

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 770

BY APPROPRIATIONS COMMITTEE

AN ACT

1  
 2 RELATING TO FUNDING OF THE IDAHO TRANSPORTATION DEPARTMENT; APPROPRIATING  
 3 ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL  
 4 YEAR 2025; REDUCING MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR  
 5 FISCAL YEAR 2025; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSI-  
 6 TIONS; PROVIDING REAPPROPRIATION AUTHORITY FOR THE CAPITAL FACILITIES  
 7 PROGRAM; PROVIDING REAPPROPRIATION AUTHORITY FOR AIRPORT DEVELOPMENT  
 8 GRANTS; PROVIDING REAPPROPRIATION AUTHORITY FOR THE CONTRACT CON-  
 9 STRUCTION AND RIGHT-OF-WAY ACQUISITION DIVISION; REVOKING AUTHORITY  
 10 FOR THE SALE OF CERTAIN PROPERTY AND PROVIDING FOR ITS REHABILITATION;  
 11 PROVIDING FOR THE REHABILITATION OF THE DISTRICT 4 SHOSHONE HEADQUAR-  
 12 TERS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO  
 13 THE STRATEGIC INITIATIVES PROGRAM (DEDICATED) FUND; APPROPRIATING AND  
 14 TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE STRATEGIC INITIATIVES  
 15 PROGRAM (LOCAL) FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE  
 16 GENERAL FUND TO THE LOCAL HIGHWAY DISTRIBUTION FUND; PROVIDING DIREC-  
 17 TION ON THE LOCAL HIGHWAY DISTRIBUTION FUND; PROVIDING FOR AMERICAN  
 18 RESCUE PLAN STATE AND LOCAL FISCAL RECOVERY FUND PROJECTS; PROVIDING  
 19 FOR ALLOCATION OF FUNDS FOR SPECIFIC PROJECTS; PROVIDING FOR ACCOUNT-  
 20 ABILITY REPORTS; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE  
 21 DATES.

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

23 SECTION 1. In addition to any other appropriation provided by law,  
 24 there is hereby appropriated to the Idaho Transportation Department the  
 25 following amounts to be expended according to the designated programs and  
 26 expense classes from the listed funds for the period July 1, 2024, through  
 27 June 30, 2025:

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
32	I. TRANSPORTATION SERVICES:				
33	A. ADMINISTRATION:				
34	FROM:				
35	State Highway (Dedicated)				
36	Fund	\$324,300	\$618,500	\$1,396,200	\$2,339,000
37	State Highway (Federal)				
38	Fund	<u>7,400</u>	<u>0</u>	<u>0</u>	<u>7,400</u>
39	TOTAL	\$331,700	\$618,500	\$1,396,200	\$2,346,400

	FOR	FOR	FOR	FOR	TOTAL
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	
				PAYMENTS	
5	B. CAPITAL FACILITIES:				
6	FROM:				
7	State Highway (Dedicated)				
8	Fund	\$32,500,000	\$15,500,000		\$48,000,000
9	C. AERONAUTICS:				
10	FROM:				
11	State Aeronautics (Dedicated)				
12	Fund	\$112,500	\$892,700	\$1,737,800	\$2,743,000
13	State Aeronautics (Billing)				
14	Fund	1,900			1,900
15	State Highway (Dedicated)				
16	Fund		21,000		21,000
17	State Aeronautics (Federal)				
18	Fund	<u>1,700</u>	<u>0</u>	<u>0</u>	<u>1,700</u>
19	TOTAL	\$116,100	\$892,700	\$1,758,800	\$2,767,600
20	DIVISION				
21	TOTAL	\$447,800	\$34,011,200	\$18,655,000	\$53,114,000
22	II. MOTOR VEHICLES:				
23	FROM:				
24	State Highway (Dedicated)				
25	Fund	\$201,600	\$52,300	\$1,463,700	\$1,717,600
26	III. HIGHWAY OPERATIONS:				
27	FROM:				
28	State Highway (Dedicated)				
29	Fund	\$5,527,700	\$1,024,700	\$53,058,000	\$5,000
30	State Highway (Local)				
31	Fund	3,800			3,800
32	State Highway (Federal)				
33	Fund	194,500	745,000		939,500
34	Federal COVID-19 Relief				
35	Fund	<u>0</u>	<u>0</u>	<u>0</u>	<u>5,000,000</u>
36	TOTAL	\$5,726,000	\$1,769,700	\$53,058,000	\$5,005,000
					\$65,558,700

				FOR	
	FOR	FOR	FOR	TRUSTEE AND	
	PERSONNEL	OPERATING	CAPITAL	BENEFIT	
	COSTS	EXPENDITURES	OUTLAY	PAYMENTS	TOTAL
5	IV. CONTRACT CONSTRUCTION & RIGHT-OF-WAY ACQUISITION:				
6	FROM:				
7	State Highway (Local)				
8	Fund		1,200,300		1,200,300
9	Transportation Expansion and Congestion Mitigation				
10	Fund		26,918,600		26,918,600
11	Strategic Initiatives Program				
12	Fund		181,680,000		181,680,000
13	Strategic Initiatives Program - Local				
14	Fund			200,000,000	200,000,000
15	State Highway (Federal)				
16	Fund		<u>62,589,100</u>	<u>0</u>	<u>62,589,100</u>
17	TOTAL		\$272,388,000	\$200,000,000	\$472,388,000
18	GRAND TOTAL	\$6,375,400	\$35,833,200	\$345,564,700	\$205,005,000
					\$592,778,300

19 SECTION 2. Notwithstanding any other provision of law to the contrary,  
 20 the appropriation made to the Idaho Transportation Department for the Admin-  
 21 istration Program is hereby reduced by \$48,000 for operating expenditures  
 22 from the State Highway (Federal) Fund for the period July 1, 2024, through  
 23 June 30, 2025.

24 SECTION 3. FTP AUTHORIZATION. In addition to any other authorization  
 25 provided by law, the full-time equivalent position authorization provided  
 26 to the Idaho Transportation Department is hereby increased by fifty-three  
 27 (53.00) for the period July 1, 2024, through June 30, 2025.

28 SECTION 4. REAPPROPRIATION AUTHORITY FOR THE CAPITAL FACILITIES PRO-  
 29 GRAM. There is hereby reappropriated to the Idaho Transportation Department  
 30 any unexpended and unencumbered balances appropriated to the Idaho Trans-  
 31 portation Department from the State Aeronautics (Dedicated) Fund and the  
 32 State Highway (Dedicated) Fund in the Capital Facilities Program for fiscal  
 33 year 2024, to be used for nonrecurring expenditures in the Capital Facili-  
 34 ties Program for the period July 1, 2024, through June 30, 2025. The Office  
 35 of the State Controller shall confirm the reappropriation amount, by fund,  
 36 expense class, and program, with the Legislative Services Office prior to  
 37 processing the reappropriation authorized herein.

38 SECTION 5. REAPPROPRIATION AUTHORITY FOR AIRPORT DEVELOPMENT GRANTS.  
 39 There is hereby reappropriated to the Idaho Transportation Department any

1 unexpended and unencumbered balances appropriated or reappropriated to the  
2 Idaho Transportation Department from the State Aeronautics (Dedicated) Fund  
3 as trustee and benefit payments for airport development grants for fiscal  
4 year 2024, to be used for nonrecurring expenditures for airport development  
5 grants for the period July 1, 2024, through June 30, 2025. The Office of the  
6 State Controller shall confirm the reappropriation amount, by fund, expense  
7 class, and program, with the Legislative Services Office prior to processing  
8 the reappropriation authorized herein.

9 SECTION 6. REAPPROPRIATION AUTHORITY FOR THE CONTRACT CONSTRUCTION AND  
10 RIGHT-OF-WAY ACQUISITION DIVISION. There is hereby reappropriated to the  
11 Idaho Transportation Department any unexpended and unencumbered balances  
12 appropriated or reappropriated to the Idaho Transportation Department from  
13 the State Highway Fund, the Strategic Initiatives Program Fund, and the  
14 Transportation Expansion and Congestion Mitigation Fund for the Contract  
15 Construction and Right-of-Way Acquisition Division for fiscal year 2024, in  
16 a total amount not to exceed \$250,000,000 from the State Highway Fund, the  
17 Strategic Initiatives Program Fund, and/or the Transportation Expansion and  
18 Congestion Mitigation Fund, to be used for nonrecurring expenditures for the  
19 Contract Construction and Right-of-Way Acquisition Division for the period  
20 July 1, 2024, through June 30, 2025. The Office of the State Controller shall  
21 confirm the reappropriation amount, by fund, expense class, and program,  
22 with the Legislative Services Office prior to processing the reappropria-  
23 tion authorized herein.

24 SECTION 7. STATE STREET PROPERTY. Notwithstanding any provision of  
25 law to the contrary, the authority of the Department of Administration to  
26 dispose of the state administrative facility and property at 3311 W State  
27 Street, Boise, Idaho 83703 is revoked. Notwithstanding any provision of law  
28 to the contrary, custody and control of the state administrative facility  
29 and property at 3311 W State Street, Boise, Idaho 83703 shall be transferred  
30 back to the Idaho Transportation Board. Of the amount appropriated in Sec-  
31 tion 1 of this act, \$32,500,000 shall be used for the purpose of rehabilitat-  
32 ing the state administrative facility at 3311 W State Street, Boise, Idaho  
33 83703. Funds designated under this section may be used only for the purpose  
34 identified in this section. This appropriation is contingent on custody and  
35 control of the state administrative facility and property at 3311 W State  
36 Street, Boise, Idaho 83703 returning to the Idaho Transportation Board.

37 SECTION 8. DISTRICT 4 SHOSHONE HEADQUARTERS. Of the \$15,500,000 ap-  
38 propriated for deferred maintenance in Section 1 of this act, a minimum of  
39 \$1,000,000 shall be used for the rehabilitation of the Shoshone District 4  
40 headquarters. The Idaho Department of Transportation shall report progress  
41 by December 1, 2024, through a report to the Legislative Services Office  
42 Budget and Policy Analysis Division.

43 SECTION 9. CASH TRANSFER. There is hereby appropriated, and the Office  
44 of the State Controller shall transfer \$181,680,000 from the General Fund to  
45 the Strategic Initiatives Program (Dedicated) Fund as soon as practicable  
46 for the period July 1, 2024, through June 30, 2025.

1 SECTION 10. CASH TRANSFER. There is hereby appropriated, and the Office  
2 of the State Controller shall transfer \$200,000,000 from the General Fund  
3 to the Strategic Initiatives Program (Local) Fund as soon as practicable for  
4 the period July 1, 2024, through June 30, 2025.

5 SECTION 11. CASH TRANSFER. There is hereby appropriated, and the Office  
6 of the State Controller shall transfer \$121,120,000 from the General Fund  
7 to the Local Highway Distribution Fund as soon as practicable for the period  
8 July 1, 2024, through June 30, 2025.

9 SECTION 12. LOCAL HIGHWAY DISTRIBUTION FUND. The amount appropriated  
10 in Section 11 of this act shall be distributed in full with the first distri-  
11 bution from the Highway Distribution Account.

12 SECTION 13. AMERICAN RESCUE PLAN STATE AND LOCAL FISCAL RECOVERY FUND  
13 PROJECTS. The Legislature declares as obligated up to thirty percent of the  
14 American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Fund (SLFRF)  
15 for eligible surface transportation projects and cost overruns on eligible  
16 projects. No later than December 31, 2024, the Division of Financial Man-  
17 agement and the State Controller shall identify any balances that will be un-  
18 spent by December 31, 2026, and shall transfer up to \$10,000,000 to the Lo-  
19 cal Highway Technical Assistance Council (LHTAC) to be used for pedestrian  
20 safety projects. Projects shall be identified by LHTAC and expensed consis-  
21 tent with United States Treasury regulations. LHTAC shall provide a report  
22 on the use of these funds to the Joint Finance-Appropriations Committee and  
23 the Legislative Services Office Budget and Policy Analysis Division no later  
24 than January 24, 2025. The Division of Financial Management shall identify  
25 any remaining ARPA SLFRF balances beyond this \$10,000,000 that will be un-  
26 spent by December 31, 2026, and request appropriation for eligible surface  
27 transportation projects during the 2025 legislative session.

28 SECTION 14. ALLOCATION OF FUNDS FOR SPECIFIC PROJECTS. Notwithstanding  
29 any law to the contrary, and of the moneys appropriated in Section 11 of this  
30 act, and of the moneys distributed pursuant to section 40-709, Idaho Code,  
31 to any single countywide highway district formed pursuant to chapter 14, ti-  
32 tle 40, Idaho Code, at least \$7,000,000 shall be used to complete the design  
33 and construction of the Ustick Road widening project west of state highway 16  
34 from Owyhee Storm Avenue to Can-Ada Road.

35 SECTION 15. ACCOUNTABILITY REPORTS. Funds specifically identified in  
36 statute or in an appropriation act as intended for a certain purpose may be  
37 used only for that purpose. All funds provided in this act shall be subject  
38 to accountability reports and management reviews in accordance with Section  
39 67-702, Idaho Code.

40 SECTION 16. An emergency existing therefor, which emergency is hereby  
41 declared to exist, Section 7 of this act shall be in full force and effect on  
42 and after its passage and approval, and Sections 1 through 6 and 8 through 15  
43 of this act shall be in full force and effect on and after July 1, 2024.