

CHAPTER 204

[Senate Bill No. 6408]

ENERGY CODE

AN ACT Relating to the dates for submission of the recommendations required under RCW 19.27A.040(4) and for expiration of state supersession of local residential energy codes; and amending RCW 19.27A.030 and 19.27A.040.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 3, chapter 144, Laws of 1985 and RCW 19.27A.030 are each amended to read as follows:

(1) The revised state energy code shall supersede all local government residential energy codes except as provided in subsections (2) and (3) of this section: **PROVIDED**, That cities, towns, and counties may adopt more energy efficient codes for residential construction if the builder or owner of new residential construction is reimbursed by an authorized federal agency program or authorized local utility, or both, for those additional costs to the consumer of conservation components that are attributable to the more energy efficient codes. This subsection shall not apply after January 1, ~~((1989))~~ 1990. In establishing this date it is not the legislature's intent to discourage any city, town, or county from adopting a more energy efficient code so long as the consumer is adequately reimbursed.

(2) The revised state energy code shall not preempt energy codes, adopted by a city, town, or county of the state prior to ~~((April 24, 1985))~~ January 15, 1988, or first class cities with a population over three hundred thousand which operate electrical utilities, that are designed to achieve reduction in energy consumption relative to the revised state energy code.

(3) The revised state energy code shall not preempt a less energy efficient energy code adopted by a county, city, or town if it can be shown that the revised state energy code is not cost-effective for that county, city, or town.

Sec. 2. Section 4, chapter 144, Laws of 1985 and RCW 19.27A.040 are each amended to read as follows:

(1) The University of Washington college of architecture and department of mechanical engineering shall conduct in situ testing of the annual thermal transmittance of individual construction components and conservation measures proposed for new residential construction by the northwest power planning council.

(2) There shall be a committee to oversee the study. The committee shall include the director of the state energy office as chair; two members recommended by the home building industry chosen by the governor; and two members nationally renowned as experts in building energy performance chosen by the governor.

(3) The study shall include an analysis of the economic feasibility of adopting thermal performance standards for new residential construction as proposed by the northwest power planning council. The study of economic feasibility shall include but not necessarily be limited to factors which shall not require an amortization of the individual components exceeding a life cycle of seven years and a discount rate (interest) computed at the current conventional market rate of home mortgages at par.

(4) The director of the state energy office shall ~~((make recommendations, based on the results of the study and the residential standards demonstration program, to the legislature and the state building code advisory council regarding the cost-effectiveness of the revised state energy code developed pursuant to RCW 19.27.075 no later than January 15, 1988))~~ establish a scientific peer review panel to assess the validity of the results of the study, the results of the residential standards demonstration program and other relevant data sources, and any proposed recommendations based on those results. The peer review panel shall include representatives of the national laboratories, the national association of homebuilders research foundation, the electric power research institute, the gas research institute and the international conference of building officials. The director of the state energy office shall make recommendations based on the study, the residential standards demonstration program and other relevant data sources, and the conclusions of the scientific peer review panel to the legislature and the state building code council regarding the cost-effectiveness of the revised state energy code developed pursuant to RCW 19.27A.020 no later than January 15, 1989.

(5) If federal funds are not available, the study shall be funded by a surcharge on building permit fees for new building construction imposed by all local governments of the state. The department of community development, after consultation with the state energy office, shall develop and implement a method of collecting the surcharge. The surcharge shall be ten dollars on all multifamily residential building permits, fifteen dollars on all single-family residential building permits, and fifteen dollars on all other building permits. The surcharge shall terminate on June 30, 1989, or at such time as the state general fund is reimbursed for the cost of the study.

Passed the Senate March 7, 1988.

Passed the House March 2, 1988.

Approved by the Governor March 22, 1988.

Filed in Office of Secretary of State March 22, 1988.