

**SENATE BILL NO. 7**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

**BY SENATOR THERRIAULT**

**Introduced: 1/8/01**

**Referred: Community and Regional Affairs, Judiciary, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to employment of constables as peace officers in the unorganized**  
2 **borough."**

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

4 \* **Section 1.** AS 18.65 is amended by adding a new section to read:

5 **Sec. 18.65.015. Commissioner of public safety may appoint constables.**

6 The commissioner of public safety may appoint constables to serve as peace officers  
7 in an unorganized borough. Each constable appointed shall be an employee of the  
8 Department of Public Safety, shall be charged with the enforcement of all criminal  
9 laws of the state, and has the powers of a peace officer of the state, including those  
10 granted by statute or traditionally exercised by peace officers, except that the  
11 commissioner shall limit the offenses that constables may investigate without the  
12 assistance of members of the state troopers. The commissioner shall provide  
13 constables with standard uniforms, vehicles, supplies, and equipment necessary to  
14 carry out the functions of constables as peace officers of the state. To the extent

1 permitted by law, the commissioner may give preference to the appointment as a  
 2 constable for an area of the state to residents of that area. Constables appointed for an  
 3 area do not have the right to transfer to another area of the state unless the  
 4 commissioner determines that the transfer serves the best interests of the state.  
 5 Involuntary permanent transfers of constables from an area to another area of the state  
 6 are disfavored and should only be made when the commissioner finds that the best  
 7 interests of the state will be served by the transfer.

8 \* **Sec. 2.** AS 18.65.290(6) is amended to read:

9 (6) "police officer" means

10 (A) a full-time employee of the state or a municipal police  
 11 department with the authority to arrest and issue citations; detain a person  
 12 taken into custody until that person can be arraigned before a judge or  
 13 magistrate; conduct investigations of violations of and enforce criminal laws,  
 14 regulations, and traffic laws; search with or without a warrant persons,  
 15 dwellings, and other forms of property for evidence of a crime; and take other  
 16 action consistent with exercise of these enumerated powers when necessary to  
 17 maintain the public peace;

18 (B) an officer or employee of the Department of Transportation  
 19 and Public Facilities who is stationed at an international airport and has been  
 20 designated to have the general police powers authorized under  
 21 AS 02.15.230(a);

22 (C) a University of Alaska public safety officer with general  
 23 police powers authorized under AS 14.40.043;

24 **(D) a constable appointed by the commissioner of public**  
 25 **safety under AS 18.65.015;**