



30th Alaska State Legislature
 House Finance Budget Subcommittee
 Department of Corrections
 FY19 Operating Budget

February 22, 2018

Chair:

Rep. Scott Kawasaki
 Capitol Room 502
 465-3466

Members:

Rep. Harriet Drummond
 Capitol Room 108
 465-3875

Rep. John Lincoln
 Capitol Room 432
 465-3473

Rep. Justin Parish
 Capitol Room 24
 465-3744

Rep. George Rauscher
 Capitol Room 426
 465-4859

Rep. Dan Saddler
 Capitol Room 428
 465-3783

Rep. Dave Talerico
 Capitol Room 110
 465-4527

Rep. Tammie Wilson
 Capitol Room 422
 465-4797

Vacant – HD 38
 Capitol Room 416
 465-4942

Alternate: Rep. Kreiss-Tomkins
 Capitol Room 411
 465-3732

Committee Aide:

Jacob Gerrish
 465-3466

SUBCOMMITTEE MEETINGS:

The House Finance Budget Subcommittee for the Department of Corrections held six meetings and a closeout with the Department during the review of the FY19 Governor’s Amended Budget.

RECOMMENDATIONS:

The Chair of the House Finance Budget Subcommittee for the Department of Corrections recommends that the House Finance Committee accept the Governor’s FY19 Budget and subcommittee amendment proposals.

The numbers-only budget with amendment recommendations totals:

Fund Source: (dollars are in thousands)

Unrestricted General Funds (UGF)	288,939.1
Designated General Funds (DGF)	8,507.2
Other Funds	25,735.9
Federal Funds	7,695.9
Total	330,878.1

The Unrestricted General Fund difference from FY15 Management Plan to the FY19 House Subcommittee Recommended budget is a reduction of \$8,715.3, a decrease 2.9 percent.

The Unrestricted General Fund difference from FY18 Management Plan to the FY19 House Subcommittee Recommended budget is an increase of \$21,931.1, an increase of 8.2 percent.

Positions:

Permanent Full-time	1,893
Permanent Part-time	0
Temporary	0
Total	1,893

GOVERNOR’S AMENDMENTS

The Governor did not submit any amendments for this agency.

SUBCOMMITTEE BUDGET RECOMMENDATIONS:

The following budget amendments are submitted by the Subcommittee to the House Finance Committee for consideration:

1. Insert Intent Language Urging the Commissioner of the Department of Corrections to Take Full Advantage of Community Residential Centers

It is the intent of the legislature that the Commissioner of Corrections take full advantage of the cost savings available through the tiered pricing structure as stated in the CRC contracts, by maximizing prisoner placement into these facilities while prioritizing public safety.

Subcommittee Discussion:

There was concern that the amendment, as written, could be interpreted as prioritizing the use of community residential centers over public safety. The amendment sponsor proposed a conceptual amendment that passed without objection that added “while prioritizing public safety” at the end of the amendment.

This amendment was adopted without objection.

2. Research and Records - Delete Two Vacant Positions and Reduce Funding for Personal Services in Research and Records, -229.4 UGF and -2 PFT

Subcommittee Discussion:

PCNs 20-6130, 20-6162, 20-6914 and 20-6920 were transferred from the Palmer allocation to Information Technology MIS allocation in FY 17 when the Palmer Correctional Center closed. PCN's 20-6130 and 20-6162 were transferred to Research and Records in the Governor's FY18 Management Plan. Neither of these positions had been filled as of January 11, 18.

In FY2018, these positions were eliminated by the Subcommittee and reinstated in the House Finance Committee. The positions remained vacant throughout FY18 and the Department has yet to put out a notice on Workplace Alaska. The Department is attempting to fill the two positions, but remains unable to find qualified applicants.

This amendment was adopted without objection.

3. Transfer Facility-Capital Improvement Unit Allocation to New Facility-Capital Improvement Unit Appropriation

Subcommittee Discussion

This amendment funds the FY19 request for the Facility-Capital Improvement Unit. However, by creating a separate appropriation, it insures that the funding may be expended only for facility maintenance and repairs.

The Department had no opposition to the amendment. There was no committee discussion.

This amendment was adopted without objection.

4. Institution Director’s Office - Insert Intent Language Addressing High Rates of Incarceration of Alaska Natives

It is the intent of the Legislature that the Commissioner of the Department of Corrections will

prioritize funding and implementing solutions to address the disparity in Alaska Native incarceration rates throughout the state.

Subcommittee Discussion:

The Subcommittee passed a similar amendment in FY2018. A member expressed concern that the issue has not been addressed in FY2018, to which the Department responded by explaining that the attempt to establish transitional homes would increase the locations where reentry options are offered, including to rural villages, and allow Alaska Natives to spend more time in their community before completely reentering society.

Another member expressed concern that it was more appropriate to address the disparity in Alaska Native incarceration rates before inmates enter the prison system.

The amendment was adopted by a vote of 7 yeas and 2 nays.

5. Electronic Monitoring - Insert Intent Language for Electronic Monitoring in Bethel

It is the intent of the Legislature that the Commissioner of the Department of Corrections will prioritize expanding the Electronic Monitoring program to Bethel.

This amendment was adopted without objection.

OTHER INFORMATION:

The Subcommittee discussed a variety of issues during the meetings, including some amendment proposals that were not forwarded to the full House Finance Committee.

1. Transfer Funding to Create a New Appropriation and Allocation for Substance Abuse Monitoring and Diversion Services, Transfer \$750.0 UGF

An amendment was discussed that would have transferred \$750.0 UGF from the Electronic Monitoring allocation to a new appropriation and allocation to establish a substance abuse program. Individuals with charges involving a nexus to alcohol or substance abuse would be required to participate in a program established under AS 47.38.020, an alcohol and substance abuse monitoring program within the Department of Health and Social Services in collaboration with the Department of Corrections.

Subcommittee Discussion

AS 47.38.020 creates the Alaska 24-7 Sobriety Program. This program monitors incarcerated and pretrial non-violent individuals with drug and alcohol related charges or crimes.

The Department spoke in opposition to the proposed amendment. The number of people serving time on electronic monitoring for parole and probation has decreased, but the number of people using electronic monitoring during pretrial is increasing. The Department relies on the same contract, equipment, and staff for electronic monitoring in both allocations. The Department testified that the cut of \$750.0 UGF would result in fewer people on electronic monitoring and the loss of positions.

The Subcommittee discussed how to best provide the Department with a tool to better monitor inmates with alcohol and drug related charges. There was disagreement if this would be best done within the Department, as is currently provided, or by creating a new program, as proposed in this amendment. However, there was general agreement that the topic was worth discussing in the House Finance Committee.

The amendment failed by a vote of 4 yeas and 5 nays.

2. Delete Two Professional Conduct Investigator Positions and Funding for Personal Services in the Office of the Commissioner, (268.8) UGF and (2) PFT Positions

Subcommittee Discussion

In FY2018, the Subcommittee transferred the entire Professional Conduct Investigation Unit and three corresponding positions from the Correctional Academy allocation and into the Office of the Commission allocation. In the FY18 Management Plan two new Professional Conduct Investigator positions were added to the Office of the Commissioner (PCNs 20-T030 and 20-T039). These positions are currently filled. The committee debated the need for the two new positions and corresponding funding.

The amendment failed by a vote of 4 yeas and 5 nays.

3. Delete Two Positions and Funding for Personal Services in Information Technology MIS, (198.0) UGF and 2 PFT Positions

Subcommittee Discussion

PCNs 20-6130, 20-6162, 20-6914 and 20-6920 were transferred from the Palmer allocation to Information Technology MIS allocation in FY 17 when the Palmer Correctional Center closed. Two of those positions were transferred to the Research and Records allocation in FY18. As of January 1, 2018, neither PCN 20-6914 nor 20-6920 had been filled or posted on Workplace Alaska.

The Department announced they have filled one of the positions since January 11, 2018. In response, the amendment sponsor proposed a conceptual amendment that would instead delete \$99.0 UGF and one position, this passed without objection

The amendment failed by a vote of 4 yeas and 5 nays.

4. Reducing Funding in Information Technology MIS, (500.0) UGF

Subcommittee Discussion

An amendment was discussed that would have reduced funding in the Information Technology MIS allocation by \$500 UGF.

The Department testified that a misplaced line item for reimbursable service agreements to the new Office of Information technology had caused the budget for Information Technology MIS to appear overly inflated.

The sponsor withdrew their amendment.

5. Seven amendments were introduced that would have deleted funds from the Population Management allocation. The amendment sponsor spoke to the first amendment and withdrew it along with the other six amendments.

SUBCOMMITTEE STATUTORY RECOMMENDATIONS

The subcommittee reviewed the following recommendation, that was withdrawn by the sponsor:

House Judiciary Committee – Support the Governor’s HB295 to amend AS 12.30.006 – AS 12.30.011

The committee discussed a statutory proposal that would have urged the House finance Committee to support the provisions in HB 295 creating an exception to the requirement of mandatory own recognizance release for persons charged with a misdemeanor or class C felony who are assessed by a pretrial services officer as low to moderate risk and have an out-of-state criminal history that has not been used in determining the person's risk level.

Subcommittee Discussion

The Subcommittee agreed with the intention of the amendment, but questioned if it was appropriate to urge the full committee to endorse a specific piece of legislation. The sponsored offered a conceptual amendment to eliminate the bill number from the wordage, but it was objected to.

The sponsor withdrew the amendment.

ATTACHED REPORTS:

- Transaction Detail – House Structure - Subcommittee Recommended Amendments
- Allocation Summary – House Structure - Subcommittee Recommended Amendments
- Multi-Year Allocation Summary – Operating Budget

Respectfully submitted,



Representative Scott Kawasaki, Chair
House Finance Budget Subcommittee for the Department of Corrections