

Dear Senators LODGE, Nonini, Burgoyne, and
Representatives WILLS, DAYLEY, Gannon:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the Board of Correction:

IDAPA 06.01.02 - Rules of Correctional Industries - Notice of Proclamation of Rulemaking (Docket No. 06-0102-1601).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative Services. The final date to call a meeting on the enclosed rules is no later than 10/02/2016. If a meeting is called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis from Legislative Services. The final date to hold a meeting on the enclosed rules is 10/31/2016.

The germane joint subcommittee may request a statement of economic impact with respect to a proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement, and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has been held.

To notify Research and Legislation, call 334-4834, or send a written request to the address on the memorandum attached below.



Eric Milstead
Director

Legislative Services Office

Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Judiciary & Rules Committee and the House Judiciary, Rules & Administration Committee

FROM: Principal Legislative Research Analyst - Ryan Bush

DATE: September 15, 2016

SUBJECT: Board of Correction

IDAPA 06.01.02 - Rules of Correctional Industries - Notice of Proclamation of Rulemaking (Docket No. 06-0102-1601)

The Board of Correction submits notice of proclamation of rulemaking at IDAPA 06.01.02 - Rules of Correctional Industries - Notice of Proclamation of Rulemaking. This rulemaking revises the section heading from "Inmate Compensation" to "Disbursement of Funds" and provides that funds in the Correctional Industries Betterment Account must be used to offset certain costs and provide certain resources to inmates.

The Board states that negotiated rulemaking was not conducted because they are exempt from conducting negotiated rulemaking. There is no fiscal impact associated with this rulemaking.

The notice of proclamation of rulemaking appears to be within the statutory authority granted to the Board in Section 20-212, Idaho Code.

cc: Correctional Industries
Andrea Sprengel

IDAPA 06 - BOARD OF CORRECTION
06.01.02 - RULES OF CORRECTIONAL INDUSTRIES
DOCKET NO. 06-0102-1601
NOTICE OF PROCLAMATION OF RULEMAKING

EFFECTIVE DATE: The effective date of this rule is October 7, 2016.

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. Section 20-413A, Idaho Code, requires the Idaho State Board of Correction to make rules. Pursuant to Section 20-212(1), Idaho Code, rules of the Idaho State Board of Correction are subject to review of the Idaho State Legislature pursuant to Sections 67-454, 67-5291, and 67-5292, Idaho Code, but no other provisions of chapter 52, title 67, Idaho Code, shall apply to the Board, except as otherwise specifically provided by statute. In accordance with Section 20-212(1) of the Idaho Code, this rule shall become final and effective thirty (30) days after the date of publication in the Idaho Administrative Bulletin.

PUBLIC HEARING SCHEDULE: Pursuant to Section 20-212(1), Idaho Code, public hearings concerning this rulemaking will not be scheduled.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

This rulemaking will amend IDAPA 06.01.02, Rules of Correctional Industries, by revising a section heading to provide more clarity and by replacing language related to obligations to act.

FEE SUMMARY: There is no increase in fees imposed with this rulemaking.

FISCAL IMPACT: There is no fiscal impact on general funds for this rulemaking

NEGOTIATED RULEMAKING: Pursuant to IDAPA 04.11.01.811, negotiated rulemaking was not conducted because Section 20-212(1) exempts the Idaho State Board of Correction from conducting negotiated rulemaking.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Andrea Sprengel, Financial Manager, at (208) 577-5561.

DATED this 20th Day of July 2016.

Andrea Sprengel
Financial Manager
Idaho Correctional Industries
1301 N. Orchard St. Suite 110
Boise, ID 83706
Ph: (208) 577-5561
Fax: (208) 577-5560

THE FOLLOWING IS THE PROCLAMATION OF RULEMAKING TEXT
OF DOCKET NO. 06-0102-1601
(Only Those Sections With Amendments Are Shown.)

013. ~~INMATE COMPENSATION~~ **DISBURSEMENT OF FUNDS.**

01. Correctional Industries Betterment Account. The moneys received from the private agricultural employer for inmate labor will be deposited into the Correctional Industries Betterment Account pursuant to Section 20-416, Idaho Code. The funds deposited will be dispersed between Correctional Industries and the IDOC to cover costs of the agricultural inmate labor program and contribute to the Idaho Victim's Compensation Fund. (11-6-15)

a. The funds dispersed to Correctional Industries will also be used in accordance with Section 20-416, Idaho Code. (7-4-14)

b. The funds dispersed to IDOC ~~may~~ **must** also be used to offset the costs of incarceration, supplement education opportunities to inmates, and provide resources for reentry to the community. (~~11-6-15~~)(10-7-16)

02. Inmate Trust Account. Inmates will be compensated for their work in accordance with Section 20-412, Idaho Code. Inmate earnings must be deposited into the inmate's trust account. Upon deposit, deductions for court-ordered financial obligations, including child support and restitution, will be made by IDOC. Any other deductions by IDOC will be made according to IDOC policy. (11-6-15)