

Dear Senators DARRINGTON, Jorgenson & Kelly, and
Representatives CLARK, Leon Smith & Boe:

The Legislative Services Office, Research and Legislation, has received the enclosed
rules of the Idaho State Police:

**IDAPA 11.10.01 - Rules Governing Idaho Public Safety and Security Information
System (Docket #11-1001-1001).**

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by
the co-chairmen 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 10-29-10. 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 11-30-10.

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 334-4845, or send a written request to the
address or FAX number indicated on the memorandum attached.



Legislative Services Office Idaho State Legislature

Serving Idaho's Citizen Legislature

Jeff Youtz
Director

MEMORANDUM

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

FROM: Brooke Murdoch, Legislative Research Analyst *BM*

DATE: October 12, 2010

SUBJECT: Idaho State Police

IDAPA 11.10.01 – Rules Governing Idaho Public Safety and Security Information System (Docket No. 11-1001-1001)

The Idaho State Police submits notice of proposed rulemaking at IDAPA 11.10.01 – Rules Governing Idaho Public Safety and Security Information System. The proposed rule allows members of the Public Safety and Security Information System Board (“ILETS”) to appoint a proxy to attend a meeting and exercise the voting privilege and sets forth the allowable proxies.

ISP states that negotiated rulemaking was not conducted because the proposed rule is not contested or controversial. There is no negative fiscal impact to the state general fund resulting from this rulemaking.

The proposed rule is within the authority granted to the ILETS Board in Section 19-5203, Idaho Code.

cc: Idaho State Police
Colonel G. Jerry Russell, Director
Dawn Peck, BCI Manager

Mike Nugent, Manager
Research & Legislation

Cathy Holland-Smith, Manager
Budget & Policy Analysis

Don H. Berg, Manager
Legislative Audits

Glenn Harris, Manager
Information Technology

IDAPA 11 - IDAHO STATE POLICE

11.10.01 - RULES GOVERNING IDAHO PUBLIC SAFETY AND SECURITY INFORMATION SYSTEM

DOCKET NO. 11-1001-1001

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 19-5203, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 20, 2010.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

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

This rulemaking provides for proxy appointments for the purpose of establishing a quorum at ILETS Board meetings, and defines the allowable proxies.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: No fee or charge is imposed or increased.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: No negative fiscal impact will result from this change.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because this is not a contested or controversial change.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Dawn Peck, BCI Manager, (208) 884-7136 or dawn.peck@isp.idaho.gov.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 27, 2010.

DATED this 16th day of August, 2010.

Colonel G. Jerry Russell, Director
Idaho State Police
700 S. Stratford Drive
Meridian, ID 83643
(208) 884-7003
(208) 884-7090

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 11-1001-1001

013. ILETS BOARD -- MEETINGS AND QUORUM.

01. Schedule of Meetings. The Board holds regular meetings twice annually and may hold special meetings at other times as the executive officer deems necessary or upon the written request of a majority of the Board. The regular semi-annual meetings of the Board will be scheduled on such dates and at such times as the executive officer may determine after consultation with the members. Meeting announcements and agendas will be mailed to each member not less than ten (10) working days before a regular meeting. (3-20-04)

02. Quorum. When meeting, four (4) members of the Board constitutes a quorum necessary for transacting business. (3-20-04)

03. Representation at Meetings. A board member may ~~not~~ appoint ~~an alternate~~ a proxy to attend a meeting and exercise the voting privilege of that member. (~~3-30-01~~)()

a. An Idaho State Police proxy must be at least a major in rank; ()

b. A police chief proxy must be an Idaho police chief ; ()

c. A sheriff proxy must be an Idaho sheriff ; and ()

d. Proxy designations must be made in writing to the Executive Officer prior to the meeting. ()

04. Posting and Minutes of Meetings. Notice of board meetings will be posted and meetings will be conducted in compliance with the "Idaho Open Meeting Law," Sections 67-2340 through 67-2347, Idaho Code. Minutes of all regular and special meetings of the Board will be prepared and maintained by staff assigned by the executive director to support the Board. (3-20-04)