

IN THE SENATE

SENATE BILL NO. 1141

BY FINANCE COMMITTEE

AN ACT

1 PROVIDING FINDINGS OF THE LEGISLATURE; PROVIDING LEGISLATIVE INTENT ON USE
2 OF FUNDS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND
3 TO THE DISASTER EMERGENCY FUND; PROVIDING LEGISLATIVE INTENT ON THE USE
4 OF FUNDS; PROVIDING DIRECTION REGARDING ELIGIBILITY FOR GRANT FUNDING;
5 PROVIDING DIRECTION REGARDING MATCH REQUIREMENTS; PROVIDING DIRECTION
6 REGARDING METHOD OF SELECTION FOR GRANTS; APPROPRIATING AND TRANS-
7 FERRING MONEYS FROM THE GENERAL FUND TO THE EMERGENCY RELIEF FUND AND
8 GRANTING CONTINUOUS APPROPRIATION AUTHORITY; APPROPRIATING AND TRANS-
9 FERRING MONEYS FROM THE CONSUMER PROTECTION FUND TO THE GENERAL FUND;
10 AND DECLARING AN EMERGENCY.
11

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

13 SECTION 1. FINDINGS OF THE LEGISLATURE. The Legislature has found that
14 throughout Idaho, counties have made and will continue to make disaster dec-
15 larations due to extreme weather-related damage to structures, roads, and
16 bridges; have borne excessive costs associated with snow removal and flood-
17 ing; and in many instances have depleted financial reserves to repair and
18 provide safe and secure roadways for their citizens. The Legislature has
19 also determined that state resources are necessary to help meet the urgent
20 need to make permanent repairs to state, county, and local roads to avoid
21 further damage and erosion.

22 SECTION 2. LEGISLATIVE INTENT. It is the intent of the Legislature that
23 funds provided for in Section 3 of this act shall be for emergency assistance
24 for counties that have received a gubernatorial declaration of disaster and
25 are eligible for state support.

26 SECTION 3. There is hereby appropriated and, upon passage and approval
27 of this act, the State Controller shall transfer \$2,000,000 from the General
28 Fund to the Disaster Emergency Fund in the Military Division.

29 SECTION 4. LEGISLATIVE INTENT. It is the intent of the Legislature that
30 funds provided for in Section 8 of this act, and guidance provided for in Sec-
31 tions 5 through 7 of this act, shall be for emergency road and bridge repairs
32 that may or may not be eligible for funding as described in Section 2 of this
33 act.

34 SECTION 5. ELIGIBILITY. Eligible work shall include permanent repair
35 or restoration of roads, bridges, surfaces, bases, shoulders, ditches,
36 drainage structures, such as culverts, low-water crossings, decking,
37 guardrails, girders, pavement, abutments, piers, slope protection, ap-
38 proaches, lighting, sidewalks, and signs, and shall meet the standards as

1 defined in the Federal Emergency Management Agency (FEMA) Public Assistance
2 Program and Policy Guide, with the inclusion of state ownership.

3 SECTION 6. MATCH REQUIREMENTS. All state and local governmental agen-
4 cies will be required to provide a 10% match, of which in-kind contributions
5 will be eligible to meet the match requirements.

6 SECTION 7. METHOD OF SELECTION. The Adjutant General of the Idaho
7 National Guard shall appoint a recovery review panel comprised of one repre-
8 sentative each from the Idaho Transportation Department, the Local Highway
9 Technical Assistance Council (LHTAC), the Idaho Association of Counties,
10 the Idaho Association of Cities, the Association of Highway Districts, and
11 the Governor's Office. The deputy chief of the Idaho Office of Emergency
12 Management in the Military Division shall also be a member and the chairman
13 of the review panel. The deputy chief has the authority to hire staff as nec-
14 essary to implement the provisions of this act. The review panel shall use
15 the Idaho Long-term Recovery Plan and the standards of the FEMA Public Assis-
16 tance Program and Policy Guide, specifically Category C, as a basis of the
17 grant application process regardless of FEMA eligibility for reimbursement
18 of expenses.

19 SECTION 8. There is hereby appropriated and, upon passage and approval
20 of this act, the State Controller shall transfer \$50,000,000 from the Gen-
21 eral Fund to the Emergency Relief Fund in the Military Division. The Emer-
22 gency Relief Fund shall be continuously appropriated for the purposes stated
23 in this act.

24 SECTION 9. There is hereby appropriated and, upon passage and approval
25 of this act, the State Controller shall transfer \$7,448,000 from the Con-
26 sumer Protection Fund in the Office of the Attorney General to the General
27 Fund.

28 SECTION 10. An emergency existing therefor, which emergency is hereby
29 declared to exist, this act shall be in full force and effect on and after its
30 passage and approval.