

Weekly Legislative Update: **Climate Change & Energy**

Issue Team Chair: Martin Gibbins

Contact: mgibbins@lwvwa.org, (425) 361-5007

March 6, 2022

Many bills critical to reducing greenhouse gasses in Washington State appear on their way to passage this session. Residual controversy appears at a minimum, so we expect the bills that have passed both chambers to enjoy a governor's signature and proceed into law. Several opportunities to increase electrification will need to wait for reconsideration in the next session. See below for status on the bills we supported this session.

Priority Bills Needing Action This Week

Most of our advocacy action is complete for this session, but for bills that have not yet passed, you can still express support to your legislators. Select the bill number link to open the bill information page, then select the box [Comment on this bill](#). Fill in your information and verify your district, select one or all your legislators, then craft your comments.

Bills We Support

Updates and new information in [green text](#).

[HB 1280](#) Greenhouse gas emissions reductions in the design of public facilities. According to the 2021 State Energy strategy, buildings now account for over 20% of greenhouse gas releases in our state. Taking positive and deliberate steps to transition toward clean energy sources is important to reach our legislated limits for greenhouse gas emissions. This bill makes two important updates: 1) including greenhouse gas emissions in new building life-cycle analysis, and 2) assuring renewable energy systems are considered in building design options. It passed the Senate Committee on Environment, Energy & Technology on a vote of 8-5, [passed the Senate 29 to 20, and was signed by the legislative leadership.](#) Next step is the governor's signature.

[HB 1619](#) - Appliance efficiency standards. Energy saved through increasing efficiency is equivalent to green energy generated, and saves money so we must continue to invest in improved appliances. We cannot depend on federal policy to take action, so the states must act and work to align regulations with other states. A substitute bill adjusted some of the exemptions, and that passed the House Committee on Environment & Energy 9 to 4, then

passed the floor vote 56 to 39. It passed the Senate Committee on Environment, Energy & Technology on a vote of 8-4, [passed the Senate, and was signed by the legislative leadership.](#) [Next step is the governor's signature.](#)

[HB 1623](#) – **Risk assessment of power supply inadequacy events.** It requires the Department of Commerce and the Utilities and Transportation Commission to conduct additional meetings to assess energy resource adequacy plus an additional stakeholder meeting in 2022. It had no opposition testimony in hearings, although some testimony asked for additional emphasis on transmission adequacy, not just supply adequacy. It passed the House Committee on Environment & Energy unanimously. It is still on the House Floor Calendar in consideration for a vote. This bill passed out of the House 93 to 0, and passed the Senate Committee on Environment, Energy & Technology unanimously. [It passed the Senate and was signed by the legislative leadership.](#) [Next step is the governor's signature.](#)

[HB 1663](#) - **Reducing methane emissions from landfills.** Methane releases are an increasing concern due to their 25 times greater greenhouse gas effect than CO₂. The most significant source is leakage from drilling and transport, including right up to the building of use, so the most effective way to reduce releases is to phase out using methane. A smaller but significant source is from bio material decay in landfills. This bill requires monitoring landfill leakage and encourages elimination through capture and redirection or even flame-off because the carbon dioxide created is less harmful than the release of methane. A substitute bill passed the House Committee on Environment & Energy. An amended bill (substitute) proposed by one of the bill sponsors specified several exemptions and refined the required efficiency for diversion of the methane. That bill passed the Appropriations Committee and passed the House 57 to 40. [In the Senate, amendments specified more details in requirements and allowed more flexibility by landfill operators.](#) [The final bill passed the Senate 30 to 17.](#)

[ESHB 1770](#) - **Strengthening energy codes.** This bill will create a set of building codes that reach farther than the base state building codes to reduce greenhouse gas production, but are [optional](#) for a county or city to implement for their region. Find details in a [summary sheet](#) from one of our coalition partners. [Buildings and their systems have long lives, so the investments made today will affect energy and greenhouse gas performance for many years.](#) This bill passed the House 51 to 47, and passed the Senate Committee on Environment, Energy & Technology on a vote of 8-5 with amendments, primarily the deletion of requirements that new buildings must be net-zero ready. [As of Mar 5, it was on the Senate floor with numerous amendments, but had not yet passed.](#)

[HB 1792](#) – **Green Hydrogen production.** Hydrogen gas may have a significant role to play in energy storage for and alternative fuels for bridging generation service gaps and for uses difficult to electrify with current technology such as aviation and long-haul trucking. Challenges remain so success will depend on technology development. The hydrogen must be produced

without fossil fuels to make progress on reducing climate change. This bill unanimously passed the House Committee on Environment & Energy, then passed the House Committee on Finance 16 to 1, and is now on the House floor for a vote, but as of Mar 5 has not been taken up.

HB 1799 – **Organic materials management to reduce methane.** Requires waste management systems to direct more organic matter toward composting facilities, reduces legal liability in the donation of edible food, encourages development of more applications for compost products, improve standards for the labeling and color coding of compostable food-ware products, and applies additional requirements on non-compostable items. Public hearing on Jan 21 in the House Committee on Environment & Energy. An amended bill (substitute) passed the committee 8 to 5. The substitute specifies certain waivers, exemptions, and technical clarifications, mostly to accommodate the constraints of smaller jurisdictions. Definitions of organics further defined and made clear does not include biosolids. Removed requirement for non-plastic stickers on produce and made changes in color identification for serviceware. This bill passed the House 56 to 42, and had a hearing in the Senate Committee on Environment, Energy & Technology on Feb 17. The bill was amended in the Ways and Means Committee, then passed the full Senate 34 to 14 on Mar 3. The changes appear to be mostly clarifications, but the two chambers will need to concur before it can proceed to the governor.

HB 1814 – **Community solar projects.** Enables residents, whose housing is not easily or efficiently retrofitted for solar panels, to join a community solar project installation and enjoy the benefits. It passed a vote on Feb 1 in the House Committee on Environment & Energy. A substitute bill passed the House Committee on Finance on a vote of 11 to 6. The substitute bill increased the caps on the allowed size of the community solar projects eligible for incentives, and increased the caps on the available funding for those caps, and this bill passed the House 56 to 39, but did not pass the Senate Ways and Means Committee by fiscal review cutoff.

HB 1988 – **Tax deferrals for investment projects in clean technology manufacturing, clean alternative fuels production, and renewable energy storage.** Defers state and local sales and use taxes for an investment project in either qualified buildings or qualified machinery and equipment, or both, for new, renovated, or expanded manufacturing operations, including zero-emission vehicles and electricity from renewable resources; facilities that produce clean fuels; and facilities that store electricity from renewable resources. The bill passed the House Finance Committee 12 to 5, and had a hearing in the House Appropriations Committee on Feb 24. Although it has not passed its originating chamber, it may be designated necessary to implement the budget (NTIB), and a new fiscal note was released on Feb 24. It passed the House 56 to 40, but must be considered in the Senate in this final week.

SB 5543 – **A zero-emission landscaping equipment transition incentive program.** Fuel-powered landscaping equipment is a source of GHG release, air pollutants, and community noise. This bill proposes rebates for new, electrical-powered equipment when the fuel-powered equipment is traded in and disposed. It passed the Senate Committee on Environment, Energy

& Technology, and was referred to Ways & Means. This bill had a hearing in the Senate Committee on Ways & Means Feb 17. Although the legislation cutoff date has passed, the rebates in this bill have an impact on the budget, so it may be designated necessary to implement the budget (NTIB), and [is now scheduled for a hearing in Ways and Means on March 7, but has a long way to go.](#)

[SB 5722](#) - **Reducing greenhouse gas emissions in buildings.** Greenhouse gas release from buildings, primarily in heating systems, is second only to transportation in Washington. This bill is a continuation of the clean buildings bill from 2019, and is a step toward adjusting building codes to design more new buildings, including multifamily housing, to incorporate more carbon-free energy sources. It initially requires a bench-marking period to determine opportunities and costs. This bill passed the Senate floor vote 27 to 22. [It passed the House Committee on Environment & Energy and the Appropriations Committee, and passed the full House 53 to 45. House amendments were minor and clarifying.](#)

[SB 5842](#) – **State laws that address climate change.** This large (41 pages) and technical bill contains clarifications, refinements and additional elements for the Cap and Invest program, the core of the Climate Commitment Act of 2021. It sets schedules for creating and assigning allowances to energy users, and further specifies business-market competitive sensitive information that cannot be disclosed. We have no time to lose in doing our part to limit climate change. Economic reactions will change, and technologies will emerge, so we should expect annual revisions of the Climate Commitment Act and other climate programs to guide implementation toward the performance required. A substitute bill with approved amendments passed the Senate 29 to 22. [It was amended in the House Environment & Energy Committee to define more specifically the policies for spending revenue from the act and oversight, for greenhouse gas emission reductions that are real, permanent, quantifiable, verifiable. It passed the full house 81 to 15.](#)

[SB 5910](#) - **Accelerating the availability and use of renewable hydrogen in Washington state.** Creates a statewide Office of Renewable Fuels under the Department of Commerce to focus development of new fuels based on renewable green hydrogen production, and to enable the distribution and use of the fuels. Most hydrogen today is produced with methane, and the process releases carbon dioxide, unless that is captured. The most common method for green hydrogen is using electricity to break water into hydrogen and oxygen. When using clean, renewable electricity the product is labeled *green hydrogen*. The Office of Renewable Fuels will coordinate efforts of government, private entities, and institutions of higher education, and will report to the Legislature on opportunities and progress. Funding is planned primarily from the Federal Infrastructure Investment and Jobs Act. Washington is in a good position to secure this funding due to the commitment toward transitioning to all clean electricity. The bill passed the Senate 49 to 0, [and passed the House Committee on Environment & Energy and the House](#)

Appropriations Committee, continues to enjoy bipartisan support, but as of Mar 5 has not passed the House floor vote.

Bills We Supported that did not pass

For bills that did not pass this session, see the [2-20-22 Report](#) for descriptions.

How You Can Be Involved

- You may express support for bills with the *Comment on this bill* feature in each bill page (select the bill number links above) and in hearings with the [online process](#). For the online process, select House or Senate then the committee and the date and time of the meeting, then follow the menus. Detailed instructions are in this week's *Legislative Newsletter*. Remember, only authorized members can speak for the League; the Issue Chairs will do that, so please leave the "Organization" box blank. A more powerful influence is many voices speaking for themselves rather than many voices speaking for the League.
Your committee hearing sign-ins are effective in showing interest and support for these issues. Sign-ins are accepted until 1 hour before the committee hearing begins.
- Local Leagues in Washington have Action Chairs who coordinate action teams. Some Local Leagues have Environment or Climate teams to take action locally. Contact your local league Action Chair to find out and join.
- You may also express your opinion on legislation with the LWVWA Issue Chairs. We will take your perspectives under consideration as we determine our support for legislation and prepare testimony. Martin Gibbins, Climate Issue Chair, mgibbins@lwvwa.org