

MINUTES  
**JOINT FINANCE-APPROPRIATIONS COMMITTEE**

**DATE:** Wednesday, March 16, 2022

**TIME:** 9:30 A.M.

**PLACE:** Room C310

**MEMBERS:** Senators Co-chairman Agenbroad, Crabtree, VanOrden (Bair), Grow, Woodward, Lent, Riggs, Cook, Ward-Engelking, Nye  
Representatives Co-chairman Youngblood, Troy, Horman, Amador, Syme, Bundy, Giddings, Nate, Green, Nash

**ABSENT/  
EXCUSED:** Senator Lent, Representative Giddings

**Co-Chairman Youngblood** called the meeting to order at 9:31 a.m.

**Mr. Keith Bybee**, Division Manager, LSO Budget & Policy Analysis, explained the cash transfer to the Idaho High Risk Reinsurance Pool. This motion adds \$25M to the Idaho High Risk Reinsurance Pool Fund pursuant to **H 611**.

**MOTION:** **Rep. Troy** made a motion, seconded by **Sen. Crabtree**, for FY 2022, a cash transfer of \$25,000,000 and the language shown below.

**INTENT  
LANGUAGE:** FY 2022 CASH TRANSFER. There is hereby appropriated and the Office of the State Controller shall transfer \$25,000,000 from the General Fund to the Idaho Individual High Risk Reinsurance Pool as soon as practicable for the period July 1, 2021, through June 30, 2022.

**VOTE ON  
MOTION:** **Motion carried by a vote of 18 AYES, 0 NAYS, 2 ABSENT/EXCUSED. AYES: 18.** Agenbroad, Crabtree, Grow, Woodward, Riggs, Cook, VanOrden (Bair), Ward-Engelking, Nye, Youngblood, Troy, Horman, Amador, Syme, Bundy, Nate, Green, Nash. **NAYS: 0. ABSENT/EXCUSED: 2.** Lent, Giddings.

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Chairman Youngblood**.

**Mr. Bybee** explained the cash transfer to the Public Education Stabilization Fund. This first transfer to the Fund is consistent with the Governor's recommendation for FY 2022.

In response to a committee question, **Mr. Bybee** explained this motion would replenish the Fund after the Legislature's cash transfers in 2021.

**MOTION:** **Sen. Woodward** made a motion, seconded by **Rep. Horman**, for FY 2022, a cash transfer of \$44,000,000 and the language shown below.

**INTENT  
LANGUAGE:** There is hereby appropriated and the Office of the State Controller shall transfer \$44,000,000 from the General Fund to the Public Education Stabilization Fund as soon as practicable for the period July 1, 2021, through June 30, 2022.

**Rep. Nate** spoke against the motion.

**VOTE ON MOTION:**

**Motion carried by a vote of 17 AYES, 1 NAY, 2 ABSENT/EXCUSED. AYES: 17.** Agenbroad, Crabtree, Grow, Woodward, Riggs, Cook, VanOrden (Bair), Ward-Engelking, Nye, Youngblood, Troy, Horman, Amador, Syme, Bundy, Green, Nash. **NAYS: 1.** Nate. **ABSENT/EXCUSED: 2.** Lent, Giddings.

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Chairman Youngblood**.

**Mr. Bybee** explained the cash transfer to the Public Education Stabilization Fund. This transfer to the Fund is consistent with the Governor's recommendation to reach the statutory limit of the fund.

**MOTION:**

**Sen. Woodward** made a motion, seconded by **Rep. Horman**, for FY 2023, a cash transfer of \$77,000,000 and the language shown below.

**INTENT LANGUAGE:**

There is hereby appropriated and the Office of the State Controller shall transfer \$77,000,000 from the General Fund to the Public Education Stabilization Fund on July 1, 2022, or as soon as practicable.

**Sen. Woodward** spoke in favor of this motion, which he likened to "farm family economics:" times of plenty require preparation for times of need. He shared a story from a Governor's Chief of Staff during the Great Recession, when the Governor's Office needed to find budget cuts of \$1M per day to balance the State's budget; by using budget stabilization funds, the State government was able to mitigate some of the worst effects of the Great Recession on its citizens.

**Rep. Troy** recalled during the Great Recession, she was a state employee with a staff of 78 people. She expressed appreciation for the rainy-day funds, which allowed state agencies to continue to serve Idaho. She stated using budget stabilization funds wisely and prudently helps the State continue to move forward during hard times.

**VOTE ON MOTION:**

**Motion carried by a vote of 17 AYES, 1 NAY, 2 ABSENT/EXCUSED. AYES: 17.** Agenbroad, Crabtree, Grow, Woodward, Riggs, Cook, VanOrden (Bair), Ward-Engelking, Nye, Youngblood, Troy, Horman, Amador, Syme, Bundy, Nate, Green, Nash. **NAYS: 1.** Nate. **ABSENT/EXCUSED: 2.** Lent, Giddings.

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Chairman Youngblood**.

**Mr. Bybee** explained the need to amend session law for Department of Education reporting. In 2019, the Legislature approved **H 293** (chapter 328), which established data reporting requirements for public schools. This data reporting was added to help the Legislature identify how moneys are being expended in public schools. This data has been collected by the Department of Education but not at the intended level needed for the Joint Finance-Appropriations Committee (JFAC) to make appropriate funding decisions. Comparable language was added to the appropriation bill for the Public School Support Program for the Operations Division pertaining to health insurance and health benefit plan information. The intent of this data is to assist JFAC and the policy committees with decision making as it pertains to public schools. A repeal of this section can be brought back to the Legislature in a future legislative session.

**MOTION:**

**Sen. Crabtree** made a motion, seconded by **Rep. Troy**, for the repeal of Section 8 of Chapter 328, session laws of 2019.

**VOTE ON MOTION:** **Motion carried by a vote of 18 AYES, 0 NAYS, 2 ABSENT/EXCUSED. AYES: 18.** Agenbroad, Crabtree, Grow, Woodward, Riggs, Cook, VanOrden (Bair), Ward-Engelking, Nye, Youngblood, Troy, Horman, Amador, Syme, Bundy, Nate, Green, Nash. **NAYS: 0. ABSENT/EXCUSED: 2.** Lent, Giddings.

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Chairman Youngblood**.

**Mr. Bybee** explained the Budget Stabilization Fund is set in Section 57-814, Idaho Code. There are statutory provisions for transfers to the Budget Stabilization Fund if the State meets certain revenue growth conditions. This cash transfer would increase the amount in the Budget Stabilization to near its limit of 15% of the previous year.

**MOTION:** **Sen. Grow** made a motion, seconded by **Rep. Troy**, for FY 2023, a cash transfer of \$120,000,000 and the language shown below.

**INTENT LANGUAGE:** FY 2023 CASH TRANSFER. There is hereby appropriated and the Office of the State Controller shall transfer \$120,000,000 from the General Fund to the Budget Stabilization Fund on July 1, 2022, or as soon thereafter as practicable.

**VOTE ON MOTION:** **Motion carried by a vote of 17 AYES, 1 NAY, 2 ABSENT/EXCUSED. AYES: 17.** Agenbroad, Crabtree, Grow, Woodward, Riggs, Cook, VanOrden (Bair), Ward-Engelking, Nye, Youngblood, Troy, Horman, Amador, Syme, Bundy, Green, Nash. **NAYS: 1.** Nate. **ABSENT/EXCUSED: 2.** Lent, Giddings.

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Chairman Youngblood**.

**Mr. Bybee** explained the Legislature created the Opioid Settlement Fund, found in Section 57-825, Idaho Code, during the previous session. Funds from the McKinsey Multistate Settlement were deposited in the General Fund in May 2021, awaiting the creation of the Opioid Settlement Fund. This transfer moves the amount equal to the initial deposit from the McKinsey Multistate Settlement from the General Fund to the Opioid Settlement Fund.

**MOTION:** **Rep. Troy** made a motion, seconded by **Sen. Agenbroad**, for FY 2023, a cash transfer of \$2,399,500 and the language shown below.

**INTENT LANGUAGE:** FY 2023 CASH TRANSFER. There is hereby appropriated and the Office of the State Controller shall transfer \$2,399,500 from the General Fund to the Opioid Settlement Fund on July 1, 2022, or as soon thereafter as practicable.

**VOTE ON MOTION:** **Motion carried by a vote of 17 AYES, 0 NAYS, 3 ABSENT/EXCUSED. AYES: 17.** Agenbroad, Crabtree, Woodward, Riggs, Cook, VanOrden (Bair), Ward-Engelking, Nye, Youngblood, Troy, Horman, Amador, Syme, Bundy, Nate, Green, Nash. **NAYS: 0. ABSENT/EXCUSED: 3.** Grow, Lent, Giddings.

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Chairman Youngblood**.

**Mr. Bybee** explained the 27th Payroll Fund was created in **S 1004** and is found in Section 57-826, Idaho Code. Every 11 years, the state has a 27th payroll; with this transfer, the balance of \$35,000,000 is estimated to cover the entire 27th pay period, which will occur in FY 2028.

**MOTION:** Rep. Troy made a motion, seconded by Sen. Crabtree, for FY 2023, a cash transfer of \$20,000,000 and the language shown below.

**INTENT LANGUAGE:** FY 2023 CASH TRANSFER. There is hereby appropriated and the Office of the State Controller shall transfer \$20,000,000 from the General Fund to the Twenty-Seventh Payroll Fund on July 1, 2022, or as soon thereafter as practicable.

Rep. Nate spoke against the motion.

**VOTE ON MOTION:** Motion carried by a vote of 16 AYES, 1 NAY, 3 ABSENT/EXCUSED. AYES: 16. Agenbroad, Crabtree, Woodward, Riggs, Cook, VanOrden (Bair), Ward-Engelking, Nye, Youngblood, Troy, Horman, Amador, Syme, Bundy, Green, Nash. NAYS: 1. Nate. ABSENT/EXCUSED: 3. Grow, Lent, Giddings.

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Chairman Youngblood**.

Ms. Christine Otto, Senior Analyst, LSO Budget & Policy Analysis, explained the FY 2022 supplemental appropriation for the Idaho Transportation Department (ITD). The Idaho Transportation Board approved up to \$325M for Transportation Expansion and Congestion Mitigation (TECM) Bonding; ITD plans to bond the following projects on March 29th, 2022. This supplemental appropriation would transfer \$100M from the General Fund into the Transportation Expansion and Construction Mitigation Fund, thereby allowing ITD to bond for \$215M rather than \$315M. The FY 2022 supplemental appropriation will allow ITD to begin the bidding process immediately, although funds likely would not be spent until FY 2023.

<b>PROJECTS</b>	<b>AMOUNT</b>
<b>Design</b>	
I-90 Washington State to CDA	\$3,100,000
US-20/26 Middleton Road to Star Road	\$5,000,000
I-84 Centennial IC to Franklin IC	\$4,000,000
SH-55 Farmway Rd to Middleton	\$4,200,000
I-84, Burley & Heyburn interchanges	\$5,500,000
I-15, Pocatello to Blackfoot	\$2,500,000
<b>Construction</b>	
SH-16, I-84 to Franklin	\$43,600,000
SH-16, Ustick Rd to 20/26 (Chinden)	\$59,600,00
US-20/26, I-84 to Middleton Rd	\$32,800,000
I-86, I-15 Interchange	\$89,200,000
I-90, SH-41 Interchange	\$66,000,000
<b>TOTAL</b>	<b>\$315,500,000</b>

**UNANIMOUS CONSENT REQUEST:** Sen. Crabtree requested and it was granted by unanimous consent, the FY 2022 budget for the Idaho Transportation Department was reopened.

**MOTION:** **Sen. Crabtree** made a motion, seconded by **Rep. Green**, for FY 2022, for the Idaho Transportation Department, in the Contract Construction and Right-of-Way Acquisition, the appropriation and transfer of \$100,000,000 from the General Fund to the Transportation Expansion and Construction Mitigation Fund.

In response to a committee question, **Sen. Agenbroad** explained this motion is using available surplus funds to reduce the amount of bonding needed for previously approved construction projects.

**VOTE ON MOTION:** **Motion carried by a vote of 16 AYES, 1 NAY, 3 ABSENT/EXCUSED. AYES: 16.** Agenbroad, Crabtree, Woodward, Riggs, Cook, VanOrden (Bair), Ward-Engelking, Nye, Youngblood, Troy, Amador, Syme, Bundy, Nate, Green, Nash. **NAYS: 1.** Horman. **ABSENT/EXCUSED: 3.** Grow, Lent, Giddings.

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Chairman Youngblood**.

**UNANIMOUS CONSENT REQUEST:** **Sen. Crabtree** requested and it was granted by unanimous consent, the FY 2023 budget for the Idaho Transportation Department was reopened.

**MOTION:** **Sen. Crabtree** made a motion, seconded by **Rep. Green**, for FY 2023, for the Idaho Transportation Department, in the Contract Construction and Right-of-Way Acquisition, an additional \$100,000,000 onetime from the Transportation Expansion and Construction Mitigation Fund.

**VOTE ON MOTION:** **Motion carried by a vote of 16 AYES, 1 NAY, 3 ABSENT/EXCUSED. AYES: 16.** Agenbroad, Crabtree, Woodward, Riggs, Cook, VanOrden (Bair), Ward-Engelking, Nye, Youngblood, Troy, Amador, Syme, Bundy, Nate, Green, Nash. **NAYS: 1.** Horman. **ABSENT/EXCUSED: 3.** Grow, Lent, Giddings.

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Chairman Youngblood**.

**UNANIMOUS CONSENT REQUEST:** **Sen. Crabtree** requested and it was granted by unanimous consent, to accept the following intent language:

**INTENT LANGUAGE:** SECTION\_ TRANSPORTATION EXPANSION AND CONGESTION MITIGATION BONDING. The Idaho Transportation Board approved a not-to-exceed an amount of \$325,000,000 for six design projects and five construction projects for bonding using the Transportation Expansion and Congestion Mitigation Program. The legislature will provide \$100,000,000 toward these projects in lieu of bonding the full amount for bond series TECM2022A.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:11 a.m.

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Representative Youngblood  
Chair

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Alyson Jackson  
Secretary