

Original sponsor: Parr

Offered: 3/5/82
Referred: Judiciary

1 IN THE SENATE

BY THE HEALTH, EDUCATION
AND SOCIAL SERVICES COMMITTEE

2 CS FOR SENATE BILL NO. 633 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to work programs for prisoners in
7 state institutions."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 Section 1. AS 33.30.225 is repealed and reenacted to read:

10 Sec. 33.30.225. WORK PROGRAMS; REMUNERATION. (a) The commis-
11 sioner may, in his discretion, direct that a prisoner participate in
12 non-institutional work projects and in institutional work programs,
13 including personal housekeeping, while detained or confined in a prison
14 facility. A prisoner who participates in non-institutional work projects
15 is eligible for the credit provided under AS 33.30.280 or for a gratuity
16 payment. A prisoner who participates in institutional work programs is
17 eligible for a gratuity payment. The gratuity payment may not exceed \$3
18 a day except that this limit does not apply to a work program in which a
19 portion of the payment is designated for the prisoner's daily living
20 expenses.

21 (b) A prisoner who refuses to work when directed to do so by the
22 commissioner under (a) of this section is subject to disciplinary action
23 in accordance with regulations, which the commissioner shall adopt,
24 providing for discipline of prisoners who refuse to work.

25 (c) For purposes of this section, "non-institutional work" means
26 work on government or other public projects outside the confines of a
27 prison facility. For purposes of this section, "institutional work"
28 means work inside the prison facility.

29 * Sec. 2. AS 33.30.250(a) is amended to read:

1 (a) When a person is convicted of a crime and is sentenced to a
2 prison facility, or is imprisoned in the prison facility for nonpayment
3 of a fine, for contempt, or as a condition of probation for a criminal
4 offense, the commissioner may, if he concludes that the person is a fit
5 subject for a work furlough and is not prohibited from it under (g) of
6 this section, direct that the person [BE PERMITTED TO] continue in his
7 regular employment, if that is compatible with the requirements of (c)
8 of this section, or may direct [AUTHORIZE] the person to secure employ-
9 ment for himself, unless the court at the time of sentencing has ordered
10 that the person not be granted work furloughs.

11 * Sec. 3. AS 33.30.250(b) is amended to read:

12 (b) If the commissioner directs that the prisoner [BE PERMITTED
13 TO] continue in his regular employment, the commissioner shall arrange
14 for a continuation of the employment so far as possible without inter-
15 ruption. If the prisoner does not have regular employment, [AND] the
16 commissioner may direct [HAS AUTHORIZED] the prisoner to secure employ-
17 ment for himself. The [, THE PRISONER MAY DO SO, AND THE] commissioner
18 may assist the prisoner in securing employment [HIM IN DOING SO]. Any
19 employment secured must, as determined by the commissioner, be suitable
20 for the prisoner. The employment must be in accordance with the prevail-
21 ing working conditions and wages in the area. No employment may be
22 permitted where there is a labor dispute in the establishment in which
23 the prisoner is, or is to be, employed.

24 * Sec. 4. AS 33.30.250(c) is amended to read:

25 (c) Whenever the prisoner is not employed and between the hours or
26 periods of employment, he shall be confined in a prison facility, as
27 directed by the commissioner [THE JAIL UNLESS THE COURT DIRECTS OTHER-
28 WISE].

29 * Sec. 5. AS 33.30.250(e) is amended to read:

1 (e) If the prisoner violates the conditions established for his
2 conduct, custody, or employment, or if the prisoner refuses to work when
3 directed to do so under (a) or (b) of this section, the commissioner may
4 order the balance of the prisoner's sentence to be spent in actual con-
5 finement or may discipline the prisoner, in accordance with regulations,
6 which the commissioner shall adopt, providing for discipline of pris-
7 oners who refuse to work.

8 * Sec. 6. AS 33.30.250 is amended by adding a new subsection to read:

9 (h) This section does not apply to correctional industries or to
10 prisoners who work in correctional industries.

11 * Sec. 7. AS 41.20.110(b) is amended to read:

12 (b) As an aid to the construction and maintenance of trails and
13 campsites under (a) of this section the commissioner of health and
14 social services is authorized to establish a program that would direct
15 [ALLOW] prisoners to [VOLUNTEER FOR] work on the trails and campsites.
16 The commissioner is authorized to grant remuneration for the work,
17 either in money or reduction of sentence, which he considers sufficient.
18 The commissioner shall adopt regulations to provide for discipline of
19 prisoners who refuse to work when directed to do so under this section.

20 * Sec. 8. AS 36.10.060 is repealed.
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