
SUBSTITUTE HOUSE BILL 2569

State of Washington

63rd Legislature

2014 Regular Session

By House Environment (originally sponsored by Representatives Hargrove and Pollet)

READ FIRST TIME 02/05/14.

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:

2 (a) A state, local, or other governmental entity that owns diesel
3 vehicles or equipment; or

4 (b) A private entity that owns diesel vehicles or equipment that
5 primarily provides or maintains a public service, is used primarily to
6 construct public roads, buildings, or infrastructure, is associated
7 with port activities, or is primarily used to achieve a public purpose.

8 NEW SECTION. **Sec. 3.** (1) The department shall use the moneys in
9 the account to provide loans with low or no interest to loan recipients
10 for the purpose of reducing exposure to diesel emissions and improving
11 public health by investing in diesel idle emission reduction
12 technologies and infrastructure. The department shall prioritize the
13 allocation of loan funds to loan recipients based primarily on the
14 expected return on investment that the loan recipient will realize from
15 reductions in vehicle maintenance and fuel costs attributable to
16 investments in diesel idle reduction technologies. In selecting loan
17 recipients, the department may also consider anticipated human health,
18 environmental, and greenhouse gas benefits from reduced exposure to
19 harmful air emissions associated with diesel idling.

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

23 (3) Loan moneys may be spent on diesel idle reduction technology or
24 infrastructure projects that achieve a financial return on investment
25 by the loan recipient. Loan moneys may not be spent on vehicles or
26 equipment that spend less than one-half of their operating time in
27 Washington. Permissible diesel idle reduction expenditures include,
28 but are not limited to:

29 (a) Electrified parking spaces and truck stops;

30 (b) Shore connection systems and alternative maritime power;

31 (c) Shore connection systems for locomotives;

32 (d) Auxiliary power units and generator sets;

33 (e) Fuel-operated heaters or direct-fired heaters, including engine
34 fluid preheaters and cab air heaters;

35 (f) Battery powered systems, including battery powered heating and
36 air conditioning systems;

37 (g) Thermal storage systems;

- 1 (h) Automatic engine start-up and shutdown systems; and
2 (i) Other operation or maintenance efficiencies that achieve a
3 financial return for the loan recipient and emission reduction benefits
4 for the public.

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

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

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

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

32 (3) Except for the provisions of RCW 43.84.160, the treasury income
33 account may be utilized for the payment of purchased banking services
34 on behalf of treasury funds including, but not limited to, depository,
35 safekeeping, and disbursement functions for the state treasury and
36 affected state agencies. The treasury income account is subject in all

1 respects to chapter 43.88 RCW, but no appropriation is required for
2 payments to financial institutions. Payments shall occur prior to
3 distribution of earnings set forth in subsection (4) of this section.

4 (4) Monthly, the state treasurer shall distribute the earnings
5 credited to the treasury income account. The state treasurer shall
6 credit the general fund with all the earnings credited to the treasury
7 income account except:

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

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

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

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

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

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

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

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

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

29 (4) Monthly, the state treasurer shall distribute the earnings
30 credited to the treasury income account. The state treasurer shall
31 credit the general fund with all the earnings credited to the treasury
32 income account except:

33 (a) The following accounts and funds shall receive their
34 proportionate share of earnings based upon each account's and fund's
35 average daily balance for the period: The aeronautics account, the
36 aircraft search and rescue account, the Alaskan Way viaduct replacement
37 project account, the brownfield redevelopment trust fund account, the
38 budget stabilization account, the capital vessel replacement account,

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

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

1 account, the Washington school employees' retirement system combined
2 plan 2 and 3 account, the Washington state economic development
3 commission account, the Washington state health insurance pool account,
4 the Washington state patrol retirement account, the Washington State
5 University building account, the Washington State University bond
6 retirement fund, the water pollution control revolving administration
7 account, the water pollution control revolving fund, the Western
8 Washington University capital projects account, the Yakima integrated
9 plan implementation account, the Yakima integrated plan implementation
10 revenue recovery account, and the Yakima integrated plan implementation
11 taxable bond account. Earnings derived from investing balances of the
12 agricultural permanent fund, the normal school permanent fund, the
13 permanent common school fund, the scientific permanent fund, the state
14 university permanent fund, and the state reclamation revolving account
15 shall be allocated to their respective beneficiary accounts.

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

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

25 NEW SECTION. **Sec. 7.** The department may adopt rules necessary to
26 implement this chapter.

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

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

32 NEW SECTION. **Sec. 10.** Section 6 of this act takes effect on the

1 date the requirements set out in section 7, chapter 36, Laws of 2012
2 are met.

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