

Original sponsor: Ray

Offered: 4/12/71
Referred: Judiciary

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 1

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Police Standards
7 Council; and providing for an effective date."

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

9 * Section 1. AS 18.65 is amended by adding new sections to read:

10 ARTICLE 2. ALASKA POLICE STANDARDS COUNCIL.

11 Sec. 18.65.130. POLICY. The administration of criminal justice
12 affects the health, safety and welfare of the people of this state, and
13 requires education and training of a professional quality. It is in
14 the public interest that education and training be made available to
15 persons seeking to become police officers, police officers who are
16 serving in a temporary or probationary capacity, and police officers
17 already in regular service.

18 Sec. 18.65.140. CREATION. There is created in the Office of the
19 Governor the Alaska Police Standards Council.

20 Sec. 18.65.150. COMPOSITION OF COUNCIL. The council consists of
21 the following persons:

22 (1) four chief administrative officers or chiefs of police
23 of participating local governments;

24 (2) the commissioner of public safety or his designee;

25 (3) four members of the public at large with at least
26 two from the communities of 2,500 or less.

27 Sec. 18.65.160. APPOINTMENT. The commissioner of public safety
28 or his designee shall serve during his continuance in office. Other
29 members of the council shall be appointed by the governor for terms

1 of four years, except that no member may serve beyond the time he holds
2 the office which made him eligible for appointment. The terms of
3 members initially appointed to the council by the governor shall be two
4 for one year, two for two years, two for three years, and two for four
5 years. A vacancy on the council shall be filled for the remainder of a
6 member's unexpired term in the same manner as the original appointment.

7 Sec. 18.65.170. CHAIRMAN AND VICE CHAIRMAN. The council shall
8 select its chairman and vice chairman annually.

9 Sec. 18.65.180. HOLDING ANOTHER OFFICE. Membership on the council
10 does not disqualify a member from holding any other public office or
11 employment.

12 Sec. 18.65.190. COMPENSATION AND EXPENSES. The members of the
13 council receive no salary, but are entitled to per diem and travel
14 expenses authorized by law for other boards and commissions.

15 Sec. 18.65.200. MEETINGS. The council shall meet at least twice
16 a year. The chairman shall set the time and place of the meeting,
17 either on his own motion or on written request by any three members of
18 the council.

19 Sec. 18.65.210. REPORTS. The council shall make an annual report
20 to the governor and the legislature, and may make other reports it
21 considers necessary.

22 Sec. 18.65.220. POWERS. The council has the power to

23 (1) adopt regulations for the administration of secs. 130 -
24 290 of this chapter;

25 (2) establish minimum educational and training standards
26 for employment as a police officer in permanent, temporary, or proba-
27 tionary positions and certify persons to be qualified as police officers
28 under secs. 130 - 290 of this chapter;

29 (3) establish minimum curriculum requirements for preparatory,

1 in-service and advanced courses and programs for schools operated by
2 or for the state or a political subdivision of the state for the
3 specific purpose of training police recruits or police officers;

4 (4) consult and cooperate with boroughs, municipalities,
5 agencies of the state, other governmental agencies, universities,
6 colleges, and other institutions concerning the development of police
7 training schools and programs of instruction.

8 Sec. 18.65.230. POLICE TRAINING PROGRAMS. The council shall
9 establish and maintain police training programs through such agencies
10 and institutions as the council considers appropriate.

11 Sec. 18.65.240. STANDARDS. (a) No person may be appointed as a
12 police officer, except on a temporary basis, unless the person (1) has
13 satisfactorily completed a preparatory program of police training
14 approved by the council, and (2) possesses other qualifications the
15 council has established for the employment of police officers, including
16 but not limited to minimum age, education, physical and mental stan-
17 dards, citizenship, moral character, and experience. The council shall
18 prescribe the means of presenting evidence of fulfillment of these re-
19 quirements.

20 (b) The council shall issue a certificate evidencing satisfaction
21 of the requirements of (a) of this section to an applicant who satisfies
22 those requirements or who satisfies the requirements of (a)(2) of this
23 section and satisfactorily completes a program or course of instruction
24 in another jurisdiction equivalent in content and quality to that re-
25 quired by the council for approved police education and training
26 programs in this state.

27 Sec. 18.65.250. FINANCIAL ASSISTANCE. (a) The Governor's Planning
28 Council on the Administration of Criminal Justice has the authority
29 to assist participating political subdivisions and police agencies in

1 meeting the costs involved by extending financial assistance for travel,
2 per diem, tuition and other costs.

3 (b) Only those local governments and agencies electing to comply
4 with secs. 130 - 290 of this chapter are eligible for financial assis-
5 tance authorized under AS 44.19.744. This sub-section applies only
6 to those funds made available for providing minimum police standards.

7 Sec. 18.65.260. GRANTS. (a) The council may accept donations of
8 property, both real and personal, and grants of money from a govern-
9 mental unit or public agency, or from an institution or person. An
10 arrangement made under this section shall be detailed in the annual
11 report of the council. The report shall include the identify of the
12 donor, the nature of the transaction, and the conditions of the grant,
13 if any. All money received by the council under this section shall be
14 deposited in the state treasury to the account of the council.

15 (b) The council shall provide for the administration of a grant
16 program authorized in (a) of this section. In the administration of
17 the program the council shall promote the most efficient and economical
18 program for police training, including the maximum utilization of
19 existing facilities and programs to avoid duplication.

20 Sec. 18.65.270. APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT.
21 Secs. 150 - 290 of this chapter shall be administered in compliance
22 with the Administrative Procedure Act (AS 44.62).

23 Sec. 18.65.280. EXEMPTIONS. (a) The commissioner and deputy
24 commissioner of public safety and the chief administrative officer of
25 participating local police agencies are exempt from the requirements
26 of sec. 240 of this chapter.

27 (b) Any municipality with an established police training program
28 may exclude itself from the provisions of this Act by ordinance. The
29 exclusion shall have no effect on eligibility to receive or expend

1 federal or state grants.

2 Sec. 18.65.290. DEFINITIONS. In secs. 130 - 290 of this chapter

3 (1) "council" means the Alaska Police Standards Council;

4 (2) "police officer" means a full-time employee of a police
5 department which is a part of or administered by the state or a political
6 subdivision of the state participating in a program established under
7 secs. 130 - 290 of this chapter, who is responsible for the prevention
8 and detection of crime and the enforcement of the penal, traffic or
9 highway laws of this state.

10 * Sec. 2. AS 44.62.330(a) is amended by adding a new paragraph to read:

11 (34) Alaska Police Standards Council.

12 * Sec. 4. A person serving as a permanently appointed police officer on
13 the effective date of this Act is not required to meet the requirements of
14 AS 18.65.240 as a condition of tenure for continued employment.

15 * Sec. 4. Each agency or local government electing to comply with
16 AS 18.65.130 - 18.65.290 shall notify the governor before July 1, 1971, so
17 that persons from participating local governments may be appointed to the
18 council.

19 * Sec. 5. Sections 1 - 3 of this Act take effect July 1, 1971.

20 * Sec. 6. Section 4 of this Act takes effect on the day after its
21 passage and approval or on the day it becomes law without approval.