

TITLE 66
STATE CHARITABLE INSTITUTIONS

CHAPTER 11
FUNDS OF CHARITABLE INSTITUTIONS

66-1101. MENTAL HOSPITAL PERMANENT ENDOWMENT FUND. (1) There is established in the state treasury the mental hospital permanent endowment fund. This fund is perpetually appropriated for the beneficiaries of the endowment. The fund shall be managed and invested by the endowment fund investment board according to law and the policies established by the state board of land commissioners. The fund principal shall forever remain intact. The fund shall be a permanent fund and shall consist of the following:

(a) Proceeds from the sale of lands granted to the state of Idaho under the provisions of section 11 of the Idaho Admission Bill, 26 Stat. L. 215, ch. 656, known at the time of admission as insane asylum lands, and lands granted in lieu thereof;

(b) Proceeds of royalties from the extraction of minerals on mental hospital lands owned by the state;

(c) Moneys allocated from the mental hospital earnings reserve fund.

(2) Provided however, that proceeds from the sale of mental hospital lands may be first deposited into the land bank fund established in section [58-133](#), Idaho Code, to be used to acquire other lands within the state for the benefit of beneficiaries of the mental hospital endowment. If the land sale proceeds are not used to acquire other lands in accordance with section [58-133](#), Idaho Code, the proceeds shall be deposited into the mental hospital permanent endowment fund along with any earnings on the proceeds.

(3) Earnings from the investment of the mental hospital permanent endowment fund shall be distributed according to the provisions of section [57-723A](#), Idaho Code.

[66-1101 added 1998, ch. 256, sec. 50, p. 845.]

66-1101A. MENTAL HOSPITAL EARNINGS RESERVE FUND. (1) There is established in the state treasury the mental hospital earnings reserve fund. The fund shall be managed and invested by the endowment fund investment board according to law and the policies established by the state board of land commissioners. The fund shall consist of the following:

(a) Earnings of the mental hospital permanent endowment fund, created to receive moneys from the insane asylum endowment provided in section 11 of the Idaho Admission Bill, 26 Stat. L. 215, ch. 656;

(b) Proceeds of the sale of timber growing upon mental hospital lands;

(c) Proceeds of leases of mental hospital lands;

(d) Proceeds of interest charged upon deferred payments on mental hospital lands or timber on those lands; and

(e) All other proceeds received from the use of mental hospital endowment lands and not otherwise designated for deposit in the mental hospital permanent endowment fund.

(2) Moneys shall be distributed out of the mental hospital earnings reserve fund only to support the beneficiaries of the mental hospital endowment, including distributions by the state board of land commissioners to the mental hospital permanent endowment fund and the mental hospital income fund; provided, that funds shall not be appropriated by the legislature from the mental hospital earnings reserve fund except to pay for administrative

costs incurred managing the assets of the mental hospital endowment including, but not limited to, real property and monetary assets.

[66-1101A, added 1998, ch. 256, sec. 51, p. 846.]

66-1102. MENTAL HOSPITAL INCOME FUND. There is established in the state treasury the mental hospital income fund. The fund shall consist of all moneys distributed from the mental hospital earnings reserve fund and from other sources as the legislature deems appropriate. Moneys in the mental hospital income fund shall be used for the benefit of the beneficiaries of the endowment and distributed to current beneficiaries of the mental hospital endowment pursuant to legislative appropriation.

[66-1102 added 1998, ch. 256, sec. 53, p. 847.]

66-1103. CHARITABLE INSTITUTIONS PERMANENT ENDOWMENT FUND. (1) There is established in the state treasury the charitable institutions permanent endowment fund. This fund is perpetually appropriated for the beneficiaries of the endowment. The fund shall be managed and invested by the endowment fund investment board according to law and the policies established by the state board of land commissioners. The fund principal shall forever remain intact. The fund shall be a permanent fund and shall consist of the following:

- (a) Proceeds from the sale of lands granted to the state of Idaho for charitable, educational, penal and reformatory institutions by the Idaho Admission Bill, 26 Stat. L. 215, ch. 656, and lands granted in lieu thereof;
- (b) Proceeds of royalties from the extraction of minerals on charitable institutions endowment lands owned by the state;
- (c) Moneys allocated from the charitable institutions earnings reserve fund;

(2) Provided however, that proceeds from the sale of charitable institutions endowment lands may be first deposited into the land bank fund established in section [58-133](#), Idaho Code, to be used to acquire other lands within the state for the benefit of beneficiaries of the charitable institutions endowment. If the land sale proceeds are not used to acquire other lands in accordance with section [58-133](#), Idaho Code, the proceeds shall be deposited into the charitable institutions permanent endowment fund along with any earnings on the proceeds.

(3) Earnings from the investment of the charitable institutions permanent endowment fund shall be distributed according to the provisions of section [57-723A](#), Idaho Code.

[66-1103 added 1998, ch. 256, sec. 55, p. 847.]

66-1104. CHARITABLE INSTITUTIONS EARNINGS RESERVE FUND. (1) There is established in the state treasury the charitable institutions earnings reserve fund. The fund shall be managed and invested by the endowment fund investment board according to law and the policies established by the state board of land commissioners. The fund shall consist of the following:

- (a) Earnings of the charitable institutions permanent endowment fund;
- (b) Proceeds from the sale of timber growing upon charitable institutions endowment lands;
- (c) Proceeds of leases of charitable institutions endowment lands;

(d) Proceeds of interest charged upon deferred payments on charitable institutions endowment lands or timber on those lands; and

(e) All other proceeds received from the use of charitable institutions endowment lands and not otherwise designated for deposit in the charitable institutions permanent endowment fund.

(2) Moneys shall be distributed out of the charitable institutions earnings reserve fund only to support the beneficiaries of the charitable institutions endowment, including distributions by the state board of land commissioners to the charitable institutions permanent endowment fund and the charitable institutions income fund; provided, that funds shall not be appropriated by the legislature from the charitable institutions earnings reserve fund except to pay for administrative costs incurred managing the assets of the charitable institutions endowment including, but not limited to, real property and monetary assets.

[66-1104 added 1998, ch. 256, sec. 57, p. 848.]

66-1105. CHARITABLE INSTITUTIONS INCOME FUND. There is established in the state treasury the charitable institutions income fund. The fund shall consist of all moneys distributed from the charitable institutions earnings reserve fund and from other sources as the legislature deems appropriate. Moneys in the charitable institutions income fund shall be used for the benefit of the beneficiaries of the endowment and distributed to current beneficiaries of the charitable institutions endowment pursuant to legislative appropriation.

[66-1105 added 1998, ch. 256, sec. 59, p. 848.]

66-1106. CHARITABLE INSTITUTIONS FUND -- TRANSFER OF MONEYS TO SEPARATE FUNDS. Any and all moneys hereafter accruing to said charitable institutions fund shall be forthwith transferred and credited to the following designated funds in the following proportions, respectively, to wit:

To the Idaho State University fund, four-fifteenths (4/15) thereof;

To the State Juvenile Corrections Institutions fund, four-fifteenths (4/15) thereof;

To the State Hospital North fund, four-fifteenths (4/15) thereof;

To the Division of Veterans Services fund, five-thirtieths (5/30) thereof;

To the School for the Deaf and Blind fund, one-thirtieth (1/30) thereof.

[(66-1106) 1929, ch. 184, sec. 4, p. 326; I.C.A., sec. 64-806; am. 1990, ch. 56, sec. 10, p. 132; am. 1995, ch. 44, sec. 57, p. 101; am. 2000, ch. 14, sec. 1, p. 31; am. 2005, ch. 336, sec. 1, p. 1053.]

66-1107. MONEYS CREDITED OR ACCRUING TO SPECIAL FUNDS -- EXCLUSIVE USE. All moneys heretofore properly credited to or accruing to any special fund heretofore created out of any portion of the expendable income from the land grant of one hundred fifty thousand (150,000) acres aforesaid, for the support or maintenance of the Idaho State University, the State Juvenile Corrections Center, State Hospital North, Division of Veterans Services and the State School for the Deaf and the Blind, respectively, or any of such institutions, together with all funds hereafter accruing under this act to the funds designated in section [66-1106](#), Idaho Code, are hereby appropriated for the maintenance of said institutions, respectively, and no portion

of said funds shall be diverted to any other purpose or transferred to any other fund: provided, that no provision hereof shall be so construed as to preclude the state controller from correcting errors in the apportionment of receipts or distribution of disbursements heretofore or hereafter erroneously credited or charged to any of such funds.

[(66-1107) 1929, ch. 184, sec. 5, p. 326; I.C.A., sec. 64-807; am. 1990, ch. 56, sec. 11, p. 132; am. 1994, ch. 180, sec. 164, p. 528; am. 1995, ch. 44, sec. 56, p. 101; am. 2005, ch. 336, sec. 2, p. 1053.]

66-1108. SCHOOL FOR THE DEAF AND THE BLIND FUND. Any and all funds heretofore accruing to the credit of the charitable institutions fund on the books of the state controller and state treasurer and not properly transferred or credited to funds known and designated as "The Academy of Idaho Fund," "The Idaho Technical Institute Fund" or "The Southern Branch of the University of Idaho Fund," "The Idaho Industrial Reform School Fund" or "The Idaho Industrial Training School Fund," "The Northern Idaho Insane Asylum Fund" or "The Northern Idaho Sanitarium Fund," "The Soldiers' Home Fund" and the "School for the Deaf and the Blind Fund" or the "Deaf and Blind School Fund," shall be transferred and credited to a special fund to be known as the "School for the Deaf and the Blind Fund."

[(66-1108) 1929, ch. 184, sec. 6, p. 326; I.C.A., sec. 64-808; am. 1994, ch. 180, sec. 165, p. 528.]