

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

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

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

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

9 (a) [NOTWITHSTANDING AS 33.30.011(1), THE COMMISSIONER OF
10 PUBLIC SAFETY SHALL PROVIDE FOR THE CUSTODY, CARE, AND
11 DISCIPLINE OF PRISONERS PENDING ARRAIGNMENT, COMMITMENT BY A
12 COURT TO THE CUSTODY OF THE COMMISSIONER OF CORRECTIONS, OR
13 ADMISSION TO A STATE CORRECTIONAL FACILITY. EXCEPT

1 AS PROVIDED IN (c) OF THIS SECTION, THE RESPONSIBILITY FOR
2 PROVIDING NECESSARY MEDICAL SERVICES FOR PRISONERS REMAINS
3 WITH THE COMMISSIONER OF CORRECTIONS UNDER AS 33.30.011(4).] The
4 commissioner is [OF CORRECTIONS AND THE COMMISSIONER OF PUBLIC
5 SAFETY ARE] not responsible for providing custody, care, and discipline for a person
6 detained under AS 47.30.705 or AS 47.37.170 [,] unless the person is admitted into
7 a state correctional facility.

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

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

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

16 (19) guards employed by the Department of Corrections, other than in
17 state correctional facilities, to carry out the responsibility of the commissioner of
18 Corrections under AS 33.30.071(b);

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