
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2569

State of Washington

63rd Legislature

2014 Regular Session

By House Appropriations Subcommittee on General Government & Information Technology (originally sponsored by Representatives Hargrove and Pollet)

READ FIRST TIME 02/10/14.

1 AN ACT Relating to reducing air pollution associated with diesel
2 emissions; reenacting and amending RCW 43.84.092 and 43.84.092; adding
3 a new chapter to Title 70 RCW; providing a contingent effective date;
4 and providing a contingent expiration date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that investments in
7 diesel engine idling reduction projects cost-effectively improve public
8 health by reducing harmful diesel emissions. The legislature further
9 finds that these investments also result in long-term savings in fuel
10 and maintenance costs. It is therefore the intent of the legislature
11 to establish a stable, wholly self-sustaining account for the
12 department of ecology to use for investments in diesel idle reduction
13 projects.

14 NEW SECTION. **Sec. 2.** The definitions in this section apply
15 throughout this chapter unless the context clearly requires otherwise.

16 (1) "Account" means the diesel idle reduction account created in
17 section 4 of this act.

18 (2) "Department" means the department of ecology.

1 (3) "Loan recipient" means a state, local, or other governmental
2 entity that owns diesel vehicles or equipment.

3 NEW SECTION. **Sec. 3.** (1) The department shall use the moneys in
4 the account to provide loans with low or no interest to loan recipients
5 for the purpose of reducing exposure to diesel emissions and improving
6 public health by investing in diesel idle emission reduction
7 technologies and infrastructure. The department shall use existing
8 resources for communications, outreach, and other aspects of the
9 administration of loans from the account and shall fully integrate the
10 administration of loans with the administration of existing grant
11 programs to reduce diesel emissions from vehicles and equipment. In
12 selecting loan recipients, the department shall consider anticipated
13 human health, environmental, and greenhouse gas benefits from reduced
14 exposure to harmful air emissions associated with diesel idling.

15 (2) The department shall make loans in such a manner that the
16 remittances from loan recipients are of equal value over a long-term
17 planning horizon to the disbursements from the fund.

18 (3) Loan moneys may not be spent on vehicles or equipment that
19 spend less than one-half of their operating time in Washington.
20 Permissible diesel idle reduction expenditures include, but are not
21 limited to:

- 22 (a) Electrified parking spaces and truck stops;
- 23 (b) Shore connection systems and alternative maritime power;
- 24 (c) Shore connection systems for locomotives;
- 25 (d) Auxiliary power units and generator sets;
- 26 (e) Fuel-operated heaters or direct-fired heaters, including engine
27 fluid preheaters and cab air heaters;
- 28 (f) Battery powered systems, including battery powered heating and
29 air conditioning systems;
- 30 (g) Thermal storage systems;
- 31 (h) Automatic engine start-up and shutdown systems;
- 32 (i) Projects to augment or replace diesel engines or power systems
33 with engines or power systems that use liquefied or compressed natural
34 gas; and
- 35 (j) Other operation or maintenance efficiencies that achieve
36 emission reduction benefits for the public.

1 NEW SECTION. **Sec. 4.** The diesel idle reduction account is created
2 in the state treasury. All receipts from remittances made by loan
3 recipients pursuant to section 3 of this act and any moneys
4 appropriated to the account by law must be deposited in the account.
5 Moneys in the account may be spent only after appropriation.
6 Expenditures from the account may be used only for the purposes of this
7 chapter, including the costs of program administration.

8 **Sec. 5.** RCW 43.84.092 and 2013 2nd sp.s. c 23 s 24 and 2013 2nd
9 sp.s. c 11 s 15 are each reenacted and amended to read as follows:

10 (1) All earnings of investments of surplus balances in the state
11 treasury shall be deposited to the treasury income account, which
12 account is hereby established in the state treasury.

13 (2) The treasury income account shall be utilized to pay or receive
14 funds associated with federal programs as required by the federal cash
15 management improvement act of 1990. The treasury income account is
16 subject in all respects to chapter 43.88 RCW, but no appropriation is
17 required for refunds or allocations of interest earnings required by
18 the cash management improvement act. Refunds of interest to the
19 federal treasury required under the cash management improvement act
20 fall under RCW 43.88.180 and shall not require appropriation. The
21 office of financial management shall determine the amounts due to or
22 from the federal government pursuant to the cash management improvement
23 act. The office of financial management may direct transfers of funds
24 between accounts as deemed necessary to implement the provisions of the
25 cash management improvement act, and this subsection. Refunds or
26 allocations shall occur prior to the distributions of earnings set
27 forth in subsection (4) of this section.

28 (3) Except for the provisions of RCW 43.84.160, the treasury income
29 account may be utilized for the payment of purchased banking services
30 on behalf of treasury funds including, but not limited to, depository,
31 safekeeping, and disbursement functions for the state treasury and
32 affected state agencies. The treasury income account is subject in all
33 respects to chapter 43.88 RCW, but no appropriation is required for
34 payments to financial institutions. Payments shall occur prior to
35 distribution of earnings set forth in subsection (4) of this section.

36 (4) Monthly, the state treasurer shall distribute the earnings

1 credited to the treasury income account. The state treasurer shall
2 credit the general fund with all the earnings credited to the treasury
3 income account except:

4 (a) The following accounts and funds shall receive their
5 proportionate share of earnings based upon each account's and fund's
6 average daily balance for the period: The aeronautics account, the
7 aircraft search and rescue account, the Alaskan Way viaduct replacement
8 project account, the brownfield redevelopment trust fund account, the
9 budget stabilization account, the capital vessel replacement account,
10 the capitol building construction account, the Cedar River channel
11 construction and operation account, the Central Washington University
12 capital projects account, the charitable, educational, penal and
13 reformatory institutions account, the cleanup settlement account, the
14 Columbia river basin water supply development account, the Columbia
15 river basin taxable bond water supply development account, the Columbia
16 river basin water supply revenue recovery account, the common school
17 construction fund, the county arterial preservation account, the county
18 criminal justice assistance account, the deferred compensation
19 administrative account, the deferred compensation principal account,
20 the department of licensing services account, the department of
21 retirement systems expense account, the developmental disabilities
22 community trust account, the diesel idle reduction account, the
23 drinking water assistance account, the drinking water assistance
24 administrative account, the drinking water assistance repayment
25 account, the Eastern Washington University capital projects account,
26 the Interstate 405 express toll lanes operations account, the education
27 construction fund, the education legacy trust account, the election
28 account, the energy freedom account, the energy recovery act account,
29 the essential rail assistance account, The Evergreen State College
30 capital projects account, the federal forest revolving account, the
31 ferry bond retirement fund, the freight mobility investment account,
32 the freight mobility multimodal account, the grade crossing protective
33 fund, the public health services account, the high capacity
34 transportation account, the state higher education construction
35 account, the higher education construction account, the highway bond
36 retirement fund, the highway infrastructure account, the highway safety
37 fund, the high occupancy toll lanes operations account, the hospital
38 safety net assessment fund, the industrial insurance premium refund

1 account, the judges' retirement account, the judicial retirement
2 administrative account, the judicial retirement principal account, the
3 local leasehold excise tax account, the local real estate excise tax
4 account, the local sales and use tax account, the marine resources
5 stewardship trust account, the medical aid account, the mobile home
6 park relocation fund, the motor vehicle fund, the motorcycle safety
7 education account, the multimodal transportation account, the multiuse
8 roadway safety account, the municipal criminal justice assistance
9 account, the natural resources deposit account, the oyster reserve land
10 account, the pension funding stabilization account, the perpetual
11 surveillance and maintenance account, the public employees' retirement
12 system plan 1 account, the public employees' retirement system combined
13 plan 2 and plan 3 account, the public facilities construction loan
14 revolving account beginning July 1, 2004, the public health
15 supplemental account, the public works assistance account, the Puget
16 Sound capital construction account, the Puget Sound ferry operations
17 account, the real estate appraiser commission account, the recreational
18 vehicle account, the regional mobility grant program account, the
19 resource management cost account, the rural arterial trust account, the
20 rural mobility grant program account, the rural Washington loan fund,
21 the site closure account, the skilled nursing facility safety net trust
22 fund, the small city pavement and sidewalk account, the special
23 category C account, the special wildlife account, the state employees'
24 insurance account, the state employees' insurance reserve account, the
25 state investment board expense account, the state investment board
26 commingled trust fund accounts, the state patrol highway account, the
27 state route number 520 civil penalties account, the state route number
28 520 corridor account, the state wildlife account, the supplemental
29 pension account, the Tacoma Narrows toll bridge account, the teachers'
30 retirement system plan 1 account, the teachers' retirement system
31 combined plan 2 and plan 3 account, the tobacco prevention and control
32 account, the tobacco settlement account, the toll facility bond
33 retirement account, the transportation 2003 account (nickel account),
34 the transportation equipment fund, the transportation fund, the
35 transportation improvement account, the transportation improvement
36 board bond retirement account, the transportation infrastructure
37 account, the transportation partnership account, the traumatic brain
38 injury account, the tuition recovery trust fund, the University of

1 Washington bond retirement fund, the University of Washington building
2 account, the volunteer firefighters' and reserve officers' relief and
3 pension principal fund, the volunteer firefighters' and reserve
4 officers' administrative fund, the Washington judicial retirement
5 system account, the Washington law enforcement officers' and
6 firefighters' system plan 1 retirement account, the Washington law
7 enforcement officers' and firefighters' system plan 2 retirement
8 account, the Washington public safety employees' plan 2 retirement
9 account, the Washington school employees' retirement system combined
10 plan 2 and 3 account, the Washington state economic development
11 commission account, the Washington state health insurance pool account,
12 the Washington state patrol retirement account, the Washington State
13 University building account, the Washington State University bond
14 retirement fund, the water pollution control revolving administration
15 account, the water pollution control revolving fund, the Western
16 Washington University capital projects account, the Yakima integrated
17 plan implementation account, the Yakima integrated plan implementation
18 revenue recovery account, and the Yakima integrated plan implementation
19 taxable bond account. Earnings derived from investing balances of the
20 agricultural permanent fund, the normal school permanent fund, the
21 permanent common school fund, the scientific permanent fund, the state
22 university permanent fund, and the state reclamation revolving account
23 shall be allocated to their respective beneficiary accounts.

24 (b) Any state agency that has independent authority over accounts
25 or funds not statutorily required to be held in the state treasury that
26 deposits funds into a fund or account in the state treasury pursuant to
27 an agreement with the office of the state treasurer shall receive its
28 proportionate share of earnings based upon each account's or fund's
29 average daily balance for the period.

30 (5) In conformance with Article II, section 37 of the state
31 Constitution, no treasury accounts or funds shall be allocated earnings
32 without the specific affirmative directive of this section.

33 **Sec. 6.** RCW 43.84.092 and 2013 2nd sp.s. c 23 s 25 and 2013 2nd
34 sp.s. c 11 s 16 are each reenacted and amended to read as follows:

35 (1) All earnings of investments of surplus balances in the state
36 treasury shall be deposited to the treasury income account, which
37 account is hereby established in the state treasury.

1 (2) The treasury income account shall be utilized to pay or receive
2 funds associated with federal programs as required by the federal cash
3 management improvement act of 1990. The treasury income account is
4 subject in all respects to chapter 43.88 RCW, but no appropriation is
5 required for refunds or allocations of interest earnings required by
6 the cash management improvement act. Refunds of interest to the
7 federal treasury required under the cash management improvement act
8 fall under RCW 43.88.180 and shall not require appropriation. The
9 office of financial management shall determine the amounts due to or
10 from the federal government pursuant to the cash management improvement
11 act. The office of financial management may direct transfers of funds
12 between accounts as deemed necessary to implement the provisions of the
13 cash management improvement act, and this subsection. Refunds or
14 allocations shall occur prior to the distributions of earnings set
15 forth in subsection (4) of this section.

16 (3) Except for the provisions of RCW 43.84.160, the treasury income
17 account may be utilized for the payment of purchased banking services
18 on behalf of treasury funds including, but not limited to, depository,
19 safekeeping, and disbursement functions for the state treasury and
20 affected state agencies. The treasury income account is subject in all
21 respects to chapter 43.88 RCW, but no appropriation is required for
22 payments to financial institutions. Payments shall occur prior to
23 distribution of earnings set forth in subsection (4) of this section.

24 (4) Monthly, the state treasurer shall distribute the earnings
25 credited to the treasury income account. The state treasurer shall
26 credit the general fund with all the earnings credited to the treasury
27 income account except:

28 (a) The following accounts and funds shall receive their
29 proportionate share of earnings based upon each account's and fund's
30 average daily balance for the period: The aeronautics account, the
31 aircraft search and rescue account, the Alaskan Way viaduct replacement
32 project account, the brownfield redevelopment trust fund account, the
33 budget stabilization account, the capital vessel replacement account,
34 the capitol building construction account, the Cedar River channel
35 construction and operation account, the Central Washington University
36 capital projects account, the charitable, educational, penal and
37 reformatory institutions account, the cleanup settlement account, the
38 Columbia river basin water supply development account, the Columbia

1 river basin taxable bond water supply development account, the Columbia
2 river basin water supply revenue recovery account, the Columbia river
3 crossing project account, the common school construction fund, the
4 county arterial preservation account, the county criminal justice
5 assistance account, the deferred compensation administrative account,
6 the deferred compensation principal account, the department of
7 licensing services account, the department of retirement systems
8 expense account, the developmental disabilities community trust
9 account, the_diesel_idle_reduction_account, the drinking water
10 assistance account, the drinking water assistance administrative
11 account, the drinking water assistance repayment account, the Eastern
12 Washington University capital projects account, the Interstate 405
13 express toll lanes operations account, the education construction fund,
14 the education legacy trust account, the election account, the energy
15 freedom account, the energy recovery act account, the essential rail
16 assistance account, The Evergreen State College capital projects
17 account, the federal forest revolving account, the ferry bond
18 retirement fund, the freight mobility investment account, the freight
19 mobility multimodal account, the grade crossing protective fund, the
20 public health services account, the high capacity transportation
21 account, the state higher education construction account, the higher
22 education construction account, the highway bond retirement fund, the
23 highway infrastructure account, the highway safety fund, the high
24 occupancy toll lanes operations account, the hospital safety net
25 assessment fund, the industrial insurance premium refund account, the
26 judges' retirement account, the judicial retirement administrative
27 account, the judicial retirement principal account, the local leasehold
28 excise tax account, the local real estate excise tax account, the local
29 sales and use tax account, the marine resources stewardship trust
30 account, the medical aid account, the mobile home park relocation fund,
31 the motor vehicle fund, the motorcycle safety education account, the
32 multimodal transportation account, the multiuse roadway safety account,
33 the municipal criminal justice assistance account, the natural
34 resources deposit account, the oyster reserve land account, the pension
35 funding stabilization account, the perpetual surveillance and
36 maintenance account, the public employees' retirement system plan 1
37 account, the public employees' retirement system combined plan 2 and
38 plan 3 account, the public facilities construction loan revolving

1 account beginning July 1, 2004, the public health supplemental account,
2 the public works assistance account, the Puget Sound capital
3 construction account, the Puget Sound ferry operations account, the
4 real estate appraiser commission account, the recreational vehicle
5 account, the regional mobility grant program account, the resource
6 management cost account, the rural arterial trust account, the rural
7 mobility grant program account, the rural Washington loan fund, the
8 site closure account, the skilled nursing facility safety net trust
9 fund, the small city pavement and sidewalk account, the special
10 category C account, the special wildlife account, the state employees'
11 insurance account, the state employees' insurance reserve account, the
12 state investment board expense account, the state investment board
13 commingled trust fund accounts, the state patrol highway account, the
14 state route number 520 civil penalties account, the state route number
15 520 corridor account, the state wildlife account, the supplemental
16 pension account, the Tacoma Narrows toll bridge account, the teachers'
17 retirement system plan 1 account, the teachers' retirement system
18 combined plan 2 and plan 3 account, the tobacco prevention and control
19 account, the tobacco settlement account, the toll facility bond
20 retirement account, the transportation 2003 account (nickel account),
21 the transportation equipment fund, the transportation fund, the
22 transportation improvement account, the transportation improvement
23 board bond retirement account, the transportation infrastructure
24 account, the transportation partnership account, the traumatic brain
25 injury account, the tuition recovery trust fund, the University of
26 Washington bond retirement fund, the University of Washington building
27 account, the volunteer firefighters' and reserve officers' relief and
28 pension principal fund, the volunteer firefighters' and reserve
29 officers' administrative fund, the Washington judicial retirement
30 system account, the Washington law enforcement officers' and
31 firefighters' system plan 1 retirement account, the Washington law
32 enforcement officers' and firefighters' system plan 2 retirement
33 account, the Washington public safety employees' plan 2 retirement
34 account, the Washington school employees' retirement system combined
35 plan 2 and 3 account, the Washington state economic development
36 commission account, the Washington state health insurance pool account,
37 the Washington state patrol retirement account, the Washington State
38 University building account, the Washington State University bond

1 retirement fund, the water pollution control revolving administration
2 account, the water pollution control revolving fund, the Western
3 Washington University capital projects account, the Yakima integrated
4 plan implementation account, the Yakima integrated plan implementation
5 revenue recovery account, and the Yakima integrated plan implementation
6 taxable bond account. Earnings derived from investing balances of the
7 agricultural permanent fund, the normal school permanent fund, the
8 permanent common school fund, the scientific permanent fund, the state
9 university permanent fund, and the state reclamation revolving account
10 shall be allocated to their respective beneficiary accounts.

11 (b) Any state agency that has independent authority over accounts
12 or funds not statutorily required to be held in the state treasury that
13 deposits funds into a fund or account in the state treasury pursuant to
14 an agreement with the office of the state treasurer shall receive its
15 proportionate share of earnings based upon each account's or fund's
16 average daily balance for the period.

17 (5) In conformance with Article II, section 37 of the state
18 Constitution, no treasury accounts or funds shall be allocated earnings
19 without the specific affirmative directive of this section.

20 NEW SECTION. **Sec. 7.** The department may adopt rules necessary to
21 implement this chapter only after the legislature appropriates moneys
22 to the account created in section 4 of this act.

23 NEW SECTION. **Sec. 8.** Sections 1 through 4 and 7 of this act
24 constitute a new chapter in Title 70 RCW.

25 NEW SECTION. **Sec. 9.** Section 5 of this act expires on the date
26 the requirements set out in section 7, chapter 36, Laws of 2012 are
27 met.

28 NEW SECTION. **Sec. 10.** Section 6 of this act takes effect on the
29 date the requirements set out in section 7, chapter 36, Laws of 2012
30 are met.

--- END ---