

AMENDMENT #38

OFFERED IN THE HOUSE

BY REPRESENTATIVE REINBOLD

TO: HCS CSSB 54(FIN)

1 Page 8, following line 16:

2 Insert new bill sections to read:

3 **\*\* Sec. 16.** AS 11.56.375(b) is amended to read:

4 (b) Promoting contraband in the first degree is a class **B** [C] felony.

5 **\* Sec. 17.** AS 11.56.380(b) is amended to read:

6 (b) Promoting contraband in the second degree is a class **C felony** [A  
7 MISDEMEANOR]."

8

9 Renumber the following bill sections accordingly.

10

11 Page 35, following line 19:

12 Insert a new bill section to read:

13 **\*\* Sec. 62.** AS 33.30.011(a) is amended to read:

14 (a) The commissioner shall

15 (1) establish, maintain, operate, and control correctional facilities  
16 suitable for the custody, care, and discipline of persons charged or convicted of  
17 offenses against the state or held under authority of state law; each correctional facility  
18 operated by the state shall be established, maintained, operated, and controlled in a  
19 manner that is consistent with AS 33.30.015;

20 (2) classify prisoners;

21 (3) for persons committed to the custody of the commissioner,  
22 establish programs, including furlough programs that are reasonably calculated to

23 (A) protect the public and the victims of crimes committed by

1 prisoners;

2 (B) maintain health;

3 (C) create or improve occupational skills;

4 (D) enhance educational qualifications;

5 (E) support court-ordered restitution; and

6 (F) otherwise provide for the rehabilitation and reformation of  
7 prisoners, facilitating their reintegration into society;

8 (4) provide necessary

9 (A) medical services for prisoners in correctional facilities or  
10 who are committed by a court to the custody of the commissioner, including  
11 examinations for communicable and infectious diseases;

12 (B) psychological or psychiatric treatment if a physician or  
13 other health care provider, exercising ordinary skill and care at the time of  
14 observation, concludes that

15 (i) a prisoner exhibits symptoms of a serious disease or  
16 injury that is curable or may be substantially alleviated; and

17 (ii) the potential for harm to the prisoner by reason of  
18 delay or denial of care is substantial; and

19 (C) assessment or screening of the risks and needs of offenders  
20 who may be vulnerable to harm, exploitation, or recidivism as a result of fetal  
21 alcohol syndrome, fetal alcohol spectrum disorder, or another brain-based  
22 disorder;

23 (5) establish minimum standards for sex offender treatment programs  
24 offered to persons who are committed to the custody of the commissioner;

25 (6) provide for fingerprinting in correctional facilities in accordance  
26 with AS 12.80.060;

27 (7) establish a program to conduct assessments of the risks and needs  
28 of offenders sentenced to serve a term of incarceration of 30 days or more and provide  
29 to the legislature, by electronic means, by January 15, 2017, and thereafter by  
30 January 15, preceding the first regular session of each legislature, a report  
31 summarizing the findings and results of the program; the program must include a

1 requirement for an assessment before a prisoner's release on parole, furlough, or  
2 electronic monitoring from a correctional facility;

3 (8) establish a procedure that provides for each prisoner required to  
4 serve an active term of imprisonment of 30 days or more a written case plan that

5 (A) is provided to the prisoner within 90 days after sentencing;

6 (B) is based on the results of the assessment of the prisoner's  
7 risks and needs under (7) of this subsection;

8 (C) includes a requirement to follow the rules of the institution;

9 (D) is modified when necessary for changes in classification,  
10 housing status, medical or mental health, and resource availability;

11 (E) includes participation in programming that addresses the  
12 needs identified in the assessment;

13 (9) establish a program to begin reentry planning with each prisoner  
14 serving an active term of imprisonment of 90 days or more; reentry planning must  
15 begin at least 90 days before release on furlough or probation or parole; the reentry  
16 program must include

17 (A) a written reentry plan for each prisoner completed upon  
18 release on furlough or probation or parole that includes information on the  
19 prisoner's proposed

20 (i) residence;

21 (ii) employment or alternative means of support;

22 (iii) treatment options;

23 (iv) counseling services;

24 (v) education or job training services;

25 (B) any other requirements for successful transition back to the  
26 community, including electronic monitoring or furlough for the period between  
27 a scheduled parole hearing and parole eligibility;

28 (C) coordination with the Department of Labor and Workforce  
29 Development to provide access, after release, to job training and employment  
30 assistance;

31 (10) for offenders under electronic monitoring, establish

1 (A) minimum standards for electronic monitoring, which may  
2 include the requirement of active, real-time monitoring using global  
3 positioning systems; and

4 (B) procedures for oversight and approving electronic  
5 monitoring programs and systems provided by private contractors; [AND]

6 (11) assist a prisoner in obtaining a valid state identification card if the  
7 prisoner does not have a valid state identification card before the prisoner's release; the  
8 department shall pay the application fee for the identification card; and

9 (12) publicly post at each correctional facility in the state a list of  
10 all contraband and a warning that bringing contraband into the facility is a  
11 felony; in this paragraph "contraband" has the meaning given in AS 11.56.390."  
12

13 Renumber the following bill sections accordingly.

14  
15 Page 42, following line 23:

16 Insert new paragraphs to read:

17 "(14) AS 11.56.375(b), as amended by sec. 16 of this Act;

18 (15) AS 11.56.380(b), as amended by sec. 17 of this Act;"  
19

20 Renumber the following paragraphs accordingly.

21  
22 Page 42, line 24:

23 Delete "sec. 16"

24 Insert "sec. 18"  
25

26 Page 42, line 25:

27 Delete "sec. 17"

28 Insert "sec. 19"  
29

30 Page 42, line 26:

31 Delete "sec. 18"

1           Insert "sec. 20"

2

3   Page 42, line 27:

4           Delete "sec. 19"

5           Insert "sec. 21"

6

7   Page 42, line 28:

8           Delete "sec. 20"

9           Insert "sec. 22"

10

11   Page 42, line 29:

12           Delete "sec. 23"

13           Insert "sec. 25"

14

15   Page 42, line 30:

16           Delete "sec. 38"

17           Insert "sec. 40"

18

19   Page 42, line 31:

20           Delete "sec. 39"

21           Insert "sec. 41"

22

23   Page 43, line 1:

24           Delete "sec. 59"

25           Insert "sec. 61"

26

27   Page 43, line 4:

28           Delete "sec. 24"

29           Insert "sec. 26"

30

31   Page 43, line 5:

1 Delete "sec. 27"

2 Insert "sec. 29"

3

4 Page 43, line 6:

5 Delete "sec. 28"

6 Insert "sec. 30"

7

8 Page 43, line 7:

9 Delete "sec. 29"

10 Insert "sec. 31"

11

12 Page 43, line 8:

13 Delete "sec. 30"

14 Insert "sec. 32"

15

16 Page 43, line 9:

17 Delete "sec. 31"

18 Insert "sec. 33"

19

20 Page 43, line 10:

21 Delete "sec. 32"

22 Insert "sec. 34"

23

24 Page 43, line 11:

25 Delete "sec. 33"

26 Insert "sec. 35"

27

28 Page 43, line 12:

29 Delete "sec. 34"

30 Insert "sec. 36"

31

1 Page 43, line 13:

2 Delete "sec. 49"

3 Insert "sec. 51"

4

5 Page 43, line 14:

6 Delete "sec. 49"

7 Insert "sec. 51"

8

9 Page 43, line 17:

10 Delete "SECS. 37 AND 69"

11 Insert "SECS. 39 AND 72"

12

13 Page 43, lines 17 - 18:

14 Delete "sec. 37"

15 Insert "sec. 39"

16

17 Page 43, line 20:

18 Delete "Section 69"

19 Insert "Section 72"

20 Delete "sec. 37"

21 Insert "sec. 39"

22

23 Page 43, line 24:

24 Delete "SEC. 66"

25 Insert "SEC. 69"

26

27 Page 43, line 25:

28 Delete "Section 66"

29 Insert "Section 69"

30

31 Page 44, line 4:

1 Delete "Sections 23, 24, and 41"

2 Insert "Sections 25, 26, and 43"

3

4 Page 44, line 5:

5 Delete "sec. 72"

6 Insert "sec. 75"

7 Delete "sec. 66"

8 Insert "sec. 69"

9

10 Page 44, line 7:

11 Delete "Section 40"

12 Insert "Section 42"

13

14 Page 44, line 8:

15 Delete "sec. 37"

16 Insert "sec. 39"

17 Delete "sec. 71(a)"

18 Insert "sec. 74(a)"

19

20 Page 44, line 10:

21 Delete "sec. 69"

22 Insert "sec. 72"

23 Delete "sec. 71(b)"

24 Insert "sec. 74(b)"

25

26 Page 44, line 12:

27 Delete "Section 68"

28 Insert "Section 71"

29

30 Page 44, line 13:

31 Delete "sec. 37"

1       Insert "sec. 39"

2       Delete "sec. 76"

3       Insert "sec. 79"

4

5   Page 44, line 15:

6       Delete "secs. 73 - 78"

7       Insert "secs. 76 - 81"