

**CERTIFIED SHORTHAND REPORTERS
BOARD MEETING
June 12, 2004**

Roll Call. The Idaho Certified Shorthand Reporters Board met June 12, 2004, at the Owhyee Plaza Hotel in Boise. Present were: The Honorable Brent Moss; Byrl Cinnamon; Dianne Cromwell; Candace Childers; Michael Peacock (via conference call); Executive Secretary Margaret Odedo; and guests Maria Barrett, DFM; Eric Milstead, Legislative Service; and Brian Kane, Attorney Generals Office.

President Byrl Cinnamon called the meeting to order at 9:05 a.m., with warm congratulations to Mike Peacock on his election to be his party's nominee for Shoshone County Prosecutor. Byrl asked Board members if two additional items could be added to the agenda.

- Item 1. Violation Policy and Procedure draft
- Item 2. Examination dates

Brent made a motion that items be accepted, Dianne seconded. Motion carried. Byrl then asked Margaret to introduce the guest.

Reading of Minutes: Brent moved that the reading of the minutes from the Board meeting held June 14, 2003, be accepted. Candace seconded the motion. Motion carried.

Financial Report: Maria Barrett presented the Board with a timeline that included due dates for Budget, Legislation, and Strategic Planning. Further explanation was given in the following manner:

- **Budget:** Maria first explained the structure of the agency, indicating that this Board falls under the Executive Branch and is a Self-Governing Agency. A yearly budget is developed for all agencies and in this process there are varied deadlines that need to be met. Maria further explained that most Boards review the budget and are part of the process; however, currently Margaret develops the budget. She further explained that both DFM and LSO are a part of the budget development prior to release to the Governor's recommendations. Brent asked Maria for further clarification on what LSO represents. Maria explained that LSO is Legislative Service Office. At this point Eric Milstead further explained that our funding is under dedicated funding.
- **Legislation:** Maria reviewed the timelines for important dates to submit Legislative Ideas to DFM for any Statutes or IDAPA changes. After DFM has had the opportunity to review and approve, this is then forwarded on to the Governor's office for approval. Maria did note that due to the new facility address that there would need to be a mandatory change indicating the physical address. Further explanation was provided on the role that the Department of Administration plays in publishing information, what a temporary rule is and what a proposed rule is, and the importance of full discussion in front of a committee.
- **Strategic Planning:** Again the timeline was referenced with important due dates. Maria empathized Idaho Code Strategic Plan Updates are due no later than July 1, 2004, to DFM. September 3 is the date set for Performance reports. These reports represent outcomes and performance measurements and are due with agency budgets. This information is then available to the public. Maria asked if there were any further questions. Eric also stated that Legislative Service Office is available for help. There were no further questions from the Board. Dianne thanked Maria and Eric for presenting information to the Board.

Margaret reviewed the financial statement for Fiscal Year ending May 30, 2004. Accompanying financial spreadsheets furnished by the State Controllers Office were reviewed with Personnel costs totaling \$7,193.52 and Operating expenses totaling \$7,057.51. Ending cash balance as of June 3, 2004, is \$25,905.20. Margaret furthered presented a review of FY05 House Bill No. 762. Appropriations have been set as follows:

- Personnel \$12,200.00
- Operating \$12,400.00
- Total \$24,600.00

Byrl asked for a motion. Brent moved that the financial report be accepted as presented, Mike seconded. Motion carried. With no further comments, guest Maria Barrett and Eric Milstead were excused from the meeting.

New Business: Byrl asked Board members if Brian Kane could present his information prior to additional agenda items. Board members agreed, and the following information was presented.

- Mr. Kane introduced himself as a representative of the Office of the Attorney General and presented each member with the Idaho Open Meeting Law Manual.
- The first item discussed was that each meeting held must be done within the realm of Idaho Code 67-23450 through 67-2347. Mr. Kane also indicated that correct procedure had been met for this particular meeting.
- Mike asked Mr. Kane how late could items be added to an agenda. Mr. Kane responded “within a reasonable time frame.” He further stated that, because our Board only meets once a year, it is reasonable, after we have published our agenda; that we will have last-minute items that will need to be discussed.
- Mike asked about the application process currently being used. Mr. Kane explained that this may be exempt from public records, but when in doubt, “Open the discussion.”
- Mr. Kane gave examples of items that could be interpreted as not meeting requirements. Such items include conversations or email. These actions can be voided because they were not discussed in a public forum. Consequence for this could result in civil fines. Mike then asked Mr. Kane to further explain “Quorum”. Mr. Kane stated that the quorum is also subject to the Open Meeting Laws and, when in doubt, “Open the Meeting.”
- Purpose for Executive Session was reviewed. Items that can be discussed include Personnel, Litigation, Public Record Request, and Financial decisions. After the Executive Session has ended the Board must give a brief description of the discussion to public attendance. Mr. Kane asked if the Board had any further questions or comments. With no further questions or comments, Mr. Kane was excused from the meeting.

The application process was further discussed. Brent felt that this would need to be changed to an administrative function. All board members agreed. Further discussion continued, and it was agreed that the president, secretary, and executive secretary should review all applications from this point forward.

Byrl asked members, in the interest of saving time, if the miscellaneous items could be reviewed. Members agreed.

- Margaret reviewed the draft items under Violation Policy and Procedures. (See Attached) Margaret began by explaining that the purpose of the draft was to ensure that the public had the confidence in decisions that were made in regards to violations. Margaret also further described each piece of the draft by asking board members to review the policy first. Dianne asked what could you violate? Margaret responded that at this time that Statutes or Rules can be violated: Work that is performed in the State of Idaho without a valid Idaho certification, and possible ethical questioning of work performance of an Idaho Certified Shorthand Reporter. Mike stated that he thought the check sheet could be used and added to the web site. In addition he felt the draft letter was appropriate. Brent moved that the checklist and the draft letter be accepted and that the policy and procedure be reviewed at the next board meeting. Mike seconded. Motion carried.
- Byrl reviewed the need to set examination dates pursuant to Idaho Code 54-3110, “The secretary shall give public notice of the time and place of each examination at least one hundred twenty (120) days in advance...” Byrl also reviewed that NCRA’s testing dates are the first Saturday of November and the first Saturday of May. He suggested that our examination dates could be set for the third Saturday of

February and the third Saturday of August for each year. The only item that he is concerned with is if a Board member were not able to attend the examination due to illness or vacation, we would then need to have additional members help. Mike moved that the above dates be accepted. Dianne seconded. Motion carried.

Reading of Communications: The Board reviewed the following correspondence: Letter sent to a person who is not certified at this time, and a written response to a verbal question presented to the Board by a current CSR holder. Board members did not submit additional questions or comments and the correspondence was accepted as is.

Unfinished Business: Byrl asked Margaret to review possible statute changes. Margaret began by stating that under direction given she was asked to review all old Board minutes for items that had not been implemented as statute changes over the years". Margaret also stated that Kay Manweiler may have additional items that she is unaware of. Margaret then asked all Board members to review each item for further discussion, approval or disapproval (see attached draft item). Discussion proceeded as follows:

- Mike stated that he is opposed to CEUs, and he is concerned that this may create an overwhelming volume of paperwork required on behalf of certified participants and staff. Dianne stated that she appreciated Mike's views, however it is much easier to obtain CEUs. Participants are no longer required to travel. Participants could access the Internet to achieve CEU requirements. Mike also indicated that he has expense concerns for participants. Dianne stated that again she respects his opinion, however the industry has drastically changed and if Idaho CSR's are to keep up with these changes, they need CEU opportunities. Mike reviewed the current draft language within the CEU recommended changes, expressing that he felt this was not the correct language to use. Brent agreed that enabling language should be changed and suggested that the wording could be kept to a minimum and that specifics could be adopted by Rule. It was also suggested that Kay Manweiler could review for correct language. Mike moved to accept enabling language for continuing education as a possible statute change. Brent seconded. Motion carried.
- Under Definitions (a) "Contemporaneous with event" addition was reviewed. Mike moved that this statement could be moved to the end of the sentence. Brent seconded. Motion carried.
- 54-3108 was reviewed. Proposed item 1. recommendations include adding "as a minimum." Keeping item (a) and (b). Striking item (c), removing under item 2 (a) "Any applicant" and beginning with "Who is." Strike out "and having passed a reporters examination" (see attached first draft and second draft with recommended changes).
- 54-3110 Fees were reviewed, under (d) an increase to 100.00 was recommended. Addition (f) was approved with changes to strike "key material and add its transcription."
- 54.3112 Item (c) Dianne was asked to contact the NCRA for the correct wording, as members did not understand "passed in legs" portion. Members would like this area reviewed at the next meeting.

After all items were reviewed, Byrl asked that a motion be made. Brent moved that the suggested changes be implemented into this first draft. The draft then should be presented to Kay Manweiler for any additional changes that she may have and that the Board should meet again to review for a final draft prior to Legislative deadlines. Mike seconded. Motion passed.

Next Board meeting will be set after Kay Manweiler has made changes. All public notice will be given following the Idaho Open Meeting Law Requirements.

Election of officers: Byrl noted that the ICRA has not had their annual meeting as of date, so information on nominations for the reporter representative on the Board from the Boise area is not available. Brent moved to re-nominate Byrl as president. Dianne seconded. Motion carried. Mike moved to continue Dianne as the secretary of the Board. Candace seconded. Motion carried.

Meeting adjourned at 11:45 a.m.