

CS FOR HOUSE BILL NO. 106(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 4/13/09

Referred: Rules

Sponsor(s): REPRESENTATIVE JOULE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to village public safety officers."**

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

3 * **Section 1.** AS 18.65.670(a) is amended to read:

4 (a) There is created in the Department of Public Safety a village public safety
5 officer program to assist local governments and villages through nonprofit regional
6 corporations **or municipalities** to appoint, train, supervise, and retain persons to serve
7 as village public safety officers to administer functions relative to

8 (1) the protection of life and property in rural areas of the state; and

9 (2) providing probation and parole supervision to persons under
10 supervision by communicating with and monitoring the activities and progress of these
11 persons at the direction of probation and parole officers.

12 * **Sec. 2.** AS 18.65.670(b) is amended to read:

13 (b) With funds appropriated for that purpose, the commissioner of public
14 safety shall provide grants to nonprofit regional corporations for village public safety
15 officers. **If a nonprofit regional corporation for a rural area declines a grant**

1 **under this subsection, the commissioner may provide the grant to a municipality**
 2 **with a population of less than 10,000 willing to administer the grant for the rural**
 3 **area. Before awarding a grant to a municipality, the commissioner shall consult**
 4 **with the nonprofit regional corporation that declined the grant.** The commissioner
 5 of public safety shall coordinate with the commissioner of corrections when providing
 6 grants under this section, and the commissioners shall jointly execute an agreement
 7 with the nonprofit regional corporations **or municipalities, as appropriate.**

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

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

15 * **Sec. 4.** AS 18.65.670 is amended by adding a new subsection to read:

16 (d) In this section, "rural area" means a community with a population of less
 17 than 1,000 within

18 (1) the unorganized borough; or

19 (2) a borough, if the community is not connected by road to Anchorage
 20 or Fairbanks.

21 * **Sec. 5.** AS 29.35.010 is amended to read:

22 **Sec. 29.35.010. General powers.** All municipalities have the following
 23 general powers, subject to other provisions of law:

24 (1) to establish and prescribe a salary for an elected or appointed
 25 municipal official or employee;

26 (2) to combine two or more appointive or administrative offices;

27 (3) to establish and prescribe the functions of a municipal department,
 28 office, or agency;

29 (4) to require periodic and special reports from a municipal department
 30 to be submitted through the mayor;

31 (5) to investigate an affair of the municipality and make inquiries into

1 the conduct of a municipal department;

2 (6) to levy a tax or special assessment, and impose a lien for its
3 enforcement;

4 (7) to enforce an ordinance and to prescribe a penalty for violation of
5 an ordinance;

6 (8) to acquire, manage, control, use, and dispose of real and personal
7 property, whether the property is situated inside or outside the municipal boundaries;
8 this power includes the power of a borough to expend, for any purpose authorized by
9 law, money received from the disposal of land in a service area established under
10 AS 29.35.450;

11 (9) to expend money for a community purpose, facility, or service for
12 the good of the municipality to the extent the municipality is otherwise authorized by
13 law to exercise the power necessary to accomplish the purpose or provide the facility
14 or service;

15 (10) to regulate the operation and use of a municipal right-of-way,
16 facility, or service;

17 (11) to borrow money and issue evidences of indebtedness;

18 (12) to acquire membership in an organization that promotes
19 legislation for the good of the municipality;

20 (13) to enter into an agreement, including an agreement for
21 cooperative or joint administration of any function or power with a municipality, the
22 state, or the United States;

23 (14) to sue and be sued;

24 (15) to provide facilities or services for the confinement and care of
25 prisoners and enter into agreements with the state, another municipality, or any person
26 relating to the confinement and care of prisoners;

27 **(16) to receive grants from and contract with the Department of**
28 **Public Safety under AS 18.65.670.**