

IN THE SENATE

SENATE BILL NO. 1045

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1 RELATING TO CORRECTIONAL INDUSTRIES; AMENDING SECTION 20-412, IDAHO CODE,  
2 TO PROVIDE FOR INMATE TRAINEE PARTICIPATION IN IDAHO CORRECTIONAL IN-  
3 DUSTRIES TRAINING PROGRAMS, TO PROVIDE FOR TRAINING STIPENDS, AND TO  
4 PROVIDE THAT INMATE TRAINEES ARE NOT EMPLOYEES AND ARE NOT ENTITLED  
5 TO WORKER'S COMPENSATION OR UNEMPLOYMENT COMPENSATION; AND AMENDING  
6 SECTION 20-413A, IDAHO CODE, TO PROVIDE FOR CONTRACTS FOR AGRICULTURAL  
7 TRAINING PROGRAMS FOR INMATE TRAINEES, TO PROVIDE CONDITIONS, TO PRO-  
8 VIDE FOR RULES REGARDING INMATE TRAINEE SAFETY, TO PROVIDE FOR TRAINING  
9 STIPENDS, AND TO MAKE TECHNICAL CORRECTIONS.  
10

11 Be It Enacted by the Legislature of the State of Idaho:

12 SECTION 1. That Section 20-412, Idaho Code, be, and the same is hereby  
13 amended to read as follows:

14 20-412. ~~COMPENSATION TRAINING STIPEND~~ -- AMOUNT -- CREDITING ACCOUNT  
15 OF ~~PRISONER~~ INMATE TRAINEE -- CIVIL RIGHTS -- ~~PRISONERS~~ INMATE TRAINEES NOT  
16 EMPLOYEES. Each ~~prisoner inmate trainee~~, who is engaged in ~~productive work~~  
17 an Idaho correctional industries training program as authorized by this  
18 chapter, may receive for his ~~work involvement~~ such ~~compensation training~~  
19 stipend as the board shall determine, to be paid out of any funds avail-  
20 able in the correctional industries betterment account. Such ~~compensation~~  
21 training stipend, if any, shall be in accordance with a graduated schedule  
22 based on ~~quantity and quality of work performed and skill knowledge, skills,~~  
23 and abilities required for its work performance. ~~Compensation~~ The training  
24 stipend shall be credited to the account of the ~~prisoner inmate trainee~~, and  
25 paid from the correctional industries betterment account.

26 Nothing in this section or in this act is intended to restore, in whole  
27 or in part, the civil rights of any inmate trainee. No inmate trainee who  
28 ~~is compensated receives a training stipend~~ under this act shall be consid-  
29 ered to be an employee of or employed by the state, the board of correction  
30 or any private agricultural employer that is a party to a contract ~~for inmate~~  
31 labor with Idaho correctional industries pursuant to section 20-413A, Idaho  
32 Code. No inmate trainee engaged in ~~productive work~~ an Idaho correctional in-  
33 dustry training program as authorized by this chapter shall be entitled to  
34 worker's compensation benefits or unemployment compensation under chapter 4  
35 or chapter 13, title 72, Idaho Code, whether on behalf of himself or any other  
36 person.

37 SECTION 2. That Section 20-413A, Idaho Code, be, and the same is hereby  
38 amended to read as follows:

39 20-413A. CONTRACTS FOR AGRICULTURAL LABOR TRAINING PROGRAMS. (1) The  
40 board may contract with private agricultural employers as that term is de-

1 fined in section 44-1601, Idaho Code, for the use of inmate ~~labor~~ trainees in  
2 the production, harvesting, and processing of ~~perishable~~ agricultural ~~feed~~  
3 products as that term is defined in section ~~6-2002~~ 22-2602, Idaho Code. The  
4 use of inmate ~~labor~~ trainees may not result in the displacement of employed  
5 workers within the local region in which the agricultural ~~work~~ training pro-  
6 gram is being ~~performed~~ operated.

7 (2) The board shall establish by rule factors to be considered by the  
8 board prior to entering into such contract including, but not limited to,  
9 ensuring that employed workers are not displaced, ensuring inmate trainee  
10 safety, and addressing any security risks and needs. All moneys derived from  
11 such contracts shall be deposited into the correctional industries better-  
12 ment account established in section 20-415, Idaho Code.

13 (3) Inmates trainees shall ~~be compensated~~ receive a training stipend  
14 for their services participation pursuant to section 20-412, Idaho Code.  
15 The board shall establish by rule factors to be considered in ~~dispensing~~  
16 disbursing inmate earnings trainee stipends. Deductions shall be made for:

- 17 (a) Reducing or offsetting costs of incarceration from the general  
18 fund;  
19 (b) Satisfying court-ordered restitution, fines and other legal judg-  
20 ments;  
21 (c) Providing resources for successful reentry by inmates; and  
22 (d) Other fees and deductions as deemed necessary by the board.