

2018 Regular Session

HOUSE BILL NO. 236

BY REPRESENTATIVE IVEY

PUBLIC SFTY/CORRECTIONS: Enacts the Inmate Rehabilitation and Computer Technology Development Act

1 AN ACT

2 To enact Part XIX of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 15:1199.21 through 1199.36, relative to inmate computer
4 technology development; to enact the Inmate Rehabilitation and Computer
5 Technology Development Act; to provide for the development and administration
6 of the inmate rehabilitation and computer technology development program; to
7 provide for definitions; to provide for legislative findings; to create the inmate
8 rehabilitation and computer technology development advisory council; to provide for
9 the membership of the council; to provide for the powers and duties of the council;
10 to authorize the receipt of per diem by certain members of the council; to provide for
11 the purposes of the program; to provide for the components of the program; to
12 provide for applicability; to provide for inmate eligibility for participation in the
13 program; to provide for selection of eligible inmates; to provide for the duration of
14 the program; to provide criteria for removal from the program; to provide for
15 rulemaking and annual reporting; to provide for the powers, duties, and
16 responsibilities of the Department of Public Safety and Corrections regarding the
17 implementation and administration of the program; to authorize and provide for
18 computer technology development work release programs; to provide for the
19 collection and distribution of inmate wages; to provide for substance abuse

1 counseling and treatment; to provide for mandatory and random drug testing of
2 inmates; and to provide for related matters.

3 Be it enacted by the Legislature of Louisiana:

4 Section 1. Part XIX of Chapter 7 of Title 15 of the Louisiana Revised Statutes of
5 1950, comprised of R.S. 15:1199.21 through 1199.36, is hereby enacted to read as follows:

6 PART XIX. INMATE REHABILITATION AND COMPUTER

7 TECHNOLOGY DEVELOPMENT ACT

8 §1199.21. Short title

9 This Part may be referred to and may be cited as the "Inmate Rehabilitation
10 and Computer Technology Development Act".

11 §1199.22. Legislative findings

12 A. The goals of incarceration in the criminal justice system are:

13 (1) To protect the citizens of the state of Louisiana.

14 (2) To punish conduct which is defined as criminal by the legislature.

15 (3) To deter future conduct which is defined as criminal by the legislature.

16 (4) To rehabilitate offenders so that they may be reintroduced into society
17 as productive law-abiding citizens.

18 B. A few decades ago, computer use was limited to few industries and fewer
19 users.

20 C. During the past twenty-five years, the use of computers in all facets of the
21 workplace has exponentially grown and the largest area of employment growth and
22 occupational opportunity is in the technology sector.

23 D. The global workplace is experiencing a severe shortage of computer
24 technologists. As a result of this workforce shortage, industries which depend upon
25 computer technologists are required to recruit and employ workers who are not
26 Louisiana residents.

27 E. Within the prison system, there are Louisiana residents who have been
28 convicted of nonviolent offenses who could be trained as computer technologists to
29 fill the workforce demand.

1 F. The legislature recognizes that an essential component of reducing
2 recidivism is providing an individual with the necessary occupational skills to afford
3 him the opportunity to earn a living, support his family, and contribute to his
4 community.

5 G. The legislature also recognizes that in addition to skills development, it
6 is absolutely essential to provide proper substance abuse counseling, mentoring, and
7 other programs to assist individuals as they return to their communities.

8 H. With the goals of protecting the public, reducing recidivism,
9 rehabilitation, and improving the technical workforce of the state of Louisiana, the
10 Louisiana Legislature enacts the Inmate Rehabilitation and Computer Technology
11 Development Act.

12 §1199.23. Definitions

13 As used in this Part, the following words have the following meanings:

14 (1) "Access" means to program, to execute programs on, to communicate
15 with, store data in, retrieve data from, or otherwise make use of any resources,
16 including data or programs, of a computer, computer system, or computer network.

17 (2) "Computer" includes an electronic, magnetic, optical, or other high-speed
18 data processing device or system performing logical, arithmetic, and storage
19 functions, and includes any property, data storage facility, or communications
20 facility directly related to or operating in conjunction with such device or system.

21 "Computer" shall not include an automated typewriter or typesetter, a machine
22 designed solely for word processing, or a portable hand-held calculator, nor shall
23 "computer" include any other device which might contain components similar to
24 those in computers but in which the components have the sole function of controlling
25 the device for the single purpose for which the device is intended.

26 (3) "Computer network" means a set of related, remotely connected devices
27 and communication facilities including at least one computer system with capability
28 to transmit data through communication facilities.

1 (4) "Computer program" means an ordered set of data representing coded
2 instructions or statements that, when executed by a computer, cause the computer to
3 process data.

4 (5) "Computer programming" means the process of developing and
5 implementing various sets of instructions to enable a computer to do a certain task.

6 (6) "Computer services" means providing access to or service or data from
7 a computer, a computer system, or a computer network, and also includes but is not
8 limited to data processing services, Internet services, electronic mail services,
9 electronic message services, or information or data stored in connection therewith.

10 (7) "Computer software" means a set of computer programs, procedures, and
11 associated documentation concerned with operation of a computer system.

12 (8) "Computer system" means a set of functionally related, connected or
13 unconnected, computer equipment, devices, or computer software.

14 (9) "Computer technologist" is a person certified by the department in
15 computer technology in any of the following: digital arts, computer gaming,
16 information technology infrastructure, cyber security, computer numeric control
17 (CNC), computer programming, computer network development, computer software
18 development, development of computer systems or any other technology using
19 computers.

20 (10) "Council" means the Inmate Rehabilitation and Computer Technology
21 Development Advisory Council.

22 (11) "Department" means the Department of Public Safety and Corrections.

23 (12) "Program" means the Inmate Rehabilitation and Computer Technology
24 Development Program operated by the Department of Public Safety and Corrections
25 as authorized by the provisions of this Part.

26 (13) "Secretary" means the secretary of the Department of Public Safety and
27 Corrections.

1 (14) "Source code" means a fundamental component of a computer program
2 created by a technologist consisting of commands which are compiled or assembled
3 into an executable computer program.

4 §1199.24. Inmate Rehabilitation and Computer Technology Development Advisory

5 Council; creation; members; powers and duties

6 A. The Inmate Rehabilitation and Computer Technology Development
7 Advisory Council is hereby created within the Department of Public Safety and
8 Corrections.

9 B. The council shall be domiciled in East Baton Rouge Parish.

10 C. The council shall be comprised of thirteen members.

11 D. Seven members of the council shall be comprised as follows:

12 (1) The secretary of the Department of Public Safety and Corrections, or his
13 designee.

14 (2) The executive director of the Louisiana District Attorneys Association,
15 or his designee.

16 (3) The executive director of the Louisiana Sheriffs Association, or his
17 designee.

18 (4) The secretary of the Department of Education, or his designee.

19 (5) The president of the Louisiana Community and Technical College
20 System, or his designee.

21 (6) The president of the Senate shall appoint one member.

22 (7) The speaker of the House of Representatives shall appoint one member.

23 E. The governor shall appoint six members in accordance with the following
24 provisions:

25 (1) One member shall be appointed from a list of three nominees submitted
26 by the Louisiana Association of Business and Industry.

27 (2) One member shall be appointed from a list of three nominees submitted
28 by the digital arts industry.

1 (3) One member shall be appointed from a list of three members nominated
2 by the computer numeric control (CNC) industry.

3 (4) One member shall be appointed from a list of three members nominated
4 by the information technology infrastructure industry.

5 (5) One member shall be appointed from a list of three members nominated
6 by the computer gaming industry.

7 (6) One member shall be appointed from a list of three members nominated
8 by the cyber security industry.

9 F. Members, other than the secretaries, or their designees, or employees of
10 the state, may receive a per diem of seventy-five dollars for each day spent in actual
11 attendance of meetings of the council. Members may also receive a mileage
12 allowance for mileage traveled in attending meetings of the council. The mileage
13 allowance shall be fixed by the council in an amount not to exceed the mileage rate
14 for state employees.

15 G. Six members shall constitute a quorum, and all actions of the council shall
16 require the affirmative vote of at least six members.

17 H. The governor shall appoint the chairman of the council, and the council
18 shall annually elect a vice chairman from among its members.

19 I. The council shall meet at least quarterly and may meet upon the call of the
20 chairman or any three members. Meetings of the council shall be open to the public
21 in accordance with law.

22 J. A vacancy on the council shall be filled in the same manner as the original
23 appointment.

24 K. Appointed members of the council shall serve four-year terms.

25 L. The secretary shall provide the council with necessary clerical personnel.

26 M. The council shall serve as an advisory body to the secretary on the
27 administration of the program as authorized by this Part.

28 §1199.25. Administration of program; purposes

29 A. The secretary shall administer the provisions of this Part.

1 B. The department shall operate the Inmate Rehabilitation and Computer
2 Technology Development Program for the following purposes:

3 (1) To provide inmates with employment skills, job training, and
4 employment once they have completed the program.

5 (2) To develop a workforce of computer technologists who are equipped and
6 trained to operate computer systems, software and website design, program
7 computers, and provide any other computer related services.

8 (3) To provide inmates with the necessary substance abuse counseling,
9 mentoring, and other programs to assist them in returning to their communities with
10 a focus on breaking the cycle of substance abuse, criminal behavior, and violence.

11 (4) To reduce the rate of recidivism by providing inmates with the necessary
12 occupational training, educational opportunities, and substance abuse counseling to
13 allow them to have meaningful alternatives to criminal behavior and substance
14 abuse.

15 C.(1) The department may enter into cooperative endeavors or contracts with
16 and request studies or reports from private citizens, the Louisiana Department of
17 Labor, the Louisiana Department of Education, and the universities and colleges in
18 this state for the purpose of encouraging the development of training facilities to
19 produce computer technologists for employment in Louisiana industries.

20 (2) If the department enters into cooperative endeavors or contracts or
21 receive studies or reports as provided in Paragraph (1) of this Subsection, it shall
22 transmit the summary and the reports to the Louisiana Legislature, the Legislative
23 Fiscal Office, and the persons or entities which made the recommendations quarterly
24 the first year, bi-annually the second year and thereafter by April first of each year.

25 D. The department may enter into cooperative endeavors or contracts with
26 the Louisiana Department of Labor, the Louisiana Department of Education,
27 software or computer companies, representatives of the computer technology
28 community, or any other applicable industry representative's training facilities, and
29 employers to provide the intensive training programs necessary for proper

1 certification or licensing of computer technologists as authorized by the provisions
2 of this Part.

3 E. The department may enter into cooperative endeavors or contracts with
4 service providers to provide substance abuse treatment and counseling or halfway
5 housing to inmates who participate in the program.

6 F. In the administration of this program, the secretary, with the assistance of
7 the council shall:

8 (1) Make an annual report to the legislature regarding the program. The
9 report shall include at a minimum:

10 (a) Recommendations for all needed changes in the law regarding the
11 operation and administration of the program.

12 (b) A complete report on the receipt and expenditure of all funds received
13 by the department for operation of the program.

14 (c) Comprehensive data regarding the number of inmates who are enrolled
15 in the program, have graduated from the program, and who have been assigned to
16 computer technology development work release.

17 (2)(a) Establish, and modify as necessary, a plan of organization to
18 administer the program efficiently and thoroughly.

19 (b) The plan of organization shall provide for the capacity to:

20 (i) Administer the granting of cooperative endeavors or contracts.

21 (ii) Analyze and review investigative and audit reports and findings.

22 (iii) Provide for enforcement of department rules or regulations as is
23 necessary to provide for the efficient and thorough operation of the program.

24 (3) Approve, prior to its presentation to the legislature and after
25 appropriation but prior to allocation, the budget for the administration and operation
26 of the program.

27 (4) Issue a written response to any formal request from the governor and the
28 legislature or any committee thereof.

1 (5) Appear before any committee of the legislature upon request of the
2 president of the Senate, the speaker of the House of Representatives, or the chairman
3 of any legislative committee.

4 (6) Prepare and submit for review to the Joint Legislative Committee on the
5 Budget on or before March first of each year an annual financial report which
6 outlines the expenditures of all funds for the previous calendar year.

7 (7) Collect, prepare, and submit an annual report to the legislative auditor on
8 June thirtieth each year.

9 G.(1) The secretary with advice from the council shall coordinate with any
10 other departments or public or private entities to develop the necessary computer
11 safeguards and security measures to implement the provisions of this Part and to
12 protect the public and employers utilizing the workforce produced by these
13 provisions of law.

14 (2) The program shall be subject to an independent audit from the
15 information technology (IT) infrastructure industry to ensure security measures are
16 in place to protect the public and employers utilizing the workforce produced by
17 these provisions of law.

18 H. The secretary shall coordinate with the secretary of the Louisiana
19 Department of Labor to ensure that the administration of the program as provided by
20 this Part and the programs administered by the Louisiana Department of Labor do
21 not provide duplicative or conflicting services to the same individuals. All efforts
22 shall be coordinated and consistent with R.S. 23:1 et seq.

23 §1199.26. Curriculum

24 The council shall advise the department on the development of a curriculum
25 which will provide training in computer programming, computer system
26 development, software development, code writing, network design, and any other
27 computer related skills.

1 §1199.27. Rulemaking2 A.(1) The secretary, with the advice of the council, shall adopt rules
3 necessary to implement the provisions of this Part.4 (2) In order to efficiently implement the provisions of this Part, if the
5 secretary has previously adopted rules or regulations which can be used to satisfy the
6 requirements of this Part, the secretary shall not be required to adopt new or
7 duplicative rules or regulations. The secretary, with the advice of the council, may
8 designate previously adopted rules or regulations as sufficient to implement the
9 provisions of this Part.10 B. The rules shall include but not be limited to:11 (1) Guidelines and criteria for eligibility to participate in the program.12 (2) Guidelines and criteria for continued participation and successful
13 completion of the program.14 (3) Guidelines for proper documentation and certification for computer
15 technology specialities upon completion of the program.16 (4) Guidelines for transportation to and from work projects.17 (5) Guidelines for the supervision, custody, and control of inmates
18 participating in the program.19 (6) Guidelines for establishing necessary security and safety provisions
20 regarding participation in the program.21 (7) Guidelines for the establishment and maintenance of inmate
22 compensation and savings accounts for participating in the program.23 (8) Procedures and guidelines for monitoring the program, including annual
24 on-site audits.25 (9) Qualifications and training of staff.26 (10) Guidelines for the graduates of the Inmate Rehabilitation and Computer
27 Technology Development Program.28 (11) Guidelines for determining inmate selection for participation in the
29 program in accordance with this Part.

1 (12) Criteria for the selection and authorization of educational institutions,
2 training facilities, and employers to provide intensive training programs necessary
3 for proper certification and licensing of computer technologists.

4 (13) Criteria for the selection and authorization of service providers to
5 provide substance abuse treatment and counseling or halfway housing to inmates
6 who participate in the program.

7 (14) Guidelines for the administration of mandatory and random drug testing
8 for controlled dangerous substances in accordance with this Part.

9 (15) Guidelines for removal from the program.

10 C. All rules shall be adopted pursuant to the provisions of the Administrative
11 Procedure Act and shall be subject to legislative oversight by the House Committee
12 on the Administration of Criminal Justice and the Senate Committee on Judiciary B.
13 §1199.28. Inmate eligibility for program; prohibitions

14 A. An inmate may be eligible for participation in the program for any of the
15 following:

16 (1) The inmate is sentenced to the custody of the Department of Public
17 Safety and Corrections to serve seven years or less for a first or second offense for
18 possession of a controlled dangerous substance as provided for in the Uniform
19 Controlled Dangerous Substances Law.

20 (2) The inmate is sentenced to the custody of the Department of Public
21 Safety and Corrections to serve seven years or less for a first or second offense for
22 distribution, dispensing, or possession with intent to produce, manufacture,
23 distribute, or dispense a controlled dangerous substance as provided for in the
24 Uniform Controlled Dangerous Substances Law.

25 (3) The offender is sentenced to the custody of the Department of Public
26 Safety and Corrections to serve seven years or less for a nonviolent first felony
27 offense.

28 B. Prior to acceptance into the program, an inmate shall submit to a drug test
29 for the presence of controlled dangerous substances administered by the department.

1 The inmate shall test negative for the presence of controlled dangerous substances
2 in order to be eligible for participation in the program.

3 C. An inmate convicted of a sex offense as defined in R.S. 15:541 shall not
4 be eligible for participation in the program.

5 §1199.29. Eligible inmate selection and participation in program

6 A. An inmate who is eligible to participate in the program as provided for
7 by this Part may be considered for participation in the program if all of the following
8 occur:

9 (1) The staff at the adult reception and diagnostic centers, after a thorough
10 evaluation, determine that the offender is suitable and appropriate for participation
11 in the program.

12 (2) The secretary, or his designee, determines that the inmate meets the
13 guidelines and criteria established by rule for participation in the program.

14 (3) The secretary, or his designee, after an evaluation, determines that the
15 inmate is particularly likely to respond affirmatively to participation in the program.

16 (4) The inmate meets other conditions of participation or rules adopted as
17 provided by the provisions of this Part.

18 (5) The inmate voluntarily enrolls in the program after having been advised
19 by the department of the rules and regulations governing participation in the
20 program.

21 B. The participating inmate shall be evaluated by the program staff on a
22 continual basis. The evaluation shall include the performance of the inmate while
23 participating in the program, the likelihood of successful completion of the program,
24 the likelihood of successful employment following completion of the program, and
25 other factors deemed relevant by the secretary, the council, or the program staff. The
26 evaluation shall provide the basis for any recommendations by the department upon
27 the completion of the program by the inmate.

28 C. Violation of any departmental or program rules or regulations may subject
29 the inmate to removal from the program by the department.

1 §1199.30. Computer technology development work opportunities for graduates of
2 program administered by the department

3 A. Notwithstanding the provisions of R.S. 15:711 or 1111 or any other
4 provision of law to the contrary, an inmate who has graduated from the program and
5 obtained the proper certification or licensing as a computer technologist may
6 participate in a computer technology development work opportunity program
7 administered by the department. The work opportunity program shall consist of two
8 components:

9 (1) Computer technology development work release.

10 (2) Computer technology development work while incarcerated.

11 B. Computer technology development work opportunity shall be for inmates
12 who have graduated from the Inmate Rehabilitation and Computer Technology
13 Development Program and have been certified or licensed as computer technologists.

14 C. The department shall designate and adapt facilities for the purpose of
15 housing inmates with computer technology development work opportunity
16 privileges, or it may arrange and contract for other facilities, for inmates employed
17 in the area.

18 D. Every inmate with computer technology development work opportunity
19 privileges shall be liable for the cost of his room, clothing, and other necessary
20 expenses of his employment or placement unless other means of payment are
21 approved by the department.

22 E. The wages of any inmate so employed shall be collected by the secretary
23 or his designated agent, shall be deposited in a public banking institution, and a
24 ledger showing the financial status of each inmate on the program shall be kept.

25 F. The wages of each inmate shall be disbursed by the department for the
26 following purposes and in the order stated:

27 (1) The expenses for the board of the inmate including food and clothing.

28 (2) Necessary travel expenses to and from work and other incidental
29 expenses of the inmate.

1 (3) Any tuition, books, or other costs associated with the program which are
2 required to be paid by participants in the program.

3 (4) Any necessary fees for the examination for certification or licensing in
4 a craft.

5 (5) Any certification or licensing fees required to become a computer
6 technologist.

7 (6) Any court-ordered child support owed by the inmate. The support may
8 be paid in installments approved by the department.

9 (7) Any court-ordered restitution, or restitution owed to the department, or
10 any other obligations acknowledged by the inmate in writing, or which have been
11 reduced to judgment. The obligations may be paid in installments approved by the
12 department.

13 (8) Any drug testing as required by the provisions of this Part.

14 (9) The balance, if any, to the inmate upon his discharge.

15 G.(1) The wages of an inmate participating in the computer skills work
16 opportunity program on work release shall not be less than the customary wages for
17 an employee performing similar services.

18 (2) The wages of an inmate participating in the computer skills work
19 opportunity program while incarcerated shall be established by the council.

20 H. Deductions for room, board, and other administrative costs resulting from
21 participation in a computer technology development work opportunity program
22 authorized by this Section shall not exceed seventy-five percent of the wages
23 received by an inmate.

24 §1199.31. Traditional work release programs not affected

25 Participation in computer technology development work opportunity
26 programs as authorized by the provisions of R.S. 15:1199.30 shall not be construed
27 to prohibit an inmate from participating in a work opportunity program authorized
28 by the provisions of R.S. 15:711 or 1111 if the inmate is otherwise eligible for
29 participation. However, only those inmates who have graduated from the program

1 and have been certified or licensed as computer technologists may participate in
2 computer technology development work opportunity as authorized by the provisions
3 of R.S. 15:1199.30.

4 §1199.32. Duration of program

5 A.(1) Eligible inmates who have been admitted to the program shall
6 participate in an intensive training program to become a computer technologist.

7 (2) Upon completion of the necessary computer technology training, the
8 inmate shall qualify for any necessary examination to become a computer
9 technologist as determined by the department.

10 (3) The inmate shall take any necessary examination required for
11 certification as a computer technologist as determined by the department.

12 (4) Upon successful completion of any certification as a computer
13 technologist, the inmate shall be eligible to begin a computer technology
14 development work opportunity program.

15 B.(1) After working in the technology development work opportunity
16 program on work release for a length of time determined by the department, the
17 inmate shall be placed upon supervised parole for the remainder of his sentence. It
18 shall be a condition of the inmate's supervised parole that he maintain employment
19 as a computer technologist at a location approved by the department.

20 (2) Any inmate participating in the computer technology development work
21 opportunity program who is incarcerated shall be permitted to continue to work in
22 the program unless he is prohibited from further participation as provided by this
23 Part.

24 §1199.33. Removal from program

25 A. An inmate may be removed from the program for any of the following:

26 (1) Willful failure to comply with the rules of the program.

27 (2) Willful failure to participate in any educational or skills development
28 component of the program.

1 (3) Any action taken which results in disciplinary proceedings by the
2 department.

3 (4) Failure to take examinations necessary to receive certification or
4 licensing as a computer technologist.

5 (5) Failure to submit to random drug testing as provided for by the
6 department.

7 (6) Testing positive for any controlled dangerous substances as provided for
8 by the provisions of this Part.

9 (7) Any other reason deemed by the department to render the inmate
10 ineligible to complete the program.

11 B. Removal from the program shall be at the discretion of the department
12 based upon criteria developed by rules or regulations adopted by the department.

13 C. An inmate removed from the program shall be returned to the custody of
14 the department for the remainder of his sentence.

15 D. An inmate removed from the program shall forfeit any diminution of
16 sentence or good time earned as a result of participation in the program.

17 §1199.34. Substance abuse treatment and counseling

18 A. The department may enter into cooperative endeavors or contracts with
19 the Louisiana Department of Health, educational institutions, training facilities, and
20 service providers to provide for substance abuse treatment and counseling for
21 inmates participating in the program.

22 B. The department with the assistance of the council shall determine the
23 amount of substance abuse treatment and counseling that inmates who participate in
24 the program shall receive.

25 §1199.35. Authorized providers for intensive training

26 The department, with the assistance of the council, shall develop a list of
27 educational institutions, industry representative partners, training facilities, and
28 employers authorized to provide intensive training programs necessary for proper

1 certification and licensing of computer technologists as authorized by the provisions
 2 of this Part.

3 §1199.36. Drug testing

4 A. Once an inmate is accepted into the program, the inmate agrees to random
 5 drug testing to verify that he is drug free. Random drug testing shall be performed
 6 in accordance with rules or regulations adopted by the department.

7 B. If an inmate tests positive for a controlled dangerous substance as
 8 provided for in Subsection A of this Section, he may be removed from the program
 9 and returned to the custody of the department for the remainder of his sentence.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 236 Engrossed

2018 Regular Session

Ivey

Abstract: Creates the Inmate Rehabilitation and Computer Technology Development Act.

Proposed law creates the Inmate Rehabilitation and Computer Technology Development Act to be administered by the Dept. of Public Safety and Corrections.

Proposed law creates the inmate rehabilitation and workforce development advisory council to function as an advisory body for DPS&C in administering the program.

Proposed law defines "computer technologist" as a person certified by the department in computer technology in any of the following: digital arts, computer gaming, information technology infrastructure, cyber security, computer numeric control (CNC), computer programming, computer network development, computer software development, development of computer systems or any other technology using computers.

Proposed law provides that the council shall be composed of 13 members, selected from various computer technology industry representatives, the legislature, and lists submitted to the governor by certain associations.

Proposed law provides that members, other than the secretaries, or their designees, or employees of the state, may receive a \$75 per diem for each day spent in actual attendance of meetings of the council. Members may also receive a mileage allowance for mileage traveled in attending meetings.

Proposed law provides that DPS&C may enter into cooperative endeavors or contracts with the La. Dept. of Labor, the La. Dept. of Education, and the La. community and technical colleges, educational institutions, training facilities, computer technology representatives, and employers to provide the intensive training programs necessary for proper certification or licensing of skilled craftsmen and to provide substance abuse treatment and counseling or halfway housing to inmates who participate in the program.

Proposed law provides for the administration of this program by the secretary and the assistance of the council.

Proposed law provides that DPS&C shall adopt all rules necessary to implement the provisions of proposed law and that those rules shall be adopted in accordance with the APA.

Proposed law provides that if the secretary has previously adopted rules or regulations which can be used to satisfy the requirements of proposed law, the secretary shall not be required to adopt new or duplicative rules or regulations.

Proposed law provides criteria for an inmate's eligibility for participation in the program.

Proposed law provides that a person convicted of a crime of violence shall not be eligible to participate in the program.

Proposed law provides separate criteria for an inmate to be considered for participation in the program.

Proposed law further provides that the participating inmate shall be evaluated by the program staff on a continual basis.

Proposed law provides that eligible inmates who have been admitted to the program shall participate in intensive computer technology training. Upon completion of the program, the inmate shall qualify for any necessary examination to become a computer technologist. The inmate shall take any necessary examination for certification as a computer technologist and shall begin a workforce development work release program. Upon completion of the program, the inmate shall be placed upon supervised parole for the remainder of his sentence.

Proposed law provides criteria for the removal of the inmate from the program.

Proposed law provides that prior to acceptance into the program, an inmate shall submit to a drug test for the presence of controlled dangerous substances and, once accepted into the program, he agrees to random drug testing to verify that he remains drug free.

Proposed law authorizes DPS&C to administer a work release program for graduates of the Inmate Rehabilitation and Computer Technology Program.

Proposed law provides for the distribution of the wages earned by the inmate. Proposed law provides that the wages of an inmate so employed shall be not less than the customary wages for an employee performing similar services. Deductions for room, board, and other administrative costs resulting from participation in a workforce development work release program shall not exceed 75% of the wages received by an inmate.

Proposed law provides that a report be made quarterly the first year, bi-annually the second year and annually by June 30th of each year thereafter to the legislature, reporting on the program.

(Adds R.S. 15:1199.21-1199.36)