

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 am S

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 a
13 primary [IN THE] public interest that applicants meet minimum standards
14 for employment as police officers and that criminal justice education
15 and training be made available to [PERSONS SEEKING TO BECOME POLICE
16 OFFICERS,] police officers [WHO ARE] serving in a [TEMPORARY OR]
17 probationary capacity [,] and police officers already in regular
18 service. It is of secondary public interest to encourage the estab-
19 lishment of preliminary training programs for persons seeking to be-
20 come police officers.

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

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

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

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

1 OF MEMBERS INITIALLY APPOINTED TO THE COUNCIL BY THE GOVERNOR SHALL BE
2 TWO FOR ONE YEAR, TWO FOR TWO YEARS, TWO FOR THREE YEARS, AND TWO FOR
3 FOUR YEARS.] A vacancy on the council shall be filled for the remainder
4 of a member's unexpired term in the same manner as the original appoint-
5 ment.

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

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

8 (1) adopt regulations for the administration of AS 18.65.-
9 130 18.65.290;

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

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

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

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

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

26 (a) No person may be appointed as a police officer, except on a
27 probationary [TEMPORARY] basis, unless the person (1) has satisfactorily
28 completed a basic [PREPATORY] program of police training approved by
29 the council, and (2) possesses other qualifications the council has

1 established for the employment of police officers, including but not
2 limited to minimum age, education, physical and mental standards,
3 citizenship, moral character, and experience. The council shall pre-
4 scribe the means of presenting evidence of fulfillment of these re-
5 quirements.

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

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

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

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

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

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

22 (b) The council shall provide for and administer a funding pro-
23 gram [THE ADMINISTRATION OF A GRANT PROGRAM] authorized in (a) of this
24 section. In the administration of the program the council shall
25 promote the most efficient and economical program for police training,
26 including the maximum utilization of existing facilities and programs
27 to avoid duplication.

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

29 Sec. 18.65.280. EXEMPTIONS. (a) The commissioner and deputy

1 commissioner of public safety and the chief administrative officer of
2 local police departments are exempt from the requirements of AS 18.65.-
3 240. However, a person appointed chief of a local police department
4 after July 1, 1981, who performs any operational duties, shall meet the
5 requirements of AS 18.65.240(a)(1).

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

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

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

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

21 (3) "chief administrative officer" means a chief of police
22 or other official who is head of a police department in a political
23 subdivision.

24 * Sec. 12. AS 18.65.210 is repealed.

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