

**ALASKA STATE LEGISLATURE**  
**SENATE STATE AFFAIRS STANDING COMMITTEE**

May 11, 2024

3:32 p.m.

**MEMBERS PRESENT**

Senator Scott Kawasaki, Chair  
Senator Matt Claman, Vice Chair  
Senator Jesse Bjorkman  
Senator Bill Wielechowski  
Senator Kelly Merrick

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

CS FOR HOUSE JOINT RESOLUTION NO. 18 (STA)  
Urging the United States Congress to repeal the Windfall Elimination Provision and Government Pension Offset of the Social Security Act.

- MOVED CS HJR 18 OUT OF COMMITTEE -

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 116 (STA)  
"An Act relating to grants and costs funded by the restorative justice account; relating to the Council on Domestic Violence and Sexual Assault; and providing for an effective date."

- MOVED CSHB 18 OUT OF COMMITTEE -

HOUSE BILL NO. 362

"An Act relating to the reimbursement rate for prisoner medical care."

- SCHEDULED BUT NOT HEARD -

HOUSE BILL NO. 330 am

"An Act relating to the use and possession of electronic devices by prisoners; and 2 relating to prisoner communication reimbursement rates."

- SCHEDULED BUT NOT HEARD -

**PREVIOUS COMMITTEE ACTION**

BILL: HJR 18

SHORT TITLE: SOCIAL SECURITY BENEFIT REDUCTION REPEAL

SPONSOR(S): REPRESENTATIVE(S) GALVIN

01/22/24 (H) READ THE FIRST TIME - REFERRALS  
01/22/24 (H) STA  
02/22/24 (H) STA AT 3:00 PM GRUENBERG 120  
02/22/24 (H) -- MEETING CANCELED --  
03/05/24 (H) STA AT 3:00 PM GRUENBERG 120  
03/05/24 (H) Heard & Held  
03/05/24 (H) MINUTE(STA)  
03/12/24 (H) STA AT 3:00 PM GRUENBERG 120  
03/12/24 (H) Moved CSHJR 18(STA) Out of Committee  
03/12/24 (H) MINUTE(STA)  
03/13/24 (H) STA RPT CS(STA) 7DP  
03/13/24 (H) DP: WRIGHT, CARPENTER, C.JOHNSON,  
ALLARD, CARRICK, STORY, SHAW  
05/01/24 (H) TRANSMITTED TO (S)  
05/01/24 (H) VERSION: CSHJR 18(STA)  
05/03/24 (S) READ THE FIRST TIME - REFERRALS  
05/03/24 (S) STA  
05/07/24 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)  
05/07/24 (S) Heard & Held  
05/07/24 (S) MINUTE(STA)  
05/11/24 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)

BILL: HB 116

SHORT TITLE: RESTORATIVE JUSTICE ACCT APPROPRIATIONS

SPONSOR(S): REPRESENTATIVE(S) COULOMBE

03/17/23 (H) READ THE FIRST TIME - REFERRALS  
03/17/23 (H) STA, FIN  
04/18/23 (H) STA AT 3:00 PM GRUENBERG 120  
04/18/23 (H) Heard & Held  
04/18/23 (H) MINUTE(STA)  
05/04/23 (H) STA AT 3:00 PM GRUENBERG 120  
05/04/23 (H) Moved CSHB 116(STA) Out of Committee  
05/04/23 (H) MINUTE(STA)  
05/08/23 (H) STA RPT CS(STA) NEW TITLE 7DP  
05/08/23 (H) DP: C.JOHNSON, ARMSTRONG, CARPENTER,  
STORY, ALLARD, WRIGHT, SHAW  
03/11/24 (H) FIN AT 1:30 PM ADAMS 519  
03/11/24 (H) Heard & Held  
03/11/24 (H) MINUTE(FIN)  
03/18/24 (H) FIN AT 1:30 PM ADAMS 519

03/18/24 (H) -- MEETING CANCELED --  
03/25/24 (H) FIN AT 1:30 PM ADAMS 519  
03/25/24 (H) Heard & Held  
03/25/24 (H) MINUTE(FIN)  
04/22/24 (H) FIN AT 9:00 AM ADAMS 519  
04/22/24 (H) Moved CSHB 116(STA) Out of Committee  
04/22/24 (H) MINUTE(FIN)  
04/24/24 (H) FIN RPT CS(STA) NEW TITLE 8DP 1NR  
04/24/24 (H) DP: CRONK, ORTIZ, COULOMBE, JOSEPHSON,  
HANNAN, GALVIN, EDGMON, D.JOHNSON  
04/24/24 (H) NR: STAPP  
05/06/24 (H) STA CS ADOPTED Y39 N1  
05/06/24 (H) TRANSMITTED TO (S)  
05/06/24 (H) VERSION: CSHB 116(STA)  
05/07/24 (S) READ THE FIRST TIME - REFERRALS  
05/07/24 (S) STA, FIN  
05/11/24 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)

**WITNESS REGISTER**

EDRA MORLEDGE, Staff  
Representative Coulombe  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented HB 116 on behalf of the sponsor.

BRENDA STANFILL, Executive Director  
Alaska Network on Domestic Violence and Sexual Assault  
Anchorage, Alaska

**POSITION STATEMENT:** Testified by invitation on HB 116.

APRIL WILKERSON, Deputy Commissioner  
Department of Corrections  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions on HB 116

**ACTION NARRATIVE**

3:32:08 PM

**CHAIR SCOTT KAWASAKI** called the Senate State Affairs Standing Committee meeting to order at 3:32 p.m. Present at the call to order were Senators Bjorkman, Merrick, and Chair Kawasaki. Senator Wielechowski arrived thereafter.

**HJR 18-SOCIAL SECURITY BENEFIT REDUCTION REPEAL**

3:33:24 PM

CHAIR KAWASAKI announced the consideration of CS FOR HOUSE JOINT RESOLUTION NO. 18(STA) Urging the United States Congress to repeal the Windfall Elimination Provision and Government Pension Offset of the Social Security Act.

[3:33:43 PM](#)

CHAIR KAWASAKI solicited a motion.

[3:33:44 PM](#)

SENATOR MERRICK moved to report CSHJR 18(STA), work order 33-LS1003\S, from committee with individual recommendations and attached fiscal note(s).

[3:33:57 PM](#)

CHAIR KAWASAKI found no objection and CSHJR 18(STA) was reported from the Senate State Affairs Standing Committee.

### **HB 116-RESTORATIVE JUSTICE ACCT APPROPRIATIONS**

[3:34:17 PM](#)

CHAIR KAWASAKI announced the consideration of CS FOR HOUSE BILL NO. 116(STA) "An Act relating to grants and costs funded by the restorative justice account; relating to the Council on Domestic Violence and Sexual Assault; and providing for an effective date."

[3:34:40 PM](#)

EDRA MORLEDGE, Staff, Representative Coulombe, Alaska State Legislature, Juneau, Alaska, explained that Representative Coulombe introduced HB 116 in response to her work as the Chair of the House Public Safety Finance Subcommittee. She said that, for the past several years, the Council on Domestic Violence and Sexual Assault (CDVSA) has been experiencing a budget shortfall that is expected to continue. She stated that this shortfall is largely due to a loss of Federal Victims of Crimes Act (VOCA) grant funds (these grant monies ranged from \$3 million to \$5 million annually). Recently, CDVSA has experienced additional budget shortfall due to inflation and increased operating expenses.

MS. MORLEDGE said that domestic violence shelters and child advocacy centers across the state have had to lobby the legislature for the funds needed to fill the gap each year. She noted that the necessary funding was included in the FY2025 budget. However, this was not enough to completely cover the shortfall. She stated that HB 116 would provide a permanent fix.

[3:36:15 PM](#)

MS MORLEDGE gave a brief history of the Restorative Justice Account, which was established in 1988 (and was known at that time as the Criminal Fund or the Permanent Dividend Fund). She explained that the intention of the fund was to help restore victims to a pre-offense condition. Prior to the creation of this fund, victims could file to garnish a convicted offender's Permanent Fund Dividend (PFD) as a way of receiving restitution. Once the fund was established, victims of violent crimes could apply and receive compensation through the Violent Crimes Compensation Fund. She stated that a portion of the PFDs garnished from ineligible offenders is also distributed to CDVSA, and passed along to shelters and child advocacy centers.

MS. MORLEDGE stated that, in 2018, legislation was passed to reign in appropriations from the fund - which had been taken over by the Department of Corrections (DOC) budget and used to fund inmate healthcare and population management. Currently, the fund is allocated as follows:

**Crime Victims Compensation Fund**

- 10-13 percent

**Office of Victim's Rights**

- 2-6 percent

**Department of Health**

(mental health support for offenders)

- 1-3 percent

**CDVSA**

- 1-3 percent

**Department of Corrections**

- 79-88 percent

MS. MORLEDGE said that HB 116 serves as a policy statement and a course correction that would swap the funds allocated to the Department of Corrections with those allocated to CDVSA. This would provide stability and ample funding for the victims of domestic violence and sexual assault. This change would also provide the necessary funding to child advocacy centers. She noted that HB 116 includes a statement of legislative intent that DPS would prioritize prevention efforts - which have fallen by the wayside. She acknowledged that DPS does have some prevention programming. She expressed the hope that HB 116 would bolster prevention efforts in response to Alaska's high rate of domestic violence and sexual assault crimes.

[3:39:42 PM](#)

CHAIR KAWASAKI announced invited testimony on HB 116.

[3:40:02 PM](#)

BRENDA STANFILL, Executive Director, Alaska Network on Domestic Violence and Sexual Assault, Anchorage, Alaska, said that HB 116 increases the amount of funds available to organizations serving victims of crime throughout Alaska. She described the network of victims' support services receiving a portion of their funding from the state of Alaska, including 24 providers serving domestic violence and sexual assault victims - each serving the region surrounding their safe house location. It also includes Victims for Justice (a statewide program); 19 child advocacy centers across the state; four statewide - and two regional - programs providing legal services for victims; and three organizations serving sex and labor trafficking victims.

MS. STANFILL stated that, in 2018 the state of Alaska received \$10 million in VOCA funding - an all-time high. The VOCA office instructed CDVSA to disperse the funds throughout the communities to increase access to services for victims statewide. She detailed the various programs CDVSA funded with the grant monies, including 6 legal programs and 9 child advocacy centers, along with children's mental health services. She explained how a change in the federal government's prosecution of corporate crimes and fee collection processes resulted in a decline in VOCA funds. She stated that the State of Alaska's VOCA funds have declined each year since 2018. The state will receive an estimated \$1.25 million in 2025 - a decrease of over \$8 million in the last six years. She noted that the "VOCA fix" has passed; however, it has not refilled the fund as anticipated. She added that, while the federal government is seeking ways to fix this, there is no solution currently in place. She said that all programs have been "flat funded" - which was made possible due to Covid-19 funding - one-time general fund increments that were designated for Alaska, specifically for use in victim's services.

MS. STANFILL stated that programs have had to absorb increased costs due to inflation by reducing staff and fundraising. At the same time, these programs have attempted to maintain their current programming, as cutting these programs would mean fewer services for victims. She noted that some programs serve adults, others serve children, and some serve both.

[3:42:58 PM](#)

MS. STANFILL stated that these programs respond to victims whether or not the crime is reported to law enforcement - and continue to support victims throughout the legal process when crimes are reported. The advocate supports the victim regardless of whether the case moves forward; advocates are present at court hearings, trial days, trial delays, and when the victim gives their impact statement. Advocates continue to support victims after legal proceedings are complete, helping as they navigate the various services for children, divorce and custody hearings, etc. She stated that advocates help victims find healing and hope. Referring to a national count of domestic violence shelters in the nation, she pointed out that Alaska is one of the few states in which every program in the participates - ensuring that the count has good data. She offered the following data points:

**On May 11, 2023:**

- 395 adults and children entered a safe shelter to access protection from a person doing them harm.
- 87 more came to a program to receive other supports (e.g. legal advice, restraining order, transportation, food)
- 138 Alaskans called the crisis line to access support
- 29 people were turned away from safe shelters due to a lack of space.

MS. STANFILL acknowledged that there is concern on how the change made by HB 116 would impact DOC. She said that, for the same time period discussed earlier, the DOC budget is around \$315 million. She added that the DOC budget is currently around \$450 million. She pointed out that DOC has the option of requesting a supplemental budget while CDVSA cannot. As a result, CDVSA must absorb any costs accrued beyond the budgeted amount (e.g. if utility prices increase).

MS. STANFILL commented on the importance of mitigating the consequences of these crimes while also working on prevention. She emphasized the importance of creating communities where children thrive and are not exposed to traumatic events that may lead to problematic behaviors in adulthood.

[3:45:48 PM](#)

MS. STANFILL referred to the Alaska Victimization Survey and stated that women with higher Adverse Childhood Experience (ACE) were more likely to have experienced violence within the past 12 months than those with lower ACE scores. She shared anecdotal evidence indicating that male abusers are often childhood trauma survivors. She encouraged members to watch the documentary titled "The Silence," which shows how childhood trauma manifests in adult males.

MS. STANFILL said that there are currently 14 community prevention teams seeking to end violence in their communities. She briefly described these. She said that these programs serve elementary aged students and provide educational opportunities in schools when invited. She stated that these programs should be expanded to all communities in Alaska. Identifying a funding source focused on the needs of survivors will allow CDVSA to continue serving the needs of survivors while engaging in state-wide and community-level work that will lead to reducing the number of crime victims of Alaska. She briefly described the challenges CDVSA has faced due to a lack of funding, including executive directors working overnight shifts to avoid closing shelters and the loss of three executive directors in the past month due to overwhelm. She emphasized the challenge that this lack of funding creates and said that programs are not thriving. She briefly described some of the difficulties faced by staff and reiterated the importance of this funding increase (and steady funding source) and the positive impact it would have on these programs.

[3:49:19 PM](#)

CHAIR KAWASAKI said he is familiar with the funding issues faced by shelters. He expressed uncertainty about when the current statute was written and asked if solutions unrelated to the general fund have been considered.

[3:49:52 PM](#)

MS. STANFILL replied that the funding conversations have occurred over a long period of time. She said that many programs do local fundraising. She surmised that, absent dedicated general funds (and relying solely on federal dollars), the ebb and flow in funding would continue. She shared her understanding that work is being done to improve federal funding. She noted that the Permanent Fund Dividend (PFD) calculation would also be in flux. She stated that billing Medicaid has also been considered; however, Medicaid is insurance and domestic violence is not covered by insurance (though the impact of domestic violence may be). She expressed doubt that this option would

provide adequate funding. She noted that children's therapy services may be covered. She shared her understanding that no other stable stream of funding has been identified.

[3:51:17 PM](#)

CHAIR KAWASAKI noted that Senator Wielechowski joined the meeting.

[3:51:33 PM](#)

CHAIR KAWASAKI asked how the budget change would impact the Department of Corrections.

[3:52:22 PM](#)

APRIL WILKERSON, Deputy Commissioner, Department of Corrections, Juneau, Alaska, said that the department is neutral on HB 116. She explained that, historically, as available funds (from PFD criminal funds or restorative justice funds) fluctuate, the department has adjusted funding sources. This allows DOC to have a flat budget. She noted that this is reflected in the fiscal note for HB 116 and clarified that the funding lost due to the switch would be replaced by general funds.

[3:53:25 PM](#)

SENATOR MERRICK asked if 100 percent of dollars from garnished PFDs is used for this purpose - or if some of the funds are used to pay back child support, etc.

[3:53:43 PM](#)

MS. WILKERSON deferred the question. She said that a memorandum is sent to Legislative Finance that identifies how the funds are allocated. She explained that the funds received by DOC have historically gone to physical healthcare. FY24 is an anomaly, with over \$5 million allocated that has been "backed out" as part of the reduction for FY25. These funds remain in physical healthcare. She said she would provide the aforementioned memo with funding allocation details to the committee.

[3:54:48 PM](#)

CHAIR KAWASAKI noted that HB 116 will travel to the Senate Finance Committee.

[3:55:01 PM](#)

At ease

[3:56:27 PM](#)

CHAIR KAWASAKI reconvened the meeting.

[3:56:33 PM](#)

CHAIR KAWASAKI opened public testimony on HB 116; finding none, he closed public testimony.

[3:56:54 PM](#)

CHAIR KAWASAKI commented that HB 116 contains a significant policy change. He stated that he generally supports this; however, he is uncertain how the numbers would work out. He reiterated that HB 116 would be heard by the Senate Finance Committee, where these details would be fleshed out.

[3:57:24 PM](#)

CHAIR KAWASAKI solicited the will of the committee.

[3:57:26 PM](#)

SENATOR MERRICK moved to report CSHB 116, work order 33-LS0602\B, from committee with individual recommendations and attached fiscal note(s).

[3:57:42 PM](#)

CHAIR KAWASAKI found no objection and CSHB 116(STA) was reported from the Senate State Affairs Standing Committee.

[3:58:07 PM](#)

At ease

[3:59:15 PM](#)

CHAIR KAWASAKI reconvened the meeting.

[3:59:34 PM](#)

There being no further business to come before the committee, Chair Kawasaki adjourned the Senate State Affairs Standing Committee meeting at 3:59 p.m.