

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 350

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

1 RELATING TO THE DEPARTMENT OF ADMINISTRATION; AMENDING SECTION 67-5708,  
2 IDAHO CODE, TO PROVIDE THAT THE ADMINISTRATOR OF THE DIVISION OF PUBLIC  
3 WORKS MAY PROMULGATE RULES, TO PROVIDE THAT THE ADMINISTRATOR OF THE  
4 DIVISION OF PUBLIC WORKS MAY CONTRACT WITH A PUBLIC OR PRIVATE ENTITY  
5 FOR THE RENTAL OF PARKING FACILITIES IN THE CAPITOL MALL IN CERTAIN IN-  
6 STANCES, AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.  
7

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

9 SECTION 1. That Section 67-5708, Idaho Code, be, and the same is hereby  
10 amended to read as follows:

11 67-5708. LEASING OF FACILITIES FOR STATE USE -- CONTROL OF PARK-  
12 ING. (1) The department of administration shall negotiate for, approve, and  
13 make any and all lease or rental agreements for facilities to be used by the  
14 various state departments, agencies and institutions in the state of Idaho.

15 (2) For purposes of this section and sections 67-5708A and 67-5709,  
16 Idaho Code, the term "facility or facilities" may be used interchangeably  
17 and shall mean real property and improvements, including buildings and  
18 structures of any kind, excluding water rights not appurtenant to other fa-  
19 cilities, and state endowment lands.

20 (3) The department of administration shall manage ~~multi-agency~~  
21 ~~multiagency~~ facilities constructed, acquired or refurbished through the  
22 state building authority as established in chapter 64, title 67, Idaho Code,  
23 and shall sublease the facilities to various state departments, agencies,  
24 and institutions in the state of Idaho. The department of administration is  
25 directed to operate any facilities acquired for the state and to enter into  
26 rental contracts and lease agreements consistent with the use of the facili-  
27 ties for state purposes when so authorized.

28 (4) The director may authorize and enter into leases of state capitol  
29 mall real estate and multi-agency facilities constructed through the state  
30 building authority, not needed for state purposes, to other governmental en-  
31 tities or to nonprofit organizations upon such terms as are just and equi-  
32 table.

33 (5) The administrator of the division of public works ~~shall~~ may promul-  
34 gate rules for the control of the parking of motor vehicles in the state capi-  
35 tol mall.

36 (a) Any person who shall violate any of the provisions of the rules  
37 shall be subject to a fine of not less than two dollars (\$2.00) nor more  
38 than twenty-five dollars (\$25.00); provided however, that any person  
39 who shall violate any of the provisions of the rules concerning the al-  
40 tering, counterfeiting or misuse of parking permits shall be subject to  
41 a fine of not more than fifty dollars (\$50.00).

1       (b) Every magistrate and every court having jurisdiction of criminal  
2 offenses and the violation of public laws committed in the county of Ada  
3 shall have jurisdiction to hear and determine violations of the provi-  
4 sions of the rules and to fix, impose and enforce payment of fines there-  
5 for. Alleged violations of the parking rules are not subject to the pro-  
6 visions of chapter 52, title 67, Idaho Code.

7       (6) The administrator of the division of public works may contract  
8 with a public or private entity for the rental of parking facilities in the  
9 capitol mall outside of state of Idaho office hours as defined in section  
10 59-1007, Idaho Code, and for special events as declared by the director. The  
11 department of administration may pay costs incurred in the operation and  
12 management of those properties from rents received therefrom.

13       (7) When a facility of the state of Idaho is authorized by concurrent  
14 resolution, and a maximum cost for the facility has been set by concurrent  
15 resolution, the administrator of the division of public works may enter  
16 into lease-purchase or other time-purchase agreements with the Idaho state  
17 building authority or other party for the facility. The director may au-  
18 thorize the division of public works to enter into leases incidental to the  
19 acquisition of such a facility by the Idaho state building authority.

20       SECTION 2. An emergency existing therefor, which emergency is hereby  
21 declared to exist, this act shall be in full force and effect on and after its  
22 passage and approval.