

# **2021 Washington State Legislature** **Climate Change Update**

**ECC Presentation/April 28, 2021**  
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# Agenda



- CLIMATE CHANGE BILLS
  - HIGH PRIORITY
  - LOWER PRIORITY
  - DEAD or NEVER WERE
- OTHER AREAS RELATED TO CLIMATE/ENVIRONMENT
  - THEMES

# Climate Change Bills: High Priority

- Price on Carbon
- Clean Fuels Act
- Clean Cars Act
  - Heal Act
- Growth Management Act (GMA) Bills
  - Transportation Budget

# Price on Carbon (SB 5126)

- **Two Major Proposals**

- **Washington Strong (SB 5373): “Green Bonds Approach”**
  - Did Not Pass/Did Not Gain Momentum
- **Climate Commitment Act (SB 5126): “Cap-and-Invest Approach”**
  - Bill On Governor’s Desk

- **Comments**

- Governor Inslee, Senator Reuven Carlyle (D-36), Representative Joe Fitzgibbon (D-34) supported Cap-and-Invest
  - Received favored treatment by Senator Carlyle
- Some Senators sponsored both bills (e.g., Rebecca Saldana (D-37), Joe Nguyen (D-11))
- Several prior unsuccessful attempts to implement carbon tax in Washington State
- Concern over divide in environmental community
- Is the goal a great program, or a reasonable program up and running?

# Clean Fuels Act (HB 1091)

- **Overview**

- Bill calls for Transportation Fuels With Lower Carbon Content

- **Status**

- Bill On Governor's Desk

- **Comments**

- Has passed House but not Senate each of last two years
- Similar legislation has passed in Oregon and California
- Implications for BP Cherry Point Refinery
- Hostage Letter from Senators

# Clean Cars Act (HB 1204/SB 5256)

- **Overview**

- Bill originally called for all new cars registered in Washington State in 2030 and beyond to not have internal combustion engines
- Reformulated to be “aspirational” instead of a “mandate”

- **Status**

- Bill did not receive floor vote in either chamber
- Bill incorporated into HB 1287 (Preparing for Zero-Emissions Transportation Future)
- On Governor’s Desk

- **Comments**

- Should we support watered down version of bill (aspirational instead of mandate)?

# Heal Act (SB 5141)

- **Overview**

- “Heal” = Healthy Environment for All
- Bill calls for all climate change legislation to acknowledge reality that climate change disproportionately impacts lower-income communities and communities of color, and to take steps to address this reality

- **Status**

- Bill on Governor’s Desk

- **Comments**

- Senator Rebecca Saldana (D-37) lead sponsor
- Has failed in each of last two years
- 2 Amendments to Water Down Bill:
  - Removed certain peoples as vulnerable populations
  - Decisions are non-binding

# Growth Management Act (GMA) Bills

## • Overview

- The GMA is updated every eight years (and 2021 is an update year)
- The GMA deals with growth management issues across the state
  - The GMA establishes requirements for County Level Comprehensive Plans
- There are a number of bills that incorporate climate change concerns into the GMA

## • Status

- HB 1099: Includes climate change concerns in the GMA
  - Passed House, then died, then folded into HB 1241, HB 1241 passed House did not pass Senate
- HB 1220: Improves affordable housing and shelter usage via the GMA (On Governor's Desk)
- Many Other GMA Bills Did Not Pass
  - HB 1117 (Salmon Recovery), SB 5275 (Land Use Concerns in Rural Areas), HB 1298/SB 5221 (Affordable Housing), HB 1337 (Dealing with ADUs), SB 5042 (Concerning the Timing of Changes to the GMA as Well as Sprawl), HB 1157/SB 5390 (Zoning Changes to Allow/Encourage Greater Density)

## • Comments

- GMA is complicated, multi-faceted, and involves intersectionality -- density, transit, affordable housing, transit-oriented development, carbon emissions, etc.
- Most climate change-related GMA bills failed



# State Transportation Budget

- Overview

- There were four major transportation bills
  - Steve Hobbs (D-44) Senate Transportation Budget: \$19 Billion/16 Years (Forward Washington)
  - Rebecca Saldana (D-37) Senate Transportation Budget: \$14 Billion/12 Years
  - Curtis King (R-14) Senate Transportation Budget: \$10 Billion/8 Years (Freedom Caucus)
  - Jake Fey (D-27) House Transportation Budget: \$26 Billion/16 Years

- Status

- Areas of Difference Between Bills: Size of Bill, Focus on Transit Versus Road Widening Versus New Road Construction Versus Maintenance
- The House Bill (Jake Fey) Was the Most Progressive, But Not Progressive Enough for Some Progressive Non-Profis
- No Bill Passes; Instead, Stopgap Measure Passed (\$11.8); Will Be Revisited

- Comments

- Why was there no bill that met progressive expectations?
- The passage of a Transportation Budget with a 5 cent/gallon gas tax increase is a precondition for passage of the Cap-and-Invest Bill and the Clean Fuels Act

# Climate Change Bills: High Priority

- **Price on Carbon – On Governor's Desk**
- **Clean Fuels Act – On Governor's Desk**
- **Clean Cars Act (Aspirational Only) – On Governor's Desk**
  - **Heal Act – On Governor's Desk**
- **Growth Management Act (GMA) Bills – Most Key Bills Failed**
  - **Transportation Budget – Not Passed/Being Revisited**

# Climate Change Bills: Lower Priority

- **Zero Emission Ports (SB 5026) – Passed Into Law**
- **Fluorinated Gases (HB 1050) – On Governor’s Desk**
- **Forest Health and Wildfire Management (HB 1168) – On Governor’s Desk**
- **Wildfire Advisory Committee (SB 5158) – On Governor’s Desk**
- **Hydrogen Fuel Cell Tax Preference (SB 5000) – On Governor’s Desk**
- **Prepare for Zero Emissions Transportation Future (HB 1287) – On Governor’s Desk**
- **Encouraging Utility Mitigation of Heat Island Effects (HB 1114) – Passed Into Law**

# Climate Change Bills: Lower Priority (Cont.)

- **Increased Access for Electric Bicycles (SB 5452) – On Governor’s Desk**
- **Protocols for Purchasing Electric Ferries (HB 1502) – On Governor’s Desk**
- **Urban and Community Forestry (HB 1216) – On Governor’s Desk**
- **Implement Rulemaking for Autonomous Vehicle Licensing and Other Initiatives (SB 5460) – On Governor’s Desk**
- **Delays Implementation of Photovoltaic Takeback Program (HB 1393) -- Passed Into Law**
- Sales Tax Exemption for Electric Bicycles (HB 1330) – Passed House but Not Senate
- Per Mile Charge for Electric Vehicles (SB 5444) – Did Not Pass Either Chamber
- Lifecycle Analysis of Energy Usage in Public Facilities (HB 1280) – Passed House but Not Senate

# Other Climate Change Bills: Dead

- De-Carbonization of Buildings (HB 1084/SB 5093)
- Ride Sharing Services Emissions (HB 1075)
- Use of Greener Building Materials (HB 1103/SB 5366)
- Allows Non-Dealer Automobile Sales to Facilitate Electric Vehicles (HB 1388)
- New Nuclear Reactors (SB 5244)
- Alternate Fuel Rebate for Low-Income Households (HB 1503)
- Community Solar (HB 1046)
- Energy Facility Site Evaluation Council (SB 5415)
- Reducing Fee for Electrification of Vehicles (SB 5308)

# Climate Change Bills That Never Were

- Declaration of Climate Change Emergency in Washington State
  - Introduced but did not pass last year
- Introduction of Mandatory Climate Change Curriculum in K-12 Schools Statewide
  - Limited bills on this issue introduced but not passed last year
  - Patterned off of momentous New Jersey bill that has passed:  
<https://patch.com/new-jersey/wyckoff/new-jersey-curriculum-feature-climate-change-education>

# New Jersey's K-12 Climate Change Curriculum

- Requires Mandatory, Formal Climate Change Curriculum In All Grades, In All K-12 Schools Statewide
- First Such Program in Nation
- Passed June 2020, To Be Implemented September 2021
- Spearheaded by First Lady (Tammy Murphy) and 130 Educators
- Interdisciplinary: 21<sup>st</sup> Century Life and Careers, Comprehensive Health and Physical Education, Science, Social Studies, Technology, Visual and Performing Arts, World Languages
- “Education is our greatest weapon against climate change.” – First Lady Tammy Murphy
- "The adoption of these standards across our K-12 schools is an important step forward that will strengthen the future of New Jersey's green energy economy." – Governor Phil Murphy
- "I am incredibly proud that New Jersey is the first state in the nation to fully integrate climate education in their K-12 curricula. This initiative is vitally important to our students as they are the leaders of tomorrow, and we will depend on their leadership and knowledge to combat this crisis." – Al Gore
- “The move makes New Jersey the first in what is likely to be a nationwide trend. [According to a NPR/Ipsos poll published last year](#), more than 80 percent of American parents and nearly 90 percent of American teachers said that climate change should be taught in schools.”
- Some Prior, Smaller Efforts in Washington State Have Been Unsuccessful

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- THEMES



# The State Budgets

- **Operating Budget**

- Inslee's Budget contains \$55 million for weatherization programs, and other climate related items
- Initial Proposals: Stokesbary (\$55.0 Billion), Inslee (\$57.6), Democratic House (\$58.0), Democratic Senate (\$59.2)
- Final Budget: \$59.2 Billion

- **Transportation Budget**

- Huge implications for climate change (already discussed)
- Not Passed

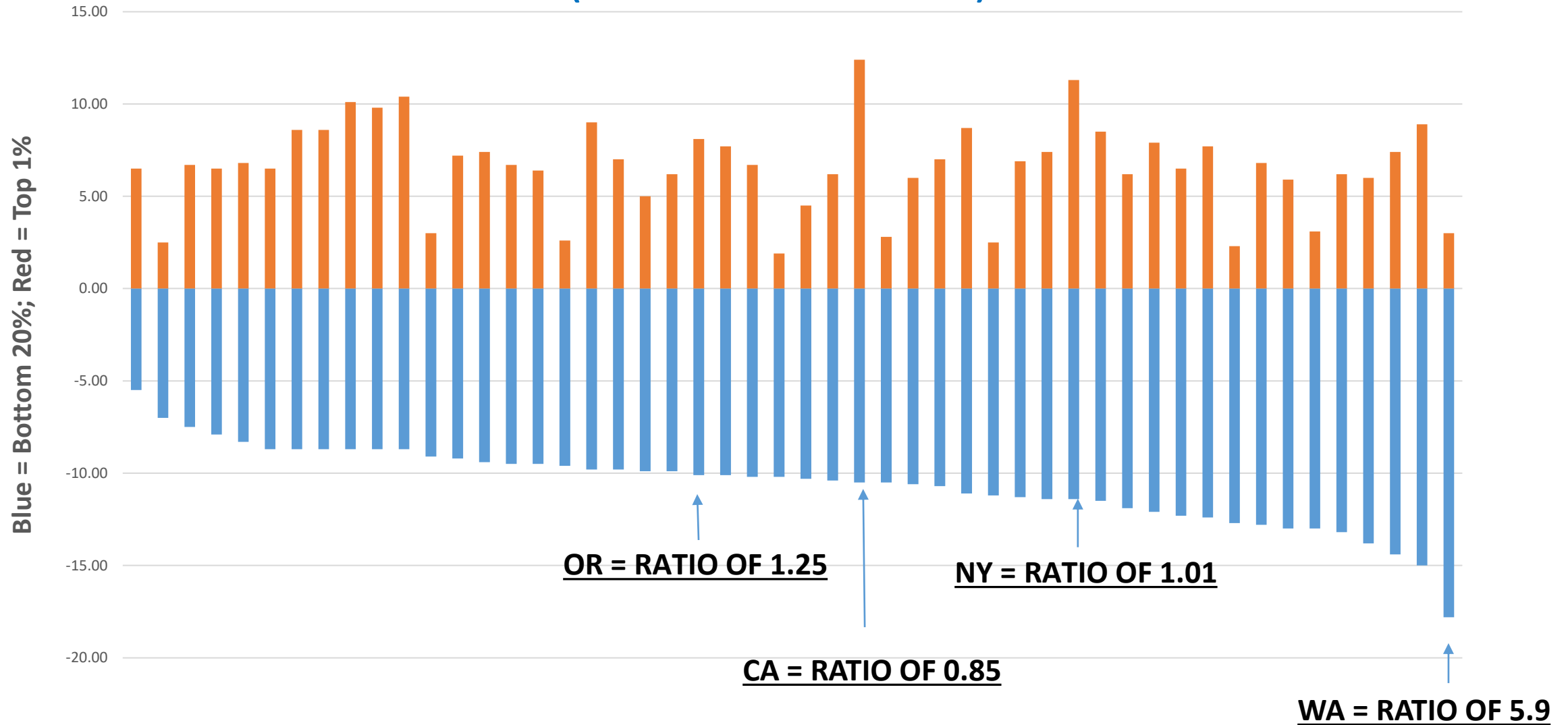
- **Capital Budget**

- Impacts School Construction, with Implications for Weatherization; Community Forests; Wildfire Management; Broadband; Climate Change, as well as Clean Energy and Clean Water Projects; Salmon Recovery
- \$6.2 Billion Budget Passed

## Other Environmental Bills

- **Streamlines Salmon Recovery Permitting (HB 1382) – On Governor’s Desk**
- **Reduces Plastics Pollution (SB 5022) – On Governor’s Desk**
- **Statewide Coordinated Industrial Waste Program (SB 5345) – On Governor’s Desk**
- **Provides Information on Shoreline Hardening Options (SB 5273) – On Governor’s Desk**
- Comprehensive Planning for Salmon (HB 1117) – Passed House but Not Senate
- Recycling of Turbine Blades (SB 5174) – Did Not Pass Either Chamber
- Adds Right to Healthy Environment to Constitution (HB 4205) – Did Not Pass Either Chamber

# Percentage of Income Paid By Rich And Poor (All 50 U.S. States)



# Progressive Taxation Bills

- **Capital Gains Tax (SB 5096)**
  - Passed Both Chambers
  - 7% Capital Gains Tax on Capital Gains Over \$250,000 (with some exemptions)
  - Will Raise Over \$400 Million/Year (Modest)
- **Working Families Tax Credit (HB 1297)**
  - On Governor's Desk
  - Rebates for Low-Income Individuals (Similar to Federal Earned Income Tax Credit)
- **Billionaire Tax (HB 1406/SB 5426)**
  - Noelle Frame Bill
  - Did Not Passed Either Chamber

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# Evaluating the Legislative Session

- **Non Climate Change: A**

- Solid Response to Concurrent Crises: Economic Recession, Pandemic, Tax Structure, Housing/Homelessness, Racial Justice
- Includes Key Reforms of Capital Gains Tax and Funding for Working Families Tax Credit

- **Climate Change: B+ (?)**

- Significant Progress: Price on Carbon, Clean Fuels Act, Clean Cars Act (Watered Down), Heal Act, Passage of a Number of Lower Priority Bills
- And Yet: Prefer Washington Strong, No Transportation Budget (and even the House Transportation Budget was insufficiently progressive), Eviscerated Clean Cars Act, Insufficient GMA Progress, No K-12 Bill

- **Overall: A-**

- Should Be a High Standard With Democratic Trifecta

# Climate Change Perspective: Quote from Environmentalist, 43<sup>rd</sup> LD

“We keep referring to the state GHG goals as a target we need to focus on achieving. But are you aware of just how big an ask that is?”

- Our current state GHG emissions total is about 100 million metric tons.
  - Our goal for 2030 is 50 million metric tons. Yes, that's right.
  - Our goal for 2040 is 27 million metric tons.
  - Our goal for 2050 is 5 million metric tons.
- There is no way anything we are talking about in the legislature this year will get us anywhere near close to achieving these goals.”

# Themes: Observational

- Washington Is Making Significant Progress on Climate Change
  - 100% Clean Electricity Grid, Price on Carbon, Clean Fuels Act, Clean Cars, Heal Act, Etc.
- However, There Are Major Disappointments
  - Bills Killed (GMA), Watered-Down (Heal Act), and Appeasement (Clean Cars)
  - No K-12 Education Bill
- Washington State Should Be A National Leader in Climate Change Legislation
  - Abundance of Hydro Power
- There are Synergies Available from West Coast Solidarity on Climate Change
- An Increasingly Complicated Climate Change Landscape of Outside Parties



# Themes: Prescriptive

- Is There an Opportunity for Climate Change Organizations to Play a Larger Role in Setting the Climate Change Agenda in Olympia
  - A Meta-Agenda
  - Based on International Best Practices
  - Requires Integration Prior to Session
- Avoiding Divisions in Environmental Community
  - Divisions Within Democratic Party: Liberal Versus Progressive and Green Versus Blue
  - Divisions Within Environmental Community: Cap-and-Invest Versus Green Bonds
- Is There an Opportunity for Pan-Environmental Community Legislator Evaluations?
- We Should Already Be Planning for 2022
  - Are We Too Reactive and Insufficiently Proactive?