

IN THE SENATE

SENATE BILL NO. 1189

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO TRANSPORTATION DEPARTMENT; APPROPRIATING MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2024; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR THE AERONAUTICS PROGRAM; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR THE HIGHWAY OPERATIONS PROGRAM; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR THE HIGHWAY OPERATIONS PROGRAM; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR THE CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION PROGRAM; PROVIDING FOR PORT ACCESS PROJECTS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE STRATEGIC INITIATIVES PROGRAM (LOCAL) FUND TO THE STRATEGIC INITIATIVES GRANT PROGRAM FUND FOR FISCAL YEAR 2024; PROVIDING A CONTINUOUS APPROPRIATION; PROVIDING FOR ACCOUNTABILITY REPORTS; PROVIDING FOR LOCAL TRANSPORTATION PROJECTS; PROVIDING REAPPROPRIATION AUTHORITY FOR THE CAPITAL FACILITIES PROGRAM; PROVIDING REAPPROPRIATION AUTHORITY FOR AIRPORT DEVELOPMENT GRANTS; PROVIDING REAPPROPRIATION AUTHORITY FOR THE CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION DIVISION; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. There is hereby appropriated to the Idaho Transportation Department the following amounts to be expended according to the designated programs and expense classes from the listed funds for the period July 1, 2023, through June 30, 2024:

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
I. TRANSPORTATION SERVICES:					
A. ADMINISTRATION:					
FROM:					
State Highway (Dedicated)					
Fund	\$14,803,900	\$17,950,900	\$1,898,000		\$34,652,800
State Highway (Federal)					
Fund	<u>500,800</u>	<u>659,100</u>	<u>0</u>	<u>\$300,000</u>	<u>1,459,900</u>
TOTAL	\$15,304,700	\$18,610,000	\$1,898,000	\$300,000	\$36,112,700

	FOR	FOR	FOR	FOR	TOTAL	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND		
	COSTS	EXPENDITURES	OUTLAY	BENEFIT		
				PAYMENTS		
5	B. CAPITAL FACILITIES:					
6	FROM:					
7	State Aeronautics (Dedicated)					
8	Fund		\$100,000		\$100,000	
9	State Highway (Dedicated)					
10	Fund	<u>\$2,300,000</u>	<u>22,265,000</u>		<u>24,565,000</u>	
11	TOTAL	\$2,300,000	\$22,365,000		\$24,665,000	
12	C. AERONAUTICS:					
13	FROM:					
14	State Aeronautics (Dedicated)					
15	Fund	\$1,233,100	\$706,700	\$107,000	\$1,250,000	\$3,296,800
16	State Aeronautics (Billing)					
17	Fund	128,200	138,400			266,600
18	State Highway (Dedicated)					
19	Fund		7,100	223,700		230,800
20	State Aeronautics (Federal)					
21	Fund	<u>108,000</u>	<u>573,200</u>	<u>0</u>	<u>0</u>	<u>681,200</u>
22	TOTAL	\$1,469,300	\$1,425,400	\$330,700	\$1,250,000	\$4,475,400
23	DIVISION					
24	TOTAL	\$16,774,000	\$22,335,400	\$24,593,700	\$1,550,000	\$65,253,100
25	II. MOTOR VEHICLES:					
26	FROM:					
27	State Highway (Dedicated)					
28	Fund	\$18,991,400	\$18,002,200	\$1,407,700		\$38,401,300
29	State Highway (Federal)					
30	Fund	<u>0</u>	<u>3,600,000</u>	<u>0</u>		<u>3,600,000</u>
31	TOTAL	\$18,991,400	\$21,602,200	\$1,407,700		\$42,001,300
32	III. HIGHWAY OPERATIONS:					
33	FROM:					
34	State Highway (Dedicated)					
35	Fund	\$98,611,100	\$73,733,800	\$51,554,800	\$462,000	\$224,361,700
36	State Highway (Local)					
37	Fund	280,500	73,900			354,400

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
5	State Highway (Federal)				
6	Fund	16,945,400	9,563,000	25,963,600	52,472,000
7	Federal COVID-19 Relief				
8	Fund	<u>0</u>	<u>0</u>	<u>0</u>	<u>7,857,300</u>
9	TOTAL	\$115,837,000	\$83,370,700	\$51,554,800	\$34,282,900
					\$285,045,400
10	IV. CONTRACT CONSTRUCTION & RIGHT-OF-WAY ACQUISITION:				
11	FROM:				
12	State Highway (Dedicated)				
13	Fund	\$2,500,000	\$131,967,100	\$500,000	\$134,967,100
14	State Highway (Local)				
15	Fund	100,000	6,996,200	100,000	7,196,200
16	Transportation Expansion and Congestion Mitigation				
17	Fund		61,200,000		61,200,000
18	Strategic Initiatives Grant Program				
19	Fund			36,000,000	36,000,000
20	State Highway (Federal)				
21	Fund	<u>8,000,000</u>	<u>388,907,500</u>	<u>1,500,000</u>	<u>398,407,500</u>
22	TOTAL	\$10,600,000	\$589,070,800	\$38,100,000	\$637,770,800
23	GRAND TOTAL	\$151,602,400	\$137,908,300	\$666,627,000	\$73,932,900
					\$1,030,070,600

24 SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519,
25 Idaho Code, the Idaho Transportation Department is authorized no more than
26 one thousand five hundred ninety-two (1,592.00) full-time equivalent po-
27 sitions at any point during the period July 1, 2023, through June 30, 2024,
28 unless specifically authorized by the Governor. The Joint Finance-Appro-
29 priations Committee will be notified promptly of any increased positions so
30 authorized.

31 SECTION 3. In addition to the appropriation made in Section 1, Chap-
32 ter 156, Laws of 2022, and any other appropriation provided by law, there is
33 hereby appropriated \$50,000 from the State Aeronautics (Dedicated) Fund to
34 the Idaho Transportation Department for the Aeronautics Program, to be ex-
35 pended for operating expenditures, for the period July 1, 2022, through June
36 30, 2023.

37 SECTION 4. In addition to the appropriation made in Section 1, Chap-
38 ter 156, Laws of 2022, and any other appropriation provided by law, there is
39 hereby appropriated \$9,333,500 from the State Highway (Dedicated) Fund to

1 the Idaho Transportation Department for the Highway Operations Program, to
2 be expended for operating expenditures, for the period July 1, 2022, through
3 June 30, 2023.

4 SECTION 5. In addition to the appropriation made in Section 1, Chap-
5 ter 156, Laws of 2022, and any other appropriation provided by law, there
6 is hereby appropriated \$2,187,200 from the State Highway (Federal) Fund to
7 the Idaho Transportation Department for the Highway Operations Program, to
8 be expended for operating expenditures, for the period July 1, 2022, through
9 June 30, 2023.

10 SECTION 6. In addition to the appropriation made in Section 1, Chap-
11 ter 156, Laws of 2022, and any other appropriation provided by law, there
12 is hereby appropriated \$10,000,000 from the Strategic Initiatives Program
13 (Dedicated) Fund to the Idaho Transportation Department for the Contract
14 Construction and Right-of-Way Acquisition Division, to be expended for
15 trustee and benefit payments, for the period July 1, 2022, through June 30,
16 2023.

17 SECTION 7. PORT ACCESS PROJECTS. The Idaho Transportation Department
18 shall provide \$10,000,000 to Idaho seaports from the Strategic Initiatives
19 Program (Dedicated) Fund for port access projects as soon as practicable but
20 no later than June 30, 2023.

21 SECTION 8. CASH TRANSFER. There is hereby appropriated, and the Office
22 of the State Controller shall transfer \$36,000,000 from the Strategic Ini-
23 tiatives Program (Local) Fund to the Strategic Initiatives Grant Program
24 Fund as soon as practicable for the period July 1, 2023, through June 30,
25 2024.

26 SECTION 9. CONTINUOUSLY APPROPRIATED MONEYS. All moneys transferred to
27 the Local Bridge Inspection Fund and to the Railroad Grade Crossing Protec-
28 tion Fund, as provided in Section 63-2412, Idaho Code, are hereby contin-
29 uously appropriated to the Idaho Transportation Department for the stated
30 purpose of those funds.

31 SECTION 10. ACCOUNTABILITY REPORTS. Funds specifically identified in
32 statute or in an appropriation act as intended for a certain purpose may be
33 used only for that purpose. All funds provided in this act shall be subject
34 to accountability reports and management reviews in accordance with Section
35 67-702, Idaho Code.

36 SECTION 11. LOCAL TRANSPORTATION PROJECTS. Pursuant to House Bill No.
37 132, if enacted by the First Regular Session of the Sixty-seventh Idaho Leg-
38 islature, moneys transferred in Section 8 of this act shall be provided to
39 highway districts established pursuant to Chapter 14, Title 40, Idaho Code,
40 for local transportation projects to mitigate the impact of adding new con-
41 nections of state highways to interstate highways as soon as practicable but
42 no later than July 31, 2023.

1 SECTION 12. REAPPROPRIATION AUTHORITY FOR THE CAPITAL FACILITIES PRO-
2 GRAM. There is hereby reappropriated to the Idaho Transportation Department
3 any unexpended and unencumbered balances appropriated to the Idaho Trans-
4 portation Department from the State Aeronautics (Dedicated) Fund and the
5 State Highway Fund in the Capital Facilities Program for fiscal year 2023, to
6 be used for nonrecurring expenditures in the Capital Facilities Program for
7 the period July 1, 2023, through June 30, 2024. The Office of the State Con-
8 troller shall confirm the reappropriation amount, by fund, expense class,
9 and program, with the Legislative Services Office prior to processing the
10 reappropriation authorized herein.

11 SECTION 13. REAPPROPRIATION AUTHORITY FOR AIRPORT DEVELOPMENT GRANTS.
12 There is hereby reappropriated to the Idaho Transportation Department any
13 unexpended and unencumbered balances appropriated or reappropriated to the
14 Idaho Transportation Department from the State Aeronautics (Dedicated) Fund
15 as trustee and benefit payments for airport development grants for fiscal
16 year 2023, to be used for nonrecurring expenditures for airport development
17 grants for the period July 1, 2023, through June 30, 2024. The Office of the
18 State Controller shall confirm the reappropriation amount, by fund, expense
19 class, and program, with the Legislative Services Office prior to processing
20 the reappropriation authorized herein.

21 SECTION 14. REAPPROPRIATION AUTHORITY FOR THE CONTRACT CONSTRUCTION
22 AND RIGHT-OF-WAY ACQUISITION DIVISION. There is hereby reappropriated to
23 the Idaho Transportation Department any unexpended and unencumbered bal-
24 ances appropriated or reappropriated to the Idaho Transportation Department
25 from the State Highway Fund, the Strategic Initiatives Program Fund, and the
26 Transportation Expansion and Congestion Mitigation Fund for the Contract
27 Construction and Right-of-Way Acquisition Division for fiscal year 2023, in
28 a total amount not to exceed \$250,000,000 from the State Highway Fund, the
29 Strategic Initiatives Program Fund, and/or the Transportation Expansion and
30 Congestion Mitigation Fund, to be used for nonrecurring expenditures for the
31 Contract Construction and Right-of-Way Acquisition Division for the period
32 July 1, 2023, through June 30, 2024. The Office of the State Controller shall
33 confirm the reappropriation amount, by fund, expense class, and program,
34 with the Legislative Services Office prior to processing the reappropria-
35 tion authorized herein.

36 SECTION 15. An emergency existing therefor, which emergency is hereby
37 declared to exist, Sections 3, 4, 5, 6, and 7 of this act shall be in full
38 force and effect on and after passage and approval, and Sections 1, 2, 8, 9,
39 10, 11, 12, 13, and 14 of this act shall be in full force and effect on and af-
40 ter July 1, 2023.