

COMMISSION ON LAW ENFORCEMENT STANDARDS & TRAINING

SUBJECT: Veterans Law Enforcement Program

DESCRIPTION: This amendment includes allowing a veteran to attend the Basic Law Enforcement Training Course prior to becoming employed by a law enforcement agency. Two other benefits are that it prepares veterans for law enforcement jobs, and assists veterans in job searches. Veterans shall pay the cost of the training before attending the Basic Police Training Course.

PUBLIC COMMENT: The commission held a public hearing on May 29, 2012 and received no public comments. Matthew Miller with the Bureau of Legislative Research asked the following question (along with the commission's response):

(1) The rule provides that a veteran shall pay the cost of training. Typically a trainee is employed by a law enforcement agency and the agency pays the cost of the training. What is the authority for imposing a fee on the veteran? Arkansas Code § 12-9-206 provides that the Arkansas Law Enforcement Training Academy shall furnish the necessary expenses of applicants while attending the academy. **RESPONSE:** Arkansas Code § 12-9-107 provides that persons such as doctors, nurses, firefighters, first responders, or other medical personnel, persons engaged in homeland security, or persons otherwise engaged in assisting in the protection of public welfare and safety who are not law enforcement personnel may attend training or receive instruction at the invitation of the commission. The commission may assess a fee on such attendees. The commission considers a veteran seeking to enter the law enforcement profession as a person "otherwise engaged in assisting in the protection of public welfare and safety". Matthew Miller noted that the commission might consider amending § 12-9-107 to clarify its applicability to veterans.

The proposed effective date is August 1, 2012.

CONTROVERSY: This is not expected to be controversial.

FINANCIAL IMPACT: There is no financial impact.

LEGAL AUTHORIZATION: Arkansas Code § 12-9-104 provides that the Arkansas Commission on Law Enforcement Standards and Training may establish minimum selection and training standards for admission to employment as a law enforcement officer and establish minimum curriculum requirements for preparatory, in-service, and advanced courses and programs of schools for the specific purpose of training recruits for law enforcement officers. Arkansas Code § 12-9-107 provides that the commission may assess a fee on persons engaged in assisting in the protection of public welfare and safety who are not law enforcement personnel to attend training or receive instruction.

**QUESTIONNAIRE FOR FILING PROPOSED RULES AND REGULATIONS WITH THE
ARKANSAS LEGISLATIVE COUNCIL AND JOINT INTERIM COMMITTEE**

DEPARTMENT/AGENCY Commission on Law Enforcement Standards and Training

DIVISION N/A

DIVISION DIRECTOR Ken Jones

CONTACT PERSON Ken Jones

ADDRESS P. O. BOX 3106 EAST CAMDEN, AR 71711

PHONE NO. 870-574-1810 **FAX NO.** 870-574-2706 **E-MAIL** ken.jones@arkansas.gov

NAME OF PRESENTER AT COMMITTEE MEETING Ken Jones

PRESENTER E-MAIL ken.jones@arkansas.gov

INSTRUCTIONS

- A. Please make copies of this form for future use.
- B. Please answer each question completely using layman terms. You may use additional sheets, if necessary.
- C. If you have a method of indexing your rules, please give the proposed citation after "Short Title of this Rule" below.
- D. Submit two (2) copies of this questionnaire and financial impact statement attached to the front of two (2) copies of the proposed rule and required documents. Mail or deliver to:

Donna K. Davis
Administrative Rules Review Section
Arkansas Legislative Council
Bureau of Legislative Research
Room 315, State Capitol
Little Rock, AR 72201

- 1. What is the short title of this rule? Veterans Law Enforcement Program
- 2. What is the subject of the proposed rule? To allow veterans to attend Basic Law Enforcement Training Course prior to being employed by a law enforcement agency.
- 3. Is this rule required to comply with a federal statute, rule, or regulation? Yes ___ No X
- 4. Was this rule filed under the emergency provisions of the Administrative Procedure Act?
Yes ___ No X
If yes, what is the effective date of the emergency rule? _____
When does the emergency rule expire? _____
Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act? Yes ___ No ___

5. Is this a new rule? Yes No If yes, please provide a brief summary explaining the regulation. The regulation would allow honorably discharged veterans to attend the Basic Training Course at their own expense, before being hired by an agency, thereby aiding veterans to become employed more readily.

Does this repeal an existing rule? Yes No If yes, a copy of the repealed rule is to be included with your completed questionnaire. If it is being replaced with a new rule, please provide a summary of the rule giving an explanation of what the rule does.

Is this an amendment to an existing rule? Yes No If yes, please attach a mark-up showing the changes in the existing rule and a summary of the substantive changes. Note: The summary should explain what the amendment does, and the mark-up copy should be clearly labeled "mark-up."

6. Cite the state law that grants the authority for this proposed rule. If codified, please give Arkansas Code citation. ACA 12-9-104

7. What is the purpose of this proposed rule? Why is it necessary?
To aid veterans in securing jobs in law enforcement.

8. Please provide the address where this rule is publicly accessible in electronic form via the Internet as required by Arkansas Code § 25-19-108(b). www.clest.org

9. Will a public hearing be held on this proposed rule? Yes No
If yes, please complete the following:
Date: May 29, 2012
Time: 10:00 A. M.
Place: Arkansas Law Enforcement Training Academy

10. When does the public comment period expire for the permanent promulgation? (Must provide a date.)
May 24, 2012

11. What is the proposed effective date of this proposed rule? (Must provide a date.)
August 1, 2012

12. Do you expect this rule to be controversial? Yes No If yes, please explain.

13. Please give us the names of persons, groups, or organizations that you expect to comment on these rules. Please provide their position (for or against) if known. None Known.

**ECONOMIC IMPACT STATEMENT
OF PROPOSED RULES OR REGULATIONS**
EO 05-04: Regulatory Flexibility

Department: Commission on Law Enforcement Standards and Training	Division: N/A
Contact Person: Ken Jones	Date: April 20, 2012
Contact Phone: 870-574-1810	Contact Email: ken.jones@arkansas.gov
Title or Subject: Reg. 1005. Veterans Law Enforcement Program	

Benefits of the Proposed Rule or Regulation

1. Explain the need for the proposed change(s). Did any complaints motivate you to pursue regulatory action? If so, please explain the nature of such complaints. No complaints. Proposed regulation would help veterans secure jobs after discharge from military.
2. What are the top three benefits of the proposed rule or regulation?
 1. To allow veterans to attend Basic Training Course before becoming employed by an agency.
 2. To prepare veterans for law enforcement jobs.
 3. To assist veterans in job search.
3. What, in your estimation, would be the consequence of taking no action, thereby maintaining the status quo?
N/A
4. Describe market-based alternatives or voluntary standards that were considered in place of the proposed regulation and state the reason(s) for not selecting those alternatives. N/A

Impact of Proposed Rule or Regulation

5. Estimate the cost to state government of *collecting information, completing paperwork, filing, recordkeeping, auditing and inspecting* associated with this new rule or regulation. N/A
6. What types of small businesses will be required to comply with the proposed rule or regulation? Please estimate the number of small businesses affected. N/A
7. Does the proposed regulation create barriers to entry? If so, please describe those barriers and why those barriers are necessary. N/A
8. Explain the additional requirements with which small business owners will have to comply and estimate the costs associated with compliance. N/A
9. State whether the proposed regulation contains different requirements for different sized entities, and explain why this is, or is not, necessary. N/A
10. Describe your understanding of the ability of small business owners to implement changes required by the proposed regulation. N/A
11. How does this rule or regulation compare to similar rules and regulations in other states or the federal government? N/A
12. Provide a summary of the input your agency has received from small business or small business advocates about the proposed rule or regulation. N/A

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT: Commission on Law Enforcement Standards and Training

DIVISION: N/A

PERSON COMPLETING THIS STATEMENT: Ken Jones

TELEPHONE NO. 87-574-1810

FAX NO. 870-574-2706

EMAIL: ken.jones@arkansas.gov

To comply with Act 1104 of 1995, please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

Veterans Law Enforcement Program

1. Does this proposed, amended, or repealed rule have a financial impact?
Yes _____ No X

2. Does this proposed, amended, or repealed rule affect small businesses?
Yes _____ No X

If yes, please attach a copy of the economic impact statement required to be filed with the Arkansas Economic Development Commission under Arkansas Code § 25-15-301 et seq.

3. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain. N/A

4. If the purpose of this rule is to implement a federal rule or regulation, please give the incremental cost for implementing the rule. Please indicate if the cost provided is the cost of the program.

CURRENT FISCAL YEAR	NEXT FISCAL YEAR
N/A	N/A
General Revenue	General Revenue
Federal Funds	Federal Funds
Cash Funds	Cash Funds
Special Revenue	Special Revenue
Other (Identify)	Other (Identify)
Total	Total

5. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule? Identify the party subject to the proposed rule and explain how they are affected.

	CURRENT FISCAL YEAR	NEXT FISCAL YEAR
\$	N/A	N/A

6. What is the total estimated cost by fiscal year to the agency to implement this rule? Is this the cost of the program or grant? Please explain. None expected.

	CURRENT FISCAL YEAR	NEXT FISCAL YEAR
\$	N/A	\$ N/A

To be placed under Reg. 1005 MINIMUM STANDARDS FOR TRAINING Sub. (2) on page 48.

(2) Veterans Law Enforcement Program

Military veterans may attend the Arkansas Basic Police Training Course prior to being employed by a law enforcement agency provided they meet the following requirements:

- (a) Veterans shall have served at least six (6) months active duty in the Armed Services within five (5) years prior to application.
- (b) A dishonorable discharge from any branch of the armed services shall disqualify a veteran from this program.
- (c) All veteran applicants must meet minimum standards required of an Arkansas Law Enforcement Officer as set forth in Regulation 1002.
- (d) Each qualified veteran applicant will be interviewed and considered for acceptance to the Basic Police Training Course by a Review Committee appointed by the Director. The Review Committee shall forward their recommendations to the Director who will make the final selection for acceptance in the next available Basic Police Training Course.
- (e) A maximum of five (5) veterans may be initially accepted into each Basic Police Training Course at ALETA. The Director may increase the number to a maximum of ten (10) veterans if course size permits.
- (f) This Program shall be conducted at the Arkansas Law Enforcement Training Academy.
- (g) Veterans shall pay the non-refundable cost of the training to ALETA prior to attending the Basic Police Training Course.
- (h) Veterans failing the Basic Police Training Course are ineligible to attend another course for a 24 month period as specified in Regulation 1005(e) and would be ineligible for a 2nd entry in the Veterans Law Enforcement Program.
- (i) If the veteran has not accepted employment as a law enforcement officer within three (3) years of successful completion of the Basic Police Training Course, certification shall expire.

SUMMARY OF RULE CHANGE

The proposed amendment to the rules of the Commission includes allowing a veteran to attend the Basic Law Enforcement Training Course prior to becoming employed by a law enforcement agency.