

SB

1

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 1/29/97

FURTHER:

DATE TURNED IN TO OFFICE: 2/5/97

Finance Committee considered SENATE BILL NO. 1

Relating to living and working conditions of prisoners in correctional facilities operated by the state, amend definition of 'severely medically disabled'; extend termination date of the Correctional Industries Commission, etc.

and recommends:

be replaced with CS SB 1 (FIN)

adopt previous CS _____

attached amendment(s)

adopt Letter of Intent by _____ Committee

further referral to the _____ Committee

Senate Bill:
 same title
 new title
 House Bill:
 same title
 technical change
 new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
Reel E. Bell	✓	Al Coker		✓	
John R. Powell	✓				
John Ferguson	✓				
Richard D. ...	✓				
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

Department	Date	Zero	Fiscal
Public Safety	1/28/97	Ø	
LAW	1/29/97	Ø	
Corrections	1/28/97		20.0

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

No. 4

STATE OF ALASKA

1997 LEGISLATIVE SESSION

REPORTED OUT OF

SFC 2-5-97

BILL NO:

Bill Version: CS SB 1 (JUD)

(S) Publish Date: 1-30-97

Revision Date: January 28, 1997 Dept. Affected:

Public Safety

Title: "No Frills" Prison Act Component: DPS Statewide Support

Sponsor: Senator Donley Commissioner's Office

Requestor: S. Judiciary COMPONENT SERIAL NO. 0523

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES ()	-0-	-0-	-0-	-0-	-0-	-0-
Code Revenue						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year (FY 97) impact: \$ _____

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)
 No fiscal impact is anticipated to the Department of Public Safety

Prepared By: Sandy Perry-Provost, Special Assistant to the Commissioner Phone: 465-4322

Division: Commissioner's Office Date: 1/24/97

Approved by Commissioner: *Ronald L. Otte* Date: 1/24/97

Agency: Ronald L. Otte, Dept. of Public Safety

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information call the Governor's Legislative Office

FISCAL NOTE

No. 13

STATE OF ALASKA
1997 LEGISLATIVE SESSION

REPORT
CFC 2-5-97

Bill. ersion: CS SB 1 (JUD)

(S) Publish Date: 1-30-97

Revision Date: _____ Dept. Affected: Department of Law
 Title: ... relating to living and working conditions of BRU: Criminal Division
prisoners in correctional facilities operated by the state ... Component: Criminal Division
 Sponsor: Senator Donley
 Requester: Senate Judiciary Committee COMPONENT SERIAL NO. 2085

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY97) cost: \$ 0.0

POSITIONS

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

To be known as the "Alaska No Frills Prison Act," this bill would amend Title 33, relating to probation, prisons and prisoners, to place specific limitations on the living and working conditions of prisoners in correctional facilities operated by the state, and negotiate for those same conditions and limitations in contract facilities. Further, the bill would require fees for utility services for prisoners. The bill would also amend the definition of "severely medically disabled" applicable to prisoners seeking special medical parole.

The purpose of the Alaska Correctional Industries Program would be amended to include vocational training, but would not require a vocational training program be established. The termination date for the Correctional Industries Commission and the program would be extended from 1999 to 2005 under this bill.

Passage of the Judiciary committee substitute will have no fiscal impact on the Department of Law.

Prepared by: Joan M. Kasson *Joan M. Kasson*
 Division: Administrative Services Division
 Approved by Commissioner: Bruce M. Botelho, Attorney General *Bruce M. Botelho*
 Agency: Department of Law

Phone: 465-5370
 Date: 1/29/97
 Date: 1/29/97

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
 For further distribution information, call the Governor's Legislative Office

FISCAL NOTE

No. 2

STATE OF ALASKA
1997 LEGISLATIVE SESSION

Bill Version: CSSB 1 (Jud)

(S) Publish Date: 1-30-97

Revision Date: 1/28/97
 Title: "An act relating to living and working conditions of prisoners..."
 Sponsor: Senator Donley
 Requester: Judiciary Committee

Dept. Affected: Corrections
 BRU: Institutions
 Component: _____
 COMPONENT SERIAL NO. _____

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES	20.0	20.0	20.0	20.0	20.0	20.0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	20.0	20.0	20.0	20.0	20.0	20.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES (1005)	20.0	20.0	20.0	20.0	20.0	20.0
---------------------------	------	------	------	------	------	------

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	20.0	20.0	20.0	20.0	20.0	20.0
1037 GF/Mental Health						
Other						
TOTAL	20.0	20.0	20.0	20.0	20.0	20.0

Estimate of any current year (FY97) cost: \$ _____

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Under Section 4 of this bill, a new Sec. 33.30.17 would require the Commissioner to establish a monthly prisoner utility fee, not to exceed \$2, that will be collected from those prisoners who possess at least one major electrical appliance. The Department projects that the additional bookkeeping duties required by this section will result in extra staff time that will cost an estimated \$20,000 each fiscal year. The Department also projects that this cost could be offset by \$20,000 in program receipts generated by the utility fees.

Prepared by: Bruce Richards
 Division: Commissioner's Office
 Approved by Commissioner: Margaret M. Pugh
 Agency: Department of Corrections

Phone: 465-3307
 Date: 1/28/97
 Date: 1-28-97

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information, call the Governor's Legislative Office

Donley moved
w/o objection
Adopted

SENATE FINANCE
COMMITTEE

Amendment Number: 1
Bill Number: CSSB 1 (JUD)
Sponsor: Donley Date: 2-4-17
Logged In By: P. Sepulveda

AMENDMENT

OFFERED IN THE SENATE
TO: CSSB 1 (JUD)

BY: DONLEY

1 Page 3, Line 25-28
Delete: subsection

Insert: (A) living quarters for a prisoner into which the view is obstructed; however, the commissioner is not required to renovate a facility to comply with this subparagraph if the facility is being used as a correctional facility on the effective date of this act, or if the facility was already built before being acquired by the department;

A M E N D M E N T

OFFERED IN THE SENATE

BY SENATOR DONLEY

TO: CSSB 1 (JUD)

SENATE FINANCE
COMMITTEE

Amendment Number: 2
Bill Number: CSSB 1 (JUD)
Sponsor: Donley Date: 2-4-97
Logged In By: P. Sequeira

1 Page 1, line 11:

2 Delete "Sections 4 - 6"

3 Insert "Sections 5 - 7"

4 Page 1, line 12:

5 Delete "secs. 4 - 6"

6 Insert "secs. 5 - 7"

7 Page 2, following line 4:

8 Insert a new bill section to read:

9 "* Sec. 3. AS 11.61.127(b) is amended to read:

10 (b) This section does not apply to persons providing plethysmograph assessments in
11 the course of a sex offender treatment program that meets the minimum standards under
12 AS 33.30.011(4) [AS 33.30.011(a)(5)]."

13

14 Renumber the following bill sections accordingly.

15 Page 3, lines 2 - 13:

16 Delete "provide necessary

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

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

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

3 (ii) the potential for harm to the prisoner by reason of
4 delay or denial of care is substantial;

5 (5)"

6 Insert "[PROVIDE NECESSARY

7 (A) MEDICAL SERVICES FOR PRISONERS IN
8 CORRECTIONAL FACILITIES OR WHO ARE COMMITTED BY A
9 COURT TO THE CUSTODY OF THE COMMISSIONER, INCLUDING
10 EXAMINATIONS FOR COMMUNICABLE AND INFECTIOUS DISEASES;

11 (B) PSYCHOLOGICAL OR PSYCHIATRIC TREATMENT
12 IF A PHYSICIAN OR OTHER HEALTH CARE PROVIDER, EXERCISING
13 ORDINARY SKILL AND CARE AT THE TIME OF OBSERVATION,
14 CONCLUDES THAT

15 (i) A PRISONER EXHIBITS SYMPTOMS OF A
16 SERIOUS DISEASE OR INJURY THAT IS CURABLE OR MAY BE
17 SUBSTANTIALLY ALLEVIATED; AND

18 (ii) THE POTENTIAL FOR HARM TO THE
19 PRISONER BY REASON OF DELAY OR DENIAL OF CARE IS
20 SUBSTANTIAL;

21 (5)"]

22 Page 3, line 15:

23 Delete "(6)"

24 Insert "(5) [(6)]"

Amendment Number: 3

Bill Number: CSSB 1 (JUD)

Sponsor: Donley Date: 2-5-97

Logged In By: J. P. [Signature]

A M E N D M E N T

OFFERED IN THE SENATE

TO: CSSB 1(JUD)

BY SENATOR DONLEY

*Moved by Donley w/o objection
Withdrawn*

1 Page 1, line 11:

2 Delete "Sections 4 - 6"

3 Insert "Sections 5 - 7"

4 Page 1, line 12:

5 Delete "secs. 4 - 6"

6 Insert "secs. 5 - 7"

7 Page 2, following line 4:

8 Insert a new bill section to read:

9 **** Sec. 3.** AS 11.61.127(b) is amended to read:

10 (b) This section does not apply to persons providing plethysmograph
11 assessments in the course of a sex offender treatment program that meets the
12 minimum standards under AS 33.30.011(4) [AS 33.30.011(a)(5)]."

13

14 Renumber the following bill sections accordingly.

15 Page 3, lines 2 - 13:

16 Delete "provide necessary

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

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

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

3 (ii) the potential for harm to the prisoner by reason of
4 delay or denial of care is substantial;

5 (5)"

6 Insert "[PROVIDE NECESSARY

7 (A) MEDICAL SERVICES FOR PRISONERS IN
8 CORRECTIONAL FACILITIES OR WHO ARE COMMITTED BY A
9 COURT TO THE CUSTODY OF THE COMMISSIONER, INCLUDING
10 EXAMINATIONS FOR COMMUNICABLE AND INFECTIOUS DISEASES;

11 (B) PSYCHOLOGICAL OR PSYCHIATRIC TREATMENT
12 IF A PHYSICIAN OR OTHER HEALTH CARE PROVIDER, EXERCISING
13 ORDINARY SKILL AND CARE AT THE TIME OF OBSERVATION,
14 CONCLUDES THAT

15 (i) A PRISONER EXHIBITS SYMPTOMS OF A
16 SERIOUS DISEASE OR INJURY THAT IS CURABLE OR MAY BE
17 SUBSTANTIALLY ALLEVIATED; AND

18 (ii) THE POTENTIAL FOR HARM TO THE
19 PRISONER BY REASON OF DELAY OR DENIAL OF CARE IS
20 SUBSTANTIAL;

21 (5)]"

22 Page 3, line 15:

23 Delete "(6)"

24 Insert "(5) [(6)]"

Amendment SB 1 (Jud)

By Adams

*Moved by Adams
objections heard - Phillip
Failed*

Page 3: delete lines 20 -23, renumber following subsections

Page 6: delete lines 1-23.

SENATE FINANCE
COMMITTEE

Amendment Number: 4

Bill Number: (SSB1/JUD)

Sponsor: Adams Date: 2-5-97

Logged In By: P. Sepulveda