ (i) Provide administrative assistance, space, and other  
4 support as may be necessary for the activities of the energy facility  
5 site evaluation council, as provided for in RCW 80.50.030.

6       ~~((m))~~ (j) Appoint staff as may be needed to administer energy  
7 policy functions and manage energy facility site evaluation council  
8 activities. These employees are exempt from the provisions of chapter  
9 41.06 RCW.

10       (3) To the extent the powers and duties set out under this  
11 section relate to energy education, applied research, and technology  
12 transfer programs they are transferred to Washington State  
13 University.

14       (4) To the extent the powers and duties set out under this  
15 section relate to energy efficiency in public buildings they are  
16 transferred to the department of enterprise services.

17       NEW SECTION.   **Sec. 3.** The following acts or parts of acts are  
18 each repealed:

19       (1) RCW 43.21F.010 (Legislative findings and declaration) and  
20 2010 c 271 s 401 & 1975-'76 2nd ex.s. c 108 s 1;

21       (2) RCW 43.21F.088 (State energy strategy—Principles—  
22 Implementation) and 2010 c 271 s 403;

23       (3) RCW 43.21F.090 (State energy strategy—Review and report to  
24 legislature) and 1996 c 186 s 106 & 1994 c 207 s 5; and

25       (4) 1994 c 207 s 1 (uncodified).

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