

H B

1 1 4

COMMITTEE REPORT

HOUSE

JUDICIARY

(7)

FURTHER: FINANCE

1/25/85

Date: 20 March 1985

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had HB 114

"An Act relating to correctional facilities, and the imprisonment and rehabilitation of offenders."

under consideration and recommends:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 114 (HESS) same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

(Vice Chair) Edw. L. Taylor

Karin Hurley

[Signature]

[Signature]

[Signature]
CHAIRMAN

[Signature]

HB 113

A zero fiscal note was attached.

The Governor's transmittal letter, dated January 23, 1985, appears below:

"Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that provides an orderly system for accounting for and paying cash benefits to which state employees are entitled by law or through collective bargaining agreements. These benefits include cash payment of excess accrued annual leave, cash-out of annual leave upon termination, and employer contribution for unemployment benefits of former employees.

The bill creates a reserve account that permits the Department of Administration to charge appropriations made to state agencies for salaries and benefits, so that these benefits may be equitably allocated throughout the executive budget. Currently, there is no reliable method for anticipating the rate of expenditure necessary to pay these obligations for each fiscal year, and no mechanism exists to assure benefits for state employees in those agencies that experience unanticipated claims. The public suffers as well when an agency budget is overtaxed by having to pay these benefits. This reserve account will serve as a management tool that gives the Department of Administration the ability to apply savings in one department to payment of unanticipated claims arising in another.

Sincerely,

/s/

Bill Sheffield
Governor"

HB 114

HOUSE BILL NO. 114 by the Rules Committee by request of the Governor, entitled:

"An Act relating to correctional facilities, and the imprisonment and rehabilitation of offenders."

was read the first time and referred to the Health, Education & Social Services, Judiciary and Finance Committees.

Two zero fiscal notes were attached.

The Governor's transmittal letter dated January 23, 1985, appears below:

"Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to correctional facilities and to the imprisonment and rehabilitation of offenders.

HB 113

The bill has three main components, the most important of which is a total revision of 39.30, Alaska's statutes dealing with the state correctional system. Most of these statutes have not been amended since their original enactment at the time of statehood. There have been many changes in the law relating to corrections in the last several years (e.g. responsibility of the commissioner of corrections to provide treatment for mental and physical disabilities), and this bill incorporates these changes.

The bill also provides authority for the commissioner of corrections to authorize the monitoring of prisoner telephone calls so as to preserve the security and orderly administration of correctional institutions. It also revises and restructures existing law on furlough programs for prisoners by establishing certain eligibility requirements, setting out when furloughs may be granted, for what purpose, and the quality of supervision that is required for prisoners on furlough. In addition, it provides express authority for the commissioner of corrections to enter a contract with an individual or agency for the employment of prisoners when the commissioner determines that the work to be performed will have minimal negative impact on an existing private industry or labor force in the state. In the area of correctional industries, this bill will permit the Department of Corrections to enter into joint ventures with private industry for the employment of prisoners. This has been tried and has been successful in a number of other states.

Areas of confusion regarding the respective responsibilities of the commissioner of corrections and the commissioner of public safety as they pertain to prisoners are also resolved and clarified. In addition, this bill provides that personal property not claimed by a prisoner within 90 days after the prisoner's release or transfer is deemed abandoned and must be delivered to the Department of Administration for disposal.

The second major component of the bill provides express authority for the Department of Corrections and the Department of Transportation and Public Facilities to enter into agreements so as to permit the Department of Corrections to be delegated the responsibility for the construction, renovation, repair or alteration of state correctional facilities for projects with an estimated cost of up to \$100,000. This will expedite the completion of this type of project as well as provide additional opportunities for inmate work projects at a cost savings to the state.

Finally, the bill amends existing statutes dealing with unlawful evasion so as to cover prisoners on furlough who fail to return to their place of confinement or residence within the time specified by those having direct supervision over them.

This bill addresses many existing problems in Alaska's correctional system, and will enhance the ability of the

HB 114

state to carry out its responsibilities to the public and to offenders.

Sincerely,

/s/

Bill Sheffield
Governor"

HB 115

HOUSE BILL NO. 115 by the Judiciary Committee (for the Chief Justice of the Alaska Supreme Court), entitled:

"An Act relating to setting of venue by supreme court rule."

was read the first time and referred to the Judiciary Committee.

HB 116

HOUSE BILL NO. 116 by the Judiciary Committee (for the Chief Justice of the Alaska Supreme Court), entitled:

"An Act relating to judicial vacancy; and providing for an effective date."

was read the first time and referred to the Judiciary Committee.

HB 117

HOUSE BILL NO. 117 by the Judiciary Committee (for the Chief Justice of the Alaska Supreme Court), entitled:

"An Act relating to appointment, qualifications and duties of an internal auditor within the Alaska Court System."

was read the first time and referred to the Judiciary and Finance Committees.

HB 118

HOUSE BILL NO. 118 by the Judiciary Committee (for the Chief Justice of the Alaska Supreme Court), entitled:

"An Act relating to the small claims jurisdictional limitation and the duties of magistrates; and providing for an effective date."

was read the first time and referred to the Judiciary and Finance Committees.

HB 119

HOUSE BILL NO. 119 by the Judiciary Committee (for the Chief Justice of the Alaska Supreme Court), entitled:

"An Act relating to the jurisdiction of the superior court and the district court; and providing for an effective date."

was read the first time and referred to the Judiciary and Finance Committees.

HB 120

HOUSE BILL NO. 120 by Binkley, entitled:

"An Act relating to the leasing of limited entry permits by minor heirs of a deceased permit holder."

was read the first time and referred to the House Special Committee on Fisheries and the Resources Committee.

HB 121

HOUSE BILL NO. 121 by the Rules Committee by request of the Governor, entitled:

"An Act changing the name of the division of telecommunications systems in the Department of Administration; and providing for an effective date."

was read the first time and referred to the House Special Committee on Telecommunications and the State Affairs Committee.

A zero fiscal note with analysis was attached and appears in House Journal Supplement No. 8.

The Governor's transmittal letter, dated January 25, 1985, appears below:

"Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill changing the name of the division of telecommunications systems, in the Department of Administration, to the division of telecommunications operations. The new name more clearly reflects the actual functions of the division. The bill makes technical amendments to AS 44.21 to accomplish this change.

I urge your favorable consideration of this housekeeping measure.

Sincerely,

/s/

Bill Sheffield
Governor"