

IN THE SENATE

SENATE BILL NO. 1126

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO PROVIDING MONEYS FOR HIGHWAY CONSTRUCTION AND MAINTENANCE;
2 AMENDING SECTION 40-719, IDAHO CODE, TO EXTEND AN EFFECTIVE DATE AND TO
3 PROVIDE A FUNDING LIMITATION; AMENDING SECTION 57-814, IDAHO CODE, TO
4 PROVIDE A FUNDING LIMITATION; AMENDING SECTION 13, CHAPTER 322, LAWS OF
5 2017, TO EXTEND A SUNSET DATE; PROVIDING SEVERABILITY; AND DECLARING AN
6 EMERGENCY.
7

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

9 SECTION 1. That Section 40-719, Idaho Code, be, and the same is hereby
10 amended to read as follows:

11 40-719. STRATEGIC INITIATIVES PROGRAM. (1) The Idaho transportation
12 department shall establish and maintain a strategic initiatives program.
13 The purpose of the program is to fund transportation projects that are pro-
14 posed by the department's six (6) districts and local units of government.
15 Proposed projects shall compete for strategic initiative program selection
16 and funding on a statewide basis based on an analysis of their return on in-
17 vestment in the following categories:

18 (a) Safety, including the projected reduction of crashes, injuries and
19 fatalities;

20 (b) Mobility, including projected traffic-flow improvements for
21 freight and passenger cars;

22 (c) Economic opportunity, including the projected cost-benefit ratio
23 for users and businesses;

24 (d) The repair and maintenance of bridges;

25 (e) The purchase of public rights-of-way; and

26 (f) Children pedestrian safety on the state and local system.

27 (2) There is hereby established in the state treasury the strategic
28 initiatives program fund to which shall be deposited:

29 (a) Notwithstanding the provisions of section 57-814, Idaho Code, the
30 provisions of this paragraph shall only be in effect from the effective
31 date of this act through May 31, 2019~~24~~. After the close of the fiscal
32 year, the state controller shall determine any excess cash balance in
33 the general fund. When calculating any excess cash balance the state
34 controller shall first provide for the ending balance as determined by
35 the legislative record to be carried over into the next fiscal year,
36 plus an amount sufficient to cover encumbrances as approved by the di-
37 vision of financial management, and an amount sufficient to cover any
38 reappropriation as authorized by the legislature. On July 1, or as soon
39 thereafter as is practicable, the state controller shall transfer fifty
40 percent (50%) of any general fund excess, up to a total of fifty million
41 dollars (\$50,000,000) each fiscal year, to the strategic initiatives
42 fund.

1 (b) Any other appropriated moneys for funding of the strategic initia-
2 tives program.

3 (c) Unless otherwise specified, moneys transferred into the strate-
4 gic initiatives program fund after May 30, 2017, shall be apportioned as
5 follows:

6 (i) Sixty percent (60%) to projects proposed by the Idaho trans-
7 portation department's six (6) districts; and

8 (ii) Forty percent (40%) to local units of government for the pur-
9 pose of operating a strategic initiatives program administered
10 by the local highway technical assistance council established in
11 section 40-2401, Idaho Code.

12 (d) The strategic initiatives program for local units of government
13 shall be exempt from the requirements contained in subsection (1) (c) of
14 this section.

15 (3) Interest earned on the investment of idle moneys in the fund shall
16 be paid to the fund. All moneys in the fund shall be used for funding the
17 strategic initiatives program.

18 SECTION 2. That Section 57-814, Idaho Code, be, and the same is hereby
19 amended to read as follows:

20 57-814. BUDGET STABILIZATION FUND. (1) There is hereby created in the
21 state treasury the budget stabilization fund for the purpose of meeting gen-
22 eral fund revenue shortfalls and to meet expenses incurred as the result of
23 a major disaster declared by the governor. All moneys in the budget reserve
24 account at the date of approval of this act shall be transferred to the budget
25 stabilization fund. Interest earnings from the investment of moneys in this
26 fund by the state treasurer shall be credited to the permanent building ac-
27 count subject to the provisions of section 67-1210, Idaho Code.

28 (2) Subject to the requirements of section 63-3203, Idaho Code, the
29 state controller shall annually transfer moneys from the general fund to
30 the budget stabilization fund if the state controller certifies that the
31 receipts to the general fund for the fiscal year just ending have exceeded
32 the receipts of the previous fiscal year by more than four percent (4%), then
33 the state controller shall transfer all general fund collections in excess
34 of said four percent (4%) to the budget stabilization fund, up to a maximum of
35 one percent (1%) of the actual general fund collections of the prior fiscal
36 year. The state controller shall make the transfer upon the financial close
37 of the current fiscal year.

38 (3) After the close of the fiscal year, the state controller shall de-
39 termine any excess cash balance in the general fund. When calculating any
40 excess cash balance the state controller shall first provide for the end-
41 ing balance as determined by the legislative record to be carried over into
42 the next fiscal year, plus an amount sufficient to cover encumbrances as ap-
43 proved by the division of financial management, and an amount sufficient to
44 cover any reappropriation as authorized by the legislature. On July 1, or as
45 soon thereafter as is practicable, the state controller shall transfer fifty
46 percent (50%) of any general fund excess, up to a total of fifty million dol-
47 lars (\$50,000,000) each fiscal year, to the budget stabilization fund.

48 (4) If a majority of the membership of each house of the legislature
49 adopt a concurrent resolution requesting the amount of the transfer speci-

1 fied in subsection (2) of this section be reduced, the state controller shall
2 reduce the amount of the transfer.

3 (5) Appropriations of moneys from the budget stabilization fund in
4 any year shall be limited to fifty percent (50%) after the fund balance has
5 reached ten percent (10%).

6 SECTION 3. That Section 13, Chapter 322, Laws of 2017, be, and the same
7 is hereby amended to read as follows:

8 SECTION 17. An emergency existing therefor, which emergency
9 is hereby declared to exist, Sections 6 and 7 of this act shall be in
10 full force and effect on and after passage and approval. Sections
11 1, 2, 3, 4, 5, 10, 11, 12, 13, 14, 15 and 16 of this act shall be in
12 full force and effect on and after July 1, 2015. Section 7 of this
13 act shall be null, void and of no force and effect on and after May
14 31, 2019~~24~~. Sections 8 and 9 of this act shall be in full force and
15 effect on and after May 31, 2019~~24~~.

16 SECTION 4. SEVERABILITY. The provisions of this act are hereby declared
17 to be severable and if any provision of this act or the application of such
18 provision to any person or circumstance is declared invalid for any reason,
19 such declaration shall not affect the validity of the remaining portions of
20 this act.

21 SECTION 5. An emergency existing therefor, which emergency is hereby
22 declared to exist, this act shall be in full force and effect on and after its
23 passage and approval.