

AMENDMENT #2

OFFERED IN THE SENATE

BY SENATOR KIEHL

TO: SCS CSHB 49(FIN)

1 Page 79, following line 19:

2 Insert a new bill section to read:

3 **"* Sec. 127.** AS 33.30.011(a) is amended to read:

4 (a) The commissioner shall

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

10 (2) classify prisoners;

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

13 (A) protect the public and the victims of crimes committed by
14 prisoners;

15 (B) maintain health;

16 (C) create or improve occupational skills;

17 (D) enhance educational qualifications;

18 (E) support court-ordered restitution; and

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

21 (4) provide necessary

22 (A) medical services for prisoners in correctional facilities or
23 who are committed by a court to the custody of the commissioner, including

1 examinations for communicable and infectious diseases;

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

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

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

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

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

15 (6) provide for fingerprinting in correctional facilities in accordance
16 with AS 12.80.060;

17 (7) establish a program to conduct assessments of the risks and needs
18 of offenders sentenced to serve a term of incarceration of 90 [30] days or more [AND
19 PROVIDE TO THE LEGISLATURE, BY ELECTRONIC MEANS, BY JANUARY
20 15, 2017, AND THEREAFTER BY JANUARY 15, PRECEDING THE FIRST
21 REGULAR SESSION OF EACH LEGISLATURE, A REPORT SUMMARIZING
22 THE FINDINGS AND RESULTS OF THE PROGRAM]; the program must include a
23 requirement for an assessment before a prisoner's release on parole, furlough, or
24 electronic monitoring from a correctional facility;

25 (8) establish a procedure that provides for each prisoner required to
26 serve an active term of imprisonment of 90 [30] days or more a written case plan that

27 (A) takes effect and is provided to the prisoner within 90 days
28 after sentencing;

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

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

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

3 (E) includes participation in programming that addresses the
4 needs identified in the assessment;

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

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

- 12 (i) residence;
- 13 (ii) employment or alternative means of support;
- 14 (iii) treatment options;
- 15 (iv) counseling services;
- 16 (v) education or job training services;

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

20 (C) coordination with the Department of Labor and Workforce
21 Development to provide access, after release, to job training and employment
22 assistance; **and**

23 **(D) coordination with community reentry coalitions or**
24 **other providers of reentry services if available;**

25 (10) for offenders under electronic monitoring, establish

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

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

31 (11) assist a prisoner in obtaining a valid state identification card if the

1 prisoner does not have a valid state identification card before the prisoner's release; the
2 department shall pay the application fee for the identification card; **and**

3 **(12) provide to the legislature, by electronic means, by January 10**
4 **preceding the first regular session of each legislature, a report summarizing the**
5 **findings and results of the program established under (7) of this subsection; the**
6 **report must include**

7 **(A) the number of prisoners who were provided with**
8 **written case plans under (8) of this subsection;**

9 **(B) the number of written case plans under (8) of this**
10 **subsection initiated within the preceding year; and**

11 **(C) the number of written case plans under (8) of this**
12 **subsection that were updated in the preceding year."**

13
14 Renumber the following bill sections accordingly.

15
16 Page 89, following line 17:

17 Insert a new bill section to read:

18 **"* Sec. 148.** The uncodified law of the State of Alaska is amended by adding a new section
19 to read:

20 **REPORT TO LEGISLATURE; COMMISSIONER OF CORRECTIONS.** On or
21 before January 10, 2020, the commissioner of corrections shall provide a report to the
22 legislature as described under AS 33.30.011(a)(12), enacted by sec. 127 of this Act. The
23 commissioner shall submit the report to the senate secretary and chief clerk of the house of
24 representatives and notify the legislature that the report is available."
25

26 Renumber the following bill sections accordingly.

27
28 Page 93, line 4:

29 Delete "."

30 Insert ";

1 Page 93, following line 4:

2 Insert a new paragraph to read:

3 "(21) AS 33.30.011(a), as amended by sec. 127 of this Act."
4

5 Page 95, line 5:

6 Delete "secs. 130 and 131"

7 Insert "secs. 131 and 132"
8

9 Page 95, line 23:

10 Delete "Sections 141 - 144"

11 Insert "Sections 142 - 145"
12

13 Page 95, lines 23 - 24:

14 Delete "secs. 141 - 144"

15 Insert "secs. 142 - 145"
16

17 Page 95, line 26:

18 Delete "Sections 132 - 135"

19 Insert "Sections 133 - 136"
20

21 Page 95, line 27:

22 Delete "Sections 129 - 131"

23 Insert "Sections 130 - 132"
24

25 Page 95, line 28:

26 Delete "Section 137"

27 Insert "Section 138"
28

29 Page 95, line 29:

30 Delete "146, 148, and 151"

31 Insert "147, 150, and 153"

1

2 Page 95, line 31:

3 Delete "secs. 154 - 157"

4 Insert "secs. 156 - 159"