

1 IN THE SENATE

BY SENATOR GILBERT

2 SENATE BILL NO. 43

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act amending Title 16, ACLA 1949 by
7 adding a new Chapter 6 relating to muni-
8 cipal police forces, their powers and
9 duties."

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

11 Section 1. Title 16, ACLA 1949 is hereby amended by adding
12 a new Chapter 6 to be entitled "Municipal Police" containing new
13 sections 16-6-1 through 16-6-7 which shall read as follows:

14 N Sec. 16-6-1. REQUIRING MUNICIPAL POLICE IN CITIES:

15 E (1) A municipal police force consisting of one
16 W or more municipal police officers who shall be American
17 M citizens shall be maintained in every city by and at the
18 A expense of the city.

19 T (2) If a municipality fails to appoint one or
20 E more municipal police officers, the Attorney General of
21 R Alaska may direct the municipality to appoint such police
22 officers, and if the municipality neglects or refuses to
23 appoint municipal police officers upon being directed to do
24 so, the Attorney General may appoint municipal police for
25 that municipality at such salaries as he deems proper.

26 (3) The salaries of municipal constables appoint-
27 ed by the Attorney General shall be paid by the municipali-
28 ty and may be deducted from any funds normally paid to
29 the municipality by the state.

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1 Sec. 16-6-2. NOTIFICATION TO ATTORNEY GENERAL OF
2 EMPLOYMENT OR TERMINATION OF MUNICIPAL POLICE OFFICER. The
3 clerk of a municipality shall forward to the Attorney
4 General notice in writing of the appointment or termination
5 of employment of a municipal police officer within three
6 days of the appointment or termination of employment, as
7 the case may be, provided that no notice need be given if
8 the appointment of the officer is for a period of less than
9 fifteen (15) days. The notice shall state the full name
10 and address of such officer.

11 Sec. 16-6-3. ATTORNEY GENERAL TO PRESCRIBE BADGE.
12 The Attorney General may prescribe the type, size, material
13 and insignia of the badge of office to be worn by municipal
14 police officers.

15 Sec. 16-6-4. ATTORNEY GENERAL TO INITIATE TRAINING
16 PROGRAMS FOR MUNICIPAL POLICE OFFICERS. The Attorney
17 General shall initiate training programs for municipal
18 police officers.

19 Sec. 16-6-5. POWERS OF MUNICIPAL POLICE OFFICERS. A
20 municipal police officer under this Act has all the powers
21 and duties of a state police officer,

22 (1) within the limits of the territory for which
23 he is appointed and

24 (2) within the state when he is acting outside
25 the territory for which he was appointed at the request of

26 (a) the Attorney General or Governor, or

27 (b) a state police officer.

28 Sec. 16-6-6. SERVICE OF MUNICIPAL POLICE ON STATE
29 DUTY:

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(1) The Attorney General may at any time, with the verbal or written consent of the mayor, city manager or chief of police, direct a member of the municipal police force to serve in any part of the state outside the boundaries of the municipality.

(2) The municipality shall be reimbursed by the Attorney General for the salaries and expenses of any municipal police officer serving outside the municipality pursuant to a direction under subsection (1).

10 Sec. 16-6-7. INVESTIGATIONS BY STATE:

11 (1) The Attorney General may notify the
12 mayor, chief of police or city manager either verbally
13 or by writing, that he has assumed the conduct of the
14 investigation or prosecution of a crime committed in or
15 in the vicinity of the municipality, and thereafter a
16 member of the municipal police force

17 (a) shall render to the Attorney
18 General or any member of the state police force
19 charged with the investigation or prosecution
20 of the crime, all possible assistance and in-
21 formation, and

22 (b) shall carry out and obey the
23 orders of the Attorney General or member of
24 the state police force, as the case may be.

25 (2) A municipal police officer upon request of
26 the Attorney General, shall deliver to a person named
27 by the Attorney General all warrants, papers, exhibits,
28 photographs and other information or records in the
29 possession or under the control of the municipal police

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officer dealing with any criminal case that is the subject
of investigation by the state police force.

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