

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 368, As Amended

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO THE STATEWIDE COMMUNICATIONS INTEROPERABILITY EXECUTIVE COUN-
2 CIL; AMENDING SECTION 2, CHAPTER 292, LAWS OF 2006, TO EXTEND THE SUN-
3 SET DATE; AMENDING SECTION 46-1204, IDAHO CODE, TO REVISE RESPONSIBILI-
4 TIES; AMENDING SECTION 46-1207, IDAHO CODE, TO PROVIDE FOR THE POSITION
5 OF OPERATIONS MANAGER; AMENDING SECTION 46-1211, IDAHO CODE, TO REVISE
6 COUNCIL MEMBERS; AND AMENDING SECTION 46-1212, IDAHO CODE, TO REMOVE
7 ARCHAIC LANGUAGE REGARDING COUNCIL MEMBER TERMS.
8

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

10 SECTION 1. That Section 2, Chapter 292, Laws of 2006, be, and the same is
11 hereby amended to read as follows:

12 SECTION 2. The provisions of this act shall be null, void and of no force
13 and effect on and after December 31, 20128.

14 SECTION 2. That Section 46-1204, Idaho Code, be, and the same is hereby
15 amended to read as follows:

16 46-1204. COUNCIL RESPONSIBILITIES. The responsibilities of the coun-
17 cil are to:

18 (1) Develop and maintain a statewide plan for local and private public
19 safety wireless radio interoperable communications;

20 (2) Develop, maintain and adopt standards for local and private public
21 safety wireless radio interoperable communications;

22 (3) Recommend guidelines and standards for operation for local and pri-
23 vate public safety wireless radio interoperable communications systems in
24 Idaho;

25 (4) Promote coordination and cooperation among local, state, federal
26 and tribal public safety agencies in addressing statewide public safety
27 wireless radio interoperable communications needs in Idaho;

28 (5) Review priorities for statewide public safety wireless radio in-
29 teroperable communications needs and assist users of the statewide system
30 in the development of projects, plans, policies, standards, priorities and
31 guidelines for public safety wireless radio interoperable communications in
32 coordination and cooperation with public safety communications;

33 (6) Develop funding recommendations for short-term and long-term sys-
34 tem maintenance;

35 (7) Research best practices of other states;

36 (8) ~~Prepare and present a report to the information technology resource~~
37 ~~management council by December 30 of each year describing the council's acts~~
38 ~~and achievements of the previous year;~~

39 ~~(9)~~ Provide recommendations to the governor and the legislature of
40 the state of Idaho, when appropriate, concerning issues related to local

1 and private statewide public safety wireless radio interoperable commu-
 2 nications in Idaho and in accordance with homeland security presidential
 3 directives;

4 ~~(109)~~ Report annually to the legislature of the state of Idaho on the
 5 planned expenditures for the next fiscal year, the collected revenues and
 6 moneys disbursed from the Idaho statewide interoperability communications
 7 fund and programs or projects in progress, completed or anticipated;

8 ~~(110)~~ Serve as a conduit for the future allocation of federal grant
 9 funds and other nonfederal grants to support the delivery of public safety
 10 wireless radio interoperable communications systems directed towards local
 11 government and private entities;

12 ~~(121)~~ Enter into contracts with experts and/or consultants as may be
 13 necessary to carry out the purposes of this chapter and to sue and be sued;
 14 and

15 ~~(132)~~ Work in coordination and cooperation with the Idaho emergency
 16 communications commission established by section 31-4815, Idaho Code, ~~and~~
 17 ~~the information technology resource management council, established by sec-~~
 18 ~~tion 67-5745B, Idaho Code.~~

19 SECTION 3. That Section 46-1207, Idaho Code, be, and the same is hereby
 20 amended to read as follows:

21 46-1207. ADMINISTRATIVE SUPPORT. The council may, with concurrence
 22 of the governor of the state of Idaho, create the position of an project
 23 operations manager and the position of an administrative assistant, which
 24 positions shall be exempt from the requirements of the merit system, chapter
 25 53, title 67, Idaho Code. In accordance with the laws of the state, the ad-
 26 jutant general may hire, fix the compensation and prescribe the powers and
 27 duties of such other individuals, including consultants, as may be necessary
 28 to carry out the provisions of this chapter.

29 SECTION 4. That Section 46-1211, Idaho Code, be, and the same is hereby
 30 amended to read as follows:

31 46-1211. COUNCIL MEMBERS. (1) The council members shall be appointed
 32 by the governor and shall include at a minimum the representatives of the
 33 following organizations:

- 34 (a) One (1) representative from the Idaho transportation department;
- 35 (b) One (1) representative from the Idaho sheriffs' association;
- 36 (c) One (1) representative from the Idaho chiefs of police association;
- 37 (d) One (1) representative from the Idaho fire chiefs association;
- 38 (e) One (1) representative from the association of Idaho cities;
- 39 (f) One (1) representative from the Idaho association of counties;
- 40 (g) ~~Two (2)~~ One (1) representatives from the ~~Idaho military division~~
 41 bureau of homeland security;
- 42 ~~(h) One (1) representative from the Idaho department of administra-~~
 43 ~~tion;~~
- 44 ~~(i)~~ One (1) representative from the Idaho department of correction;
- 45 ~~(j)~~ (j) One (1) representative from the Idaho state police;
- 46 ~~(k)~~ (k) One (1) representative from the Idaho department of lands;
- 47 ~~(l)~~ (l) One (1) representative from the Idaho department of fish and game;

1 ~~(m)~~ One (1) representative from the Idaho department of health and
2 welfare;

3 ~~(n)~~ One (1) representative from Idaho tribal government; and

4 ~~(o)~~ Two (2) members at large; and

5 (o) One (1) representative from each of the six (6) district interoper-
6 able governance boards (DIGBs).

7 (2) Additional voting members will be invited in the following capaci-
8 ties:

9 (a) One (1) liaison from federal law enforcement;

10 ~~(b) One (1) liaison from the United States department of homeland secu-~~
11 ~~urity transportation security administration;~~

12 ~~(c) One (1) liaison from the United States department of the interior;~~
13 and

14 ~~(d) One (1) liaison from the national interagency fire center.~~

15 SECTION 5. That Section 46-1212, Idaho Code, be, and the same is hereby
16 amended to read as follows:

17 46-1212. COUNCIL MEMBER TERMS. (1) Except as provided in this sec-
18 tion, members of the council will be appointed for a term of four (4) years.

19 ~~(2) The following five (5) members shall be appointed for an initial~~
20 ~~term of two (2) years:~~

21 ~~(a) The member representing the Idaho fire chiefs association;~~

22 ~~(b) The member representing the Idaho chiefs of police association;~~

23 ~~(c) The member representing the Idaho sheriffs' association;~~

24 ~~(d) The member representing the Idaho association of counties; and~~

25 ~~(e) The member representing the association of Idaho cities.~~

26 ~~(3) The following four (4) members will be appointed for an initial term~~
27 ~~of three (3) years:~~

28 ~~(a) The member representing the Idaho transportation department;~~

29 ~~(b) The member representing the Idaho department of administration;~~

30 ~~(c) The member representing the Idaho department of lands; and~~

31 ~~(d) The member representing the Idaho department of health and welfare.~~

32 ~~(4) Members of the council shall be compensated as provided in section~~
33 59-509(b), Idaho Code.

34 ~~(5)~~ New members may be added or members replaced at annual, special or
35 regular council meetings with approval from the office of the governor for
36 the state of Idaho. Upon resignation of a member, the governor may appoint a
37 replacement for the remainder of the vacated term.