

**HVB**

**319**

**HFIN**

**FILE**

# HOUSE COMMITTEE REPORT

(11)

Date Referred: February 23, 1994

FURTHER REFERRALS:

Date of Committee Action: 3/24/94 am

The FINANCE Committee considered:

HB 319

HOUSE BILL NO. 319

ALASKA PEACE STANDARDS TRAINING FUND

"An Act relating to the training of law enforcement and corrections officers; to the establishment of surcharges to be assessed for violations of certain traffic offenses; creating the Alaska Police Standards Training Fund; and providing for an effective date."

**RECOMMENDATIONS:**

be replaced with \_\_\_\_\_

CS HB 319 (FIN)

the same title

a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of Intent

ATTACHES NEW FISCAL NOTE(S): \_\_\_\_\_ (Dept)

APPROVES PREVIOUS: \_\_\_\_\_ (Dept/Date)

fiscal impact DPS

fiscal note(s) \_\_\_\_\_

zero fiscal note AK Court, Law

zero fiscal note(s) \_\_\_\_\_

| SIGNING <u>DO</u> PASS   | DP | OTHER RECOMMENDATIONS   | DNP | NR | AM |
|--|----|---|-----|----|----|
| <u>EP Maclean</u> <span style="float: right; font-size: small;">Maclean</span> | ✓  |   |     |    |    |
| <u>Ronald J. Varson</u>  | X  |   |     |    |    |
|  |    | <u>Mark Hanley</u> <span style="float: right; font-size: small;">Hanley</span>        |     | X  |    |
|  |    | <u>Terry Martin</u> <span style="float: right; font-size: small;">Martin</span>       |     | ✓  |    |
|  |    | <u>Richard Parnell</u> <span style="float: right; font-size: small;">Parnell</span>   |     | X  |    |
|  |    | <u>Ben Gussendorf</u> <span style="float: right; font-size: small;">Gussendorf</span> |     | X  |    |
|  |    | <u>Mike Navarre</u> <span style="float: right; font-size: small;">Navarre</span>      |     | ✓  |    |
|  |    | <u>Lay Brown</u> <span style="float: right; font-size: small;">Brown</span>           |     |    | ✓  |
|  |    | <u>Gene Theriault</u> <span style="float: right; font-size: small;">Theriault</span>  |     | X  |    |
|  |    |   |     |    |    |
|  |    |   |     |    |    |

EP Maclean Ronald J. Varson  
CO-CHAIRMAN'S SIGNATURE

Maclean

Varson

# FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO. CSHB 319 (FIN)

Revision Date: 03/23/94  
Title: An Act relating to the training of law enforcement and corrections officers...  
Sponsor: Reps. Phillips, MacLean, Sanders, Kott  
Requestor:

Dept. Affected: Alaska Court System  
BRU: Trial Courts  
Components:   
COMPONENT SERIAL NO. 768

### EXPENDITURES/REVENUES (Thousands of Dollars)

| OPERATING EXPENDITURES | FY 95 | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 |
|------------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES      |       |       |       |       |       |       |
| TRAVEL                 |       |       |       |       |       |       |
| CONTRACTUAL            |       |       |       |       |       |       |
| SUPPLIES               |       |       |       |       |       |       |
| EQUIPMENT              |       |       |       |       |       |       |
| LAND & STRUCTURES      |       |       |       |       |       |       |
| GRANTS & CLAIMS        |       |       |       |       |       |       |
| TOTAL OPERATING        | 0.0   | 0.0   | 0.0   | 0.0   | 0.0   | 0.0   |

|                      |  |  |  |  |  |  |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES |  |  |  |  |  |  |
|----------------------|--|--|--|--|--|--|

|                        |  |  |  |  |  |  |
|------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES ( ) |  |  |  |  |  |  |
|------------------------|--|--|--|--|--|--|

### FUND SOURCE (Thousands of Dollars)

|                          |                 |     |     |     |     |     |
|--------------------------|-----------------|-----|-----|-----|-----|-----|
| 1002 Federal Receipts    |                 |     |     |     |     |     |
| 1003 GF Match            |                 |     |     |     |     |     |
| 1004 GF                  | 0.0             | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1005 GF/Program Receipts |                 |     |     |     |     |     |
| 1006 GF/MHTIA            |                 |     |     |     |     |     |
| Other InterAgency RSA    | See note below. |     |     |     |     |     |
| TOTAL                    | 0.0             | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

### POSITIONS

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| FULL-TIME |  |  |  |  |  |  |
| PART-TIME |  |  |  |  |  |  |
| TEMPORARY |  |  |  |  |  |  |

Estimate of current year (FY 94) cost: \$ None

ANALYSIS: (Attach a separate page if necessary)  
See attached fiscal analysis. The Police Standards Council will transfer funds to the court system via a reimbursable services agreement to cover supply and program conversion costs.

Prepared by: C. S. Christensen III, Staff Counsel *[Signature]* Phone: 264-8228  
 Agency: Alaska Court System Date: 03/23/94

Approved by: Arthur H. Snowden, II, Administrative Director *[Signature]* Date: 03/23/94  
 Agency: Alaska Court System

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

Alaska Court System  
Fiscal Analysis  
CSHB 319 (JUD)

This legislation will require revision of various court forms, traffic booklets, operating procedures and minor computer reprogramming. The fiscal impact of this legislation is detailed below.

Contractual

Postage for reprinting traffic booklets

The court system provides two version of a traffic offense booklet to all law enforcement agencies and courts in the state. Approximately 3,500 copies of the booklet are distributed at a cost of \$.75 each. \$2,625

Contractual programming of rural court computers to facilitate the new forms and procedures. 4,900

Supplies

Supplies for reprinting traffic booklet

The traffic offense booklets contain approximately 15 duplex pages each. The court must prepare 3,500 copies of the 15 page booklet at a cost per page of \$.035. 1,338

Non-computerized courts use a DWI judgment form for certain traffic offenses, which must be revised and reprinted. 700

Estimated one-time cost \*\*\* \$9,963

\*\*\* These costs will be funded through an RSA with the Police Standards Council.

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO: CSHB 319FIN

Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety  
 Title: Peace Officers Training Fund BRU: Alaska Police Standards Council  
 Component: Alaska Police Standards Council  
 Sponsor: REP. PHILLIPS  
 Requestor: H. FIN COMPONENT SERIAL NO. 519

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

| OPERATING                                 | FY 95 | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 |
|---|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES                         | 0.    | 52.6  | 105.2 | 105.2 | 105.2 | 105.2 |
| TRAVEL                                    | 0.    | 6.0   | 12.0  | 12.0  | 12.0  | 12.0  |
| CONTRACTUAL                               | 0.    | 115.3 | 535.0 | 580.7 | 580.7 | 580.7 |
| SUPPLIES                                  | 0.    | .4    | .7    | .7    | .7    | .7    |
| EQUIPMENT                                 | 0.    | 175.0 | 45.7  | 0     | 0     | 0     |
| LAND & STRUCTURES                         |       |       |       |       |       |       |
| GRANTS, CLAIMS                            |       |       |       |       |       |       |
| MISCELLANEOUS                             |       |       |       |       |       |       |
| TOTAL OPERATING                           | 0.    | 349.3 | 698.6 | 698.6 | 698.6 | 698.6 |
| CAPITAL EXPENDITURES                      | -0-   | -0-   | -0-   | -0-   | -0-   | -0-   |
| CHANGE IN REVENUES (1005)<br>Revenue Code | 0.    | 349.3 | 698.6 | 698.6 | 698.6 | 698.6 |

FUNDING: (Thousands of Dollars)

|                          |    |       |       |       |       |       |
|--------------------------|----|-------|-------|-------|-------|-------|
| 1002 Federal Receipts    |    |       |       |       |       |       |
| 1003 GF Match            |    |       |       |       |       |       |
| 1004 GF                  |    |       |       |       |       |       |
| 1005 GF/Program Receipts | 0  | 349.3 | 698.6 | 698.6 | 698.6 | 698.6 |
| 1006 GF/MHTIA            |    |       |       |       |       |       |
| Other                    |    |       |       |       |       |       |
| TOTAL                    | 0. | 349.3 | 698.6 | 698.6 | 698.6 | 698.6 |

Estimate of current year (FY 94) impact \$ \_\_\_\_\_

POSITIONS:

|           |   |   |   |   |   |   |
|-----------|---|---|---|---|---|---|
| FULL-TIME | 0 | 2 | 2 | 2 | 2 | 2 |
| PART-TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| TEMPORARY | 0 | 0 | 0 | 0 | 0 | 0 |

ANALYSIS: (Attach a separate page if necessary.) PSC's Basic Operating Budget provides funding for staff, travel for council members and contractual services for basic police training. HB319 would supplement training for 2200 officers statewide and increase funding for training of additional peace officers.

Prepared By: [Signature] Laddie Shaw Phone: 465-4378  
 Division: Alaska Police Standards Council Date: 3-24-94  
 Approved by Commissioner: [Signature] Date: 3-24-94  
 Agency: Richard I. Burton, Dept. of Public Safety

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The Alaska Police Standards Council is responsible by legislation (AS 18.65.230) to establish and maintain training programs for law enforcement agencies and correctional institutions. In-service training is essential to support the special requirements of peace officers throughout the state.

CSHB319 FIN establishes a training fund that would allow for a much needed continuing education and training support of the law enforcement and corrections community throughout Alaska.

Presently the Alaska Police Standards council is funded to support the basic level training of 15 officers. No additional funds are available for any in-service training from the Alaska Police Standards Council.

In-service and specialized training are being addressed in a fragmented fashion by taking advantage of training whenever and wherever it is offered.

The establishment of this fund will come about in the development of a user fee assessment, as where violators will pay for police and corrections training.

In charging a \$10 assessment on all uniformed traffic citations and court judgements, projected revenue to the fund will be \$539.3.

A \$25 assessment on operating a motor vehicle or aircraft while intoxicated, reckless driving, refusal to submit to a chemical test, driving while license canceled, suspended or revoked, and failure to stop and give aid when a motor vehicle accident occurs, equate to a projected revenue of \$159.3.

To deal with the additional tasks necessary to implement this legislation, two full-time positions will be needed. One position is a Training Coordinator, who will be a point of contact for all information in regards to training. A Training Coordinator will provide a cost savings as training currently offered will be maximized and be more cost effective. The position will coordinate activities of training programs with all law enforcement agencies and correctional institutions throughout the state. Duties will

also include the development and coordination of in-service, instructor and recertification training programs. Travel is required of this position to insure the training and educational needs of the law enforcement and corrections are being carried out.

The position of a Data Processing Clerk is needed to set up and maintain files of correspondence and records for the ongoing training reports submitted by the peace officer network, and assist in processing the 2200 officer certification updates, new certificates, and decertification processes.

Initial equipment cost will be in setting up computer-based interactive multimedia training, distance learning, and simulator systems.

The Alaska Police Standards Council is willing to explore options in the development and placement of satellite distance learning and teleconferencing capabilities with other state agencies. By coupling the interactive multimedia program with a participating agency satellite distance learning system it would then allow for a larger number of training sites to deliver telecourse and videotaped training material to Alaska's widely dispersed target audience.

If the Alaska Police Standards Council is to be effective in delivering programs on a statewide basis to all law enforcement agencies and corrections institutions, the satellite downlike system has the potential to deliver the best training at the most reasonable cost.

Due to the administrative conversion within the court system to allow them to collect and process the assessment fee under HB319, and change over the uniform traffic citations, there will be a reimbursable service agreement of \$10,000.00 from the Alaska Police Standards Council to the Alaska Court System. This RSA is included under contractual within the FY 96 operating costs.

Basic level training grants and in-service training will encompass the additional portion of the funds.

CSHB319 FIN will supplement the existing Police Standards budget to allow for the much needed growth of recruits in the basic level academies.

In-service training would be relevant to continuing enforcement education in areas of investigation, community relations, multi-cultural diversity, officer safety, use of force, etc. Training is also needed for recertification, i.e.: first aid, intoximeter, defensive tactics, firearms, etc.

The following is a summary of the costs that are anticipated to be incurred the first full year of operations under this legislation.

|                   |              |
|-------------------|--------------|
| Personal Services | 105.2        |
| Travel            | 12.0         |
| Contractual       | 220.7        |
| Supplies          | .7           |
| Equipment         | <u>360.0</u> |
| TOTAL             | 698.6        |

Costs not included after the first year are the equipment costs (400.0) which will be moved to contractual for basic and in-service training needs the following years.

Personal Services

|   |               |
|---|---------------|
| Training Coordinator Range 18 Step A    |               |
| Salary                                  | \$48,876      |
| Benefits                                | <u>19,654</u> |
| (includes 200 hours overtime)           | \$ 68,530     |
| Data Processing Clerk II Range 9 Step A |               |
| Salary                                  | \$24,288      |
| Benefits                                | <u>12,366</u> |
|   | \$ 36,654     |
| Total Personal Services                 | \$ 105,184    |

Contractual

|   |            |
|---|------------|
| Basic Level Training 10 Students @ 10 Weeks               | \$ 53,000  |
| In-Service/Field Training and<br>Executive Level Training | \$ 155,700 |
| Alaska Court System RSA                                   | \$ 10,000  |
| Long Distance Phone Costs                                 | \$ 2,000   |
| Total Contractual Costs                                   | \$ 220,700 |

Department of Public Safety  
CSHB 319 FIN  
Page 5 of 5

Supplies

Stationary, copy machine paper,  
Calculator, etc. \$ 700

Equipment

|                              |                   |           |
|------------------------------|-------------------|-----------|
| Two Desks                    | \$ 1500           |           |
| Credenza                     | 500               |           |
| Two Chairs                   | 1000              |           |
| Two Side Chairs              | 600               |           |
| Work Station (Technical)     | 2500              |           |
| Work Station (Support)       | 2500              |           |
| Two Bookcases                | 400               |           |
| Four File Cabinets           | 2100              |           |
| Two PC Systems               | 7000              |           |
| PC Hookup Charge             | 500               |           |
| Work Table                   | 500               |           |
| Cellular Phone               | 500               |           |
| Two Telephone & Installation | 400               |           |
|                              | <u>          </u> |           |
| SUBTOTAL                     |                   | \$ 20,000 |

|                                |                   |            |
|--------------------------------|-------------------|------------|
| Inter Active Video System X 10 |                   |            |
| Large Screen TV, CD-Rom (PC)   |                   |            |
| Software, Hardware (Set-up)    | 40,000            |            |
| Driving Simulators X 2         | 140,000           |            |
| Firearms Training System X 2   | 160,000           |            |
|                                | <u>          </u> |            |
| SUBTOTAL                       |                   | \$ 340,000 |

|       |  |            |
|-------|--|------------|
| TOTAL |  | \$ 360,000 |
|-------|--|------------|

FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO. CSHB 319 (JUD)

Revision Date: February 17, 1994  
Title: "...relating to the training of law enforcement and correction officers...surcharges..."  
Sponsor: Representative Phillips  
Requestor: Representative Phillips

Department Affected: Department of Law  
BRU: Legal Services  
Component: Operations  
COMPONENT SERIAL NO. 0093

EXPENDITURES/REVENUES:

| OPERATING       | FY 95 | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 |
|-----------------|-------|-------|-------|-------|-------|-------|
| PERSONAL        |       |       |       |       |       |       |
| TRAVEL          |       |       |       |       |       |       |
| CONTRACTUAL     |       |       |       |       |       |       |
| SUPPLIES        |       |       |       |       |       |       |
| EQUIPMENT       |       |       |       |       |       |       |
| LAND &          |       |       |       |       |       |       |
| GRANTS, CLAIMS  |       |       |       |       |       |       |
| MISCELLANEOUS   |       |       |       |       |       |       |
| TOTAL OPERATING | -0-   | -0-   | -0-   | -0-   | -0-   | -0-   |

|         |  |  |  |  |  |  |
|---------|--|--|--|--|--|--|
| CAPITAL |  |  |  |  |  |  |
|---------|--|--|--|--|--|--|

|         |  |  |  |  |  |  |
|---------|--|--|--|--|--|--|
| REVENUE |  |  |  |  |  |  |
|---------|--|--|--|--|--|--|

FUNDING:

|                 |     |     |     |     |     |     |
|-----------------|-----|-----|-----|-----|-----|-----|
| 1002 Federal    |     |     |     |     |     |     |
| 1003 GF Match   |     |     |     |     |     |     |
| 1004 GF         |     |     |     |     |     |     |
| 1005 GF/Program |     |     |     |     |     |     |
| 1006 GF/MHTIA   |     |     |     |     |     |     |
| OTHER           |     |     |     |     |     |     |
| TOTAL           | -0- | -0- | -0- | -0- | -0- | -0- |

POSITIONS:

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

Estimate of current year (FY94) impact: -0-

ANALYSIS: (Attach a separate page if necessary.)  
Please see the attached analysis.

Prepared by: Richard I. Peques, Director  
Division: Administrative Services Division  
Approved by Commissioner: Bruce M. Botelho, Attorney General  
Agency: Department of Law

Phone: 465-3672  
Date: February 17, 1994

Date: February 17, 1994

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FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO. CSHB 319 (JUD)

ANALYSIS CONTINUATION:

This bill amends AS 12.55 to add a surcharge of \$10 to any fine or penalty assessed as a result of a violation of a vehicle or traffic offense under AS 28, except the surcharge would be \$25 if the offense was driving while intoxicated or if the offense was refusal to submit to a chemical test. The bill also amends AS 18.65 to establish the Alaska police training fund in the general fund, consisting of appropriations made by the legislature to the fund. The bill provides that the legislature may appropriate from the funds collected as surcharges; however, the bill also makes it clear that nothing in the bill creates a dedicated fund. Finally, the bill also provides that the state may initiate proceedings to collect unpaid surcharges.

It appears that about 70 percent of fines and penalties that accrue from traffic offenses are paid voluntarily, and it is anticipated that the same high ratio of surcharges would also be paid voluntarily. Because of the costs involved in attempting to collect the remaining 30 percent of unpaid surcharges, state efforts to collect the unpaid amount would not be undertaken until their value substantially exceeds the cost for collection. Consequently, there will not be a fiscal impact for the Department of Law.

*Adopted* *3/24/94 am*  
*see pg 2*

8-LS1237R  
Luckhaupt  
3/16/94

**CS FOR HOUSE BILL NO. 319( )**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**EIGHTEENTH LEGISLATURE - SECOND SESSION**

**BY**

**Offered:  
Referred:**

**Sponsor(s): REPRESENTATIVES PHILLIPS, MacLean, Sanders, Kott, Green**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the training of law enforcement and corrections officers; to  
2 the establishment of surcharges to be assessed for violations of certain traffic  
3 offenses; allowing defendants who are unable to pay the surcharge to perform  
4 community work; creating the Alaska police standards training fund; and  
5 providing for an effective date."

6 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

7 \* **Section 1. FINDINGS AND PURPOSE.** (a) The legislature finds that

8 (1) the Alaska Police Standards Council is an essential part of the law  
9 enforcement training support network of the state and it warrants continued and predictable  
10 support;

11 (2) rural and urban communities rely on dependable public safety protection;

12 (3) the law enforcement and corrections community of the state is greatly  
13 strengthened by having a professionally trained network; and

1 (4) the safety of the public will be greatly improved by the establishment and  
2 maintenance of an efficient training network for law enforcement and corrections officers.

3 (b) It is the purpose of this Act to

4 (1) enable the Alaska Police Standards Council to function in a manner that  
5 enhances the performance and accountability of the council and the law enforcement and  
6 corrections communities it serves;

7 (2) provide a stable funding source for law enforcement and corrections officer  
8 training by establishing a surcharge to be assessed against violators of the traffic and motor  
9 vehicle laws of the state.

10 \* Sec. 2. AS 12.55 is amended by adding a new section to read:

11 Sec. 12.55.039. SURCHARGE. (a) In addition to any fine or other penalty  
12 prescribed by law, a defendant who pleads guilty or nolo contendere to, forfeits bail  
13 for, or is convicted of a violation of a vehicle or traffic offense under AS 28, a  
14 regulation adopted under AS 28, or a municipal ~~ordinance~~ under AS 28.01.010 shall  
15 be assessed a surcharge of

16 (1) \$10 if the violation is for other than a violation of AS 28.15.291,  
17 AS 28.33.030, 28.33.031, AS 28.35.030, 28.35.032, 28.35.040, 28.35.060, or a  
18 comparable municipal ordinance; or

19 (2) \$25 if the violation is a violation of AS 28.15.291, AS 28.33.030,  
20 28.33.031, AS 28.35.030, 28.35.032, 28.35.040, 28.35.060, or a comparable municipal  
21 ordinance.

22 (b) A court may not fail to impose the surcharge required under this section.  
23 The surcharge may not be waived, deferred, or suspended. A court may allow a  
24 defendant who is unable to pay the surcharge required to be imposed under this section  
25 to perform community work under AS 12.55.055(c) in lieu of the surcharge.

26 (c) The surcharge shall be paid within 10 days of imposition or such shorter  
27 period of time as ordered by the court. Failure to pay the surcharge is punishable as  
28 contempt of court. Proceedings to collect the surcharge may be instituted by the state,  
29 the municipality, or by the court on its own motion.

30 (d) Money collected under this section shall be deposited into the general fund  
31 and accounted for under AS 37.05.142.

1 \* Sec. 3. AS 12.55.055(c) is amended to read:

2 (c) The court may offer a defendant convicted of an offense the option of  
3 performing community work in lieu of a fine, surchage, or [A] portion of a fine or  
4 surchage if the court finds the defendant is unable to pay the fine. The value of  
5 community work in lieu of a fine is \$3 [\$3.00] per hour.

6 \* Sec. 4. AS 18.65 is amended by adding a new section to read:

7 Sec. 18.65.225. ALASKA POLICE TRAINING FUND. The Alaska police  
8 training fund is created in the general fund. The fund consists of appropriations made  
9 by the legislature to the fund. The legislature may appropriate to the fund the annual  
10 estimated balance in the account maintained under AS 37.05.142 for money collected  
11 under AS 12.55.039 and AS 28.05.151. The legislature may make appropriations from  
12 the fund to the Alaska Police Standards Council to provide training for the law  
13 enforcement and corrections community of the state under AS 18.65.230. Nothing in  
14 this section creates a dedicated fund.

15 \* Sec. 5. AS 28.05.151 is amended by adding a new subsection to read:

16 (c) The supreme court shall require as a condition of the disposition of an  
17 offense without appearance that a person charged with any offense for which a bail  
18 forfeiture amount has been adopted shall pay a surcharge of \$10 in addition to the bail  
19 forfeiture amount established by the supreme court. The surcharge required to be paid  
20 under this subsection shall be deposited into the general fund and accounted for under  
21 AS 37.05.142.

22 \* Sec. 6. APPLICABILITY. The surcharge required to be assessed and collected under  
23 AS 12.55.039 and AS 28.05.151 applies only to offenses and violations occurring after  
24 December 31, 1995.

25 \* Sec. 7. This Act takes effect January 1, 1996.

AMENDMENT I Failed

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: CSHB 319( ) 3/16/94 Draft

Page 2, line 16:

Delete subsection

Page 2, line 19:

Delete "(2)"

Back-up

# FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO. CSHB 319 (JUD)

Revision Date: 03/23/94

Dept. Affected: Alaska Court System

Title: An Act relating to the training of law enforcement and corrections officers...

BRU: Trial Courts

Sponsor: Reps. Phillips, MacLean, Sanders, Kott

Components: \_\_\_\_\_

Requestor: \_\_\_\_\_

COMPONENT SERIAL NO. 768

**EXPENDITURES/REVENUES** (Thousands of Dollars)

| OPERATING EXPENDITURES | FY 95      | FY 96      | FY 97      | FY 98      | FY 99      | FY 00      |
|------------------------|------------|------------|------------|------------|------------|------------|
| PERSONAL SERVICES      |            |            |            |            |            |            |
| TRAVEL                 |            |            |            |            |            |            |
| CONTRACTUAL            |            |            |            |            |            |            |
| SUPPLIES               |            |            |            |            |            |            |
| EQUIPMENT              |            |            |            |            |            |            |
| LAND & STRUCTURES      |            |            |            |            |            |            |
| GRANTS & CLAIMS        |            |            |            |            |            |            |
| <b>TOTAL OPERATING</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

|                      |  |  |  |  |  |  |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES |  |  |  |  |  |  |
|----------------------|--|--|--|--|--|--|

|                        |  |  |  |  |  |  |
|------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES ( ) |  |  |  |  |  |  |
|------------------------|--|--|--|--|--|--|

**FUND SOURCE** (Thousands of Dollars)

|                          |                 |            |            |            |            |            |
|--------------------------|-----------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts    |                 |            |            |            |            |            |
| 1003 GF Match            |                 |            |            |            |            |            |
| 1004 GF                  | 0.0             | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| 1005 GF/Program Receipts |                 |            |            |            |            |            |
| 1006 GF/MHTIA            |                 |            |            |            |            |            |
| Other InterAgency RSA    | See note below. |            |            |            |            |            |
| <b>TOTAL</b>             | <b>0.0</b>      | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

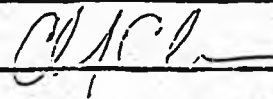
**POSITIONS**

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| FULL-TIME |  |  |  |  |  |  |
| PART-TIME |  |  |  |  |  |  |
| TEMPORARY |  |  |  |  |  |  |

Estimate of current year (FY 94) cost: \$ None

**ANALYSIS:** (Attach a separate page if necessary)  
See attached fiscal analysis. The Police Standards Council will transfer funds to the court system via a reimbursable services agreement to cover supply and program conversion costs.

Prepared by: C. S. Christensen III, Staff Counsel  
Agency: Alaska Court System



Phone: 264-8228  
Date: 03/23/94

Approved by: Arthur H. Snowden, II, Administrative Director  
Agency: Alaska Court System



Date: 03/23/94

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

Alaska Court System  
Fiscal Analysis  
CSHB 319 (JUD)

This legislation will require revision of various court forms, traffic booklets, operating procedures and minor computer reprogramming. The fiscal impact of this legislation is detailed below.

Contractual

Postage for reprinting traffic booklet

The court system provides two version of a traffic offense booklet to all law enforcement agencies and courts in the state. Approximately 3,500 copies of the booklet are distributed at a cost of \$.75 each. \$2,625

Contractual programming of rural court computers to facilitate the new forms and procedures. 4,800

Supplies

Supplies for reprinting traffic booklet

The traffic offense booklets contain approximately 15 duplex pages each. The court must prepare 3,500 copies of the 15 page booklet at a cost per page of \$.035. 1,838

Non-computerized courts use a DWI judgment form for certain traffic offenses, which must be revised and reprinted. 700

Estimated one-time cost \*\*\* \$9,963

\*\*\* These costs will be funded through an RSA with the Police Standards Council.

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

**DRAFT**

BILL NO: CSHB 319FIN

Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety

Title: Peace Officers Training Fund BRU: Alaska Police Standards Council

Component: Alaska Police Standards Council

Sponsor: REP. PHILLIPS

Requestor: H. FIN COMPONENT SERIAL NO. 519

**EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)**

| OPERATING                        | FY 95      | FY 96        | FY 97        | FY 98        | FY 99        | FY 00        |
|----------------------------------|------------|--------------|--------------|--------------|--------------|--------------|
| PERSONAL SERVICES                | 0.         | 52.6         | 105.2        | 105.2        | 105.2        | 105.2        |
| TRAVEL                           | 0.         | 6.0          | 12.0         | 12.0         | 12.0         | 12.0         |
| CONTRACTUAL                      | 0.         | 115.3        | 535.0        | 580.7        | 580.7        | 580.7        |
| SUPPLIES                         | 0.         | .4           | .7           | .7           | .7           | .7           |
| EQUIPMENT                        | 0.         | 175.0        | 45.7         | 0            | 0            | 0            |
| LAND & STRUCTURES                |            |              |              |              |              |              |
| GRANTS, CLAIMS                   |            |              |              |              |              |              |
| MISCELLANEOUS                    |            |              |              |              |              |              |
| <b>TOTAL OPERATING</b>           | <b>0.</b>  | <b>349.3</b> | <b>698.6</b> | <b>698.6</b> | <b>698.6</b> | <b>698.6</b> |
| <b>CAPITAL EXPENDITURES</b>      | <b>-0-</b> | <b>-0-</b>   | <b>-0-</b>   | <b>-0-</b>   | <b>-0-</b>   | <b>-0-</b>   |
| <b>CHANGE IN REVENUES (1005)</b> | <b>0.</b>  | <b>349.3</b> | <b>698.6</b> | <b>698.6</b> | <b>698.6</b> | <b>698.6</b> |
| Revenue Code                     |            |              |              |              |              |              |

**FUNDING: (Thousands of Dollars)**

|                          |           |              |              |              |              |              |
|--------------------------|-----------|--------------|--------------|--------------|--------------|--------------|
| 1002 Federal Receipts    |           |              |              |              |              |              |
| 1003 GF Match            |           |              |              |              |              |              |
| 1004 GF                  |           |              |              |              |              |              |
| 1005 GF/Program Receipts | 0         | 349.3        | 698.6        | 698.6        | 698.6        | 698.6        |
| 1006 GF/MHTIA            |           |              |              |              |              |              |
| Other                    |           |              |              |              |              |              |
| <b>TOTAL</b>             | <b>0.</b> | <b>349.3</b> | <b>698.6</b> | <b>698.6</b> | <b>698.6</b> | <b>698.6</b> |

Estimate of current year (FY 94) impact: \$ \_\_\_\_\_

**POSITIONS:**

|           |   |   |   |   |   |   |
|-----------|---|---|---|---|---|---|
| FULL-TIME | 0 | 2 | 2 | 2 | 2 | 2 |
| PART-TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| TEMPORARY | 0 | 0 | 0 | 0 | 0 | 0 |

ANALYSIS: (Attach a separate page if necessary.) APSC's Basic Operating Budget provides funding for staff travel for council members and contractual services for basic police training. HB319 would supplement training for 2200 officers statewide and increase funding for training of additional peace officers.

Prepared By: Laddie Shaw Phone: 465-4378

Division: Alaska Police Standards Council Date: 2-14-94

Approved by Commissioner: \_\_\_\_\_ Date: 2-14-94

Agency: Richard L. Burton, Dept. of Public Safety

**PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE**

For further distribution information call the Governor's Legislative Office

The Alaska Police Standards Council is responsible by legislation (AS 18.65.230) to establish and maintain training programs for law enforcement agencies and correctional institutions. In-service training is essential to support the special requirements of peace officers throughout the state.

CSHB319 FIN establishes a training fund that would allow for a much needed continuing education and training support of the law enforcement and corrections community throughout Alaska.

Presently the Alaska Police Standards council is funded to support the basic level training of 15 officers. No additional funds are available for any in-service training from the Alaska Police Standards Council.

In-service and specialized training are being addressed in a fragmented fashion by taking advantage of training whenever and wherever it is offered.

The establishment of this fund will come about in the development of a user fee assessment, as where violators will pay for police and corrections training.

In charging a \$10 assessment on all uniformed traffic citations and court judgements, projected revenue to the fund will be \$539.3.

A \$25 assessment on operating a motor vehicle or aircraft while intoxicated, reckless driving, refusal to submit to a chemical test, driving while license canceled, suspended or revoked, and failure to stop and give aid when a motor vehicle accident occurs, equate to a projected revenue of \$159.3.

To deal with the additional tasks necessary to implement this legislation, two full-time positions will be needed. One position is a Training Coordinator, who will be a point of contact for all information in regards to training. A Training Coordinator will provide a cost savings as training currently offered will be maximized and be more cost effective. The position will coordinate activities of training programs with all law enforcement agencies and correctional institutions throughout the state. Duties will

Department of Public Safety  
CSHB 319 FIN  
Page 3 of 5

also include the development and coordination of in-service, instructor and recertification training programs. Travel is required of this position to insure the training and educational needs of the law enforcement and corrections are being carried out.

The position of a Data Processing Clerk is needed to set up and maintain files of correspondence and records for the ongoing training reports submitted by the peace officer network, and assist in processing the 2200 officer certification updates, new certificates, and decertification processes.

Initial equipment cost will be in setting up computer-based interactive multimedia training, distance learning, and simulator systems.

The Alaska Police Standards Council is willing to explore options in the development and placement of satellite distance learning and teleconferencing capabilities with other state agencies. By coupling the interactive multimedia program with a participating agency satellite distance learning system it would then allow for a larger number of training sites to deliver telecourse and videotaped training material to Alaska's widely dispersed target audience.

If the Alaska Police Standards Council is to be effective in delivering programs on a statewide basis to all law enforcement agencies and corrections institutions, the satellite downlike system has the potential to deliver the best training at the most reasonable cost.

Due to the administrative conversion within the court system to allow them to collect and process the assessment fee under HB319, and change over the uniform traffic citations, there will be a reimbursable service agreement of \$10,000.00 from the Alaska Police Standards Council to the Alaska Court System. This RSA is included under contractual within the FY 96 operating costs.

Basic level training grants and in-service training will encompass the additional portion of the funds.

CSHB319 FIN will supplement the existing Police Standards budget to allow for the much needed growth of recruits in the basic level academies.

In-service training would be relevant to continuing enforcement education in areas of investigation, community relations, multi-cultural diversity, officer safety, use of force, etc. Training is also needed for recertification, i.e.: first aid, intoximeter, defensive tactics, firearms, etc.

The following is a summary of the costs that are anticipated to be incurred the first full year of operations under this legislation.

|                   |              |
|-------------------|--------------|
| Personal Services | 105.2        |
| Travel            | 12.0         |
| Contractual       | 220.7        |
| Supplies          | .7           |
| Equipment         | <u>360.0</u> |
| TOTAL             | 698.6        |

Costs not included after the first year are the equipment costs (400.0) which will be moved to contractual for basic and in-service training needs the following years.

Personal Services

|   |               |
|---|---------------|
| Training Coordinator Range 18 Step A    |               |
| Salary                                  | \$48,876      |
| Benefits                                | <u>19,654</u> |
| (includes 200 hours overtime)           | \$ 68,530     |
| Data Processing Clerk II Range 9 Step A |               |
| Salary                                  | \$24,288      |
| Benefits                                | <u>12,366</u> |
|   | \$ 36,654     |
| Total Personal Services                 | \$ 105,184    |

Contractual

|   |            |
|---|------------|
| Basic Level Training 10 Students @ 10 Weeks               | \$ 53,000  |
| In-Service/Field Training and<br>Executive Level Training | \$ 155,700 |
| Alaska Court System RSA                                   | \$ 10,000  |
| Long Distance Phone Costs                                 | \$ 2,000   |
| Total Contractual Costs                                   | \$ 220,700 |

Supplies

Stationary, copy machine paper,  
Calculator, etc. \$ 700

Equipment

|                                |            |                   |
|--------------------------------|------------|-------------------|
| Two Desks                      | \$ 1500    |                   |
| Credenza                       | 500        |                   |
| Two Chairs                     | 1000       |                   |
| Two Side Chairs                | 600        |                   |
| Work Station (Technical)       | 2500       |                   |
| Work Station (Support)         | 2500       |                   |
| Two Bookcases                  | 400        |                   |
| Four File Cabinets             | 2100       |                   |
| Two PC Systems                 | 7000       |                   |
| PC Hookup Charge               | 500        |                   |
| Work Table                     | 500        |                   |
| Cellular Phone                 | 500        |                   |
| Two Telephone & Installation   | <u>400</u> |                   |
|                                | SUBTOTAL   | \$ 20,000         |
|                                |            |                   |
| Inter Active Video System X 10 |            |                   |
| Large Screen TV, CD-Rom (PC)   |            |                   |
| Software, Hardware (Set-up)    | 40,000     |                   |
| Driving Simulators X 2         | 140,000    |                   |
| Firearms Training System X 2   | 160,000    |                   |
|                                | SUBTOTAL   | <u>\$ 340,000</u> |
|                                | TOTAL      | \$ 360,000        |



# HOONAH DEPARTMENT OF PUBLIC SAFETY

P.O. BOX 450

HOONAH, ALASKA 99829-0450

PHONE: (907) 945-3656 or 945-3655

FAX: (907) 945-3658

FEB 10 1994

MILTON J. HAKEN  
Chief of Police

February 07, 1994

Honorable Gail Phillips  
State of Alaska, House Representative  
Juneau, Alaska 99801-1182

Ref: ~~House Bill 319~~ **Training of law enforcement and corrections officers.**

Dear Representative Phillips,

This letter is presented for your consideration *in favor of and support for* House Bill 319, introduced by you. First off, let me thank you for initiating this bill! For over the past ten years, the Alaska Police Standards Council (APSC) has been unable to meet the increasing training demands for law enforcement and correctional officers in our state. The increasing demands are largely being driven by court decisions affecting the civil liability incurred by government bodies. A fact of life is: civil actions resulting from inadequate training are on the increase. Turnover and retirement in the ranks is another contributor.

Our society is changing, we all are seeing an increase in violence in our neighborhood. Drug abuse and the lack of jobs due to the economic conditions are facts of life. This department is small and has very limited resources for training. My officers have the bare bones basic training. Last year I solicited and received donations from businesses outside our community to raise money to send Officers to training outside the State of Alaska because the training was not available or slots for attendance were limited and filled by the larger agencies in the State. This training was in drug enforcement and investigation, Drug Abuse Resistance Education (D.A.R.E.) and Community Oriented Policing. There are several areas our department needs training in, but we just don't

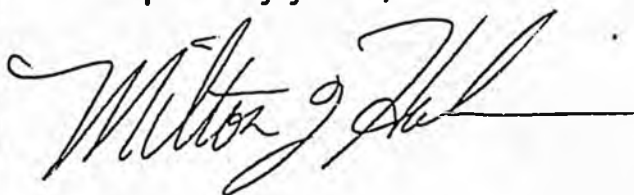
have the resources and/or the training isn't being offered or available in the State of Alaska.

This, I believe, is a sad commentary. Our neighboring State of Washington, is fast becoming recognized nationally as progressive and a leader in training it's law enforcement and corrections officers. Bill 319 is not an original idea, in most states in the lower forty-eight, laws similar to Bill 319 are already in place. Small law enforcement agencies in Alaska, like ours, need APSC to take a leadership role in delivering and meeting training needs, demands and opportunities. The costs of providing adequate training is a small fraction when equated to the price paid for associated costs of lawsuits and judgements.

Please support Bill 319. This Bill will put in place a "user fee assessment funding system" where the court imposes a fine or orders a bail forfeiture as a part of the penalty for an offense. This funding is in addition to the fine/bail system already in place. This source of funding can go a long way to enable APSC to provide professional training and education statewide.

Please feel free and do not hesitate to contact me if you have any questions. Thank you for your consideration in this matter.

Respectfully yours,

A handwritten signature in cursive script, appearing to read "Milton J. Haken". The signature is written in dark ink and is positioned above the typed name.

Milton J. Haken  
Chief of Police



2., Second Street, Suite 200 ■ Juneau, Alaska 99801 ■ Tel (907) 586-1325, Fax (907) 463-5480

February 4, 1994

TO: Brian Porter, Chair  
and Members,  
House Judiciary Committee

FROM: Kent E. Swisher, Executive Director

RE: **HB 319 - Training of law enforcement and corrections officers**

The Alaska Municipal League supports the intent of **HB 319**, to ensure that Alaska's public safety personnel have access to an efficient professional law enforcement training network.

The League's *1994 Policy Statement*, adopted by AML members in November 1993, includes the following statement in support of general training opportunities:

The League urges the legislature to assure, through state assistance, that local full-time and volunteer police, fire, emergency medical, and other emergency preparedness personnel throughout the state have access to adequate facilities and program resources for training. Further, the League endorses public fire education and arson education. (*1994 Policy Statement*, Part III-Public Safety, B-Training)

94LEGIS:HB319.2-4

*State of Alaska  
Alaska Police Standards Council  
Pouch N - Juneau, Alaska 99811*

1  
2 BILL NO: HB319

DATE:

3  
4 TITLE: "An Act relating to the training of law enforcement  
5 and corrections officers... creating the Alaska  
6 Police Standards Training Fund" CONTACT: Laddie Shaw  
7 Executive Director  
8 Alaska Police  
9 Standards Council  
10 465-4378

11  
12 This bill addresses the ongoing problem of fulfilling the in-  
13 service and specialized training requirements of law enforcement  
14 and corrections statewide.

15  
16 HB319 would generate the funding necessary to provide Alaska law  
17 enforcement and corrections officers the level of training they  
18 need to adequately perform their roles in an ever-changing  
19 contemporary society.

20  
21 HB319 would allow for sufficient staff and funding to allow the  
22 Alaska Police Standards Council to fulfill their obligation under  
23 AS 18.65.230 by making available criminal justice education and  
24 training to peace officers, and corrections, probation, and  
25 parole officers.

26  
27 This bill would allow the Alaska Police Standards council to re-  
28 emphasize its mission in providing quality service to the public  
29 by maximizing the training investment in our law enforcement and  
30 corrections personnel.

31  
32 The goals of the Alaska Police Standards Council is to enhance  
the ability of its peace officers to provide that level of  
service desired by the citizens of Alaska through:

- 21 - Prescribing essential training requirements and curriculum;
- 22 - Promoting advanced and executive level training;
- 23 - Implementing and enforcing prerequisite standards for the selection and retention of officers;
- 24 - Maximizing the utilization of the training fund;
- 25 - Fostering a spirit of professional and community cooperation.

26  
27 Civil actions resulting from inadequate training are on the  
28 increase. The end costs of providing adequate training is  
29 negligible when compared to the cost associated with lawsuits and  
30 their resultant judgement.

31  
32 In developing a user fee assessment funding system the violators  
pay for police and corrections training.

This bill is supported by the Alaska Police Standards Council.

LETTERS

State of Alaska  
Alaska Police Standards Council  
Pouch N - Juneau, Alaska 99811

1  
2 APSC Mission Objectives

3 To produce a highly-trained and positively motivated  
4 professional, capable of meeting contemporary law enforcement  
5 standards of performance.

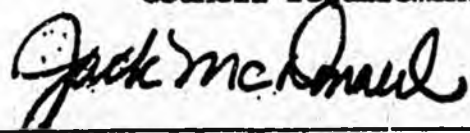
- 6 - To build on the foundation of skill and knowledge  
7 acquired at the basic academy, with continued  
8 education and training where the officer may  
9 enhance those skills and increase proficiency in  
10 all aspects of job performance.
- 11 - To cooperatively establish a career path within the  
12 respective agencies, by providing qualified members  
13 with advanced training and opportunities to develop  
14 leadership and supervisory skills.
- 15 - To ultimately increase the overall efficiency and  
16 effectiveness of the law enforcement and  
17 corrections community by assuring a climate of  
18 professionalism and conscientious standards of law  
19 enforcement and corrections.

20 APSC Responsibilities

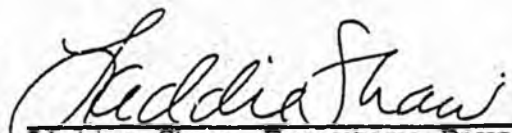
21 The Council is appointed by the Governor, to represent state and  
22 municipal police and correction's administrators, individual  
23 officers, and the private sector.

24 Statutory requirements:

- 25 (1) establish minimum employment, training and  
26 educational standards for all full-time state,  
27 municipal police, probation, parole and  
28 correctional officers in Alaska;
- 29 (2) establish minimum curriculum requirements for  
30 all police, probation, parole and correctional  
31 officers training programs, courses and classes;
- 32 (3) consult and cooperate with all agencies concerning  
the development of police, probation, parole and  
correctional officers training schools and programs  
of instruction;
- (4) establish and maintain police, probation, parole  
and correctional officers training programs;
- (5) issue certificates evidencing satisfaction of  
Council requirements.



Jack McDonald, Chairman  
Alaska Police Standards Council



Laddie Shaw, Executive Director  
Alaska Police Standards Council

# CITY/BOROUGH OF JUNEAU

JAN 21 1994

## POLICE DEPARTMENT

210 ADMIRAL WAY • JUNEAU, ALASKA 99801

RICHARD W. GUMMOW  
CHIEF OF POLICE

*Alaska's Capital City*

BUSINESS 586-2780  
EMERGENCY 9-1-1

January 20, 1994

The Honorable Gail H. Phillips  
Alaska State Capitol  
Room 216  
Juneau, Alaska 99801-1182

Dear Representative Phillips:

I would like to take a moment to express my unqualified support of HB 319, *The Alaska Police Standards Training Fund*.

The legislation you have sponsored is absolutely vital to Alaska law enforcement. Policing in the 1990's is much more demanding and complex than ever before. Pressing social issues including dysfunctional families, poverty, homelessness, drug addiction, gang warfare, and escalating crimes of violence have created an overwhelming burden for our peace officers. We have ever increasing expectations of the quality of service and levels of professionalism delivered by our peace officers. We demand more sensitivity, more productivity, and greater accountability, all with diminishing financial resources.

Police managers and elected officials from small and mid-sized cities throughout the United States have learned from experience that they seriously underestimated their communities' ability to remain free from the devastating influence of crime that has long plagued large urban cities. Until recently, Alaskans have been insulated from serious crime and its destructive effect on our communities. However, occurrences of gang violence, drive-by shootings, homicides, hate crimes, armed robberies, and other acts of senseless violence committed by Alaskans against Alaskans are reported in our newspapers with increasing regularity.

Alaska's peace officers now face an enormous challenge that will require a significant increase in the level of professional development, skills, and training to meet the rigorous demands of contemporary policing.

The provisions of your Bill will finally provide a long overdue stable funding source for Alaska Police Standards Council, without levying additional general tax increases. I am convinced that the professional standard and quality of Alaska law enforcement will improve dramatically with the passage of this Bill, as will the general safety of all Alaska residents.

I am available to discuss any questions you may have regarding the importance of peace officer training, and I am willing to testify at any subsequent hearings should you find it helpful.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard W. Gummow".

Richard W. Gummow  
Chief of Police

cc: Laddie Shaw  
Alaska Police Standards Council