

MINUTES
JOINT FINANCE-APPROPRIATIONS COMMITTEE

DATE: Tuesday, January 16, 2024
TIME: 8:00 A.M.
PLACE: Room C310
MEMBERS PRESENT: Senators Co-Chairman Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Herndon, Ward-Engelking, Just
Representatives Co-Chair Horman, Miller, Bundy, Raybould, Furniss, Handy, Lambert, Petzke, Tanner, Green
ABSENT/ EXCUSED: Senator Bruner (Adams), Representative Petzke

Co-Chair Horman called the meeting to order at 8:01 a.m.

Co-Chair Horman recognized the historic nature of the day's decisions. She explained JFAC is making statewide budgeting decisions earlier in the legislative session to make the budget process more transparent and accountable.

Co-Chairman Grow stated the Co-Chairs' goal is to reduce redundancy in budget setting. Moving budgets to the House and Senate floors earlier in the session allows more time to focus on budget line items and other specific requests from agencies. He indicated budgets will be considered more fully than in the past.

Co-Chairman Grow explained the components of a base budget. He highlighted the difference between the FY 2024 original appropriation and the FY 2025 Governor's recommendation.

The base budget begins with the FY 2024 original appropriation. Four costs are added to the base budget: personnel benefit costs (which will be a reduction this year), inflationary adjustments, statewide allocation adjustments, and the Change in Employee Compensation (CEC). The Governor has recommended a 3% increase. JFAC is using a 1% increase as a placeholder until it deliberates on the final recommendation from the CEC committee. Once JFAC makes a final decision on the amount of CEC to adopt, those percentages will be applied to every budget and become part of the base budget.

Replacement items are not being considered in today's budget decisions. Replacement items and supplemental, one-time requests will be considered in each agency's future budget hearing.

Sen. Ward-Engelking referenced her seat on the CEC committee. She pointed out last year the base budgets included \$13,750/employee for benefits. This year, based on the new benefits contract, the Governor has recommended \$13K/employee for benefits. The statewide motions in consideration use the Governor's recommendation for benefits, but not for CEC. The Governor recommends 3% CEC; these base maintenance budgets use 1% for CEC.

Co-Chair Horman explained the Co-Chairs did not realize the CEC Committee proposes both a benefit recommendation and a CEC recommendation. She reiterated the current 1% CEC is a placeholder until the CEC makes a final recommendation.

Co-Chairman Grow explained there is a new state health insurance contract. As a result, the Governor reduced the benefit cost in his recommendation from \$13,750/employee to \$13,000/employee. The Co-Chairs used the \$13K number from the new contract; they are still waiting for the CEC recommendations.

Sen. Just expressed concerns with the new budget setting process. He asked for clarification about the 2/3 majority vote process to reopen budgets.

Co-Chair Horman explained JFAC votes as it always has but reports vote totals by chamber. If there is no majority of either the House or Senate members on a bill, that bill either goes to a chamber and is returned, or it is retained in JFAC for further discussion until it passes with a majority of both the House Appropriations members and the Senate Finance members.

Co-Chair Horman reaffirmed JFAC will meet every day and consider every agency's request as it has always done.

Co-Chairman Grow expressed confidence in the committee to continue the courtesy of agreeing to unanimous consent to reopen budgets to consider line items, replacement items, and other requests.

In response to committee concerns, **Co-Chair Horman** stated achieving a 2/3 majority to reopen budgets is not a JFAC rule. The committee operates on custom, precedent, and usage.

Sen. Ward-Engelking commented once a budget has been closed, the Joint Rules state a 2/3 majority is required to reopen every budget. It will require a 2/3 vote of JFAC, at the minimum, to reopen every budget to either add or subtract funding.

Co-Chair Horman stated JFAC has not adopted any rules but rather follows the custom established in previous sessions.

Sen. Ward-Engelking expressed concerns about voting on several budgets at once. She said the General Government grouping has 21 separate budgets and will be decided with one vote. She felt she had not had enough time to review the budgets and will be voting no on these decisions.

Co-Chair Horman stated these budget requests have been available since September. Every member of JFAC is free to vote according to his or her conscience and to represent his or her constituents. She stated JFAC has multiple precedents for passing budgets in the nature happening today.

Co-Chairman Grow explained non-discretionary items are not included in the base budgets because of their volatility. The decisions made today are about stable items in the base budgets. The base budget is the minimum of the carry-forward items to keep the agency going.

Co-Chair Horman expressed appreciation for the JFAC commitment to civility even when disagreeing and thanked members for their comments.

Mr. Keith Bybee, Division Manager, LSO Budget & Policy Analysis, reviewed the FY 2025 statewide impact of the statewide maintenance budgets. He explained the benefit cost adjustments, inflationary adjustments, statewide cost allocations, and the 1% placeholder for the future Change in Employee Compensation (CEC) decision. The total impact of the statewide decisions is an additional \$10,677,700 from the General Fund, \$7,373,400 from dedicated funds, and \$1,758,200 from federal funds, for a total increase of \$19,809,300. This is the total change from the base budget for these maintenance adjustments.

In response to a committee question, **Mr. Bybee** explained the reductions in the Maintenance of Current Operations (MCO) budget from the General Fund, dedicated funds, and federal funds reflect the winding down of pandemic relief monies.

Mr. Bybee presented the FY 2025 statewide maintenance budget for the agencies in Public Schools.

MOTION:

Sen. Lent made a motion, seconded by **Rep. Lambert**, beginning with the FY 2025 Base, to include maintenance adjustments for Benefit Costs, Statewide Cost Allocation, and CEC. This motion includes \$2,694,054,100 from the General Fund, \$126,497,100 from dedicated funds, \$251,147,800 from federal funds, for a total of \$3,071,699,000.

Sen. Lent stated this maintenance budget includes the following budgeted divisions: Administrators, Teachers, Operations, Children's Programs, Facilities, Central Services, and Educational Services for the Deaf and the Blind.

**ROLL CALL
VOTE ON
MOTION:**

Motion carried by a total vote of 15 AYES, 3 NAY, 2 ABSENT/EXCUSED. Senators voting in favor of the motion: Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Herndon. Senators voting in opposition to the motion: Ward-Engelking, Just. Senators Absent/Excused: Bruner (Adams). Representatives voting in favor of the motion: Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Handy. Representatives voting in opposition to the motion: Green. Representatives Absent/Excused: Petzke.

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 **Co-Chair Horman**.

Co-Chairman Grow reiterated the intent language under consideration is standard and has not been altered from years past.

Mr. Bybee confirmed the only changes to the intent language motions are updated dates and dollar amounts from the year before. JFAC updates the statute every year when it sets the public schools budget.

Co-Chairman Grow explained the need to follow state laws, federal laws, requirements, and guidelines in state public education. This requires a significant amount of intent language.

Co-Chair Horman put the committee at ease at 8:55 a.m.

Co-Chair Horman resumed the meeting at 8:57 a.m.

**VOTE ON
MOTION:**

Sen. Lent made a motion, seconded by **Rep. Lambert**, for unanimous consent to accept the following standard appropriation language with the FY 2025 Public Schools maintenance budget. **Motion carried by voice vote.**

**STANDARD
LANGUAGE:**

Standard language for Public Schools, Division of Teachers: PROFESSIONAL DEVELOPMENT. Of the moneys appropriated in Section __ of this act, \$13,750,000 from the Public School Income Fund shall be distributed for professional development that supports instructors and pupil service staff to increase student learning, mentoring, and collaboration. Professional development efforts should be measurable, provide the instructors and pupil service staff with a clear understanding of their progress, be incorporated into their performance evaluations, and, to the extent possible, be included in the school district or public charter school continuous improvement plans required by Section 33-320, Idaho Code. Funding shall be distributed by a formula prescribed by the State Department of Education,

and the State Department of Education shall track usage and effectiveness of professional development efforts at the state and local levels.

Standard language for Public Schools, Division of Teachers: DEFINITION. For the purposes of this act, "distributed" means moneys that are transferred to school districts and public charter schools, with no funds withheld for any other contract or administrative costs.

Standard language for Public Schools, Division of Operations/Administration: That Section 33-1004E, Idaho Code, be, and the same is hereby amended to read as follows: 33-1004E. DISTRICT'S SALARY-BASED APPORTIONMENT.

33-1004E(6)...[DELETE] ~~On and after July 1, 2023, the district administrative staff index shall be multiplied by the base salary of forty-three thousand one hundred fifty-one dollars (\$43,151).~~ [INSERT] On and after July 1, 2024, the district administrative staff index shall be multiplied by the base salary of forty-three thousand five hundred eighty-three dollars (\$43,583).

33-1004E(7) [DELETE] ~~On and after July 1, 2023, to determine the apportionment for classified staff, multiply thirty-eight thousand eight hundred two dollars (\$38,802).~~ [INSERT] On and after July 1, 2024, to determine the apportionment for classified staff, multiply thirty-nine thousand one hundred ninety dollars (\$39,190).

Standard language for Public Schools, Division of Operations: DISCRETIONARY FUNDS. Notwithstanding any law to the contrary, for the period July 1, 2024, through June 30, 2025, it is estimated that the appropriation of state funds to the Public Schools Educational Support Program's Division of Operations will result in total discretionary funds of \$19,537 per support unit that are to be used at the discretion of the school district or charter school.

Standard language for Public Schools, Division of Operations: HEALTH BENEFIT AND INSURANCE FUNDS. Notwithstanding any law to the contrary, for the period July 1, 2024, through June 30, 2025, it is estimated that the appropriation of state funds to the Public Schools Educational Support Program's Division of Operations will result in total health benefits or insurance and health benefits-related funds of \$21,854 per support unit to be used to offset the costs of health, vision, and dental benefits or insurance offered to school employees. If the distribution provided for health, vision, and dental benefits or insurance is in excess of the individual school district's or charter school's actual costs, the excess funds may then be used at school district's or charter school's discretion. Further, the State Department of Education shall work with the Legislative Services Office Division of Budget and Policy Analysis and the Division of Financial Management to determine the information that the State Department of Education shall collect on school districts' and charter schools' health, vision, and dental benefits or insurance plan information and costs, including but not limited to actual insurance premium costs, premium percentage increases, and health insurance revenues and expenditures from all fund sources.

Standard language for Public Schools, Division of Operations: CLASSROOM TECHNOLOGY. Of the moneys appropriated in Section 1 of this act, \$36,500,000 from the Public School Income Fund shall be distributed for classroom technology, classroom technology infrastructure, wireless technology infrastructure, and learning management systems that assist teachers and students in effective and efficient instruction or learning. Funding shall be distributed based on a formula prescribed by the State Department of Education. Moneys so distributed shall be used to implement and operate a learning management system of each school district's or public charter school's choice. A learning management system shall include integration with a school district's or public charter school's student information system (SIS) and shall administer, monitor, and document student and classroom levels of learning. The State Department of Education shall verify that school districts and public charter schools are using funds to purchase a learning management system that is compliant with these standards.

Standard language for Public Schools, Division of Operations: DEFINITION. For the purposes of this appropriation, "distributed" means moneys that are transferred to school districts and public charter schools, with no funds withheld for any other contract or administrative costs.

Standard language for Public Schools, Division of Operations: EXEMPTIONS FROM PROGRAM TRANSFER LIMITATIONS. For the period July 1, 2024, to June 30, 2025, the State Department of Education is hereby granted the authority to transfer appropriations among the Administrators, Teachers, Operations, Children's Programs, and Facilities divisions of the Public Schools Educational Support Program, in any amount necessary, to comply with the public school funding provisions of appropriations and Idaho Code. Additionally, appropriations may be transferred from the Division of Central Services to the other divisions of the Public Schools Educational Support Program.

Standard language for Public Schools, Division of Children's Programs: IDAHO DIGITAL LEARNING ACADEMY. The Idaho Digital Learning Academy (IDLA), created pursuant to Chapter 55, Title 33, Idaho Code, shall utilize state-appropriated funds for the period July 1, 2024, through June 30, 2025, to achieve the following: (1) Tuition charged by IDLA to Idaho school districts and charter schools shall not exceed \$75.00 per enrollment. (2) Provide remedial coursework for students failing to achieve proficiency in one (1) or more areas of Idaho's standards-based tests. (3) Pursuant to State Board of Education rule, IDAPA 08.02.03, provide advanced opportunities, including access to dual credit courses, for students. The preceding list shall not be construed as excluding other instruction and training that may be provided by the Idaho Digital Learning Academy.

Standard language for Public Schools, Division of Children's Programs: TOBACCO, CIGARETTE, AND LOTTERY DISTRIBUTION. Notwithstanding any provision of law to the contrary, of the moneys appropriated in Section __ of this act, up to \$4,324,900 from available tobacco, cigarette, and lottery income tax revenue funds accruing, appropriated, or distributed to the Public School Income Fund pursuant to Sections 63-2506, 63-2552A, and 63-3067, Idaho Code, for the period July 1, 2024, through June 30, 2025, shall be distributed to school districts and charter schools through a combination of a base amount of \$2,000 plus a prorated amount based on the prior year's average daily attendance. Such funds shall be used to develop and implement school safety improvements and/or to facilitate and provide substance abuse prevention programs in the public school system.

Standard language for Public Schools, Division of Children's Programs: COURSEWORK. Of the moneys appropriated in Section ___ of this act, \$4,715,000 shall be distributed for coursework for students failing to achieve proficiency on Idaho's standards-based achievement tests in dollar amounts determined by the State Department of Education. The State Department of Education shall report to the Joint Finance-Appropriations Committee and the Senate Education and House Education committees by no later than January 13, 2025, on the uses of funds and effectiveness of the programs and efforts.

Standard language for Public Schools, Division of Children's Programs: ENGLISH PROFICIENCY. Pursuant to Section 33-1617, Idaho Code, of the moneys appropriated in Section ___ of this act, \$4,820,000 shall be distributed for support of students in English language learner programs as follows: (1) The State Department of Education shall distribute \$4,370,000 to school districts and charter schools pro rata based on the population of English language learners under criteria established by the department. (2) The State Department of Education shall distribute \$450,000 for a competitive grant program to assist school districts and charter schools in which English language learners are not reaching statewide accountability interim targets or long-term goals, as defined by federal law. This amount shall be distributed annually in three-year grant cycles, contingent on appropriation and the ability of grantees to meet program objectives. (3) The State Department of Education shall develop the program elements and objectives governing the use of these funds and include a program evaluation component. The purpose of these funds is to improve student English language skills to allow for better access to the educational opportunities offered in public schools. The State Department of Education shall report to the Joint Finance-Appropriations Committee and the Senate Education and House Education committees by no later than January 13, 2025, on the program design, use of funds, and program effectiveness.

Standard language for Public Schools, Division of Children's Programs: ADVANCED OPPORTUNITIES COURSES AND PROGRAM EVALUATION. The State Department of Education shall compile information concerning the numbers of students enrolling in advanced opportunities courses according to the provisions of Chapter 46, Title 33, Idaho Code, whether coursework is successfully completed, and total expenditures for fiscal year 2024. As nearly as practicable, the report shall contain information about enrollment of this student population in postsecondary education. A report containing such information shall be posted on the website of the State Department of Education no later than December 29, 2024.

Standard language for Public Schools, Division of Children's Programs: PUBLIC SCHOOL INCOME FUND TRANSFER TO COMMISSION ON HISPANIC AFFAIRS. There is hereby appropriated and the Office of the State Controller shall transfer in accordance with Section 63-2552A(3), Idaho Code, on July 1, 2024, or as soon thereafter as practicable, \$80,000 from the Public School Income Fund to the Commission on Hispanic Affairs Miscellaneous Revenue Fund to be used for substance abuse prevention efforts in collaboration with the State Department of Education.

Standard language for Public Schools, Division of Children's Programs: PUBLIC SCHOOL INCOME FUND TRANSFER TO THE IDAHO STATE POLICE. There is hereby appropriated and the Office of the State Controller shall transfer in accordance with Section 63-2552A(3), Idaho Code, on July 1, 2024, or as soon thereafter as practicable, \$200,000 from the Public School Income Fund to the Idaho State Police Miscellaneous Revenue Fund for the purpose of increasing toxicology lab capacity in Forensic Services.

Standard language for Public Schools, Division of Children's Programs: DEFINITION. For the purposes of this act, "distributed" means moneys that are transferred to school districts, public charter schools, and the Idaho Digital Learning Academy, with no funds withheld for any other contract or administrative costs.

Standard language for Public Schools, Division of Children's Programs: DIGITAL CONTENT. Of the funds appropriated in Section ___ of this act, \$1,600,000 shall be distributed by the State Department of Education to school districts and public charter schools to purchase digital content and curricula of their choice. Funding will be distributed based on a formula prescribed by the State Department of Education that includes a base amount and an amount based on the number of midterm support units.

Standard language for Public Schools, Division of Facilities: TRANSFER. Of the moneys appropriated to the Public Schools Educational Support Program's Division of Facilities, the amount necessary to fund the provisions of Section 33-906, Idaho Code, is hereby transferred and appropriated to the Bond Levy Equalization Fund. If the funding appropriated in Section ___ of this act is insufficient to meet the requirements of Section 33-906, Idaho Code, the difference shall be withdrawn and paid from the Public Education Stabilization Fund, notwithstanding any other provision of law to the contrary.

Standard language for Public Schools, Division of Facilities: TRANSFER FOR PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM. Of the moneys appropriated in Section 1 of this act, there is hereby appropriated and the Office of the State Controller shall transfer \$14,479,200 from the General Fund to the Public School Income Fund to be expended for the Public Schools Educational Support Program's Division of Facilities for the period July 1, 2024, through June 30, 2025.

Standard language for Public Schools, Division of Central Services: PROGRAM SUPPORT. Of the moneys appropriated in Section ___ of this act, up to \$2,459,100 from the Public School Income Fund shall be expended for the support of literacy programs, intervention services for non-Title I schools that fail to achieve proficiency on Idaho's standards-based achievement tests, math initiative programs and regional math labs, and evaluation of the programs for students with non-English or limited-English proficiency. The State Department of Education shall report to the Joint Finance-Appropriations Committee, the Senate Education Committee, and the House Education Committee by January 13, 2025, on the uses of funds and effectiveness of the programs and efforts.

Standard language for Public Schools, Division of Central Services: STUDENT ASSESSMENTS. Of the moneys appropriated in Section ___ of this act, the State Department of Education may expend up to \$2,258,500 for the development or administration of student assessments, including a college entrance exam for grade 11 students, an exam for grade 10 students that provides preparation for the college entrance exam, and end-of-course exams for high school science subjects.

Standard language for Public Schools, Division of Central Services: PROFESSIONAL DEVELOPMENT. Of the moneys appropriated in Section ___ of this act, the State Department of Education may expend up to \$4,500,000 for professional development and teacher training and to track usage and effectiveness of professional development efforts at the state and local levels.

Standard language for Public Schools, Division of Central Services: CONTENT AND CURRICULUM – DIGITAL CONTENT. Of the moneys appropriated in Section ___ of this act, \$1,200,000 shall be expended for the purchase of content and curriculum for adaptive math instruction, and \$2,250,000 shall be expended for research-based programs to assist with the instruction of students with non-English or limited-English proficiency and for learning loss.

Standard language for Public Schools, Division of Central Services: YEAR-END RECONCILIATION. If the moneys appropriated and transferred to the Public School Income Fund and the moneys appropriated from the General Fund in Section ___ of this act exceed the actual expenditures for the specified purposes, the difference shall be included in the year-end reconciliation used to calculate funding available to meet the requirements of Section 33-1018, Idaho Code, notwithstanding any other provision of law to the contrary. If the funding amounts specified in Section ___ of this act are insufficient to meet the actual expenditures, the difference shall be included in the year-end reconciliation used to calculate funding available to meet the requirements of Section 33-1018, Idaho Code, notwithstanding any other provision of law to the contrary.

Standard language for Public Schools, Division of Central Services: CONTENT AND CURRICULUM – TECHNOLOGY. Of the moneys appropriated in Section ___ of this act, an amount not to exceed \$1,570,000 from the Public School Income Fund may be expended by the State Department of Education to contract for services that provide technology education opportunities and/or information technology certifications to students, including faculty that prepare students for college, career, or the workplace. Funding shall be awarded for projects that include three (3) or more of the following components: (1) Certification of skills and competencies; (2) Professional development for teachers; (3) Integration with curriculum standards; (4) Online access to research-based content and curriculum; or (5) Instructional software for classroom use. The State Department of Education shall provide a report to the Joint Finance-Appropriations Committee, the Senate Education Committee, and the House Education Committee by January 13, 2025, regarding the number and type of certificates earned by students and faculty.

Standard language for Public Schools, Division of Central Services: DEFINITIONS. For the purposes of this act, "distributed" means moneys that are transferred to school districts and public charter schools, with no funds withheld for any other contract or administrative costs. "Expended" means moneys that pay for the cost of contracts that provide services to school districts, public charter schools, or students or that pay for the State Department of Education's cost of administering the programs for which the moneys are allocated.

Standard language for Public Schools, Division of Central Services: ACQUISITIONS. Consistent with the provisions of Chapter 92, Title 67, Idaho Code, the State Department of Education is encouraged to engage in open, competitive acquisition processes. The State Department of Education shall provide a report to the Joint Finance-Appropriations Committee by December 1, 2024, on all contracts signed during fiscal year 2024 for property valued at more than \$25,000. The report shall include for each contract: (a) the amount; (b) the duration; (c) the parties; (d) the subject; (e) whether the contract was awarded as a result of an open, competitive acquisition process or as a sole source or other noncompetitive procurement pursuant to Section 67-9221, Idaho Code; and (f) the rationale for signing any sole source or other noncompetitive procurements.

Standard language for Public Schools, Division of Teachers: INSTRUCTIONAL AND PUPIL SERVICE STAFF COMPENSATION. In addition to the distribution criteria set forth in Section 33-1004B(9)(f), Idaho Code, an additional \$6,359 shall be allocated to each cell for residential, professional, and advanced professional rungs. These funds must be used for instructional and pupil service compensation. Funding shall be distributed in combination with other career ladder allocations for the period July 1, 2024, through June 30, 2025. School districts and public charter schools shall report to the State Department of Education on the allocation of these funds for instructional and pupil service compensation. The State Department of Education shall provide a report to the Joint Finance-Appropriations Committee by January 13, 2025, on the allocations made by school districts and public charter schools. The format of the report and the contents therein shall be determined by the Legislative Services Office Budget and Policy Analysis Division.

Mr. Bybee presented the FY 2025 statewide maintenance budget for the agencies in the Office of the State Board of Education.

MOTION:

Sen. Van Orden made a motion, seconded by **Rep. Bundy**, beginning with the FY 2025 Base, to include maintenance adjustments for Benefit Costs, Inflationary Adjustments, Statewide Cost Allocation, and CEC. This motion includes \$647,918,400 from the General Fund, \$361,257,700 from dedicated funds, and \$52,316,100 from federal funds, for a total of \$1,061,492,200, and caps full-time equivalent positions at 561.26.

Sen. Van Orden stated this maintenance budget includes the following budgeted divisions: Agricultural Research & Extension Service, College & Universities, Community Colleges, the Office of the State Board of Education, Health Education Programs, Division of Career Technical Education, Idaho Public Television, Special Programs, Department of Education, Vocational Rehabilitation, and Charter School Commission.

**ROLL CALL
VOTE ON
MOTION:**

Motion carried by a total vote of 15 AYES, 3 NAY, 2 ABSENT/EXCUSED.
Senators voting in favor of the motion: **Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Herndon.** **Senators voting in opposition** to the motion: **Ward-Engelking, Just.** **Senators Absent/Excused: Bruner (Adams).**
Representatives voting in favor of the motion: **Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Handy.** **Representatives voting in opposition** to the motion: **Green.** **Representatives Absent/Excused: Petzke.**

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 **Co-Chair Horman.**

**UNANIMOUS
CONSENT
REQUEST:**

Sen. Van Orden requested and it was granted by unanimous consent, to accept the following standard appropriation language with the FY 2025 State Board of Education (SBE) maintenance budget.

**STANDARD
LANGUAGE:**

Standard language for SBE, Division of Colleges and Universities: EXEMPTIONS FROM EXPENSE CLASS AND PROGRAM TRANSFER LIMITATIONS. The State Board of Education and the Board of Regents of the University of Idaho for College and Universities and the Office of the State Board of Education are hereby exempted from the provisions of Section 67-3511(1), (2), and (3), Idaho Code, allowing unlimited transfers between expense classes and between programs for all moneys appropriated to them for the period July 1, 2024, through June 30, 2025. Legislative appropriations shall not be transferred from one fund to another fund unless expressly approved by the Legislature.

Standard language for SBE, Division of Colleges and Universities: SYSTEMWIDE NEEDS FOR COLLEGE AND UNIVERSITIES. Of the amount appropriated in Section 1, Subsection V. of this act, the following amounts may be used as follows: (1) an amount not to exceed \$902,600 may be used by the Office of the State Board of Education for systemwide needs that benefit all of the four-year institutions, including but not limited to projects to promote accountability and information transfer throughout the higher education system; and (2) an amount of approximately \$1,960,500 may be used for the mission and goals of the Higher Education Research Council as outlined in State Board of Education Policy III.W., which includes awards for infrastructure, matching grants, and competitive grants through the Idaho Incubation Fund program.

Standard language for SBE, Division of Colleges and Universities: STUDENT TUITION AND FEES FOR FISCAL YEAR 2025. Notwithstanding the provisions of Section 67-3516(2), Idaho Code, the Division of Financial Management may approve the expenditure of dedicated state funds pursuant to the noncognizable process for student tuition and fees during fiscal year 2025 for Boise State University, Idaho State University, Lewis-Clark State College, and the University of Idaho. Each of the institutions' budget requests for fiscal year 2026 shall reflect all adjustments so approved by the Division of Financial Management.

Standard language for SBE, Division of Community Colleges: EXEMPTIONS FROM EXPENSE CLASS AND PROGRAM TRANSFER LIMITATIONS. The State Board of Education for Community Colleges is hereby exempted from the provisions of Section 67-3511(1), (2), and (3), Idaho Code, allowing unlimited transfers between expense classes and between programs for all moneys appropriated to it for the period July 1, 2024, through June 30, 2025. Legislative appropriations shall not be transferred from one fund to another fund unless expressly approved by the Legislature.

Standard language for SBE, Division of Health Education Programs: EXEMPTIONS FROM EXPENSE CLASS TRANSFER LIMITATIONS. The State Board of Education and the Board of Regents of the University of Idaho for Health Education Programs are hereby exempted from the provisions of Section 67-3511(1) and (3), Idaho Code, allowing unlimited transfers between expense classes for dedicated fund moneys appropriated for the period July 1, 2024, through June 30, 2025. Legislative appropriations shall not be transferred from one fund to another fund unless expressly approved by the Legislature.

Standard language for SBE, Division of Health Education Programs: REAPPROPRIATION AUTHORITY. There is hereby reappropriated to the State Board of Education and the Board of Regents of the University of Idaho for Health Education Programs any unexpended and unencumbered balances appropriated or reappropriated to the State Board of Education and the Board of Regents of the University of Idaho for Health Education Programs from dedicated funds for fiscal year 2024 to be used for nonrecurring expenditures for the period July 1, 2024, through June 30, 2025. The Office of the State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

Standard language for SBE, Division of Health Education Programs: STUDENT TUITION AND FEES FOR FISCAL YEAR 2024. Notwithstanding the provisions of Section 67-3516(2), Idaho Code, the Division of Financial Management may approve the expenditure of dedicated funds pursuant to the noncognizable process for student tuition and fees during fiscal year 2025 for Health Education Programs. Each of the programs' budget requests for fiscal year 2026 shall reflect all adjustments so approved by the Division of Financial Management.

Standard language for Career Technical Education: EXEMPTIONS FROM EXPENSE CLASS TRANSFER LIMITATIONS. Postsecondary Programs within the Division of Career Technical Education are hereby exempted from the provisions of Section 67-3511(1) and (3), Idaho Code, allowing unlimited transfers between expense classes for all moneys appropriated to it for the period July 1, 2024, through June 30, 2025. Legislative appropriations shall not be transferred from one fund to another fund unless expressly approved by the Legislature.

Standard language for Idaho Public Television: CONTINUOUS APPROPRIATION. Idaho Public Television is hereby granted continuous appropriation authority for positions and funds for its Miscellaneous Revenue Fund for the period July 1, 2024, through June 30, 2025, for the purpose of content production and related services from revenue sources provided by private donations.

Standard language for SBE, Division of Special Programs: OPPORTUNITY SCHOLARSHIP PROGRAM ACCOUNT. Moneys appropriated from the General Fund to the Scholarships and Grants Program for fiscal year 2024 that are unexpended and unencumbered on June 30, 2024, are hereby appropriated and shall be transferred by the Office of the State Controller to the Opportunity Scholarship Program Account created in Section 33-4303, Idaho Code.

Standard language for the Department of Education, Division of State Board of Education: ACQUISITIONS. Consistent with the provisions of Chapter 92, Title 67, Idaho Code, the State Department of Education is encouraged to engage in open, competitive acquisition processes. The State Department of Education shall provide a report to the Joint Finance-Appropriations Committee by December 1, 2024, on all contracts signed during fiscal year 2024 for property valued at more than \$25,000. The report shall include for each contract: (a) the amount; (b) the duration; (c) the parties; (d) the subject; (e) whether the contract was awarded as a result of an open, competitive acquisition process or a sole source or other noncompetitive procurement pursuant to Section 67-9221, Idaho Code; and (f) the rationale for signing any sole source or other noncompetitive procurements.

Mr. Bybee presented the FY 2025 statewide maintenance budget for the agencies in Health and Human Services. He stated this maintenance budget includes the following budgeted divisions: Child Welfare, Services for the Developmentally Disabled, Service Integration, Division of Welfare, Division of Medicaid, Public Health Services, Licensing and Certification, Substance Abuse & Treatment Prevention, Mental Health Services, Psychiatric Hospitalization, Independent Councils, and the State Independent Living Council.

MOTION: **Sen. Bjerke** made a motion, seconded by **Rep. Tanner**, beginning with the FY 2025 Base, to include maintenance adjustments for Benefit Costs, Inflationary Adjustments, Statewide Cost Allocation, and CEC. This motion includes \$1,044,093,900 from the General Fund, \$745,202,300 from dedicated funds, and \$3,295,541,600 from federal funds, for a total of \$5,084,837,800, and caps full-time equivalent positions at 3,000.94.

ROLL CALL VOTE ON MOTION: **Motion carried by a total vote of 15 AYES, 3 NAY, 2 ABSENT/EXCUSED. Senators voting in favor of the motion: Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Herndon. Senators voting in opposition to the motion: Ward-Engelking, Just. Senators Absent/Excused: Bruner (Adams). Representatives voting in favor of the motion: Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Handy. Representatives voting in opposition to the motion: Green. Representatives Absent/Excused: Petzke.**

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 **Co-Chair Horman**.

Co-Chair Horman reminded the committee once adopted by the Legislature, “intent language” becomes the law.

UNANIMOUS CONSENT REQUEST: **Sen. Bjerke** requested and it was granted by unanimous consent, to accept the following standard appropriation language with the FY 2025 Health and Human Services maintenance budget.

STANDARD LANGUAGE: Standard language for the Department of Health and Welfare, all divisions: GENERAL FUND TRANSFERS. As appropriated, the Office of the State Controller shall periodically make transfers from the General Fund to the Cooperative Welfare Fund as requested by the director of the Department of Health and Welfare and approved by the Board of Examiners.

Standard language for the Department of Health and Welfare, all divisions: TRUSTEE AND BENEFIT PAYMENTS. Notwithstanding the provisions of Section 67- 3511, Idaho Code, funds appropriated to the Department of Health and Welfare in the trustee and benefit payments expense class shall not be transferred to any other expense classes during fiscal year 2025.

Standard language for the Department of Health and Welfare, all divisions: PROGRAM INTEGRITY. Notwithstanding any other provision of law to the contrary, the Department of Health and Welfare shall be required to provide those services authorized or mandated by law in each program, only to the extent of funding and available resources appropriated for each budgeted program.

Standard language for the Department of Health and Welfare, all divisions: TRANSFER OF PERSONNEL COSTS. Notwithstanding the provisions of Section 67- 3511(4), Idaho Code, funding provided for the personnel costs expense class in each division shall not be transferred to any other expense class within the Department of Health and Welfare during fiscal year 2025.

Standard language for the Department of Health and Welfare, Division of Behavioral Health: EDUCATIONAL NEEDS. The Department of Health and Welfare, Division of Behavioral Health, shall be responsible for the educational needs of school-age children placed in its custody by the Judicial Branch for either child protective issues or mental health issues. If the department places a child in a licensed residential treatment facility that includes a nonpublic accredited school, and it is determined by the department that it is in the best interests of the child to be educated at the residential treatment facility, then it is the responsibility of the department to pay for such education per student, per educational day. Other Idaho state agencies shall not be precluded from exercising their responsibility to ensure a free and appropriate education for these students within the requirements of federal disability law. The fiscal impact of this section is included within existing department base appropriations.

Standard language for the Department of Health and Welfare, Division of Child Welfare: EDUCATIONAL NEEDS. The Department of Health and Welfare, Division of Child Welfare, shall be responsible for the educational needs of school-age children placed in its custody by the Judicial Branch for either child protective issues or mental health issues. If the department places a child in a licensed residential treatment facility that includes a nonpublic accredited school, and it is determined by the department that it is in the best interests of the child to be educated at the residential treatment facility, then it is the responsibility of the department to pay for such education per student, per educational day. Other Idaho state agencies shall not be precluded from exercising their responsibility to ensure a free and appropriate education for these students within the requirements of federal disability law. The fiscal impact of this section is included within existing department base appropriations.

Standard language for the Department of Health and Welfare, Division of Child Welfare: CHILD ABUSE PROTECTION TREATMENT ACT FUNDS. Of the amount appropriated in Section ___ of this act from the Cooperative Welfare (Federal) Fund, a minimum of \$42,000 of federal Child Abuse Protection Treatment Act (CAPTA) funds appropriated to the Department of Health and Welfare shall be provided to the public health districts each year. Funds for each public health district shall be distributed at one-seventh (1/7) of the total amount, which shall be used for the citizen review panels pursuant to Section 16-1647, Idaho Code.

Standard language for the Department of Health and Welfare, Division of Medicaid: MEDICAID TRACKING REPORT. The Department of Health and Welfare's Division of Medicaid and Division of Indirect Support Services shall deliver a report that compares the Medicaid appropriation, distributed by month for the year, to the actual expenditures and remaining forecasted expenditures for the year on a monthly basis to the Legislative Services Office and the Division of Financial Management. The report shall also include a forecast, updated monthly, of the next fiscal year's anticipated trustee and benefit expenditures. The format of the report and the information included therein shall be determined by the Legislative Services Office and the Division of Financial Management.

Standard language for the Department of Health and Welfare, Division of Medicaid: TRANSFER OF APPROPRIATIONS. Notwithstanding the provisions of Section 67-3511, Idaho Code, funding provided for the trustee and benefit payments expense class in the Department of Health and Welfare's Division of Medicaid may be transferred in excess of ten percent (10%) among the Coordinated Medicaid Plan, Enhanced Medicaid Plan, Basic Medicaid Plan, Expansion Medicaid Plan, and the Medicaid Administration and Medical Management Programs, but shall not be transferred to any other budgeted program or expense class within the Department of Health and Welfare during fiscal year 2025.

Standard language for the Department of Health and Welfare, Division of Medicaid: MEDICAID MANAGED CARE IMPLEMENTATION. The Department of Health and Welfare's Division of Medicaid shall provide a report to the Legislative Services Office and the Division of Financial Management on progress in integrating managed care approaches into the state Medicaid system. The format of the report and information contained therein shall be determined by the Legislative Services Office and the Division of Financial Management. The report shall be submitted no later than December 1, 2024.

Standard language for the Department of Health and Welfare, Division of Medicaid: COST-SHARING REQUIREMENT. The Department of Health and Welfare shall implement cost-sharing in the Division of Medicaid, as required by Section 56-257, Idaho Code, to the maximum extent that is federally allowable for the expanded population of children whose families' gross taxable income exceeds one hundred eighty-five percent (185%) but does not exceed three hundred percent (300%) of the federal poverty limit (FPL), for Medicaid-eligible services as identified in **House Bill No. 43**, as enacted by the First Regular Session of the Sixty-fourth Idaho Legislature.

Standard language for the Department of Health and Welfare, Division of Medicaid: BUDGET INTEGRITY. Notwithstanding any other provision of law to the contrary, and consistent with its cost containment strategy, the Department of Health and Welfare's Division of Medicaid shall submit its budget request in accordance with applicable Idaho law as of the date of submission. This section does not prohibit the agency from making requests of the Legislature that would impact any portion of the department's budget. However, any proposed changes to Idaho Code with an anticipated budgetary impact shall be identified in narrative form only, without numerical entries. Further, the department shall submit its budget request based on the forecasted amount for the most recent month available from the report identified in Section __ of this act and for the estimated needs of maintaining operations of the division.

Standard language for the Department of Health and Welfare, Division of Public Health: SUICIDE PREVENTION AND AWARENESS. The amount appropriated in Section __ of this act for the Suicide Prevention and Awareness Program shall be used in accordance with the plan developed by the various stakeholders as required by Section 6, Chapter 340, Laws of 2018. Further, the program shall continue to work with all relevant stakeholders to maximize the moneys appropriated for this purpose. The Department of Health and Welfare's Division of Public Health Services shall provide a report to the Legislative Services Office on the implementation of the program no later than November 1, 2024.

Standard language for the Department of Health and Welfare, Division of Public Health: CASH TRANSFER. Of the amount appropriated in Section ___ of this act from the Cooperative Welfare (General) Fund, there is hereby appropriated and the Office of the State Controller shall transfer \$640,000 from the Cooperative Welfare (General) Fund to the Rural Physician Incentive Fund on July 15, 2024, or as soon thereafter as practicable, for the Department of Health and Welfare for the period July 1, 2024, through June 30, 2025.

Standard language for the Department of Health and Welfare, Division of Public Health: HOME VISITATION PROGRAM. Of the amount appropriated in Section ___ of this act, \$1,000,000 from the Cooperative Welfare (General) Fund shall be distributed to the public health districts for the purpose of the Department of Health and Welfare's Home Visitation Program. These moneys shall be distributed according to a formula set by the public health district board of trustees, pursuant to Section 39-411, Idaho Code.

Standard language for the Department of Health and Welfare, Division of Public Health: PROJECT ECHO. Of the amount appropriated in Section ___ of this act from the Cooperative Welfare (General) Fund for the Health Care Policy Initiatives Program, \$200,000 shall be distributed to the Washington, Wyoming, Alaska, Montana, and Idaho (WWAMI) Medical Education Program for the continued implementation of Project ECHO.

Standard language for the Department of Health and Welfare, Division of Public Health: HOME VISITATION PROGRAM. Of the amount appropriated in Section ___ of this act, \$1,000,000 from the Cooperative Welfare (General) Fund shall be distributed to the public health districts for the purpose of the Home Visitation Program. These moneys shall be distributed according to a formula set by the public health district board of trustees, pursuant to Section 39-411, Idaho Code.

Standard language for the Department of Health and Welfare, Division of Public Health: SMOKING CESSATION. Of the amount appropriated in Section ___ of this act, \$1,278,700 from the Idaho Millennium Income Fund shall be distributed to the public health districts for the purpose of prevention and cessation programs for tobacco, vape, and other substances as funds allow. These moneys shall be distributed equally among the public health districts.

Standard language for the Department of Health and Welfare, Division of Public Health: PROJECT FILTER ALLOWABLE USES. Of the amount appropriated in Section ___ of this act, \$2,000,000 from the Idaho Millennium Income Fund shall be expended for the purposes of prevention and cessation programs from tobacco, vape, and other substances as funds allow. No moneys for Project Filter from the Millennium Income Fund shall be used for sponsorships or passive advertising.

Standard language for the Department of Health and Welfare, Indirect Support Services: CRIMINAL HISTORY UNIT REPORT. The Department of Health and Welfare's Division of Indirect Support Services shall deliver a report that outlines the obligations of the criminal history unit within Idaho Code. The format of the report and the information included therein shall be determined by the Legislative Services Office Division of Budget and Policy Analysis.

Standard language for the Department of Health and Welfare, Division of Licensing and Certification: REPORTS ON FACILITY LICENSING AND CERTIFICATIONS. The Department of Health and Welfare's Licensing and Certification Program shall provide biannual reports to the Legislative Services Office Division of Budget and Policy Analysis and the Division of Financial Management on the status of facility licensing and certifications as well as staff workload and caseload issues. The format of the report and the type of information included therein shall be determined by the Legislative Services Office and the Division of Financial Management. The first report shall be submitted no later than December 31, 2024, and the second report shall be submitted no later than June 30, 2025.

Standard language for the Department of Health and Welfare, Division of Mental Health Services: LIMITING TRANSFER OF LEGISLATIVE APPROPRIATIONS. Notwithstanding the provisions of Section 67-3511, Idaho Code, Cooperative Welfare (General) Fund moneys appropriated to the Department of Health and Welfare's Divisions of Mental Health Services and Psychiatric Hospitalization may be transferred between divisions but shall not be transferred to any other division or program within the Department of Health and Welfare without legislative approval.

Standard language for the Department of Health and Welfare, Division of Mental Health Services: INTERAGENCY PAYMENT FOR A JUVENILE DETENTION CLINICIANS CONTRACT. No later than July 16, 2024, the Department of Health and Welfare's Children's Mental Health Program shall make an interagency payment of \$327,000 from the Cooperative Welfare (General) Fund to the Department of Juvenile Corrections to be used for the purchase of contract clinician services with juvenile detention facilities in Idaho for the period July 1, 2024, through June 30, 2025.

Standard language for the Department of Health and Welfare, Division of Mental Health Services: BEHAVIORAL HEALTH COMMUNITY CRISIS CENTERS. The seven behavioral health community crisis centers shall submit records that indicate the levels of funding support by fund source. The format of the report and the information included therein shall be determined by the Legislative Services Office Budget and Policy Analysis Division. The contents of these reports shall aid in providing a clearer understanding of the financial situations of the behavioral health community crisis centers. These reports shall be submitted by Department of Health and Welfare to the Legislative Services Office Budget and Policy Analysis Division no later than December 31, 2024.

Standard language for the Department of Health and Welfare, Division of Psychiatric Hospitalization: EXEMPTIONS FROM PROGRAM TRANSFER LIMITATIONS. The Community Hospitalization Program is hereby exempted from the provisions of Section 67-3511(2), Idaho Code, allowing unlimited transfers into the Community Hospitalization Program from other programs within the Department of Health and Welfare for all moneys appropriated to it for the period July 1, 2024, through June 30, 2025.

Mr. Bybee presented the FY 2025 statewide maintenance budget for the agencies in Public Safety.

MOTION: **Sen. Burtenshaw** made a motion, seconded by **Co-Chair Horman**, beginning with the FY 2025 Base, to include maintenance adjustments for Benefit Costs, Inflationary Adjustments, Statewide Cost Allocation, and CEC. This motion includes \$425,311,100 from the General Fund, \$73,472,200 from dedicated funds, and \$15,648,500 from federal funds, for a total of \$514,431,800, and caps full-time equivalent positions at 3,275.61.

Sen. Burtenshaw stated this maintenance budget includes the following budgeted divisions: Department of Correction, Department of Juvenile Corrections, and Idaho State Police.

ROLL CALL VOTE ON MOTION: **Motion carried by a total vote of 15 AYES, 3 NAY, 2 ABSENT/EXCUSED.** **Senators voting in favor** of the motion: **Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Herndon.** **Senators voting in opposition** to the motion: **Ward-Engelking, Just.** **Senators Absent/Excused: Bruner (Adams).** **Representatives voting in favor** of the motion: **Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Handy.** **Representatives voting in opposition** to the motion: **Green.** **Representatives Absent/Excused: Petzke.**

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 **Co-Chair Horman.**

UNANIMOUS CONSENT REQUEST: **Sen. Burtenshaw** requested and it was granted by unanimous consent, to accept the following standard appropriation language with the FY 2025 Public Safety maintenance budget.

STANDARD LANGUAGE: Standard language for the Department of Correction: EXEMPTIONS FROM PROGRAM TRANSFER LIMITATIONS. The Department of Correction is hereby exempted from the provisions of Section 67-3511(2), Idaho Code, allowing unlimited transfers between programs for all moneys appropriated to it for the period July 1, 2024, through June 30, 2025; provided, however, moneys appropriated to the County and Out-of-State Placement Program and Medical Services Program may only be transferred between said programs. Legislative appropriations shall not be transferred from one fund to another fund unless expressly approved by the Legislature.

Standard language for the Department of Correction: REAPPROPRIATION AUTHORITY. There is hereby reappropriated to the Idaho Department of Correction any unexpended and unencumbered balances appropriated or reappropriated to the Idaho Department of Correction from the Hepatitis-C Fund for the purpose of hepatitis-c treatment for fiscal year 2024, in an amount not to exceed \$3,932,000 from the Hepatitis-C Fund to be used for nonrecurring expenditures relating to hepatitis-c treatment for the period July 1, 2024, through June 30, 2025. The Office of the State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

Mr. Bybee presented the FY 2025 statewide maintenance budget for the agencies in Natural Resources.

MOTION: **Rep. Miller** made a motion, seconded by **Sen. Burtenshaw**, beginning with the FY 2025 Base, to include maintenance adjustments for Benefit Costs, Inflationary Adjustments, Statewide Cost Allocation, and CEC. This motion includes \$64,204,500 from the General Fund, \$193,501,500 from dedicated funds, and \$267,966,500 from federal funds, for a total of \$525,672,500, and caps full-time equivalent positions at 1,639.07.

Rep. Miller stated this maintenance budget includes the following budgeted divisions: Department of Environmental Quality, Department of Fish & Game, Endowment Fund Investment Board, Department of Lands, Department of Parks & Recreation, and Department of Water Resources.

ROLL CALL VOTE ON MOTION: **Motion carried by a total vote of 15 AYES, 3 NAY, 2 ABSENT/EXCUSED.** **Senators voting in favor** of the motion: **Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Herndon.** **Senators voting in opposition** to the motion: **Ward-Engelking, Just.** **Senators Absent/Excused: Bruner (Adams).** **Representatives voting in favor** of the motion: **Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Handy.** **Representatives voting in opposition** to the motion: **Green.** **Representatives Absent/Excused: Petzke.**

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 **Co-Chair Horman.**

UNANIMOUS CONSENT REQUEST: **Sen. Bjerke** requested and it was granted by unanimous consent, to accept the following standard appropriation language with the FY 2025 Natural Resources maintenance budget.

STANDARD LANGUAGE: Standard language for the Department of Environmental Quality: **REMEDIATION PROJECT REPORTING REQUIREMENTS.** Moneys deposited into the Environmental Remediation (Basin) Fund shall be used for remediation of the Coeur d'Alene Basin in accordance with the Superfund contract with the Environmental Protection Agency. The Department of Environmental Quality shall submit an annual report to the Governor, the Legislature, and the Coeur d'Alene Basin Environmental Improvement Project Commission on the remediation progress and the expenditures involved.

Standard language for the Department of Environmental Quality: **CASH TRANSFER FOR WASTE REMEDIATION.** There is hereby appropriated to the Department of Environmental Quality and the Office of the State Controller shall transfer \$1,500,000 from the Water Pollution Control Fund to the Environmental Remediation (Basin) Fund on July 1, 2024, or as soon thereafter as practicable, for the period July 1, 2024, through June 30, 2025, to be used for Superfund cleanup projects in the Coeur d'Alene Basin.

Standard language for the Department of Environmental Quality: **USES OF THE WATER POLLUTION CONTROL FUND.** The appropriation of moneys from the Water Pollution Control Fund in this act for the Department of Environmental Quality shall specifically supersede the provisions of Section 39-3630, Idaho Code.

Standard language for the Department of Environmental Quality: REAPPROPRIATION AUTHORITY FOR THE ARPA STATE FISCAL RECOVERY FUND. There is hereby reappropriated to the Department of Environmental Quality any unexpended and unencumbered balances appropriated or reappropriated to the Department of Environmental Quality from the ARPA State Fiscal Recovery Fund for water infrastructure and remediation projects for fiscal year 2024 from the ARPA State Fiscal Recovery Fund, to be used for nonrecurring expenditures related to water infrastructure and remediation projects for the period July 1, 2024, through June 30, 2025. The Office of the State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

Standard language for the Department of Environmental Quality: USES OF ARPA STATE FISCAL RECOVERY FUND. It is the intent of the Legislature to provide no more than \$325,000,000 of the American Rescue Plan Act (ARPA) funding to support construction of drinking water and wastewater projects. Moneys shall be appropriated from the ARPA State Fiscal Recovery Fund for this purpose. The Department of Environmental Quality (Dept of Environmental Quality) may use the ARPA State Fiscal Recovery Fund to fund all eligible planning grant requests received consistent with existing processes. Dept of Environmental Quality shall provide ARPA funding in the form of grants for construction of drinking water and wastewater projects using a tiered approach that provides the highest level of grant funding to systems with the greatest level of need but least ability to pay, as determined by factors including size of system (smaller systems rank higher), monthly user rates, median income, and readiness to proceed. Dept of Environmental Quality may consider all projects meeting the intended criteria where costs were incurred after March 3, 2021, and where construction will be completed prior to December 31, 2026. This includes funding cost overruns for existing state revolving loan-funded projects currently under construction if they are due to factors such as increased labor and material costs. Dept of Environmental Quality shall provide a written update of recipients to germane legislative committees upon approval by the Board of Environmental Quality. Dept of Environmental Quality shall submit a report to the Governor and the Legislature detailing progress and expenditures by January 6, 2025.

Standard language for the Endowment Fund Investment Board: CONTINUOUS APPROPRIATION. The Endowment Fund Investment Board is hereby granted continuous appropriation authority for consulting fees, custodial fees, investment manager fees, and other portfolio-related external costs for the period July 1, 2024, through June 30, 2025.

Standard language for the Endowment Fund Investment Board: TRANSFERS FROM EARNINGS RESERVE FUNDS. For fiscal year 2025, it is hereby appropriated and the Endowment Fund Investment Board shall transfer \$103,221,600 as follows: \$63,039,600 from the Public School Earnings Reserve Fund to the Public School Income Fund; \$1,993,200 from the Agricultural College Earnings Reserve Fund to the Agricultural College Income Fund; \$7,116,000 from the Charitable Institutions Earnings Reserve Fund to the Charitable Institutions Income Fund; \$7,273,200 from the Normal School Earnings Reserve Fund to the Normal School Income Fund; \$3,154,800 from the Penitentiary Earnings Reserve Fund to the Penitentiary Income Fund; \$6,722,400 from the Scientific School Earnings Reserve Fund to the Scientific School Income Fund; \$7,776,000 from the Mental Hospital

Earnings Reserve Fund to the Mental Hospital Income Fund; and \$6,146,400 from the University Earnings Reserve Fund to the University Income Fund.

Standard language for the Department of Lands: EXEMPTIONS FROM EXPENSE CLASS TRANSFER LIMITATIONS. The Department of Lands is hereby exempted from the provisions of Section 67-3511(1) and (3), Idaho Code, allowing unlimited transfers between expense classes for all moneys appropriated to the Forest and Range Fire Protection Program for the period July 1, 2024, through June 30, 2025. Legislative appropriations shall not be transferred from one fund to another fund unless expressly approved by the Legislature.

Standard language for the Department of Parks & Recreation: EXEMPTIONS FROM PROGRAM TRANSFER LIMITATIONS. Notwithstanding the provisions of Section 67-3511(2), Idaho Code, trustee and benefit payments appropriated to the Department of Parks and Recreation for grants in the Management Services Program may be transferred to capital outlay in the Capital Development Program or to capital outlay in the Park Operations Program to reflect grants awarded to the Department of Parks and Recreation for the period July 1, 2024, through June 30, 2025. Legislative appropriations shall not be transferred from one fund to another fund unless expressly approved by the Legislature.

Standard language for the Department of Parks & Recreation: REAPPROPRIATION AUTHORITY. There is hereby reappropriated to the Department of Parks and Recreation any unexpended and unencumbered balances appropriated or reappropriated to the Department of Parks and Recreation for the Capital Development Program for fiscal year 2024 to be used for nonrecurring expenditures in the Capital Development Program for the period July 1, 2024, through June 30, 2025. The Office of the State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

Standard language for the Department of Water Resources: CASH TRANSFER FOR AQUIFER MANAGEMENT. Of the amount appropriated to the Department of Water Resources in Section 1 of this act for the Planning and Technical Services Program from the General Fund, the Office of the State Controller shall transfer \$5,000,000 to the Secondary Aquifer Planning, Management, and Implementation Fund on July 1, 2024, or as soon thereafter as practicable, for the period July 1, 2024, through June 30, 2025, to be used for aquifer recharge and management.

Standard language for the Department of Water Resources: CASH TRANSFER FOR THE FLOOD MANAGEMENT PROGRAM. Of the amount appropriated to the Department of Water Resources in Section ___ of this act for the Planning and Technical Services Program from the General Fund, the Office of the State Controller shall transfer \$1,000,000 to the Water Management Fund on July 1, 2024, or as soon thereafter as practicable, for the period July 1, 2024, through June 30, 2025, to be used for hydrologic data collection, monitoring and modeling, flood-damaged stream channel repair, stream channel improvement, flood risk reduction, or flood prevention projects. These moneys shall be administered by the Idaho Water Resource Board through a competitive, matching grant process that prioritizes projects based on the public benefits they provide.

Standard language for the Department of Environmental Quality: CASH TRANSFER FOR AGRICULTURAL BEST MANAGEMENT PRACTICES FROM THE DEPARTMENT OF ENVIRONMENTAL QUALITY (GENERAL) FUND. There is hereby appropriated to the Department of Environmental Quality and the Office of the State Controller shall transfer \$279,000 from the Department of Environmental Quality (General) Fund to the Agricultural Best Management Practices (BMP) Fund on July 1, 2024, or as soon thereafter as practicable, for the period July 1, 2024, through June 30, 2025.

Mr. Bybee presented the FY 2025 statewide maintenance budget for the agencies in Economic Development. He explained last year's legislative decisions moved the Public Defense Commission to the new Office of the State Public Defender. He noted the following motion will include adding the maintenance budget for the Office of the State Public Defender. Afterward, JFAC will take up budget line item adjustments.

Co-Chair Horman explained policy decisions adopted in the last legislative session drove the necessity of the changes **Mr. Bybee** described.

MOTION:

Sen. Cook made a motion, seconded by **Rep. Handy**, beginning with the FY 2025 Base, to include maintenance adjustments for Benefit Costs, Inflationary Adjustments, Statewide Cost Allocation, and CEC. This motion includes \$53,528,000 from the General Fund, \$590,627,700 from dedicated funds, and \$676,465,100 from federal funds, for a total of \$1,320,620,800, and caps full-time equivalent positions at 3,780.28.

Sen. Cook stated this maintenance budget includes the following budgeted divisions: Department of Agriculture, Soil & Water Conservation Commission, Department of Commerce, Department of Finance, Industrial Commission, Department of Insurance, Department of Labor, Public Utilities Commission, Commission on Hispanic Affairs, Idaho State Historical Society, Idaho Commission for Libraries, State Lottery, Office of the State Public Defender, State Appellate Public Defender, Division of Veterans Services, Division of Occupational and Professional Licenses, Office of Administrative Hearings, and the Idaho Transportation Department.

**ROLL CALL
VOTE ON
MOTION:**

Motion carried by a total vote of 15 AYES, 3 NAY, 2 ABSENT/EXCUSED. Senators voting in favor of the motion: Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Herndon. Senators voting in opposition to the motion: Ward-Engelking, Just. Senators Absent/Excused: Bruner (Adams). Representatives voting in favor of the motion: Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Handy. Representatives voting in opposition to the motion: Green. Representatives Absent/Excused: Petzke.

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 **Co-Chair Horman**.

Mr. Bybee explained several pieces of intent language in these budgets will be considered at a later stage, as JFAC waits for further information and decisions by other committees. The impacted agencies include the Division of Veterans Services and the Idaho Transportation Department.

**UNANIMOUS
CONSENT
REQUEST:**

Sen. Cook requested and it was granted by unanimous consent, to accept the following standard appropriation language with the FY 2025 Economic Development maintenance budget.

**STANDARD
LANGUAGE:**

Standard language for the Department of Agriculture: WATERCRAFT INSPECTION PROGRAM. The Department of Agriculture shall maximize the use of the appropriation provided for the watercraft inspection program to minimize the chances of spreading zebra mussels, quagga mussels, and other aquatic invasive species into Idaho waters. The department is encouraged to use roving inspection stations when appropriate and for expanded hours of coverage during holidays when boat transport traffic is likely to increase. It is also encouraged to use extra staffing on busy holiday weekends. The department shall gather data regarding the number of watercraft that are bypassing the stations and nighttime transport of watercraft across Idaho's borders. The department shall also seek to secure federal funding to further enhance invasive species detection and prevention efforts. The department shall report back to the Joint Finance-Appropriations Committee, the Senate Agricultural Affairs Committee, and the House Agricultural Affairs Committee during the 2025 legislative session regarding the results of the data gathering, attainment of federal funds, and an operational review of the boat stations.

Standard language for the Soil & Water Conservation Commission: TRUSTEE AND BENEFIT PAYMENTS DISTRIBUTION. Of the amount appropriated to the Soil and Water Conservation Commission in Section ___ of this act for trustee and benefit payments, \$300,000 shall be distributed equally among the fifty soil and water conservation districts in addition to the amounts authorized pursuant to Section 22-2727, Idaho Code.

Standard language for the Department of Commerce: BROADBAND GRANTS. Notwithstanding any law to the contrary, all moneys appropriated from the American Rescue Plan Act Capital Projects Fund and Federal Grant Fund to the Department of Commerce for the purpose of broadband grants shall be allocated at the direction of the Idaho Broadband Advisory Board.

Standard language for the Department of Finance: CONTINUOUS APPROPRIATION AUTHORITY. The Department of Finance is hereby granted continuous appropriation authority for reimbursement of persons to whom the Idaho Judicial Branch have made a final determination of actual damages resulting from acts constituting violations of the Idaho Residential Mortgage Practices Act by a mortgage broker, mortgage lender, or mortgage loan originator who was licensed or required to be licensed pursuant to Chapter 31, Title 26, Idaho Code.

Standard language for the Commission for Libraries: TELEHEALTH FACILITIES. Of the moneys appropriated in Section ___ of this act from the American Rescue Plan Fund to the Commission for Libraries for library facilities projects, no funds shall be expended for facility and technology projects that do not comply with Sections 18-608 and 18-617, Idaho Code.

Standard language for the Idaho State Lottery: CONTINUOUS APPROPRIATION. Amounts necessary to pay prizes, retailer commissions, advertising and promotional costs, and gaming supplier vendor fees based on sales shall be continuously appropriated to the Idaho State Lottery in accordance with the provisions of Section 67-7428, Idaho Code.

Standard language for the Division of Occupational and Professional Licenses: EXEMPTIONS FROM PROGRAM TRANSFER LIMITATIONS. The Division of Occupational and Professional Licenses is hereby exempted from the provisions of Section 67-3511(2), Idaho Code, allowing unlimited transfers between programs for all moneys appropriated to it for the period July 1, 2024, through June 30, 2025. Legislative appropriations shall not be transferred from one fund to another fund unless expressly approved by the Legislature.

Standard language for the Idaho Department of Transportation: CONTINUOUSLY APPROPRIATED MONEYS. All moneys transferred to the Local Bridge Inspection Fund and to the Railroad Grade Crossing Protection Fund, as provided in Section 63-2412, Idaho Code, are hereby continuously appropriated to the Idaho Transportation Department for the stated purpose of those funds.

Standard language for the Department of Commerce: REAPPROPRIATION AUTHORITY FOR THE AMERICAN RESCUE PLAN FUND. There is hereby reappropriated to the Department of Commerce any unexpended and unencumbered balances appropriated or reappropriated to the Department of Commerce from the American Rescue Plan Fund for fiscal year 2024, not to exceed \$1,000,000, to be used for nonrecurring expenditures for economic planning for the period July 1, 2024, through June 30, 2025. The Office of the State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

Standard language for the Department of Commerce: REAPPROPRIATION AUTHORITY FOR THE ARPA CAPITAL PROJECTS FUND. There is hereby reappropriated to the Department of Commerce any unexpended and unencumbered balances appropriated or reappropriated to the Department of Commerce from the ARPA Capital Projects Fund for fiscal year 2024, not to exceed \$124,100,000, to be used for nonrecurring expenditures for broadband infrastructure for the period July 1, 2024, through June 30, 2025. The Office of the State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

Standard language for the Department of Commerce: REAPPROPRIATION AUTHORITY FOR THE FEDERAL GRANT FUND. There is hereby reappropriated to the Department of Commerce any unexpended and unencumbered balances appropriated or reappropriated to the Department of Commerce from the Federal Grant Fund for fiscal year 2024, not to exceed \$150,000,000, to be used for nonrecurring expenditures for broadband infrastructure for the period July 1, 2024, through June 30, 2025. The Office of the State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

Standard language for the Department of Commerce: REAPPROPRIATION AUTHORITY FOR THE IDAHO BROADBAND FUND. There is hereby reappropriated to the Department of Commerce any unexpended and unencumbered balances appropriated or reappropriated to the Department of Commerce from the Idaho Broadband Fund for fiscal year 2024, not to exceed \$35,000,000, to be used for nonrecurring expenditures for broadband infrastructure for the period July 1, 2024, through June 30, 2025. The Office of the State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

Mr. Bybee presented the FY 2025 statewide maintenance budget for the agencies in General Government.

MOTION:

Rep. Furniss made a motion, seconded by **Co-Chairman Grow**, beginning with the FY 2025 Base, to include maintenance adjustments for Benefit Costs, Inflationary Adjustments, Statewide Cost Allocation, and CEC. This motion includes \$73,355,600 from the General Fund, \$141,698,300 from dedicated funds, and \$163,853,600 from federal funds, for a total of \$378,907,500, and caps full-time equivalent positions at 1,830.92.

Rep. Furniss stated this maintenance budget includes the following budgeted divisions: Department of Administration, Commission on Aging, Commission on the Arts, Commission for the Blind and Visually Impaired, Office of Drug Policy, Office of Energy and Mineral Resources, Division of Financial Management, Division of Human Resources, Office of Information Technology Services, State Liquor Division, Military Division, Public Employee Retirement System, Office of Species Conservation, STEM Action Center, Wolf Depredation Control Board, Workforce Development Council, Board of Tax Appeals, and State Tax Commission.

**ROLL CALL
VOTE ON
MOTION:**

Motion carried by a total vote of 15 AYES, 3 NAY, 2 ABSENT/EXCUSED. Senators voting in favor of the motion: **Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Herndon.** Senators voting in opposition to the motion: **Ward-Engelking, Just.** Senators Absent/Excused: **Bruner (Adams).** Representatives voting in favor of the motion: **Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Handy.** Representatives voting in opposition to the motion: **Green.** Representatives Absent/Excused: **Petzke.**

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 **Co-Chair Horman.**

**UNANIMOUS
CONSENT
REQUEST:**

Rep. Furniss requested and it was granted by unanimous consent, to accept the following standard appropriation language with the FY 2025 General Government maintenance budget:

**STANDARD
LANGUAGE:**

Standard language for the Department of Administration: CASH TRANSFER. There is hereby appropriated and the Office of the State Controller shall transfer \$1,737,500 from the Permanent Building Fund to the Administration and Accounting Services Fund on July 1, 2024, or as soon thereafter as practicable, for the Capitol Mall Facilities payment in the Division of Public Works due in fiscal year 2025.

Standard language for the Department of Administration, Capitol Commission: CASH TRANSFER. There is hereby appropriated to the Department of Administration for the Idaho State Capitol Commission and the Office of the State Controller shall transfer \$250,000 from the Capitol Maintenance Reserve Fund to the Capitol Commission Operating Fund on July 1, 2024, or as soon thereafter as practicable, for the period July 1, 2024, through June 30, 2025.

Standard language for the Department of Administration, Capitol Commission: REAPPROPRIATION AUTHORITY. There is hereby reappropriated to the Department of Administration for the Idaho State Capitol Commission any unexpended and unencumbered balances appropriated to the Department of Administration for the Idaho State Capitol Commission from the Capitol Commission Operating Fund and the Capitol Maintenance Reserve Fund for fiscal year 2024 to be used for nonrecurring expenditures for the period July 1, 2024, through June 30, 2025. The Office of the State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

Standard language for the Office of Energy and Mineral Resources: REAPPROPRIATION AUTHORITY. There is hereby reappropriated to the Office of Energy and Mineral Resources any unexpended and unencumbered balances appropriated to the Office of Energy and Mineral Resources from the Miscellaneous Revenue Fund for the purpose of the Energy Resiliency Grant Program for fiscal year 2024, in the amount not to exceed \$10,650,000 from the Miscellaneous Revenue Fund, to be used for nonrecurring expenditures related to the Energy Resiliency Grant Program for the period July 1, 2024, through June 30, 2025. The Office of the State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

Standard language for the Liquor Division: LIQUOR REVENUES TRACKING REPORT. The State Liquor Division shall deliver a report that compares forecast revenues, distributed by month for the year, to the actual revenues and remaining forecasted revenues for the year on a monthly basis to the Legislative Services Office. The report shall also include a forecast, updated monthly, of the next fiscal year's anticipated revenues. The format of the report and the information included therein shall be determined by the Legislative Services Office.

Standard language for the Military Division: CONTINUOUS APPROPRIATION. The Military Division is hereby granted continuous appropriation authority for the Idaho Office of Emergency Management's Miscellaneous Revenue Fund for the period July 1, 2024, through June 30, 2025, for the purpose of covering incurred costs arising out of hazardous substance incidents.

Standard language for the Public Employment Retirement System Investment: CONTINUOUS APPROPRIATION. Notwithstanding the provisions of Section 59-1311(4)(d), Idaho Code, moneys appropriated in Section __ of this act for the Portfolio Investment Program within the Public Employment Retirement System are for administrative costs of the Portfolio Investment Program as provided in Section 59-1311(3), Idaho Code. Amounts necessary to pay all other investment expenses related to the Portfolio Investment Program are perpetually appropriated to the Public Employment Retirement System of Idaho.

Mr. Bybee presented the FY 2025 maintenance budget for the agencies in the Legislative Branch.

MOTION:

Co-Chairman Grow made a motion, seconded by **Co-Chair Horman**, beginning with the FY 2025 Base, to include maintenance adjustments for Benefit Costs, Statewide Cost Allocation, and CEC. This motion includes \$9,181,800 from the General Fund, and \$2,384,700 from dedicated funds, for a total of \$11,566,500, and caps full-time equivalent positions at 82.

Co-Chairman Grow stated this maintenance budget includes the following budgeted divisions: Legislative Services Office and Office of Performance Evaluations. The Legislature has a budget of \$8,511,000, which is continuously appropriated and is tracked on the General Fund Daily Update to ensure accounting for all funds appropriated from the General Fund.

**ROLL CALL
VOTE ON
MOTION:**

Motion carried by a total vote of 15 AYES, 3 NAY, 2 ABSENT/EXCUSED. Senators voting in favor of the motion: Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Herndon. Senators voting in opposition to the motion: Ward-Engelking, Just. Senators Absent/Excused: Bruner (Adams). Representatives voting in favor of the motion: Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Handy. Representatives voting in opposition to the motion: Green. Representatives Absent/Excused: Petzke.

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 **Co-Chair Horman**.

**UNANIMOUS
CONSENT
REQUEST:**

Co-Chairman Grow requested and it was granted by unanimous consent, to accept the following standard appropriation language with the FY 2025 Legislative Branch maintenance budget.

**STANDARD
LANGUAGE:**

Standard language for the Legislative Branch: REAPPROPRIATION AUTHORITY FOR THE ARPA STATE FISCAL RECOVERY FUND. There is hereby reappropriated to the Legislative Services Office any unexpended and unencumbered balances appropriated or reappropriated to the Legislative Services Office from the ARPA State Fiscal Recovery Fund for fiscal year 2024 to be used for nonrecurring expenditures for the period July 1, 2024, through June 30, 2025. The Office of the State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

Standard language for the Legislative Branch: REAPPROPRIATION AUTHORITY FOR THE TECHNOLOGY INFRASTRUCTURE STABILIZATION FUND. There is hereby reappropriated to the Legislative Services Office any unexpended and unencumbered balances appropriated or reappropriated to the Legislative Services Office from the Technology Infrastructure Stabilization Fund for fiscal year 2024 to be used for nonrecurring expenditures for the period July 1, 2024, through June 30, 2025. The Office of the State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

Standard language for the Legislative Branch: REAPPROPRIATION AUTHORITY FOR THE ARPA STATE FISCAL RECOVERY FUND. There is hereby reappropriated to the Legislative Technology Program any unexpended and unencumbered balances appropriated or reappropriated to the Legislative Technology Program from the ARPA State Fiscal Recovery Fund for fiscal year 2024 to be used for nonrecurring expenditures for the period July 1, 2024, through June 30, 2025. The Office of the State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

Standard language for the Legislative Branch: EXEMPTIONS FROM EXPENSE CLASS TRANSFER LIMITATIONS. The Legislative Services Office and Office of Performance Evaluations are hereby exempted from the provisions of Section 67-3511(1) and (3), Idaho Code, allowing unlimited transfers between expense classes for all moneys appropriated to them for the period July 1, 2024, through June 30, 2025. Legislative appropriations shall not be transferred from one fund to another fund unless expressly approved by the Legislature.

Mr. Bybee presented the FY 2025 maintenance budget for the agencies in the Judicial Branch. This maintenance budget includes the following budgeted divisions: Court Operations, Guardian ad Litem, and Judicial Council.

MOTION:

Rep. Raybould made a motion, seconded by **Sen. Bjerke**, beginning with the FY 2025 Base, to include maintenance adjustments for Benefit Costs, Statewide Cost Allocation, and CEC. This motion includes \$60,654,700 from the General Fund, \$25,875,300 from dedicated funds, and \$1,944,300 from federal funds, for a total of \$88,474,300.

Rep. Raybould explained this particular budget does not come with a FTP cap, as the courts are typically given an estimated number of FTPs, but are not necessarily limited by a cap in its budget.

**ROLL CALL
VOTE ON
MOTION:**

Motion carried by a total vote of 15 AYES, 3 NAY, 2 ABSENT/EXCUSED. Senators voting in favor of the motion: Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Herndon. Senators voting in opposition to the motion: Ward-Engelking, Just. Senators Absent/Excused: Bruner (Adams). Representatives voting in favor of the motion: Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Handy. Representatives voting in opposition to the motion: Green. Representatives Absent/Excused: Petzke.

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 **Co-Chair Horman**.

**UNANIMOUS
CONSENT
REQUEST:**

Rep. Raybould requested and it was granted by unanimous consent, to accept the following standard appropriation language with the FY 2025 Judicial Branch maintenance budget.

**STANDARD
LANGUAGE:**

Standard language for the Judicial Branch: EXEMPTIONS FROM EXPENSE CLASS AND PROGRAM TRANSFER LIMITATIONS. The Judicial Branch is hereby exempted from the provisions of Section 67-3511(1), (2), and (3), Idaho Code, allowing unlimited transfers between expense classes and between programs for all moneys appropriated to it for the period July 1, 2024, through June 30, 2025. Legislative appropriations shall not be transferred from one fund to another fund unless expressly approved by the Legislature.

Standard language for the Judicial Branch: REAPPROPRIATION AUTHORITY. There is hereby reappropriated to the Judicial Branch any unexpended and unencumbered balances appropriated to the Judicial Branch from the American Rescue Plan Act (ARPA) State Fiscal Recovery Fund for fiscal year 2024, in an amount not to exceed \$18,988,700 from the American Rescue Plan Act (ARPA) State Fiscal Recovery Fund, to be used for nonrecurring expenditures for the period July 1, 2024, through June 30, 2025. The Office of the State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

Standard language for the Judicial Branch: RETIREMENT CONTRIBUTIONS. Of the amount appropriated in Section ___ of this act from the General Fund for the state's share of retirement contribution remittances to the Judges' Retirement Fund for justices' and judges' retirement benefits pursuant to Section 1-2004(2), Idaho Code, those amounts that are uncommitted shall be transferred monthly into operating expenditures and then paid by the Judicial Branch into the Judges' Retirement Fund.

Mr. Bybee presented the FY 2025 maintenance budget for the Constitutional Officers.

MOTION:

Rep. Tanner made a motion, seconded by **Sen. Herndon**, beginning with the FY 2025 Base, to include maintenance adjustments for Benefit Costs, Inflationary Adjustments, Statewide Cost Allocation, and CEC. This motion includes \$53,643,500 from the General Fund, \$15,162,600 from dedicated funds, and \$3,248,900 from federal funds, for a total of \$72,055,000, and caps full-time equivalent positions at 430.50.

Rep. Tanner stated this maintenance budget includes the following Constitutional Offices: Executive Office of the Governor, Lieutenant Governor, Attorney General, State Controller, Secretary of State, and State Treasurer.

**ROLL CALL
VOTE ON
MOTION:**

Motion carried by a total vote of 15 AYES, 3 NAY, 2 ABSENT/EXCUSED. Senators voting in favor of the motion: Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Herndon. Senators voting in opposition to the motion: Ward-Engelking, Just. Senators Absent/Excused: Bruner (Adams). Representatives voting in favor of the motion: Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Handy. Representatives voting in opposition to the motion: Green. Representatives Absent/Excused: Petzke.

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 **Co-Chair Horman**.

In response to a committee question about the bank service fee payments referenced in the standard appropriation language, **Co-Chair Horman** explained previous JFAC legislators added this language to address concerns about excessive bank fees.

**UNANIMOUS
CONSENT
REQUEST:**

Rep. Tanner requested and it was granted by unanimous consent, to accept standard appropriation language with the FY 2025 Constitutional Officers maintenance budget.

**UNANIMOUS
CONSENT
REQUEST:**

Rep. Tanner requested and it was granted by unanimous consent, to withdraw his request for unanimous consent in order to correct dates in the following standard appropriation language.

**UNANIMOUS
CONSENT
REQUEST:**

Rep. Tanner requested and it was granted by unanimous consent, to accept the following standard appropriation language with the FY 2025 Constitutional Officers maintenance budget:

**STANDARD
LANGUAGE:**

Standard language for the Office of the Attorney General: EXEMPTIONS FROM EXPENSE CLASS AND PROGRAM TRANSFER LIMITATIONS. The Office of the Attorney General is hereby exempted from the provisions of Section 67-3511(1), (2), and (3), Idaho Code, allowing unlimited transfers between expenses classes and between programs for all moneys appropriated to it for the period July 1, 2024, through June 30, 2025. Legislative appropriations shall not be transferred from one fund to another fund unless expressly approved by the Legislature.

Standard language for the Office of the State Controller: REAPPROPRIATION AUTHORITY FOR THE DATA PROCESSING SERVICES FUND. There is hereby reappropriated to the Office of the State Controller any unexpended and unencumbered balances appropriated or reappropriated to the Office of the State Controller from the Data Processing Services Fund for fiscal year 2024 in an amount not to exceed \$2,500,000 to be used for nonrecurring expenditures related to the Computer Service Center for the period July 1, 2024, through June 30, 2025. The Office of the State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

Standard language for the Office of the State Controller: REAPPROPRIATION AUTHORITY FOR THE GENERAL FUND. There is hereby reappropriated to the Office of the State Controller any unexpended and unencumbered balances reappropriated to the Office of the State Controller from the General Fund for the behavioral health reporting data system for fiscal year 2024, to be used for nonrecurring expenditures related to the behavioral health reporting data system for the period July 1, 2024, through June 30, 2025. The Office of the State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

Standard language for the Office of the Governor: EXEMPTIONS FROM EXPENSE CLASS AND PROGRAM TRANSFER LIMITATIONS. For fiscal year 2025, the Executive Office of the Governor is hereby exempted from the provisions of Section 67-3511 (1), (2), and (3), Idaho Code, allowing unlimited transfers between expense classes and between programs, for all moneys appropriated to it for the period July 1, 2024, through June 30, 2025. Legislative appropriations shall not be transferred from one fund to another fund unless expressly approved by the Legislature.

Standard language for the Office of the Lieutenant Governor: EXEMPTIONS FROM TRANSFER LIMITATIONS. The Office of the Lieutenant Governor is hereby exempted from the provisions of Section 67-3511(1) and (3), Idaho Code, allowing unlimited transfers between expense classes for all moneys appropriated to it for the period July 1, 2024, through June 30, 2025. Legislative appropriations shall not be transferred from one fund to another fund unless expressly approved by the Legislature.

Standard language for the Office of the Treasurer: PAYMENT OF BANK SERVICE FEES. Of the amount appropriated to the State Treasurer in Section __ of this act, no more than \$406,600 from the General Fund and \$221,700 from the Professional Services Fund may be used for the payment of bank service fees for the period July 1, 2024, through June 30, 2025.

Mr. Bybee explained the following section of intent language for accountability reports. He explained this language would apply to all budgets. This language was included for most budgets last year, but the language has been updated.

Co-Chair Horman further explained a number of state agencies complete independent, third-party audits. Although the agencies typically submit those audits to JFAC, this intent language puts that requirement into statute.

**UNANIMOUS
CONSENT
REQUEST:**

Co-Chairman Grow requested and it was granted by unanimous consent, to include the following standard language for all budgets just passed.

**STANDARD
LANGUAGE:**

SECTION __. ACCOUNTABILITY REPORTS. Funds specifically identified in statute or in an appropriation act as intended for a certain purpose may be used only for that purpose. Funds provided in this act are subject to accountability reports and management reviews in accordance with Section 67-702, Idaho Code, provided the Legislative Services Office auditor has sufficient resources to conduct those reports. State agencies that are authorized to contract for outside audits shall submit those reports to the Joint Finance-Appropriations Committee when those reports become available.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 10:39 a.m.

Representative Horman
Chair

Alyson Jackson
Secretary