

PROCLAMATION RULES COMMITTEE RULES REVIEW BOOK

Submitted for Review Before
**House Judiciary, Rules, &
Administration Committee**

64th Idaho Legislature
First Regular Session -- 2017



Prepared by:

*Office of the Administrative Rules Coordinator
Department of Administration*

January 2017

HOUSE JUDICIARY, RULES, & ADMINISTRATION COMMITTEE

ADMINISTRATIVE RULES REVIEW

Table of Contents

2017 Legislative Session

IDAPA 06 – BOARD OF CORRECTION

06.01.02 – Rules of Correctional Industries

Docket No. 06-0102-16013

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

**THE FOLLOWING NOTICE WAS PUBLISHED WITH
THE 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

LSO Rules Analysis Memo

THE FOLLOWING IS THE TEXT OF DOCKET NO. 06-0102-1601

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)