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Idaho State Legislature

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MEMORANDUM

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

FROM: Principal Legislative Research Analyst - Brooke Brouman

DATE: October 14, 2015

SUBJECT: Board of Correction - Correctional Industries

IDAPA 06.01.02 - Rules of Correctional Industries - Notice of Proclamation of Rulemaking (Docket No. 06-0102-1502)

The Board of Correction submits Notice of Proclamation of Rulemaking relating to Rules of Correctional Industries. The rulemaking revises the definition of "Private Agricultural Employer" consistent with the definition set forth in statute. The rulemaking also replaces the term "shall" with "will" and the term "will" with "must" in provisions governing Correctional Industries' contractual obligations with private agricultural employers, and in provisions governing the deposit and disbursement of moneys received from private agricultural employers for inmate labor.

The effective date of this rule is November 6, 2015.

We suggest that Section 013 of the rule, titled "INMATE COMPENSATION," might be revised to better reflect the intent and organization of the governing statutes, including Sections 20-412, 20-413A, and 20-416, Idaho Code, and to clarify the manner in which moneys received for inmate labor get disbursed from the Correctional Industries Betterment Account, including the statutorily mandated deductions.

The Board's Proclamation of Rulemaking is authorized pursuant to Sections 20-408, 20-413A, and 20-416, Idaho Code.

cc: Board of Correction - Correctional Industries
Andrea Sprengel