2018 Legislative Session
Key Actions Summary

Tax relief dominated the Second Regular Session of the 64th Idaho Legislature. The Session began on January 8, 2018, shortly after Congress passed federal tax reform. The state’s economy continued to strengthen, which allowed the Legislature again to address areas of vital interest to Idahoans. Important legislative action included reductions in income tax rates (individual and corporate rates) and increases in public education support.

With improving economic conditions and strong revenue growth, the Legislature cut taxes for most individuals and businesses in the state, providing nearly $142 million in tax relief. Federal tax reform played a role in driving these changes and, in response, the Legislature reduced income tax rates (by nearly half a percentage point), the Legislature also provided a new child tax credit of $205 for eligible children. The net impact of the Legislature’s tax package, while accounting for conformity to federal tax reform, resulted in a fiscal impact of approximately $129.5 million less revenue to the General Fund.

Regarding education, for the fourth year in a row the Legislature increased the General Fund appropriation for K-12 by more than $100 million. Included in K-12 funding is $41.6 million for the fourth year of the five-year phase-in of the career ladder compensation system for teachers. The K-12 appropriation reflects a 5.9% increase in General Fund support over last year’s appropriation. Other notable increases in General Fund appropriations include a 10% increase for Medicaid and a 20% increase for Health Education programs. (See General Fund Comparison on the last page of this report for additional information.)

The Legislature also accomplished the following, among many other matters: revised the Idaho Child Protective Act by providing more review and oversight of the foster care system as recommend by the Foster Care Interim Committee; provided that certain water right holders participating in an approved management plan are not subject to administration on a time priority basis; provided for suicide awareness and prevention training for teachers and other public school personnel; provided that certain adult students are eligible for Idaho Opportunity Scholarships if they meet certain criteria; to further transparency in government, the Legislature required that the open meetings law applies to meetings of public agencies established by executive order of the Governor and that meeting agendas be posted online if the agency has an online website; expanded provisions regarding self-defense to allow for the defense of oneself, others, a home or habitation, place of business or employment, or an occupied vehicle; and finally, the Legislature followed most of the recommendations of the Joint Change in Employee Compensation Committee, which included a 3% salary merit increase for state employees.

Regarding statewide budget matters, revenue projections for fiscal year 2019 represent the eighth consecutive year of economic growth in the state. In January 2018, the Division of Financial Management revised the FY 2018 forecast upward to $3.63 billion, reflecting a 5.3% revenue growth over actual FY 2017 collections. While the Economic Outlook and Revenue Assessment Committee concurred with the projections from the Executive Branch, JFAC later used $3.65 billion (or $20 million more than the EORAC projection) for the purposes of setting budgets. General Fund revenue collections have come in $111 million higher than anticipated through February 2018. For FY 2019 the original forecast of $3.78 billion was increased in January to $3.82 billion due to a number of factors including current economic conditions, actual collections and the recently passed federal Tax Cuts and Jobs Act. Both EORAC and JFAC concurred in this assessment.

Legislators wrote more than 770 pieces of draft legislation, of which approximately two-thirds were introduced as bills. The following is a summary list of selected key actions that successfully made their way through the legislative process in the 2018 Legislature. As stated above, a one-page budget comparison is also included on the last page. (A more complete document, the Sine Die Report, will include an expanded overview of legislation, the total volume of legislation, administrative rules, and a more detailed look at the Legislature’s budget decisions. All legislators will receive a copy of the Sine Die Report in a couple of weeks.)
Agriculture

H 537    PRODUCE SAFETY LAW - Authorizes the Idaho State Department of Agriculture to administer and enforce the Idaho Produce Safety Law, not to exceed the standards required by federal law. Designates the department as the contracting agency for inspections in the State of Idaho that are contracted by the United States Food and Drug Administration for the inspection of nonretail activities subject to registration under Section 415 of the federal Food, Drug and Cosmetic Act.

H 658a   PROPERTY TRESPASS – Amends civil, criminal and hunting laws regarding trespassing on private property to make them more uniform in their treatment of three key areas: an owner’s “No Trespassing” posting requirements, penalties and damage awards, and exceptions to the trespass laws. It also allocates a portion of fines for criminal trespass to be applied to education programs regarding private property rights and land user responsibility from the Idaho Rangeland Resources Commission and requires the Idaho Department of Fish and Game to provide permission forms and information regarding property owners’ rights and sportsmen’s duties.

H 718    STOCKWATER RIGHTS - Provides that an agency of the federal government cannot obtain or retain stockwater rights unless it actually owns livestock; puts the water to beneficial use and provides a procedure for forfeiture.

S 1305   STOCKWATER, LIVESTOCK - Provides that for rights to the use of water for in-stream or out-of-stream livestock purposes associated with grazing on federally owned or managed land as established under the diversion and application to beneficial-use method of appropriation, the stockwater rights shall be an appurtenance to the base property.

Economic Development

H 527    LABOR, FRANCHISE EMPLOYEES - Provides that neither a franchisee nor a franchisee’s employee shall be considered an employee of a franchisor unless the franchisor exercises an unusual degree of control over the franchisee or the franchisee’s employee. This legislation is intended to clarify that the franchisee is the ultimate employer of the franchisee’s employees for purposes of employment litigation.

S 1233   STEM ACTION CENTER - Provides for the STEM Action Center Advisory Board, to revise the terms of certain members of the board, to provide for staggered terms, to revise the duties of the STEM Action Center and to provide that the administrator shall report the progress of the STEM Action Center.

Criminal Justice and Public Safety

H 429a   CRIME VICTIMS COMPENSATION - Provides that the health insurance plan of an alleged victim of sexual assault cannot be billed for the costs of forensic and medical examinations.

H 447    CIVIL FORFEITURE, PROPERTY - Revises which property is subject to civil forfeiture and under what conditions vehicles would not be subject to forfeiture in connection with mere possession of a controlled substance absent a trafficking charge; that property that is merely in proximity to a controlled substance is not subject to forfeiture absent a meaningful connection; and that the presence of currency, without other evidence of wrongdoing, is not sufficient cause for a seizure or forfeiture.

H 448    BREASTFEEDING EXEMPT, OBSCENITY - Provides exemptions from indecent exposure and obscenity for breastfeeding mothers.

H 499    RECORDS, LAW ENFORCEMENT RECORDING - Provides requirements for the classification, retention and destruction of law enforcement media recordings.

H 551    IGNITION INTERLOCK SYSTEM, DUI - Provides for the installation of an ignition interlock system for persons who are convicted of driving under the influence for the first time, with certain exceptions.
Education

H 565 FIREARMS, RETIRED LAW ENFORCEMENT - Allows retired law enforcement officers to carry a concealed weapon at schools and public colleges and universities.

H 649 MEDICAL HELP, OVERDOSE, CHARGES - Provides that persons acting in good faith who are seeking or needing medical assistance for a drug-related overdose shall not be charged or prosecuted for possessing, using or being under the influence of a controlled substance.

H 665 SCHOOL VIOLENCE - Revises provisions regarding threatening school violence to account for threats made off campus or electronically and provides that threats made while in possession of a deadly weapon shall be a felony.

S 1254 WIRELESS PHONE SERVICE, TRANSFERS - Authorizes a court to issue an order to transfer wireless telephone service, billing responsibility and telephone numbers to a party that is not the account holder in order to allow victims of domestic violence to retain use of an existing number.

S 1269 AGGRAVATED SEXUAL BATTERY - Provides for the crimes of sexual battery and aggravated sexual battery, provides punishments and provides that the Sexual Offender Registration Notification and Community Right-to-Know Act shall apply to any person who commits aggravated sexual battery.

S 1270a FORCIBLE PENETRATION, FOREIGN OBJECT - Revises the conditions for committing the crime of forcible penetration by a foreign object by removing the requirement that the act was done for sexual arousal, gratification or abuse.

S 1313 SELF-DEFENSE, STAND YOUR GROUND - Revises provisions regarding self-defense to allow for the defense of self, others, a habitation, place of business or employment, or an occupied vehicle.

S 1314a CRIMINAL RECORDS, EXPUNGEMENT - Allows for the expungement of fingerprint and criminal history records for a person who has had all charges dismissed.

Education

H 443 SCHOOL DISTRICTS, FIREARM EDUCATION - Authorizes a school district to offer an elective firearms safety education course to primary and secondary school students.

H 472 RURAL PHYSICIANS, STATE MATCH - Provides a two-to-one state match for student contributions to the Rural Physician Incentive Fund. The purpose of this legislation is to improve rural health care by providing more grants for student loan repayments to physicians who practice in rural areas, thereby encouraging physicians to practice in areas where the demand for health care providers is greater than the current supply. The appropriation for this bill is S 1374.

H 503 EDUCATION, CAREER LADDER - Allows the State Department of Education to place occupational therapists and physical therapists on the career ladder in accordance with their years of service as an occupational therapist or a physical therapist as recommended by the Professional Standards Commission.

H 631 HIGHER EDUCATION, RESIDENCY REQUIREMENTS - Grants in-state residency status to graduate students attending an Idaho institution of higher education who earned their undergraduate degree at an institution of higher education in Idaho or who have resided in Idaho for at least a year.

H 634 EDUCATION, SUICIDE PREVENTION - Provides for suicide awareness and prevention training for teachers and other public school personnel.

H 648 COMPUTER SCIENCE COURSES - Requires that public school districts make computer science courses available to all high school students.

S 1267a STEM DIPLOMA - Provides that a high school student may receive a STEM diploma if the student earns a sufficient number of credits in science, technology, engineering and mathematics.
S 1279  IDAHO OPPORTUNITY SCHOLARSHIP - Allows Idaho Opportunity Scholarship funds to be awarded to adult students who have earned at least 24 credits and who are completing their first undergraduate degree or certificate at an Idaho postsecondary institution.

Elections

H 386  ELECTIONS – Revises the types of county election records that shall be retained for a specified number of years and provides that the statewide voter registration database shall constitute the register of electors.

H 568  INITIATIVES AND REFERENDA - Revises provisions regarding city and county initiative or referendum elections and providing that initiative and referendum procedures shall not apply to any local planning and zoning ordinances.

H 620  ELECTIONS – Prohibits the use of public funds to advocate for or against a candidate or certain ballot measures.

H 626  BONDED INDEBTEDNESS ELECTIONS – Requires the disclosure of the estimated average annual cost of a proposed bond to a taxpayer.

S 1280  SCHOOL DISTRICT BOARD OF TRUSTEES - Changes the date of school board elections from May in odd-numbered years to November in odd-numbered years. The purpose of the legislation is to increase voter turnout for these elections.

General Government

H 400  PERSI, ALLOWANCE COMPUTATIONS - Revises a provision regarding an initial retirement allowance, to provide for how a certain early retirement benefit is determined and to provide for how a certain accrued retirement allowance is determined.

H 433  ADMIN, MULTIAGENCY FACILITIES - Provides that the Director of the Department of Administration shall have exclusive control over certain multiagency facilities, revises terminology, removes reference to the State Building Authority and provides that certain funds deposited to the Permanent Building Account shall be accounted for separately.

H 493  STATE CONTROLLER - Authorizes the State Controller to modernize and replace the state’s business information infrastructure, including its financial, payroll, human capital management (HR), budget and procurement systems. It also creates a leadership council to oversee the project, and a new continuously-appropriated fund for procurement and implementation of the system, which will draw its revenue from the Indirect Cost Recovery Fund for a five-year period.

H 544  STATE FACILITIES, UPKEEP, FUNDING - Provides that rental rates at multiagency facilities shall include a provision sufficient to provide for the long-term maintenance and upkeep of the facilities, subject to the review and approval of the Permanent Building Fund Advisory Council.

H 547a  BUILDING CODES - Provides that local jurisdictions shall not adopt versions of the residential building codes that have not been adopted by the Idaho building Code Board with certain exceptions.

H 605  ALCOHOL, WATERFRONT RESORTS - Provides that liquor licenses issued to waterfront resorts shall remain valid and may be transferred even if the body of water on which the resort is situated ceases to meet certain requirements. The purpose of the legislation is to protect licenses already issued from being rendered invalid or non-transferable based on natural changes to water flow or other factors outside the license holder's control.

H 606  OPEN MEETINGS LAW, PUBLIC AGENCY - Amends the Open Meetings Law to include meetings of public agencies established by executive order of the Governor.
OPEN MEETINGS NOTICES, AGENDAS - Requires that meeting agendas for government entities be posted online if the entity has an online presence, and further requires that any agenda item that the entity intends to vote on at a meeting be labeled an “action item.” The purpose of the legislation is to increase transparency and ensure that the public is notified when a government entity intends to take action.

STATE OFFICERS, SALARIES - Revises the salaries of the Governor, Lieutenant Governor, State Controller, Secretary of State, Attorney General, State Treasurer and Superintendent of Public Instruction.

HEALTH INSURANCE, WAIVER - Provides a definition, an exception, and a certain waiver for health insurance.

LEGAL IMMUNITY, VEHICLE ENTRY - Provides immunity from civil and criminal liability for entry, including forced entry, into a motor vehicle for the purpose of removing a person who appears to be in imminent danger of death or serious bodily harm. To qualify for such immunity, a person must use no more force than necessary to enter the vehicle and must contact law enforcement if feasible.

PUBLIC RECORDS - Revises a definition, provides that bonuses, severance packages, other compensation, or vouchered and unvouched expenses for which reimbursement was paid to a public official are not exempt from disclosure, provides that social security numbers and driver's license numbers shall be exempt from disclosure, and provides that public agencies shall designate one person as custodian to receive public records requests and shall provide an alternate custodian or alternate custodians for contingencies.

PLANNING, DEVELOPMENT APPLICATION - Provides for notice to irrigation districts, ground water districts, Carey Act operating companies, nonprofit irrigation entities, and lateral ditch associations and drainage districts that have requested to receive notice whenever a county or city considers a proposed subdivision or any other site-specific land development application.

BARBER AND COSMETOLOGY SERVICES ACT - Combines the Boards of Barber Examiners and Cosmetology, provides safety and disinfection training for licensees and certificate holders, and provides flexibility to individuals entering the profession by allowing them to select a more focused area of preparation and practice.

PHARMACY, DRUG SUBSTITUTIONS - Allows pharmacists to substitute drug products for patients when the substitute drug is in the same therapeutic class as the originally prescribed drug and when the substitute drug will have a substantially equivalent therapeutic effect as the originally prescribed drug. The purpose of a substitution would be to make the prescription more affordable to the patient. Before a substitution may be made, the prescriber must authorize the substitution, and the patient must agree to it.

VOLUNTEER HEALTH CARE PROVIDERS - Provides immunity from liability in a civil action for volunteer health care providers who participate in a community health screening event, such as health screenings offered by schools or churches. A health screening is an examination, an evaluation, or another assessment performed by a health care provider for the purpose of determining whether a person is fit to participate in a sport or another activity or for the purpose of determining whether a person needs further evaluation or treatment for a health condition. The legislation is intended to encourage health care providers to participate in community health screening events. The immunity is limited to civil actions relating only to the screening and does not cover provision of any treatment.

MEDICAL DIRECTORS, CLASSIFICATION - Provides that medical directors employed at state hospitals shall be nonclassified employees. The purpose of this legislation is to make recruiting and retaining physicians to serve as medical directors easier by ensuring that the medical directors’ salaries are competitive.

MEDICAID, DENTAL SERVICES - Restores preventative dental care to the existing adult Medicaid population to the extent that such care was provided under the state’s Medicaid plan prior to 2011. The appropriation for this bill is S 1376.
H 546  ANATOMICAL GIFTS, AGE OF DONATION - Provides that a minor aged fifteen years or older may make an anatomical gift with written consent of the minor’s parent or guardian.

H 638  ABORTION, REPORTING ACT - Establishes reporting requirements for health care institutions and personnel for health complications arising as a result of abortion.

S 1243  ABORTION, POSTING INFORMATION - Requires that information regarding chemical abortion be provided to patients considering the procedure, including information about health care providers who may be consulted about the procedure.

S 1302  INSURANCE, ORGAN DONATION - Prohibits insurers from discriminating against living organ donors through higher premiums or denial or limitation of insurance coverage. The purpose of the legislation is to protect those persons who save lives by serving as living organ donors and to remove barriers to serving as an organ donor.

S 1341  CHILD PROTECTIVE ACT - Provides more review and oversight of the foster care system in Idaho as recommended by the Foster Care Interim Committee. The legislation is intended to preserve sibling connections in foster care and strengthen support services for newly reunified families. The legislation establishes a system for increased accountability for child welfare outcomes through the use of Citizen Review Panels, enhances procedures that guide investigations of suspected child abuse and neglect, and clarifies the process and standard for contesting foster care and permanency placement. Funding for this bill can be found in H 716.

Insurance

H 548  INSURANCE, LONG-TERM CARE - Benefits provided by a long-term care rider shall be considered the same type of benefits as the base life insurance policy or annuity contract to which it relates, and a new assessment methodology is set forth that will split the coverage cost of long-term care policies, with fifty percent allocated to health member insurers, and fifty percent allocated to life and annuity member insurers.

S 1288  OUT-OF-STATE INSURERS - Provides that foreign insurers licensed and authorized to sell individual or group accident and sickness insurance in another state that have obtained a certificate of authority from the Idaho Department of Insurance may offer and sell individual or group accident and sickness insurance policies in Idaho as long as the individual or group accident and sickness policies provide the mandatory coverages under Idaho’s insurance law.

Natural Resources

H 371  CRITICAL GROUND WATER AREAS - Provides that water right holders participating in an approved ground water management plan shall not be subject to administration on a time priority basis as long as they are in compliance with the ground water management plan. Eliminates a requirement that the Director of the Department of Water Resources determine if there is sufficient ground water and issue a curtailment order by September 1 of the year prior to the year in which administration on a time priority basis shall occur.

H 549  FISH AND GAME, ROADWAY SALVAGE - Allows for the salvage of a big game animal, upland game animal, upland game bird, furbearing animal, predatory wildlife or unprotected wildlife unintentionally struck and killed by a vehicle on a roadway, and the dispatch and salvage of such animal if severely injured, and requires that such action be reported to the Department of Fish and Game.

S 1275  WOLF COLLARING - Sets forth the expectation of the Legislature that wolf collaring will be continued as one of the proactive management tools for packs that are predisposed to depredation on domestic livestock.
Taxation

Income Tax

H 355   INCOME TAXATION – This is the annual tax conformity bill for tax year 2017 which amends existing law to clarify what the term “Internal Revenue Code” means for state income tax purposes and to provide adjustments to taxable income for corporations. The new Tax Cuts and Jobs Act has a couple of provisions that affect the 2017 tax year. The first lowers the threshold to claim medical expenses from 10% down to 7.5%. The second is a provision that requires taxpayers to report and pay tax on previously unreported overseas earnings, known as repatriation.

H 384   INCOME TAXES - Allows for the use of net operating losses, Idaho credits and capital loss carryovers to offset an increase in taxable income due to a bonus depreciation adjustment.

H 451   INCOME TAXATION - Provides an income tax credit for charitable contributions made to medical residency placement organizations accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association or their designated nonprofit support organizations based in Idaho and devoted to training residents in Idaho.

H 453   ADOPTION EXPENSES – Amends existing law to increase the amount of the income tax deduction for adoption expenses to a maximum of $10,000 from $3,000. Adoption expenses can include legal fees, medical expenses and other costs that adoptive parents may deduct from their taxable income.

H 463   TAXES - Provides for applicability of the Internal Revenue Code to different tax years; revises the calculation of a net operating loss; revises the calculation of net taxable income for corporations; reduces the individual and corporate income tax rate; and provides for a child tax credit.

H 514   TAXATION – Aligns the Idaho treatment of capital gains with the IRS treatment of capital gains with regard to the sale of a real estate partnership interest.

H 515   INCOME TAXATION – Aligns the Idaho treatment with the IRS treatment of the taxation of nonqualified withdrawals from a college savings plan, by only permitting the taxation of the interest portion of the withdrawal, not the principal.

H 624   TAXES – This is a trailer bill to the annual tax conformity bill. It updates references to the Internal Revenue Code for the definition of federal taxable income for businesses and individuals. Congress changed the Internal Revenue Code with the Bipartisan Budget Act of 2018, which extended several federal laws for deductions for mortgage insurance premiums, mortgage interest, and qualified tuition expenses. These changes affect taxpayers in tax year 2017.

H 675   INCOME TAXATION – This bill amends H 463 by increasing the child tax credit to $205 per eligible child from $130. This amendment is intended to mitigate tax increases on families with three or more children due to taxable income changes for individuals caused by the federal Tax Cuts and Jobs Act.

General Tax

H 335   EMPLOYMENT SECURITY LAW - Reduces the taxable wage rate fund size multiplier and authorizes the Labor Department Director to adjust the taxable wage rates under certain circumstances.

H 363   FUELS TAXES - Revises the definition of a "distributor" and provides for the taxation of gaseous special fuels when delivered into a bulk fuel tank upon agreement between the seller and the customer.

H 462   FOREST LANDS TAXATION - Provides for a productivity classification of a forest land parcel to remain or revert to a certain classification status and requires a process by which a county assessor may seek to change the productivity classification in the future.
S 1234  IDAHO STATE TAX COMMISSION - Requires employees, employment applicants, contractors and subcontractors of the Tax Commission to have a criminal background check if they will have access to federal tax information.

S 1294  TOBACCO TAXES - Allows cigarette and tobacco tax revenue to be used for substance abuse prevention programs at the Idaho School for the Deaf and Blind.

Property Tax

H 390  PROPERTY TAXES, MAILING REQUIREMENT - Removes the requirement that county assessment roll abstracts be sent to the Idaho State Tax Commission by certified mail.

H 492  PROPERTY TAXES, DISABLED VETERANS - Creates a special property tax reduction for veterans who are 100% disabled.

H 559  TAX EXEMPT PROPERTY - Provides for a provisional property tax exemption for property that is under construction for a tax-exempt purpose.

H 591  TAX EXEMPTION, CAPITOL INVESTMENTS - Revises definitions and to provide application to operating property for the tax exemption for new capital investments.

H 594a  TAX EXEMPT PROPERTY, HOP CROPS - Revises the definition of "agricultural equipment and machinery" for property tax-exemption purposes.

S 1230  PROPERTY TAXES, DELINQUENCY - Clarifies that a payment shall be applied to the oldest delinquent account in the county's records first for property tax purposes.

S 1231  PROPERTY TAXES, LATE CHARGES - Provides for the assessment of late charges and interest on delinquent accounts for property tax on the supplemental or missed property roll.

Sales Tax

H 513  SALES TAX, FREE/CHARITABLE CLINICS - Provides a sales tax exemption for the Idaho Association of Free and Charitable Clinics and its member clinics.

H 578  SALES AND USE TAX - Revises the definition of "retailer engaged in business in this state."

H 592  IDAHO NATIONAL LAB, SALES TAX - Amends existing law to revise the sales and use tax exemption for the Idaho National Laboratory.

Transportation

H 387  LICENSE PLATE FEES, PURPLE HEART - Allows a Purple Heart recipient who qualifies for a disabled veteran fee exemption the choice between a Purple Heart recipient license plate or a disabled veteran license plate. If the recipient chooses a Purple Heart recipient license plate, the recipient shall be exempt from license plate fees and registration and re-registration fees for the recipient’s motor vehicle.

H 388  MOTOR VEHICLES, EMERGENCY APPROACH - Provides that the operator of a vehicle, upon the approach of an emergency vehicle, should pull over to the nearest curb or edge on the right side of the road.

H 471  TRAFFIC, LEFT LANE - Prohibits operating a vehicle in the extreme left-hand lane of a road for a period of time that impedes the flow of traffic.

H 506a  MILITARY VEHICLES - Allows members of the public to register, and operate on public highways, vehicles built for the United States armed forces.
Concurrent Resolutions & Joint Memorials

**HCR 41**  GROUP INSURANCE COMMITTEE - Authorizes the Legislative Council to appoint a committee to continue a study of the State Employee Group Health Plan structure and to make recommendations.

**HCR 49**  PUBLIC SCHOOL FUNDING FORMULA - Authorizes the Legislative Council to appoint a committee to continue an ongoing study of the specific changes needed to implement recommended changes to the state’s public school funding formula.

**HCR 51**  STATE BUILDINGS, STUDY GROUP - Authorizes the formation of a study group to make recommendations regarding the locations of state government agencies.

**SCR 134**  TRANSPORTATION AUTHORITY - Authorizes the Legislative Council to appoint a committee to undertake and complete a study of the imposition of registration and operating fees for commercial vehicles and farm vehicles weighing over 60,000 pounds.

**SCR 140**  STATE HOSPITAL SOUTH, NURSING - Authorizes the Department of Health and Welfare to enter into an agreement with the Idaho State Building Authority to finance a new skilled nursing facility on the Idaho State Hospital South campus.

**SCR 143**  CAMPAIGN FINANCE – Authorizes a legislative study committee on campaign finance issues.

Fiscal Year 2019 Appropriations

**Change in Employee Compensation (CEC): All Agency budgets –**

The Division of Human Resources, the Governor, and the Change in Employee Compensation (CEC) Committee recommended a 3% salary increase for state employees. JFAC funded the increase in each agency’s appropriation bill. The 3% increase in funding will be distributed based on merit for permanent state employees at the discretion of agency heads and institution presidents.

**H 442**  APPROPRIATIONS, IDAHO TRANSPORTATION DEPARTMENT - Provides a supplemental appropriation for the Idaho Transportation Department for FY 2018. This bill provides a cash transfer and an appropriation from the General Fund to the Strategic Initiatives Program Fund in the amount of $27,669,500, this is to be split 60/40 between the Idaho Transportation Department and local units of government, and is to be used to fund transportation projects that are purposed by the department’s six districts and local units of government. Additional, the bill appropriates $18,216,700 from the Transportation Expansion and Congestion Mitigation Fund to be used for projects chosen by the board to help improve traffic flow and mitigation of traffic congestion; and provides an appropriation in the amount of $1,000,000 for an International Registration Plan (IRP) software replacement.

**H 612**  APPROPRIATIONS, TISF, TRANSFER - Created the Technology Infrastructure Stabilization Fund in order to save, budget for, and fund technology infrastructure projects throughout state government. The bill appropriated and transferred $22 million from the General Fund to the stabilization fund. Lastly, uses of the fund include allowing Legislative Services Office, through appropriation, the ability to use funding to procure technology expertise to review annual budget requests.

**H 645**  APPROPRIATIONS, OFFICE OF DRUG POLICY - Appropriates $4,823,500 to the Office of Drug Policy for FY 2019 and includes $120,000 for opioid addiction prevention services at four Idaho Hospitals. The intent of this funding is to provide education to patients about the addictive nature of opioids and opioid derivatives before they are dismissed from the hospital.

**H 650**  APPROPRIATIONS, ENDOWMENT FUND INVESTMENT BOARD - Appropriates $722,700 to the Endowment Fund Investment Board for FY 2019; limits the number of authorized full-time equivalent positions to 3.70; authorizes
continuous appropriation authority for certain costs; and expresses legislative intent with regard to transfers from the earnings reserve funds to the income funds.

H 654  APPROPRIATIONS, PUBLIC TELEVISION - Appropriates a total of $9,448,600 to Idaho Public Television, including support for a new television series, Idaho Experience.

H 661  APPROPRIATIONS, HISPANIC AFFAIRS COMMISSION - Appropriates a total of $330,600 to the Commission on Hispanic Affairs, which includes $25,000 for ongoing outreach to underserved Hispanic communities in Idaho.

H 668  APPROPRIATIONS, SUPREME COURT - Provides the FY 2019 appropriation for the Supreme Court; appropriates $72,935,400 and funds nine line items. Notable line items include $3,358,000 for court technology phase 5 of 5; and 1.00 FTP and $125,700 for a Jerome County Magistrate.

H 672  APPROPRIATIONS, STATE BOARD OF EDUCATION - Appropriates $15,961,200 to the Office of the State Board of Education for FY 2019 and includes line items to support the psychology internship development, the Graduate Medical Education Council, and a systems integration consultation. This appropriation also includes an increase of dedicated funds to enable the Office of the State Board to receive annual lease payments from the Battelle Energy Alliance as the primary contractor for the Idaho National Laboratory, and use such moneys to make lease payments to the Idaho State Building Authority.

H 677  APPROPRIATIONS, DEPARTMENT OF WATER RESOURCES - Appropriates $26,461,800 to the Department of Water Resources for FY 2019; limits the number of authorized full-time equivalent positions to 163.00; provides for transfers; and provides legislative intent. Included in this funding is a General Fund appropriation of $2.4 million and an additional $2.42 million from the Revolving Development Fund for the Priest Lake Water Project.

H 679  APPROPRIATIONS, DEPARTMENT OF FISH AND GAME - Appropriates $112,704,300 to the Department of Fish and Game for FY 2019; and limits the number of authorized full-time equivalent positions to 569.00. Included in this bill is funding to begin operating the federally owned Hagerman National Fish Hatchery.

H 680  APPROPRIATIONS, IDAHO STATE POLICE - Appropriates $83,748,600 to the Idaho State Police for FY 2019. Included in this bill is the addition of seven new Idaho State Trooper positions that will be placed in remote areas that have higher response time, a new position for an executive protection officer to ensure proper security for the Governor and First Lady, and appropriates $1,595,000 for an upgrade to the sex offender registry system.

H 682  APPROPRIATIONS, HEALTH AND WELFARE - MENTAL HEALTH SERVICES/PSYCHIATRIC HOSPITALIZATION/SUBSTANCE ABUSE TREATMENT AND PREVENTION - Appropriates $109,093,800 to the divisions of Mental Health, Psychiatric Hospitalization, and Substance Abuse Treatment and Prevention for FY 2019 and includes partial-year funding to establish and operate three additional Community Crisis Centers in Idaho. These centers will be located in the regions of Lewiston/Moscow, Nampa/Caldwell, and Pocatello/Blackfoot. The bill also provides additional funding for tobacco compliance checks to prevent minors’ access to tobacco, funding to continue implementing the Jeff D lawsuit settlement, and almost $2 million to address the opioid crisis in Idaho.

H 683  APPROPRIATIONS, AGING COMMISSION - Appropriates a total of $13,594,400 to the Commission on Aging, including support for the evaluation of the current adult protection program and design of an updated program.

H 685  APPROPRIATIONS, DEPARTMENT OF LANDS - Appropriates $59,362,800 to the Department of Lands for FY 2019; limits the number of authorized full-time equivalent positions to 321.15; exempts certain appropriation object transfer limitations; appropriates and transfers $20,000,000 from the General Fund to the Fire Suppression Deficiency Fund for FY 2018; and provides legislative authorization for prior period adjustments. This budget includes $3.8 million to expand the Good Neighbor Authority Forest Program in cooperation with the U.S. Forest Service.

H 686  APPROPRIATIONS, SPECIAL PROGRAMS - Appropriates $23,366,800 to six special programs for FY 2019, which includes the Forest Utilization program, Idaho Geological program, Scholarships and Grants program, Museum of Natural History, Small Business Development Centers (SBDC), and the TechHelp program. This appropriation includes
$3,500,000 to expand the Opportunity Scholarship and new personnel for SBDC and TechHelp to expand assistance available to Idaho businesses.

H 689 APPROPRIATIONS, MILITARY DIVISION - Appropriates $104,971,900 to the Military Division for FY 2019. This bill includes $98,500 from the General Fund for Idaho Youth ChalleNGe staff to be present for the first two weeks of a new class and $31,000,000 in federal funds for a new training facility at the Orchard Combat Training Center (OCTC) and a new two-story barracks building at Gowen Field.

H 690 APPROPRIATIONS, CORRECTION - Provides the FY 2019 appropriation for the Department of Correction, appropriates $268,617,800, and caps the number of authorized full-time equivalent positions at 2,002.85. The bill funds 15 line items. Notable line items include $7,016,000 for the first of three onetime appropriations for replacement of the department’s offender management system; 7.00 FTP and $888,400 for facility expansions; $8,690,800 for population-driven costs related to County and Out-of-State Placement; $192,000 for population-driven costs related to Correctional Alternative Placement; and $1,987,400 for population-driven costs related to Medical Services.

H 695 APPROPRIATIONS, HEALTH AND WELFARE, MEDICAID - Appropriates $2,445,650,500 for the Medicaid Division in the Department of Health and Welfare for FY 2019, and includes funding to increase the rates paid to four different groups of providers including those that provide personal care services in the community and in assisted living facilities; to businesses that provide services to children with developmental disabilities; and to businesses that provide supportive living services. This bill also includes funding to provide services to children associated with the Jeff D. lawsuit, and to meet the needs of the settlement for the KW lawsuit.

H 696 APPROPRIATIONS, DEPARTMENT OF ENVIRONMENTAL QUALITY - Appropriates an additional $50,000 to the Department of Environmental Quality for FY 2019 as a trailer to S 1260.

H 697 APPROPRIATIONS, CORRECTION, TRAILER - Provides an FY 2019 trailer appropriation for the Department of Correction and addresses the fiscal impact of H 533, which increases the daily rate paid by the department to counties for state inmates housed in county jails. The bill provides an additional appropriation of $3,650,000 in ongoing operating expenditures from the General Fund to the Department of Correction for FY 2019.

H 699 APPROPRIATIONS, HISTORICAL SOCIETY - Appropriates a total of $7,534,200 to the Idaho State Historical Society and includes $127,000 from the Economic Recovery Reserve fund to replace three roofs at the Old Penitentiary complex, and one line item for IT/telecommunications upgrades.

H 701 APPROPRIATIONS, DEPARTMENT OF AGRICULTURE - Appropriates $44,815,300 to the Department of Agriculture for FY 2019; limits the number of authorized full-time equivalent positions to 217.00; and provides legislative intent regarding the Watercraft Inspection Program.

H 703 APPROPRIATIONS – DEPARTMENT OF COMMERCE – Appropriates $42,314,000 to the Department of Commerce for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 43.00. This bill funds one line item with $3,455,400 to expand marketing and promotion of the state from the Tourism and Promotion Fund, of which $1,900,500 is in operating expenditures for statewide marketing efforts, and $1,554,900 is in trustee and benefit payments for local tourism district grants. Revenues to the Tourism and Promotion Fund have increased at an average rate of 8.7% since 2010 and projections show another $1.2 million dollar increase for each of the next three years.

H 704 APPROPRIATIONS, HEALTH AND WELFARE, PUBLIC HEALTH SERVICES - Appropriates $120,147,300 to the Department of Health and Welfare for the Public Health Services Division for FY 2019 and includes additional funding and a reporting requirement for the Suicide Prevention and Awareness Program. These funds are to be used for suicide awareness and youth education programming and for the Department of Health and Welfare to work with all stakeholders on developing a plan to reduce suicide in Idaho. The bill also transfers $3.8 million back to the General Fund for immunization services that were paid for by the state for military families that had insurance coverage from
For the last six years, TRICARE would not participate in the state’s immunization assessment program, and this transfer is the result of TRICARE now participating in the program.

**H 705** APPROPRIATIONS, SECRETARY OF STATE - Appropriates $4,963,800 to the Secretary of State for FY 2019 and caps the number of authorized full-time equivalent positions at 29. Five line items are included, which provide $208,000 for IT system maintenance for online business filings; $1,200,000 for an elections system upgrade; $60,000 for credit card processing fees; $300,000 for mailing and publication of all initiatives, referendums, and proposed constitutional amendments for the 2018 election; and $7,600 for conference costs for the Commission on Uniform State Laws.

**H 712** APPROPRIATIONS, DEPARTMENT OF WATER RESOURCES - Appropriates and transfers $1,000,000 to the Department of Water Resources for FY 2018; and provides legislative intent; and provides a competitive grant process for flood management across the state due to intensive flooding during the winter and spring of 2017.

**H 717** APPROPRIATIONS, SUPERINTENDENT OF PUBLIC INSTRUCTION – Appropriates $39,656,800 and caps the number of authorized full-time equivalent positions at 142.00. It funds two line items, which provide $305,000 from the General Fund to support an increase in the number of students participating in proficiency assessments in line item 3. It also provides $283,800 for a K-3 Reading Assessment/Idaho Reading Indicator in line item 6. This budget includes a total of $383,800 for a K-3 Reading Assessment ($100,000 is retained in the FY 2018 Base and $283,800 is added in line item 6). There is also $166,200 in the Public Schools budget that can be used for literacy programs, making available a grand total of $550,000 for reading assessments in FY 2019.

**S 1323** APPROPRIATIONS, CORRECTIONS, CHANGE - Provides a FY 2018 supplemental appropriation for the Department of Correction and provides $529,500 for attorney and audit fees; $483,500 for facility expansions; $1,901,000 for population-driven costs; and $2,979,000 for hepatitis-C treatment.

**S 1334** APPROPRIATIONS, LIBRARIES COMMISSION - Appropriates a total of $5,900,700 to the Idaho Commission for Libraries, which includes guidance and funding for the continuation of the Talking Book Service in the event that federal funding is cut.

**S 1342** APPROPRIATIONS, ATTORNEY GENERAL - Provides the FY 2019 appropriation for the Attorney General, appropriates $25,312,600 and caps the number of authorized full-time equivalent positions at 210.60. The bill funds two line items, which provide 1.00 FTP and $106,000 from the Idaho Millennium Income Fund for a deputy attorney general to staff the arbitration of the Master Settlement Agreement (MSA); and 1.00 FTP and $266,900 for a forensic computer examiner and an affiliate investigator in the Internet Crimes Against Children Program.

**S 1344** APPROPRIATIONS, COLLEGE AND UNIVERSITIES - Appropriates $576,786,400 for the Division of College and Universities within the Office of the State Board of Education for FY 2019 and includes the following amounts for each institution: Boise State University – $206,958,700, an increase of 3.70% from the General Fund; Idaho State University – $149,286,700, an increase of 3.60% from the General Fund; University of Idaho – $178,804,000, an increase of 1.40% from the General Fund; Lewis-Clark State College – $35,521,200, a decrease of 0.60% from the General Fund; and systemwide – $6,215,800, an increase of 22.7% from the General Fund.

**S 1348** APPROPRIATIONS, PUBLIC SCHOOLS, TEACHERS DIVISION - Appropriates $970,079,600 to the Public Schools Educational Support Program/Division of Teachers for FY 2019. Nondiscretionary adjustments include year four of the five-year phase-in of the career ladder compensation system of $41,667,200. There is also a statutory increase of $372,000 for leadership awards and premiums due to increased full-time equivalent instructional and pupil service positions (FTP). The increase is a result of 368.00 additional FTP working in the school system, going from 17,208.00 FTP to 17,576.00 FTP. The bill funds two line items, which provide $2,000,000 for college/career advisors and mentors and $600,000 for professional development. All funds are ongoing, resulting in a 4.9% increase over the previous year.

**S 1349** APPROPRIATIONS, PUBLIC SCHOOLS, OPERATIONS DIVISION - Appropriates $687,765,800 for the Public Schools Educational Support Program/Division of Operations for FY 2019, and includes a 3% base salary increase for classified staff. Also included is $10,556,600 for nondiscretionary adjustments due to enrollment growth and the
estimated increase in pupil transportation. The bill funds four line items, which provide $10,500,000 for technology that, when added to the $26 million in the FY 2018 budget, will bring the amount of funding for classroom technology up to $36.5 million for FY 2019. School districts and charter schools have their wireless funding in this division for FY 2019, rather than in the Division of Central Services for a statewide contract. The statewide wireless contract expires on July 24, 2018. The increase of $10.5 million is a 30% increase in distributed funds for classroom technology over FY 2018. The bill also increases discretionary funding to $27,481 per support unit, which is a 2.7% increase over the current year (this increase includes $4,034,000 that is tied to the 2017 Consumer Price Index (CPI) increase of 1.7% and $7,209,300 for health insurance). It also provides $500,000 for IT staffing. This bill is an increase of 5.8% from the General Fund and 5.2% from all funds.

S 1350  APPROPRIATIONS, PUBLIC SCHOOLS, CHILDREN'S PROGRAMS DIVISION - Appropriates $310,044,600 for the Public Schools Educational Support Program/Division of Children's Programs for FY 2019, and includes nondiscretionary adjustments of $8,666,500, which is comprised of an increase of $666,500 for the Idaho Digital Learning Academy and an increase of $8,000,000 for the Advanced Opportunities Program. The bill funds two line items, which provide $1,000,000 for Limited English Proficiency and $1,740,300 for Literacy Proficiency. This appropriation is a 3.8% increase over last year.

S 1351  APPROPRIATIONS - PUBLIC SCHOOLS - FACILITIES DIVISION - Appropriates $53,545,700 for the Public Schools Educational Support Program/Division of Facilities for FY 2019. It includes $22,186,500 from the General Fund and $31,359,200 from dedicated funds. This appropriation funds the Bond Levy Equalization Program, the Charter School Facilities Program, and the School Facilities Maintenance Match Program and results in an increase to all funds of 10.4%.

S 1352  APPROPRIATIONS - PUBLIC SCHOOLS - CENTRAL SERVICES DIVISION - Appropriates $14,475,300 for the Public Schools Educational Support Program/Division of Central Services for FY 2019 and includes those that are expended at the state level for the benefit of school districts. This bill funds two line items, which provide $1,300,000 for content and curriculum and $1,341,500 for student achievement assessments. The total increase in this appropriation is 3.6%.

S 1357  APPROPRIATIONS, CAREER TECHNICAL EDUCATION - Appropriates $75,963,200 to the Division of Career Technical Education within the State Board of Education for FY 2019. This appropriation includes $1,683,300 to expand programming offerings at postsecondary institutions and $750,000 for six workforce training centers throughout the state.

S 1359  APPROPRIATIONS, COMMUNITY COLLEGES - Appropriates $46,926,600 to the State Board of Education for the Community Colleges for FY 2019 and includes the following amounts for each institution: College of Southern Idaho – $14,464,000, an increase of 1.10% from the General Fund; College of Western Idaho – $14,138,900, an increase of 10.90% from the General Fund; North Idaho College – $13,109,900, an increase of 1.50% from the General Fund; and the College of Eastern Idaho – $5,213,800. The appropriation to the College of Eastern Idaho includes a transfer of $1,111,100 from Career Technical Education, historically appropriated to Eastern Idaho Technical College, and an additional $4,102,700 in general and dedicated funds.

S 1360  APPROPRIATIONS - DEPARTMENT OF ENVIRONMENTAL QUALITY - Appropriates $66,620,100 to the Department of Environmental Quality for FY 2019; limits the number of authorized full-time equivalent positions to 386.00; transfers $1.5 million from the Water Pollution Control Fund to the Environmental Remediation Basin Fund; expresses legislative intent regarding the Environmental Remediation Basin Fund and requires an annual report; expresses legislative intent regarding uses of the Water Pollution Control Fund; expresses legislative intent regarding certain moneys appropriated for agricultural best management practices; and provides re-appropriation authority for moneys associated with agricultural best management practices. This bill includes $5.5 million as a result of the first-year payout of the national settlement with the Volkswagen Auto Group regarding the diesel emissions cheating scandal. Also included is the fourth year of funding for the Idaho Pollution Discharge Elimination System, which would grant Idaho primacy over waterborne pollutants.

S 1362  APPROPRIATIONS, HEALTH AND WELFARE, CHILD WELFARE/DEVELOPMENTALLY DISABLED SERVICES/SERVICE INTEGRATION - Appropriates $115,770,100 to the Department of Health and Welfare for the divisions of Child Welfare,
Services for the Developmentally Disabled, and Service Integration for FY 2019 and includes funding for nine additional social workers to help address the caseload and workload issues of the foster care system. The bill also provides $1.6 million to be used for the Home Visitation Program. This program is intended to help families stay out of the foster care system, the judicial system, and the correctional system.

**S 1365** APPROPRIATIONS – DEPARTMENT OF LABOR – Appropriates $88,276,300 to the Department of Labor for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 681.58. This bill funds four line items: Line item 1 provides $201,600 for additional IT infrastructure and hardware. Line item 2 provides $111,800 for building maintenance and repair. Line item 3 reduces 6.00 FTP and $810,000 from the Labor budget sending the functions of Career Information Systems to the State Board of Education. Line item 4 reduces 12.42 FTP and $9,074,400 sending the Workforce Development Council to the Office of the Governor as a standalone agency in accordance with H 432.

**S 1366** APPROPRIATIONS, HEALTH EDUCATION PROGRAMS - Appropriates $19,0365,500 to seven health education programs for FY 2019, which includes the Washington-Idaho Veterinary Education program, WWAMI Medical Education program, Idaho Dental Education program, University of Utah Medical Education program, Family Medical Residency program, Boise Internal Medicine Residency program, Psychiatry Education Residency program, Eastern Idaho Medical Residencies program, and Bingham Internal Medicine program. This appropriation includes $1,862,500 in new funding to support new and existing residency programs in Idaho.

**S 1367** APPROPRIATIONS, IDAHO TRANSPORTATION DEPARTMENT - Appropriates $700,814,600 to the Idaho Transportation Department for FY 2019. This bill includes an appropriation of $2,000,000 for a replacement aircraft, replacing a 46 year-old Cessna 182. Additionally, this bill appropriated an additional $500,000 for behavioral safety funding, and funding for a new target operation model for technology and a new total asset management system.

**S 1368** APPROPRIATIONS, VOCATIONAL REHABILITATION - Appropriates a total of $28,306,100 to the Division of Vocational Rehabilitation, and includes three sections of intent language. The first section of intent language is a prohibition on transfers out of trustee and benefit payments within the Extended Employment Services program; the second section directs the agency to perform a provider rate review and present recommendations to the legislature next legislative session; and the final section of intent language allows limited reappropriation authority in the Extended Employment Services program for a one time rate increase for providers for FY 2019.

**S 1372** APPROPRIATIONS, STATE LIQUOR DIVISION - Appropriates $21,410,900 to the State Liquor Division and caps the number of authorized full-time equivalent positions at 229.00. The bill funds nine line items, which provide $525,800 to relocate or remodel seven stores; 4.00 FTP and $738,100 for two new liquor stores; $138,100 for additional part-time labor for liquor stores; $24,000 for warehouse improvements; 1.00 FTP and $131,100 to restore a deputy director position; $6,000 for online training resources; $36,000 for furnishings for new office space; $99,800 for software enhancements; and $64,600 for career ladder restructuring for warehouse staff. The only line item that was requested but not funded was for $12,800 for personnel costs to add Sunday hours of operation at liquor stores in Orofino, St. Maries, and Priest River.

**S 1373** APPROPRIATIONS, STATE CONTROLLER - Appropriates $18,811,500 to the State Controller and caps the number of authorized full-time equivalent positions at 95.00. One line item is included, which provides $3,000,000 to fund the annual Computer Service Center costs for the Divisions of Statewide Payroll and Accounting.

**S 1377** APPROPRIATIONS, IDAHO STATE POLICE - Appropriates an additional $394,000 to the Idaho State Police in FY 2019 to help security and safety of watercraft inspection stations.

**S 1380** APPROPRIATIONS – STATE TAX COMMISSION – Appropriates $43,750,200 to the Idaho State Tax Commission for fiscal year 2019; limits the number of authorized full-time equivalent positions to 459.00; amends Section 63-102, Idaho Code to increase the salaries of the State Tax Commissioner from $96,191 to $99,077. This bill also provides funding for four line items. The line items fund four new positions to help with increased demands on operations. Finally, this bill provides re-appropriation authority for moving expenses associated with moving the commission's main headquarters to the State Government Complex on Chinden Boulevard in Boise.
S 1381  APPROPRIATIONS – WORKFORCE DEVELOPMENT COUNCIL – Appropriates $8,553,100 to the Workforce Development Council for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 5.00.  H 432 moved the Workforce Development Council from the Idaho Department of Labor to a standalone division organized in the Office of the Governor. This move is intended to make it more responsive to the needs of Idaho employers; to address the shortage of well-educated, trained, and skilled employees available in Idaho’s labor market; and to help ensure Idaho’s continued economic growth by implementing recommendations of the Governor’s Workforce Development Task Force. It provides for the Council’s authority over workforce development policy and programs and the disbursement of monies in the Workforce Development Training Fund. It also provides for the Council’s role as the State Workforce Investment Board in accordance with the federal Workforce Innovation and Opportunity Act. In addition, the legislation authorizes use of the Workforce Development Training Fund for public information and outreach on career education and workforce training opportunities. This bill provides the appropriation for the Council. The Workforce Development Training Fund started in 1996 as a way to encourage business expansion or relocation from another state. The training dollars are used to help employees who would otherwise lose their job if they didn’t advance their skills or gain specialized skills for a new job. The Idaho Department of Labor reports the active grants range from about $10,000 up to nearly $6 million. Businesses typically have two years to use the grant money, but contracts are often extended. The fund is paid for by businesses. Three percent of the unemployment insurance tax paid by employers is set aside for the pool of grant money.
<table>
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<tr>
<th>Department/Agency</th>
<th>FY 2018 Orig</th>
<th>FY 2019 Gov’s Revised Rec</th>
<th>Change from 2018 Orig</th>
<th>Dollar Difference from Gov</th>
<th>Dollar Diff. from FY 2018</th>
<th>Change from 2018 Orig</th>
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**Total: 3,450,575,300** **3,678,928,900** **6.6%** **3,652,724,800** **(26,204,100)** **202,149,500** **5.9%**