

HB

856



ARMED GUARDS
RADIO PATROLS

American Guard & Alert, Inc.

N. B. Newbury
PRESIDENT

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March 17, 1976

To Judiciary Committee members.

From N.B. Newbury, President American Guard and Alert, Inc.

RE: HB 856 Security Guards

I am in basic agreement with the aforementioned bill, however I feel the following sections should be modified as follows:

Sec. 18.65.410 A \$100.00 non-refundable application fee for each applicant is exhorbitant. The City of Anchorage license fee is \$20.00. The highest fee we know if is \$45.00 in Memphis Tenn. I recommend a \$100.00 fee for company applications and \$25.00 fee for individuals.

Sec. 18.65.420 Allow companies to furnish proof of bonding and insurance for their individual employees. It would probably be impossible for individuals to get the coverage required..

Sec. 18.65.460 Add to existing material:

"unless those employees are hired specifically to perform security functions." Example--Penny's Sears, Wards, etc., have an actual security staff that I feel should come under the same licensing requirements as private companies.

Sec. 18.65.430 Definitions:

- (2) In this section a person in the business of furnishing himself for hire should be included also.

MEMORANDUM

*File with Fuel bill
We Introduced*

TO: The Honorable Jay S. Hammond
Governor
State of Alaska

DATE : March 3, 1976

FROM: *RB*
Richard L. Burton
Commissioner
Department of Public Safety

SUBJECT: AS 23.10.025 - Use of Armed Guards
BINKS SECURITY SYSTEM

The above firm has been using the permit of CAPITAL CITY SECURITY since acquisition of that firm in October 1975. Since that time, however, we have been attempting to obtain the information necessary in making our recommendation to you on the issuance of the permit for BINKS.

Applications have been received from the owner and eight (3) guards. Five of the guards have since resigned and one additional guard has not submitted an application.

At the present time the firm is reportedly made up of the owner and four guards. The owner and one guard falsified their applications in that they denied ever having been arrested or convicted of a crime. Both have been arrested several times with at least two convictions each.

It is our recommendation that the present interim permit (CAPITAL CITY SECURITY) be revoked, and that the BINKS SECURITY SYSTEM request for a permit be denied.

This action will not affect the firm's ability to continue in business. It will, however, disarm the owner and his employees, which in our opinion will be for the good of the community.

Addendum - We have just been verbally notified of the sale of this business to two of the employees. Our recommendation remains the same. In the event the new owners wish a permit, they are aware of the necessary procedures.

STATE OF ALASKA
Inter-Department Route Slip

TO:
MAIL STATION NUMBER 3100

DEPARTMENT Legislature

ATTENTION House Judiciary Com Ch. / Hardison

- | | |
|--|--|
| <input type="checkbox"/> Approval | <input type="checkbox"/> Note & Return |
| <input type="checkbox"/> Signature | <input type="checkbox"/> Initial & Return |
| <input type="checkbox"/> Comment | <input type="checkbox"/> Return As Requested |
| <input type="checkbox"/> Contact Me | <input type="checkbox"/> Return For Approval |
| <input type="checkbox"/> Prepare Reply | <input checked="" type="checkbox"/> Necessary Action |
| <input type="checkbox"/> For Your File | <input type="checkbox"/> Your Information |

Remarks:

FROM:
MAIL STATION NUMBER 1200

DEPARTMENT Public Safety

BY J.R. Neumann DATE 3-25

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. HB 856
 Title: Licensing of security guards
 Requested by: _____ Date: 3/24/76
 Return Date Requested: As soon as possible
 Agency: Public Safety Program: Building Security

II. FISCAL DETAIL

Budget Request Unit(s) Affected: _____

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES		9.7	10.0	12.0		
200 TRAVEL		1.0	1.0	1.2		
300 CONTRACTUAL		1.5	2.0	2.5		
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	12.2	13.0	15.7		

B. FUNDING: (Thousands of dollars)

GENERAL FUND		(27.8)	11.0	4.4		
FEDERAL FUNDS						
OTHER Program Revision		40.0	2.0	11.3		

C. POSITIONS:

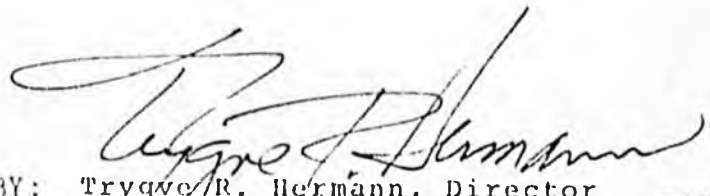
PERMANENT/TEMPORARY	/	1 /	1 /	1 /	/	/
MAN MONTHS (P./T.)	/	6 /	6 /	6 /	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

An initial estimate of 400 applicants is projected. The program receipts would be \$40,000. For a 5% increase in 1978, \$2,000. in program receipts is estimated. @ \$25,00 per renewal, program receipts in FY 79 will be \$10,000. in renewal fees and \$1,300. in new application fees (3%).

Personal services cost is not expected to go up substantially. Issuance as well as renewal require record check, public hearing and fingerprinting. Six month's clerk typist (PPT) position and less than 100 hours of overtime for Fingerprint Technician is anticipated.

IV. ATTACHMENTS



V. DATE: 3/24/76 PREPARED BY: Trygve R. Hermann, Director
 Division of Administrative Services
 Department of Public Safety

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Mr. Personnel

Introduced: 3/8/76
Referred: Judiciary

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE

2 HOUSE BILL NO. 856

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the licensing of security
7 guards; 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 4. SECURITY GUARDS.

11 Sec. 18.65.400. LICENSE AS SECURITY GUARD. No person may be
12 employed as a security guard until he has obtained a license from the
13 commissioner of public safety under secs. 400--490 of this chapter.

14 Sec. 18.65.410. APPLICATIONS. Application for a license as a
15 security guard must be on forms provided by the commissioner. The
16 application must require the furnishing of information reasonably re-
17 quired by the commissioner to carry out the provisions of secs. 400--
18 490 of this chapter, including classifiable fingerprints to enable
19 the search of criminal indices for evidence of a prior criminal record.
20 The application must be accompanied by a non-refundable application
21 fee of \$100. *200 G - 25 guards*

22 Sec. 18.65.420. BONDING AND INSURANCE. As a condition to issuance
23 of a license, the applicant ^{*of his employer*} must furnish a bond or proof of a policy
24 of insurance to protect the State of Alaska and its residents from
25 damages arising out of the acts of the licensee.

26 Sec. 18.65.430. DURATION OF LICENSE. A security guard license
27 issued under secs. 400--490 of this chapter is valid for a period of
28 two years, and may be renewed for additional two-year terms. A renewal
29 fee of \$25 must be paid for each renewal.

1 Sec. 18.65.440. REVOCATION OF LICENSE. A security guard license
2 issued under secs. 400--490 of this chapter is subject to revocation
3 in accordance with the Administrative Procedure Act (AS 44.62) for the
4 following reasons:

5 (1) false statements in an application issued under secs.
6 400--490 of this chapter;

7 (2) violation of a provision of secs. 400--490 of this
8 chapter or a regulation adopted under sec. 450 of this chapter;

9 (3) conviction of a felony or a crime involving moral
10 turpitude while licensed;

11 (4) ^{intentional} ~~impersonation~~ ^{knowingly impersonate} of a law enforcement official; or

12 (5) knowingly continuing the employment of an individual as
13 a security guard who has been convicted of a felony or a crime involv-
14 ing moral turpitude, or who has impersonated a law enforcement officer
15 while employed by the licensee.

16 Sec. 18.65.450. REGULATIONS. The commissioner shall adopt
17 regulations necessary to implement secs. 400--490 of this chapter, in-
18 cluding provisions specifying the amount of bond or insurance required,
19 and the types of uniforms, badges and insignia that may be used.

20 Sec. 18.65.460. EXCEPTIONS TO LICENSURE. An employer is not
21 required to seek licensure for his employees who provide unarmed plant
22 security on that employer's premises. ~~XXXXXX~~

23 Sec. 18.65.470. FIREARMS TRAINING. Security guards licensed
24 under secs. 400--490 of this chapter may not be armed with a firearm
25 for the purpose of protecting property until they have completed
26 firearms training acceptable to the commissioner.

27 Sec. 18.65.480. PENALTY. A violation of a provision of secs.
28 400--490 of this chapter or a regulation adopted under sec. 450 of
29 this chapter is a misdemeanor and, upon conviction, is punishable by

1 imprisonment for not more than 60 days or by a fine of not more than
2 \$1,000, or by both.

3 Sec. 18.65.490. DEFINITIONS. As used in secs. 400--490 of this
4 chapter,

5 (1) "commissioner" means the commissioner of public safety;

6 (2) "security guard" means a person in the business of fur-
7 nishing for hire private watchmen, patrol service, or other services
8 designed to prevent the theft, misappropriation, or concealment of
9 goods, money or valuable documents.

10 ARTICLE 5. BODYGUARDS.

11 Sec. 18.65.500. USE OF ARMED BODYGUARDS. A person who, in this
12 state, hires another person to guard a person in this state with arms
13 or deadly weapons, or a person who comes into this state armed with
14 deadly weapons for the purpose of guarding a person, without a written
15 permit from the commissioner of public safety, is guilty of a misde-
16 meanor, and upon conviction is punishable by imprisonment for not more
17 than 60 days or by a fine of not more than \$1,000, or by both.

18 * Sec. 2. AS 44.62.330(a)(23) is amended to read:

19 (23) Department of Public Safety, as to suspension or revoca-
20 tion of a security guard's license under AS 18.65.400--18.65.490, and
21 as to suspension, revocation, cancellation or limitation of driver's
22 licenses, except as to revocations and suspensions under AS 28.35.031--
23 28.35.034, and except as to suspension, revocations, limitations, or
24 denials under AS 28.15.282--28.15.288

25 * Sec. 3. AS 23.10.025 is repealed.

*3 old armed guard statute
Governor*

26 * Sec. 4. This Act takes effect January 1, 1977.
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