



SB 214- Establish Correctional Industries Program

Legislation Sectional Analysis

Section 1: Amends 33.30.191(e) to clarify that Worker's Comp (AS 23) does not apply to the employment of prisoners under this particular section.

Section 2: Amends 33.30 by adding a new section, 33.30.195, that establishes the correctional industries program, detailing that in addition to cooperative agreements listed under 33.30.191, the commissioner may establish & administer correctional industries programs upon approval of the Correctional Industries Board created later in the bill under 33.30.196. Under (b)-(f), operational details of the newly established correctional industries program is laid out.

Under the new section, 33.30.196, the Correctional Industries Board is established. The board consists of four members: the commissioner of labor (or designee), the commissioner of corrections (or designee), and two representatives of organized labor that the governor shall appoint from a list submitted by a labor organization. These members serve staggered three-year terms.

The duties of the board include meeting quarterly or at regularly scheduled times determined by a majority of members, approve, monitor, and make recommendations for proposals for prison industry programs, and hold public hearing to provide opportunity for persons or organizations to submit written comments or oral testimony on proposals that may affect them. The board will also keep public record of all meetings and hearing and make this information public.

Section 3: Amends 33.30.201(a) by distinguishing prisoners employed under the new prison industries program (33.30.195) and removes them from this particular statute detailing compensation of prisoners who fall under current statute. It also removes 33.30.191(5) from applying to this section as "other work performed inside or outside a facility" now falls within the newly established prison industries program.

Section 4: Amends 33.30.201(c) by requiring compensation of employed prisoners established under the new section, (g), to follow the priority order of compensation dispersion as laid out in this section. It also reorders the priority list, making restitution payments a higher priority.

Section 5: Amends 33.30.201(d) to include the newly established prisoner employee's compensation section (g), detailing that any remaining compensation after any deduction under (b) or (c) of this section will be credited to the prisoner.

Section 6: Adds a new section (g) under 33.30.201 describing the compensation of prisoners employed under the newly established prison industries program (33.30.195).

Section 7: Amends 36.30.313 by including the newly established prison industries program, 33.30.195, in this statute that precludes the procurement of products or services provided through the employment of prisoners from competitive sealed bidding or competitive sealed proposals.

Section 8: Amends 37.05.146(c) by adding a new section allowing the Department of Correction to collect receipts from contracts or agreements under the new prison industries program (33.30.195).

Section 9: Amends 41.21.026(f) by deleting the old employment of prisoners language (33.30.191(b)) and replaces it with the new prison industries program established under 33.30.195, allowing the department to charge fees as listed under this section.

Section 10: Repeals AS 33.30.191(b) which is the current (and limiting) prison industries language as well as 33.30.191(g)(5) that describes other work performed inside or outside of a correctional facility which is now incorporated under the newly established prison industries program 33.30.195

Section 11: Effective date July 1, 2018