

**HOUSE BILL NO. 200**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES MULDER BY REQUEST, Foster, Kott

Introduced: 2/27/95

Referred: Judiciary, Finance

**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)(18) is amended to read:

16 (18) guards employed by the Department of Corrections or the  
17 Department of Public Safety for emergencies;

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