

E2SHB 2569 - S COMM AMD

By Committee on Energy, Environment & Telecommunications

ADOPTED 03/06/2014

1 Strike everything after the enacting clause and insert the
2 following:

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

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

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

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

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

18 NEW SECTION. **Sec. 3.** (1) The department shall use the moneys in
19 the account to provide loans with low or no interest to loan recipients
20 for the purpose of reducing exposure to diesel emissions and improving
21 public health by investing in diesel idle emission reduction
22 technologies and infrastructure. The department shall, to the extent
23 practical, integrate communications, outreach, and other aspects of the
24 administration of loans from the account with the administration of
25 existing grant programs to reduce diesel emissions from vehicles and
26 equipment. In selecting loan recipients, the department shall consider
27 anticipated human health, environmental, and greenhouse gas benefits

1 from reduced exposure to harmful air emissions associated with diesel
2 idling.

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

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

- 10 (a) Electrified parking spaces and truck stops;
11 (b) Shore connection systems and alternative maritime power;
12 (c) Shore connection systems for locomotives;
13 (d) Auxiliary power units and generator sets;
14 (e) Fuel-operated heaters or direct-fired heaters, including engine
15 fluid preheaters and cab air heaters;
16 (f) Battery powered systems, including battery powered heating and
17 air conditioning systems;
18 (g) Thermal storage systems;
19 (h) Automatic engine start-up and shutdown systems;
20 (i) Projects to augment or replace diesel engines or power systems
21 with engines or power systems that use liquefied or compressed natural
22 gas; and
23 (j) Other operation or maintenance efficiencies that achieve
24 emission reduction benefits for the public.

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

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

34 (1) All earnings of investments of surplus balances in the state
35 treasury shall be deposited to the treasury income account, which
36 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 common school
3 construction fund, the county arterial preservation account, the county
4 criminal justice assistance account, the deferred compensation
5 administrative account, the deferred compensation principal account,
6 the department of licensing services account, the department of
7 retirement systems expense account, the developmental disabilities
8 community trust account, the diesel idle reduction account, the
9 drinking water assistance account, the drinking water assistance
10 administrative account, the drinking water assistance repayment
11 account, the Eastern Washington University capital projects account,
12 the Interstate 405 express toll lanes operations account, the education
13 construction fund, the education legacy trust account, the election
14 account, the energy freedom account, the energy recovery act account,
15 the essential rail assistance account, The Evergreen State College
16 capital projects account, the federal forest revolving account, the
17 ferry bond retirement fund, the freight mobility investment account,
18 the freight mobility multimodal account, the grade crossing protective
19 fund, the public health services account, the high capacity
20 transportation account, the state higher education construction
21 account, the higher education construction account, the highway bond
22 retirement fund, the highway infrastructure account, the highway safety
23 fund, the high occupancy toll lanes operations account, the hospital
24 safety net assessment fund, the industrial insurance premium refund
25 account, the judges' retirement account, the judicial retirement
26 administrative account, the judicial retirement principal account, the
27 local leasehold excise tax account, the local real estate excise tax
28 account, the local sales and use tax account, the marine resources
29 stewardship trust account, the medical aid account, the mobile home
30 park relocation fund, the motor vehicle fund, the motorcycle safety
31 education account, the multimodal transportation account, the multiuse
32 roadway safety account, the municipal criminal justice assistance
33 account, the natural resources deposit account, the oyster reserve land
34 account, the pension funding stabilization account, the perpetual
35 surveillance and maintenance account, the public employees' retirement
36 system plan 1 account, the public employees' retirement system combined
37 plan 2 and plan 3 account, the public facilities construction loan
38 revolving account beginning July 1, 2004, the public health

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

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

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

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

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

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

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

1 allocations shall occur prior to the distributions of earnings set
2 forth in subsection (4) of this section.

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

11 (4) Monthly, the state treasurer shall distribute the earnings
12 credited to the treasury income account. The state treasurer shall
13 credit the general fund with all the earnings credited to the treasury
14 income account except:

15 (a) The following accounts and funds shall receive their
16 proportionate share of earnings based upon each account's and fund's
17 average daily balance for the period: The aeronautics account, the
18 aircraft search and rescue account, the Alaskan Way viaduct replacement
19 project account, the brownfield redevelopment trust fund account, the
20 budget stabilization account, the capital vessel replacement account,
21 the capitol building construction account, the Cedar River channel
22 construction and operation account, the Central Washington University
23 capital projects account, the charitable, educational, penal and
24 reformatory institutions account, the cleanup settlement account, the
25 Columbia river basin water supply development account, the Columbia
26 river basin taxable bond water supply development account, the Columbia
27 river basin water supply revenue recovery account, the Columbia river
28 crossing project account, the common school construction fund, the
29 county arterial preservation account, the county criminal justice
30 assistance account, the deferred compensation administrative account,
31 the deferred compensation principal account, the department of
32 licensing services account, the department of retirement systems
33 expense account, the developmental disabilities community trust
34 account, the diesel idle reduction account, the drinking water
35 assistance account, the drinking water assistance administrative
36 account, the drinking water assistance repayment account, the Eastern
37 Washington University capital projects account, the Interstate 405
38 express toll lanes operations account, the education construction fund,

1 the education legacy trust account, the election account, the energy
2 freedom account, the energy recovery act account, the essential rail
3 assistance account, The Evergreen State College capital projects
4 account, the federal forest revolving account, the ferry bond
5 retirement fund, the freight mobility investment account, the freight
6 mobility multimodal account, the grade crossing protective fund, the
7 public health services account, the high capacity transportation
8 account, the state higher education construction account, the higher
9 education construction account, the highway bond retirement fund, the
10 highway infrastructure account, the highway safety fund, the high
11 occupancy toll lanes operations account, the hospital safety net
12 assessment fund, the industrial insurance premium refund account, the
13 judges' retirement account, the judicial retirement administrative
14 account, the judicial retirement principal account, the local leasehold
15 excise tax account, the local real estate excise tax account, the local
16 sales and use tax account, the marine resources stewardship trust
17 account, the medical aid account, the mobile home park relocation fund,
18 the motor vehicle fund, the motorcycle safety education account, the
19 multimodal transportation account, the multiuse roadway safety account,
20 the municipal criminal justice assistance account, the natural
21 resources deposit account, the oyster reserve land account, the pension
22 funding stabilization account, the perpetual surveillance and
23 maintenance account, the public employees' retirement system plan 1
24 account, the public employees' retirement system combined plan 2 and
25 plan 3 account, the public facilities construction loan revolving
26 account beginning July 1, 2004, the public health supplemental account,
27 the public works assistance account, the Puget Sound capital
28 construction account, the Puget Sound ferry operations account, the
29 real estate appraiser commission account, the recreational vehicle
30 account, the regional mobility grant program account, the resource
31 management cost account, the rural arterial trust account, the rural
32 mobility grant program account, the rural Washington loan fund, the
33 site closure account, the skilled nursing facility safety net trust
34 fund, the small city pavement and sidewalk account, the special
35 category C account, the special wildlife account, the state employees'
36 insurance account, the state employees' insurance reserve account, the
37 state investment board expense account, the state investment board
38 commingled trust fund accounts, the state patrol highway account, the

1 state route number 520 civil penalties account, the state route number
2 520 corridor account, the state wildlife account, the supplemental
3 pension account, the Tacoma Narrows toll bridge account, the teachers'
4 retirement system plan 1 account, the teachers' retirement system
5 combined plan 2 and plan 3 account, the tobacco prevention and control
6 account, the tobacco settlement account, the toll facility bond
7 retirement account, the transportation 2003 account (nickel account),
8 the transportation equipment fund, the transportation fund, the
9 transportation improvement account, the transportation improvement
10 board bond retirement account, the transportation infrastructure
11 account, the transportation partnership account, the traumatic brain
12 injury account, the tuition recovery trust fund, the University of
13 Washington bond retirement fund, the University of Washington building
14 account, the volunteer firefighters' and reserve officers' relief and
15 pension principal fund, the volunteer firefighters' and reserve
16 officers' administrative fund, the Washington judicial retirement
17 system account, the Washington law enforcement officers' and
18 firefighters' system plan 1 retirement account, the Washington law
19 enforcement officers' and firefighters' system plan 2 retirement
20 account, the Washington public safety employees' plan 2 retirement
21 account, the Washington school employees' retirement system combined
22 plan 2 and 3 account, the Washington state economic development
23 commission account, the Washington state health insurance pool account,
24 the Washington state patrol retirement account, the Washington State
25 University building account, the Washington State University bond
26 retirement fund, the water pollution control revolving administration
27 account, the water pollution control revolving fund, the Western
28 Washington University capital projects account, the Yakima integrated
29 plan implementation account, the Yakima integrated plan implementation
30 revenue recovery account, and the Yakima integrated plan implementation
31 taxable bond account. Earnings derived from investing balances of the
32 agricultural permanent fund, the normal school permanent fund, the
33 permanent common school fund, the scientific permanent fund, the state
34 university permanent fund, and the state reclamation revolving account
35 shall be allocated to their respective beneficiary accounts.

36 (b) Any state agency that has independent authority over accounts
37 or funds not statutorily required to be held in the state treasury that
38 deposits funds into a fund or account in the state treasury pursuant to

1 an agreement with the office of the state treasurer shall receive its
2 proportionate share of earnings based upon each account's or fund's
3 average daily balance for the period.

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

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

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

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

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

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18 On page 1, line 2 of the title, after "emissions;" strike the
19 remainder of the title and insert "reenacting and amending RCW
20 43.84.092 and 43.84.092; adding a new chapter to Title 70 RCW;
21 providing a contingent effective date; and providing a contingent
22 expiration date."

EFFECT: Directs Ecology to integrate the administration of the

diesel idle reduction account loan with the existing diesel grant program.

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