

CONSTITUTION OF THE STATE OF IDAHO
ARTICLE VII
FINANCE AND REVENUE

SECTION 11. Expenditure not to exceed appropriation. No appropriation shall be made, nor any expenditure authorized by the legislature, whereby the expenditure of the state during any fiscal year shall exceed the total tax then provided for by law, and applicable to such appropriation or expenditure, unless the legislature making such appropriation shall provide for levying a sufficient tax, not exceeding the rates allowed in section nine of this article, to pay such appropriation or expenditure within such fiscal year. This provision shall not apply to appropriations or expenditures to suppress insurrection, defend the state, or assist in defending the United States in time of war. [Congress approved July 3, 1890]

SECTION 13. Money — How drawn from treasury. No money shall be drawn from the treasury, but in pursuance of appropriations made by law. [July 1890]

TITLE 67
STATE GOVERNMENT AND STATE AFFAIRS
CHAPTER 4
LEGISLATURE

67-435. Powers and duties. — (1) The joint finance-appropriations committee shall have the following powers and duties:

- (a) To review the executive budget and the budget requests of each state department, agency and institution, including requests for construction of capital improvements, as well as other requests for appropriations submitted to the legislature.
 - (b) To conduct such hearings as it may deem necessary and proper.
 - (c) To submit a report to each session of the legislature covering its activities during the preceding period and setting forth its findings and recommendations and to make such recommendations to the appropriate legislative committees as it may deem proper concerning the budget and other proposed legislation.
 - (d) To perform such other duties as the legislature or legislative council may by appropriate resolution direct.
- (2) The joint finance-appropriations committee shall use the following procedures for releasing reports produced by the legislative audits division:
- (a) All reports produced by the legislative audits division shall be delivered to the cochairs of the joint finance-appropriations committee for their review and approval prior to release;
 - (b) The cochairs of the joint finance-appropriations committee may, at their discretion, conduct hearings relating to any report and seek input and testimony prior to, or after reports are released; and
 - (c) After such review as deemed necessary and prudent by the cochairs of the joint finance-appropriations committee, the cochairs shall release the reports produced by the legislative audits division within sixty (60) days of submission to the cochairs; except in the event that a report is returned to the legislative audits division for further audit or

review, then the cochairs shall approve the release of reports within sixty (60) days after the report is resubmitted to the cochairs. [am. 2009, ch. 52]

67-437. Departments, agencies, and institutions to submit information. — All departments, agencies and institutions of state government which are required by section 67-3502, Idaho Code to submit reports of actual and estimated receipts and expenditures to the division of financial management shall submit the same information to the legislative services office for the joint finance-appropriations committee, not later than the deadline prescribed in section 67-3502, Idaho Code. [am. 1999, ch. 37]

TITLE 67
STATE GOVERNMENT AND STATE AFFAIRS
CHAPTER 7
LEGISLATIVE SERVICES OFFICE

67-703. Budget and policy analysis – Function of legislative services office. — The legislative services office at the direction of the legislative council has authority to:

- (1) Provide the legislature with research and analysis of current and projected state revenue, state expenditure and state tax expenditures;
- (2) Provide the legislature with a report analyzing the governor's proposed levels of revenue and expenditures for budgets and supplemental budget requests submitted to the legislature;
- (3) Provide an analysis of the impact of the governor's proposed revenue and expenditure plans for the next fiscal year;
- (4) Review and evaluate requests for appropriations, including proposed plans and policies related to such requests, and make recommendations to the joint finance-appropriations committee and the legislature in relation thereto;
- (5) Prepare draft legislation, statements of purpose and fiscal notes that individually or collectively represent motions affirmatively voted upon by the senate finance and house of representatives appropriations committees to provide each state agency with an annual budget;
- (6) Have access, with or without prior notice, during regular operating hours to any records or other documents maintained by any state agency relating to their expenditures, revenues, operations and structure;
- (7) Conduct research on matters of economic and fiscal policy and report to the legislature on the result of the research;
- (8) Provide economic reports and studies on the state of the state's economy, including trends and forecasts for consideration by the legislature;
- (9) Conduct budget and tax studies and provide general fiscal and budgetary information;
- (10) Review and make recommendations on the operation of state programs in order to appraise the implementation of state laws regarding the expenditure of funds and to recommend means of improving their efficiency;
- (11) Recommend to the legislature changes in the mix of revenue sources for programs, in the percentage of state expenditures devoted to major programs, and in the role of the legislature in overseeing state government expenditures and revenue projections;

(12) Make a continuing study and investigation of the building needs of the government of the state of Idaho, including, but not limited to, the following: the current and future requirements of new buildings, the maintenance of existing buildings, rehabilitating and remodeling of old buildings, the planning of administrative offices, and exploring the methods of financing buildings and related costs;

(13) Conduct studies of state and local finances, analyzing and making recommendations to the legislature on issues including levels of state support for political subdivisions, basic levels of local need, balances of local revenues and options, relationship of local taxes to individuals' abilities to pay and financial reporting by political subdivisions; and

(14) Develop and make available to the legislature and its standing or special legislative committees such fiscal information as will assist the legislature or any legislative committee in its deliberations. [added 2009, ch. 52]

TITLE 67
STATE GOVERNMENT AND STATE AFFAIRS
CHAPTER 19
STATE PLANNING AND COORDINATION

67-1901. Purposes. — The purposes of sections 67-1901 through 67-1905, Idaho Code, are to generate state agency planning and performance information that can be used to:

- (1) Improve state agency accountability to state citizens and lawmakers;
- (2) Increase the ability of the legislature to assess and oversee agency performance;
- (3) Assist lawmakers with policy and budget decisions; and
- (4) Increase the ability of state agencies to improve agency management and service delivery and assess program effectiveness. [added 2005, ch. 339]

67-1902. Definitions. — For purposes of sections 67-1901 through 67-1905, Idaho Code:

- (1) "Agency" means each department, board, commission, office and institution, educational or otherwise, except elective offices, in the executive department of state government. "Agency" does not include legislative and judicial branch entities.
- (2) "Benchmark" or "performance target" means the agency's expected, planned or intended result for a particular performance measure. This information may come from an accepted industry standard for performance or from an agency's careful study, research and/or analysis of the circumstances impacting performance capabilities.
- (3) "Core function" means a group of related activities serving a common end of meeting the main responsibilities of the agency.
- (4) "Goal" means a planning element that describes the broad condition, state or outcome an agency or program is trying to achieve.
- (5) "Major division" means an organizational group within the agency that focuses on meeting one (1) or more of the agency's primary statutory responsibilities.
- (6) "Objective" means a planning element that describes a specific condition, state or outcome that an agency or program is trying to achieve as a step toward fulfilling its goals.

(7) "Performance measure" means a quantifiable indicator of an agency's progress toward achieving its goals. [added 2005, ch. 339]

67-1903. Strategic planning. — (1) Each state agency shall develop and submit to the division of financial management in an electronic format a comprehensive strategic plan for the major divisions and core functions of that agency. The plan shall be based upon the agency's statutory authority and, at a minimum, shall contain:

- (a) A comprehensive outcome-based vision or mission statement covering major divisions and core functions of the agency;
- (b) Goals for the major divisions and core functions of the agency;
- (c) Objectives and/or tasks that indicate how the goals are to be achieved;
- (d) Performance measures, developed in accordance with section 67-1904, Idaho Code, that assess the progress of the agency in meeting its goals in the strategic plan, along with an indication of how the performance measures are related to the goals in the strategic plan;
- (e) Benchmarks or performance targets for each performance measure for, at a minimum, the next fiscal year, along with an explanation of the manner in which the benchmark or target level was established; and
- (f) An identification of those key factors external to the agency and beyond its control that could significantly affect the achievement of the strategic plan goals and objectives.

(2) The strategic plan shall cover a period of not less than four (4) years forward including the fiscal year in which it is submitted, and shall be updated annually.

(3) The strategic plan shall serve as the foundation for developing the annual performance information required by section 67-1904, Idaho Code.

(4) When developing a strategic plan, an agency shall consult with the appropriate members of the legislature, and shall solicit and consider the views and suggestions of those persons and entities potentially affected by the plan. Consultation with legislators may occur when meeting the requirement of section 67-1904(7), Idaho Code.

(5) Strategic plans are public records and are available to the public as provided in section 9-338, Idaho Code.

(6) Each agency, department and commission shall seek to minimize the number of printed copies of strategic plans and annual reports by using electronic versions whenever possible, and by printing only a limited number sufficient for internal needs or anticipated requests for copies for which electronic versions are otherwise inadequate. [am. 2012, ch. 205]

67-1904. Performance measurement. — (1) Every fiscal year, as part of its budget request, each agency shall prepare an annual performance report. The report shall be comprised of two (2) parts:

- (a) Part I shall contain basic profile information for the prior four (4) fiscal years including statutory authority, fiscal year revenue and expenditure information and any informative breakdowns such as amounts from different revenue sources, types of expenditures, and data about the number and types of cases managed and/or key services provided to meet agency goals.
- (b) Part II shall contain:

APPENDIX: LAWS GOVERNING THE STATE BUDGET

(i) Not more than ten (10) key quantifiable performance measures, which clearly capture the agency's progress in meeting the goals of its major divisions and core functions stated in the strategic plan required in section 67-1903, Idaho Code. The goal(s) and strategies to which each measure corresponds shall also be provided. More measures may be requested by the germane committee chairs through the process set forth in subsection (7) of this section.

(ii) Results for each measure for the prior four (4) fiscal years. In situations where past data is not available because a new measure is being used, the report shall indicate the situation.

(iii) Benchmarks or performance targets for each measure for, at a minimum, the next fiscal year, and for each year of the four (4) years of reported actual results.

(iv) Explanations, where needed, which provide context important for understanding the measures and the results, and any other qualitative information useful for understanding agency performance.

(v) Attestation from the agency director that the data reported has been internally assessed for accuracy, and, to the best of the director's knowledge, is deemed to be accurate.

(2) Each agency performance report shall be presented in a consistent format, determined by the division of financial management, which allows for easy review and understanding of the information reported.

(3) Each agency shall review the results of the performance measures compared to benchmarks or performance targets and shall use the information for internal management purposes.

(4) Each agency shall maintain reports and documentation that support the data reported through the performance measures. This information shall be maintained and kept readily available for each of the four (4) years covered in the most recent performance report.

(5) The performance report shall be submitted by the agency to the division of financial management and the budget and policy analysis office of the office of legislative services by September 1 of each year. In fiscal year 2006, agencies shall submit part I of the performance report required by subsection (1)(a) of this section no later than November 1, and are exempt from submitting part II of the performance report required by subsection (1)(b) of this section. In accordance with section 67-3507, Idaho Code, agency performance reports shall be published each year as part of the executive budget document.

(6) The office of budget and policy analysis of the office of legislative services may incorporate all or some of the information submitted under this section in its annual legislative budget book.

(7) Each agency shall orally present the information from the performance report to its corresponding senate and house of representatives germane committees each year unless a germane committee elects to have an agency present such information every other year. The presentations shall consist of a review of agency performance information and shall provide an opportunity for dialogue between the agency and the committees about the sufficiency and usefulness of the types of information reported. Following any discussion about the information reported, the germane committees, in accordance with the requirements of this section, may request any changes to be made to the types of information reported. In fiscal year 2006, each agency shall be required

only to present part I of the performance report required in subsection (1)(a) of this section and, at a minimum, a progress report on the implementation of part II of the performance report as set forth in subsection (1)(b) of this section.

(8) If an agency and its corresponding germane committees determine that it is not feasible to develop a quantifiable measure for a particular goal or strategy, the germane committees may request an alternative form of measurement.

(9) The senate and the house of representatives germane committees should attempt to meet jointly to hear and discuss an agency's performance report and achieve consensus regarding the types of measures to be reported.

(10) Any performance report or document required by this section shall be produced electronically and transmitted to the division of financial management and the legislative services office electronically. Additionally, the agency shall have the performance report or document required by this section available on its website so that the public may access it. Each agency, department and commission shall seek to minimize the number of printed copies of strategic plans and annual reports by using electronic versions whenever possible, and by printing only a limited number sufficient for internal needs or anticipated requests for copies for which electronic versions are otherwise inadequate. [am. 2012, ch. 205]

67-1905. Training. — Strategic planning and performance measurement training shall be held for both state agencies and lawmakers as follows:

(1) The division of financial management shall coordinate training for key agency personnel on the development, use and reporting of strategic planning and performance measurement information. The training shall be integrated into current agency training programs and shall be offered and required for agency staff at a frequency determined by the division of financial management.

(2) The office of performance evaluations and the office of budget and policy analysis of the office of legislative services shall coordinate training for legislators on the development and use of strategic planning and performance measurement information. The training shall be offered at least once every two (2) years to coincide with new legislative terms. [added 2005, ch. 339]

67-1910. Division of financial management — Administrator — Appointment.

There is hereby created within the governor's office a division of financial management. The governor shall appoint an administrator for the division of financial management. The administrator shall be knowledgeable about finance, accounting, and budget principles. The administrator of the division may employ additional personnel as may be necessary, and may contract for professional services or assistance when necessary or desirable. All employees of the division of financial management shall be exempt from the provisions of chapter 53, title 67, Idaho Code. [am. 1995, ch. 365]

67-1911. Financial management technical development committee. — Because accounting, budgeting and financial information programs and policies are vital to the affairs of the legislative as well as the executive branch, there is hereby created a financial management technical development committee consisting of the officers listed below, which committee shall meet not less often than quarterly on the call of the chairman, to review financial information programs and policies and disapprove such

programs or policies by a majority vote if deemed appropriate. The members of the committee shall be the administrator of the division of financial management who shall be chairman, the director of the department of state information systems, the administrator of the division of human resources, and the director of the legislative services office, all of whom shall be voting members. [am. 1999, ch. 370]

67-1913. Funds of division. — When federal or other funds are received by the division, they shall be promptly transferred to the state treasurer and thereafter be expended only upon the approval of the administrator. [am. 1974, ch. 22]

67-1915. Duties, responsibilities, and authority. — The division of financial management shall have the following duties, responsibilities, and authority:

1. To study and recommend to the governor methods of interdepartmental cooperation and consolidation within the executive branch of government;
2. To study and recommend to the governor methods for improving efficiency of interdepartmental functions;
3. To provide technical assistance to state agencies when requested;
4. To serve as a clearinghouse for information, data and material which may be helpful in determining needed legislation;
5. To have the power to petition for and receive monies such as grants or gifts;
6. To work to harmonize the planning activities of state agencies so that comprehensive statewide programs are consistent and to eliminate duplication where possible; and
7. To carry out continuing studies and analyses of the problems faced by the state and develop such recommendations for administrative or legislative action as would appear necessary. [am. 1980, ch. 358]

67-1916. Federal assistance management — duties, responsibilities and authority. — The division of financial management shall serve as the central information center for all state agencies requesting federal assistance. The division of financial management shall have the following duties, responsibilities and authority:

- (1) To establish and maintain a central reporting and information service to keep the governor, the agencies of the state and its subdivisions, and the legislature informed of the intent of the state entities to apply for federal assistance throughout the state.
- (2) To assist in the coordination of federal programs administered by more than one (1) state agency.
- (3) To report, as requested by the legislature or its committees, on the status or condition of federal assistance programs in the state.
- (4) To require that any state agency that participates in any federal assistance program shall make additional information available as necessary. [added 1982, ch. 288]

67-1917. Reports by participating state agencies. — Any state agency that participates in any federal assistance program shall make additional information available as the division of financial management may require. [am. 1980, ch. 358]

67-1918. Financial and accounting responsibilities of the division. — It shall be the duty of the administrator of the division of financial management to work with the financial management technical development committee to:

(1) Develop and implement financial and management reporting systems to serve the needs of budget development and management support. Such systems shall be developed in consultation with the state controller, executive departments, legislature and other elected officials and shall be designed to assist department directors, the governor, and the legislature with their decision-making responsibilities;

(2) Develop recommended changes to the state account structure, accounting policies or accounting procedures, that would benefit financial and management reporting. Such recommendations shall be supplied to the state controller not later than May first of each fiscal year;

(3) Make studies of the effect of federal assistance programs in the state and advise the governor and the legislature of alternative recommended methods and procedures for the administration of these programs;

(4) Study and recommend to the governor methods for improving efficiency of interdepartmental financial functions;

(5) Perform such other duties and perform other studies assigned by the governor in the area of administration for the executive branch. [am. 1994, ch. 180]

TITLE 67
STATE GOVERNMENT AND STATE AFFAIRS
CHAPTER 35
STATE BUDGET

67-3501. Budget function. — The governor shall be the chief budget officer of the state whose duty it shall be to carry out the provisions of this chapter. The division of financial management shall have such duties as may be prescribed by law, and such other duties as may be designated by the governor. No increase in compensation paid to any employee of the state of Idaho, except officers and employees of the legislative and judicial departments, shall be effective until approved by the administrator of the division of financial management; provided, however, that any decision of the administrator of the division may be rejected and changed by the state board of examiners. [am. 1981, ch. 227]

67-3501a. Chapter provisions — Administration. — The provisions of this chapter shall be administered in accordance with article II, section 1, of the constitution of the state of Idaho, which divides the powers of the government of this state into three (3) distinct departments, the legislative, the executive, and the judicial. [added. 1981, ch. 227]

67-3502. Format and preparation of annual budget requests. — In the preparation of a state budget, the administrator of the division of financial management shall, not later than the fifteenth day of July have available for all departments, offices and institutions of the state government forms necessary to prepare budget requests. Such forms, whether in electronic or written format, shall be developed by the administrator of the division and the legislative services office to provide the following information:

APPENDIX: LAWS GOVERNING THE STATE BUDGET

(1) For the preceding fiscal year, each of the entities listed above shall report all funds available to them regardless of source, including legislative appropriations, and their expenditures by fund and object of all sums received from all sources, segregated as provided for on the forms.

(2) For the current fiscal year, each of the entities listed above shall report their estimates of all funds available to them regardless of source, including legislative appropriations, and their estimated expenditures by fund and object of all sums received from all sources, segregated as provided for on the forms, including a statement of the purposes for which anticipated funds are expected to be expended.

(3) An estimate of appropriations needed for the succeeding fiscal year, showing each primary program or major objective as a separate item of the request and itemized by object code.

(4) A report concerning the condition and management of programs, program performance, and progress toward accomplishing program objectives.

The completed forms shall, not later than the first day of September, except with special permission and agreement of the administrator of the division of financial management and the director of the legislative services office, be filed in the office of the administrator of the division of financial management and the legislative services office. The legislative and judicial departments shall, as early as practicable and in any event no later than the first day of November, prepare and file in the office of the governor and the legislative services office upon the forms described in this section a report of all of the information required in this section. The judicial department shall include in its filing the budget request of the judicial council as submitted by the judicial council. [am. 2011, ch. 13]

67-3504. Duties of administrator of the division. — (1) It shall be the duty of the administrator of the division of financial management to make such further inquiries and investigations as to any item included in any report of expenditures and available funding sources or the estimate for the succeeding fiscal year which may be included in the report and estimates furnished by any department, office or institution, except those of the legislative and judicial departments. In making such investigation he shall be allowed his necessary expenses of travel and subsistence in visiting any institution or department in the state. He may employ additional resources whenever in his discretion it may be necessary to check the items of expenditure or the estimates submitted by any department, office or institution. The administrator of the division shall serve as a clearinghouse for information, data for multi-agency projects not including requests made by the legislative and judicial departments and shall have power to demand and it is hereby made the duty of every department, officer, board, commission, or institution receiving appropriations from the legislature to furnish upon demand any and all information so requested by the administrator of the division.

(2) The administrator of the division, in addition to the duties hereinbefore set forth, shall perform such other duties as the governor as chief budget officer of the state may direct. He shall, as often as required by the governor, prepare and furnish reports as to the condition of any appropriations made by the legislature and shall investigate and report to the governor, when required, concerning available funding from all sources and expenditures made by any department, office or institution of the state. The administrator of the division, or his designated representative, shall also appear at all sessions of the standing committees of the house of representatives and of the senate

in charge of appropriations and shall furnish to such committees any information required while said committees are considering the budget. [am. 1995, ch. 153]

67-3505. Budget information submitted to governor. — The administrator of the division shall, on or before the 20th day of November next succeeding, prepare and submit to the governor, or to the governor-elect if there is one, information for the development of the executive budget as designated in section 67-3502, Idaho Code, including the requests of the legislative and judicial departments as submitted by those departments. [am. 1999, ch. 37]

67-3506. Governor to transmit budget document. — Not later than five (5) days following the convening of each regular legislative session, the governor shall transmit to the legislature a budget document setting forth his financial plan for the next fiscal year, and having the character and scope set forth. The budget document shall consist of three (3) parts, the nature and contents of which are set forth in section 67-3507, Idaho Code. The requests of the legislative and judicial departments shall be transmitted as submitted by those departments. [am. 1995, ch. 153]

67-3507. Executive budget. — The executive budget document shall consist of the following three (3) parts:

(1) Part I of the executive budget document shall consist of a budget message by the governor which shall outline the financial plan of the executive department of the state government for the next fiscal year, describing the important features of the financial plan.

(2) Part II of the budget document shall present in detail for the next fiscal year, as minimum information to be included in Part II, items showing: estimates of agency needs based on the governor's recommendations, to meet the expenditure needs of the state from all available funds classified by agencies and showing the cost of each major program. Part II shall also set forth the governor's recommendations for the capital program. All funds, including federal and local funds and interagency receipts received for any purpose, shall be accounted for in the budget.

(3) Part III of the budget document shall consist of the annual performance plans required in section 67-1904, Idaho Code. [am. 2005, ch. 339]

67-3508. Expenditure object codes. — (1) Excepting where the legislature expressly departs from the classification set forth in any appropriation bill, all appropriations made by the legislature, and all estimates hereafter made for budget purposes, and all expenditures made from appropriations or funds received from other sources, shall be classified and standardized by items as follows:

(a) Personnel costs, which shall include the salaries or wage expenses of employees and officers, whether full-time, part-time, or other irregular or seasonal help and including compensation or honorarium of members of boards or commissions, and shall also include the employer's share of contributions related to other benefits provided to those employees and officers.

(b) Operating expenditures, which shall include all expenses for services, travel, consumable supplies, and minor items of equipment not otherwise classified under personnel costs, capital outlay, or trustee and benefit payments.

(c) Capital outlay, which, when used in an appropriation act, shall include all expenditures for land, highways, buildings including appurtenances, fixtures and fixed equipment, structures, which also includes additions, replacements, major repairs, and renovations to, which materially extends the capital assets' useful life or materially improves or increases its capacity, and shall include compensation for independent contractors. Automobiles, domestic animals, machinery, apparatus, equipment and furniture including additions thereto, which will have a useful life or service substantially more than two (2) years, shall also be included.

(d) Trustee and benefit payments, which shall include the cash payments of welfare or retirement benefits to individuals and payments to individuals, persons, or political entities, and not otherwise classified under personnel costs, operating expenditures or capital outlay.

(2) The state controller is hereby authorized and directed to implement such subclassifications of the standard classifications herein set forth which are necessary for preparation of the state budget, as supplied by the administrator of the division of financial management and the legislative services office.

An annual review of the subclassifications shall be made by the administrator of the division and the legislative services office.

The state controller shall be supplied the changes desired by the administrator and the legislative services office in the subclassifications which are necessary for the preparation of the state budget or the identification and distribution of expenditures from appropriations no later than sixty (60) days prior to the beginning of any fiscal year to be effective for that fiscal year. [am. 1996, ch. 159]

67-3509. Time when appropriation available. — When an appropriation shall be made without restrictions as to the time of its use, it shall be available for expenditure for the purposes and to the amount therein stated, from the first day of July of the year during which such appropriation is made to and including the thirtieth day of June of the year following. [am. 1970, ch. 66]

67-3510. Expenditure object codes made to conform. — All object codes used in appropriations shall be made to conform to those set forth in section-3508, Idaho Code. All expenditures made from said appropriations shall be classified in conformity with the standard object codes. The state controller shall use the standard object codes in the classification of all expenditures drawn against any and all appropriations made by the Idaho legislature. [am. 1995, ch. 153]

67-3511. Transfer of legislative appropriations. — (1) No appropriations made by the Idaho legislature may be transferred from one object code to another except with the consent of the state board of examiners upon application duly made by the head of any department, office or institution of the state (including the elected officers in the executive department and the state board of education). No appropriation made for expenses other than personnel costs shall be expended for personnel costs of the particular department, office or institution for which it is appropriated, provided however, that employee suggestion awards made pursuant to sections 59-1603 and 67-5309D, Idaho Code, may be made from the object code in which the savings were realized.

(2) Legislative appropriations may be transferred from one program to another within an agency upon application duly made by the head of any department, office or institution of the state and approval of the application by the administrator of the division of financial management and the board of examiners provided the requested transfer is not more than ten per cent (10%) cumulative change from the appropriated amount for any program affected by the transfer. Requests for transfers above ten per cent (10%) cumulative change must, in addition to the above, be approved by legislative appropriation. Legislative appropriations shall not be transferred from one fund to another fund unless expressly approved by the legislature.

(3) All moneys appropriated to any agency of the state of Idaho for the purpose of capital outlay shall be used for that purpose and not for any other purpose.

(4) The joint finance-appropriations committee may limit the amount of legislative appropriations for personnel costs which can be transferred to other object codes. [am. 2006, ch. 380]

67-3512. Reduction of legislative appropriations. — Any legislative appropriation made for any department, office or institution of the state may be reduced in amount by the state board of examiners upon investigation and report of the administrator of the division of financial management; provided, that before such reduction is ordered the head of such department, office or institution shall be allowed a hearing before said state board of examiners and may at such hearing present such evidence as he may see fit. No reduction of legislative appropriations made to executive department agencies shall be made without hearing unless and until the head of such department, office or institution shall file his consent in writing thereto. No reduction of legislative appropriations for the elected officers in the executive department shall be made to a level which prohibits the discharge of constitutional duties. No reduction of legislative appropriations for the legislative and judicial departments shall be made without the permission in writing of the head of such department. [am. 1995, ch. 153]

67-3512a. Temporary reduction of spending authority. — Whenever the governor as chief budget officer of the state may determine that the expenditures authorized by the legislature for the current fiscal year shall exceed anticipated moneys available to meet those expenditures, the governor by executive order may reduce the spending authority on file in the office of the state controller for any department, office or institution of the state; provided, that no reduction of spending authority for the elected officers in the executive department shall be made to a level which prohibits the discharge of constitutional duties and provided that no reduction of spending authority for the legislative and judicial departments shall be made without the permission in writing of the head of such department. The head of any executive department, office or institution of the state may appeal the temporary reduction of spending authority to the state board of examiners, and the state board of examiners may, after hearing and consideration of evidence, restore said spending authority to its original level or to such lesser level as may be required to assist the state in maintaining a balanced budget. The governor may not temporarily reduce spending authority to a level lower than that required to insure that state expenditures do not exceed revenues. A temporary reduction of spending authority pursuant to this section shall not result in a reduction of

appropriation. The governor at any time by executive order may restore spending authority which has been temporarily reduced to its original level. [am. 1995, ch. 153]

67-3513. Committees of legislature to consider budget. — (1) The standing committees of the house of representatives and of the senate in charge of appropriation measures shall sit jointly in open sessions while considering the budget. Such committee may resolve itself into executive session upon the vote of two-thirds (2/3) of the membership of the committee, at which time persons who are not members of the legislature may be excluded; provided, however, that during such executive session, no votes or any official action may be taken. The administrator of the division of financial management or his designated representative shall attend all meetings of the joint committee and shall present to the committee the recommendations of the governor for amounts to be appropriated for each department, office and institution, including the elective officers and the state board of education, such presentation to include all information necessary to substantiate the recommendations of the governor. The joint committee at its discretion may cause the attendance of heads or responsible representatives of said departments, offices and institutions. The joint committee may increase or decrease items in the budget as it may deem to be in the interests of greater economy and efficiency in the public service.

(2) By not later than January 15 of each year, the administrator of the division of financial management shall report to the joint committee the following minimal information:

(a) A list by department, by program, and by funding source of all permanent positions authorized as of January 1 of that year and the current salary established for each position as of January 1 of that year; the list shall also designate which of the listed positions were vacant as of January 1, and the date such position became vacant.

(b) A list by department, by program, and by funding source of the amounts needed to fund the state employee compensation changes being recommended by the governor, which list must be prepared to show the individual cost of each component of the compensation changes. [am. 1981, ch. 227]

67-3514. Appropriation bills to be prepared by joint finance-appropriations committee. — The joint committees of the legislature in charge of appropriation measures, after considering the budget requests required by section 67-3502, Idaho Code, and the executive budget as required by section 67-3506, Idaho Code, shall prepare and introduce appropriation bills covering the requirements of the various departments, offices and institutions of the state. In the case of any department, office or institution operating under a continuous appropriation, the joint committee may prepare and introduce appropriation bills covering the requirements for the administrative functions of such department, office or institution. The joint committee may, after examining the budget of any department, office or institution operating in part or in whole under a continuing appropriation or fund authorized by the legislature, prepare and introduce appropriation bills covering all the requirements of the respective department, office and institution. [am. 1999, ch. 37]

67-3516. Appropriation acts deemed fixed budgets — rate of expenditure. — (1) Appropriation acts when passed by the legislature of the state of Idaho, and spending authority made thereunder, whether the appropriation is fixed or continuing, are fixed budgets beyond which state officers, departments, bureaus and institutions may not expend.

(2) Funds available to any agency from sources other than state funds, if not cognizable at the time when appropriations were made whether state fiscal liability is increased or not, must have prior approval of the administrator of the division of financial management and the board of examiners in order that funds may be expended, except those funds received under such conditions that preclude approval by the administrator of the division and/or the board of examiners. Receipts from the sale of capital outlay items and insurance claim settlements may, with the approval of the division of financial management, be included as an increase to an agency's appropriation and must be identified at an object code level. Expenditure of such receipts must be for capital outlay items.

(3) One state agency may bill another state agency for goods and services, provided the billing agency receives prior approval in writing from the billed agency or such billing is provided for by law. This process will be known as interagency billing to which the following rules will apply:

(a) The state controller will treat interagency receipts as revenue and not classify such revenue as a reduction of the expenditures of the receiving agency. Interagency billing credits for all funds shall be deposited to the appropriate fund of that agency.

(b) Interagency receipts may be expended by the collecting agency to the extent that authority to do so has been requested and approved by the legislature through an appropriation.

(c) The agency which is billed for the goods and services shall classify, treat and account for such expenses in the same manner as if such expenses had been paid by warrant, and may encumber unexpended balances to liquidate known or anticipated interagency billing expenses at the end of a fiscal year. The state controller shall provide for the method of liquidation of these encumbrances.

(4) State agencies selling goods, products, and services to another state agency must use the interagency process detailed by subsection (3) above. State agencies, departments and institutions may sell goods, products, and services to the public and/or other political entities. These cash receipts may be expended according to the following rules:

(a) The state controller will classify these moneys as receipts.

(b) Receipts for all funds shall be deposited to the appropriate fund of that agency.

(c) The collecting agency may expend all such receipts only to the extent that authority to do so has been requested and approved by the legislature through an appropriation, except receipts received by agencies under the circumstances cited in subsection (2) of this section. [am. 1995, ch. 153]

67-3517. Requests for spending authority by officials, departments, bureaus and institutions. — In order to guard against excessive expenditure of appropriations, and as an act of economy, efficiency and control relating to said appropriations, it is hereby made the duty of each officer, department, bureau and institution, except the legislative and judicial departments, to file with the administrator of the division of financial

management, who shall forward to the state controller, a request for spending authority of funds to be made available during the fiscal year, from the legislative appropriation to said officer, department, bureau or institution. Requests for spending authority shall be submitted to the administrator of the division at a time as prescribed by the administrator of the division, and as a general rule, in the same detail as appropriated, unless greater detail is deemed necessary by the administrator of the division. The legislative and judicial departments shall file a request for spending authority of funds with the state controller not later than fifteen (15) days prior to the expiration of the current spending authority, in such detail as the submitting agency desires. It shall be the duty of the state controller to provide a monthly report in the same or greater detail as the request for spending authority, which includes any adjustments made during the course of the fiscal year, expenditures for the month and expenditures to date for the year, and the percent of unexpended balance in the adjusted spending authority, and the percent of unexpended balance in the adjusted appropriation, if any. [am. 1995, ch. 153]

67-3518. Investigation of requests by administrator. — It is the duty of the administrator of the division of financial management to investigate such requests, to act upon said requests, make the necessary additions or reductions based upon necessary requirements within the amount appropriated, and deliver the same, to the state controller not later than fifteen (15) days prior to the expiration of the current spending authority. [am. 1995, ch. 153]

67-3519. Employee positions — Procedure for filling. — (1) In addition to any powers, duties, functions and responsibilities of the division of financial management expressed elsewhere in this code, the division shall establish a list of employee positions for which funds are available from the spending authority of appropriated funds to each appointing authority. A position is defined as a specific job normally held by one (1) employee. This list shall contain the title of each position and the pay grade of the position. No appointing authority, except those in the legislative and judicial departments, shall fill a new position without first obtaining the approval of the division and then obtaining proper classification from the personnel commission for positions in the classified service. No appointing authority, except those in the legislative and judicial departments, may increase the pay grade of a position by reclassification or any other means without the approval of the personnel commission for pay grade level and without the approval of the division for sufficiency of spending authority of the appointing authority to meet the proposed change. Appointing authorities in preparation of budget requests shall include exact position control numbers in justification of salaries and other compensation and must assign position control numbers to proposed new positions prior to budget submission. A list of additions, deletions and changes during the first six (6) months of the current fiscal year and projections for the second six (6) months of the current fiscal year of the positions so controlled shall be furnished by the department to the legislature and to the governor on January 1. Any authority vested in any appointing authority or agency, commission, department, board, office or institution is limited by the provisions of this section.

(2) Positions which have been authorized by the division of financial management, but which have not been filled by the appointing authority within twelve (12) months of such

authorization, shall be declared null and void, and shall not be filled except upon a new authorization by the division of financial management. [am. 1995, ch. 153]

67-3520. Economic recovery reserve fund — (1) There is hereby created in the state treasury the economic recovery reserve fund for the purpose of meeting general fund revenue shortfalls, meeting expenses incurred as the result of a major disaster declared by the governor, or for providing one (1) time tax relief payments to the citizens of the state of Idaho. Moneys in the economic recovery reserve fund shall consist of moneys remitted pursuant to section 63-2520, Idaho Code. Interest earnings from the investment of moneys in this fund by the state treasurer shall be retained in the economic recovery reserve fund.

(2) No appropriations from the economic recovery reserve fund nor any transfers out of the fund shall be made without the consent of the legislature by at least a majority of the members of each house concurring therein at an ordinary session or at an extraordinary session of the legislature called by the governor. [added 2003, ch. 362]

67-3521. Encumbering appropriations or excessive expenditures forbidden — Encumbrances to revert — Approval. — (1) No officer, department, bureau or institution, shall encumber any appropriations or be allowed to make any expenditures

from appropriations in excess of the spending authority provided by this act.

(2) Encumbrances shall be reported as reductions against appropriations in anticipation of an object coded expenditure, shall be made only for a legally contracted obligation or for the accrued cost of a specific product or service due and payable prior to or as of the end of the current fiscal year or for the term of the contract obligation, and shall not be used as a means of reserving a portion of the appropriation of one (1) fiscal year to be used in combination with the appropriation of the following year. Requests for encumbrances shall be accompanied by proper identification of the accrued cost which must be adequately covered by appropriated funds from the current fiscal year.

(3) Encumbrances not liquidated by payment of the accrued cost during the succeeding fiscal year shall revert to the fund from which encumbered, unless approved for extension by the administrator of the division of financial management.

(4) Requests for encumbrances must have the approval of the administrator of the division of financial management.

(5) Notwithstanding any of the above, all purchase orders issued by the state purchasing agent, or purchase orders issued pursuant to a delegation of purchasing authority to specified state officers and employees, shall be encumbered, and such encumbrance shall not require the approval of the administrator of the division of financial management.

(6) When purchase requisitions are submitted by agencies prior to the state purchasing agent's fiscal year-end cutoff date, but not processed either due to workload or bid requirements, agencies may submit a request for encumbrance to the administrator of the division of financial management.

(7) The provisions of this section shall not apply to encumbrances involving vocational educational reimbursements to educational institutions or to encumbrances involving contracts for the construction of highways, bridges, buildings or other primary structures or capital improvements. [am. 1999, ch. 329]

67-3524. Equitable distribution of government overhead expense. — (1) It is declared the public policy of this state that governmental overhead expenses should be equitably distributed among and between all of the boards, commissions, agencies, and other state and public entities utilizing the state controller's or state treasurer's services and functions to help defray the general fund expense of state government.

(2) Based on the advice of the state controller, the state treasurer, the administrator of the division of financial management, and a representative named by the joint finance-appropriations committee, the board of examiners shall determine governmental overhead rates composed of a financial transaction charge, and a separate personnel/payroll processing charge.

The rates shall be established annually by not later than August 15, to be applicable during the succeeding fiscal year. The financial transaction charge shall be a uniform charge applied to all financial transactions processed by the state controller through the accounting system.

The personnel/payroll processing charge shall be applied to all personnel/payroll transactions processed by the state controller.

(3) The charges imposed in this section shall be imposed and collected monthly by the state controller and utilized by the state controller for maintaining the state's accounting system and the state's personnel/payroll system. [am. 1994, ch. 180]

67-3531. Annual statewide indirect cost allocation plan. — (1) The division of financial management shall develop an annual statewide indirect cost allocation plan in accordance with circular A-87 of the federal office of management and budget. The central service costs of the various central service agencies shall be allocated annually to the recipient state agencies, and such central service costs shall be included in an agency's indirect cost plans for the purpose of determining an indirect cost rate with the cognizant federal agency, and shall be included in an agency's federal grant application.

(2) In conjunction with the respective state service agency, the division of financial management shall prepare an estimate of costs for state budgeting purposes for services provided by the attorney general, the state treasurer and the state controller. The division of financial management shall notify all state agencies of these cost estimates for the next fiscal year on or before November 1. The division of financial management and the legislative services office shall allow state agencies to modify their budget requests in response to such estimates.

(3) The division of financial management shall assess each recipient agency up to one hundred percent (100%) of the amounts allocated in the statewide cost allocation plan. Amounts so assessed shall be separately accounted for and can be expended only after legislative appropriation. [am. 2001, ch. 61]

TITLE 67
STATE GOVERNMENT AND STATE AFFAIRS
CHAPTER 36
STANDARD APPROPRIATIONS ACT OF 1945

67-3601. Application of act. — This act shall apply to all existing continuing appropriations, all legislative appropriations made by the twenty-eighth legislature and thereafter, unless express exception is contained in the appropriation act. [added 1945, ch. 48]

67-3602. Payment of salaries and wages. — No portion of any appropriation made for expenses other than salaries and wages shall be expended in payment of salaries and wages; but with the consent of the state board of examiners, any portion of any appropriation made for the payment of salaries and wages may be expended for other expenses of the particular office or institution for which it is appropriated. [added 1945, ch. 48]

67-3603. Manner of payment of sums appropriated. — All sums appropriated by any appropriation act shall, unless otherwise expressly provided by law, be paid out of the state treasury on warrants drawn by the state controller against the proper fund upon presentation of proper vouchers or claims approved as provided by law. [am. 1994, ch. 180]

67-3604. Closing accounts by state controller. — The state controller shall close his accounts as to all appropriations on the day following the close of each fiscal year, and transfer all balances unencumbered at the close of business on the preceding day to the accounts from which such appropriations are severally made. Error corrections resulting from a fiscal year's activities may be recorded without legislative authorization in the following fiscal year, provided the corrections do not exceed five hundred thousand dollars (\$500,000) and are recorded within six (6) months of the end of the fiscal year. Corrections exceeding five hundred thousand dollars (\$500,000) or discovered more than six (6) months after the end of the fiscal year shall be approved by the legislature. [am. 2001, ch. 60]

67-3605. Appropriated funds available only as allotted. — Appropriated funds shall be available only as allotted in conformity with the provisions of Chapter 75, 1941 Session Laws as amended [sections [67-3516](#) through [67-3522](#), Idaho Code]. [added 1945, ch. 48]

67-3607. Moneys accruing to interest funds. — The moneys accrued to interest funds arising from endowment and land grants are hereby perpetually appropriated therefor, and shall not be placed in the general fund of the state of Idaho, nor confused therewith, but shall remain inviolable in the respective interest funds, for the sole use of the designated beneficiary thereof. [added 1945, ch. 48]

67-3608. Moneys received by state educational institutions deposited with state treasurer — Exceptions. — Except as otherwise expressly provided by law, all sums of money received by any state educational institution, which belong to the state of Idaho, or received by any agent, employee or representative thereof, for services, fees or net deposits, or for any other purposes whatever, except income pledges under [chapter 37, title 33](#), Idaho Code, and excepting income pledges under any other law or laws of the state of Idaho now in force or hereafter enacted and in force, and excepting moneys received from the United States pursuant to appropriations made by it for the maintenance, use and support of any of the educational institutions referred to herein, or for cooperative work with the United States, or for payments in reimbursement of money expended in such cooperative work, shall be immediately paid by the person receiving the same to the bursar of such educational institution, who shall deposit the same with the state treasurer at the time and in the manner required by law. Trust moneys shall not be construed to be moneys belonging to the state of Idaho. It is hereby made the duty of the state controller and state treasurer to enter the deposits so received in the general fund of the state of Idaho, and the state controller shall add the deposits so received to the appropriation currently available to the said institution; and all such sums of money so received and added are hereby appropriated from the general fund of the state of Idaho for the maintenance, use and support of such institution, and the moneys shall be expended for the use and support of such institution and shall be audited and accounted for as other appropriations to the said institution. [am. 1994, ch. 180]

67-3609. Moneys from outside sources used in addition to direct appropriation. — Moneys from outside sources except those mentioned in section [67-3608](#) above, as "received from the United States pursuant to appropriations made by it for the maintenance, use and support of any of the educational institutions referred to herein, or for cooperative work with the United States, or for payments in reimbursement of money expended in such cooperative work," are hereby declared to be available for the use for which such money is received for such institution or work, and if received under such terms as to require appropriation, are hereby appropriated to such use, to be used in addition to the direct appropriations made to such institution and the appropriations of other income herein made. [added 1945, ch. 48]

67-3610. University of Idaho — Annual audited financial statement. As a condition to availability of appropriations made to it, and to institutions and activities under its control or supervision, the state board of education and board of regents of the University of Idaho shall file with the state controller on or before a date mutually agreed upon by the state controller and the state board of education and board of regents of the university of Idaho, an audited financial statement showing receipt of moneys from state and federal appropriations, endowment funds, local and institutional incomes, or from any other source, made to it and to institutions and activities under its control or supervision. [am. 2003, ch. 32]

67-3611. Expenditure of funds from sale of services, rentals or sale of products by state institutions. — All state institutions, educational, charitable, penal and otherwise, shall be allowed to expend the funds arising from the sale of services, rentals

APPENDIX: LAWS GOVERNING THE STATE BUDGET

of personal property, stock, farm or garden produce, or other goods, or articles produced within or by the institution, for the maintenance, use and support of said institution, without reducing the amount of the appropriations made to such institutions; all such sums received shall be deposited with the state treasurer and it is hereby made the duty of the state controller and the state treasurer to enter deposits so received in the general fund of the state, and the state controller shall add the deposits so received to the appropriations made to such institutions severally; and the sums of money so received are hereby appropriated from the general fund of the state of Idaho for the maintenance, use and support of the institution by which the same are so received; and the said moneys shall be expended for the use and support of such institution for which the same were deposited, and shall be audited and accounted for as other appropriations to the said institution are. [am. 1994, ch. 180]

67-3612. Exemptions. — This act shall not apply to emergency and contingent appropriations, nor to appropriations the normal operation of which requires a total or lump sum disbursement. [added 1945, ch. 48]

67-3614. Title of act. — This act shall be known and may be cited and made applicable by its name of "The Standard Appropriations Act of 1945." [added 1945, ch. 48]