

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Monday, January 30, 2012

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Palmer, Vice Chairman Ellsworth, Representative(s) Wood(35), Smith(24), Bedke, Wills, Hart, Nonini, Hagedorn, Bateman, Henderson, Nasset, Ringo, King, Killen

**ABSENT/
EXCUSED:** Representative(s) Smith(24), Bedke, Ringo, Killen

GUESTS: The sign-in sheet will be retained with the minutes in the committees secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

Chairman Palmer called the meeting to order at 1:32 P.M.

Vice Chairman Ellsworth reported on the Administrative Rules Subcommittee, recommending approval of **Docket Nos: 39-0203-1101, 39-0247-1101, 39-0270-1101, 39-0272-1101, 39-0275-1101, 39-0276-1101, 39-0301-1101, 39-0316-1101, 39-0341-1101, 39-0321-1101** from the Idaho Transportation Board, and **Docket No. 35-0105-1101** from the Idaho State Tax Commission.

MOTION: **Representative Wood (35)** made a motion to accept the report of the Ellsworth Administrative Rules Subcommittee. **Motion carried by voice vote.**

MOTION: **Representative Bateman** made a motion for subcommittee members to approve the subcommittee minutes of January 19, 2012. **Motion carried by voice vote of subcommittee members.**

H 367: **John Krause**, Transit Program Manager, Idaho Transportation Department (ITD), reported that every five years ITD renews a continual Executive Order with the Office of the Governor designating the ITD and the Director as the recipient of Federal Transit Administration (FTA) program funds. A finding identified through the Zero-Based Budgeting process recommended that this long-standing designation be codified rather than mandated. **H 367** will eliminate the time intensive process of producing a new Executive Order every five years. FTA funding associated with this designation totals approximately \$11 million annually, plus any special discretionary programs. Codifying this does not change any internal processes or authority but simply makes it permanent.

The committee asked if ITD has authority for all of Idaho's Federal Transit Administration funds and if the legislature manages those funds for the State and if so how much is it? **Mr. Krause** said the total is \$11 million, which is seventy five percent (75%) of what Idaho receives from FTA funding. Other funding is discretionary or competitive funding, where ITD competes with other states. In answer to what role the Legislature plays in the governing of this money, Mr. Krause stated ITD has to have spending authority for the money it manages. ITD goes through a competitive process to sub grant to other communities across the state. ITD has spending authority from Division of Financial Management. The committee asked if the term 'spending authority' is authority from the Legislature. Mr. Krause said that is correct. This bill simply streamlines the process.

MOTION: **Representative Wills** made a motion to send **H 367** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Wills** will sponsor the bill on the floor.

H 368:

Police Chief Mark Lockwood, Chairman of Statewide Interoperability Executive Council (SIEC), presented this bill on interoperability. Mr. Lockwood stated the SIEC has worked hard on government structures. They have emphasized local governments in setting standards. The SIEC added on members of local governments to chair and to sit on the Council. The District Interoperable Governance Boards (DIGB's) have just started to mature, but there is more to be done concerning communication across the State.

Regarding the length of the terms for the Council members. **Mr. Mark Lockwood** stated that in the beginning they staggered the terms of the Council so new ones were added every two years, but now the membership has remained consistent so a term became a straight four (4) years. The agencies recommend their members to the Governor for appointment. In defining "governance council." Mr. Lockwood explained the State Council is set up through Executive Order. In 2011, through statute, Mr. Lockwood appointed one (1) member from each of the six District Interoperable Governance Boards (DIGBs) across the state to serve as voting members on the SIEC. The SIEC utilizes ITD's Regions across the state for boundaries for the six DIGB's. This provided a direct link from the 'ground up' (the local level) back to the SIEC. This also provided a means for local involvement with SIEC. The appointed members from the DIGB's have been very helpful, and several are currently serving on SIEC subcommittee projects. SIEC was praised for doing a tremendous job in bringing first responders into communication throughout the State. The governance board determined how and when to use particular channels, and Idaho can now use the radio system from one end of the state to the other. After a question about changing the "project manager" position to "operation's manager" which will be a permanent position, Mr. Lockwood referred that question to **General William Shawver** Director, Bureau of Homeland Security (BHS). General Shawver explained that the statute, as it exists today, specifies two full time support employees. This allows better support for the Council and gives additional flexibility. When questioned about the wording "other funding sources," if SIEC is anticipating using State funding, and what are these "other funding sources," General Shawver said the Council does not anticipate using State funding or asking for a budget from the General Fund. As to the make-up of the Council, and removing a Department of Administration member from the Council, General Shawver stated an Administration member was specifically needed in 2007. Currently SIEC has only one member of the Idaho Military Division participating because we are very sensitive to the balance of State and Federal control.

MOTION:

Representative Hagedorn made a motion to send **H 368** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Hagedorn** will sponsor the bill on the floor.

H 369:

Lt. Col. Dahle said **H 369** creates a special account that allows the Military Division to receive gifts and donations. He said there are people who may be willing to give gifts to facilitate projects. The Military Division has statutory authority and reports to the Department of Financial Management for the tracking of this program.

The committee asked to hear more about the youth program these funds would help to create. **Lt. Col. Dahle** explained that it is a National Guard Youth Challenge Program. These children are at risk of not completing their education. Funding from the Federal government makes this work. The Military Division is proposing to meet the extra funds needed by obtaining private donations to help put children back on track. It is managed by the military but the program has to meet state educational standards. The committee asked if this might entice some young people to enter the National Guard and **Lt. Col. Dahle** said this has happened.

MOTION: **Representative Bateman** made a motion to send **H 369** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Bateman** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:36 P.M

Representative Palmer
Chair

Jane Clark
Secretary