

IN THE SENATE

SENATE BILL NO. 1263

BY TRANSPORTATION COMMITTEE

AN ACT

1 RELATING TO HIGHWAY TRANSPORTATION PROJECTS; APPROVING BONDING AUTHORITY TO  
2 FINANCE CERTAIN HIGHWAY TRANSPORTATION PROJECTS; PROVIDING A DESCRIP-  
3 TION OF PROJECTS TO BE FINANCED WITH BOND PROCEEDS; LIMITING THE SCOPE  
4 OF THE PROJECTS; PROVIDING A REQUIREMENT REGARDING A GARVEE PROGRAM  
5 MANAGEMENT SERVICES AGREEMENT; PROVIDING FOR ISSUANCE OF GARVEE BONDS;  
6 AND PROVIDING THAT BONDS BE ISSUED WHEN NECESSARY.  
7

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

9 SECTION 1. The Legislature hereby approves bonding authority for the  
10 issuance of highway transportation (GARVEE) bonds by the Idaho Housing and  
11 Finance Association in a principal amount sufficient to finance the highway  
12 transportation projects listed in Section 2 of this act in an amount up to  
13 \$100,000,000. Such bonds are expected to be paid from continuing appropria-  
14 tions of federal funds from the State Highway Account as provided in Section  
15 40-707, Idaho Code.

16 SECTION 2. The Legislature finds that the bonding authority provided  
17 in Section 1 of this act shall be used in a manner that does not obligate fu-  
18 ture legislatures or governors for additional bonding authority. The bond-  
19 ing authorized in Section 1 of this act shall be used to finance right-of-way  
20 acquisition on projects described in Section 40-315, Idaho Code. The Idaho  
21 Transportation Board shall allocate bond proceeds to any project or projects  
22 it approves.

23 SECTION 3. The Idaho Transportation Board and the Idaho Transportation  
24 Department are hereby directed to neither increase the scope nor in any man-  
25 ner extend or enlarge the transportation projects listed in Section 2 of this  
26 act.

27 SECTION 4. To the extent the Idaho Transportation Board and the Idaho  
28 Transportation Department determine that GARVEE program management ser-  
29 vices are necessary, any agreement governing such services shall, to the  
30 extent possible, be fully transparent to the public and to the Legislature.

31 SECTION 5. The bonds issued under the authority provided in Section 1  
32 of this act shall be issued upon an approved resolution by the Idaho Trans-  
33 portation Board requesting the Idaho Housing and Finance Association to is-  
34 sue bonds in amounts necessary to ensure that: the funds are necessary to  
35 meet program obligation requirements; the funds will be used and disbursed  
36 in accordance with United States Treasury regulations to ensure tax-exempt  
37 status is retained; and the bonds are issued at prevailing market rates of  
38 interest. It is the request of the Legislature that the issuance is depen-  
39 dent upon advantageous market rates and costs of bonding transactions.

1           SECTION 6. The bonds described herein shall be issued when necessary as  
2           determined by the Idaho Transportation Board.