

HB

186

<TARGET><BILL>HB 186</BILL><SUBJECT>HB
186</SUBJECT><COMM>HSTA28</COMM></TARGET>

Alaska Legislature

Representative Charisse Millett

Session:

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District 24

SPONSOR STATEMENT

HOUSE BILL 186

Currently, the definition of a police officer in state statutes includes the words “a full time” employee. This inadvertent language allows police departments in cities, boroughs, municipalities and even state agencies to potentially hire otherwise unqualified police officers under “part time” and “seasonal” conditions. Allowing this loophole to stand has potentially devastating impacts on the integrity of public safety in our state. Officers taking advantage of this loophole can have their investigation procedures called into question, which can result in criminal cases being thrown out. More importantly, the public receives a mixed message with the knowledge that the individuals patrolling their villages, towns and cities might not be held to the same standards of conduct. For the general public to accept the institutions of law and order, the members of those bodies must have reputations that are above all suspicion.

House Bill 186 disentangles this grey area by replacing “a full time employee” with “an employee.” Though it may seem a very simple textual change, this modification now covers all individuals employed in the state with police powers. Police departments in all corners of Alaska now are held to the same level of conduct and competency. Unqualified persons have no role in patrolling our streets and highways thanks to a technicality. With the passage of House Bill 186, we can ensure that the foremost citizens of our state will be the only ones wearing the uniform of an officer.

Prepared by: Vasilios Gialopsos

HB 186 Sponsor Statement

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
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Juneau, Alaska 99801-1182
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MEMORANDUM

March 25, 2013

SUBJECT: The Alaska Police Standards Council's definition of "police officer" (HB 186; Work Order No. 28-LS0707\A)

TO: Representative Charisse Millett
Attn: Vasilios Gialopsos

FROM: Dan Wayne
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1, the bill's only section, would remove "full-time" employment from the requirements in the definition of "police officer" that is used by the Alaska Police Standards Council.

DCW:ljw
13-203.ljw

Fiscal Note

State of Alaska
2013 Legislative Session

Bill Version: HB 186
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB186-DPS-APSC-03-29-13
Title: DEFINITION OF POLICE OFFICER
Sponsor: MILLETT
Requester: (H) State Affairs

Department: Department of Public Safety
Appropriation: Alaska Police Standards Council
Allocation: Alaska Police Standards Council
OMB Component Number: 519

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2014	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2014 Request	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
OPERATING EXPENDITURES	FY 2014	FY 2014					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2013) cost: 0.0

Estimated CAPITAL (FY2014) cost: 0.0

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Not applicable, initial version.

Prepared By: Kelly Alzaharna, Executive Director
Division: Alaska Police Standards Council
Approved By: Joseph A. Masters, Commissioner
Department of Public Safety

Phone: (907)465-5523
Date: 03/29/2013 08:00 AM
Date: 03/29/13

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2013 LEGISLATIVE SESSION

BILL NO. HB186

Analysis

HB 186 amends the definition of "police officer" under AS 18.65.290(7)(A) for purposes of Alaska Police Standards Council (APSC) certification by removing the reference to "full-time" in that definition.

This change in the definition would mean that any person hired as a police officer by a municipal or state police department would be subject to the standards and minimum training requirements set by APSC for certification as a police officer regardless of whether they are employed full-time or not.

The subsequent increase in the number of applications for police officer certification the APSC would need to process is expected to be minimal and can be accommodated with existing resources. Therefore, a zero fiscal note is being submitted.