

MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Thursday, January 26, 2023

TIME: 1:30 P.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Okuniewicz, Vice Chairman Den Hartog, Senators Winder, Hart, Carlson, Toews, Trakel, Rabe, and Just

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Okuniewicz** called the meeting of the Senate Transportation Committee (Committee) to order at 1:30 p.m.

S 1010 **TRANSPORTATION - Amends existing law to allow a vehicle traveling slower than the normal speed of traffic to turn off at the next available location where it is safe and reasonable for the vehicle to pull over. Senator Herndon** stated that this was a subtle change to existing code. The change occurred starting at line 15 of the bill with the removal of "wherever sufficient area for a safe turnout exists". It would be replaced with "the next available location where it is safe and reasonable for the vehicle to be pulled over in order to permit the following vehicles to pass. Such driver shall not be deemed to violate this section if he had not, during the time when three (3) or more vehicles are formed in line behind his vehicle, passed a designated turnout or location where it would be safe and reasonable for the vehicle to be pulled over." **Senator Herndon** stated by adding the word reasonable it allowed the driver some leeway in what was deemed reasonable to them based on the vehicle being driven and the road condition.

DISCUSSION: **Senator Just** inquired if the Idaho State Police had been contacted and assumed they would be opposed to this. **Senator Herndon** relayed he had spoken to the county police and they did not feel this would change the way tickets were issued. He stated this would rather allow the driver ticketed to challenge the citation and allowed the judge to decide if it was reasonable and had discretion to dismiss the ticket.

MOTION: **Senator Carlson** moved to send **S 1010** to the floor with a **do pass** recommendation. **Senator Toews** seconded the motion. The motion passed by **voice vote**.

PRESENTATION: **Review of Governor's FY 2023 and FY 2024 ITD Budget Recommendation.** **Alex Adams**, Administrator, Division of Financial Management (DFM) presented on the governor's program The Idaho First Plan: FY 2023-2024 Recommendations which included key considerations in budget development and transportation recommendations (Attachment 1).

DISCUSSION: **Senator Winder** asked for clarification on the general fund revenue forecast of approximately \$850 million drop. How much was that actually lowered by what the legislature did in the special session? **Mr. Adams** responded that the special session impact would not hit until July 1, 2024. He stated \$410 million was pulled out of sales tax distribution and then a flat tax with a top rate of 5.8 percent was implemented which pulled another \$160 million out of the income tax stream. He continued that during the regular session last year the legislature lowered income tax rates from 6.5 percent to 6 percent which was a \$250 million ongoing general fund impact that factored into that drop. **Mr. Adams** relayed that there would still be revenue growth. Even with the prediction of a mild recession, since they mirrored the 1991 recession, it would be resolved in the third quarter of 2023 with growth after that. The primary reason for the drop was the tax cuts and the sales tax transfer, not the recession and not the weaning off of federal funds.

Senator Hart asked about the budget stabilization fund and if the money from the cigarette liability class action suit was still going into the fund. **Mr. Adams** responded to his recollection that money was used for the capital remodel and that has weaned off and there was no ongoing source of revenue into the budget stabilization fund. He stated that the money would need to come from Legislature approval or there was a piece of code that would trigger and automatic deposit from the general fund if revenue were to grow more than 4 percent.

DISCUSSION: **Vice Chair Den Hartog** asked about the local competitive grants funding and what the policy was behind how the funds would be distributed. **Mr. Adams** responded that they envision the prioritization and final decision making would be decided by the board. The proposal would be 50 percent set aside for rural, 50 percent set aside for urban, and would be driven by projects that would be a burden to local property taxpayers. He suggested a policy bill could come forward that would put it in state code even though it was a one time program in the budget or intent language could be put on the appropriation. **Vice Chair Den Hartog** asked if this could fit into an existing program. **Mr. Adams** deferred to Director Stokes.

PRESENTATION: **2023 Report from the Idaho Transportation Department (ITD).** **Director Scott Stokes** of ITD, introduced himself and presented on four topics:

1. an overview of the Idaho Transportation Department
2. the governor's budget FY 2024 Recommendations
3. a report on ITD's 2022 results, and
4. what was ahead for the department in 2023 (Attachment 2)

Vice Chair Den Hartog asked how ITD was planning for expanding current highways and establishing new ones to handle the growth pressure. **Director Stokes** stated ITD was making every effort at looking forward to the planning and the needs of every community, every region of Idaho. He noted there were greater needs to be to be studied and planned for and that ITD was working to better plan for those needs. **Vice Chair Den Hertog** commented that it did not need to be discussed at this time but she would like to see particular details about how the department anticipated employing some of the dollars that the Governor was proposing.

ADJOURNED: There being no further business at this time, **Chairman Okuniewicz** adjourned the meeting at 2:30 p.m.

Senator Okuniewicz
Chair

Lena Amoah
Secretary