LEGISLATURE OF THE STATE OF IDAHO  
Sixty-fifth Legislature Second Regular Session - 2020

Moved by Brackett
Seconded by Nelson

IN THE SENATE  
SENATE AMENDMENT TO H.B. NO. 325

AMENDMENT TO SECTION 1
On page 5 of the printed bill, delete lines 38 through 43, and insert:
"(16) (a) One Two percent (12%), but not less than fifteen million dollars ($15,000,000), is continuously appropriated and shall be distributed to the transportation expansion and congestion mitigation fund established in section 40-720, Idaho Code as follows:
(i) Sixty percent (60%) to the transportation expansion and congestion mitigation fund established in section 40-720, Idaho Code; and
(ii) Forty percent (40%) to the bridge maintenance and replacement program fund established in section 40-720, Idaho Code.
(b) The distribution provided for in this subsection must immediately follow the distributions provided for in subsections (14) through (14) of this section."

AMENDMENT TO THE BILL
On page 5, following line 43, insert:
"SECTION 2. That Section 40-720, Idaho Code, be, and the same is hereby amended to read as follows:

40-720. TRANSPORTATION EXPANSION AND CONGESTION MITIGATION PROGRAM -- BRIDGE MAINTENANCE AND REPLACEMENT PROGRAM -- FUNDS ESTABLISHED. (1) The Idaho transportation department shall establish and maintain a transportation expansion and congestion mitigation program.
(2) The transportation expansion and congestion mitigation fund established pursuant to subsection (3) of this section shall finance projects that expand the state system to address and mitigate transportation congestion. The projects shall be evaluated by the Idaho transportation department and shall be chosen by the Idaho transportation board based on a policy that may include mitigation of traffic times, improvement to traffic flow and mitigation of traffic congestion.
(3) There is hereby established in the state treasury the transportation expansion and congestion mitigation fund, to which shall be deposited:
(a) All moneys distributed pursuant to section 63-2520, Idaho Code;
(b) All moneys distributed pursuant to section 63-3638, Idaho Code; and
(c) Any other appropriated moneys for funding the transportation expansion and congestion mitigation program.
(4) Interest earned on the investment of idle moneys in the transportation expansion and congestion mitigation fund shall be paid to the
fund. All moneys in the fund shall be used for the transportation expansion and congestion mitigation program.

(5) The Idaho housing and finance association is hereby authorized to issue bonds, secured by otherwise unobligated moneys in the fund established in subsection (3) of this section, for the purpose of financing state transportation projects approved by the Idaho transportation board. The Idaho transportation board shall take into consideration the mitigation of traffic congestion from the state campus site located at 11311 West Chinden Boulevard, Boise, as a priority when approving transportation projects. Moneys from the fund established in subsection (3) of this section shall be used to pay any of the principal, interest, and other amounts for state transportation projects approved by the Idaho transportation board and required for bonds issued pursuant to this subsection in accordance with the provisions of chapter 62, title 67, Idaho Code. If such bonds are issued, moneys in the fund shall first be continuously appropriated and used for repayment of said bonds in accordance with subsection (7) of this section.

(6) The authority provided in subsection (5) of this section shall be used only to issue bonds on an approved resolution by the Idaho transportation board requesting that the Idaho housing and finance association issue bonds contingent upon:

(a) The availability of otherwise unobligated moneys in the fund, established in subsection (3) of this section, necessary to meet bond service obligations;
(b) The moneys disbursed being used in accordance with United States treasury regulations to ensure tax-exempt status is retained, unless tax-exempt bonds are not available; and
(c) The issuance of bonds at prevailing market rates of interest.

(7) From moneys in the fund established in this section, there are hereby continuously appropriated first such amounts as from time to time shall be certified by the Idaho housing and finance association to the state controller, the state treasurer, and the Idaho transportation board as necessary for payment of principal, interest, and other amounts required for transportation bonds or notes of the Idaho housing and finance association in accordance with chapter 62, title 67, Idaho Code, that are issued to finance improvements described in this section, which amounts shall not exceed the amount received and transferred from section 63-3638(16), Idaho Code, which amounts shall be transferred to the transportation expansion and congestion mitigation program debt service fund established in section 40-721(2), Idaho Code.

(8) The local highway technical assistance council, established in section 40-2401, Idaho Code, shall establish and maintain a bridge maintenance and replacement program to repair or replace local bridges. The program shall include a grant program for local highway jurisdictions. The bridge maintenance and replacement program fund established pursuant to subsection (9) of this section shall be administered by the local highway technical assistance council and shall be used to finance the bridge maintenance and replacement program.

(9) There is hereby established in the state treasury the bridge maintenance and replacement program fund, to which shall be deposited:
(a) Moneys distributed pursuant to section 63-3638, Idaho Code, on and after July 1, 2021; and
(b) Any other appropriated moneys for funding the bridge maintenance and replacement program.
(10) Interest earned on the investment of idle moneys in the bridge maintenance and replacement program fund shall be paid to the fund. All moneys in the fund shall be used for the bridge maintenance and replacement program.

SECTION 3. Section 1 of this act shall be in full force and effect on and after July 1, 2021. Section 2 of this act shall be in full force and effect on and after January 1, 2021."

CORRECTION TO TITLE
On page 1, delete lines 2 through 5, and insert:
"RELATING TO SALES TAX; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FUNDING FOR THE TRANSPORTATION EXPANSION AND CONGESTION MITIGATION FUND AND THE BRIDGE MAINTENANCE AND REPLACEMENT PROGRAM FUND AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 40-720, IDAHO CODE, TO PROVIDE FOR THE BRIDGE MAINTENANCE AND REPLACEMENT PROGRAM; AND PROVIDING EFFECTIVE DATES."."