

HB

16

<TARGET><BILL>HB 16</BILL><SUBJECT>HB
16</SUBJECT><COMM></COMM></TARGET>

ALASKA STATE LEGISLATURE

Session:
State Capitol Building
Room 511
Juneau, Alaska 99801-2186
Phone (907) 465-3004
Toll Free: (877) 465-3004



Interim:
1292 Sadler Way, Ste. 323
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REPRESENTATIVE STEVE THOMPSON DISTRICT 2 MEMORANDUM

To: Senator Mike Dunleavy, Chair
Senate State Affairs Committee

From: Representative Steve Thompson

Handwritten signature of Steve Thompson in blue ink.

Date: February 14, 2017

Re: Hearing Request for HB16 – Driv. License Req; Disability: ID & Training

Please accept this memorandum as a request for HB 16 to be heard in the House Rules Committee.
Attached are the following documents:

- o HB 16 Sponsor Statement
- o HB 16 Sectional Analysis ver A
- o HB 16 Bill ver A
- o HB 16 Fiscal Note DOA-DMV
- o HB 16 Fiscal Note DOC-CA
- o HB 16 Fiscal Note DPS-APSC
- o HB 16 Supporting Documents- Support Letters
 - o Gov. Council on Disabilities & Special
 - o AK Commission on Aging
 - o AK Center for the Blind and Visually Impaired
 - o Statewide Ind. Living Council of Alaska
 - o WallBusters- Rebecca Traylor
 - o WallBusters- Art Delaune
 - o Jenna Steffes- Advocate
- o HB 16 Letters of Opposition-Concern & Response from Rep. Thompson
 - o AK Police Officer Association
 - o AK Police Standards Council
 - o Rep. Thompson Response to Concerns
- o HB 16 Additional Documents-
 - o Non-apparent disabilities symbol
 - o Partial list of disabilities considered hidden

Should you have any questions concerning this bill, please do not hesitate to contact Lynette Bergh at 465-3004.

E-mail Representative_Steve_Thompson@akleg.gov

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REPRESENTATIVE STEVE THOMPSON

Sponsor Statement HB 16 (30-LS0194A) - "An Act relating to training regarding disabilities for police officers, probation officers, parole officers, correctional officers, and village public safety officers; relating to guidelines for drivers when encountering or being stopped by a peace officer; relating to driver's license examinations; and relating to a voluntary disability designation on a state identification card and a driver's license."

When people with non-apparent disabilities interact with peace officers and corrections officers, elements of their disabilities often brush against officers' protocols and may result in serious misunderstanding or even tragedy. The goal of HB 16 is to improve communications between law enforcement and corrections' professionals who interact with people who have non-apparent disabilities, whether these disabled individuals encounter the "systems" as victims, witnesses, or alleged perpetrators.

The first part of HB 16 focuses on training regarding interactions with people with non-apparent disabilities. The bill requires the implementation of a non-apparent disability awareness training component for Alaska peace officers, corrections officers and parole/probation officers. The Alaska Police Standards Council has established a basic course at the academy level. The training instructs officers how to engage in appropriate interactions with individuals who experience a non-apparent disability. The course instructs officers and the guidelines will stress understanding of the different manner in which people with non-apparent disabilities process sensory stimuli and language.

The bill also requires that the Department of Motor Vehicles (DMV) add a section to the Passenger Vehicle Driver Handbook that instructs drivers as to their responsibilities when interacting with a peace officer. Basic instruction will be added to the driver's manual and one or more questions will be added to the written driver's license test. Awareness training for both police officers and the public will aid in increasing the safety of most encounters.

Another component of HB 16 is to implement a statewide voluntary identification system where a discrete marker will be placed on an Alaska Driver's license or an Alaska ID card. The marker would indicate that the individual has a disability that may not be apparent. The police or corrections officer, having taken the disability awareness training, will be able to understand and more appropriately interact with the individual.

If a person's disability is not recognized during an encounter, it may affect the outcome of that encounter. This bill would push to improve communication between peace officers, corrections officers and parole/probation officers when interacting with people who have non-apparent disabilities. The hope of this bill is to reduce the potential for tragic encounters in our state.

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REPRESENTATIVE STEVE THOMPSON

Sectional HB 16 (30-LS0194A) - "An Act relating to training regarding disabilities for police officers, probation officers, parole officers, correctional officers, and village public safety officers; relating to guidelines for drivers when encountering or being stopped by a peace officer; relating to driver's license examinations; and relating to a voluntary disability designation on a state identification card and a driver's license."

Section 1. Amends AS 18.65.220 to include statutory language that expands the duties of the police standards council's training program to include training in recognizing and interacting with a person with disabilities, as well as familiarization with resources that are available to those with hidden disabilities.

Section 2. Adds a new subsection to AS 18.65.310. Providing that a person may voluntarily designate on their state identification card that the person has a disability and the proof required for the designation.

Section 3. Amends AS 18.65.670(c) to include disability training to village public safety officers.

Section 4. Amends AS 28.05.011 by adding a new subsection to include the duties and responsibilities of drivers when encountering or being stopped by a peace officer and that this information be included in the driver's manual.

Section 5. Amends AS 28.15.081(a) to include the duties and responsibilities of drivers when encountering or being stopped by a peace officer on the driver's test examination.

Section 6. AS 28.15.111 is amended by adding a new subsection (d), providing that a person may voluntarily designate on their Alaska Driver's License a disability designation, proof required for the designation and fees that may be charged.



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of
Health and Social Services

Governor's Council on Disabilities
& Special Education

3601 C Street, Suite 740
Anchorage, Alaska 99503
Main: 907.269.8990
Fax: 907.269.8995

January 20th, 2017

Representative Steve Thompson
Alaska State Legislature
Capitol Building, Room 500
Juneau, Alaska 99801

RE: HB16: Disability Training and Identification Bill

Dear Representative Steve Thompson,

The Governor's Council on Disabilities and Special Education (the Council) would like to extend its support for HB16. Your sponsorship of this bill is greatly appreciated as we feel that it will positively impact Alaska's most vulnerable populations, including individuals with disabilities.

Individuals with a hidden Intellectual or Developmental Disability who find themselves in a situation where it is necessary to effectively communicate with an authority figure may be at a disadvantage because of communication barriers, situational unawareness, and preconceptions authority figures may hold. Sadly, there have been instances in the past where Officers of the Law were unaware of an individual's disability and consequently misinterpreted the individual's actions as suspect and/or criminal, resulting in either injury or imprisonment for the individual. The Council feels that a training program is needed to improve communication skills between police officers, corrections officers and parole/probation officers who interact with people who experience non-apparent disabilities, whether these disabled individuals encounter the "systems" as victims, witnesses, or alleged perpetrators.

The Council strongly supports HB16 and the awareness that could potentially be fostered by providing law enforcement officials with the proper information and sensitivity training regarding individuals who experience a disability. By implementing a training course for law enforcement officials and having the option for an individual to include a discreet marker on their state identification card that conveys their disability to an Officer, the Council believes that HB16 will greatly decrease accidents that could have been prevented in the past by increasing hidden disability awareness throughout Alaska. Passing HB16 will provide a framework for a future in which a person's hidden disability will not be interpreted as uncooperative or unlawful and will prevent needless misunderstandings that can lead to violence and arrest. Thank you for working to ensure that Alaskans with disabilities are safe and understood by the people that work hard to protect them.

Sincerely,

A handwritten signature in cursive script, appearing to read "Patrick Reinhart".

Patrick Reinhart
Executive Director
Governor's Council on Disabilities and Special Education



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of
Health and Social Services

ALASKA COMMISSION ON AGING

P.O. Box 110693
Juneau, Alaska 99811-0693
Main: 907.465.3250
Fax: 907.465.1398

February 2, 2017

Representative Steve Thompson
Alaska Capitol, Room 500
Juneau, Alaska 99801-1182

Regarding: Support HB16, Training Regarding Non-Apparent Disabilities & Voluntary Disability Designations on State Identification Cards and Driver's License

Dear Representative Thompson:

The Alaska Commission on Aging (ACoA) is pleased to renew our support for HB16, as authored by you and co-sponsored by Representatives Saddler, Tarr, Gara, Wool, Millett, Stutes, Foster, Wilson, Johnson, Claman, Guttenberg, LeDoux, Grenn, Tuck, Ortiz, Rauscher, Kawasaki, Sullivan-Leonard, Chenault, and Knoff. Although this legislation addresses the needs of all Alaskans with disabilities, the ACoA will focus on the "safety" benefits we perceive for older Alaskans from this legislation, particularly those with concealed impairments that may result from physical or cognitive sources.

Older people who experience non-apparent disabilities are often impacted by the manner in which they respond to sensory stimuli and process information. This behavior can sometimes be misunderstood as resulting from being under the influence of an intoxicant or as purposefully disruptive. For example, hearing loss can result in problems understanding the spoken language and performing complex tasks. Those with anxiety disorders have a tendency to selectively focus and interpret even ambiguous events in a highly threatening way – which can be observed as disruptive behavior. Wandering outside unattended and unprotected is a significant personal safety risk for persons living with Alzheimer's disease and related dementias. Drivers with early stage memory changes are especially likely to minimize the complexity of driving and overestimate their abilities that can lead to unsafe driving. They may also find themselves lost even in familiar surroundings due to diminished short-term memory. Not only do these disabling conditions affect personal safety and the safety of others nearby, but may also impact the outcome of an encounter between a person with a disability and a public safety officer.

The Commission strongly agrees that preserving personal safety and dignity of individuals with disabilities would be greatly improved by having trained public safety officials able to recognize the signs of a person with non-apparent disabilities and have the skills to respond appropriately to them. We greatly appreciate the new requirement as proposed by HB16 for the Alaska Police Standards Council to amend its training curriculum requirements to include training that will enable Alaska police officers, correctional officers, probation officers, and parole officers to recognize people with disabilities, including non-apparent disabilities, to know how to respond appropriately, and possess knowledge about relevant resources to provide assistance. Disability awareness training will advance use of the

"Silver Alert" system and promote greater awareness among public safety officers about the needs of Alaskans with Alzheimer's disease and other cognitive impairments who have a tendency to wander and become lost, sometimes finding themselves in life-threatening situations. Public safety officers trained in disability awareness will be better able to recognize the signs of a person with dementia in the community and respond appropriately to bring that person to safety.

We thank you for your leadership on HB16 to enhance public safety awareness, improve communication, and increase protection for Alaskans with disabilities.

Sincerely,



**David A. Blacketer
Chair, Alaska Commission on Aging**

Sincerely,



**Denise L. Daniello
ACoA Executive Director**

**Cc: Representative Dan Sadler
Representative Geran Tarr
Representative Adam Wool
Representative Charisse Millett
Representative Louise Stutes
Representative Neal Foster
Representative Tammie Wilson
Representative DeLena Johnson
Representative Matt Claman
Representative David Guttenberg
Representative Gabrielle LeDoux
Representative Jason Grenn
Representative Chris Tuck
Representative Dan Ortiz
Representative George Rauscher
Representative Scott Kawasaki
Representative Colleen Sullivan-Leonard
Representative Mike Chenault
Representative Gary Knopp**



Equipping Alaskans who are blind and visually impaired with skills for success in life and work

To: The Honorable Representative Steve Thompson
From: Regan Mattingly, Executive Director
Date: January 31, 2017
Subject: Support for HB 16

Dear Representative Thompson,

The Alaska Center for the Blind and Visually Impaired is a non-profit 501(c)3 organization with the mission of equipping Alaskans who are blind and visually impaired with adaptive skills for success in life and work. As the only resource in Alaska that provides comprehensive adaptive services for those with decreased or no sight, the agency sets the standard for quality and professionalism for vision rehabilitation and low vision services in the state.

Alaskans with disabilities deserve to be treated fairly and respectfully by police officers, corrections officers and parole/probation officers. Sometimes recognizing that a person has a disability can be challenging. Disability awareness training will help an officer recognize a disability and help these professionals to effectively and appropriately interact with people with non-apparent disabilities. According to census data, we estimate that there are 15,372 Alaskans who experience blindness or low vision. Most Alaskans who experience significant vision loss still have some usable vision so it can be difficult to recognize low vision as a disability without the proper training.

The Alaska Center for the Blind and Visually Impaired supports HB 16, which proposes requiring disability awareness training for police officers, corrections officers, parole/probation officers and the public and includes voluntary participation in an identification program. We join you in support of HB 16, which will help to reduce potential conflicts between Alaskans with disabilities and public law enforcement. This bill also supports the intent of Title II of the Americans with Disabilities Act (ADA) which protects qualified individuals with disabilities from discrimination on the basis of disability in services, programs and activities provided by State and local government entities.

We appreciate your hard work and service and support your efforts to help Alaskans with disabilities.

Best Regards,


Regan Mattingly, Executive Director

STATEWIDE INDEPENDENT LIVING
COUNCIL of ALASKA



January 23, 2017

Representative Steve Thompson
State Capitol Room 500
Juneau AK, 99801

Dear Representative Thompson,

The Statewide Independent Living Council of Alaska (SILC) is a federally mandated state council that works to increase the opportunity for Alaskans with disabilities to live independently are fully integrated into the mainstream of society. Created in 1992, the SILC partners with self-advocates, centers for independent living, and other partner agencies to increase community based, cost-effective programs and services and to ensure the consumer voice is heard. As such, the SILC strongly supports HB16 – the Disability Training and Identification Bill, which grew out of a self-advocacy group at Access Alaska.

The key to this bill is education; as we all know, there are many misconceptions about people with disabilities. Misunderstandings can lead to poor judgement. That is why Alaska police and corrections academies will add a minimum 8 hour disability awareness to the curriculum. It will reduce arrests which are caused by misunderstandings, such as thinking a person with slurred speech and shaky gait is a person who has been driving under the influence when in fact it was someone with cerebral palsy. The Alaska Division of Motor Vehicles will add a page which will describe an individual's rights and responsibilities when stopped for cause by a police officer. Finally, an Alaskans would have the option of placing a small emblem, much like the heart currently used to highlight the person's willingness to donate organs, on any state identification.

It's important that we give our state officers the tools needed to communicate effectively with everyone, including people with disabilities. That is why the SILC stands with our sister boards, self-advocates, and partner agencies in support of HB16 – the Disability Training and Identification Bill. If you have any questions or concerns related to people with disabilities, please feel free to contact the SILC.

Sincerely,

Heidi James Frost
Executive Director

1057 West Fireweed Lane, Suite 206
Anchorage, Alaska 99503
1-888-294-7452 ~ Fax 907-263-2012
www.alaskasilc.org



526 Gaffney Road
Fairbanks, AK.99701
January 24, 2017

The Honorable Steve Thompson
State Capitol Room 500
Juneau AK, 99801

Dear Representative Thompson,

WallBusters is an advocacy group for people with disabilities. Our mission is to educate and advocate for the removal of barriers to independence for people with disabilities. We also advocate for the rights of people who experience a disability because it is our social responsibility to ensure that a person with a disability is able to access the same social benefits as any other member of our community.

We strongly support House Bill 16, the Training and Disability ID Bill. We support this piece of legislation because the primary goal of this bill is targeted education. This bill will ensure that law enforcement and corrections officers at the academy level will be informed about what a physical disability is, what a hidden disability is and what barriers a person with a disability may encounter. These professionals will become better equipped to interact with people who experience either apparent or non-apparent disabilities regardless of whether people with disabilities encounter the "systems" as victims, witnesses, or alleged perpetrators.

We also support the ID component of the bill because it will enable people who experience a disability to voluntarily disclose their disability in a discreet manner on an Alaska Driver's License or ID card. This ID marker is completely voluntary and will be a discreet way to inform a law enforcement officer that the person in front of them has a disability even though it may not be initially apparent to the officer.

Thank you for sponsoring HB16. This bill will ensure that law enforcement professionals in Alaska are trained to respectfully and appropriately interact with people who experience a disability. This legislation will go a long way to avoid misunderstandings and protect the right of people with disabilities be treated fairly and appropriately. HB16 will help improve the lives of all Alaskans, especially those with apparent and non-apparent disabilities.

Sincerely,

Rebecca Traylor
WallBusters

1841 Chelton Lane
Fairbanks, Alaska 99709
January 17, 2017 2015

Representative Steve Thompson
State Capitol Room 515
Juneau AK, 99801

Dear Representative Thompson,

I wholly support House Bill 16, the Disability Training and ID bill. HB16 will help police officers, corrections officers and parole/probation officers to better interact with people who experience non-apparent or hidden disabilities. Without the appropriate amount of disability awareness training for police, an officer might misinterpret actions or intentions a person with a disability. This misinterpretation may result in an error that could ultimately make the difference between life and death. Even lacking a life threatening situation, a person with a disability may be treated inappropriately and his or her American with Disability (ADA) rights may be violated.

Communicating reasonable and effectively with a person experiencing a disability is the law. Title II of the (ADA) affects the core activities of law enforcement. Nothing in Title II, its regulations, or its legislative history suggests that any police activities are excluded from Title II coverage. Every time a law enforcement or corrections officer violates a person's rights under the ADA, the local or state government is liable and may be subject to litigation.

HB16 targets Title II of the ADA; specifically communication access rights. People with disabilities have the right to understand what is being said them, be able to ask for clarification, have their information understood by the other person and be treated with respect. Training law enforcement officers is not only the law it is the right thing to do. A trained officer makes the situation safer for both the officer and the individual with whom they are interacting.

I support this bill because one of the goals of the bill is to provide training that helps law enforcement and corrections officers to intervene in a way that is helpful, respectful and more sensitive to an individual's disability. Thank you for your hard work and your efforts to sponsor and promote the passage of House Bill 16.

Very Sincerely



Art Delaune.
907-479-2838
Adelaune555@gmail.com

Jenna Steffes
1974 Raven Drive
Fairbanks, AK 99709

January 26, 2017

Dear Representative Thompson,

I would like to express my profound support for House Bill 16. This bill has been introduced several times over the years and I remain optimistic it will make it through this legislative session.

HB16 would provide necessary disability awareness education and training both to law enforcement and the public. Implementing standardized disability awareness training for police officers, corrections officers and parole/probation officers would help to ensure positive interactions between law enforcement and individuals with disabilities. HB16 would also allow for a voluntary identification program. If individuals experiencing a non-apparent disability voluntarily chose to identify on their state ID cards this would aid peace officers with how to appropriately communicate during potentially stressful encounters with the public.

I strongly believe that HB16 is a step in the right direction to eradicate discrimination towards individuals experiencing a disability, as well as an opportunity to further expand education for law enforcement in order to help keep them safe on the job. Thank you for keeping Alaskans with disabilities in mind and for your encouragement and support for HB16.

Sincerely,

Jenna Steffes



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Public Safety

ALASKA POLICE STANDARDS COUNCIL

PO Box 111200
Juneau, Alaska 99811-1200
Main: 907.465.4378
Fax: 907.465.3263

January 31, 2017

Rep. Steve Thompson
State Capitol Room 500
Juneau AK, 99801

Via: E-Mail Representative.Steve.Thompson@akleg.gov

RE: Support for HB 16

Dear Representative Thompson,

As the Chairman for The Alaska Police Standards Council I strongly support educating criminal justice professionals in how to recognize and more effectively deal with individuals with disabilities. In fact in my own department, The Juneau Police Department, I have instituted the Crisis Intervention Model and we do extensive training on this subject.

For your consideration, as a friendly house-cleaning measure; I suggest that when a citizen is looking in statute for what training requirements there might be for public safety that the most logical statute would be in AS 18.65.230, Training programs; or AS 18.65.240, Standards, where the current domestic violence training requirements for police officers resides.

I do not feel that adding training requirements to AS 18.65.220 Powers, is consistent with the other content of that section and could possibly complicate or muddy the Council's currently well-defined powers and authority.

Currently, AS 18.65.230. Training programs, reads:

The council shall establish and maintain police training programs, probation and parole officer training programs, and correctional training programs through those agencies and institutions that the council considers appropriate.

This section could easily be amended by adding:

Basic training programs established under this paragraph must include training in

- (A) recognizing people with disabilities;**
- (B) appropriate interactions with persons with disabilities;**
- (C) resources available to persons with disabilities and to those interacting with persons with disabilities; and**
- (D) the requirements of Title II of the Americans with Disabilities Act, 42 U.S.C. 12131 - 12165;**

Alternatively, Section AS 18.65.240. Standards. Currently reads:

(a) A person may not be appointed as a police officer, except on a probationary basis, unless the person (1) has satisfactorily completed a basic program of police training approved by the council, which includes at least 12 hours of instruction regarding domestic violence as defined in AS 18.66.990 , and (2) possesses other qualifications the council has established for the employment of police officers, including minimum age, education, physical and mental standards, citizenship, moral character, and experience. The council shall prescribe the means of presenting evidence of fulfillment of these requirements. ...

A similar amendment could affect the same change by amending the language to read:

(a) A person may not be appointed as a police, **probation, parole, corrections, or municipal corrections officer**, except on a probationary basis, unless the person (1) has satisfactorily completed a basic program of [POLICE] training approved by the council, which includes:

- (A) at least 12 hours of instruction regarding domestic violence as defined in AS 18.66.990
- (B) **instruction in recognizing people with disabilities; appropriate interactions with persons with disabilities; resources available to persons with disabilities and to those interacting with persons with disabilities; and the requirements of Title II of the Americans with Disabilities Act, 42 U.S.C. 12131 - 12165; and**

(2) possesses other qualifications the council has established for the employment of police, **probation, parole, corrections, or municipal corrections** officers, including minimum age, education, physical and mental standards, citizenship, moral character, and experience. The council shall prescribe the means of presenting evidence of fulfillment of these requirements. ...

Thank you for your consideration. I am available if you desire additional information or wish to discuss any of our suggestions in more detail.



Chief Bryce Johnson
Chairman
Alaska Police Standards Council

CC: Executive Director Varni, LAA



February 7, 2017

The Honorable Steve Thompson
House of Representatives
State Capitol Room 500
Juneau, AK 99801
Representative.Steve.Thompson@akleg.gov

Dear Representative Thompson:

On behalf of the Alaska Peace Officers Association (APOA), I am writing to convey concern with HB 16, "An Act relating to training regarding disabilities for police officers, probation officers, parole officers, correctional officers, and village public safety officers; relating to guidelines for drivers when encountering or being stopped by a peace officer; relating to driver's license examinations; and relating to a voluntary disability designation on a state identification card and a driver's license."

The APOA board of directors recently reviewed this bill and unanimously oppose. While we are sensitive to our state citizens' disabilities, APOA does not believe it would be appropriate to legislate training requirements and ultimately costs for police departments. The bill mandates ongoing in-service training requirements already put forth by law enforcement agencies which provide training and guidelines through departmental policy and procedure.

Please contact the APOA office in Anchorage at 277-0515 if you have questions about APOA's position on HB 16.

Sincerely,

Brad Johnson
State President
Alaska Peace Officers Association

PO Box 240106
Anchorage, AK 99524
apoa@gci.net
(907)277-0515

About APOA

The Alaska Peace Officers Association (APOA) is a dynamic, professional and non-partisan organization. Our membership consists of law enforcement, corrections, prosecutors, security professionals and others at the local, state and federal levels. APOA has served as a voice for peace officers and issues impacting the law enforcement profession for over half a century. We are one of the oldest and largest 501c(3) charitable, nonprofit organizations in Alaska. www.apoaonline.org

ALASKA STATE LEGISLATURE

Session:

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Juneau, Alaska 99801-2186
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REPRESENTATIVE STEVE THOMPSON HOUSE DISTRICT 2

January 31, 2017

Alaska Police Standards Council
PO Box 111200
Juneau, AK 99811

Via: E-Mail Bob.Griffiths@alaska.gov

Attn: Chairman Johnson and Members of Alaska Police Standards Council

RE: Moving Training Component from AS 18.65.220 to AS 18.65.230 or AS 18.65.240

Dear Mr. Griffiths and Chairman Johnson,

Thank you for your letters of support for HB 16-Driv.License Req;Disability:ID & Training. My office has been reviewing your suggestion that we move the training component of the bill from the Powers section of the statutes [AS 18.65.220] to either the Training programs [AS 18.65.230] or to the Standards' section of the statutes [AS 18.65.240]. After both a thorough review and a consultation with Legislative Legal, we have determined that the training component is best served by remaining in Sec 18.65.220. Powers.

The Powers' section of the statutes gives the Council the power to set the curriculum and to standardize the disabilities' training which can then be incorporated into existing peace officer training courses or programs, or other in-service programs. The Council would have more flexibility to outline how the training could be provided, be it by a specialized training, an in-service training, or another method that the Council deems appropriate.

Conversely, if the training component was added to AS 18.65.230, the Training Program section, the Council would no longer have the power to set the curriculum for the training component offered by other entities.

E-Mail: Representative.Steve.Thompson@akleg.gov

The Standards' section [AS 18.65.240] limits the training to new peace officers. This limits the training to a one-time training to become a certified police officer.

While it is possible to move the training component to either of these other two sections, the policy effects and fiscal impacts will be different. As the bill stands in its current version, the Council has the power to set curriculum and to set the standards for not only peace officers but also for probation officers, parole officers, municipal correctional officers and correctional officers.

Your support for HB 16 is very much appreciated and we value the input and suggestions that you have given to us.

Respectfully,

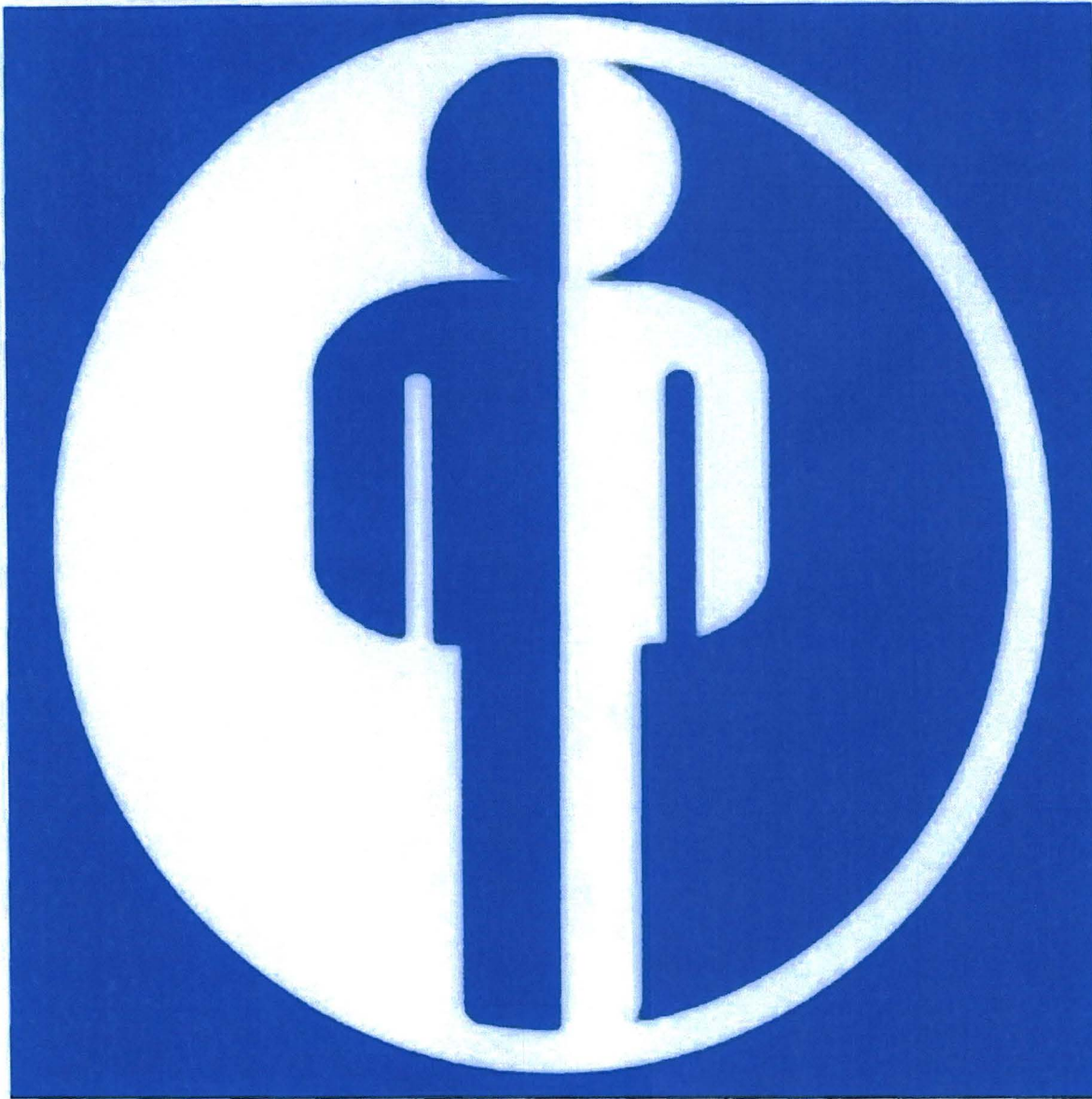


Rep. Steve Thompson

Appendix A

SOME disabilities considered hidden disabilities:

ADHD
Epilepsy
Major depression
Anxiety disorders
Fibromyalgia
Metabolic syndrome
Allergies
Food allergies
Migraines
Arachnoiditis
Fructose malabsorption
Multiple Sclerosis
Asperger Syndrome
Hereditary Fructose Intolerance
Multiple Chemical Sensitivity
Asthma
Hyperhidrosis
Narcolepsy
Autism
Hemochromatosis
Personality disorders
Bipolar disorder
Inflammatory bowel disease
Primary immunodeficiency
Brain injuries
Interstitial cystitis
Psychiatric disabilities
Irritable Bowel Syndrome
Reflex Sympathetic Dystrophy
Chronic fatigue syndrome
Lactose Intolerance
Repetitive stress injuries
Chronic pain
Lupus
Rheumatoid arthritis
Circadian rhythm sleep disorders
Lyme Disease
Schizophrenia
Scleroderma
Celiac Disease
Ulcerative Colitis
Sjögren's syndrome
Crohn's disease
Temporomandibular joint disorder
Depression
Transverse Myelitis
Diabetes



ALASKA STATE LEGISLATURE

SENATE STATE AFFAIRS COMMITTEE

Senator Mike Dunleavy, Chair
State Capitol, Room 11
Juneau, AK 99801-1182
Phone (907) 465-6308
Senator.Mike.Dunleavy@akleg.gov



Members:
Sen. Cathy Giessel
Sen. John Coghill
Sen. David Wilson
Sen. Dennis Egan

Explanation of Changes Senate CS for HB 16 (STA) version: 30-LS0194\D

Page 3, lines 30-31: §28.05.011 (c) changed to read:

“must include the rights and responsibilities of drivers when encountering or being stopped by a peace officer.”

Removed the requirement for the department to examine every applicant for a driver’s license on *“knowledge of the duties and responsibilities of drivers when being encountered by a peace officer.”*

Page 4, line 10: §28.15.111 (d) adds naturopaths to the list of licensed individuals who can provide proof of disability.

30-LS0194\D
Martin
3/13/17

SENATE CS FOR HOUSE BILL NO. 16(STA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTIETH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES THOMPSON, Saddler, Tarr, Gara, Wool, Millett, Stutes, Foster, Wilson, Johnson, Claman, Guttenberg, LeDoux, Grenn, Tuck, Ortiz, Rauscher, Kawasaki, Sullivan-Leonard, Chenault, Knopp, Fansler, Tilton, Josephson, Kito, Spohnholz, Kopp, Birch, Drummond, Parish

SENATORS Giessel, Micciche, Costello

A BILL
FOR AN ACT ENTITLED

1 **"An Act relating to training regarding disabilities for police officers, probation officers,**
2 **parole officers, correctional officers, and village public safety officers; relating to rights**
3 **and responsibilities for drivers when encountering or being stopped by a peace officer;**
4 **and relating to a voluntary disability designation on a state identification card and a**
5 **driver's license."**

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

7 *** Section 1.** AS 18.65.220 is amended to read:

8 **Sec. 18.65.220. Powers.** The council has the power to

9 (1) adopt regulations for the administration of AS 18.65.130 -
10 18.65.290;

11 (2) establish minimum standards for employment as a police officer,
12 probation officer, parole officer, municipal correctional officer, and correctional
13 officer in a permanent or probationary position and certify persons to be qualified as

1 police officers, probation officers, parole officers, municipal correctional officers, and
2 correctional officers under AS 18.65.130 - 18.65.290;

3 (3) establish minimum criminal justice curriculum requirements for
4 basic, specialized, and in-service courses and programs for schools operated by or for
5 the state or a political subdivision of the state for the specific purpose of training
6 police recruits, police officers, probation officers, parole officers, municipal
7 correctional officers, and correctional officers; **the curriculum requirements**
8 **established under this paragraph must include training in**

9 **(A) recognizing people with disabilities;**

10 **(B) appropriate interactions with persons with disabilities;**

11 **(C) resources available to persons with disabilities and to**
12 **those interacting with persons with disabilities; and**

13 **(D) the requirements of Title II of the Americans with**
14 **Disabilities Act, 42 U.S.C. 12131 - 12165;**

15 (4) consult and cooperate with municipalities, agencies of the state,
16 other governmental agencies, universities, colleges, and other institutions concerning
17 the development of police officer, probation officer, parole officer, municipal
18 correctional officer, and correctional officer training schools and programs of criminal
19 justice instruction;

20 (5) employ an administrator and other persons necessary to carry out
21 its duties under AS 18.65.130 - 18.65.290;

22 (6) investigate when there is reason to believe that a police officer,
23 probation officer, parole officer, municipal correctional officer, or correctional officer
24 does not meet the minimum standards for employment; in connection with the
25 investigation the council may subpoena persons, books, records, or documents related
26 to the investigation and require answers in writing under oath to questions asked by
27 the council or the administrator;

28 (7) charge and collect a fee of \$50 for processing applications for
29 certification of police, probation, parole, municipal correctional, and correctional
30 officers.

31 * **Sec. 2.** AS 18.65.310 is amended by adding a new subsection to read:

1 (m) The department shall provide a method for a person to designate
2 voluntarily on an identification card that the person has a disability, including a
3 cognitive, mental, neurological, or physical disability, or a combination of them. The
4 department shall create a discreet symbol to place on the identification card of a
5 person requesting the designation. The method must provide a means by which the
6 person may cancel the designation. The department may not charge a fee solely for the
7 designation. To receive the designation, the person shall provide proof of the disability
8 from a person licensed as a physician or physician assistant under AS 08.64, as an
9 advanced nurse practitioner under AS 08.68, or as a licensed psychologist under
10 AS 08.86. Notwithstanding (a) of this section, the department may charge a fee of \$5
11 for replacement of a valid identification card with a new identification card with a
12 disability designation and may charge a fee of \$5 for replacement of an identification
13 card with a disability designation with a new identification card without a disability
14 designation.

15 * **Sec. 3.** AS 18.65.670(c) is amended to read:

16 (c) The commissioner of public safety may adopt regulations related to village
17 public safety officers, including minimum standards and training, criteria for
18 community, municipality, or corporation participation, and the interaction between the
19 Department of Public Safety and village public safety officers. Regulations adopted by
20 the commissioner **of public safety** under this subsection may not prohibit village
21 public safety officers who otherwise meet minimum standards and training from
22 carrying firearms. **If the commissioner of public safety adopts regulations**
23 **regarding training for village public safety officers, at a minimum, that training**
24 **must include disability training that provides training in the subjects set out in**
25 **AS 18.65.220(3).** The commissioner of corrections may adopt regulations related to
26 the functions of village public safety officers providing probation and parole
27 supervision.

28 * **Sec. 4.** AS 28.05.011 is amended by adding a new subsection to read:

29 (c) If the department publishes a manual related to the safe and lawful
30 operation of a motor vehicle, the manual must include the rights and responsibilities of
31 drivers when encountering or being stopped by a peace officer.

1 * **Sec. 5.** AS 28.15.111 is amended by adding a new subsection to read:

2 (d) The department shall provide a method, at the time that a driver's license is
3 issued, by which the owner of a license may voluntarily designate on the license that
4 the owner has a disability, including a cognitive, mental, neurological, or physical
5 disability, or a combination of them. The department shall create a discreet symbol to
6 place on the driver's license of a person requesting the designation. The method must
7 provide a means by which the owner may cancel the designation. The department may
8 not charge a fee solely for the designation. To receive the designation, the person shall
9 provide proof of the disability from a person licensed as a physician or physician
10 assistant under AS 08.64, as a naturopath under AS 08.45, as an advanced nurse
11 practitioner under AS 08.68, or as a licensed psychologist under AS 08.86. The
12 department may charge a fee of \$5 for replacement of a valid driver's license with a
13 new driver's license with a disability designation and may charge a fee of \$5 for
14 replacement of a driver's license with a disability designation with a new driver's
15 license without a disability designation.

| | Real ID | Passport Book | Passport Card | Transportation Worker Identification Credential | Veteran Health Identification Card |
|--------------------------------------|--|--|--|--|---|
| Cost to Applicant | Identification Card - \$20 Driver's License - \$30 | Adult - \$135 <i>Adult Renewal - \$110</i> Child Under 15 - \$105 <i>Child Renewal - \$80</i> | Adult - \$55 <i>Adult Renewal - \$30</i> Child Under 15 - \$40 <i>Child Renewal - \$15</i> | New Applicant - \$125.25 Replacement Card - \$60 | Veterans must be enrolled in the VA health care system to receive a VHIC. |
| Processing Time | 2 weeks | Routine Service: 6-8 weeks Expedited: 2-3 weeks (\$60 fee) | Routine Service: 6-8 weeks Expedited: 2-3 weeks (\$60 fee) | 6-8 weeks | 7 - 10 days |
| Time Valid | 8 years | Adult - 10 years Child - 5 years | Adult - 10 years Child - 5 years | 5 years | |
| Documentation for Application | Application (& test for license) Proof of Legal Name & Birth Second Document to Verify the Primary Proof of Principal Residence Proof of Social Security Number Proof of Name Change (if applicable) | Application Evidence of U.S. Citizenship Current Government Identification One Passport Photo | Application Evidence of U.S. Citizenship Current Government Identification One Passport Photo | Documents Dependent on Citizenship Status Finger Printing Facial Photo | Primary Identification Secondary Identification Photo |
| Information Retained | Copies of all documents | Copies of all documents | Copies of all documents | Copies of all documents | Copies of all documents |
| Cost to the State | DMV will need <u>\$1.5 million</u> in a Capital appropriation to become REAL ID compliant. The breakdown of the costs is: \$400,000 - Integration of verification programs \$200,000 - Additional license designators/security designs \$500,000 - Equipment for statewide offices \$400,000 - Development work for card printing contractor including software update, card templates Projected to cover ongoing costs by DMV receipts after 2018 | None | None | None | None |
| State Involvement | State would be responsible for the implementation and costs of REAL ID | None | None | None | None |
| Used For | State identification, access to federal facilities & military bases. May be required for air travel within the U.S. | International travel by air, sea, or land | Entering the United States at land border crossings and sea ports-of-entry from: Canada, Mexico, The Caribbean & Bermuda | TWIC is for workers who need access to secure areas of the nation's maritime facilities and vessels. | The VHIC is for identification and check-in at VA appointments. JBER also has indicated it will be accepted to gain access to base. |

Fiscal Note

State of Alaska
2017 Legislative Session

Bill Version: HB 16
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB016-DOA-DMV-01-21-17
Title: DRIV. LICENSE REQ;DISABILITY:ID &TRAINING
Sponsor: THOMPSON
Requester: (H) State Affairs Committee

Department: Department of Administration
Appropriation: Motor Vehicles
Allocation: Motor Vehicles
OMB Component Number: 2348

Expenditures/Revenues

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

| | FY2018 Appropriation Requested | Included in Governor's FY2018 Request | Out-Year Cost Estimates | | | | |
|-------------------------------|--------------------------------------|--|-------------------------|----------------|----------------|----------------|----------------|
| | | | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 |
| OPERATING EXPENDITURES | FY 2018 | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 |
| 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

| | | | | | | | |
|--------------|------------|------------|------------|------------|------------|------------|------------|
| None | | | | | | | |
| Total | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimated SUPPLEMENTAL (FY2017) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2018) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? yes
If yes, by what date are the regulations to be adopted, amended or repealed? 01/01/19

Why this fiscal note differs from previous version:

Not applicable; initial version.

| | | | |
|--------------|------------------------------|--------|---------------------|
| Prepared By: | Marla Thompson, Director | Phone: | (907)269-5574 |
| Division: | Motor Vehicles | Date: | 01/21/2017 04:00 PM |
| Approved By: | Sheldon Fisher, Commissioner | Date: | 01/21/17 |
| Agency: | Department of Administration | | |

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2017 LEGISLATIVE SESSION

BILL NO. HB 16

Analysis

This bill requires DMV to add a voluntary designator to an identification card or driver's license that will signify the person has a cognitive, mental, neurological, or physical disability.

This bill requires DMV to update the driver manual to include the duties and responsibilities of drivers with an identified disability when they encounter a law enforcement agent.

DMV can provide these services for minimal additional resources. Therefore, a zero fiscal note is submitted.

Fiscal Note

State of Alaska
2017 Legislative Session

Bill Version: HB 16
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB016-DOC-CA-01-21-17
Title: DRIV. LICENSE REQ;DISABILITY:ID &TRAINING
Sponsor: THOMPSON
Requester: (H) State Affairs Committee

Department: Department of Corrections
Appropriation: Population Management
Allocation: Correctional Academy
OMB Component Number: 703

Expenditures/Revenues

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

| | FY2018 Appropriation Requested | Included in Governor's FY2018 Request | Out-Year Cost Estimates | | | | | |
|-------------------------------|--------------------------------------|--|-------------------------|------------|------------|------------|------------|------------|
| | | | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 |
| OPERATING EXPENDITURES | | | | | | | | |
| 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 | 0.0 |

Fund Source (Operating Only)

| | | | | | | | | |
|--------------|------------|------------|------------|------------|------------|------------|------------|------------|
| None | | | | | | | | |
| Total | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Positions

| | | | | | | | | |
|-----------|--|--|--|--|--|--|--|--|
| Full-time | | | | | | | | |
| Part-time | | | | | | | | |
| Temporary | | | | | | | | |

Change in Revenues

| | | | | | | | | |
|--------------|------------|------------|------------|------------|------------|------------|------------|------------|
| None | | | | | | | | |
| Total | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimated SUPPLEMENTAL (FY2017) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2018) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

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: <u>April Wilkerson</u> | Phone: <u>(907)465-3460</u> |
| Division: <u>Administrative Services - Department of Corrections</u> | Date: <u>01/21/2017 12:00 PM</u> |
| Approved By: <u>Dean Williams, Commissioner</u> | Date: <u>01/21/17</u> |
| Agency: <u>Department of Corrections</u> | |

Fiscal Note

State of Alaska
2017 Legislative Session

Bill Version: HB 16
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB016-DPS-APSC-01-20-17
Title: DRIV. LICENSE REQ;DISABILITY:ID &TRAINING
Sponsor: THOMPSON
Requester: (H) State Affairs Committee

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)

| | FY2018 Appropriation Requested | Included in Governor's FY2018 Request | Out-Year Cost Estimates | | | | |
|-------------------------------|--------------------------------------|--|-------------------------|----------------|----------------|----------------|----------------|
| | | | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 |
| OPERATING EXPENDITURES | FY 2018 | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 |
| 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

| | | | | | | | |
|--------------|------------|------------|------------|------------|------------|------------|------------|
| None | | | | | | | |
| Total | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimated SUPPLEMENTAL (FY2017) cost: 0.0 (separate supplemental appropriation required)
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2018) cost: 0.0 (separate capital appropriation required)
(discuss reasons and fund source(s) in analysis section)

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: <u>Kelly Howell</u> | Phone: <u>(907)465-4336</u> |
| Division: <u>Administrative Services</u> | Date: <u>01/20/2017 07:30 PM</u> |
| Approved By: <u>Walt Monegan</u> | Date: <u>01/20/17</u> |
| Agency: <u>Public Safety</u> | |

FISCAL NOTE ANALYSIS

**STATE OF ALASKA
2017 LEGISLATIVE SESSION**

BILL NO. HB 16

Analysis

This bill requires the Alaska Police Standards Council (APSC) to include in the minimum criminal justice curriculum requirements for police officers, probation officers, and correctional officers training in recognizing people with disabilities, appropriate interactions with persons with disabilities, resources available to persons with disabilities and to those interacting with persons with disabilities, and on the requirements of Title II of the Americans with Disabilities Act.

This bill also requires the Department of Administration's Division of Motor Vehicles to provide a method for a person to designate voluntarily on an identification card or driver's license that the person has a disability, and to include the duties and responsibilities of drivers when encountering or being stopped by a peace officer in its driver's license examination and Alaska driver manual.

This bill would have no fiscal impact on the Alaska Police Standards Council.