

**E2SSB 5560** - H AMD TO WAYS COMM AMD (H-3099.1/09) **759**  
**759**

By Representative Upthegrove

ADOPTED 4/16/2009

1 On page 2, after line 38 of the striking amendment, insert the  
2 following:

3 "Sec. 3. RCW 70.235.010 and 2008 c 14 s 2 are each amended to  
4 read as follows:

5 The definitions in this section apply throughout this chapter  
6 unless the context clearly requires otherwise.

7 (1) "Carbon dioxide equivalents" means a metric measure used to  
8 compare the emissions from various greenhouse gases based upon their  
9 global warming potential.

10 (2) "Climate advisory team" means the stakeholder group formed in  
11 response to executive order 07-02.

12 (3) "Climate impacts group" means the University of Washington's  
13 climate impacts group.

14 (4) "Department" means the department of ecology.

15 (5) "Direct emissions" means emissions of greenhouse gases from  
16 sources of emissions, including stationary combustion sources, mobile  
17 combustion emissions, process emissions, and fugitive emissions.

18 (6) "Director" means the director of the department.

19 (7) "Greenhouse gas" and "greenhouse gases" includes carbon  
20 dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons,  
21 and sulfur hexafluoride.

22 (8) "Indirect emissions" means emissions of greenhouse gases  
23 associated with the purchase of electricity, heating, cooling, or  
24 steam.

25 (9) "Person" means an individual, partnership, franchise holder,  
26 association, corporation, a state, a city, a county, or any  
27 subdivision or instrumentality of the state.

1 (10) "Program" means the department's climate change program.

2 (11) "Small-scale powered equipment" means a tool or other nonroad  
3 or marine machine powered by a gasoline, diesel, or propane spark  
4 ignition engine that has a standard manufacturer's listed horsepower  
5 rating of fifty horsepower or less. Examples of the term "small-scale  
6 powered equipment" include, but are not limited to, the following  
7 items when the components of the definition are satisfied:  
8 Lawnmowers, string trimmers, leaf blowers, air compressors, chainsaws,  
9 turf equipment, and lawn and garden tractors.

10 (12) "Total emissions of greenhouse gases" means all direct  
11 emissions and all indirect emissions.

12 ((+12)) (13) "Western climate initiative" means the collaboration  
13 of states, Canadian provinces, Mexican states, and tribes to design a  
14 multisector market-based mechanism as directed under the western  
15 regional climate action initiative signed by the governor on February  
16 22, 2007.

17

18 NEW SECTION. Sec. 4. A new section is added to chapter 70.235 RCW  
19 to read as follows:

20 (1) As part of satisfying the requirements of section 2 of this  
21 act, state agencies are, except as otherwise provided in this section,  
22 prohibited from purchasing small-scale powered equipment if the market  
23 offers an alternative item that is powered by an electrical cord or  
24 rechargeable battery.

25 (2)(a) The top administrative official of a state agency may waive  
26 the provisions of this section on a case-by-case basis if the top  
27 administrative official of the agency publishes a finding in the  
28 Washington State Register explaining the details as to why the  
29 purchase or use of the small-scale powered equipment was necessary and  
30 why the use of an electric-based alternative would have been  
31 impractical.

32 (b) The Washington State Register publication requirements of this  
33 section may be satisfied with one annual publication summarizing all  
34

1 instances where the requirements of this section were waived by the  
2 top administrative official in the preceding year.

3 (3) As a demonstration to other state agencies as to how the  
4 requirements of this section may be achieved, the department of  
5 general administration shall suspend the use of all spark ignition  
6 push lawnmowers, string trimmers, and leaf blowers on the capitol  
7 campus by October 1, 2009. The department of general administration  
8 shall document its transition from small-scale powered equipment to  
9 electrical or manual alternatives to aid other state agencies in their  
10 implementation of this section."

11  
12 Renumber the sections consecutively and correct any internal  
13 references.

14  
15  
16  
17 **EFFECT:** Prohibits state agencies from purchasing small scale  
18 gasoline and diesel fueled equipment when electric and battery  
19 alternatives are available on the market unless the agency's  
20 administrative official waives the prohibition, and requires the  
21 Department of General Administration to conduct a demonstration  
22 project on the Capitol Campus in which the use of spark ignition push  
23 lawn mowers, string trimmers, and leaf blowers is suspended.

--- END ---