

Thurston Regional Planning Council - Tracker

Subject/Issue Order - Climate

April 20, 2021 10:00 a.m.

Bill Number	Description	Sponsor - If Local	Status	Subject/Issue
HB 1514	<p>Reduces the minimum requirement for ride sharing from five persons including the driver to three persons including the driver, and broadens ride sharing beyond commute trips.</p> <p>Broadens eligibility for tax exemptions, tax credits, and license plates associated with ride sharing and commute trip reduction.</p> <p>Requires the Washington State Department of Transportation and the Commute Trip Reduction Board to make recommendations regarding changes to the statutes governing commute trip reductions.</p> <p>Note: This bill originally allowed non- and for-profit transportation and social services organizations to manage vanpool fleets. As passed, it only applies to transit agencies (TPBAs)</p>		Passed Legislature	Climate Transportation - TDM GHG Reduction
SB 5000	<p><b>Fuel Cell Electric Vehicle Retail Sales and Use Tax Exemption Program.</b> The fuel cell EV retail sales and use tax exemption applies to the sales or leases of new or used electric passenger cars, light duty trucks, and medium duty passenger vehicles powered by a fuel cell. The eight-year pilot program is effective beginning July 1, 2022, and the temporary exemption impacts the retail sales and use tax levied as follows:</p> <p>50 percent of the sales and use tax does not apply to qualifying new vehicles; and the entire sales and use tax does not apply to qualifying used vehicles and the per vehicle exemption is based on the purchased vehicle's sale or fair market value.</p> <p>Department of Revenue (DOR) must determine whether a vehicle meets the applicable qualifying criteria and Department of Licensing (DOL) must issue final rulings on vehicle model qualifications and maintain and publish a list of all vehicle models qualifying for the tax exemption until the exemption program's expiration. Vehicles do not qualify for the exemption if the sales of vehicles delivered to the buyer or the leased vehicle's lease agreement occurs after the exemption's expiration. If a person has already claimed an alternative fuel tax incentive exemption, they may not also claim this exemption. At the end of each quarter, the state treasurer is required to transfer from the EV account to the general fund, the amount that would otherwise have been deposited in the state general fund if not for this tax exemption. A report must be submitted to the Legislature's transportation committees with the following information by the last day of August 2023, and annually thereafter: cumulative number of fuel cell electric vehicles that qualified for the exemptions by month of purchase or lease start and vehicle make and model; the dollar amount of all state retail sales and use taxes exempted on or after the qualification period start date; and future cost estimates of leased vehicles that qualified for the exemptions. The fuel cell electric vehicle retail sales and use tax exemption program's expiration date is set for June 30, 2029. All qualified leased vehicles must continue to receive the exemption on any lease payments through the remainder of the lease.</p> <p><b>Maximum Exemptions.</b> The maximum total exemptions for qualified new vehicles are 650 exemptions. Once the total number of exempt vehicles reaches 650, the exemption for qualified new vehicles will expire after the last day of the next calendar month. DOL must collect and provide information to determine the number of claimed exemptions, which will be posted on the website monthly. The website will contain the following information: amount of exemptions that have been applied for; amount issued; amount remaining before the limit of 650 exemptions has been reached; and the exemption expiration date once the limit has been reached. For qualified used vehicles, there is no maximum exemption total. However, the value amount for an exemption is the lesser of either \$16,000 or the fair market value of the vehicle. The seller must keep records necessary for DOR to verify eligibility, and a person claiming the exemption must also submit certain specified information to DOR.</p> <p><b>Tax Preference Performance Statement.</b> The Legislature's public policy objective for establishing an eight-year pilot tax incentive program for fuel cell electric vehicles is to increase the use of hydrogen fuel cell electric vehicles in Washington as another way of promoting clean alternative fuel vehicle adoption. The Joint Legislative Audit Review Committee (JLARC) is directed to evaluate the tax incentive's effectiveness on the number of hydrogen fuel cell vehicles titled in the state by November 1, 2028. DOL and DOR are required to provide JLARC with information needed for this analysis to be conducted.</p>	...Braun, Hunt, Sheldon	Passed Legislature	Climate Transportation - Alt Fuel

Bill Number	Description	Sponsor - If Local	Status	Subject/Issue
SB 5126	<p>Establishes a cap and invest program for greenhouse gas (GHG) emissions to be implemented by the Department of Ecology (Ecology).</p> <p>Directs distribution of auction revenues for specified purposes including clean transportation, natural climate resiliency, clean energy transition and assistance, and energy efficiency projects.</p> <p>Convenes an Environmental Justice and Equity Advisory Panel to provide recommendations on the development and implementation of the cap and invest program.</p> <p>Requires the Governor to establish a comprehensive program to implement the state's climate commitment and convene a Climate Commitment Task Force.</p>	...Hunt	<p>H Appropriations</p> <p>Scheduled for executive session in the House Committee on Appropriations at 9:00 AM on 4/20/21</p>	Climate - Cap & Invest
HB 1091	<p>Directs the Department of Ecology (Ecology) to adopt rules establishing a Clean Fuels Program (CFP) to limit the aggregate, overall greenhouse gas (GHG) emissions per unit of transportation fuel energy to 20 percent below 2017 levels by 2035.</p> <p>Excludes exported fuel, fuel used by vessels, railroad locomotives, and aircraft, and certain other categories of transportation fuel from the CFP's GHG emission intensity reduction requirements.</p> <p>Requires the CFP to include processes for registering, reporting, and tracking compliance obligations and to establish bankable, tradeable credits used to satisfy compliance obligations.</p> <p>Retains the current distribution of revenue under the 2015 Transportation Revenue Package, eliminating changes that would have been triggered as a result of the establishment of a CFP.</p> <p>Requires the passage of a separate additive transportation funding act generating more than \$500 million per biennium in revenue before Ecology may assign compliance obligations or allow for actual credit generation in order to coordinate and synchronize the CFP with other transportation-related investments.</p>	...Dolan, Bateman	Concurrence	Climate - Clean Fuels
HB 1114	<p>Encourages municipal electric utilities and public utility districts (PUDs) to assist electric customers in the acquisition and installation of materials and equipment for the conservation of energy, including cool roof programs and tree plantings.</p> <p>Establishes a statewide policy that any tree planting program that a municipal electric utility, PUD, or investor-owned utility (IOU) engages in as part of an energy conservation program should accomplish specific goals, including energy reduction.</p> <p>Allows municipal utilities, PUDs, and IOUs to use voluntary donations from their customers for urban forestry to fund a tree planting program that accomplishes the goals of the statewide policy.</p> <p>Authorizes the Utilities and Transportation Commission to adopt a policy allowing an incentive rate of return on investment in IOUs' tree planting and cool roof programs.</p>		<p>Passed Legislature</p> <p>C 11 L 21</p>	Climate - Energy
HB 1393	<p>Requires a photovoltaic module manufacturer to submit a stewardship plan to the Department of Ecology by July 1, 2024, rather than July 1, 2022.</p> <p>Requires a manufacturer or its designated stewardship organization to provide an annual report to the Department of Ecology beginning April 1, 2026, rather than April 1, 2024.</p> <p>Requires that no manufacturer, distributor, retailer, or installer may sell or offer for sale a photovoltaic module for which a stewardship plan has not been approved beginning July 1, 2025, rather than July 1, 2023.</p>		<p>Passed Legislature</p> <p>C 45 L 21</p>	Climate - Energy
HB 1446	<p>Provides that an electric utility is in compliance with its biennia energy conservation target under the Energy Independence Act if events beyond the reasonable control of the utility prevented it from meeting the target.</p>		Passed Legislature	Climate - Energy

SB 5295	<p><b>Policy Statement for Alternatives to Traditional Rate Making.</b> To provide clarity and certainty to stakeholders on the details of performance-based regulation, the UTC is directed to conduct a proceeding to develop a policy statement addressing alternatives to traditional cost of service rate making, including performance measures or goals, targets, performance incentives, and penalty mechanisms. As part of the proceeding, the UTC must consider specified factors and allow for participation and consultation with regulated utilities, the attorney general's office, and other interested stakeholders. The UTC must notify the appropriate committees of the Legislature by January 1, 2022, of the process and duration of the work plan to conduct this proceeding.</p> <p><b>Multiyear Rate Plans.</b> Beginning January 1, 2022, every general rate case filing of a gas or electric utility must include a proposal for a multiyear rate plan (MYRP). The UTC may by order after an adjudicative proceeding, approve, approve with conditions, or reject, a MYRP proposal made by a utility, an alternative proposal made by one or more parties, or any combination of these. The UTC's consideration of a proposal for a MYRP is subject to the same standards as other related filings, including the public interest and fair, just, reasonable, and sufficient rates. The UTC may approve, disapprove, or approve with modifications any proposal to recover from ratepayers up to 5 percent of the total UTC revenue requirement for each year of a MYRP for tariffs that reduce the energy burden of low-income residential customers. The tariffs may include bill assistance programs or one or more special rates. For any approved MYRP resulting in a rate increase, the UTC must approve an increase in low-income bill assistance for each year there is a rate increase that is, at a minimum, equal to double the percentage increase for residential base rates. The UTC may approve a larger increase to low-income bill assistance based on an appropriate record. If it approves a MYRP, the UTC must approve rates separately for the initial rate year, the second rate year, and, if applicable, the third and fourth rate years. Consistent with current law, the UTC must ascertain and determine the fair value for rate-making purposes of the property of a utility that has filed a MYRP that is or will be used and useful for service in Washington by or during each rate year for the MYRP. For the initial rate year, the UTC must, at a minimum, make this determination by the rate effective date. The UTC may order refunds to customers if property expected to be used and useful when the plan is approved is not used and useful by the rate effective date. The UTC must ascertain and determine the revenues and operating expenses for ratemaking purposes of any gas or electric utility for each rate year of the MYRP. The UTC may use any standard, formula, method, or theory of valuation reasonably calculated to arrive at fair, just, reasonable, and sufficient rates, when ascertaining and determining the fair value of property and projecting revenues and operating expenses for a utility under a MYRP. If the UTC approves a MYRP with a duration of three or four years, then an electric utility must update its power costs as of the rate effective date of the third rate year. The gas or electric utility is bound by the terms of the UTC approved MYRP for the initial rate year and the second rate year. The utility may file a new MYRP for the third or fourth rate years, if any, of a MYRP. Subject to the terms of the MYRP, the UTC may by order establish terms, conditions, and procedures for a MYRP and ensure rates remain fair, just, reasonable, and sufficient during the course of the plan, including terms and procedures for rate adjustment during the term of the plan. If the annual commission basis report demonstrates the reported rate of return for a utility is more than 0.5 percent higher than the rate of return authorized by the UTC in the MYRP, the utility must defer all revenues in excess of 0.5 percent higher than the rate of return for refunds to customers or another determination in a subsequent adjudicative proceeding. The UTC must waive this requirement if a multi-state electrical company with fewer than 250,000 Washington customers files a MYRP that provides for no increases in base rates in consecutive years beyond the initial rate year, provided the waiver results in just and reasonable rates. The UTC must determine a set of performance measures that will be used to assess a gas or electric utility operating under a MYRP. The performance measures may be based on proposals made by the utility or any other party to the proceeding in the response to the company's filing, or in the testimony and evidence admitted in the proceeding. The UTC may consider specific factors in developing performance measures, incentives, and penalty mechanisms. The UTC must align, to the extent practical, the timing of approval of a MYRP of an electric utility with the clean energy implementation plan filed under CETA. Nothing in this bill precludes any gas or electric utility from making filing required or permitted by the UTC nor may be construed to limit the existing rate-making authority of the UTC.</p> <p><b>Rates for Low-Income Customers.</b> Upon its own motion, or the request by a utility, or other party to a general rate case or hearing, or other proceeding to set rates, the UTC may approve rates, charges, services, or physical facilities at a discount or through grants for low-income seniors and low-income customers. Expenses and lost revenues as a result of these discounts, grants, or other low-income assistance programs must be included in the company's cost of service and recovered in rates to other customers. Each gas or electric company must propose a low-income assistance program comprised of a discount rate for low-income senior customers and low-income customers as well as grants and other low-income assistance programs. The UTC must approve, disapprove, or approve with modifications each gas or electrical company's low-income assistance discount rate and grant program. The utility must use reasonable and good faith efforts to seek approval for low-income program design, eligibility, operation, outreach, and funding proposals from its low-income and</p>		Passed Legislature	Climate - Energy
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	<p>equity advisory groups before filing with the UTC. Low-income discounts or grants must be provided in coordination with community-based organizations in the utility's service territory. Eligibility for a low-income discount rate or grant may be established upon verification of a low-income customer's receipt of any means tested public benefit, or verification of eligibility for the low-income home energy assistance program, for which eligibility does not exceed the income definition set by the UTC under CETA. Public benefits that may determine eligibility are enumerated. Each gas or electric utility must conduct substantial outreach efforts to make the lowincome discounts or grants available to eligible customers and annually report to the UTC on outreach activities and results. Outreach must be made at least semiannually to inform customers of available rebates, discounts, credits, and other cost-saving mechanisms that can help them lower their monthly gas or electricity bills, and may be in the form of any customary and usual methods of communication or distribution. Outreach may include establishing an automated program of matching customer accounts with lists of recipients of the means tested public benefit programs and presumptively offer a discount rate or grant to eligible customers. However, the gas or electric utility must within 60 days of the presumptive enrollment inform the low-income customer of the enrollment and all customer rights and obligations under the program, including the right to withdraw without penalty. A residential customer eligible for a low-income discount rate must receive the service on demand. A residential customer may not be charged for initiating or terminating lowincome discount rates, grants, or any other form of energy assistance.</p> <p><b>Agreement for Financial Assistance to Certain Organizations.</b> A gas or electric utility must, upon request, enter into one or more written agreements with organizations that represent broad customer interests in UTC regulatory proceedings, subject to approval. These organizations may include low-income, commercial, and industrial customers, vulnerable populations, or highly impacted communities. More than one gas utility, electric utility, or organization representing customer interests may join in a single agreement. The agreement must be approved, approved with modifications, or rejected by the UTC. The UTC must consider whether the agreement is consistent with a reasonable allocation of financial assistance provided to organizations among classes of customers of the utility. Before administering an agreement, the UTC, by rule or order, must determine: the amount of financial assistance to be provided to an organization; the manner in which the financial assistance is distributed; the manner in which the financial assistance is recovered in the rates of the gas or electric utility; and other matters necessary to administer the agreement. The UTC must allow a gas or electric utility that provides financial assistance to recover the amount in rate. The UTC must allow a utility to defer including the amount of financial assistance rates. An agreement may not provide for payment to the UTC. Organizations representing vulnerable populations or highly impacted communities must be prioritized for funding.</p> <p><b>Statewide Policy on the Provision of Energy Services.</b> It is the policy of the state to: preserve affordable energy services to the residents of the state; maintain and advance the efficiency and availability of energy services to the residents of the state; ensure that customers pay only reasonable charges for energy services; and permit flexible pricing of energy services.</p>			
HB 1055	Extends the expiration date for certain timber purchase reporting requirements from July 1, 2021, to September 30, 2025.	...Abbarno, Orcutt	Passed Legislature C 24 L 21	Climate - Forest
HB 1168	<p>Establishes legislative intent to provide \$500 million over the next four biennia to fund forest health and wildfire response activities.</p> <p>Creates the Wildfire Response, Forest Restoration, and Community Resilience Account (account) to fund certain wildfire preparedness, prevention, and protection activities and requires the Department of Natural Resources (DNR) to report every two years on how account funds are used.</p> <p>Directs DNR to implement several initiatives relating to forest health and wildfire response including additional mapping, forest health, workforce development, small forest landowner forest health, and wildland fire aviation support.</p>	...Griffey	Concurrence	Climate - Forest Emergency - Fire & Forest

Bill Number	Description	Sponsor - If Local	Status	Subject/Issue
HB 1216	<p>Changes the name of the Community and Urban Forestry Program administered by the Department of Natural Resources (DNR) to the Urban and Community Forestry Program.</p> <p>Directs the DNR to conduct analyses of the needs and opportunities related to urban forestry in Washington.</p> <p>Directs the DNR to provide technical assistance and capacity building resources and opportunities in order to promote urban and community forestry.</p>		Passed Legislature	Climate - Forest
HB 1050	<p>Authorizes the Department of Ecology (Ecology) to establish a maximum global warming potential (GWP) threshold for hydrofluorocarbons (HFCs) used in new stationary air conditioning and stationary refrigeration, and directs Ecology to establish a GWP threshold for new ice rinks.</p> <p>Applies certain existing regulations addressing emissions of ozone-depleting substances to HFCs.</p> <p>Directs Ecology to establish a refrigerant management program to address refrigerant emissions from large air conditioning and refrigeration systems. Requires Ecology to provide recommendations to the Legislature by December 1, 2021, regarding the design of a program to address the end-of-life management and disposal of refrigerants.</p> <p>Establishes a state purchasing and procurement preference for recycled refrigerants.</p> <p>Encourages the mandatory cost-effective conservation activities of electric utilities to include promoting the adoption of air conditioning equipment that has a GWP below 750 and the replacement of stationary refrigeration systems that contain ozone-depleting substances or high GWP refrigerants.</p> <p>Requires the State Building Code Council to adopt rules that allow the use of low-GWP substitutes to the maximum extent practicable.</p>		Passed Legislature	Climate - Hydrofluorocarbons
SB 5452	<p>Directs the Washington Department of Fish and Wildlife and Department of Natural Resources to undergo a public process to collect information on e-bike use on natural surface trails and roads that are limited to non-motorized use to determine where e-bike operation may occur and which classes of e-bikes are acceptable on such trails and roads.</p> <p>Requires the public process at a minimum include input from a list of interested parties and user groups.</p> <p>Directs the agencies to report their findings to the Legislature by January 1, 2022.</p>		Passed Legislature	Climate - Vehicle - Electric
HB 1502	<p>Permits counties to use additional competitive bidding procedures for procurement and design of electric ferries, including considering best value criteria in determining the lowest responsive and responsible bidder.</p> <p>Exempts from public disclosure trade secrets or other proprietary information submitted by a bidder in connection with electric ferry procurement if the bidder specifically states in writing the reason for protection from disclosure and the county agrees such protection is necessary.</p> <p>Permits a county procuring an electric ferry to identify specific equipment and vendors without allowing substitutions, when such equipment selections will reduce cost and performance risk.</p> <p>Allows a county to designate a public works department as the lead agency for the design and procurement of electric ferries as an alternative to the purchasing department.</p> <p>Requires the Washington State Department of Transportation's Office of Equal Opportunity to establish contract goals for county electric ferry vessel procurement in order to increase small business participation in ferry vessel procurement.</p>	...Griffey	Passed Legislature	Climate - Vehicle - Electric Ferries

Bill Number	Description	Sponsor - If Local	Status	Subject/Issue
SB 5192	<p>Requires electric vehicle service providers to clearly disclose the costs of using publicly available electric vehicle supply equipment.</p> <p>Requires the Department of Agriculture, in consultation with the Department of Commerce and the Utilities and Transportation Commission, to adopt rules for certain publicly available electric vehicle supply equipment regarding payment methods, interoperability, and the sale of electricity as a vehicle fuel.</p> <p>Establishes registration fees and penalties related to electric vehicle supply equipment.</p>		<p>H Appropriations</p> <p>Scheduled for Executive Session 4/20</p>	Climate - Vehicle - EVI
HB 1287	<p>Requires the Washington State Department of Transportation's Public Private Partnership Office to develop and maintain a publicly available mapping and forecasting tool that provides locations and essential information of charging and refueling infrastructure to support forecasted levels of electric vehicle adoption, travel, and use.</p> <p>Requires electric utilities to analyze how their resource plans account for modeled load forecast scenarios that consider anticipated levels of zero emission vehicle use in the utility's service area, assumed use case scenarios that consider anticipated levels of zero-emission vehicle use, and information from the utilities' transportation electrification plans.</p> <p>Requires the State Building Code Council to implement rules for residential R-3 occupancies by July 1, 2024, to require electric vehicle charging capability at all new buildings that provide on-site parking, in an amount that is the greater of at least one parking space, or 10 percent of parking spaces.</p> <p>Establishes a goal that all publicly and privately owned passenger and light duty vehicles of model year 2030 or later sold, purchased, or registered in Washington state be electric vehicles, contingent upon vehicle participation in a new road usage charge or equivalent tax or fee policy. <b>(All of HB 1204 was amended into HB 1287)</b></p>	...Bateman	Passed Legislature	Climate - Vehicle - EVI - Building

Notes:

1. Bill Number: For ease of tracking, this does not include descriptors such as "Engrossed Second Substitute."
2. Description: This is generally pulled from the non-partisan staff bill report. The bill report is updated to reflect changes made by either chamber. For some of the bills that passed the Legislature in the last few days, the bill report has not been updated yet. To look at the most recent actions and description of a bill, please visit: [www.leg.wa.gov](http://www.leg.wa.gov). Select Bill Information and type in the bill number. This will take you to a page with the history of the bill, bill reports, text of the bill, and a list of all amendments and actions on those amendments.
3. Sponsors: the ellipse (...) indicates that the local legislator is on the bill, but not the prime sponsor. If they are listed without the ellipse, they are the prime sponsor.
4. Status: Earlier in the Session, status would more routinely include the committee assignment or if the bill is scheduled for public hearing or executive session. You may note that some bills are still in committee today, for example SB 5483 (last bill on the list) is a Budget/Revenue bill and still in the Rules Committee.
  - a. Concurrence: The opposite chamber passed the bill with changes. The original chamber is deciding whether or not to agree.
  - b. Dispute: The opposite chamber passed the bill with changes. The original chamber says no and asks for the opposite chamber reconsider, i.e., "House refuses to concur, Asks Senate to Recede."
  - c. Conference Committee: The opposite chamber passed the bill with changes. The original chamber says no and asks for a conference committee to resolve the changes. A conference committee can propose additional changes to the bill.
  - d. Passed Legislature: There are various actions needed to move to the Passed Legislature status. I do not break down each individual step, i.e. "House concurs with Senate amendments," "House passes final passage," House Speaker signs..." Once the differences are resolved and only the process steps are left, I move it to the Passed Legislature status.
  - e. Chapter Number: Again, there are various actions to move from passed legislature to a chapter number. The bill is "delivered to Governor," and "signed by Governor." When that process is complete, it is assigned a bill number. Chapter 21, Laws of 2021 or C21 L21.
  - f. Subject/Issue: This reflects the TRPC legislative priority addressed by this bill.

The Legislature is scheduled to adjourn this Sunday, April 25, 2021.