

CS FOR HOUSE BILL NO. 161(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 4/9/03

Referred: Finance

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the correctional industries program."**

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

3 * **Section 1.** AS 33.32.015(b) is amended to read:

4 (b) The commissioner of corrections may

5 (1) subject to AS 36.30 (State Procurement Code), use, purchase,
6 lease, equip, and maintain buildings, machinery, and other equipment, and may
7 purchase materials and enter into contracts that may be necessary for the correctional
8 industries program;

9 (2) provide for prisoners to be employed in rendering services and
10 producing articles, materials, and supplies needed by a state agency, a political
11 subdivision of the state, an agency of the federal government, other states or their
12 political subdivisions, or for use by nonprofit organizations or other companies;

13 (3) if the Correctional Industries Commission established in
14 AS 33.32.070 approves, employ prisoners to provide services or products as needed by
15 private industry if the services or products have potential for contributing to the

1 economy of the state and will **be of benefit to** [HAVE MINIMAL NEGATIVE
2 IMPACT ON] an existing private industry or labor force in the state;

3 (4) authorize a prisoner to engage in vocational training or in
4 productive employment within or outside a correctional facility, or enter into a
5 contract under AS 33.30.191 for the employment of a prisoner if the Correctional
6 Industries Commission determines that the employment will **be of benefit to** [HAVE
7 MINIMAL NEGATIVE IMPACT ON] an existing private industry or labor force in
8 the state; and

9 (5) subject to the provisions of AS 36.30 (State Procurement Code),
10 enter into joint cooperative ventures with private industry for the establishment and
11 operation of "Free Venture" industries under AS 33.32.017 if the Correctional
12 Industries Commission determines at the time of inception that the "Free Venture"
13 industry will not compete with an existing private industry or labor force in the state.

14 * **Sec. 2.** AS 33.32.020(a) is amended to read:

15 (a) There is established in the Department of Corrections an intragovernmental
16 service fund known as the correctional industries fund. All expenses of the
17 correctional industries program [, EXCEPT SALARIES AND BENEFITS OF STATE
18 EMPLOYEES,] may be financed from the correctional industries fund in accordance
19 with AS 37.07 (the Executive Budget Act). The commissioner of corrections shall
20 prepare a report annually on all activities and balances of the fund and notify the
21 legislature that the report is available.

22 * **Sec. 3.** AS 33.32.030(b) is amended to read:

23 (b) The commissioner of corrections may sell a product or service of a
24 correctional industries program to a private industry, subject to the approval of the
25 Correctional Industries Commission established in AS 33.32.070. Before giving its
26 approval, the Correctional Industries Commission must determine that the product or
27 service has potential for contributing to the economy of the state and will **be of benefit**
28 **to** [HAVE MINIMAL NEGATIVE IMPACT ON] an existing private industry or
29 labor force in the state.

30 * **Sec. 4.** AS 33.32.080(c) is amended to read:

31 (c) The Correctional Industries Commission shall recommend to the

1 commissioner of corrections the advisability of establishing, expanding, diminishing,
2 or discontinuing industrial, agricultural, or service activities to enable the program to
3 operate as nearly as possible in a self-supporting manner, to provide as much
4 employment for prisoners as is feasible, to provide diversified work activities **that will**
5 **be of benefit to** [WITH MINIMAL NEGATIVE IMPACT ON] an existing private
6 industry or labor force in the state, and contribute to the economy of the state. In
7 making recommendations, the Correctional Industries Commission shall consider
8 testimony received at public hearings.

9 * **Sec. 5.** This Act takes effect July 1, 2004.