

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 181

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO THE CAPITOL BUILDING AND GROUNDS; AMENDING SECTION 67-1610,
2 IDAHO CODE, TO PROVIDE A REFERENCE TO THE CAPITOL MAINTENANCE RESERVE
3 FUND AND TO ESTABLISH PROVISIONS RELATING TO CERTAIN ADMINISTRATIVE
4 COSTS; AMENDING CHAPTER 16, TITLE 67, IDAHO CODE, BY THE ADDITION OF
5 A NEW SECTION 67-1610A, IDAHO CODE, TO ESTABLISH THE CAPITOL MAIN-
6 TENANCE RESERVE FUND, TO PROVIDE THAT THE FUND SHALL RECEIVE CERTAIN
7 DISTRIBUTIONS AND THAT THE FUND SHALL BE MANAGED BY THE ENDOWMENT FUND
8 INVESTMENT BOARD, TO PROVIDE FOR USE OF MONEYS IN THE FUND, TO PROVIDE
9 FOR APPROPRIATION AND TO PROVIDE FOR AN EXCEPTION; AMENDING SECTION
10 67-1611, IDAHO CODE, TO ESTABLISH THE CAPITOL COMMISSION OPERATING
11 FUND, TO PROVIDE THAT THE FUND SHALL BE MANAGED BY THE STATE TREASURER
12 AND SHALL CONSIST OF CERTAIN TRANSFERS, INTERESTS AND PROCEEDS, TO PRO-
13 VIDE THAT THE MONEYS IN THE FUND SHALL BE SUBJECT TO APPROPRIATION AND TO
14 PROVIDE FOR USE OF MONEYS IN THE FUND; AMENDING SECTION 49-420A, IDAHO
15 CODE, TO PROVIDE THAT A CERTAIN LICENSE PLATE FEE SHALL BE DEPOSITED BY
16 THE STATE TREASURER INTO THE CAPITOL MAINTENANCE RESERVE FUND.
17

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

19 SECTION 1. That Section 67-1610, Idaho Code, be, and the same is hereby
20 amended to read as follows:

21 67-1610. CAPITOL PERMANENT ENDOWMENT FUND. (1) There is hereby cre-
22 ated a permanent fund within the state treasury to be known as the capitol
23 permanent endowment fund, consisting of, from this point forward: (a) the
24 proceeds of the sale of lands granted to the state of Idaho for the purpose
25 of facilitating the construction, repair, furnishing and improvement of
26 public buildings at its capitol by an Act of Congress (26 Stat. L. 214, ch.
27 656 (1890) (as amended)) entitled "An Act to Provide for the Admission of
28 the State of Idaho into the Union," comprising thirty-two thousand (32,000)
29 acres, or any portion thereof, or mineral therein; (b) earnings of the capi-
30 tol permanent endowment fund; (c) proceeds of the sale of timber growing
31 upon capitol endowment lands; (d) proceeds of leases of capitol buildings
32 endowment lands; (e) proceeds of interest charged upon deferred payments
33 on capitol buildings endowment lands or timber on those lands; (f) all un-
34 appropriated and unencumbered moneys in the public building fund shown on
35 the state controller's chart of accounts as the capitol permanent endowment
36 fund; (g) retained earnings to compensate for the effects of inflation; and
37 (h) legislative appropriations. The fund shall be managed by the endowment
38 fund investment board in accordance with chapter 5, title 68, Idaho Code.

39 (2) On July 1 of each fiscal year, the endowment fund investment board
40 shall distribute to the capitol ~~endowment income~~ maintenance reserve fund
41 created in section ~~67-1611~~ 67-1610A, Idaho Code, an amount equal to a per-
42 centage approved by the board of the value of the capitol permanent endow-

1 ment fund that is calculated to provide a stable source of moneys to allow for
 2 the maintenance, repair and restoration of the capitol, and to provide for
 3 administrative costs incurred managing the assets of the capitol permanent
 4 endowment, while still preserving and increasing over time the value of the
 5 capitol permanent endowment fund.

6 SECTION 2. That Chapter 16, Title 67, Idaho Code, be, and the same is
 7 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
 8 ignated as Section 67-1610A, Idaho Code, and to read as follows:

9 67-1610A. CAPITOL MAINTENANCE RESERVE FUND. (1) There is hereby cre-
 10 ated a permanent fund within the state treasury to be known as the capitol
 11 maintenance reserve fund.

12 (2) The fund shall receive distributions from the capitol permanent en-
 13 dowment fund, as provided in section 67-1610, Idaho Code, and shall be man-
 14 aged by the endowment fund investment board in accordance with the provi-
 15 sions of chapter 5, title 68, Idaho Code.

16 (3) Except as provided for in subsection (4) of this section, all moneys
 17 in the capitol maintenance reserve fund shall be used exclusively by the
 18 capitol commission to address repair, maintenance and construction needs
 19 approved by the commission to benefit the capitol building and its grounds;
 20 provided that moneys from the fund shall also be used to pay for administra-
 21 tive costs incurred managing the assets of the capitol permanent endowment
 22 including, but not limited to, real property and monetary assets. All ex-
 23 penditures from the capitol maintenance reserve fund shall be subject to
 24 appropriation by the legislature.

25 (4) Upon request of the capitol commission, the endowment fund invest-
 26 ment board shall distribute from the capitol maintenance reserve fund to the
 27 capitol commission operating fund created in section 67-1611, Idaho Code, an
 28 amount determined by the capitol commission to be sufficient to cover the op-
 29 eration, activities and projects of the capitol commission.

30 SECTION 3. That Section 67-1611, Idaho Code, be, and the same is hereby
 31 amended to read as follows:

32 67-1611. ~~CAPITOL ENDOWMENT INCOME~~ COMMISSION OPERATING FUND. (1)
 33 There is hereby created in the state treasury the capitol ~~endowment income~~
 34 commission operating fund. The fund shall be used to support the operation,
 35 activities and projects of the capitol commission, shall be managed by the
 36 state treasurer and shall consist of the following:

37 (a) ~~Distributions from the capitol permanent endowment fund, as pro-~~
 38 ~~vided in section 67-1610, Idaho Code~~ Transfers approved by the capitol
 39 commission from the capitol maintenance reserve fund for the operation,
 40 activities and projects of the capitol commission;

41 (b) All interests earned on the capitol ~~endowment income~~ commission op-
 42 erating fund; and

43 (c) ~~All public and private moneys donated and obtained pursuant to the~~
 44 ~~provisions of this chapter; and~~

45 ~~(d) All other proceeds received from the use of capitol building en-~~
 46 ~~dowment lands and not otherwise designated for deposit in the capitol~~

1 ~~buildings permanent endowment fund~~ either public or private approved by
 2 ~~the legislature for the purposes of this act.~~

3 (2) All moneys in the capitol ~~endowment income~~ commission operating
 4 fund shall be subject to annual appropriation by the legislature. All moneys
 5 shall be appropriated exclusively for the purposes of this chapter, retained
 6 for future appropriation, or transferred to the capitol endowment permanent
 7 fund by legislative appropriation.

8 SECTION 4. That Section 49-420A, Idaho Code, be, and the same is hereby
 9 amended to read as follows:

10 49-420A. IDAHO STATE CAPITOL COMMISSION PLATES. (1) On and after Jan-
 11 uary 1, 2002, any person who is the owner of a vehicle registered under the
 12 provisions of section 49-402, Idaho Code, or registered under any other sec-
 13 tion of law for which the purchase of special plates is allowed, may apply for
 14 and, upon department approval, receive special Idaho state capitol commis-
 15 sion plates in lieu of regular license plates.

16 (2) The provisions of this section shall not apply to any vehicle with a
 17 registered maximum gross weight over twenty-six thousand (26,000) pounds.
 18 Availability of Idaho state capitol commission plates for other vehicles
 19 shall be subject to the rules, policies and procedures of the department.

20 (3) In addition to the regular registration fee required in chapter 4,
 21 title 49, Idaho Code, the applicant shall be charged a fee of thirty-five
 22 dollars (\$35.00) for the initial issuance of plates, and twenty-five dollars
 23 (\$25.00) upon each succeeding annual registration. Ten dollars (\$10.00)
 24 of the initial fee and ten dollars (\$10.00) of the renewal fee shall be de-
 25 posited in the state highway account and shall be used to fund the cost of
 26 administration of this special license plate program. Twenty-five dollars
 27 (\$25.00) of each initial fee and fifteen dollars (\$15.00) of each renewal
 28 fee shall be deposited by the state treasurer in the ~~Idaho capitol endowment~~
 29 ~~income maintenance reserve~~ fund established in section ~~67-1611~~ 67-1610A,
 30 Idaho Code, and shall be used exclusively for the purposes of chapter 16,
 31 title 67, Idaho Code.

32 (4) Whenever title or interest in a vehicle registered under the pro-
 33 visions of this section is transferred or assigned, the owner may transfer
 34 the special plates to another vehicle upon payment of the required transfer
 35 fees. The owner may only display the plates on another vehicle upon receipt
 36 of the new registration from the department.

37 (5) Notwithstanding the provisions of section 49-402C, Idaho Code,
 38 the Idaho state capitol commission license plate shall be of a color and
 39 design acceptable to the Idaho state capitol commission, except that the
 40 word "Idaho" shall appear on each plate and the county designator shall be
 41 omitted to provide for distinguishing designs and slogans. The design shall
 42 be approved by the department, utilizing a numbering system as determined by
 43 the department. Initial costs of the plate program, including costs of plate
 44 design, shall be paid by the Idaho state capitol commission.

45 (6) Sample Idaho state capitol commission license plates may be pur-
 46 chased for a fee of thirty dollars (\$30.00), ten dollars (\$10.00) of which
 47 shall be deposited in the state highway account and twenty dollars (\$20.00)
 48 of which shall be deposited in the Idaho capitol endowment income fund. No
 49 additional fee shall be charged for personalizing sample plates.