

**MINUTES**  
**SENATE FINANCE COMMITTEE**  
**February 13, 2002**  
**9:12 AM**

**TAPES**

SFC-02 # 8, Side A  
SFC 02 # 8, Side B

**CALL TO ORDER**

Co-Chair Pete Kelly convened the meeting at approximately 9:12 AM.

**PRESENT**

Senator Dave Donley, Co-Chair  
Senator Pete Kelly, Co-Chair  
Senator Jerry Ward, Vice Chair  
Senator Lyda Green  
Senator Gary Wilken  
Senator Lyman Hoffman  
Senator Donald Olson  
Senator Alan Austerman  
Senator Loren Leman

**Also Attending:** REPRESENTATIVE KEN LANCASTER; CANDACE BROWER, Legislative Liaison, Department of Corrections; KERMIT HUMPHRIES, Program Specialist, National Institute of Corrections;

**Attending via Teleconference:** From Anchorage: JUDY BITTNER, State Historic Preservation Officer, and Chief, Office of History and Archaeology Alaska Historical Commission, Division of Parks and Outdoor Recreation, Department of Natural Resources; TIM ROGERS, Member, Board of Directors, Alaska Children's Services; LINDA WILSON, Deputy Director, Public Defender Agency, Department of Administration; From Seward: SCOTT JANKE, Manager, City of Seward; RACHEL JAMES, Planner, Planning and Zoning Commission, City of Seward, and Staff, Historical Preservation Commission, City of Seward

**SUMMARY INFORMATION**

HB 96-ACQUIRING JESSE LEE HOME

The Committee heard from the sponsor, the Department of Natural

Resources, the City of Seward and Alaska Children's Services. An amendment was considered and adopted. The bill was held.

HB 52-COMPACT FOR ADULT OFFENDER SUPERVISION

The Committee heard from the Department of Corrections, the National Institute of Corrections, and the Council of State Governments. The bill moved from Committee.

#HB96

SENATE CS FOR CS FOR HOUSE BILL NO. 96(STA)

"An Act relating to acquisition and development of the Jesse Lee Home; and providing for an effective date."

This was the first hearing for this bill in the Senate Finance Committee.

REPRESENTATIVE KEN LANCASTER, sponsor of the bill, addressed the fiscal note, stating that during testimony in other committees, he had understood the amount should have been zero. However, the Department of Natural Resources had recently submitted a new fiscal note for \$65,000. He stressed that if there must be a fiscal note, the amount should be no higher than \$55,000.

Co-Chair Kelly injected he had the same understanding that the fiscal note should be zero.

Representative Lancaster gave a history of the Jesse Lee Home, which was established in Seward in 1926 to house Alaskan Native children who lost their parents during a tuberculosis epidemic. He pointed out that Benny Benson designed the Alaska State Flag while living at the Home and the flag was officially raised for the first time at the Home on July 9, 1927.

Representative Lancaster informed that the Home was severely damaged during the 1964 Earthquake and has been vacant ever since. He stated that a private party purchased the facility with the intention of opening a hotel, but the Kenai Peninsula Borough foreclosed on the property to satisfy a tax obligation. He noted the City of Seward has since acquired the property from the Borough.

Representative Lancaster stated the City of Seward has cleared the area of overgrowth and erected a fence securing the Home. He remarked that \$5,000 from the Department of Natural Resources and \$5,000 from the City of Seward had been appropriated and expended

to undertake initial soil testing.

Representative Lancaster informed if this bill passes, the intent is to hire an architect to inspect the building to determine whether it could be saved. If the building could not be saved, he said, a volunteer task force would be organized to consider other options for creating a historical site at the location.

Amendment #1: This amendment replaces "2002" with "2003" on page 2, line 8 of the Senate State Affairs committee substitute. The amended language reads, "The department shall report to the governor and the legislature by November 1, 2003, concerning its recommendations..." This amendment also changes the effective date of the bill from July 1, 2001, to July 1, 2002.

Senator Ward moved for adoption and explained this is a technical amendment to update the bill because it did not pass into law the previous year.

There was no objection and the amendment was ADOPTED.

Senator Green voiced concerns regarding an unrelated report presented by a task force established to write regulations. She relayed that in this instance, the legislature was not given notice of the actual regulations and it was asserted that because the legislature authorized the creation of the task force, it was assumed the legislature gave automatic approval of the forthcoming regulations as well. She wanted assurance this situation would not arise in regards to the task force proposed in this bill.

Representative Lancaster remarked for the record that this legislation only establishes the task force to review the architectural and soil surveys to determine possible future uses of the site. He assured that because the property is owned by the City of Seward, future legislation would be necessary to authorize additional state expenditures.

Senator Hoffman asked what is the next step if the report determines the facility is sound.

Representative Lancaster replied further grant funds would be pursued. He noted there are no windows remaining in the Home and that numerous other repairs are necessary.

JUDY BITTNER, State Historic Preservation Officer, and Chief, Office of History and Archaeology Alaska Historical Commission, Division of Parks and Outdoor Recreation, Department of Natural Resources, spoke to the fiscal note. She informed that the Office

receives federal historic preservation grant funds, and it is intended a portion of these funds would be used to partially fund the task force. She noted the Office awarded a \$5000 grant to the City of Seward to begin the soil and building studies. She said an additional \$30,000 could be appropriated if \$25,000 in matching funds were provided. She pointed out the Office is "project funded" and the federal grants utilized require matching funds.

Co-Chair Kelly stated the Committee was under the impression that the necessary matching funds were already available within the Department's budget.

Ms. Bittner responded match funds were not available for the task force itself.

Co-Chair Kelly referenced the \$35,000 GF Match and \$30,000 general funds contained in the fiscal note. He surmised the \$30,000 amount should not be included.

Ms. Bittner affirmed.

Co-Chair Kelly clarified the total amount of the fiscal note should actually be \$35,000.

Ms. Bittner affirmed.

Co-Chair Donley asked why the federal funds were not listed in the fiscal note.

Co-Chair Kelly stated this would be corrected.

Representative Lancaster affirmed.

Co-Chair Donley listed the travel, per diem, meeting space and meeting preparation expenses involved in the four meetings of the proposed commission at a cost of \$4,500 each. He noted the legislation does not stipulate that a commission would be formed. He suggested Seward residents could undertake the efforts with no travel required.

Co-Chair Kelly requested the witness comment.

Ms. Bittner replied the intent is to form a task force comprised primarily of Seward residents, with meetings held in Seward. However, she continued, the intent is that professionals would need to travel from elsewhere in the state to provide expertise.

Co-Chair Donley pointed out the fiscal note indicates an architect

consultant would be hired at a cost of \$70,000.

Co-Chair Kelly announced the bill would be held to rectify the fiscal note concerns.

Co-Chair Donley next referred to Section 2 of the Senate State Affairs committee substitute, and asked if an architectural assessment was currently available that determined the building is structurally sound and could be restored.

Representative Lancaster answered such a report was completed in 1995 when the building was placed on the National Registry of Historic Places. He said this report must be updated.

Co-Chair Donley commented the language is drafted with the assumption that the facility is restorable. He suggested it could be determined the structure should be rebuilt instead.

Representative Lancaster said the intent is to repair the facility if possible, but an inspection is necessary before such a decision could be made.

Senator Ward added that there is a possibility that the building would be removed and replaced with a monument. He shared he has visited the location and did not think the structure was sound, although it does have historical significance and has "affected a lot of people's lives." He opined \$70,000 "is a lot of money for something that seems fairly obvious to me." He also questioned the placement of a statue of Benny Benson in a congested area of Anchorage, and asserted most people are unaware of its existence. He suggested relocating the statue to the Jessie Lee Home site. He talked of the historical and cultural importance of the Seward location.

Co-Chair Kelly referenced explanatory language in the fiscal note "An Architectural consultant will be secured. Anticipated cost for the architectural consultant is \$70,000, of which half is covered by an existing historic preservation grant program, so only half the match is requested here." He ascertained the match requirement should therefore be reduced to \$25,000 based on this and the matching funds provided by the City of Seward. He also questioned how the meeting expenses are calculated into the total request.

Senator Green was unsure if similar historical preservation projects had been undertaken in the past using state funds. She remarked there are other historical locations in the Palmer area that "we would love to have...added" to the National Registry of Historic Places. She surmised there are many more such locations in

throughout the state. She was concerned that that this legislation could start a trend for state funding.

Co-Chair Kelly commented that other historical sites have been addressed in the past although they generally do not receive much attention because the funding is appropriated through the capital budget process as opposed to individual legislation.

SCOTT JANKE, Manager, City of Seward, testified via teleconference from Seward to inform that the Seward City Council and the Historic Preservation Commission have each adopted resolutions in support of the bill. He elaborated on the efforts taken by the City of Seward in this process to acquire the property and secure it to reduce liability. He detailed how \$50,000 was expended for such projects as boarding windows and erecting a fence. He spoke of media attention given to the Jesse Lee Home, both in Alaska and Outside, as a result of these efforts. He stressed, "this is a significant historic resource for the state, not just for Seward." He expressed the rehabilitation cost is too large for the City of Seward to cover in its entirety.

RACHEL JAMES, Planner, Planning and Zoning Commission, City of Seward, and Staff, Historical Preservation Commission, City of Seward, testified via teleconference from Seward about the timing of passage of this legislation to coincide the 75<sup>th</sup> anniversary of the design and first official raising of the Alaska flag at the Jesse Lee Home site. She also noted the City of Seward would be celebrating the centennial of the community in the year 2003. She asserted it is important for the state to take a "leading role" in this project because the Home played an important role in the state's history.

TIM ROGERS, Member, Board of Directors, Alaska Children's Services, testified via teleconference from Anchorage about the 112-year history of the Alaska Children's Services beginning with the establishment of the Jesse Lee Home in Unalaska. He spoke of services offered for troubled children, originally focusing on orphaned children. He stated that in 1925, the Home was relocated to Seward, where it operated as an orphanage until the Good Friday Earthquake of 1964, at which time the facility was moved to its current location on Abbott Road in Anchorage. He stressed the Seward site has significant historical value to the organization as well as the state. He stated that during its operation in Seward "literally hundreds of children" from all areas of Alaska, lived at the Home.

Co-Chair Kelly ordered the bill HELD in Committee.

#HB52

HOUSE BILL NO. 52 am

"An Act relating to the Interstate Compact for Adult Offender Supervision and the State Council for Interstate Adult Offender Supervision; amending Rules 4 and 24, Alaska Rules of Civil Procedure; and providing for an effective date."

CANDACE BROWER, Legislative Liaison, Department of Corrections testified the purpose of the bill is to repeal the current Interstate Compact for Adult Offender Supervision, enacted in 1937. She stated efforts have been made to update the current compact, but have proven impossible. Therefore, the compact is being rewritten with the proposed compact reflected in this legislation.

Ms. Brower said the existing compact governs the state-to-state movement of offenders and equates to a "gentleman's agreement" between states that does not provide enough supervision for tracking offenders and monitoring their behavior.

Senator Ward asserted, "This needed to be done." He asked if such an agreement between all 50 states is reached, whether a charge could be levied by states to house probationers and parolees who relocate from other states.

Ms. Brower replied the state of Texas currently charges probationers and parolees who relocate to Texas from other states, for the cost of supervision.

Senator Ward pointed out that in Alaska, these costs are incurred by the state.

KERMIT HUMPHRIES, Program Specialist, National Institute of Corrections told of his past employment with the Alaska Department of Corrections and current employment with the National Institute of Corrections, a federal governmental agency. He commented that the federal agency is unusual because it has "no federal responsibility" and serves as a training and technical assistance resource to state and local correctional agencies.

Mr. Humphries informed that for five years, he had worked with the Compact Administrators Association and that by the year 1990 it was thought that the original compact was sufficiently updated to provide a fair system for offenders who move from state to state while assuring adequate tracking of this population. However, he stated, there were some "very bad cases" that occurred during the middle 1990s in which police officers were killed, and it "became

clear that this was a major public safety issue." As a result, he said, states began to take action through either legislation or executive order and these actions were inconsistent with the compact. The situation evolved to where there was no longer a uniform agreement between states, he informed, and the states that continued to comply with the compact "effectively were penalized". He stated there was concern the compact "was ready to collapse" and there would be no interstate agreement.

Mr. Humphries continued that the National Institute of Corrections was then approached and assistance was requested for drafting a new interstate compact. He said public hearings were held and the US Attorney General appointed a board of directors. He informed that this board that determined the situation with the current compact is "a major public safety issue" and is a "toothless tiger that looks good, it sounds good; there are rules, but there's no enforcement and people don't follow the rules." The board advised that a governing structure is needed to allow states to manage the movement of interstate offenders.

Mr. Humphries noted testimony given at the public hearings by representatives of state governments indicated that "the states couldn't manage this and it needed to be turned over to the federal government." However, the board ruled that this should not occur and that "this is uniquely a state issue; states are the ones who really need to manage this process and need to work on the governing structure." Therefore, he stated the bill before the Committee establishes this governing structure for managing the movement of interstate offenders.

Mr. Humphries remarked this proposal "creates a couple of problems," one being that states do not know the rules at the time they ratify the compact. This, he explained because the rules are to be made, after the compact is ratified, by the Interstate Commission comprised of voting representatives from each state that chooses to adopt the compact. He qualified that although this is a concern, it also ensures the process "belongs to the states" as opposed to an external organization and also allows the compact to be updated over time.

Mr. Humphries continued that an advisory group, comprised of representatives from correctional agencies, state legislatures and the court system, was formed to address the specifics of the governing structure. This group found that the original 1937 compact is "legally deficient" to address the increased mobility of present day. He listed a conservative amount of over 250,000 adult probationers and parolees currently residing in states other the state where they were sentenced. He surmised this is a "very low

figure." He also informed that across the country, there are over 860 agencies responsible for the management of these probationers and parolees and over 3,300 separate probation and parole offices. He reiterated the current system could not effectively operate without the changes proposed in this legislation.

Mr. Humphries added that the advisory group also determined that the board may understand corrections issues, but had limited knowledge of interstate compacts and needed to obtain expertise. As a result, he said the board requested assistance from the Council of State Governments and a cooperative agreement was reached to address this matter.

Mr. Humphries outlined the changes proposed in the new compact, including the establishment of the Interstate Commission and establishment of state councils. He explained the necessity for the five-member state councils is partially to address the declining importance given to this matter within state governments. He remarked that most judges are unfamiliar with the specifics of the compact. He spoke of crime victims, and noted that offenders relocated to other states are less likely to pay restitution. He also pointed out that victims' risks are reduced once an offender has moved away, but when the offender returns, the victim may not receive notification.

Mr. Humphries assured the intent of the state council is not to "create a new bureaucracy" but to provide "awareness".

Mr. Humphries next talked about the number of states that would participate in the proposed compact. He stated that response to an earlier draft, which stipulated that a minimum of 26 states must agree to participate before the compact could be enacted, expressed that a higher number of participating states is necessary. As a result, he stated the requirement was increased to 35 states.

Mr. Humphries referenced a United States map, [copy on file] showing the status of similar enabling legislation in other states. He updated this information noting legislation has passed the House of Representatives in the states of Mississippi and Alabama. He said 25 states have passed legislation at present, and "we have every reason to believe that in the next two or three months we will be at the 35 states". Once this has occurred, he stated, the Interstate Commission Meeting would be held to establish the rules of the compact.

Senator Olson introduced students visiting the Committee from the Lower Kuskokwim School District as part of the Close-Up Program. At his request, each student stood and announced their name.

RICK MASTERS, Special Council, The Council of State Governments, testified that the interstate compacts are as old as the United State's constitution. In regards to the compacts, he stated, "If anything they're so old that we've all forgotten about them and the place that they have in our federal system." He pointed out Alaska is part of the original compact.

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Mr. Masters continued this compact is the one mechanism that manages parolees and probationers who leave the state where they served their sentence.

Mr. Masters asserted this compact is an example of federalism because states are able to maintain control rather than federal preemption. He relayed concerns have been voiced that the new Interstate Commission "may cause some problems" for states. He qualified this would be possible, but stressed that such a delegation has been recognized by the courts in addition to the US Constitution as an appropriate way for states to exercise their sovereignty. He said that when the 1937 compact had been enacted, it was necessary for each state to give up "an appropriate level" of control in order for all states to have equal control.

Mr. Masters listed reasons the existing compact must be replaced, including the increase in interstate travel; especially air travel. In addition, he noted, administrative law has changed and become more sophisticated.

Mr. Masters also pointed out the existing compact contains no enforcement provisions in the event a state refuses to comply with other provisions; although a US Supreme Court action has ruled compliance is required.

Mr. Masters stated the proposed new compact attempts to resolve compliance issues "in a number of ways." He said the assumption is made that in some cases, noncompliance is the result of ignorance or neglect as opposed to willful action. Therefore, he remarked the compact first addresses enforcement "at the lowest level of coercion necessary to make sure everyone is following the rules" by providing technical assistance to those "who are having trouble training and understanding how this should be implemented." "If reasonable minds differ," he remarked, the compact also contains provisions for mediation and binding arbitration. For those states that simply refuse to participate, he informed, the proposed

compact contains stipulations for sanctions in the form of fines or judicial procedures as a last resort.

Co-Chair Kelly asked what entity would impose these fines.

Mr. Masters answered the Interstate Commission, which would be created under the compact, would "determine the level of appropriate enforcement."

Co-Chair Kelly asked what action would occur if a state "neglects" to sign the compact.

Mr. Masters explained the process of convincing 35 states agree to the compact. He said a state that did not sign the compact would have no authority within the Commission and could possibly be prohibited from sending a prisoner to states that do participate in the compact.

Co-Chair Kelly asked the disadvantage for not signing the compact.

Mr. Masters told of the possibility of "dumping", whereby a participating state could allow probationers and parolees to relocate to the nonparticipating state without an agreement in place. He stated there could be limitations on which states the nonparticipating state could send offenders.

Senator Ward commented that Co-Chair Kelly's question is valid because although participation has advantages, a state becomes vulnerable to being sued by the Commission or having fines levied against it.

Senator Ward asked what efforts have been made to determine the cost of probation in one state versus another.

Mr. Humphries noted there are cost differences between states and he said he would provide detailed information. He qualified each state calculates these costs differently.

Senator Ward asserted the per-person cost is higher in Alaska because other programs, such as the Permanent Fund Dividend and Denali KidCare, are available. He opined that a probationer or parolee has lost the privilege to travel from state to state. He emphasized there are costs to the state which the probationer or parolee relocates to. He asked if any consideration has been given to the additional costs. He understood there are benefits to "starting over" in a new location, but stressed there are costs to the state and suggested these offenders should bear these expenses.

Mr. Humphries referenced page 14, line 1 of the bill, which contains the language from Article 7, Section G of the proposed compact. This language, he said, stipulates the "rulemaking" functions of the Interstate Commission in the form of ten items that the Commission must address within 12 months of the first meeting. Item 6, he pointed out, relates to collection of restitution and fees from offenders.

Mr. Masters agreed relocation is a privilege for probationers and parolees and surmised other states would be in the "same position" of incurring additional expenses. He stated it was determined the Commission process would be the best method to address the matter partially because the specific rules would need to be amended over time.

Mr. Humphries added that the Commission could establish rules that apply to how charges would be assessed or it could allow the states to establish their own guidelines.

Senator Ward was concerned about the cost for each probationer or parolee and the potential hardship that could result if a large number of workers relocated to Alaska during construction of a natural gas pipeline.

Ms. Brower informed, "Alaska is an exporter rather than an importer of probationers and parolees." She cited the previous year 330 Alaskan offenders were on probation or parole in other states compared to 220 offenders from other states residing in Alaska.

Senator Ward commented, "I don't see any reason why, if we had a charge to be on probation or parole, that we couldn't transfer that cost to the state they went to." He added the state of Texas does not practice this.

Mr. Masters continued stressing enforcement is the largest difficulty in the current compact. He reiterated that administrative law "has become a very well developed body of law" and that under the existing compact, there is no control over the "rulemaking". He spoke to the Parole and Probation Compact Administrators Association, which acts as the administrative body although it is not specified in the existing compact. The new compact, he stated, would contain "due process controls" and would also provide accountability.

Mr. Masters cited that three US Supreme Court rulings issued in 1972 and 1973 "struck down" part of the existing compact, including Article 3, which was found unconstitutional. He explained it stipulates officials from a "sending state" could reenter a

"receiving state" and apprehend offenders simply by demonstrating they are "authorized officers" of the "sending state" and by identifying the offender. Two of the rulings, he said, determined that a "due process type hearing" before a "neutral officer" is required before parole or probation could be revoked. He noted the proposed compact accommodates these court rulings.

Mr. Masters noted there are issues related to the "institutional memory within state government". He explained that in explaining this legislation in different states, many legislators were unaware that the original compact existed. He stated the new compact addresses this by instituting state councils; advisory groups in each state consisting of input from the legislative branch, governor's office and the judicial branch, to meet on an annual basis within the state to address various concerns including the cost issues as raised by Senator Ward.

Mr. Masters next spoke to accountability that has been added in the proposed compact in the form of annual reports to the state legislatures, governor's offices and judiciaries. In addition, he stated the Commission would be audited annually. He pointed out the existing compact has no reporting or auditing requirements.

Senator Austerman referenced Article 4 of the proposed compact relating to the annual report to state legislatures. He asked if the financial audit is included in this report.

Mr. Masters affirmed and elaborated the financial audit would be included in the annual report.

LINDA WILSON, Deputy Director, Public Defender Agency, Department of Administration, testified via teleconference from Anchorage that this compact would likely have no fiscal impact on the Public Defender Agency (PDA). She explained the office occasionally provides defense services in cases involving offenders relocated from other states, but she did not anticipate the proposed compact would increase the amount of these cases.

Ms. Wilson told of people moving to Alaska, committing an offense and after serving their sentence, returning to the support system in their home state. She said that if these offenders owe restitution, "the state is unlikely to send them to another state" because the current compact contains no provision for enforcement. The new compact, she pointed out, would contain provisions for enforcing restitution payments. Because of this, she stated the PDA supports the legislation. She stated this would facilitate successful rehabilitation of offenders on probation and parole by allowing them to relocate to areas where they have a strong support

system and have the ability to earn money to pay restitution.

Senator Austerman had a question regarding the fiscal note and whether the amount projected has been expended in prior years for probationers and parolees relocation efforts.

Ms. Brower spoke to fees of \$400, which were increased several years ago to \$2000. She listed the reason for the increase is to "pay for oversight, tracking, data systems, annual meetings of the commission and other expenses necessary to oversee a huge program such as this."

Senator Austerman clarified the fiscal note proposes spending \$24,000 annually versus the \$2,000 that is spent currently.

Senator Leman asked if there would be any offset to the state for this increased expenditure.

Mr. Masters responded the \$2000 expense would be phased out. He stated the new compact would provide an agency staff of six to eight positions to actively administer the program, including the information system. He stressed the information system is a significant part of the new compact. He informed the current tracking systems are outmoded and that hard copies of reports take up to six months to reach other states. He said that in some instances, the offender "is long gone" when the report reaches its destination. He described the new encrypted electronic system.

Senator Ward noted the real problem with interstate movement of offenders is that these citizens are not law abiding and at times fail to register in the state they have relocated to. He emphasized not every state imposes a penalty for this and that the burden falls to the new state.

Mr. Humphries replied the new compact addresses this concern by instituting the process using existing technology through a web-based system. He said the fiscal note reflects the cost of staff to maintain this system. Until this time, he pointed out no organization has been willing to invest in such a system because there are no requirements for participation.

Mr. Masters spoke to the offenders who "fall through the cracks" and "simply walk away from the system" once they have received permission to visit another state. He stated this is because the current process is not always enforced or information is outdated.

Ms. Brower also pointed out that not all states comply with all the provisions in the existing compact and the new compact would

require all states comply. She qualified that Alaska has a good compliance record.

Mr. Humphries told of his experiences as a probation officer and the process of notifying another state that a probationer from that state is in violation of the terms of their probation. He informed that often, the other state determines that transporting the offender back to that state is too expensive and instead terminates supervision. He commented, "The geography really plays into the inequity of the system when everyone isn't required to operate under the same set of standards."

Senator Leman referenced language on page 16, lines 19-21 of the bill, which stipulates amendments to the compact are not effective or binding unless enacted by unanimous consent. He noted this is a "high standard" and asked if this is a "work-able" standard in other compacts.

Mr. Masters replied that amending the compact would be possible and stressed a high standard is the intent to limit the number of amendments in the same manner as limited amendments are made to the US Constitution. He explained this method was chosen because, "a lot of the day-to-day operational details will be subsumed within the rulemaking so it won't be necessary to come back and amend this."

Senator Ward understood that thousands of people on probation and parole are not United States citizens and asked how the proposed compact applies to them. He questioned whether they should be allowed to relocate to Alaska during their probation or parole period.

Mr. Humphries responded these offenders are subject to the terms of interstate compact agreement unless the U.S. Immigration and Naturalization Service (INS) is involved.

Mr. Masters noted the INS could be included as a non-voting representation on the Commission.

Senator Ward stated there are some offenders who entered the country illegally and have requested to relocate to Alaska to work in canneries. He stressed that Alaska could possibly be fined for not allowing entry for these probationers and parolees, whether Alaska ratifies the compact or not.

Co-Chair Donley offered a motion to amend the Department of Corrections fiscal note to delete the \$6,800 allocated for travel expenses and reduce the appropriation accordingly. He suggested the

department should instead cover the travel costs within the existing budget.

Co-Chair Kelly noted Co-Chair Donley would serve as chair of the Conference Committee assigned to make final determinations for the FY 03 budget and could readdress this funding if necessary. Therefore, Co-Chair Kelly supported the amendment.

There was no objection and the fiscal note was AMENDED.

Senator Ward stated that he would not oppose this bill, but wanted consideration for charging parolees and probationers who relocate from other states to Alaska as Texas currently does.

Co-Chair Donley offered a motion to report HB 52 am, from Committee with the amended fiscal note.

The bill MOVED from Committee without objection.

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**ADJOURNMENT**

Co-Chair Pete Kelly adjourned the meeting at 10:36 AM