S-5426.1

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**SENATE BILL 5985**

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**State of Washington 67th Legislature 2022 Regular Session**

**By** Senators Fortunato and McCune

AN ACT Relating to setting a different direction on environmental policy in order to reduce the skyrocketing prices of basic goods and services; creating new sections; and repealing RCW 19.27A.200, 19.27A.210, 19.27A.220, 19.27A.230, 19.27A.240, 19.285.010, 19.285.020, 19.285.030, 19.285.040, 19.285.045, 19.285.050, 19.285.060, 19.285.070, 19.285.080, 19.285.900, 19.285.902, 19.405.010, 19.405.020, 19.405.030, 19.405.040, 19.405.050, 19.405.060, 19.405.070, 19.405.080, 19.405.090, 19.405.100, 19.405.110, 19.405.120, 19.405.130, 19.405.140, 19.405.150, 19.405.900, 19.405.901, 70A.65.005, 70A.65.010, 70A.65.020, 70A.65.030, 70A.65.040, 70A.65.050, 70A.65.060, 70A.65.070, 70A.65.080, 70A.65.090, 70A.65.100, 70A.65.110, 70A.65.120, 70A.65.130, 70A.65.140, 70A.65.150, 70A.65.160, 70A.65.170, 70A.65.180, 70A.65.190, 70A.65.200, 70A.65.210, 70A.65.220, 70A.65.230, 70A.65.240, 70A.65.250, 70A.65.260, 70A.65.270, 70A.65.280, 70A.65.290, 70A.65.300, 70A.65.900, 70A.65.901, 70A.535.005, 70A.535.010, 70A.535.020, 70A.535.030, 70A.535.040, 70A.535.050, 70A.535.060, 70A.535.070, 70A.535.080, 70A.535.090, 70A.535.100, 70A.535.110, 70A.535.120, 70A.535.130, and 70A.535.140.

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

NEW SECTION. **Sec.**  The legislature finds that the recent enactment of legislation relating to emissions will create intolerable economic burdens for Washingtonians in the form of increased prices for electricity, natural gas, gasoline, housing, and a variety of other goods and services that people use every day. Therefore, by this act, the legislature intends to remedy these problems, and to reset the policy landscape for better solutions going forward.

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 **Sec.**  The following acts or parts of acts are each repealed:

(1)RCW 19.27A.200 (State energy performance standard—Definitions) and 2019 c 285 s 2;

(2)RCW 19.27A.210 (State energy performance standard) and 2021 c 65 s 19 & 2019 c 285 s 3;

(3)RCW 19.27A.220 (State energy performance standard—Early adoption incentive program—Report to the legislature) and 2021 c 315 s 18 & 2019 c 285 s 4;

(4)RCW 19.27A.230 (State energy performance standard—Limit on early adoption incentive payments) and 2019 c 285 s 5;

(5)RCW 19.27A.240 (State energy performance standard—Early adoption incentive payment administration) and 2019 c 285 s 6;

(6)RCW 19.285.010 (Intent) and 2007 c 1 s 1;

(7)RCW 19.285.020 (Declaration of policy) and 2007 c 1 s 2;

(8)RCW 19.285.030 (Definitions) and 2019 c 288 s 28, 2017 c 315 s 1, & 2014 c 45 s 1;

(9)RCW 19.285.040 (Energy conservation and renewable energy targets) and 2021 c 315 s 17, 2021 c 79 s 1, 2019 c 288 s 29, 2017 c 315 s 2, 2014 c 26 s 1, 2013 c 158 s 2, 2012 c 22 s 3, & 2007 c 1 s 4;

(10)RCW 19.285.045 (Energy conservation and renewable energy targets—Analysis and advisory opinion) and 2012 c 254 s 1;

(11)RCW 19.285.050 (Resource costs) and 2007 c 1 s 5;

(12)RCW 19.285.060 (Accountability and enforcement—Energy independence act special account) and 2021 c 79 s 2, 2015 c 225 s 22, & 2007 c 1 s 6;

(13)RCW 19.285.070 (Reporting and public disclosure) and 2007 c 1 s 7;

(14)RCW 19.285.080 (Rule making) and 2017 c 315 s 3 & 2007 c 1 s 8;

(15)RCW 19.285.900 (Construction—2007 c 1 (Initiative Measure No. 937)) and 2007 c 1 s 9;

(16)RCW 19.285.902 (Short title—2007 c 1 (Initiative Measure No. 937)) and 2007 c 1 s 11;

(17)RCW 19.405.010 (Findings—Intent—2019 c 288) and 2019 c 288 s 1;

(18)RCW 19.405.020 (Definitions) and 2020 c 20 s 1004 & 2019 c 288 s 2;

(19)RCW 19.405.030 (Coal-fired resources—Depreciation schedule—Penalties) and 2019 c 288 s 3;

(20)RCW 19.405.040 (Greenhouse gas neutrality—Responsibilities for electric utilities—Energy transformation project criteria—Penalties) and 2019 c 288 s 4;

(21)RCW 19.405.050 (Clean energy implementation—Hydroelectric facilities—Special contracts) and 2019 c 288 s 5;

(22)RCW 19.405.060 (Clean energy implementation plan—Compliance criteria—Incremental cost of compliance) and 2019 c 288 s 6;

(23)RCW 19.405.070 (Greenhouse gas content calculation) and 2019 c 288 s 7;

(24)RCW 19.405.080 (Report to legislature) and 2019 c 288 s 8;

(25)RCW 19.405.090 (Compliance, enforcement, and penalties—Alternatives) and 2021 c 65 s 20 & 2019 c 288 s 9;

(26)RCW 19.405.100 (Rule making) and 2019 c 288 s 10;

(27)RCW 19.405.110 (Relationship to the energy independence act) and 2019 c 288 s 11;

(28)RCW 19.405.120 (Energy assistance for low-income households) and 2019 c 288 s 12;

(29)RCW 19.405.130 (Stakeholder work group) and 2019 c 288 s 13;

(30)RCW 19.405.140 (Department of health—Cumulative impact analysis) and 2019 c 288 s 24;

(31)RCW 19.405.150 (Finding—Transmission corridors work group) and 2019 c 288 s 25;

(32)RCW 19.405.900 (Short title) and 2019 c 288 s 26;

(33)RCW 19.405.901 (Effective date—2019 c 288) and 2019 c 288 s 31;

(34)RCW 70A.65.005 (Findings—Intent) and 2021 c 316 s 1;

(35)RCW 70A.65.010 (Definitions) and 2021 c 316 s 2;

(36)RCW 70A.65.020 (Environmental justice review) and 2021 c 316 s 3;

(37)RCW 70A.65.030 (Environmental justice assessment) and 2021 c 316 s 4;

(38)RCW 70A.65.040 (Environmental justice council) and 2021 c 316 s 5;

(39)RCW 70A.65.050 (Governance structure) and 2021 c 316 s 7;

(40)RCW 70A.65.060 (Cap on greenhouse gas emissions) and 2021 c 316 s 8;

(41)RCW 70A.65.070 (Annual allowance budget and timelines) and 2021 c 316 s 9;

(42)RCW 70A.65.080 (Program coverage) and 2021 c 316 s 10;

(43)RCW 70A.65.090 (Requirements) and 2021 c 316 s 11;

(44)RCW 70A.65.100 (Auctions of allowances) and 2021 c 316 s 12;

(45)RCW 70A.65.110 (Allocation of allowances to emissions-intensive, trade-exposed industries) and 2021 c 316 s 13;

(46)RCW 70A.65.120 (Allocation of allowances to electric utilities) and 2021 c 316 s 14;

(47)RCW 70A.65.130 (Allocation of allowances to natural gas utilities) and 2021 c 316 s 15;

(48)RCW 70A.65.140 (Emissions containment reserve withholding) and 2021 c 316 s 16;

(49)RCW 70A.65.150 (Allowance price containment) and 2021 c 316 s 17;

(50)RCW 70A.65.160 (Price ceiling) and 2021 c 316 s 18;

(51)RCW 70A.65.170 (Offsets) and 2021 c 316 s 19;

(52)RCW 70A.65.180 (Assistance program for offsets on tribal lands) and 2021 c 316 s 20;

(53)RCW 70A.65.190 (Small forestland owner work group) and 2021 c 316 s 21;

(54)RCW 70A.65.200 (Enforcement—Penalty) and 2021 c 316 s 23;

(55)RCW 70A.65.210 (Linkage with other jurisdictions) and 2021 c 316 s 24;

(56)RCW 70A.65.220 (Adoption of rules) and 2021 c 316 s 25;

(57)RCW 70A.65.230 (Investments—Legislative intent—Evaluation) and 2021 c 316 s 26;

(58)RCW 70A.65.240 (Carbon emissions reduction account) and 2021 c 316 s 27;

(59)RCW 70A.65.250 (Climate investment account) and 2021 c 316 s 28;

(60)RCW 70A.65.260 (Climate commitment account) and 2021 c 316 s 29;

(61)RCW 70A.65.270 (Natural climate solutions account) and 2021 c 316 s 30;

(62)RCW 70A.65.280 (Air quality and health disparities improvement account) and 2021 c 316 s 31;

(63)RCW 70A.65.290 (Joint legislative audit and review committee—Program implementation analysis) and 2021 c 316 s 32;

(64)RCW 70A.65.300 (Distributions of moneys—Annual report) and 2021 c 316 s 46;

(65)RCW 70A.65.900 (Short title—2021 c 316) and 2021 c 316 s 37;

(66)RCW 70A.65.901 (Suspension of certain sections and rules) and 2021 c 316 s 39;

(67)RCW 70A.535.005 (Findings—Intent—2021 c 317) and 2021 c 317 s 1;

(68)RCW 70A.535.010 (Definitions) and 2021 c 317 s 2;

(69)RCW 70A.535.020 (Carbon intensity of transportation fuels—Standards to reduce carbon intensity—Adoption of rules) and 2021 c 317 s 3;

(70)RCW 70A.535.030 (Requirements for rules adopted under RCW 70A.535.020) and 2021 c 317 s 4;

(71)RCW 70A.535.040 (Rules adopted under RCW 70A.535.020 and 70A.535.030—Exemptions for certain transportation fuels) and 2021 c 317 s 5;

(72)RCW 70A.535.050 (Rules adopted under RCW 70A.535.020 and 70A.535.030—Generation of credits) and 2021 c 317 s 6;

(73)RCW 70A.535.060 (Adoption of rules—Harmonization with other states—Stakeholder advisory panel—Review of innovative technologies—Report requirements) and 2021 c 317 s 7;

(74)RCW 70A.535.070 (Producers or importers must register with the department—Transfer of ownership of transportation fuels—Documentation—Reporting of information—Adoption of rules) and 2021 c 317 s 8;

(75)RCW 70A.535.080 (Electric utilities—Use of certain revenues—Provision of information to the department) and 2021 c 317 s 9;

(76)RCW 70A.535.090 (Reporting requirements—Report to the legislature—Independent analysis) and 2021 c 317 s 10;

(77)RCW 70A.535.100 (Fuel supply forecast) and 2021 c 317 s 11;

(78)RCW 70A.535.110 (Forecast deferral) and 2021 c 317 s 12;

(79)RCW 70A.535.120 (Emergency deferral of compliance with carbon intensity standard) and 2021 c 317 s 13;

(80)RCW 70A.535.130 (Fee—Clean fuels program account—Rule making to be conducted as provided in RCW 34.05.328) and 2021 c 317 s 14; and

(81)RCW 70A.535.140 (Joint legislative audit and review committee analysis) and 2021 c 317 s 15.

NEW SECTION. **Sec.**  This act may be known and cited as the environmental responsibility act.

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