

Olympia

2009 Legislative Session

Board of Commissioners Update
April 20, 2009

Discussion Today

- Status of legislative activity
- Bills of interest
- Questions

External Affairs Legislative Activity

- Beginning the 15th week of legislative session
- One more intense week to go!
- April 17 - Bills must have passed opposite chambers
 - Except budget bills and bills with differences between the House and Senate
- About 580 bills and resolutions still “alive”
- Staff monitoring about 75 bills
- April 26 – Last day allowed for regular session

Bills of Interest – I-937 Amendments

- SB 5840 passed the House on April 17 – was the “5 o’clock bill”
- Adopted amendments include:
 - Rep. DeBolt amendment permits existing hydropower to qualify as an eligible renewable resource AND modifies the definition of renewable energy credits to allow tradable RECs from hydropower (previously disallowed)
 - Rep. Morris amendment allows certain hydro of 5 MWs or less as an eligible renewable depending on where it discharges and whether it is certified low-impact
 - Rep. McCoy amendment contained some of the “compromise” elements such as the solar multiplier, biomass amendments, target increases – 16.25% by 2020, load growth protection for utilities with annual sales of less than 2 million MWhrs
 - Includes CTED report (using existing agency resources) on hydro/renewable integration due by 12/1/2009
- Senate refused to concur; bill goes to conference.

Bills of Interest – Climate Change

- SB 5735 passed the House on April 14
 - Directs the Governor's office and Ecology to represent state in development of a national GHG reduction program
 - Directs Ecology to continue participating in WCI
 - Requires Ecology to estimate 2012 emissions for entities expected to hit 25,00 metric ton annual threshold
 - Requires Ecology to report by December 31, 2010 on emissions reductions trajectories and strategies, complementary policies, etc.
 - Requires Ecology to notify entities of their estimated 2012 emission levels and their needed reduction trajectories to meet 2020 targets. Sectors may recommend reduction strategies to Ecology.
 - Designates FTE as single state POC on energy and climate change
 - Directs state to develop policy criteria for forestry and agriculture for use in national or regional GHG program
 - Requires Trans Alta to meet emissions performance standards by 2025
 - Includes provisions on electrification of transportation
- Senate may concur with House amendments

Sampling of other bills of interest

- **E2SHB 1007** creating a sustainable energy trust (signed)
- **ESHB 1571** regarding water rights adjudication (passed with concerning amendments removed)
- **E2SHB 1701** regarding broadband mapping.
 - Senate amendments authorize the Governor to receive and maximize federal broadband funding by taking steps such as designating a broadband coordinator, reviewing grant applications, disbursing block grant funding, providing direction to state agencies (passed, needs reconciliation)
- **EHB 1836** regarding public works and off site prefabrication (failed)
- **HB 1196** expands small works roster provisions to contracts with an estimated cost of \$300,000 or less (currently \$200,000)
- **SSB 5504** concerning reclaimed water permitting and a stakeholder process on how water-right impairment protections should apply to reuse projects (passed, needs reconciliation)
- **E2SSB 5854** relating to building energy-efficiency; requires utilities to maintain energy consumption data in a format that can be updated to EPA (passed, needs reconciliation)
- **SB 6170** relating to environmental tax incentives (passed Senate; part of 5840 compromise)

Budget

- Operating Budget – Rumored to be close to an agreement and a vote
- Do not expect tax increase to be included
 - Limited enthusiasm for sale tax referendum