

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 365

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO EMERGENCY COMMUNICATIONS; AMENDING SECTION 31-4815, IDAHO CODE,  
2 TO AUTHORIZE THE ADJUTANT GENERAL TO SELECT EMERGENCY COMMUNICATIONS  
3 COMMITTEE BOARD MEMBERS; AMENDING SECTION 46-1207, IDAHO CODE, TO  
4 AUTHORIZE THE ADJUTANT GENERAL TO CONCUR WITH THE STATEWIDE INTEROP-  
5 ERABILITY EXECUTIVE COUNCIL'S CREATION OF ADMINISTRATIVE POSITIONS;  
6 AMENDING SECTION 46-1209, IDAHO CODE, TO AUTHORIZE THE ADJUTANT GENERAL  
7 TO SELECT THE CHAIRMAN; AMENDING SECTION 46-1211, IDAHO CODE, TO AUTHO-  
8 RIZE THE ADJUTANT GENERAL TO SELECT CERTAIN BOARD MEMBERS; AND AMENDING  
9 SECTION 46-1212, IDAHO CODE, TO AUTHORIZE THE ADJUTANT GENERAL TO AP-  
10 PROVE OF AND SELECT A REPLACEMENT FOR CERTAIN BOARD MEMBERS.  
11

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

13 SECTION 1. That Section 31-4815, Idaho Code, be, and the same is hereby  
14 amended to read as follows:

15 31-4815. CREATION OF IDAHO EMERGENCY COMMUNICATIONS COMMISSION  
16 -- TERMS. (1) There is hereby created in the military division an Idaho  
17 emergency communications commission (hereinafter referred to as "the  
18 commission") for the purpose of assisting cities, counties, ambulance dis-  
19 tricts and fire districts in the establishment, management, operations and  
20 accountability of consolidated emergency communications systems. Notwith-  
21 standing any other provision of law to the contrary, the commission shall,  
22 upon being constituted, exercise its powers and duties in accordance with  
23 the provisions of this section relative to consolidated emergency commu-  
24 nications in this state established by enactment of the legislature or by  
25 private act.

26 (2) The commission shall be composed of thirteen (13) voting members,  
27 with eleven (11) ~~appointed~~ selected by the governor adjutant general as fol-  
28 lows: one (1) member representing the association of Idaho cities, one (1)  
29 member representing the Idaho association of counties, one (1) member rep-  
30 resenting the Idaho sheriffs' association, one (1) member representing the  
31 Idaho chiefs of police association, one (1) member representing the Idaho  
32 fire chiefs association, one (1) member representing the Idaho prosecuting  
33 attorneys association, one (1) member representing the Idaho state emer-  
34 gency medical services communications center, one (1) member representing  
35 the Idaho emergency medical services association, one (1) member represent-  
36 ing the public at large and two (2) members representing private industry  
37 service providers, one (1) from the wireless industry and one (1) from the  
38 traditional phone service industry. The commission shall also include the  
39 director of the Idaho state police or a designated representative and the  
40 adjutant general or a designated representative. One (1) representative of  
41 the attorney general shall serve as a nonvoting ex officio member.

1 (3) Except as provided in this subsection, members of the commission  
 2 shall be appointed for a term of four (4) years. The following five (5)  
 3 members shall be appointed to an initial term of two (2) years: the member  
 4 representing the Idaho fire chiefs association, the member representing the  
 5 Idaho state emergency medical services communications center, the member  
 6 representing the Idaho emergency medical services association, the member  
 7 representing the wireless industry, and one (1) member representing the  
 8 public. The remaining six (6) members appointed by the ~~governor~~ adjutant  
 9 general shall be appointed for an initial term of four (4) years. There-  
 10 after, all terms shall be for a period of four (4) years.

11 (4) The commission shall elect a chair and such officers as it may deem  
 12 necessary and appropriate. The commission shall meet at least annually and  
 13 at the call of the chair. Members of the commission shall be compensated as  
 14 provided in section 59-509(b), Idaho Code. Compensation shall be paid from  
 15 the emergency communications fund created in section 31-4818, Idaho Code.

16 SECTION 2. That Section 46-1207, Idaho Code, be, and the same is hereby  
 17 amended to read as follows:

18 46-1207. ADMINISTRATIVE SUPPORT. The council may, with concurrence of  
 19 the ~~governor of the state of Idaho adjutant general~~, create the position of  
 20 an operations manager and the position of an administrative assistant, which  
 21 positions shall be exempt from the requirements of the merit system, chap-  
 22 ter 53, title 67, Idaho Code. In accordance with the laws of the state, the  
 23 adjutant general may hire, fix the compensation and prescribe the powers and  
 24 duties of such other individuals, including consultants, as may be necessary  
 25 to carry out the provisions of this chapter.

26 SECTION 3. That Section 46-1209, Idaho Code, be, and the same is hereby  
 27 amended to read as follows:

28 46-1209. CHAIR AND VICE-CHAIR. The ~~governor~~ adjutant general shall  
 29 ~~appoint~~ select a chair and the council shall elect a vice-chair and other  
 30 such officers as it may deem necessary and appropriate. The chair has au-  
 31 thority and is responsible for all affairs of the council.

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

34 46-1211. COUNCIL MEMBERS. (1) The council members shall be ~~appointed~~  
 35 ~~by the governor~~ selected by the adjutant general and shall include at a mini-  
 36 mum the representatives of the following organizations:

- 37 (a) One (1) representative from the Idaho transportation department;
- 38 (b) One (1) representative from the Idaho sheriffs' association;
- 39 (c) One (1) representative from the Idaho chiefs of police association;
- 40 (d) One (1) representative from the Idaho fire chiefs association;
- 41 (e) One (1) representative from the association of Idaho cities;
- 42 (f) One (1) representative from the Idaho association of counties;
- 43 (g) One (1) representative from the bureau of homeland security;
- 44 (h) One (1) representative from the Idaho department of correction;
- 45 (i) One (1) representative from the Idaho state police;

- 1 (j) One (1) representative from the Idaho department of lands;  
2 (k) One (1) representative from the Idaho department of fish and game;  
3 (l) One (1) representative from the Idaho department of health and wel-  
4 fare;  
5 (m) One (1) representative from Idaho tribal government;  
6 (n) Two (2) members at large; and  
7 (o) One (1) representative from each of the six (6) district interper-  
8 able governance boards (DIGBs).  
9 (2) Additional voting members will be invited in the following capaci-  
10 ties:  
11 (a) One (1) liaison from federal law enforcement;  
12 (b) One (1) liaison from the United States department of the interior.

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

- 15 46-1212. COUNCIL MEMBER TERMS. (1) Except as provided in this section,  
16 members of the council will be appointed for a term of four (4) years.  
17 (2) Members of the council shall be compensated as provided in section  
18 59-509(b), Idaho Code.  
19 (3) New members may be added or members replaced at annual, special  
20 or regular council meetings with approval from the ~~office of the governor~~  
21 ~~for the state of Idaho~~ adjutant general. Upon resignation of a member, the  
22 ~~governor~~ adjutant general may ~~appoint~~ select a replacement for the remainder  
23 of the vacated term.