INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION

EXECUTIVE COMMITTEE
Pointe South Mountain Resort
Phoenix, Arizona

Monday, September 12, 2005
2:00 p.m. (PST)

Committee Members in Attendance

1. David Guntharp
2. Milt Gilliam
3. Harry Hageman
4. Joe Kuebler
5. Ed Ligtenberg
6. Ann Hyde
7. Dori Ege
8. Ben Martinez
9. Genie Powers
10. Warren Emmer
11. Pat Tuthill (ex-officio)

Staff

1. Don Blackburn
2. Ashley Kenoyer
3. Mindy Spring
4. Xavier Donnelly
5. Kelli Price
6. Sheila Perry
7. Rick Masters

In addition there were members of the public in attendance.
Call to Order

- The meeting was called to order by D. Guntharp at 2:00 p.m. PST. 10 of the 10 members of the Committee were present establishing a quorum.
- An update on the recent hurricane situation in Louisiana was presented by G. Powers

Approval of Agenda

- Motion to approve the agenda was made by A. Hyde, seconded by J. Kuebler. With no objections, the agenda was approved.

Approval of Minutes

- Motion to approve the August 9, 2005 minutes made by G. Powers, seconded by M. Gilliam. Motion passed.

Rules Committee  Milt Gilliam

- The Rules Committee has approximately 11 rule amendments to present at the Annual Business meeting.
  - The Technology Committee assisted in the rule amendments pertaining to NACIS.
  - Major rule amendment is Rule 2.109.
  - D. Guntharp noted that the Misdemeanant rule has been amended too many times.
  - The goal of the Rules Committee is to draft proposed amendments and get out to all Commissioners for comments.
  - 3 ways to propose a new rule/amendment:
    - Annual Meeting (Majority of the Commission)
    - Majority of a Standing Committee
    - Majority of a Region
  - The Rules Committee needs approximately 90 days to prepare a rule/amendment for vote.
  - R. Masters noted an emergency rule needs 2/3rds of the vote of the Commission to pass.
  - D. Ege noted it is important to explain to the Commission there is more business to take care of at the meeting than just rules.
  - R. Masters stated formatting changes are ok.
  - The Rules Committee reviewed all comments prior to drafting the rule amendments that are to be proposed at the meeting.
  - Rule 2.109 can be amended by the Commission. If it passes it will be proposed to be effective immediately.
• E. Ligtenberg noted the Rules Committee is a servant of the Commission and will be required to put all proposed amendments/rules together and out for comments.
• Discussion of moving Rule 2.109 to last on the agenda. R. Masters noted it will take a motion and a second with 2/3rds of the voted of the Commission to do so.
• R. Masters noted the process can be repealed next year if the Commission feels it is not effective.
• Discussion of proposed amendments/rules being blocked by the Rules Committee and concerns and a proposed amendment forwarded by Nebraska. Nebraska’s concerns could be brought up under New Business as an emergency rule.
• D. Guntharp noted that in the past the Rules Committee has not brought all issues to the full Commission.
• Commissioner K. Winckler, public member, stated she had “no right to speak” but wanted to comment on the discussion of the “Rules Committee acting as a block.” Commissioner K. Winckler stated the Rules Committee “solicited ideas from all Commissioners and regions.” Commissioner K. Winckler requested the record not state the Rules Committee did not.
• J. Kuebler complemented the proposed amendment for Rule 2.109.
• The definition rule for “relocation” will also be an issue for the Commission. There has been much discussion on 90 days being “too long.”
• D. Guntharp noted there will also be an amendment to the Regional Representative section of the Bylaws. R. Masters stated there will need to be 2/3rds of the vote of the Commission since the amendment was not posted 30 days in advance of the meeting.

Training  Ann Hyde

• 2 training sessions have taken place in the last month. A Compact training in New Jersey and the New Commissioners training held on Sunday in Phoenix. 22 people participated and went very well.
• Approximately 1,000 people have been trained by National trainers in the past year.

IT  Joe Kuebler

• The IT presentation for the Annual Meeting will note the past, future, and goals of the Technology Committee.
• Complimented D. Blackburn, S. Perry, X. Donnelly, H. Hageman, C. Placek, and D. Ege for their assistance with NACIS.
• The Technology Committee worked with the Rules Committee on drafting the new rules for NACIS; is working on the effective dates for implementation, deadlines for user data, and legacy data; and setting training dates.
• The recent face-to-face meeting with SoftScape was productive.
• Website statistics seem to be in relation to recent trainings.
• H. Hageman noted the Commission has received the prototype of NACIS from SoftScape.

**Compliance Committee  Warren Emmer**

• The Commission has concluded 2 successful lawsuits.
• The Compliance Committee has held 1 face-to-face meeting and 1 conference call in which members have developed a strategic plan and a self-assessment plan for states.
• The Compliance Committee will motion for an ad-hoc Committee to set up a formal audit system to be used by the Commission.

**Finance  Genie Powers**

• G. Powers will present budget at the Annual meeting and portray the savings at the National Office and will explain the carry-over that is dedicated to NACIS.
• The proposal for a 2% dues increase will bring in $25,000 to the Commission.
• It will be recommended the Commission establish a legal fund and a technology fund. CSG recommends keeping moneys in reserve.
• D. Guntharp noted the region reps have been discussing face-to-face meeting to bring DCAs together.
• D. Guntharp noted the costs for NACIS were not put into the original budget.
• D. Blackburn stated it will cost the Commission approximately $135,000/year to support the system and does not include enhancements.
• D. Guntharp noted the Commission would need a separate motion from the floor to bring in the $100,000 the Commission would need.
• G. Powers noted the cost for the Annual meeting are down 5% for this year and the Executive Committee meeting cost is down 14%. D. Guntharp noted the Banquet cancellation cut down on the cost.
• B. Martinez inquired about attorney fees paid for the Pennsylvania litigation. R. Masters noted if party doesn’t prevail it should be required that the Commission be reimbursed.

**Executive Committee  David Guntharp**

• The Committee reviewed the agenda for the Annual Business Meeting.
  • It was noted there will need to be a motion to add the Bylaw amendment to the agenda. D. Ege will motion and M. Gilliam will second. R. Masters will explain the Bylaw change.
  • It will take 2/3rds vote of the Commission to amend Rule 2.109 at the end of the Rules Committee report.
  • A motion will need to be made to switch the Compliance and Finance Committee report. D. Ege will add to the agenda motion.
Regional breakouts will be opportunity for regions to discuss Rule 2.109.
E. Ligtenberg will not be running for regional rep in the MidWest

East  Ben Martinez
- Notified states in East region of proposed rules and received no response.

South  Joe Kuebler
- J. Kuebler will not run for region rep.

Midwest  Ed Ligtenberg
- E. Ligtenberg will not run for region rep.

West  Dori Ege
- Discussed rule changes in region meetings.
- D. Ege will be proposing an ad-hoc Committee to research rules specific to sex offenders. M. Gilliam noted if Rule 2.109 passes any standing committee or region can present and/or propose under New Business.

Victim’s Rep Report  Pat Tuthill
- 31 out of 36 state victim’s reps have been contacted. Most are not real clear on their roles. P. Tuthill would like to set up a teleconference with the assistance of the National Office after the beginning of the year.
- Anita Richards, award recipient, has been contacted and is excited D. Blackburn will be presenting the award to her.

Legal  Rick Masters
- The Commission was awarded all attorney fees and costs for the Tennessee litigation on August 31, 2005.

Executive Director’s Report  Don Blackburn
- The Handbook was distributed to the Committee for review. It provides a brief explanation of the Compact. Motion to produce 1000 copies made by W. Emmer, seconded by J. Kuebler. Motion carried.
- D. Blackburn noted it is difficult to find hotels that will accept per diem. Other costs such as airfare, room price, food cost, and meeting room costs are being evaluated. It was recommended the Commission establish relationships with 2 places to alternate holding the meetings at. The National Office has looked ahead at 2007 and other times of the year to hold the meeting.
• A. Kenoyer presented 7 places to the Committee.
• D. Guntharp noted timing of the meeting is important the Commission lock in to the time of the year.
• Motion to pursue Kansas City as next year’s annual meeting location made by D. Ege, seconded by J. Kuebler. Motion carried.
  - X. Donnelly presented the Audience Response System to the Committee. The Committee will decide on the purchase after the meeting on Wednesday.
  - D. Guntharp noted the Virgin Islands representatives are present but did not come with an appointment letter. All other member states at the table have letters. Massachusetts has not passed the Compact legislation, but is currently in session.

Adjourn

• Motion to adjourn made by E. Ligtenberg, seconded by A. Hyde. Meeting adjourned at 4:20 p.m. PST.