

HB

483

SENATE STATE AFFAIRS COMMITTEE

BILL NUMBER HB 483

SPONSOR Hoffman

BILL TITLE Village Public Safety Officer as Peace Officer

DATE REFERRED 3.13.90

HEARING SCHEDULED

FISCAL NOTE PREPARED

SPONSOR CONTACTED

INTERESTED PARTIES CONTACTED

Capt. Glen Godfry - 269-5647



Alaska State Legislature

Please enter into the record my testimony to the Senate State Affairs
committee name

see on HB483 dated 04-18-90
bill/subject

This bill would define 185 VRS's throughout the State of Alaska, funded by the Alaska State Legislature as "Peace Officers". They have been considered this since the inception of the program in 1979.

VRS's are extensions and honors for our Alaska State Troopers. These important role models, both men and women, are on the front line providing law enforcement, fire protection, emergency trauma techniques and search and rescue services. Hence is their motto "Fire Troopers' Last Frontier".

Their training is specifically designed ~~to~~ ^{for} VRS's only by the Alaska State Troopers. This bill would not promote them to a higher class as Alaska State Troopers include them ~~to~~ ^{as} Peace Officers as all Troopers are full police officers all alike.

They have accommodated the needs of public and preserved the peace for the State, Alaska.

Signed Josie Stiles Cox

Testifier Kawerak, Inc

Representing (Optional)

Pouch 948, Nome, AK 99762

Address

(907) 443-5231

Phone No.

pk
21
Tom Bille
Supports
this
bill.

HOUSE COMMITTEE REPORT

2/22

(7)

Date Referred: February 7, 1990

FURTHER REFERRALS:

FINANCE

Date of Committee Action: _____

The STATE AFFAIRS 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
- [X] 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 _____ [] fiscal note(s) _____
- [X] zero fiscal note _____ [] zero fiscal note(s) _____
- [] zero with analysis Pub. Safety [] zero fn/. nalysis _____

SIGNING DO PASS:

SIGNING:

(Check approp. column)

Do Not Pass No Rec Amend

<u>Wayne Hanley</u> HANLEY			
<u>Tom Menard</u> MENARD			
<u>Paul Flakelstein</u> FLAKELSTEIN			
<u>W.D. Boocher</u> BOUCHER			

W.D. Boocher

Chairman's Signature

HOUSE COMMITTEE REPORT

Bob

(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 a new title
- have attached amendment(s)
- 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)

Do Not Pass No Rec Amend

Hoffman

Larson

BROWN

KOPINEN

LUMBER

BARNES

SHULTZ

PHILLIPS

<u>Steve Rieger</u>		<input checked="" type="checkbox"/>	

Hoffman
Chairman's Signature

Larson

HB 483, Amending the definition of 'peace officer' to include village public safety officer (VPSO)

April 18, 1990

NOTIFIED; *indicates will testify

*Representative Hoffman

*Captain Glenn Godfry: Department of Public Safety

Sally Smith: Division of Retirement and Benefits

Bristol Bay Corp

Tanana Chiefs Council

NOTES;

1. I requested a response from Sally Smith on the reference to State Death Benefits in the DPS fiscal note. Sally is concerned about this bill passing, she wants to make sure that the VPSOs cannot join the retirement system, especially since they are paid for with state funds. There is some confusion on this issue as there is another bill, HB 525, Macleans bill that would bring the VPSOs into the retirement system. Hoffman objects to MacLeans bill.

Further Referral - Rules

House Vote - 34 Yeas

0 Nays

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
- CHIEFORNAK
- EKK
- GOODNEWS BAY
- KASIGLUK
- KIPNUK
- KONGIGANAK
- KWETHLUK
- KWIGILLINGOK
- MEKORYUK
- NAPAKIAK
- NAPASKIAK
- NEWTOK
- NIGHTMUTE
- NUNAPITCHUK
- OSCARVILLE
- PLATINUM
- QUINHAGAK
- TOKSOOK BAY
- TUNTUTULIAK
- TUNUNAK

MEMORANDUM

TO: Senator Pat Pourchot
Chairman, Senate State Affairs Committee

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

DATE: March 15, 1990

SUBJ: House Bill 483

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.

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

2/14/90

Item 4

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
PUBLISHED

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.

Arthur English
for Arthur English
Commissioner

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

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TUNUNAK

MEMORANDUM

TO: Senator Pat Pourchot
Chairman, Senate State Affairs Committee

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

DATE: March 15, 1990

SUBJ: Request for a public hearing on HB 483

I respectfully request the scheduling of House Bill 483, "an Act amending the definition of 'peace officer' in the Alaska statutes to include village public safety officers" for a public hearing before the Senate State Affairs Committee at your earliest convenience.

Attached please find a memorandum outlining my reasons for introducing this legislation. Also included, the Department of Public Safety fiscal note/position paper and the House State Affairs and Finance Committee reports.

If there are any questions concerning HB 483 or this memorandum, feel free to contact my office at your earliest opportunity.

Thank you.



KAWEDAK, INC.

P.O. BOX 948 • NOME, ALASKA 99762

(907) 443-5231

SERVING THE
VILLAGES OF:

BREVIG MISSION
COUNCIL
DIOMEDE
ELIM
GAMBELL
GOLOVIN
KOYUK
NOME
SAVOONGA
SHAKTOOLIK
SHISHMAREF
SOLOMON
STEBBINS
ST. MICHAEL
TELLER
UNALAKLEET
WALES
WHITE MOUNTAIN

March 26, 1990

Senator Pat Pourchot
Alaska State Legislature
P.O. Box V (MS3100)
Juneau, Alaska 99811

Dear Senator Pourchot:

SUBJECT: HOUSE BILL NO. 483

It is to my understanding that you are responsible for scheduling the hearing on HB483. I am writing to request and encourage you to do this soon. Our organization is in full support of this bill and we would like to see it be acted upon and passed.

This bill would define the 125 Village Public Safety Officers (VPSO's), throughout the State of Alaska and funded by the Alaska State Legislature, as "Peace Officers." They have been considered this since the inception of the program in 1979. These important role models, both men and women, are on the front line providing law enforcement, fire protection, emergency trauma technics and search and rescue services. Hence is their moto, "First Responders, Last Frontier."

VPSO's are extensions of our Alaska State Troopers and we should believe in them by including them into the Alaska Statutes. They currently are not defined and have never been defined in the statutes. They have become of vital importance since they provide a difficult and critical service to many residents of Alaska.

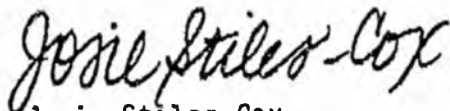
They have accommodated the needs of public safety and have preserved the peace for the State of Alaska and its people. They should be recognized for those accomplishments by being defined and included in the Alaska Statutes by the Alaska State Legislature.

Senator Pat Pourchot
Page Two
March 26, 1990

Your efforts will be greatly appreciated. Should you need additional information, we are here to assist you in any way. Thanks for your time.

Respectfully,

KAWERAK, INC.

A handwritten signature in cursive script that reads "Josie Stiles-Cox".

Josie Stiles-Cox
VPSO Program Director

Tanana Chiefs Conference, Inc.

122 First Avenue
Fairbanks, Alaska 99701-4897
(907) 452-8251
Fax (907) 451-8936

March 26, 1990

Senator Pat Pourchot, Chairman
State Affairs Committee
Alaska State Legislature
P.O. Box V (MS 3100)
Juneau, AK 99811

Dear Senator Pourchot:

Tanana Chiefs Conference, Inc. (TCC) supports HB 483, a bill which would amend the definition of Peace Officer in the Alaska Statutes.

This amendment would include the Village Public Safety Officers (VPSO). At the present time, Village Public Safety Officers are not defined in the Alaska Statutes and therefore do not have many of the laws and regulations that protect them from liability, nor do they have benefits that are presently accorded other State Trooper and police forces of other Alaska governmental agencies. There are presently eighteen (18) VPSO positions in our region. TCC's VPSO officers assume many of the same risks and activities that State Troopers do. In fact, the risks may be more dangerous because we are the initial contact when trouble begins at the village level.

It is of the highest priority to us that this bill becomes law. We would appreciate your Committee scheduling this bill as soon as possible. Thanking you in advance for your favorable consideration to House Bill 483.

Sincerely,

TANANA CHIEFS CONFERENCE, INC.

Alfred Ketzler, Sr.
Alfred Ketzler, Sr., Director
Native Services

Daisy Stevens
Daisy Stevens
V.P.S.O. Coordinator

BRISTOL BAY NATIVE ASSOCIATION
P. O. BOX 310
DILLINGHAM AK 99576
(907) 842-5257

March 26, 1990

Senator Pat Pourchot
Rm. 504, Capital
P.O. Box V
Juneau AK 99811

Dear Senator,

It is my understanding that you have not scheduled House Bill 483 yet. This bill is very important to the VPSO program and to the Bristol Bay region. I believe that it definitely deserves your attention this session. If it hasn't already been scheduled, please do what you can to see that it is scheduled soon.

Thank you for your time.

Sincerely,

BRISTOL BAY NATIVE ASSOCIATION



Charles T. (Chuck) Grediagin, VPSO Coordinator

NOT STATE EMPLOYEES

HB 483

Operationally - no affect
Retirement and Retirement

> GOVERNMENT EMPLOYEES

STATE

> Grants to Native Corporation
buy into state plan on behalf
of employee. using STATE \$.

> (Possible VETO material)

> Fiscal Note - misleading

GODFREY 125 IPSO

> 10 Non-Profit CONTRACTS with Native
Corporation =
STATE \$

Technically and legally non-profit

> DEATH BENEFIT ... example ^{officer widow}
NOW - any law enforcement in U.S.
can receive upwards of \$100,000.
from Fed. Government. NO STATE
INVOLVEMENT

Authority
Challenges

Attorneys are challenging authority