HOUSE BILL NO. 200 am S

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES MULDER BY REQUEST, Foster, Kott

Amended: 5/16/95
Introduced: 2/27/95

A BILL

FOR AN ACT ENTITLED

"An Act reassigning responsibility for the custody of persons pending their arraignments, commitment to the custody of the commissioner of corrections, or admission to a state correctional facility, and authorizing the commissioner of corrections to employ guards for emergencies on the same basis as the commissioner of public safety, as partially exempt service employees; and providing for an effective date."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

*Section 1.* AS 33.30.071(a) is amended to read:

(a) [NOTWITHSTANDING AS 33.30.011(1), THE COMMISSIONER OF PUBLIC SAFETY SHALL PROVIDE FOR THE CUSTODY, CARE, AND DISCIPLINE OF PRISONERS PENDING ARRAIGNMENT, COMMITMENT BY A COURT TO THE CUSTODY OF THE COMMISSIONER OF CORRECTIONS, OR ADMISSION TO A STATE CORRECTIONAL FACILITY. EXCEPTION
AS PROVIDED IN (c) OF THIS SECTION, THE RESPONSIBILITY FOR PROVIDING NECESSARY MEDICAL SERVICES FOR PRISONERS REMAINS WITH THE COMMISSIONER OF CORRECTIONS UNDER AS 33.30.011(4).] The commissioner is [OF CORRECTIONS AND THE COMMISSIONER OF PUBLIC SAFETY ARE] not responsible for providing custody, care, and discipline for a person detained under AS 47.30.705 or AS 47.37.170 [,] unless the person is admitted into a state correctional facility.

* Sec. 2. AS 33.30.071(b) is amended to read:

(b) The responsibility of the commissioner [OF PUBLIC SAFETY] under AS 33.30.011 begins when [ (a) OF THIS SECTION DOES NOT BEGIN UNTIL] a prisoner is accepted into the commissioner's custody [OF THE COMMISSIONER OF PUBLIC SAFETY,] or admitted into a correctional facility [OR OTHER FACILITY DESIGNED FOR HOLDING PRISONERS, AND THE COMMISSIONER OF PUBLIC SAFETY IS NOTIFIED OF THE ACCEPTANCE OR ADMISSION].

* Sec. 3. AS 39.25.120(c) is amended by adding a new paragraph to read:

(19) 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);

* Sec. 4. This Act takes effect July 1, 1995.