FINAL BILL REPORT
E2SSB 5560

PARTIAL VETO
C 519 L 09
Synopsis as Enacted

Brief Description: Regarding state agency climate leadership.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Ranker, Swecker, Brown, Hargrove, Pridemore, Marr, Kilmer, Rockefeller, Kauffman, Haugen, Eide, Hobbs, Kohl-Welles, Jarrett, Fraser, Jacobsen and Murray).

Senate Committee on Government Operations & Elections
Senate Committee on Environment, Water & Energy
Senate Committee on Ways & Means
House Committee on Technology, Energy & Communications
House Committee on Ecology & Parks
House Committee on Ways & Means

Background: During the 2007 Legislative Session, the Legislature set statewide greenhouse gas (GHG) emissions reductions goals. With enactment of E2SHB 2815, providing a framework for reducing GHG emissions, the 2008 Legislature required the state to limit GHG emissions to achieve the goals. The requirements are to reduce overall GHG emissions in the state:
- by 2020 to 1990 levels;
- by 2035 to 25 percent below 1990 levels; and
- by 2050 to 50 percent below 1990 levels, or 70 percent below the state's expected GHG emissions that year.

A January 2005 Executive Order directed agencies, using fiscal year 2003 as the base year, to incorporate green building practices in all new construction projects and major remodels; achieve a 20 percent reduction in petroleum use by 2009; reduce the lifecycle impacts of paper products; and reduce energy purchases by 10 percent. Agencies were also required to annually report their total energy use to the Department of General Administration (GA).

Summary: All state agencies must meet the statewide GHG emission limits and reduce emissions as follows:
- by July 1, 2020, to 15 percent below 2005 levels;
- by 2035, to 37 percent below 2005 levels;

- by 2050, to the greater of 57.5 percent below 2005 levels or 70 percent below expected state government emissions that year.

Each state agency must report estimates of 2005 emissions to the Department of Ecology (Ecology) including 2009 emission levels and projected emissions through 2035. State agencies that are required to report emissions under the state Clean Air Act must provide emission estimates as required by the act. All other agencies must determine emission estimates using an emissions calculator developed and provided by Ecology. The agencies may use data such as building space occupied, electricity usage, motor vehicle fuel purchased, and miles driven to develop the estimates.

By June 30, 2011, each state agency must submit a strategy to Ecology to meet requirements for reducing GHG emissions. Each state agency must report to Ecology on its actions taken to reduce emissions and energy consumption. GA may report for agencies with fewer than 500 employees. By December 31, 2010, and every two years thereafter, Ecology must report to the Governor and appropriate legislative committees the total state agencies' GHG emissions and actions taken to meet emission reduction targets. Each agency must report actions taken to meet emission reduction targets under the strategy for the preceding biennium.

The Governor must designate a single point of accountability for all energy and climate change initiatives within state agencies. This position must be funded from current full-time equivalent allocations. All agencies, councils or work groups with energy or climate change initiatives must coordinate with this person.

The Office of Financial Management and GA must develop strategies to reduce fuel consumption and to phase in fuel economy standards for motor pools and leased vehicles to achieve an average fuel economy standard of 36 mpg by 2015 for passenger vehicles. For vehicles purchased after June 15, 2010, light duty passenger vehicles must have an average fuel economy of 40 mpg and light duty vans and sport utility vehicles must have an average fuel economy of 27 mpg. Emergency response vehicles, passenger vans with a gross vehicle weight of 8,500 lbs or more, vehicles purchased for off-payment use, and vehicles driven less than 2000 miles per year are exempt from the fuel consumption requirements.

When distributing capital funds state agencies must consider whether the entity receiving the funds has adopted policies to reduce GHG emissions; if the project is consistent with the state's limits on GHG emissions and goals to reduce vehicle miles travelled by 2050; and applicable federal emission reduction standards.

Ecology and the departments of Agriculture; Community, Trade and Economic Development; Fish and Wildlife; Natural Resources; and Transportation must develop an integrated climate change response strategy. Ecology is the central clearinghouse for relevant scientific and technical information about the impacts of climate change. Ecology must compile an initial climate change response strategy that summarizes the best known science on climate change impacts to the state; assesses Washington's vulnerability to the identified climate change impacts; prioritizes solutions; and identifies recommended funding mechanisms and technical and essential resources necessary for implementing solutions.

Votes on Final Passage:

Senate	33	14	
House	60	37	(House amended)
Senate	28	19	(Senate concurred)

Effective: July 26, 2009

Partial Veto Summary: The Governor vetoed the prohibition for state agencies to purchase small-scale powered equipment when electrical alternatives exist. The Governor also vetoed the requirement that GA must monitor energy performance for buildings with a completed energy audit and installed energy conservation measures within the past five years.