

IN THE SENATE

SENATE BILL NO. 1461

BY FINANCE COMMITTEE

AN ACT

1 RELATING TO THE APPROPRIATION TO THE IDAHO TRANSPORTATION DEPARTMENT; AP-
 2 PROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT
 3 FOR FISCAL YEAR 2025; REDUCING MONEYS TO THE IDAHO TRANSPORTATION DE-
 4 PARTMENT FOR FISCAL YEAR 2025; AUTHORIZING ADDITIONAL FULL-TIME EQUIV-
 5 ALENT POSITIONS; PROVIDING REAPPROPRIATION AUTHORITY FOR THE CAPITAL
 6 FACILITIES PROGRAM; PROVIDING REAPPROPRIATION AUTHORITY FOR AIRPORT
 7 DEVELOPMENT GRANTS; PROVIDING REAPPROPRIATION AUTHORITY FOR THE CON-
 8 TRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION DIVISION; REVOKING
 9 AUTHORITY FOR THE SALE OF CERTAIN PROPERTY AND PROVIDING FOR ITS REHA-
 10 BILITATION; PROVIDING FOR THE REHABILITATION OF THE DISTRICT 4 SHOSHONE
 11 HEADQUARTERS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL
 12 FUND TO THE STRATEGIC INITIATIVES PROGRAM (DEDICATED) FUND; APPROPRI-
 13 ATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE STRATEGIC
 14 INITIATIVES PROGRAM (LOCAL) FUND; APPROPRIATING AND TRANSFERRING
 15 MONEYS FROM THE GENERAL FUND TO THE LOCAL HIGHWAY DISTRIBUTION FUND;
 16 PROVIDING DIRECTION ON THE LOCAL HIGHWAY DISTRIBUTION FUND; PROVIDING
 17 FOR AMERICAN RESCUE PLAN STATE AND LOCAL FISCAL RECOVERY FUND PROJECTS;
 18 PROVIDING FOR ALLOCATION OF FUNDS FOR SPECIFIC PROJECTS; AND DECLARING
 19 AN EMERGENCY AND PROVIDING EFFECTIVE DATES.
 20

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

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

| | FOR | FOR | FOR | FOR | |
|----|-----------------------------|--------------|-----------|-------------|--------------|
| | PERSONNEL | OPERATING | CAPITAL | TRUSTEE AND | |
| | COSTS | EXPENDITURES | OUTLAY | BENEFIT | |
| | | | | PAYMENTS | TOTAL |
| 31 | I. TRANSPORTATION SERVICES: | | | | |
| 32 | A. ADMINISTRATION: | | | | |
| 33 | FROM: | | | | |
| 34 | State Highway (Dedicated) | | | | |
| 35 | Fund | \$324,300 | \$618,500 | \$1,396,300 | \$2,339,100 |
| 36 | State Highway (Federal) | | | | |
| 37 | Fund | <u>7,400</u> | <u>0</u> | <u>0</u> | <u>7,400</u> |
| 38 | TOTAL | \$331,700 | \$618,500 | \$1,396,300 | \$2,346,500 |

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

| | FOR | FOR | FOR | FOR | TOTAL |
|----|-------------------------------------------------------|--------------|---------------|---------------|---------------|
| | PERSONNEL | OPERATING | CAPITAL | TRUSTEE AND | |
| | COSTS | EXPENDITURES | OUTLAY | BENEFIT | |
| | | | | PAYMENTS | |
| 5 | IV. CONTRACT CONSTRUCTION & RIGHT-OF-WAY ACQUISITION: | | | | |
| 6 | FROM: | | | | |
| 7 | State Highway (Local) | | | | |
| 8 | Fund | | 1,200,300 | | 1,200,300 |
| 9 | Transportation Expansion and Congestion Mitigation | | | | |
| 10 | Fund | | 26,918,600 | | 26,918,600 |
| 11 | Strategic Initiatives Program | | | | |
| 12 | Fund | | 181,680,000 | | 181,680,000 |
| 13 | Strategic Initiatives Program - Local | | | | |
| 14 | Fund | | | 200,000,000 | 200,000,000 |
| 15 | State Highway (Federal) | | | | |
| 16 | Fund | | 62,589,100 | 0 | 62,589,100 |
| 17 | TOTAL | | \$272,388,000 | \$200,000,000 | \$472,388,000 |
| 18 | GRAND TOTAL | \$6,375,400 | \$35,833,200 | \$345,564,800 | \$205,005,000 |
| | | | | | \$592,778,400 |

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

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

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

38 SECTION 5. REAPPROPRIATION AUTHORITY FOR AIRPORT DEVELOPMENT GRANTS.
 39 There is hereby reappropriated to the Idaho Transportation Department any
 40 unexpended and unencumbered balances appropriated or reappropriated to the
 41 Idaho Transportation Department from the State Aeronautics (Dedicated) Fund

1 as trustee and benefit payments for airport development grants for fiscal
2 year 2024, to be used for nonrecurring expenditures for airport development
3 grants for the period July 1, 2024, through June 30, 2025. The Office of the
4 State Controller shall confirm the reappropriation amount, by fund, expense
5 class, and program, with the Legislative Services Office prior to processing
6 the reappropriation authorized herein.

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

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

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

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

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

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

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

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

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

35 SECTION 15. An emergency existing therefor, which emergency is hereby
36 declared to exist, Section 7 of this act shall be in full force and effect on
37 and after its passage and approval, and Sections 1 through 6 and 8 through 14
38 of this act shall be in full force and effect on and after July 1, 2024.