

SCR

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Alaska State Legislature

PRESIDENT
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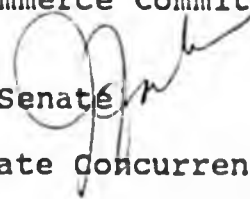
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Senate

February 11, 1987

MEMORANDUM

TO: Senator Tim Kelly, Chairman
Senate Labor & Commerce Committee

FROM: Senator Jan Faiks
President of the Senate 

SUBJECT: Background on Senate Concurrent Resolution
Number 8
Relating to enforcement of laws against the
unauthorized practice of architecture.

Senate Concurrent Resolution 8 has been referred to your committee for consideration. The purpose of this resolution is to request that the Governor direct the Department of Law to allocate more resources to enforcement of licensing requirements for architects and to vigorously prosecute cases involving the unlawful practice of architecture.

I would appreciate the committee's consideration of the legislation at its earliest convenience. Should you need any additional information, please let me know.

Thank you.

OUT OF SESSION

6000 YUKON DRIVE ANCHORAGE, ALASKA 99516 907-274-6611

CHAPTER = 12.25

SECTION = 12.25.180

TITLE = 12

HEADINGS TITLE 12.

Code of Criminal Procedure.

CHAPTER 25.

Arrest.

CITATION Sec. 12.25.180.

CATCH LINE

WHEN PEACE OFFICER MAY ISSUE CITATION OR TAKE PERSON BEFORE THE COURT.

TEXT

(a) When a person is stopped or contacted by a peace officer for the commission of a misdemeanor or the violation of a municipal ordinance, the person may, in the discretion of the contacting peace officer, be issued a citation instead of being taken before a judge or magistrate under AS 12.25.150, unless

(1) the person does not furnish satisfactory evidence of identity;

(2) the contacting officer has reasonable and probable cause to believe the person is a danger to self or others;

(3) the crime for which the person is contacted is one involving violence or harm to another person or to property; or

(4) the person asks to be taken before a judge or magistrate under AS 12.25.150.

(b) When a person is stopped or contacted by a peace officer for the commission of an infraction or a violation, the person shall be issued a citation instead of being taken before a judge or magistrate under AS 12.25.150, unless

(1) the person does not furnish satisfactory evidence of identity; or

(2) the person refuses to accept the citation or to give a written promise to appear as provided for under AS 12.25.190(c).

HISTORY (Sec. 1 ch 31 SLA 1973; am sec. 19 ch 127 SLA 1974; am sec. 3 ch 144 SLA 1977; am sec. 34 ch 102 SLA 1980)

AMENDMENT NOTES

EFFECT OF AMENDMENTS The 1980 amendment designated the provisions of this section as subsection (a), deleted "or an infraction" following "of a misdemeanor" near the beginning of subsection

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offenses against public health and decency than felonies:

(5) class B misdemeanors, which characteristically involve a minor risk or physical injury to a person, minor offenses against property interests, minor offenses against public administration or order, or minor offenses against public health and decency;

(6) violations, which characteristically involve conduct inappropriate to an orderly society but which do not denote criminality in their commission.

(b) The classification of each felony defined in this title, except murder in the first and second degree, sexual assault in the first degree, sexual abuse of a minor in the first degree, misconduct involving a controlled substance in the first degree, and kidnapping, is designated in the section defining it. A felony under A1

(9) "crime" means an offense for which a sentence of imprisonment is authorized; a crime is either a felony or a misdemeanor;

(10) "culpable mental state" means "intentionally", "knowingly", "recklessly", or with "criminal negligence", as those terms are defined in (a) of this section;

(11) "dangerous instrument" means any deadly weapon or anything which, under the circumstances in which it is used, attempted to be used, or threatened to be used, is capable of causing death or serious physical injury;

(12) "deadly force" means force which the person uses with the intent of causing, or uses under circumstances which he knows create a substantial risk of causing, death or serious physical injury; "deadly force" includes intentionally discharging or pointing a firearm in the direction of another person or in the direction in which another person is believed to be and intentionally placing another person in fear of imminent serious physical injury by means of a dangerous instrument;

(13) "deadly weapon" means any firearm, or anything

aska law defined outside this title for which no penalty is specifically provided is a class C felony.

(c) The classification of each misdemeanor defined in this title is designated in the section defining it. A misdemeanor under Alaska law defined outside this title for which no penalty is provided is a class A misdemeanor.

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(3) apply pit and fissure sealants;

(4) perform root planing and periodontal soft tissue curettage;

(5) perform other dental operations and services delegated by a licensed dentist if the dental operations and services are not prohibited by (c) of this section; and

(6) if certified by the board and under the direct or indirect supervision of a licensed dentist, administer local anesthetic agents.

(b) The board shall specify by regulation those additional functions that may be performed by a licensed dental hygienist only upon successful completion of a formal course of instruction approved by the board. The board shall promulgate regulations specifying the education requirements, evaluation procedures, and degree of supervision required for each function.

(c) This section does not authorize delegation of

(1) diagnosing, treatment planning, and writing prescriptions for drugs; writing authorizations for res

CHAPTER = 12.25
SECTION = 12.25.200
TITLE = 12

HEADINGS TITLE 12.
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CHAPTER 25.
Arrest.

CITATION Sec. 12.25.200.

CATCH LINE

FORM FOR CITATIONS.

TEXT The chief administrative officer of each law enforcement agency in the state is responsible for the issuance of books containing appropriate citations, and shall maintain a record of each book and each citation contained in it and shall require and retain a receipt for every book issued to a peace officer.

HISTORY (Sec. 1 ch 31 SLA 1973)

END OF DOCUMENT

