

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 315

BY WAYS AND MEANS COMMITTEE

AN ACT

1 RELATING TO LEASING OF FACILITIES FOR STATE USE; AMENDING SECTION 67-5708,  
2 IDAHO CODE, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF ADMINIS-  
3 TRATION MAY AUTHORIZE THE DIVISION OF PUBLIC WORKS TO ENTER INTO LEASES  
4 INCIDENTAL TO THE ACQUISITION OF A FACILITY BY THE IDAHO STATE BUILDING  
5 AUTHORITY.  
6

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

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

10 67-5708. LEASING OF FACILITIES FOR STATE USE -- CONTROL OF PARK-  
11 ING. The department of administration shall negotiate for, approve, and make  
12 any and all lease or rental agreements for facilities to be used by the vari-  
13 ous state departments, agencies and institutions in the state of Idaho.

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

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

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

32 The administrator of the division of public works shall promulgate  
33 rules for the control of the parking of motor vehicles in the state capi-  
34 tol mall. Any person who shall violate any of the provisions of the rules  
35 shall be subject to a fine of not less than two dollars (\$2.00) nor more than  
36 twenty-five dollars (\$25.00); provided however, that any person who shall  
37 violate any of the provisions of the rules concerning the altering, counter-  
38 feiting or misuse of parking permits shall be subject to a fine of not more  
39 than fifty dollars (\$50.00).

40 Every magistrate and every court having jurisdiction of criminal of-  
41 fenses and the violation of public laws committed in the county of Ada shall  
42 have jurisdiction to hear and determine violations of the provisions of the

1 rules and to fix, impose and enforce payment of fines therefor. Alleged  
2 violations of the parking rules are not subject to the provisions of chapter  
3 52, title 67, Idaho Code. The department of administration may pay costs  
4 incurred in the operation and management of those properties from rents re-  
5 ceived therefrom.

6 When a facility of the state of Idaho is authorized by concurrent res-  
7 olution, and a maximum cost for the facility has been set by concurrent  
8 resolution, the administrator of the division of public works may enter  
9 into lease-purchase or other time-purchase agreements with the Idaho state  
10 building authority or other party for the facility. The director may au-  
11 thorize the division of public works to enter into leases incidental to the  
12 acquisition of such a facility by the Idaho state building authority.