

MINUTES
HOUSE JUDICIARY, RULES, & ADMINISTRATION COMMITTEE
SIMS SUBCOMMITTEE
Administrative Rules Review

DATE: Thursday, January 17, 2013

TIME: Upon Adjournment of the Full Committee

PLACE: Room EW42

MEMBERS: Chairman Sims, Representatives Bateman, Packer, Trujillo, Meline

**ABSENT/
EXCUSED:** Rep. Trujillo

GUESTS: William Flink, Peace Officer Standards & Training; Fairy Hitchcock, Hitchcock Family Advocates; Brad Hunt, Office of Autism Research Coordination (OARC)

Chairman Sims called the meeting to order at 2:47 p.m.

William Flink, Division Administrator for Peace Officer Standards & Training (POST) at Idaho State Police (ISP) introduced himself to the Subcommittee.

DOCKET NO. 11-1102-1201 **Mr. Flink** stated the key issue in **Docket No. 11-1102-1201** is additional certification for juvenile corrections officers. He said the Department of Juvenile Corrections asked for the same certification provisions that POST gives to any other police officers. The conditions for that certification are identical to other categories and allow a juvenile officer to work towards the higher certification. In response to questions, Mr. Flink said that changed certification standards could possibly create an increased pay rate.

DOCKET NO. 11-1103-1201 **Mr. Flink** next explained that **Docket No. 11-1103-1201** is the same provision on higher certification and contains the same conditions as the preceding rule. **Chairman Sims** confirmed with Mr. Flink that additional training would be required for additional certification.

DOCKET NO. 11-1104-1201 **Mr. Flink** stated **Docket No. 11-1104-1201** is a rule for the Department of Corrections and it pertains to both the Corrections Officers and the Adult Probation Officers. The rule states "if a Corrections Officer takes an administrative position within the Department and doesn't leave the Department to do so, they will not lose their certification as long as they get 20 hours of training per year for that certification." Mr. Flink provided some examples of when this rule would be used and said an officer may want to leave for a certain amount of time to gain some more managerial experience, and then may want to come back as a manager inside the prison. Mr. Flink confirmed that this change could promote retention of the "best trained" officers and noted the addition condition regarding the required medical exam; the certification for the exam would be valid for one year.

DOCKET NO. 11-1106-1201 **Mr. Flink** explained that **Docket No. 11-1106-1201** pertains to misdemeanor probation and the rule used to contain language for minimum standards, with the exception of fitness, and the department deleted the "physical disability" language because it was previously an error. He explained further that it is the agency's prerogative to determine whether or not an agent is fit for duty. In response to questions from the committee Mr. Flink explained he has experience with the ADA and explained the process typically is to go through a job task analysis to make sure it is statistically valid. He then said that there are some misdemeanor and juvenile probation officers that are not making arrests and thus agencies have been permitted to choose their own standards. He concluded by explaining the change in the rules, removing "physical disability" is a means of becoming consistent with the POST council statutes.

- MOTION:** **Rep. Bateman** made a motion to recommend approval of **Docket No. 11-1102-1201** to the full committee. **Motion carried by voice vote.**
- MOTION:** **Rep. Meline** made a motion to recommend approval of **Docket No. 11-1103-1201** to the full committee. **Motion carried by voice vote.**
- MOTION:** **Rep. Packer** made a motion to recommend approval of **Docket No. 11-1104-1201** to the full committee. **Motion carried by voice vote.**
- MOTION:** **Rep. Bateman** made a motion to recommend approval of **Docket No. 11-1106-1201** to the full committee. **Motion carried by voice vote.**
- ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:58 p.m.

Representative Sims
Chair

Stephanie Nemore
Secretary