
SUBSTITUTE SENATE BILL 6046

State of Washington

60th Legislature

2007 Regular Session

By Senate Committee on Water, Energy & Telecommunications (originally sponsored by Senators Kilmer, Poulsen, Kline, Oemig, Kohl-Welles, Tom, Murray, Marr and Jacobsen)

READ FIRST TIME 02/28/07.

1 AN ACT Relating to granting certain electric utilities the
2 authority to mitigate the environmental impacts of their operations;
3 adding a new section to chapter 35.92 RCW; adding a new section to
4 chapter 54.04 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds and declares that
7 greenhouse gases offset contracts, credits, and other greenhouse gases
8 mitigation efforts are a recognized utility purpose that confers a
9 direct benefit on the utility's ratepayers. The legislature declares
10 that this act is intended to reverse the result of *Okeson v. City of*
11 *Seattle*, No. 77888-4 (January 18, 2007), by expressly granting
12 municipal utilities and public utility districts the statutory
13 authority to engage in mitigation activities to offset their utility's
14 impact on the environment.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.92 RCW
16 to read as follows:

17 (1) A city or town authorized to acquire and operate utilities for
18 the purpose of furnishing the city or town and its inhabitants and

1 other persons with water, with electricity for lighting and other
2 purposes, or with service from sewerage, storm water, surface water, or
3 waste handling facilities, may develop and make publicly available a
4 plan to reduce its greenhouse gases emissions or achieve no-net
5 emissions from all sources of greenhouse gases that the utility owns,
6 leases, uses, contracts for, or otherwise controls.

7 (2) A city or town authorized to acquire and operate utilities for
8 the purpose of furnishing the city or town and its inhabitants and
9 other persons with water, with electricity for lighting and other
10 purposes, or with service from sewerage, storm water, surface water, or
11 waste handling facilities, may, as part of its utility operation,
12 mitigate the environmental impacts, such as greenhouse gases emissions,
13 of its operation, including any power purchases. The mitigation may
14 include, but is not limited to, those greenhouse gases mitigation
15 mechanisms recognized by independent, qualified organizations with
16 proven experience in emissions mitigation activities. Mitigation
17 mechanisms may include the purchase, trade, and banking of greenhouse
18 gases offsets or credits. If a state greenhouse gases registry is
19 established, a utility that has purchased, traded, or banked greenhouse
20 gases mitigation mechanisms under this section shall receive credit in
21 the registry.

22 NEW SECTION. **Sec. 3.** A new section is added to chapter 54.04 RCW
23 to read as follows:

24 (1) A public utility district may develop and make publicly
25 available a plan for the district to reduce its greenhouse gases
26 emissions or achieve no-net emissions from all sources of greenhouse
27 gases that the district owns, leases, uses, contracts for, or otherwise
28 controls.

29 (2) A public utility district may, as part of its utility
30 operation, mitigate the environmental impacts, such as greenhouse gases
31 emissions, of its operation and any power purchases. Mitigation may
32 include, but is not limited to, those greenhouse gases mitigation
33 mechanisms recognized by independent, qualified organizations with
34 proven experience in emissions mitigation activities. Mitigation
35 mechanisms may include the purchase, trade, and banking of greenhouse
36 gases offsets or credits. If a state greenhouse gases registry is

1 established, a public utility district that has purchased, traded, or
2 banked greenhouse gases mitigation mechanisms under this section shall
3 receive credit in the registry.

--- END ---