

MINUTES
JOINT FINANCE-APPROPRIATIONS COMMITTEE

DATE: Wednesday, March 15, 2023

TIME: 8:00 A.M.

PLACE: Room C310

MEMBERS PRESENT: Senators Co-Chairman Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Herndon, Ward-Engelking, and Just
Representatives Co-Chairman Horman, Miller, Bundy, Raybould, Furniss, Handy, Lambert, Petzke, Tanner, and Nash

ABSENT/ EXCUSED: None

CONVENED: **Co-Chairman Grow** called the meeting of the Joint Finance-Appropriations Committee (Committee or JFAC) to order at 8:01 a.m.

PRESENTATION: **Senator Just** presented regarding the Capitol clocks, specifically the clock in the Committee room (see attachment 1).

LSO STAFF PRESENTATION: **DEPARTMENT OF ENVIRONMENTAL QUALITY - DRINKING WATER AND WASTEWATER PROJECTS - FISCAL YEAR (FY) 2023 SUPPLEMENTAL; Janet Jessup, Principal Budget and Policy Analyst, Legislative Services Office (LSO) Budget and Policy Analysis**
Ms. Jessup explained the Governor recommended a fund transfer to this agency to provide for drinking water and wastewater infrastructure grants. Funds would be transferred from the General Fund to the Water Pollution Control Fund, a dedicated fund that is continuously appropriated within the Department of Environmental Quality. She stated the second source of funds would be from the American Rescue Plan Act of 2021 (ARPA) fund, and the total transfer would take place in the FY 2023.

UNANIMOUS CONSENT: Requested by **Senator Burtenshaw**, granted by unanimous consent, the FY 2023 budget for the Department of Environmental Quality was reopened.

MOTION: Moved by **Senator Burtenshaw** for FY 2023, for the Department of Environmental Quality in the Water Quality Program a one time appropriation and transfer \$92,000,000 from the General Fund to the continuously appropriated Water Pollution Control Fund for drinking water and wastewater infrastructure grants; seconded by **Representative Raybould**.

DISCUSSION: In response to Committee questions, **Ms. Jessup** discussed that the grant funds go directly to the communities to further infrastructure. **Kristin Ryan**, Deputy Director, Idaho Department of Environmental Quality, informed that the grants and loans are for public water systems throughout the state to provide water to the public and service to communities that are 10,000 people or less.

CARRIED:

AYES: 15

Senators Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Ward-Engelking, and Just
Representatives Horman, Miller, Bundy, Raybould, Furniss, and Handy

NAYS: 3

Senators Herndon
Representatives Lambert and Tanner

ABSENT/EXCUSED: 2

Representatives Petzke and Nash

The majority having voted in the affirmative, the motion passed and without objection carried a **DO PASS** recommendation. Having heard no objection, it was so ordered by **Co-Chairman Grow**.

MOTION:

Moved by **Senator Burtenshaw** for FY 2023, for the Department of Environmental Quality in the Water Quality Program a one time appropriation of \$23,000,000 from the American Rescue Plan Act of 2021 (ARPA) State Fiscal Recovery Fund for drinking water and wastewater infrastructure grants; seconded by **Representative Raybould**.

CARRIED:

AYES: 15

Senators Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Ward-Engelking, and Just
Representatives Horman, Miller, Bundy, Raybould, Furniss, and Handy

NAYS: 3

Senators Herndon
Representatives Lambert and Tanner

ABSENT/EXCUSED: 2

Representatives Petzke and Nash

The majority having voted in the affirmative, the motion passed and without objection carried a **DO PASS** recommendation. Having heard no objection, it was so ordered by **Co-Chairman Grow**.

**LSO STAFF
PRESENTATION:**

**DEPARTMENT OF ENVIRONMENTAL QUALITY - AGRICULTURE
BEST MANAGEMENT PRACTICE PROJECTS - FY 2023
SUPPLEMENTAL; Janet Jessup, Principal Budget and Policy Analyst,
LSO Budget and Policy Analysis**

Ms. Jessup reviewed that the Governor's Recommendation initially included \$12 million, and \$5 million has already been appropriated to the soil and water conservation districts, leaving \$7 million remaining within the Department of Environmental Quality as part of this supplemental recommendation. She stated these funds would transfer \$2 million to the Agricultural Best Management Practices Fund, and \$5 million to the Confined Animal Feeding Operation Fund.

MOTION:

Moved by **Representative Raybould** for FY 2023, for the Department of Environmental Quality in the Water Quality Program a one time appropriation and transfer of \$2,000,000 from the General Fund to the continuously appropriated Agricultural Best Management Practices Fund; seconded by **Senator Burtenshaw**.

CARRIED: **AYES: 14**
Senators Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Ward-Engelking, and Just
Representatives Horman, Miller, Bundy, Raybould, Furniss, and Handy

NAYS: 4
Senators Adams and Herndon
Representatives Lambert and Tanner

ABSENT/EXCUSED: 2
Representatives Petzke and Nash

The majority having voted in the affirmative, the motion passed and without objection carried a **DO PASS** recommendation. Having heard no objection, it was so ordered by **Co-Chairman Grow**.

MOTION: Moved by **Representative Raybould** for FY 2023, for the Department of Environmental Quality in the Water Quality Program a one time appropriation and transfer of \$5,000,000 from the General Fund to the continuously appropriated to the Confined Animal Feeding Operation Fund; seconded by **Senator Burtenshaw**.

CARRIED: **AYES: 14**
Senators Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Ward-Engelking, and Just
Representatives Horman, Miller, Bundy, Raybould, Furniss, and Handy

NAYS: 4
Senators Adams and Herndon
Representatives Lambert and Tanner

ABSENT/EXCUSED: 2
Representatives Petzke and Nash

The majority having voted in the affirmative, the motion passed and without objection carried a **DO PASS** recommendation. Having heard no objection, it was so ordered by **Co-Chairman Grow**.

LSO STAFF PRESENTATION: **DEPARTMENT OF WATER RESOURCES - GENERAL FUND CASH TRANSFER AND FY 2023 SUPPLEMENTAL; Janet Jessup, Principal Budget and Policy Analyst, LSO Budget and Policy Analysis**

Ms. Jessup briefed that the Governor recommended a one time transfer from the General Fund to the Water Management Fund, which is a continuously appropriated fund within the Department of Water Resources, for water sustainability and aging infrastructure projects. She provided a previously circulated priority list of water projects that are on the agency's radar, which indicated the different needs across the state (see attachment 2).

UNANIMOUS CONSENT: Requested by **Senator VanOrden**, granted by unanimous consent, the FY 2023 budget for the Department of Water Resources was reopened.

MOTION: Moved by **Senator VanOrden** for FY 2023, for the Department of Water Resources in the Planning and Technical Program a one time appropriation and transfer of \$150,000,000 from the General Fund to the continuously appropriated Water Management Fund; seconded by **Representative Raybould**.

CARRIED:

AYES: 16

Senators Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Ward-Engelking, and Just
Representatives Horman, Miller, Bundy, Raybould, Furniss, Petzke, Handy, and Nash

NAYS: 4

Senators Bjerke and Herndon
Representatives Lambert and Tanner

ABSENT/EXCUSED: 0

The majority having voted in the affirmative, the motion passed and without objection carried a **DO PASS** recommendation. Having heard no objection, it was so ordered by **Co-Chairman Grow**.

**UNANIMOUS
CONSENT:**

Requested by **Senator VanOrden**, granted by unanimous consent, the following intent language was adopted:

**INTENT
LANGUAGE:**

SECTION __. USES OF LARGE WATER PROJECT FUNDS. Of the moneys appropriated in Section __ of this act for water projects, funding shall be used for expenditures, loans, or grants for water projects, including studies, to address water sustainability, enhance and modernize surface water delivery systems, rehabilitate or improve aging water infrastructure, or support flood management. No more than one-third (1/3) of these moneys shall be used for grants. The Idaho Water Resource Board shall use criteria that takes into account the public's input for the expenditures of money for grants, is competitive, and prioritizes projects based on the public benefits they provide. Considerations of public benefits should include the protection of existing water rights, the uses identified in Section 42- 1760(2)(d), Idaho Code, which include consideration of the value of existing hydropower to the state's economy , providing water for future development, and addressing aging water storage and/or delivery infrastructure for projects that provide environmental, safety or recreational benefits. For any project receiving grants issued pursuant to the criteria developed under this provision, the \$50,000 grant limitation of Section 42-1760(2)(b), Idaho Code, shall not apply.

**LSO STAFF
PRESENTATION:**

DEPARTMENT OF PARKS AND RECREATION - FY 2023 CASH TRANSFER AND FY 2023 SUPPLEMENTAL; Janet Jessup, Principal Budget and Policy Analyst, LSO Budget and Policy Analysis

Ms. Jessup discussed the Governor's recommendation included a one time transfer of monies to address the maintenance backlog at the state's parks and recreational areas, and address capital concerns and interagency collaboration efforts.

**UNANIMOUS
CONSENT:**

Requested by **Senator Lent**, granted by unanimous consent, the FY 2023 budget for the Department of Parks and Recreation was reopened.

MOTION:

Moved by **Senator Lent** for FY 2023, for the Department of Parks and Recreation and Capital Development Program a one time appropriation and transfer of \$85,000,000 from the General Fund to the Parks and Recreation Fund for deferred maintenance, capital projects, and collaborative interagency projects; seconded by **Representative Furniss**.

CARRIED:

AYES: 18

Senators Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Ward-Engelking, and Just
Representatives Horman, Miller, Bundy, Raybould, Furniss, Tanner, Petzke, Handy, and Nash

NAYS: 2

Senator Herndon
Representative Lambert

ABSENT/EXCUSED: 0

The majority having voted in the affirmative, the motion passed and without objection carried a **DO PASS** recommendation. Having heard no objection, it was so ordered by **Co-Chairman Grow**.

MOTION:

Moved by **Senator Lent** for FY 2023, for the Department of Parks and Recreation and Capital Development Program a one time appropriation of \$85,000,000 from the Parks and Recreation Fund for deferred maintenance, capital projects, and collaborative interagency projects; seconded by **Representative Furniss**.

CARRIED:

AYES: 18

Senators Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Ward-Engelking, and Just
Representatives Horman, Miller, Bundy, Raybould, Furniss, Tanner, Petzke, Handy, and Nash

NAYS: 2

Senator Herndon
Representative Lambert

ABSENT/EXCUSED: 0

The majority having voted in the affirmative, the motion passed and without objection carried a **DO PASS** recommendation. Having heard no objection, it was so ordered by **Co-Chairman Grow**.

LSO STAFF PRESENTATION:

DEPARTMENT OF PARKS AND RECREATION FY 2024 CASH TRANSFER AND ADDITIONAL APPROPRIATIONS; Janet Jessup, Principal Budget and Policy Analyst, LSO Budget and Policy Analysis

Ms. Jessup explained the funds for this transfer would not be provided to the agency until July 1, 2023, to expand capacity and address maintenance backlogs at Idaho’s parks. This would include projects on the Capital Improvement Plan, from the Department for Parks and Recreation, which lays out what projects would be included.

UNANIMOUS CONSENT:

Requested by **Representative Tanner**, granted by unanimous consent, the FY 2024 budget for the Department of Parks and Recreation was reopened.

MOTION:

Moved by **Representative Tanner** for FY 2024, for the Department of Parks and Recreation and Capital Development Program a one time appropriation and transfer of \$10,000,000 from the General Fund to the Parks and Recreation Fund for deferred maintenance, capital projects, and collaborative interagency projects; seconded by **Senator VanOrden**.

CARRIED: **AYES: 20**
Senators Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Herndon, Ward-Engelking, and Just
Representatives Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Petzke, Handy, and Nash

NAYS: 0

ABSENT/EXCUSED: 0

The majority having voted in the affirmative, the motion passed and without objection carried a **DO PASS** recommendation. Having heard no objection, it was so ordered by **Co-Chairman Grow**.

MOTION: Moved by **Representative Tanner** for FY 2024, for the Department of Parks and Recreation and Capital Development Program a one time appropriation of \$10,000,000 from the Parks and Recreation Fund for deferred maintenance, capital projects, and collaborative interagency projects; seconded by **Senator VanOrden**.

CARRIED: **AYES: 20**
Senators Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Herndon, Ward-Engelking, and Just
Representatives Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Petzke, Handy, and Nash

NAYS: 0

ABSENT/EXCUSED: 0

The majority having voted in the affirmative, the motion passed and without objection carried a **DO PASS** recommendation. Having heard no objection, it was so ordered by **Co-Chairman Grow**.

LSO STAFF PRESENTATION: **IDAHO TRANSPORTATION DEPARTMENT (ITD) - TRANSPORTATION SERVICES DIVISION AERONAUTICS PROGRAM AIRPORT IMPROVEMENTS - FY 2023 SUPPLEMENTAL; Matt Farina, Analyst, LSO Budget and Policy Analysis**

Mr. Farina explained the Governor's recommendation for this agency is for funds to be transferred from the General Fund to the State Aeronautics dedicated Fund to manage backcountry airfields and to provide grants to rural airports.

UNANIMOUS CONSENT: Requested by **Representative Handy**, granted by unanimous consent, the FY 2023 budget for the Idaho Transportation Department was reopened.

MOTION: Moved by **Representative Handy** for FY 2023, for the Idaho Transportation Department, the appropriation and transfer of \$35,000,000 from the General Fund to the State Aeronautics (Dedicated) Fund; seconded by **Senator Burtenshaw**.

CARRIED: **AYES: 17**
Senators Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Ward-Engelking, and Just
Representatives Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Petzke, Handy, and Nash

NAYS: 3
Senator Herndon
Representatives Lambert and Tanner

ABSENT/EXCUSED: 0

The majority having voted in the affirmative, the motion passed and without objection carried a **DO PASS** recommendation. Having heard no objection, it was so ordered by **Co-Chairman Grow**.

MOTION: Moved by **Representative Handy** for FY 2023, for the Idaho Transportation Department, for the Aeronautics Program, an additional \$35,000,000 from the State Aeronautics (Dedicated) Fund; seconded by **Senator Burtenshaw**.

CARRIED: **AYES: 17**
Senators Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Ward-Engelking, and Just
Representatives Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Petzke, Handy, and Nash

NAYS: 3
Senator Herndon
Representatives Lambert and Tanner

ABSENT/EXCUSED: 0

The majority having voted in the affirmative, the motion passed and without objection carried a **DO PASS** recommendation. Having heard no objection, it was so ordered by **Co-Chairman Grow**.

LSO STAFF PRESENTATION: **ITD - CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION DIVISION - LOCAL BRIDGE MAINTENANCE, PEDESTRIAN SAFETY - FY 2023 SUPPLEMENTAL; Matt Farina, Analyst, LSO Budget and Policy Analysis**

Mr. Farina detailed this supplemental appropriation was recommended by the Governor for local bridge maintenance and for pedestrian safety projects.

MOTION: Moved by **Senator Burtenshaw** for FY 2023, for the Idaho Transportation Department, the appropriation and transfer of \$210,000,000 from the General Fund to the Strategic Initiative Program - Local Fund; seconded by **Representative Petzke**.

CARRIED: **AYES: 17**
Senators Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Ward-Engelking, and Just
Representatives Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Petzke, Handy, and Nash

NAYS: 3
Senator Herndon
Representatives Lambert and Tanner

ABSENT/EXCUSED: 0

The majority having voted in the affirmative, the motion passed and without objection carried a **DO PASS** recommendation. Having heard no objection, it was so ordered by **Co-Chairman Grow**.

MOTION: Moved by **Senator Burtenshaw** for FY 2023, for the Idaho Transportation Department, for the Contract Construction and Right-of-Way Acquisition Program, an additional \$210,000,000 from the Strategic Initiative Program - Local Fund; seconded by **Representative Petzke**.

CARRIED: **AYES: 17**
Senators Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Ward-Engelking, and Just
Representatives Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Petzke, Handy, and Nash

NAYS: 3
Senator Herndon
Representatives Lambert and Tanner

ABSENT/EXCUSED: 0

The majority having voted in the affirmative, the motion passed and without objection carried a **DO PASS** recommendation. Having heard no objection, it was so ordered by **Co-Chairman Grow**.

LSO STAFF PRESENTATION: **ITD - CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION DIVISION - LOCAL ROAD AND BRIDGE MAINTENANCE, LOCAL TRANSPORTATION PROJECTS FY 2024 ADDITIONAL APPROPRIATION; Matt Farina, Analyst, LSO Budget and Policy Analysis**

Mr. Farina detailed this appropriation was recommended by the Governor and requested by the agency to use funds dedicated to local road and bridge maintenance and for local transportation projects.

UNANIMOUS CONSENT: Requested by **Representative Handy**, granted by unanimous consent, the FY 2024 budget for the Idaho Transportation Department was reopened.

MOTION: Moved by **Representative Handy** for FY 2024, for the Idaho Transportation Department, the appropriation and transfer of \$121,120,000 from the General Fund to the Local Highway Distribution Fund; seconded by **Senator Burtenshaw**.

CARRIED:

AYES: 20

Senators Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Herndon, Ward-Engelking, and Just
Representatives Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Petzke, Handy, and Nash

NAYS: 0

ABSENT/EXCUSED: 0

The majority having voted in the affirmative, the motion passed and without objection carried a **DO PASS** recommendation. Having heard no objection, it was so ordered by **Co-Chairman Grow**.

**LSO STAFF
PRESENTATION:**

**ITD - CONTRACT CONSTRUCTION AND RIGHT-OF-WAY
ACQUISITION DIVISION - ROAD AND BRIDGE MAINTENANCE,
CAPACITY AND SAFETY PROJECTS FY 2024 ADDITIONAL
APPROPRIATION; Matt Farina, Analyst, LSO Budget and Policy Analysis**

Mr. Farina detailed this appropriation was requested by the agency and recommended by the Governor. It would transfer funds from the General Fund to the Strategic Initiatives Program (Dedicated) Fund and allow the agency to spend more money than is being transferred due to interest. This directs monies for transportation safety and capacity projects, and road and bridge maintenance.

MOTION:

Moved by **Senator Burtenshaw** for FY 2024, for the Idaho Transportation Department, the appropriation and transfer of \$181,680,000 from the General Fund to the Strategic Initiative Program (Dedicated) Fund; seconded by **Representative Petzke**.

CARRIED:

AYES: 20

Senators Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Herndon, Ward-Engelking, and Just
Representatives Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Petzke, Handy, and Nash

NAYS: 0

ABSENT/EXCUSED: 0

The majority having voted in the affirmative, the motion passed and without objection carried a **DO PASS** recommendation. Having heard no objection, it was so ordered by **Co-Chairman Grow**.

MOTION:

Moved by **Senator Burtenshaw** for FY 2024, for the Idaho Transportation Department, for the Contract Construction and Right-of-Way Acquisition Program, an additional \$182,422,000 from the Strategic Initiative Program (Dedicated) Fund in capital outlay; seconded by **Representative Petzke**.

CARRIED: **AYES: 20**
Senators Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Herndon, Ward-Engelking, and Just
Representatives Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Petzke, Handy, and Nash

NAYS: 0

ABSENT/EXCUSED: 0

The majority having voted in the affirmative, the motion passed and without objection carried a **DO PASS** recommendation. Having heard no objection, it was so ordered by **Co-Chairman Grow**.

LSO STAFF PRESENTATION: **ITD - CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION DIVISION - LOCAL TRANSPORTATION PROJECTS FY 2024 ADDITIONAL APPROPRIATION; Matt Farina, Analyst, LSO Budget and Policy Analysis**

Mr. Farina summarized the Governor recommended a General Fund transfer to the Strategic Initiatives Program Local Fund to be split 50 percent for large urban areas and 50 percent for small urban areas due to **H 132** passing. The fund for this recommendation was changed to the Strategic Initiatives Grant Program Fund.

MOTION: Moved by **Representative Petzke** for FY 2024, for the Idaho Transportation Department, the appropriation and transfer of \$100,000,000 from the General Fund to the Strategic Initiative Grant Program Fund; seconded by **Senator Burtenshaw**.

CARRIED: **AYES: 20**
Senators Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Herndon, Ward-Engelking, and Just
Representatives Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Petzke, Handy, and Nash

NAYS: 0

ABSENT/EXCUSED: 0

The majority having voted in the affirmative, the motion passed and without objection carried a **DO PASS** recommendation. Having heard no objection, it was so ordered by **Co-Chairman Grow**.

MOTION: Moved by **Representative Petzke** for FY 2024, for the Idaho Transportation Department for the Contract Construction and Right-of-Way Acquisition Program, an additional \$100,000,000 from the Strategic Initiative Grant Program Fund; seconded by **Senator Burtenshaw**.

CARRIED:

AYES: 20

Senators Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Herndon, Ward-Engelking, and Just
Representatives Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Petzke, Handy, and Nash

NAYS: 0

ABSENT/EXCUSED: 0

The majority having voted in the affirmative, the motion passed and without objection carried a **DO PASS** recommendation. Having heard no objection, it was so ordered by **Co-Chairman Grow**.

ADJOURNED:

There being no further business before the Committee, Co-Chairman Grow adjourned the meeting at 8:50 a.m.

Senator Grow
Chair

Erin Miller
Secretary