

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 219

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE HIGHWAY DISTRIBUTION ACCOUNT AND THE IDAHO STATE POLICE; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE DISTRIBUTIONS FROM THE HIGHWAY DISTRIBUTION ACCOUNT, TO PROVIDE EFFECTIVE DATES AND TO MAKE TECHNICAL CORRECTIONS; AND PROVIDING LEGISLATIVE INTENT.

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

SECTION 1. That Section 40-701, Idaho Code, be, and the same is hereby amended to read as follows:

40-701. HIGHWAY DISTRIBUTION ACCOUNT – APPORTIONMENT. (1) There is established in the state treasury an account known as the "Highway Distribution Account," to which shall be credited:

- (a) Moneys as provided by sections 63-2412(1)(e)4, and 63-2418(3), Idaho Code;
- (b) All moneys collected by the department, ~~their~~ its agents and vendors, and county assessors and sheriffs, under the provisions of title 49, Idaho Code, except as otherwise specifically provided for; and
- (c) All other moneys as may be provided by law.

(2) The highway distribution account shall be apportioned as follows:

- (a) Thirty-eight percent (38%) to local units of government as provided in section 40-709, Idaho Code;
- (b) ~~Fifty-seven~~ Sixty-two percent (~~57~~62%) to the state highway account established in section 40-702, Idaho Code; and
- (c) ~~Five percent (5%) to the law enforcement account, established in section 67-2914, Idaho Code.~~ The state controller shall cause the remittance of the moneys apportioned to local units of government not later than January 25, April 25, July 25 and October 25 of each year, and to the state highway account and the law enforcement ~~account~~ fund as the moneys become available to the highway distribution account.
- (d) Twelve million dollars (\$12,000,000) to the law enforcement fund.
- (e) Nine million dollars (\$9,000,000) to the law enforcement fund.
- (f) Six million dollars (\$6,000,000) to the law enforcement fund.
- (g) Three million dollars (\$3,000,000) to the law enforcement fund.
- (h) The provisions of subsection (2)(b) and (c) of this section shall be in full force and effect on and after July 1, 2009.
- (i) The provisions of subsection (2)(d) of this section shall be in full force and effect on July 1, 2009, through June 30, 2010.
- (j) The provisions of subsection (2)(e) of this section shall be in full force and effect on July 1, 2010, through June 30, 2011.

1 (k)The provisions of subsection (2)(f) of this section shall be in full force and effect on
2 July 1, 2011, through June 30, 2012.

3 (l) The provisions of subsection (2)(g) of this section shall be in full force and effect on
4 July 1, 2012, through June 30, 2013.

5 (3) Interest earned on the investment of idle moneys in the highway distribution account
6 shall be paid to the highway distribution account.

7 (4) All idle moneys in the dedicated highway trust or asset accounts or subaccounts
8 established from highway user revenues, reimbursements, fees or permits shall be invested by
9 the state treasurer in the same manner as provided under section 67-1210, Idaho Code, with
10 respect to other surplus or idle moneys in the state treasury. Interest earned on the investments
11 shall be returned to the various highway trust or asset accounts and subaccounts.

12 SECTION 2. LEGISLATIVE INTENT. It is the intent of the Legislature that moneys
13 credited to the state Highway Distribution Account, established in Section 40-701, Idaho Code,
14 should provide resources solely for projects related to transportation issues in this state. For
15 that reason, annual distributions from the Highway Distribution Account to the Idaho State
16 Police will be eliminated over a four year period pursuant to this act. However, the Legislature
17 is committed to ensuring that the welfare and safety of Idahoans shall not be compromised
18 as a result of this funding change for the Idaho State Police. To so ensure, it is legislative
19 intent to provide annual funding to the Idaho State Police in a like amount as that which was
20 distributed from the Highway Distribution Account to the Idaho State Police during fiscal year
21 2009. It is the intent of the Legislature to appropriate annually, from the state General Fund
22 to the Law Enforcement Fund, sufficient moneys to offset the reduced allocation from the
23 Highway Distribution Account provided for in this act. Provided however, that for fiscal years
24 2010, 2011, 2012 and 2013, in determining the amount of any such appropriation from the state
25 General Fund, the Legislature shall add the allocation from the Highway Distribution Account
26 to the Idaho State Police provided for in this act to any such General Fund appropriation so
27 as not to exceed the fiscal year 2009 allocation to the Idaho State Police from the Highway
28 Distribution Account.