
BILL REQUEST - CODE REVISER'S OFFICE

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ATTY/TYPIST: KB:lcl

BRIEF DESCRIPTION: Promoting a clean energy economy.

1 AN ACT Relating to promoting a clean energy economy; amending RCW
2 82.08.962, 82.12.962, and 82.14.455; adding a new chapter to Title 19
3 RCW; creating new sections; providing an effective date; and
4 providing expiration dates.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that Washington
7 is the nation's leading producer of electricity from hydroelectric
8 sources. The legislature finds that the residents, businesses, and
9 industries of the state have benefited from the relatively low
10 operating costs and reliability of this abundant, renewable energy
11 resource. This legacy of clean hydroelectricity is the foundation
12 upon which the state has built a diverse, vibrant clean technology
13 sector that includes research and development in breakthrough
14 technologies, as well as investment in other renewable energy
15 resources. The legislature finds that Washington should continue its
16 leadership in conservation, renewable energy, and climate change
17 mitigation by: Increasing energy efficiency across the state;
18 encouraging investment in the state's clean, nonpolluting,
19 sustainable, and renewable energy future; and achieving reductions in
20 the use of fossil fuels in the generation of electricity.

1 (2) By building on the state's foundation of renewable
2 hydroelectric generation with additional conservation and renewable
3 energy resources, the legislature declares that Washington can:
4 Promote energy independence; create high-quality jobs in the clean
5 technology sector; maintain stable and affordable electric rates for
6 all customers; and protect clean air and water in the Pacific
7 Northwest.

8 NEW SECTION. **Sec. 2.** The definitions in this section apply
9 throughout sections 3 through 6 of this act unless the context
10 clearly requires otherwise.

11 (1) "Attorney general" has the same meaning as provided in RCW
12 19.285.030.

13 (2) "Auditor" has the same meaning as provided in RCW 19.285.030.

14 (3) "Coal-fired resource" means a facility that uses coal-fired
15 generating units, or that uses units fired in whole or in part by
16 coal as feedstock, to generate electricity.

17 (4) "Commission" means the Washington state utilities and
18 transportation commission.

19 (5) "Conservation" has the same meaning as provided in RCW
20 19.285.030.

21 (6) "Consumer-owned utility" has the same meaning as provided in
22 RCW 19.29A.010.

23 (7) "Customer" has the same meaning as provided in RCW
24 19.285.030.

25 (8) "Department" means the department of commerce or its
26 successor.

27 (9) "Electric utility" has the same meaning as provided in RCW
28 19.29A.010.

29 (10) "Emission" has the same meaning as provided in RCW
30 70.94.030.

31 (11) "Fossil fuel" means petroleum products that are intended for
32 combustion, including natural gas, crude oil, petroleum, coal, or
33 coke of any kind, or any form of solid, liquid, or gaseous fuel
34 derived from these products including but not limited to motor
35 vehicle fuel, special fuel, aircraft fuel, marine fuel, still gas,
36 propane, and petroleum residuals such as bunker fuel.

37 (12) "Fossil fuel generating resource" is an electric generating
38 unit that generates electricity from the combustion or oxidation of
39 fossil fuels.

1 (13) "Investor-owned utility" has the same meaning as provided in
2 RCW 19.29A.010.

3 (14) "Low-income" means household income as defined by the
4 department or commission, provided that the definition may not exceed
5 eighty percent of area median household income, or two hundred
6 percent of the federal poverty level, whichever is greater, adjusted
7 for household size.

8 (15) "Market customer" means a nonresidential customer of an
9 electric utility that: (a) Purchases electricity from an entity or
10 entities other than the electric utility with which it is directly
11 interconnected; or (b) generates electricity to meet its own needs.

12 (16) "Natural gas" means naturally occurring mixtures of
13 hydrocarbon gases and vapors consisting principally of methane,
14 whether in gaseous or liquid form, including methane clathrate.

15 (17) "Petroleum product" has the same meaning as provided in RCW
16 82.23A.010.

17 (18) "Renewable resource" has the same meaning as provided in RCW
18 19.285.030.

19 (19) "Rule" means rules adopted by an agency or other entity of
20 Washington state government to carry out the intent and purposes of
21 this chapter.

22 NEW SECTION. **Sec. 3.** (1)(a) On or before January 1, 2030, all
23 electric utilities must eliminate from electric rates all costs
24 associated with delivering electricity to Washington customers that
25 is generated from a coal-fired resource. This does not include costs
26 associated with decommissioning and remediation of these facilities.

27 (b) The commission may accelerate depreciation schedules for any
28 coal-fired resource owned by investor-owned utilities to a date no
29 later than January 1, 2030.

30 (2) The commission may not extend the depreciation schedule for
31 any fossil fuel generating resource.

32 (3) Electric utilities and market customers must demonstrate that
33 they have reduced the total number of megawatt hours from fossil fuel
34 generating resources delivered to Washington customers compared to a
35 2017 baseline approved by the commission, for investor-owned
36 utilities and market customers of investor-owned utilities, and the
37 department, for consumer-owned utilities and market customers of
38 consumer-owned utilities, used to serve the utility's load by the
39 following annual targets:

1 (a) At least a twenty-five percent reduction from 2017 levels by
2 January 1, 2030, and each year thereafter through December 31, 2034;

3 (b) At least a fifty percent reduction from 2017 levels by
4 January 1, 2035, and each year thereafter through December 31, 2039;

5 (c) At least a seventy-five percent reduction from 2017 levels by
6 January 1, 2040, and each year thereafter through December 31, 2044;
7 and

8 (d) One hundred percent reduction by January 1, 2045, and each
9 year thereafter. The commission, in the case of an investor-owned
10 utility, or the department, in the case of a consumer-owned utility,
11 may extend this deadline to a date no later than January 1, 2050, if
12 doing so is found to be beneficial for ensuring reliability or
13 reducing long-term costs to ratepayers.

14 (4) When complying with subsection (3)(d) of this section,
15 utilities may continue to rely on de minimis quantities of
16 electricity generated with fossil fuels, not to exceed one percent of
17 their annual load, if necessary to ensure reliability. This provision
18 is not intended as a limitation on authority provided under section 6
19 of this act.

20 (5) In order to achieve the targets under subsection (3) of this
21 section, electric utilities and market customers must demonstrate
22 that they have achieved all feasible energy efficiency and
23 conservation measures or investments, reductions in demand, and
24 demand management prior to making new investments to meet projected
25 demand; and, to the maximum extent feasible, must:

26 (a) Achieve the targets under subsection (3) of this section at
27 the lowest reasonable cost; and

28 (b) In the construction of new resources:

29 (i) Maximize the creation of family wage jobs, insofar as doing
30 so is consistent with (a) of this subsection; and

31 (ii) Rely on renewable resources and storage.

32 (6) Any resource for which the environmental attribute or
33 attributes have been sold, transferred, or used for other purposes,
34 except for an electric utility's own compliance with the annual
35 renewable energy targets under RCW 19.285.040, is considered a fossil
36 fuel generating resource for the purposes of this act.

37 (7) In order to achieve the targets under subsection (3) of this
38 section, hydroelectric generation may not include new diversions, new
39 impoundments, new bypass reaches, or expansion of existing reservoirs
40 constructed after the effective date of this section unless the

1 diversions, bypass reaches, or reservoir expansions are necessary for
2 the operation of a pumped storage facility that: (a) Does not
3 conflict with existing state or federal fish recovery plans; and (b)
4 complies with all local, state, and federal laws and regulations.

5 NEW SECTION. **Sec. 4.** (1)(a) For an investor-owned utility, the
6 commission must determine compliance with the provisions of this act
7 and enforce rules established under section 6 of this act.

8 (b) For a consumer-owned utility, the department must determine,
9 and the attorney general must enforce, compliance with the provisions
10 of this act consistent with the rules established under section 6 of
11 this act.

12 (c) For a market customer, the auditor must determine, and the
13 attorney general must enforce, compliance with the provisions of this
14 act, except that the commission must determine compliance with
15 section 3 of this act for a market customer of an investor-owned
16 utility.

17 (2)(a) By June 1, 2025, and annually thereafter, each electric
18 utility and market customer must report to the department on progress
19 towards the reduction in the total number of megawatt hours and
20 emissions from fossil fuel generating resources under section 3 of
21 this act. This report must identify whether each electric utility is
22 exceeding its reduction targets, meeting its reduction targets, or
23 falling short of its reduction targets.

24 (b) Each investor-owned utility must also report all information
25 required in (a) of this subsection to the commission.

26 (c) All electric utilities must also make reports required in
27 this section available to its customers and each market customer must
28 make all information required in this subsection available to the
29 attorney general.

30 NEW SECTION. **Sec. 5.** (1)(a) The legislature finds and declares
31 all of the following:

32 (i) There is insufficient information available to fully realize
33 the potential of solar photovoltaic energy generation to serve low-
34 income customers, including those in disadvantaged communities.

35 (ii) There is insufficient understanding of the barriers to
36 access for low-income customers to all forms of renewable energy
37 being generated in the state.

1 (iii) There is insufficient understanding of the barriers to
2 access for low-income customers to energy efficiency investments.

3 (iv) There is insufficient understanding of the barriers to
4 access for low-income customers to zero emission and near-zero
5 emission transportation options.

6 (b) By January 1, 2019, the department, with input from relevant
7 state agencies and the public, must develop and publish a study on:

8 (i) Barriers for low-income customers, including those in
9 disadvantaged communities, to energy efficiency and weatherization
10 investments, as well as recommendations on how to increase access to
11 energy efficiency and weatherization investments to low-income
12 customers; and

13 (ii) Barriers for low-income customers, including those in
14 disadvantaged communities, to zero emission and near-zero emission
15 transportation options, as well as recommendations on how to increase
16 access to zero emission and near-zero emission transportation options
17 to low-income customers, including those in disadvantaged
18 communities.

19 (2) By January 1, 2025, the department, with input from relevant
20 state agencies and the public, must develop and publish a study on:

21 (a) The impact of this act on utility rates as it affects
22 individuals of varying income levels, ethnic backgrounds, and racial
23 backgrounds; and

24 (b) Projected and current worker hours in construction,
25 manufacturing, operations, and maintenance created as a result of
26 compliance with the requirements of this act. The study must also
27 include estimates of direct, indirect, and induced job creation. The
28 study must be repeated every five years.

29 (3) Three years prior to each fossil fuel reduction target
30 specified in section 3 of this act, the commission and the department
31 must:

32 (a) Jointly evaluate whether the requirements established in
33 section 3 of this act are expected to be met by each electric
34 utility; and

35 (b) If the requirements are not expected to be met by each
36 electric utility:

37 (i) Identify whether technology obstacles exist that prevent
38 compliance; and

39 (ii) Provide policy recommendations to aid in compliance.

1 (4) The definitions in RCW 19.285.030 apply throughout this
2 section.

3 (5) This section expires July 1, 2051.

4 NEW SECTION. **Sec. 6.** The commission, in the case of investor-
5 owned utilities, and the department, in the case of consumer-owned
6 utilities, must adopt rules by 2025 to implement sections 3 and 4 of
7 this act. In adopting the rules, the commission and the department
8 must include, but not be limited to, provisions sufficient to achieve
9 successful implementation of this act, penalties that ensure
10 compliance with this act, temporary flexibility mechanisms to ensure
11 reliable electric service, and appropriate mechanisms for monitoring
12 fossil fuel use.

13 **Sec. 7.** RCW 82.08.962 and 2017 3rd sp.s. c 36 s 14 are each
14 amended to read as follows:

15 (1)(a) Except as provided in RCW 82.08.963, purchasers who have
16 paid the tax imposed by RCW 82.08.020 on machinery and equipment used
17 directly in generating electricity using fuel cells, wind, sun,
18 biomass energy, tidal or wave energy, geothermal resources, anaerobic
19 digestion, technology that converts otherwise lost energy from
20 exhaust, or landfill gas as the principal source of power, or to
21 sales of or charges made for labor and services rendered in respect
22 to installing such machinery and equipment, are eligible for an
23 exemption as provided in this section, but only if the purchaser
24 develops with such machinery, equipment, and labor a facility capable
25 of generating not less than one thousand watts of electricity.

26 (b) Beginning on July 1, 2009, through June 30, 2011, the tax
27 levied by RCW 82.08.020 does not apply to the sale of machinery and
28 equipment described in (a) of this subsection that are used directly
29 in generating electricity or to sales of or charges made for labor
30 and services rendered in respect to installing such machinery and
31 equipment.

32 (c) Beginning on July 1, 2011, through (~~January 1, 2020~~)
33 December 31, 2019, the amount of the exemption under this subsection
34 (1) is equal to seventy-five percent of the state and local sales tax
35 paid. The purchaser is eligible for an exemption under this
36 subsection (1)(c) in the form of a remittance.

37 (d)(i) Beginning January 1, 2020, through December 31, 2029, a
38 purchaser who has paid the tax imposed by RCW 82.08.020 is eligible

1 for the exemption under this subsection (1) in the form of a
2 remittance. The remittance under this subsection (1)(d) is for the
3 state portion of the sales tax only and applies only to purchases of
4 machinery and equipment eligible for an exemption under this section,
5 and labor and services rendered in respect to installing such
6 machinery and equipment, occurring on or after January 1, 2020.

7 (ii) A purchaser claiming an exemption from tax in the form of a
8 remittance under this subsection (1)(d) must pay the tax imposed by
9 RCW 82.08.020 on such purchases eligible for the remittance. The
10 purchaser may then apply to the department for remittance of all or
11 part of the tax paid under RCW 82.08.020 on such purchases, subject
12 to the limit in (d)(iii) of this subsection. A purchaser may not
13 apply for a remittance under this subsection (1)(d) more frequently
14 than once per quarter. The purchaser must specify the amount of
15 exempted tax claimed and the qualifying purchases for which the
16 exemption is claimed. The purchaser must retain, in adequate detail,
17 records to enable the department to determine whether the purchaser
18 is entitled to an exemption under this section, including: Invoices;
19 proof of tax paid; and documents describing the machinery and
20 equipment. The department must determine eligibility under this
21 subsection (1)(d) based on the information provided by the purchaser,
22 which is subject to audit verification by the department. The
23 department must on a quarterly basis remit exempted amounts to
24 qualifying purchasers who submitted applications during the previous
25 quarter.

26 (iii)(A) The remittance under this subsection (1)(d) is only
27 available on a first-in-time basis. The department must keep a
28 running total of all approved remittances under this section and RCW
29 82.12.962(1)(d) during each fiscal year. The department may not allow
30 any remittance that would cause the total amount of remittances
31 allowed under this section and RCW 82.12.962(1)(d) to exceed two
32 hundred fifty thousand dollars in any fiscal year.

33 (B) The department must provide notification on its web site
34 monthly of the amount remaining before the statewide annual limit in
35 this subsection (1)(d) is reached.

36 (2) For purposes of this section and RCW 82.12.962, the following
37 definitions apply:

38 (a) "Biomass energy" includes: (i) By-products of pulping and
39 wood manufacturing process; (ii) animal waste; (iii) solid organic
40 fuels from wood; (iv) forest or field residues; (v) wooden demolition

1 or construction debris; (vi) food waste; (vii) liquors derived from
2 algae and other sources; (viii) dedicated energy crops; (ix)
3 biosolids; and (x) yard waste. "Biomass energy" does not include wood
4 pieces that have been treated with chemical preservatives such as
5 creosote, pentachlorophenol, or copper-chrome-arsenic; wood from old
6 growth forests; or municipal solid waste.

7 (b) "Fuel cell" means an electrochemical reaction that generates
8 electricity by combining atoms of hydrogen and oxygen in the presence
9 of a catalyst.

10 (c) "Landfill gas" means biomass fuel, of the type qualified for
11 federal tax credits under Title 26 U.S.C. Sec. 29 of the federal
12 internal revenue code, collected from a "landfill" as defined under
13 RCW 70.95.030.

14 (d)(i) "Machinery and equipment" means fixtures, devices, and
15 support facilities that are integral and necessary to the generation
16 of electricity using fuel cells, wind, sun, biomass energy, tidal or
17 wave energy, geothermal resources, anaerobic digestion, technology
18 that converts otherwise lost energy from exhaust, or landfill gas as
19 the principal source of power.

20 (ii) "Machinery and equipment" does not include: (A) Hand-powered
21 tools; (B) property with a useful life of less than one year; (C)
22 repair parts required to restore machinery and equipment to normal
23 working order; (D) replacement parts that do not increase
24 productivity, improve efficiency, or extend the useful life of
25 machinery and equipment; (E) buildings; or (F) building fixtures that
26 are not integral and necessary to the generation of electricity that
27 are permanently affixed to and become a physical part of a building.

28 (3)(a) Machinery and equipment is "used directly" in generating
29 electricity by wind energy, solar energy, biomass energy, tidal or
30 wave energy, geothermal resources, anaerobic digestion, technology
31 that converts otherwise lost energy from exhaust, or landfill gas
32 power if it provides any part of the process that captures the energy
33 of the wind, sun, biomass energy, tidal or wave energy, geothermal
34 resources, anaerobic digestion, technology that converts otherwise
35 lost energy from exhaust, or landfill gas, converts that energy to
36 electricity, and stores, transforms, or transmits that electricity
37 for entry into or operation in parallel with electric transmission
38 and distribution systems.

39 (b) Machinery and equipment is "used directly" in generating
40 electricity by fuel cells if it provides any part of the process that

1 captures the energy of the fuel, converts that energy to electricity,
2 and stores, transforms, or transmits that electricity for entry into
3 or operation in parallel with electric transmission and distribution
4 systems.

5 (4)(a) A purchaser claiming an exemption in the form of a
6 remittance under subsection (1)(c) of this section must pay the tax
7 imposed by RCW 82.08.020 and all applicable local sales taxes imposed
8 under the authority of chapters 82.14 and 81.104 RCW. The purchaser
9 may then apply to the department for remittance in a form and manner
10 prescribed by the department. A purchaser may not apply for a
11 remittance under this section more frequently than once per quarter.
12 The purchaser must specify the amount of exempted tax claimed and the
13 qualifying purchases for which the exemption is claimed. The
14 purchaser must retain, in adequate detail, records to enable the
15 department to determine whether the purchaser is entitled to an
16 exemption under this section, including: Invoices; proof of tax paid;
17 and documents describing the machinery and equipment.

18 (b) The department must determine eligibility under this section
19 based on the information provided by the purchaser, which is subject
20 to audit verification by the department. The department must on a
21 quarterly basis remit exempted amounts to qualifying purchasers who
22 submitted applications during the previous quarter.

23 (5) The exemption provided by subsection (1)(c) of this section
24 expires September 30, 2017, as it applies to: (a) Machinery and
25 equipment that is used directly in the generation of electricity
26 using solar energy and capable of generating no more than five
27 hundred kilowatts of electricity; or (b) sales of or charges made for
28 labor and services rendered in respect to installing such machinery
29 and equipment.

30 (6) This section expires January 1, (~~(2020)~~) 2030.

31 (7) This section is exempt from the provisions of RCW 82.32.808.

32 **Sec. 8.** RCW 82.12.962 and 2017 3rd sp.s. c 36 s 16 are each
33 amended to read as follows:

34 (1)(a) Except as provided in RCW 82.12.963, consumers who have
35 paid the tax imposed by RCW 82.12.020 on machinery and equipment used
36 directly in generating electricity using fuel cells, wind, sun,
37 biomass energy, tidal or wave energy, geothermal resources, anaerobic
38 digestion, technology that converts otherwise lost energy from
39 exhaust, or landfill gas as the principal source of power, or to

1 sales of or charges made for labor and services rendered in respect
2 to installing such machinery and equipment, are eligible for an
3 exemption as provided in this section, but only if the purchaser
4 develops with such machinery, equipment, and labor a facility capable
5 of generating not less than one thousand watts of electricity.

6 (b) Beginning on July 1, 2009, through June 30, 2011, the
7 provisions of this chapter do not apply in respect to the use of
8 machinery and equipment described in (a) of this subsection that are
9 used directly in generating electricity or to sales of or charges
10 made for labor and services rendered in respect to installing such
11 machinery and equipment.

12 (c) Beginning on July 1, 2011, through (~~January 1, 2020~~)
13 December 31, 2019, the amount of the exemption under this subsection
14 (1) is equal to seventy-five percent of the state and local sales tax
15 paid. The consumer is eligible for an exemption under this subsection
16 (1)(c) in the form of a remittance.

17 (d) Beginning January 1, 2020, through December 31, 2029, a
18 consumer who has paid the tax imposed by RCW 82.12.020 is eligible
19 for the exemption under this subsection (1) in the form of a
20 remittance. All of the eligibility requirements, conditions, and
21 limitation in RCW 82.08.962(1)(d) apply to this subsection (1)(d).

22 (2)(a) A person claiming an exemption in the form of a remittance
23 under subsection (1)(c) of this section must pay the tax imposed by
24 RCW 82.12.020 and all applicable local use taxes imposed under the
25 authority of chapters 82.14 and 81.104 RCW. The consumer may then
26 apply to the department for remittance in a form and manner
27 prescribed by the department. A consumer may not apply for a
28 remittance under this section more frequently than once per quarter.
29 The consumer must specify the amount of exempted tax claimed and the
30 qualifying purchases or acquisitions for which the exemption is
31 claimed. The consumer must retain, in adequate detail, records to
32 enable the department to determine whether the consumer is entitled
33 to an exemption under this section, including: Invoices; proof of tax
34 paid; and documents describing the machinery and equipment.

35 (b) The department must determine eligibility under this section
36 based on the information provided by the consumer, which is subject
37 to audit verification by the department. The department must on a
38 quarterly basis remit exempted amounts to qualifying consumers who
39 submitted applications during the previous quarter.

1 (3) Purchases exempt under RCW 82.08.962 are also exempt from the
2 tax imposed under RCW 82.12.020.

3 (4) The definitions in RCW 82.08.962 apply to this section.

4 (5) The exemption provided in subsection (1) of this section does
5 not apply:

6 (a) To machinery and equipment used directly in the generation of
7 electricity using solar energy and capable of generating no more than
8 five hundred kilowatts of electricity, or to sales of or charges made
9 for labor and services rendered in respect to installing such
10 machinery and equipment, when first use within this state of such
11 machinery and equipment, or labor and services, occurs after
12 September 30, 2017; and

13 (b) To any other machinery and equipment described in subsection
14 (1)(a) of this section, or to sales of or charges made for labor and
15 services rendered in respect to installing such machinery or
16 equipment, when first use within this state of such machinery and
17 equipment, or labor and services, occurs after December 31, ((2019))
18 2029.

19 (6) This section expires January 1, ((2020)) 2030.

20 (7) This section is exempt from the provisions of RCW 82.32.808.

21 **Sec. 9.** RCW 82.14.455 and 2009 c 469 s 105 are each amended to
22 read as follows:

23 The exemptions in RCW 82.08.962(1)(c), 82.12.962(1)(c),
24 82.08.963, and 82.12.963 are for the state and local sales and use
25 taxes and include the sales and use taxes imposed under the authority
26 of this chapter.

27 NEW SECTION. **Sec. 10.** (1) The legislature finds that a
28 transition to one hundred percent fossil fuel free electricity is
29 necessary to protect Washingtonians from undue risks associated with
30 climate change, desired by the public, and technically feasible, but
31 that the implementation of this act would benefit from deeper
32 engagement with stakeholders and additional analysis to minimize
33 costs, ensure reliability, and maximize benefits to Washington state,
34 its residents, and businesses.

35 (2)(a) A joint select committee on Washington's clean energy
36 transition is established, with voting members as provided in this
37 subsection (2)(a).

1 (i) The president of the senate shall appoint one member and one
2 alternate from each of the two largest caucuses of the senate.

3 (ii) The speaker of the house of representatives shall appoint
4 one member and one alternate from each of the two largest caucuses of
5 the house of representatives.

6 (b) The committee shall choose its chair from among its
7 membership. The chair of the joint committee on energy supply and
8 energy conservation shall convene the initial meeting of the
9 committee.

10 (3) The committee must review the timeline, necessary
11 technological and policy changes, and costs and benefits associated
12 with a statewide transition to one hundred percent fossil fuel free
13 electricity, including but not limited to a review of the following:

14 (a) Electric generation resources known to be commercially
15 available in the state and across the Pacific Northwest, the
16 potential applications of energy storage technologies, and
17 replacement resources for baseload fossil fuel generation resources;

18 (b) Potential impacts of the clean energy transition on grid
19 reliability, the costs borne by Washington ratepayers, and regional
20 electricity markets, including impacts on multistate utilities,
21 energy imbalance markets, wholesale prices, and renewable energy
22 credit markets;

23 (c) The unique operational and other characteristics of
24 Washington's electric utilities;

25 (d) The effect of transportation electrification on electric
26 utilities' load;

27 (e) The potential policy interactions between the fossil fuel
28 reduction targets established under section 3 of this act and other
29 carbon reduction policies; and

30 (f) Federal and state regulatory and legal considerations.

31 (4) Staff support for the committee must be provided by the
32 senate committee services and the house of representatives office of
33 program research.

34 (5) Legislative members of the committee are reimbursed for
35 travel expenses in accordance with RCW 44.04.120.

36 (6) The expenses of the committee shall be paid jointly by the
37 senate and the house of representatives. Committee expenditures are
38 subject to approval by the senate facilities and operations committee
39 and the house executive rules committee, or their successor
40 committees.

1 (7) The legislative chair and vice chair of the committee must
2 jointly appoint a nonvoting advisory committee consisting of public
3 and private sector individuals to provide technical information and
4 assistance in completing the objectives of the committee. Members of
5 such an advisory committee are not entitled to expense reimbursement.
6 The membership of such an advisory committee must include, but not be
7 limited to:

8 (a) The governor, or the governor's designee;

9 (b) The chair of the Washington state utilities and
10 transportation commission, or the chair's designee;

11 (c) The director of the department of commerce, or the director's
12 designee;

13 (d) The chair of the energy facility site evaluation council, or
14 the chair's designee;

15 (e) Public counsel or an advocate for electric utility ratepayers
16 designated by public counsel;

17 (f) One or more representatives of the state's research
18 universities and other institutions of higher education;

19 (g) One or more representatives each of the Pacific Northwest
20 national laboratory, the Bonneville power administration, the
21 Northwest power and planning council, and the western electricity
22 coordinating council;

23 (h) One or more representatives of investor-owned utilities;

24 (i) One or more representatives of municipal electric utilities;

25 (j) One or more representatives of public utility districts;

26 (k) One or more representatives of rural electric cooperatives;

27 (l) One or more representatives of an organization that advocates
28 for low-income residential electric customers;

29 (m) One or more representatives of an organization that advocates
30 for clean renewable energy and energy efficiency;

31 (n) One or more representatives of an organization that advocates
32 for environmental protection;

33 (o) One or more representatives of statewide environmental
34 advocacy organizations focused on climate change and greenhouse gas
35 emissions reductions;

36 (p) One or more representatives of energy-intensive industries;

37 (q) One or more representatives of statewide labor organizations;

38 (r) One or more representatives of communities disproportionately
39 impacted by the effects of climate change and communities of color;
40 and

1 (s) One or more representatives of federally recognized tribes.

2 (8) Experts in the private sector related to clean energy
3 technologies must be identified by members of the committee and
4 invited to participate in meetings with members of the advisory
5 committee, as appropriate.

6 (9) Between July 1, 2018, and September 30, 2019, the committee
7 must convene at least three meetings with members of the advisory
8 committee established under subsection (7) of this section.

9 (10) The department of commerce, the Washington state utilities
10 and transportation commission, and the Washington State University
11 extension energy program shall cooperate with the committee and
12 provide information as the chair may reasonably request.

13 (11)(a) Votes taken by the committee regarding any aspect of the
14 committee's deliberations, findings, or recommendations must be
15 conducted at a public meeting that has been publicized in accordance
16 with the rules of the senate and the house of representatives.

17 (b) The committee must report its findings and recommendations to
18 the appropriate committees of the legislature by November 15, 2019.
19 In order for a recommendation to be included in the report, it must
20 be supported by a majority of the committee's voting members.
21 Minority reports or comments must be included in the report.

22 (12) This section expires January 1, 2020.

23 NEW SECTION. **Sec. 11.** Sections 2 through 6 of this act
24 constitute a new chapter in Title 19 RCW.

25 NEW SECTION. **Sec. 12.** Sections 2 through 4 and 6 of this act
26 take effect January 1, 2020.

27 NEW SECTION. **Sec. 13.** If any provision of this act or its
28 application to any person or circumstance is held invalid, the
29 remainder of the act or the application of the provision to other
30 persons or circumstances is not affected.

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