

HOUSE BILL NO. 325

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 2/2/18

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to computer use by prisoners; and relating to an exemption from the**
2 **State Procurement Code for contracts for rehabilitation and reentry services."**

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

4 * **Section 1.** AS 33.30.015(a) is amended to read:

5 (a) The commissioner may not

6 (1) make per capita expenditures for food for prisoners in a state
7 correctional facility operated by the state that exceed 90 percent of per capita
8 expenditures for food that is available to enlisted personnel in the United States Army
9 stationed in the state;

10 (2) provide, in a state correctional facility operated by the state,

11 (A) living quarters for a prisoner into which the view is
12 obstructed; however, the commissioner is not required to renovate a facility to
13 comply with this subparagraph if the facility is being used as a correctional
14 facility on August 27, 1997, or if the facility was already built before being

1 acquired by the department;

2 (B) equipment or facilities for publishing or broadcasting
3 material the content of which is not subject to prior approval by the department
4 as consistent with keeping order in the institution and prisoner discipline;

5 (C) cable television service other than a level of basic cable
6 television service that is available as a substitute for services that are broadcast
7 to the public in the community in which a correctional facility is located;

8 (3) allow a prisoner held in a state correctional facility operated by the
9 state to

10 (A) possess in the prisoner's cell a cassette tape player or
11 recorder, a video cassette recorder (VCR), or a computer or modem of any
12 kind;

13 (B) view movies rated "R," "X," or "NC-17";

14 (C) possess printed or photographic material that

15 (i) is obscene as defined by the commissioner in
16 regulation;

17 (ii) could reasonably be expected to incite racial, ethnic,
18 or religious hatred that is detrimental to the security, good order, or
19 discipline of the institution or violence;

20 (iii) could reasonably be expected to aid in an escape or
21 in the theft or destruction of property;

22 (iv) describes procedures for brewing alcoholic
23 beverages or for manufacturing controlled substances, weapons, or
24 explosives; or

25 (v) could reasonably be expected to facilitate criminal
26 activity or a violation of institution rules;

27 (D) receive instruction in person, or by broadcast medium, or
28 engage in boxing, wrestling, judo, karate, or other martial art or in any activity
29 that, in the commissioner's discretion, would facilitate violent behavior;

30 (E) possess or have access to equipment for use in the activities
31 listed in (D) of this paragraph;

(F) possess or have access to free weights;

(G) possess in the prisoner's cell a coffee pot, hot plate, appliance or heating element for food preparation, or more than three electrical appliances of any kind;

(H) possess or appear in a state of dress, hygiene, grooming, or appearance other than as permitted as uniform or standard in the correctional facility;

(I) use a computer other than those approved by the correctional facility; the use of a computer under this subparagraph may be approved only as part of the prisoner's employment, reentry services under AS 33.30.011(9), legal purposes, education, or vocational training and may not be used for any other purpose;

(J) smoke or use tobacco products of any kind.

* **Sec. 2.** AS 33.30.026 is amended to read:

Sec. 33.30.026. Procurement Code applicable to contracts. Except as provided in AS 36.30.850 and (b) of this section, contracting [CONTRACTING] for services under this chapter is governed by AS 36.30 (State Procurement Code).

* **Sec. 3.** AS 33.30.026 is amended by adding a new subsection to read:

(b) In authorizing a contract for rehabilitation and reentry services made under AS 36.30.850 and (a) of this section, the commissioner or the commissioner's designee shall make a determination that the payment for rehabilitation and reentry services will promote the use of community-based and culturally relevant rehabilitative and reentry services most suited to provide support for the individual that receives the rehabilitation and reentry services. In making this determination, the commissioner may consider the availability of services in the area, the cost effectiveness of the chosen service, and the likelihood that the agreement, contract, or payment under this subsection will assist the individual to remain in the individual's chosen community.

* **Sec. 4.** AS 36.30.850(b) is amended by adding a new paragraph to read:

(49) contracts with providers of rehabilitation and reentry services for prisoners under AS 33.30.011 and 33.30.026(b).