

Introduced: 2/4/81
Referred: State Affairs and
Judiciary

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 63

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to 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 18.65.130 is amended to read:

10 Sec. 18.65.130. POLICY. The administration of criminal justice
11 affects the health, safety and welfare of the people of this state, and
12 requires education and training of a professional quality. It is in
13 the public interest that police officers meet minimum standards of
14 employment and training and that education and training be made avail-
15 able to [PERSONS SEEKING TO BECOME POLICE OFFICERS,] police officers
16 [WHO ARE] serving in a [TEMPORARY OR] probationary capacity [,] and
17 police officers already in regular service. It is also in the public
18 interest to encourage the establishment of training programs for per-
19 sons seeking to become police officers.

20 * Sec. 2. AS 18.65.150(1) is amended to read:

21 (1) four chief administrative officers or chiefs of police
22 of [PARTICIPATING] local governments;

23 * Sec. 3. AS 18.65.160 is amended to read:

24 Sec. 18.65.160. APPOINTMENT. The commissioner of public safety
25 or his designee shall serve during his continuance in office. Other
26 members of the council shall be appointed by the governor for staggered
27 terms of four years, except that no member may serve beyond the time he
28 holds the office which made him eligible for appointment. [THE TERMS
29 OF MEMBERS INITIALLY APPOINTED TO THE COUNCIL BY THE GOVERNOR SHALL BE

1 TWO FOR ONE YEAR, TWO FOR TWO YEARS, TWO FOR THREE YEARS, AND TWO FOR
2 FOUR YEARS.] A vacancy on the council shall be filled for the remainder
3 of a member's unexpired term in the same manner as the original appoint-
4 ment.

5 * Sec. 4. AS 18.65.220 is amended to read:

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

7 (1) adopt regulations for the administration of AS 18.65.-
8 130 - 18.65.290;

9 (2) establish minimum employment, educational and training
10 standards for employment as a police officer in permanent [, TEMPORARY,]
11 or probationary positions and certify persons to be qualified as
12 police officers under AS 18.65.130 - 18.65.290;

13 (3) establish minimum curriculum requirements for basic
14 [PREPARATORY], specialized and inservice [AND ADVANCED] courses and
15 programs for schools operated by or for the state or a political
16 subdivision of the state for the specific purpose of training police
17 recruits or police officers;

18 (4) consult and cooperate with boroughs, municipalities,
19 agencies of the state, other governmental agencies, universities,
20 colleges, and other institutions concerning the development of police
21 training schools and programs of instruction;

22 (5) employ an administrator and other persons necessary to
23 carry out its duties under AS 18.65.130 - 18.65.290.

24 * Sec. 5. AS 18.65.240(a) is amended to read:

25 (a) No person may be appointed as a police officer, except on a
26 probationary [TEMPORARY] basis, unless the person (1) has satisfactorily
27 completed a basic [PREPATORY] program of police training approved by
28 the council, and (2) possesses other qualifications the council has
29 established for the employment of police officers, including, but not

1 limited to minimum age, education, physical and mental standards,
2 citizenship, moral character, and experience. The council shall pre-
3 scribe the means of presenting evidence of fulfillment of these re-
4 quirements.

5 * Sec. 6. AS 18.65.240 is amended by adding a new subsection to read:

6 (c) The council may deny or revoke the certificate of a police
7 officer who does not meet the standards adopted under (a)(2) of this
8 section.

9 * Sec. 7. AS 18.65.250 is amended to read:

10 Sec. 18.65.250. FINANCIAL ASSISTANCE. (a) The Governor's Com-
11 mission on the Administration of Justice has the authority to assist
12 [PARTICIPATING] political subdivisions and police departments [AGENCIES]
13 in meeting the costs involved by extending financial assistance for
14 travel, per diem, tuition and other costs.

15 (b) Only those political subdivisions [LOCAL GOVERNMENTS] and
16 police departments complying [AGENCIES ELECTING TO COMPLY] with AS 18.-
17 65.130 - 18.65.290 are eligible for financial assistance authorized
18 under AS 44.19.752. This subsection applies only to those funds made
19 available for providing minimum police standards.

20 * Sec. 8. AS 18.65.260 is amended to read:

21 Sec. 18.65.260. GRANTS. (a) The council may accept donations of
22 property, both real and personal, and grants of money from a govern-
23 mental unit or public agency, or from an institution or person. [AN
24 ARRANGEMENT MADE UNDER THIS SECTION SHALL BE DETAILED IN THE ANNUAL
25 REPORT OF THE COUNCIL. THE REPORT SHALL INCLUDE THE IDENTITY OF THE
26 DONOR, THE NATURE OF THE TRANSACTION, AND THE CONDITIONS OF THE GRANT,
27 IF ANY.] All money received by the council under this section shall be
28 deposited in the state treasury to the account of the council.

29 (b) The council shall provide for and administer a funding pro-

1 gram [THE ADMINISTRATION OF A GRANT PROGRAM] authorized in (a) of this
2 section. In the administration of the program the council shall
3 promote the most efficient and economical program for police training,
4 including the maximum utilization of existing facilities and programs
5 to avoid duplication.

6 * Sec. 9. AS 18.65.280 is repealed and reenacted to read:

7 Sec. 18.65.280. EXEMPTIONS. (a) The commissioner and deputy
8 commissioner of public safety and the chief administrative officer of
9 local police departments are exempt from the requirements of AS 18.65.-
10 240. However, a person appointed chief of a local police department
11 after July 1, 1981, who performs operational in addition to adminis-
12 trative duties, shall meet the requirements of AS 18.65.240(a)(1).

13 (b) Any local government with an established police training
14 program meeting the requirements of AS 18.65.220(2) and (3) may exclude
15 itself from the requirements of AS 18.65.240 by ordinance. The exclu-
16 sion has no effect on eligibility to receive federal or state grants.

17 * Sec. 10. AS 18.65.290(2) is repealed and reenacted to read:

18 (2) "police officer" means a full-time employee of the
19 state or a local police department with the authority to arrest and
20 issue citations; detain a person taken into custody until that
21 person can be arraigned before a judge or magistrate; conduct inves-
22 tigation of violations of and enforce criminal laws, regulations
23 and traffic laws; search with or without a warrant persons, dwellings,
24 and other forms of property for evidence of a crime; carry a concealed
25 weapon; and take other action consistent with exercise of these enum-
26 erated powers when necessary to maintain the public peace;

27 * Sec. 11. AS 18.65.290 is amended by adding a new paragraph to read:

28 (3) "chief administrative officer" means a chief of police
29 or other official who is head of a police department in a political

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subdivision.

* Sec. 12. AS 18.65.210 is repealed.

* Sec. 13. This Act takes effect July 1, 1981.