

SENATE BILL NO. 145

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY SENATORS HALFORD, Ward, Lincoln, Olson, Austerman, Hoffman

Introduced: 3/15/01

Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the expansion of the village public safety officer program to include**
2 **the provision of probation and parole supervision services, and to retirement benefits**
3 **for village public safety officers."**

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

5 * **Section 1.** AS 18.65.670 is amended to read:

6 **Sec. 18.65.670. Village public safety officers program.** (a) There is created
7 in the Department of Public Safety a village public safety officer program to assist
8 local governments and villages through nonprofit regional corporations to appoint,
9 train, supervise, and retain persons to serve as village public safety officers to
10 administer functions relative to

11 **(1) the protection of life and property in rural areas of the state; and**
12 **(2) providing probation and parole supervision to persons under**
13 **supervision by communicating with and monitoring the activities and progress of**
14 **these persons at the direction of probation and parole officers.**

1 (b) With funds appropriated for that purpose, the commissioner of public
 2 safety shall provide grants to nonprofit regional corporations for village public safety
 3 officers. **The commissioner of public safety shall coordinate with the**
 4 **commissioner of corrections when providing grants under this section, and the**
 5 **commissioners shall jointly execute an agreement with the nonprofit regional**
 6 **corporations.**

7 (c) The commissioner of public safety may adopt regulations related to village
 8 public safety officers, including minimum standards and training, criteria for
 9 community or corporation participation, and the interaction between the Department
 10 of Public Safety and village public safety officers. **The commissioner of corrections**
 11 **may adopt regulations related to the functions of village public safety officers**
 12 **providing probation and parole supervision.**

13 * **Sec. 2.** AS 18.65.670 is amended by adding a new subsection to read:

14 (d) A village public safety officer employed under the village public safety
 15 officer program established by this section is a member of the public employees'
 16 retirement system under AS 39.35.

17 * **Sec. 3.** AS 39.35.120(a) is amended to read:

18 (a) An employee of the state shall be included in this system upon
 19 commencement of employment with the state, or on January 1, 1961, whichever is
 20 later. Unless an employee has elected to participate in the optional university
 21 retirement program under AS 14.40.661 - 14.40.799, an employee of a political
 22 subdivision or public organization that becomes an employer shall be included in the
 23 system on the effective date of the employer's participation or the date of the
 24 employee's commencement of employment with the employer, whichever is later. **A**
 25 **village public safety officer employed under the village public safety officer**
 26 **program established in AS 18.65.670 is included in this system on the effective**
 27 **date of this Act or upon the officer's commencement of employment with the**
 28 **employer, whichever is later.**

29 * **Sec. 4.** AS 39.35.310 is amended by adding a new subsection to read:

30 (f) A village public safety officer employed by an employer is entitled to
 31 credited service for service as a village public safety officer under the village public

1 safety officer program before the effective date of this Act. To receive credited
 2 service under this subsection, the village public safety officer shall claim the service.
 3 A member who claims credited service under this subsection is indebted to the system.
 4 The amount of the indebtedness is the full actuarial cost of providing benefits based on
 5 the service as a village public safety officer. Interest as prescribed by regulation
 6 accrues on this indebtedness. Any outstanding indebtedness that exists at the time a
 7 person is appointed to retirement necessitates an actuarial adjustment to the benefits
 8 payable based upon prior service as a village public safety officer.

9 * **Sec. 5.** AS 39.35.342(a) is amended to read:

10 (a) A vested employee is entitled to credited service for employment as a
 11 village public safety officer under the program established under AS 18.65.670 **for**
 12 **which the employee has not otherwise received credited service under this**
 13 **system.** An employee is not entitled to credited service for employment as a village
 14 public safety officer unless the employee was employed as a village public safety
 15 officer for at least one year. The credited service allowed may not exceed an
 16 aggregate period of five years. Benefits are not payable on credited service for village
 17 public safety officer service **under this section** unless the employee makes retroactive
 18 contributions to the system for the period of time that service credit is claimed.

19 * **Sec. 6.** AS 39.35.680(17) is amended to read:

20 (17) "employer" means

21 **(A)** the State of Alaska;

22 **(B) a nonprofit regional corporation, but only with respect**
 23 **to village public safety officers employed by the corporation under**
 24 **AS 18.65.670;** or

25 **(C)** a political subdivision or public organization of the state
 26 that participates in the system;

27 * **Sec. 7.** AS 39.35.680(28) is amended to read:

28 (28) "peace officer" or "fire fighter" means an employee occupying a
 29 position as a peace officer, chief of police, correctional officer, correctional
 30 superintendent, fire fighter, fire chief, or probation officer, **but does not include a**
 31 **village public safety officer employed by a village public safety officer program**

1 **established under AS 18.65.670;**

2 * **Sec. 8.** The uncodified law of the State of Alaska is amended by adding a new section to
3 read:

4 APPLICABILITY. This Act does not modify the terms of a contract between the state
5 and a nonprofit regional corporation in existence on the effective date of this Act.