

HB

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# HOUSE COMMITTEE REPORT

(11)

Date Referred: February 22, 1990

FURTHER REFERRALS:

Date of Committee Action: 3/2/90

The FINANCE Committee considered:

HB 483

HOUSE BILL NO. 483

VILLAGE PUBLIC SAFETY OFFICERS

"An Act amending the definition of 'peace officer' in the Alaska Statutes to include village public safety officers."

**RECOMMENDATIONS:**

- [ ] be replaced with \_\_\_\_\_ [  ] the same title
- [ ] have attached amendment(s) [ ] a new title
- [  ] do pass
- [ ] do not pass
- [ ] no recommendation
- [ ] individual recommendations
- [ ] additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of intent

ATTACHES NEW FISCAL NOTE(S):  
(Dept)

APPROVES PREVIOUS: (Date/Dept)

- [ ] fiscal impact \_\_\_\_\_
- [ ] zero fiscal note \_\_\_\_\_
- [ ] zero with analysis \_\_\_\_\_

- [ ] fiscal note(s) \_\_\_\_\_
- [  ] zero fiscal note(s) Public Safety 2/22/90
- [ ] zero fn/analysis \_\_\_\_\_

**SIGNING DO PASS:**

**SIGNING:**  
(Check approp. column)

\_\_\_\_\_  
Hoffman

\_\_\_\_\_  
Larson

\_\_\_\_\_  
BROWN

\_\_\_\_\_  
KOPMEN

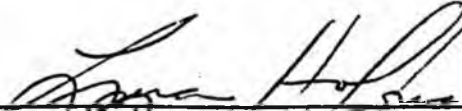
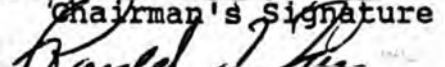
\_\_\_\_\_  
LUMBER

\_\_\_\_\_  
BARNES

\_\_\_\_\_  
SHULTZ

\_\_\_\_\_  
PHILLIPS

	Do Not Pass	No Rec	Amend
Steve Riegee		<input checked="" type="checkbox"/>	

  
 Hoffman  
 \_\_\_\_\_  
 Chairman's Signature  
  
 Larson

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: Village Public Safety Officers  
Added to Definition of Peace Officer  
Sponsor: Representative Hoffman, etc.  
Requestor: House State Affairs

Agency Affected: Public Safety  
BRU: Alaska State Troopers  
Component: Detachments

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER/PROG RCPT						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact anticipated.

Prepared by: Francis C. Allan  
Division: Alaska State Troopers  
Approved by Commissioner: J.A.H. English  
Agency: Department of Public Safety

Phone: 269-5691  
Date: 02/14/90  
Date: 2-20-90  
Page 1 of 1

Adopted

BY REP. HOFFMAN, Swackhammer, Hudson, Wallis

1 IN THE HOUSE

2 HOUSE BILL NO. 483

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act amending the definition of 'peace officer' in  
7 the Alaska Statutes to include village public safety  
8 officers."

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

10 \* Section 1. AS 01.10.060(7) is amended to read:

11 (7) "peace officer" means

12 (A) an [ANY] officer of the state troopers;

13 (B) a member [, MEMBERS] of the police force of a  
14 municipality;

15 (C) a village public safety officer;

16 (D) a [ANY INCORPORATED CITY OR BOROUGH,] United States  
17 marshal or deputy marshal; [MARSHALS AND THEIR DEPUTIES,] and

18 (E) an officer [OTHER OFFICERS] whose duty it is to  
19 enforce and preserve the public peace;  
20  
21  
22  
23  
24  
25  
26  
27  
28  
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STATE OF ALASKA



LYMAN F. HOFFMAN  
CO-CHAIRMAN  
HOUSE FINANCE COMMITTEE

P. O. BOX V  
JUNEAU, ALASKA 99811  
(907) 465-3706

HOUSE OF REPRESENTATIVES

DISTRICT 25

- AKIACHAK
- AKIAK
- ATMAUTLUAK
- BETHEL
- CHEFORNAK
- EKK
- GOODNEWS BAY
- KASIGLUK
- KIPNUK
- KONGIGANAK
- KWETHLUK
- KWIGILLINGOK
- MEKORYUK
- NAPAKIAK
- NAPASKIAK
- NEWTOK
- NIGHTMUTE
- NUNAPITCHUK
- OSCARVILLE
- PLATINUM
- QUINHAGAK
- TOKSOOK BAY
- TUNTUTULIAK
- TUNUNAK

MEMORANDUM

TO: House Finance Committee Members

FROM: Representative Lyman Hoffman *Lyman*  
Co-Chairman, House Finance Committee

DATE: February 28, 1990

SUBJ: House Bill 483

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I have introduced House Bill 483, "An Act amending the definition of 'peace officer' in the Alaska Statutes to include village public safety officers", because these young men and women are on the front line providing law enforcement, fire protection, and search and rescue services in rural Alaska.

VPSOs are important role models for the residents, especially children, of villages. To have a relative or local resident apply, leave home, work toward, and graduate from the Sitka Trooper Academy and then go home as a Village Public Safety Officer to keep the "peace" is a proud accomplishment. It must be realized that VPSOs replace the perception of villagers that 'peace officers' are not just troopers who usually come to the villages only when something really bad happens in the community. VPSOs are extensions of our Alaska State Troopers, we should believe in them by recognizing them as 'peace officers'.

Though the Alaska State Troopers do provide direct oversight of the VPSO corps, a single VPSO is assigned to any given village at one time. These dedicated individuals are expected to work a forty-hour week, and at any time without after-hours compensation, are expected by the residents of their assigned village and supervisors to keep the "peace". Overtime pay is not the issue on this legislation, it is to recognize the Village Public Safety Officers as 'peace officers'.

As is true elsewhere in our society, insurance and the liability costs associated with VPSOs are high and are the responsibility of the non-profits. The Alaska State Troopers have contracted with the non-profits generally holding the State harmless from liability for the negligent actions of the VPSOs. It is not entirely clear that the current contract language would fully protect the State given the decisions of the Alaska Supreme Court which limit the ability of the State to shift liability to State contractors. Insurance costs are negotiated as a reimbursable item within the Trooper/non-profits contracts, with last year's contract limited to \$800 per VPSO. In today's dynamic insurance market, this limit may be liveable one year, but totally inadequate the next year. Non-profits experience insurance cost fluctuations as much as a 100% on an annual basis, so it is difficult to assess the direction and amount of these insurance costs. However, if the non-profits could participate in the State Risk Management pool, the State could directly control insurance costs and assure the lowest coverage cost state-wide.

The intent of this legislation is to rightfully identify VPSOs as 'peace officers' and that VPSO contractors may be allowed to participate in the State Risk Management pool.

If there are any questions concerning this proposed legislation, please contact my office at your earliest opportunity.

Thank you.

BILL NO: HB 483

DATE: February 20, 1990

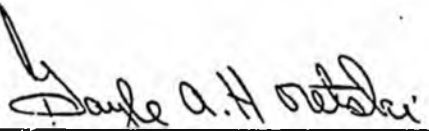
TITLE: Including Village Public  
Safety Officers in the  
Definition of a Peace  
Officer

CONTACT: Capt. Glenn Godfrey  
Alaska State Troopers  
269-5647

DEPARTMENT OF  
PUBLIC SAFETY

This legislation adds Village Public Safety Officers (VPSO) to the definition of "peace officer" and makes minor technical changes to existing law. This change would clarify the authority of VPSOs who are called upon to take enforcement actions. It would also improve the eligibility of VPSOs for federal and state death benefits payable to law enforcement officers killed in the line of duty.

The Department of Public Safety supports this legislation.

  
for Arthur English  
Commissioner

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