

HB

52

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JUNEAU

HB 52
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January 10, 2001

The Honorable Brian Porter
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Speaker Porter:

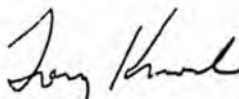
With this bill I transmit today, Alaska has the opportunity to increase supervision of criminal offenders who travel across state lines, thereby contributing to the growing national interest in protecting victims' rights. This bill allows Alaska to participate in the Interstate Compact for Adult Offender Supervision, joining other states in replacing the now-outdated Interstate Compact on Probation and Parole.

The current compact was enacted in 1937 and can no longer adequately deal with the more than four million offenders on probation and parole, 250,000 of which will cross state lines this year. The proposed new compact provides for an interstate commission to coordinate the transfer and supervision of probationers and parolees between states, as well as enforcement mechanisms for states who fail to abide by the rules of the compact.

A state council would also be created to exercise oversight and advocacy concerning the state's participation in the Interstate Commission as well as to make recommendations to the legislature to facilitate the operations and procedures of the compact within the state.

I urge your prompt and favorable consideration of this bill.

Sincerely,


Tony Knowles
Governor

HB 52

Sectional Analysis of HB 52 and SB 25
(An Act Relating to the Interstate Compact for Adult Offender Supervision)

Section 1. Legislative findings that: (1) existing Interstate Compact (ICSPP) is the oldest corrections compact among the states and has not been amended since its adoption 62 years ago; (2) the ICSPP currently has jurisdiction over more than a quarter million offenders and is inadequate to address problems associated with interstate movement of probationers and parolees; and (3) acknowledges national recommendations to change the ICSPP to effectively manage interstate movement of probationers/parolees to better address public safety and offender accountability.

Section 2. Repeals and reenacts AS 33.36.110 (current Interstate Compact) as the Interstate Compact For Adult Offender Supervision. [This Compact was drafted by a group sponsored by the National Institute of Corrections.]

- Article I (pages 2-3) – discusses Purpose and Policy of Compact to promote public safety and protect victims' rights through better management, control, and tracking of movement of interstate offenders, and to equitably distribute the costs, benefits and obligations of the Compact among the participating states.

Discusses creation of Interstate Commission that will establish uniform procedures to manage and track interstate movement of offenders, improve information systems that will assist in goals of public safety and victim notice, report on activities of Compact to all branches of government, and coordinate training of officials monitoring offenders.

- Article II (pages 3-5) – definitions of terms used in the Compact.
- Article III (pages 5-6) - creates the **Interstate Commission** for Adult Offender Supervision, which consists of representatives from each member state (commissioners) appointed by a **State Council** from each state. Discusses membership of the State Council, which is created in Alaska through AS 33.36.140 in section 3 of this bill (page 20). Directs that the State Council shall appoint as its commissioner to the Interstate Council, the compact administrator from the state (see AS 33.36.130 in section 3 of this bill (page 20)).

Provides that, in addition to the commissioners from each state, who shall be the voting members, the Interstate Commission shall include ex-officio non-voting members, including representatives from governor's organizations, legislators, state chief justices, attorneys general, and crime victims.

Each compacting state has one vote on the Interstate Commission, which shall meet at least once each year. The Interstate Commission shall establish an executive committee to act on its behalf when not in session, except for rule-making and amending the Compact.

- Article IV (pages 6-8) – provides the Powers and Duties of the Interstate Commission, the most important of which include: rule-making authority which shall be binding on the compacting states; oversee, supervise and coordinate the interstate movement of offenders; enforce compliance with compact provisions; appoint committees and hire staff; provide for dispute resolution among the compacting states; report annually to the legislatures, governors, judiciary and state councils of the compacting states concerning the preceding year's activities of the Interstate Commission; coordinate education, training and public awareness regarding interstate movement of offenders; and establish uniform standards for reporting, collecting and changing data.
- Article V (pages 8-10) - Organization and Operation of the Interstate Commission. The Interstate Commission shall, within 12 months of its first meeting, adopt by-laws to govern its conduct and carry out the purposes of the Compact; lists several areas that must be addressed in by-laws.
- Article VI (pages 10-12) – Activities of the Interstate Commission. Highlights include: each member state shall have one vote; authorizes Interstate Commission to adopt by-law to provide for telephonic or telecommunication or electronic participation in meetings; all meetings shall be open to the public with public notice given, with limited exceptions.
- Article VII (pages 12-14) – Rulemaking Functions of the Interstate Commission. Mandates the Interstate Commission to adopt rules to effectively achieve the purposes of the Compact, including transition rules during the period in which the Compact is being considered and enacted by the states. Rulemaking shall substantially comply with the federal Administrative Procedure Act. A majority of the compacting states can reject a rule through legislative action. Proposed rules must be published, a hearing provided and the opportunity for public comment before they may be enacted.

This section also provides what subjects must be addressed through rulemaking within 12 months of the first meeting of the Interstate Commission, including: notice to victims; offender registration; transfer procedures; restitution; level of supervision; transition rules between effective date of the Compact and date on which the last eligible state adopts the Compact; and mediation and dispute resolution between the member states.

Provides that the existing rules for the current Interstate Compact will remain in effect only until 12 months after the first meeting of the Interstate Commission.

- Article VIII (pages 14-15) – Oversight, Enforcement and Dispute Resolution by the Interstate Commission. Requires the Interstate Commission to oversee interstate movement of offenders in compacting states and monitor these activities in non-compacting states that may significantly affect compacting states. Directs the courts and executive agencies in member states to enforce the Compact; and provides that

the Interstate Commission is entitled to receive service of process, and has the right to intervene, in all judicial or administrative proceedings that pertain to the Compact and that may affect the powers, responsibilities or actions of the Interstate Commission (implemented by two court rule changes in section 6 of this bill (pages 21-22)).

Provides procedures for the Interstate Commission to resolve disputes between states, and to enforce the provisions of the Compact using any of the enforcement mechanisms set out in Article XI (pages 16-19).

- Article IX (pages 15-16) – Finance. Obligates the Interstate Commission to pay for the costs it incurs, to levy and collect annual dues from each compacting state to cover operational costs based upon a formula focusing on population of the state and the volume of interstate offender movement [Alaska is projected to be in the group of states with the lowest annual assessment]. Provides that the Interstate Commission must follow usual responsible rules of finance and accounting, and requires an annual audit by a certified or licensed public accountant to be included in annual report.
- Article X (page 16) – Compacting States' Effective Date and Amendments. Provides that the Compact shall become effective after 35 states have enacted it. No amendment to the Compact shall become effective unless it is enacted into law by unanimous consent of the compacting states.
- Article XI (pages 16-19) – Withdrawal, Default, Termination and Judicial Enforcement. A compacting state may withdraw from the Compact by enacting a statute repealing the statute that enacted the Compact. Provides authority for the Interstate Commission to impose penalties on a member state that defaults in any of its obligations under the Compact, the by-laws or duly adopted rules, including fines, suspension and termination of membership in the Compact, and judicial enforcement of compliance with Compact requirements.
- Article XII (page 19) – Severability and Construction. Standard language re enforceability of remaining provisions if any particular provision is found to be unenforceable.
- Article XIII (pages 19-20) – Binding effect of Compact and other laws. Clarifies relationship between the Compact and any conflicting laws.

Section 3. AS 33.36 is amended to add sections to implement provisions of the Compact in Alaska.

- AS 33.36.130 provides that the governor shall appoint the compact administrator in Alaska, and describes the responsibilities of the compact administrator to manage the state's supervision and transfer of offenders, and to report to the State Council under AS 33.36.140.

- AS 33.36.140 creates the State Council to implement the provisions of the Compact. the State Council is composed of seven members including five voting members: the commissioner of corrections, the compact administrator, an attorney employed in the Department of law appointed by the governor, two members appointed by the governor from citizens of the state, at least one of whom must be a representative from victim's groups; and one ex officio nonvoting member from the legislative branch selected by the legislature and one ex officio nonvoting member from the judicial branch selected by the judiciary. (Note: The makeup of the State Council is consistent with the requirements of Article III (b) of the Compact on page 5 of the bill.)

The commissioner of corrections or the commissioner's designee serves as the chair of the State Council. The citizen members of the State Council serve for three year terms, and these members and the Department of law representative serve at the pleasure of the governor.

This section sets out the duties of the State Council, including: designating the compact administrator as the state's commissioner to the Interstate Council, exercising oversight and advocacy concerning the state's participation in the Interstate Commission, and making recommendations to the legislature to facilitate the implementation of the Compact and its rules and bylaws.

Section 4. Amends AS 39.25.120(c) to place the compact administrator in the partially exempt service.

Section 5. Repeals As 33.36.120, the definition section of the current Interstate Compact.

Section 6. Amends Civil Rule of Procedure 4 to require service of process on the Interstate Commission as required by Article VIII(a)(2) of the Compact (page 14), and makes clear that this section of the Compact takes effect only if it receives a two-thirds majority of each house.

Section 7. Amends Civil Rule of Procedure 24 to give the Interstate Commission standing to intervene in a judicial proceeding as required by Article VIII(a)(2) of the Compact (page 14), and makes clear that this section of the Compact takes effect only if it receives a two-thirds majority of each house.

Section 8. Instructs the revisor of statutes to change the name of the Compact to the Interstate Compact for Adult Offender Supervision..

Section 9. Effective date. Provides that this Act takes effect only if at least 34 other states ratify the Compact, and the effective date will be the day the commissioner of corrections notifies the revisor of statutes that at least 34 other states have ratified the Compact, or July 1, 2001, whichever is later.

From Dept of Corrections

INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION

TALKING POINTS

- Interstate compacts are not new or unique. There are more than 200 interstate compacts in existence today, and 17 are Corrections and Crime Control compacts. While all states, the District of Columbia, Puerto Rico and the Virgin Islands are party to the existing Parole and Probation Interstate Compact, it is actually rather rare to have that many party states.
- Interstate compacts are:
 - (a) Agreements between two or more states that bind them to the compact's provisions.
 - (b) Subject to the substantive principles of contract law.
 - (c) Protected by the constitutional prohibition against laws that impair the obligations of contracts.
 - (d) This means that:
 - Compacting states are bound to observe the terms of the agreements -- even if those terms are inconsistent with other state laws.
 - Compacts have the force and effect of statutory law.
 - Compacts take precedence over conflicting state laws.
- There are over 4 million offenders on probation and parole in the United States today. 250,000 will cross state lines this year.
- Offenders who travel from state to state are currently overseen by about 3,285 different local parole and probation offices, which operate within 860 different agencies. This fragmented system makes it nearly impossible to adequately account for all offenders.
- Managing offender populations is becoming increasingly complex. State and local governments are passing measures dealing with special offender and high-risk groups such as registration of sex offenders and notification to victims regarding offender locations. Probation and parole must be able to satisfy compliance requirements, track the location of offenders, smoothly transfer supervision authority, and when necessary return offenders to the originating jurisdictions. Interstate activity involving offenders must be governed by public policies that ensure equity and justice for all involved parties, including victims of crime.

- States are responsible and can be held liable for the movement and actions of offenders who move in and out of their state. This should be of increasing concern for states, given the ease of interstate travel we currently enjoy.
- The existing compact has been in existence, unchanged, since 1937. It is two pages long and currently costs states about \$400 per year to participate.
- The existing Compact authority and structure are seriously outdated. Symptoms include: the rule making group is not specifically created in compact language and is not legally empowered to carry out certain key activities; it is difficult to create new rules; there is limited ability to enforce rule compliance; and exchange of case information is slow and unreliable.
- The current Compact has no provisions for staff and no national system or agency to monitor the flow of offenders from state to state.
- Under the existing compact, violations are frequent. There is simply not a structure presently in place that can effectively monitor the movement of parolees and probationers across state lines.
- Primary goals of the revised Interstate Compact include:
 - (a) The establishment of an independent compact operating authority to administer ongoing compact activity, including a provision for staff support.
 - (b) Policymaking level appointment representations of all member states on a national governing commission which meets annually to elect the compact operating authority members, and to attend to general business and rule making procedures.
 - (c) Rule making authority, provision for significant sanctions to support essential compact operations.
 - (d) Mandatory funding mechanism sufficient to support essential compact operations (staffing, data collection, training/education, etc.)
 - (e) Compel collection of standardized information.
- The revised Compact is the result of nearly a year of public hearings, research and informed dialogue among legislators, attorneys general, parole and probation officials and victims' rights groups.
- The Compact can be in place, ready to work, by July 1, 2001 if passed by 35 states or upon passage by the 35th state.

- The revised Compact is a contract between states. As such, states wishing to participate in a compact must adopt identical Compact provisions.
- The Compact mandates more efficient communications between states and state agencies. It compels creation of National Database, utilizing current communications technology that will allow states to share critical offender information.
- The revised Compact facilitates state autonomy **AND** national cooperation:
 - (a) By establishing State Councils, a state appointed group which will oversee the interests of all three branches of government in that state, states can ensure that state officials are aware of the Compact and that the state is taking full advantage of the Compact's structure and benefits.
 - (b) By participating in the National Commission, composed of voting members from all member states and territories, states will help to develop the means to identify, track and account for the controlled movement of offenders. The Commission would also promulgate rules for states as well as resolve disputes between states.
- States determine the structure, composition and budget of the State Councils.
- State Council membership must include at least one representative from the legislative, executive and judicial branches of government, victim groups and the Compact Administrator.
- Each state determines the qualifications of the Compact Administrator who shall be appointed either by the Governor in consultation with the Legislature and the Judiciary; or by the State Council.
- State dues in support of the National Commission are based on a formula to be developed by the state within the National Commission. Key components will include a state's population and a state's volume of interstate movement of offenders. Smaller states with a lower volume of offender movement could expect to pay less and a larger state with a higher volume of offender movement could expect to pay proportionately more.
- Rules and bylaws for the National Commission are developed and passed by the Commission and have the effect of law upon states. However, should a majority of states reject a rule, it will have no further force and effect in any Compacting State. Existing rules and bylaws under the current compact will remain in effect during the first year until the Commission promulgates rules and bylaws which supercede the previous rules.
- The National Commission will have an Executive Committee, composed of Compact Administrators from member states.

Article 3. INTERSTATE COMPACT ON PROBATION AND PAROLE

Section

110. Authorizing governor to execute interstate compact.

120. Definition.

Sec. 33.36.110. Authorizing governor to execute interstate compact.

The governor of Alaska is hereby authorized and directed to execute a compact on behalf of the state with any of the United States legally joining in it in the form substantially as follows:

A COMPACT

Entered into by and among the contracting states, signatories hereto, with the consent of the Congress of the United States of America, granted by an act entitled "An act granting the consent of Congress to any two or more states to enter into agreements or compacts for cooperative effort and mutual assistance in the prevention of crime and for other purposes." (Public Law 970, 84th Congress, Second Session)

The contracting states solemnly agree:

(1) That it shall be competent for the duly constituted judicial and administrative authorities of a state party to this compact (herein called "sending state"), to permit any person convicted of an offense within such state and placed on probation or released on parole to reside in any other state party to this compact (herein called "receiving state"), while on probation or parole, if:

(a) Such person is in fact a resident of or has the person's family residing within the receiving state and can obtain employment there;

(b) Though not a resident of the receiving state or not having the person's family residing there, the receiving state consents to such person being sent there.

Before granting such permission, opportunity shall be granted to the receiving state to investigate the home and prospective employment of such person.

A resident of the receiving state, within the meaning of this section, is one who has been an actual inhabitant of such state continuously for more than one year before coming to the sending state and has not resided within the sending state more than six continuous months immediately preceding the commission of the offense for which the person has been convicted.

(2) That each receiving state will assume the duties of visitation of and supervision over probationers or parolees of any sending state and in the exercise of those duties will be governed by the same standards that prevail for its own probationers and parolees.

(3) That duly accredited officers of a sending state may at all times enter a receiving state and there apprehend and retake any person on probation or parole. For that purpose no formalities will be required other than establishing the authority of the officer and the identity of the person to be retaken. All legal requirements to obtain extradition of fugitives from justice are hereby expressly waived on the part of states party hereto, as to such persons. The decision of the sending state to retake a person on probation or parole shall be conclusive upon and not reviewable within the receiving state. Provided, however, that if at the time when a state seeks to retake a probationer or parolee there should be pending against the person within the receiving

state any criminal charge, or the person should be suspected of having committed within such state a criminal offense, the person shall not be retaken without the consent of the receiving state until discharged from prosecution or from imprisonment for such offense.

(4) That the duly accredited officers of the sending state will be permitted to transport prisoners being retaken through any and all states parties to this compact, without interference.

(5) That the governor of each state may designate an officer who, acting jointly with like officers of other contracting states, if and when appointed, shall promulgate such rules and regulations as may be deemed necessary to more effectively carry out the terms of this compact.

(6) That this compact shall become operative immediately upon its execution by any state as between it and any other state or states so executing. When executed it shall have the full force and effect of law within such state, the form of execution to be in accordance with the laws of the executing state.

(7) That this compact shall continue in force and remain binding upon each executing state until renounced by it. The duties and obligations hereunder of a renouncing state shall continue as to parolees or probationers residing therein at the time of withdrawal until retaken or finally discharged by the sending state. Renunciation of this compact shall be by the same authority which executed it, by sending six months' notice in writing of its intention to withdraw from the compact to the other state party hereto.

(8) Whenever the duly constituted judicial and administrative authorities in a sending state shall determine that incarceration of a probationer or reincarceration of a parolee is necessary or desirable, said officials may direct that the incarceration or reincarceration be in a prison or other correctional institution within the territory of the receiving state, such receiving state to act in that regard solely as agent for the sending state.

(9) As used in this amendment, the term "receiving state" shall be construed to mean any state, other than the sending state, in which a parolee or probationer may be found, provided that said state is a party to this amendment.

(10) Every state which adopts this amendment shall designate at least one of its correctional institutions as a "Compact Institution" and shall incarcerate persons therein as provided in subsection (8) hereof unless the sending and receiving state in question shall make specific contractual arrangements to the contrary. All states party to this amendment shall have access to "Compact Institutions" at all reasonable hours for the purpose of inspecting the facilities thereof and for the purpose of visiting such of said state's prisoners as may be confined in the institution.

(11) Persons confined in "Compact Institutions" under the terms of this compact shall at all times be subject to the jurisdiction of the sending state and may at any time be removed from said "Compact Institution" for transfer to a prison or other correctional institution within the sending state, for return to probation or parole, for discharge, or for any other purpose permitted by the laws of the sending state.

(12) All persons who may be confined in a "Compact Institution" under the provisions of this amendment shall be treated in a reasonable and humane manner. The fact of incarceration or reincarceration in a receiving state shall not deprive any person so incarcerated or reincarcerated of any rights which said person would have had if incarcerated or reincarcerated in an appropriate institution of the sending state; nor shall any agreement to submit to incarceration or reincarceration under the terms of this amendment be construed as a waiver of any rights which the prisoner would have had if the prisoner had been incarcerated or reincarcerated in any

appropriate institution of the sending state, except that the hearing or hearings, if any, to which a parolee or probationer may be entitled (before incarceration or reincarceration) by the laws of the sending state may be had before the appropriate judicial or administrative officers of the receiving state. In this event, said judicial and administrative officers shall act as agents of the sending state after consultation with appropriate officers of the sending state.

(13) Any receiving state incurring costs or other expenses under this amendment shall be reimbursed in the amount of such costs or other expenses by the sending state unless the states concerned shall specifically otherwise agree. Any two or more states party to this amendment may enter into supplementary agreements determining a different allocation of costs as among themselves.

(§ 2 ch 138 SLA 1957; am § 1 ch 106 SLA 1960)

Revisor's notes. Formerly AS 33.10.010. Renumbered in 1985.

NOTES TO DECISIONS

Cited in *Gonzales v. State*, 586 P.2d 178 (Alaska 1978).

Sec. 33.36.120. Definition.

In AS 33.36.110 the term "state" means the several states and the Commonwealth of Puerto Rico, the Virgin Islands and the District of Columbia.

(§ 1 ch 138 SLA 1957)

Revisor's notes. Formerly AS 33.10.020. Renumbered in 1985.

NOTES TO DECISIONS

Sec. 39.25.120. Partially exempt service.

(a) Positions in the partially exempt service are included in the position classification plan established under this chapter and are compensated according to the pay plan under AS 39.27.011.

(b) A person holding a position in the partially exempt service is not required to complete an assessment and is not eligible for a hearing by the personnel board in case of dismissal, demotion, or suspension. Positions in the partially exempt service are specifically exempt from the rules established under AS 39.25.150(3) - (10), (12), (13), and (16).

(c) The following positions in the state service constitute the partially exempt service:

(1) deputy and assistant commissioners of the principal departments of the executive branch, including the assistant adjutant general of the Department of Military and Veterans' Affairs;

(2) the directors of the major divisions of the principal departments of the executive branch and the regional directors of the Department of Transportation and Public Facilities;

(3) attorney members of the staff of the Department of Law, of the public defender agency, and of the office of public advocacy in the Department of Administration;

(4) one private secretary for each head of a principal department in the executive branch;

(5) employees of councils, boards, or commissions established by statute in the Office of the Governor or the office of the lieutenant governor, unless a different classification is provided by statute;

(6) not more than two special assistants to the commissioner of each of the principal departments of the executive branch, but the number may be increased if the partially exempt service is extended under AS 39.25.130 to include the additional special assistants;

(7) the principal executive officer of the following boards, councils, or commissions:

(A) Alaska Public Broadcasting Commission;

(B) Professional Teaching Practices Commission;

(C) Parole Board;

(D) Board of Nursing;

(E) Real Estate Commission;

(F) Alaska Royalty Oil and Gas Development Advisory Board;

(G) Alaska State Council on the Arts;

(H) Alaska Police Standards Council;

(I) Alaska Commission on Aging;

(J) Alaska Mental Health Board;

(K) State Medical Board;

(L) Governor's Council on Disabilities and Special Education;

(M) Advisory Board on Alcoholism and Drug Abuse;

(8) Alaska Pioneers' Home managers;

(9) hearing examiners in the Department of Revenue;

(10) the comptroller in the division of treasury, Department of Revenue;

(11) airport managers in the Department of Transportation and Public Facilities employed at the Anchorage and Fairbanks International Airports;

(12) the deputy director of the division of insurance in the Department of Community and

Economic Development;

- (13) the executive director and staff of the Alaska Public Offices Commission;
- (14) the rehabilitation administrator of the Workers' Compensation Board;
- (15) guards employed by the Department of Public Safety for emergencies;
- (16) marine pilot coordinator of the Board of Marine Pilots;
- (17) employees of the unit established under AS 44.37.050;
- (18) guards employed by the Department of Corrections, other than in state correctional facilities, to carry out the responsibility of the commissioner of Corrections under AS 33.30.071(b);
- (19) hearing officers and administrative law judges of the Regulatory Commission of Alaska.

(§ 6 ch 144 SLA 1960; am § 2 ch 48 SLA 1961; am § 2 ch 133 SLA 1961; am § 4 ch 5 SLA 1966; am § 3 ch 104 SLA 1969; am § 2 ch 109 SLA 1969; am § 4 ch 78 SLA 1971; am § 9 ch 47 SLA 1974; am § 4 ch 82 SLA 1975; am § 10 ch 207 SLA 1975; am § 2 ch 157 SLA 1976; am § 19 ch 263 SLA 1976; am E.O. No. 39 § 6 (1977); am § 1 ch 103 SLA 1978; am § 2 ch 108 SLA 1978; am E.O. No. 41 § 3 (1980); am E.O. No. 42 §§ 3, 4 (1980); am E.O. No. 43 § 4 (1980); am E.O. No. 44 § 5 (1980); am E.O. No. 45 § 3 (1980); am E.O. No. 46 § 4 (1980); am § 18 ch 115 SLA 1980; am § 3 ch 79 SLA 1981; am § 4 ch 110 SLA 1981; am E.O. No. 48 § 3 (1981); am § 4 ch 50 SLA 1982; am § 26 ch 93 SLA 1982; am § 8 ch 112 SLA 1982; am 1983 Initiative Proposal No. 2, § 6; am § 106 ch 6 SLA 1984; am § 15 ch 55 SLA 1984; am § 2 ch 103 SLA 1984; am E.O. No. 58 § 18 (1984); am § 59 ch 21 SLA 1985; am § 54 ch 37 SLA 1986; am § 2 ch 84 SLA 1986; am § 5 ch 48 SLA 1987; am § 12 ch 98 SLA 1988; am § 1 ch 107 SLA 1988; am § 33 ch 141 SLA 1988; am E.O. No. 69 § 22 (1988); am E.O. No. 79 § 2 (1991); am § 13 ch 66 SLA 1991; am § 28 ch 89 SLA 1991; am § 21 ch 6 SLA 1993; am E.O. No. 83 § 20 (1993); am § 18 ch 5 FSSLA 1994; am § 3 ch 92 SLA 1995; am ch 30 § 43; am E.O. No. 94 § 2 (1996); am §§ 4, 24 ch 25 SLA 1999; am §§ 43, 84 ch 58 SLA 1999; am § 2 ch 111 SLA 2000)

Revisor's notes. Paragraph (c)(17), formerly (c)(18), was renumbered in 1984. Paragraph (c)(18), enacted as (c)(19), was renumbered in 1984. Paragraph (c)(20), enacted as (c)(19), was renumbered in 1986.

In 1992, under § 6, ch. 13, SLA 1992, and AS 01.05.031, "Governor's Council on Disabilities and Special Education" was substituted for "Governor's Council for the Handicapped and Gifted."

Paragraph (24) was enacted as (19). Renumbered in 1995.

Paragraph (c)(19) was enacted as (c)(25). Renumbered in 1999, at which time the section was renumbered to reflect the 1983 repeal of former (c)(7), the 1988 repeal of former (c)(13) and (19), and 1993 repeal of former (c)(9)(G) and former (c)(20), and the 1999 repeal of former (c)(6) and (21).

Effect of amendments. The first 1991 amendment, effective March 23, 1991, added paragraph (c)(21).

The second 1991 amendment, effective July 2, 1991, added paragraph (c)(22).

The first 1993 amendment, effective April 14, 1993, repealed paragraph (c)(20).

The second 1993 amendment, effective July 1, 1993, repealed subparagraph (c)(9)(G).

The 1994 amendment, effective June 24, 1994, added paragraph (c)(23).

The 1995 amendment, effective July 1, 1995, added paragraph (c)(24).

The first 1996 amendment, effective May 16, 1996, substituted "Alaska Commission on Aging" for "Older Alaskans Commission" in subparagraph (c)(9)(J).

The second 1996 amendment, effective July 1, 1996, in paragraph (c)(21), substituted "assigned to" for "of the division of," inserted "functions," and added a section reference at the end.

The first 1999 amendment, effective July 1, 1999, added paragraph (c)(19) and repealed paragraph (c)(6).

The second 1999 amendment, effective July 1, 1999, in paragraph (c)(12), deleted "The deputy director of the division of tourism and" from the beginning and substituted "Community" for "Commerce", and repealed paragraph (c)(21).

The 2000 amendment, effective August 31, 2000, substituted "complete an assessment" for "take an examination or qualify or earn a place on a register" in the first sentence in subsection (b).

Effective dates. Under § 58(a), ch. 66, SLA 1991, as amended by § 37, ch. 5, FSSLA 1994 and § 2, ch. 1, SSSLA 1994, this section, as set out above, took effect December 16, 1994.

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 52
 (H) Publish Date: 01/10/01

Revision Date/Time (Note if correction): 1/5/01 Dept. Affected: Corrections
 Title: Interstate Compact for Adult Supervision BRU: Administration & Operations
 Component: All
 Sponsor: Rules Committee
 Requester: Governor Component Number: 694

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel	13.7	5.7	5.7	5.7	5.7	5.7
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous	18.0	18.0	18.0	18.0	18.0	18.0
TOTAL OPERATING	31.7	23.7	23.7	23.7	23.7	23.7

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	31.7	23.7	23.7	23.7	23.7	23.7
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	31.7	23.7	23.7	23.7	23.7	23.7

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*

All States joining the Interstate Compact for Adult Offender Supervision will be assessed a fee depending on the size of the offender population, etc. The State of Alaska has been tentatively assessed at \$18,000/year. These fees will pay for the administrative costs of the Compact.

It is anticipated that the first year of the new Compact, there will be at least three meetings of the Interstate Commission in order to develop the by-laws and rules by which the Compact will operate. All joining States will have their Interstate Compact Commissioner or designee attend in order to provide input. This fiscal note provides for three trips to Washington D.C., where the main office of the Compact will be. The travel expense reflects 3 roundtrip airfares at \$1500 each, 5 days per diem for each trip at \$42/day and 4 nights in a hotel in Washington D.C. per trip at \$150/night. Additionally, I have included two meetings of the State Council the 1st year for 4 people. The cost includes airfare at \$500 per member as well as \$115/day per diem for 3 days each. The subsequent years reflect one meeting for each body.

Prepared by: Candace Brower Phone 465-4652
 Division: Commissioner's Office Date/Time 1/5/01 3:45 p.m.
 Approved by: Margaret M. Pugh, Commissioner Date 1/5/01
 Agency: Department of Corrections

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ANALYSIS: (continued)

We have not requested a position in this fiscal note. There is someone in an equivalent position already in place in the Department. At some time in the future, it may become necessary to request an additional position should the demands of the workload become too great.

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: HB52
 () Publish Date: _____

Revision Date/Time(Note if Correction): 03/26/01/15:00 Dept. Affected: Correction
 Title: An Act relating to the Interstate Compact for Adult BRU: Administration & Operations
Offender Supervision and the State council for Interstate Adult... Component: Community Corrections
 Sponsor: Rules Committee
 Requester: Governor Component Number: 1382

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel	6.8	3.4	3.4	3.4	3.4	3.4
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous	18.0	18.0	18.0	18.0	18.0	18.0
TOTAL OPERATING						

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	24.8	21.4	21.4	21.4	21.4	21.4
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	24.8	21.4	21.4	21.4	21.4	21.4

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Due to a misunderstanding, the previous fiscal note for this bill reflected costs for the Interstate Commissioner's travel to Washington D.C. for meetings. Actually, those costs are included in the \$18,000 fees. Therefore, the fiscal note is reduced by \$6,900 the first year and \$2,300 in subsequent years.

Prepared by: Candace Brower
 Division: Commissioner's Office
 Approved by: Margaret Pugh
 Agency: Department of Corrections

Phone 465-4652
 Date/Time 03/26/01/5:30 pm
 Date 3/26/01

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