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Chapter No.
126

AN ACT

Relating to the Alaska Police Standards Council and to municipal correctional officers.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: June 23, 1998
Actual Effective Date: September 21, 1998

AN ACT

1 Relating to the Alaska Police Standards Council and to municipal correctional officers.

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3 * Section 1. AS 14.43.148(h)(1) is amended to read:

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(1) "license" [MEANS,]

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(A) means, except as provided in (B) of this paragraph, a license, certificate, permit, registration, or other authorization that, at the time of issuance, will be valid for more than 150 days and that may be acquired from a state agency to perform an occupation, including the following:

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(i) license relating to boxing or wrestling under

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AS 05.10;

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(ii) authorization to perform an occupation regulated

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under AS 08;

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(iii) teacher certificate under AS 14.20;

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- 1 (iv) authorization under AS 18.08 to perform emergency
2 medical services;
- 3 (v) asbestos worker certification under AS 18.31;
- 4 (vi) boiler operator's license under AS 18.60.395;
- 5 (vii) certificate of fitness under AS 18.62;
- 6 (viii) hazardous painting certification under AS 18.63;
- 7 (ix) certification as a municipal correctional,
8 correctional, probation, or parole officer under AS 18.65.245;
- 9 (x) security guard license under AS 18.65.400 -
10 18.65.490;
- 11 (xi) license relating to insurance under AS 21.27;
- 12 (xii) employment agency permit under AS 23.15.330 -
13 23.15.520;
- 14 (xiii) registration as a broker-dealer, agent, or investment
15 adviser under AS 45.55.030;
- 16 (xiv) certification as a pesticide applicator under
17 AS 46.03.320;
- 18 (xv) certification as a storage tank worker or contractor
19 under AS 46.03.375;
- 20 (xvi) certification as a water and wastewater works
21 operator under AS 46.30; and
- 22 (B) does not include
- 23 (i) a commercial fishing license under AS 16.05.480,
24 including a crewmember fishing license;
- 25 (ii) a vessel license issued under AS 16.05.490 or
26 16.05.530;
- 27 (iii) a license issued under AS 47.35;
- 28 (iv) a business license issued under AS 43.70;
- 29 (v) an entry permit or interim-use permit issued under
30 AS 16.43; or
- 31 (vi) a driver's license issued under AS 28.15;

1 * Sec. 2. AS 18.65.130 is amended to read:

2 **Sec. 18.65.130. Policy.** The administration of criminal justice affects the
3 health, safety, and welfare of the people of this state, and requires education and
4 training of a professional quality. It is a primary public interest that applicants meet
5 minimum standards for employment as police officers, probation and parole officers,
6 and correctional officers, and that criminal justice education and training be made
7 available to police officers, probation and parole officers, and correctional officers
8 serving in a probationary capacity and police officers, probation and parole officers,
9 and correctional officers already in regular service. It is of secondary public interest
10 to encourage the establishment of preliminary training programs for persons seeking
11 to become police officers, probation and parole officers, and correctional officers.
12 **Application of standards for employment and making education and training**
13 **available for municipal correctional officers is also in the public interest.**

14 * Sec. 3. AS 18.65.220 is amended to read:

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

16 (1) adopt regulations for the administration of AS 18.65.130 -
17 18.65.290;

18 (2) establish minimum standards for employment as a police officer,
19 probation **officer**, [OR] parole officer, **municipal correctional officer**, and correctional
20 officer in a permanent or probationary position and certify persons to be qualified as
21 police officers, probation **officers**, [OR] parole officers, **municipal correctional**
22 **officers**, and correctional officers under AS 18.65.130 - 18.65.290;

23 (3) establish minimum criminal justice curriculum requirements for
24 basic, specialized, and in-service courses and programs for schools operated by or for
25 the state or a political subdivision of the state for the specific purpose of training
26 police recruits, police officers, probation **officers**, [AND] parole officers, **municipal**
27 **correctional officers**, and correctional officers;

28 (4) consult and cooperate with municipalities, agencies of the state,
29 other governmental agencies, universities, colleges, and other institutions concerning
30 the development of police **officer**, probation **officer**, [AND] parole officer, **municipal**
31 **correctional officer**, and correctional officer training schools and programs of criminal

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1 justice instruction;

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

4 (6) investigate when there is reason to believe that a police officer,
5 probation officer, [OR] parole officer, municipal correctional officer, or correctional
6 officer does not meet the minimum standards for employment; in connection with the
7 investigation the council may subpoena persons, books, records, or documents related
8 to the investigation and require answers in writing under oath to questions asked by
9 the council or the administrator;

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

13 * Sec. 4. AS 18.65.242(a) is amended to read:

14 (a) The council shall establish qualifications for employment of persons as
15 municipal correctional, correctional, probation, and parole officers, including

16 (1) minimum age, physical and mental standards, citizenship, moral
17 character, and experience; and

18 (2) minimum education standards.

19 * Sec. 5. AS 18.65.242(b) is amended to read:

20 (b) The council shall

21 (1) prescribe the means of presenting evidence of fulfillment of the
22 requirements set out in (a) of this section; and

23 (2) issue a certificate evidencing satisfaction of the requirements of (a)
24 of this section to an applicant who

25 (A) satisfies the requirements of (a)(1) of this section; and

26 (B) meets the minimum education standards of (a)(2) of this
27 section by satisfactorily completing a training program for municipal
28 correctional, correctional, probation, or parole officers established under
29 AS 18.65.230, including training regarding domestic violence that contains the
30 subjects set out in AS 18.66.310(d), or a course of instruction in another
31 jurisdiction equivalent in content and quality to that required by the council for

1 approved municipal correctional, correctional, probation, or parole officer
2 education and training programs in this state.

3 * Sec. 6. AS 18.65.245 is amended to read:

4 **Sec. 18.65.245. Denial or revocation of certificate of municipal**
5 **correctional, correctional, probation, or parole officer.** The council may

6 (1) deny a certificate to an applicant for a municipal correctional,
7 correctional, [OFFICER CERTIFICATE OR A] probation, or parole officer certificate
8 if the applicant does not meet the standards adopted by the council under
9 AS 18.65.242(a);

10 (2) revoke the certificate of a municipal correctional, correctional,
11 [OFFICER OR A] probation, or parole officer who, having been issued a certificate,
12 fails to meet the standards adopted by the council under AS 18.65.242(a).

13 * Sec. 7. AS 18.65.248(a) is amended to read:

14 (a) A person may not be appointed as a municipal correctional, correctional,
15 [OFFICER OR AS A] probation, or parole officer unless the person has a valid
16 certificate issued by the council under AS 18.65.242.

17 * Sec. 8. AS 18.65.285 is amended to read:

18 **Sec. 18.65.285. Municipal correctional employees.** A municipality that
19 employs persons in a municipal correctional facility may, by ordinance, require that
20 those persons meet the requirements of AS 18.65.130 - 18.65.290 that are applicable
21 to municipal correctional officers.

22 * Sec. 9. AS 18.65.290 is amended by adding a new paragraph to read:

23 (7) "municipal correctional officer" means a person who is employed
24 full-time in a municipal correctional facility whose primary duty is to provide custody,
25 care, security, control, and discipline of persons charged or convicted of offenses or
26 held under authority of law; and the municipality has adopted an ordinance under
27 AS 18.65.285 making AS 18.65.130 - 18.65.290 applicable.