



LAWS OF ALASKA

1972

Source

Chapter No.

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AN ACT

Establishing the Alaska Police Standards Council; and providing for an effective date.

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

* Section 1. AS 18.65 is amended by adding new sections to read:

ARTICLE 2. ALASKA POLICE STANDARDS COUNCIL.

Sec. 18.65.130. POLICY. The administration of criminal justice affects the health, safety and welfare of the people of this state, and requires education and training of a professional quality. It is in the public interest that education and training be made available to persons seeking to become police officers, police officers who are serving in a temporary or probationary capacity, and police officers already in regular service.

Sec. 18.65.140. CREATION. There is created in the Office of the Governor the Alaska Police Standards Council.

Sec. 18.65.150. COMPOSITION OF COUNCIL. The council consists of the following persons:

- (1) four chief administrative officers or chiefs of police of participating local governments;
- (2) the commissioner of public safety or his designee;
- (3) four members of the public at large with at least two from the communities of 2,500 or less.

Sec. 18.65.160. APPOINTMENT. The commissioner of public safety or his designee shall serve during his

continuance in office. Other members of the council shall be appointed by the governor for terms of four years, except that no member may serve beyond the time he holds the office which made him eligible for appointment. The terms of members initially appointed to the council by the governor shall be two for one year, two for two years, two for three years, and two for four years. A vacancy on the council shall be filled for the remainder of a member's unexpired term in the same manner as the original appointment.

Sec. 18.65.170. CHAIRMAN AND VICE CHAIRMAN. The council shall select its chairman and vice chairman annually.

Sec. 18.65.180. HOLDING ANOTHER OFFICE. Membership on the council does not disqualify a member from holding any other public office or employment.

Sec. 18.65.190. COMPENSATION AND EXPENSES. The members of the council receive no salary, but are entitled to per diem and travel expenses authorized by law for other boards and commissions.

Sec. 18.65.200. MEETINGS. The council shall meet at least twice a year. The chairman shall set the time and place of the meeting, either on his own motion or on written request by any three members of the council.

Sec. 18.65.210. REPORTS. The council shall make an annual report to the governor and the legislature, and may make other reports it considers necessary.

Sec. 18.65.220. POWERS. The council has the power to

(1) adopt regulations for the administration of secs. 130 - 290 of this chapter;

(2) establish minimum educational and training standards for employment as a police officer in permanent, temporary, or probationary positions and certify persons to be qualified as police officers under secs. 130 - 290 of this chapter;

(3) establish minimum curriculum requirements for preparatory, in-service and advanced courses and programs for schools operated by or for the state or a political subdivision of the state for the specific purpose of training police recruits or police officers;

(4) consult and cooperate with boroughs, municipalities, agencies of the state, other governmental agencies, universities, colleges, and other institutions concerning the development of police training schools and programs of instruction.

Sec. 18.65.230. POLICE TRAINING PROGRAMS. The council shall establish and maintain police training programs through such agencies and institutions as the council considers appropriate.

Sec. 18.65.240. STANDARDS. (a) No person may be

appointed as a police officer, except on a temporary basis, unless the person (1) has satisfactorily completed a preparatory program of police training approved by the council, and (2) possesses other qualifications the council has established for the employment of police officers, including but not limited to 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.

(b) The council shall issue a certificate evidencing satisfaction of the requirements of (a) of this section to an applicant who satisfies those requirements or who satisfies the requirements of (a)(2) of this section and satisfactorily completes a program or course of instruction in another jurisdiction equivalent in content and quality to that required by the council for approved police education and training programs in this state.

Sec. 18.65.250. FINANCIAL ASSISTANCE. (a) The Governor's Planning Council on the Administration of Criminal Justice has the authority to assist participating political subdivisions and police agencies in meeting the costs involved by extending financial assistance for travel, per diem, tuition and other costs.

(b) Only those local governments and agencies electing to comply with secs. 130 - 290 of this chapter are eligible for financial assistance authorized under AS 44.-19.744. This subsection applies only to those funds made available for providing minimum police standards.

Sec. 18.65.260. GRANTS. (a) The council may accept donations of property, both real and personal, and grants of money from a governmental unit or public agency, or from an institution or person. An arrangement made under this section shall be detailed in the annual report of the council. The report shall include the identity of the donor, the nature of the transaction, and the conditions of the grant, if any. All money received by the council under this section shall be deposited in the state treasury to the account of the council.

(b) The council shall provide for the administration of a grant program authorized in (a) of this section. In the administration of the program the council shall promote the most efficient and economical program for police training, including the maximum utilization of existing facilities and programs to avoid duplication.

Sec. 18.65.270. APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT. Secs. 150 - 290 of this chapter shall be administered in compliance with the Administrative Procedure Act (AS 44.62).

Sec. 18.65.280. EXEMPTIONS. (a) The commissioner and deputy commissioner of public safety and the chief administrative officer of participating local police agencies are exempt from the requirements of sec. 240 of this chapter.

(b) Any municipality with an established police

training program may exclude itself from the provisions of this Act by ordinance. The exclusion shall have no effect on eligibility to receive or expend federal or state grants.

Sec. 18.65.290. DEFINITIONS. In secs. 130 - 290 of this chapter

(1) "council" means the Alaska Police Standards Council;

(2) "police officer" means a full-time employee of a police department which is a part of or administered by the state or a political subdivision of the state participating in a program established under secs. 130 - 290 of this chapter, who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic or highway laws of this state.

* Sec. 2. AS 44.62.330(a) is amended by adding a new paragraph to read:

(34) Alaska Police Standards Council.

* Sec. 3. A person serving as a permanently appointed police officer on the effective date of this Act is not required to meet the requirements of AS 18.65.240 as a condition of tenure for continued employment.

* Sec. 4. Each agency or local government electing to comply with AS 18.65.130 - 18.65.290 shall notify the governor before July 1, 1972, so that persons from participating local governments may be appointed to the council.

* Sec. 5. Sections 1 - 3 of this Act take effect July 1, 1972.

* Sec. 6. Section 4 of this Act takes effect on the day after its passage and approval or on the day it becomes law without approval.