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Martin
4/6/17

SENATE CS FOR HOUSE BILL NO. 16(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES THOMPSON, Saddler, Tarr, Gara, Wool, Millett, Stutes, Foster, Wilson, Johnson, Claman, Guttenberg, LeDoux, Grenn, Tuck, Ortiz, Rauscher, Kawasaki, Sullivan-Leonard, Chenault, Knopp, Fansler, Tilton, Josephson, Kito, Spohnholz, Kopp, Birch, Drummond, Parish

SENATORS Giessel, Micciche, Costello

A BILL

FOR AN ACT ENTITLED

"An Act relating to training regarding disabilities for police officers, probation officers, parole officers, correctional officers, and village public safety officers; relating to rights and responsibilities for drivers when encountering or being stopped by a peace officer; and relating to a voluntary disability designation on a state identification card and a driver's license."

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

*** Section 1.** AS 18.65.220 is amended to read:

Sec. 18.65.220. Powers. The council has the power to

(1) adopt regulations for the administration of AS 18.65.130 -
18.65.290;

(2) establish minimum standards for employment as a police officer, probation officer, parole officer, municipal correctional officer, and correctional officer in a permanent or probationary position and certify persons to be qualified as

1 police officers, probation officers, parole officers, municipal correctional officers, and
2 correctional officers under AS 18.65.130 - 18.65.290;

3 (3) establish minimum criminal justice curriculum requirements for
4 basic, specialized, and in-service courses and programs for schools operated by or for
5 the state or a political subdivision of the state for the specific purpose of training
6 police recruits, police officers, probation officers, parole officers, municipal
7 correctional officers, and correctional officers; **the curriculum requirements**
8 **established under this paragraph must include training in**

9 **(A) recognizing people with disabilities;**

10 **(B) appropriate interactions with persons with disabilities;**

11 **(C) resources available to persons with disabilities and to**
12 **those interacting with persons with disabilities; and**

13 **(D) the requirements of Title II of the Americans with**
14 **Disabilities Act, 42 U.S.C. 12131 - 12165;**

15 (4) consult and cooperate with municipalities, agencies of the state,
16 other governmental agencies, universities, colleges, and other institutions concerning
17 the development of police officer, probation officer, parole officer, municipal
18 correctional officer, and correctional officer training schools and programs of criminal
19 justice instruction;

20 (5) employ an administrator and other persons necessary to carry out
21 its duties under AS 18.65.130 - 18.65.290;

22 (6) investigate when there is reason to believe that a police officer,
23 probation officer, parole officer, municipal correctional officer, or correctional officer
24 does not meet the minimum standards for employment; in connection with the
25 investigation the council may subpoena persons, books, records, or documents related
26 to the investigation and require answers in writing under oath to questions asked by
27 the council or the administrator;

28 (7) charge and collect a fee of \$50 for processing applications for
29 certification of police, probation, parole, municipal correctional, and correctional
30 officers.

31 * **Sec. 2.** AS 18.65.310 is amended by adding a new subsection to read:

(m) The department shall provide a method for a person to designate voluntarily on an identification card that the person has a disability, including a cognitive, mental, neurological, or physical disability, or a combination of them. The department shall create a discreet symbol to place on the identification card of a person requesting the designation. The method must provide a means by which the person may cancel the designation. The department may not charge a fee solely for the designation. To receive the designation, the person shall provide proof of the disability from a person licensed as a physician or physician assistant under AS 08.64, as a naturopath under AS 08.45, as an advanced nurse practitioner under AS 08.68, or as a licensed psychologist under AS 08.86. Notwithstanding (a) of this section, the department may charge a fee of \$5 for replacement of a valid identification card with a new identification card with a disability designation and may charge a fee of \$5 for replacement of an identification card with a disability designation with a new identification card without a disability designation.

* **Sec. 3.** AS 18.65.670(c) is amended to read:

(c) The commissioner of public safety may adopt regulations related to village public safety officers, including minimum standards and training, criteria for community, municipality, or corporation participation, and the interaction between the Department of Public Safety and village public safety officers. Regulations adopted by the commissioner of public safety under this subsection may not prohibit village public safety officers who otherwise meet minimum standards and training from carrying firearms. **If the commissioner of public safety adopts regulations regarding training for village public safety officers, at a minimum, that training must include disability training that provides training in the subjects set out in AS 18.65.220(3).** The commissioner of corrections may adopt regulations related to the functions of village public safety officers providing probation and parole supervision.

* **Sec. 4.** AS 28.05.011 is amended by adding a new subsection to read:

(c) If the department publishes a manual related to the safe and lawful operation of a motor vehicle, the manual must include the rights and responsibilities of drivers when encountering or being stopped by a peace officer.

1 * **Sec. 5.** AS 28.15.111 is amended by adding a new subsection to read:

2 (d) The department shall provide a method, at the time that a driver's license is
3 issued, by which the owner of a license may voluntarily designate on the license that
4 the owner has a disability, including a cognitive, mental, neurological, or physical
5 disability, or a combination of them. The department shall create a discreet symbol to
6 place on the driver's license of a person requesting the designation. The method must
7 provide a means by which the owner may cancel the designation. The department may
8 not charge a fee solely for the designation. To receive the designation, the person shall
9 provide proof of the disability from a person licensed as a physician or physician
10 assistant under AS 08.64, as a naturopath under AS 08.45, as an advanced nurse
11 practitioner under AS 08.68, or as a licensed psychologist under AS 08.86. The
12 department may charge a fee of \$5 for replacement of a valid driver's license with a
13 new driver's license with a disability designation and may charge a fee of \$5 for
14 replacement of a driver's license with a disability designation with a new driver's
15 license without a disability designation.