

Introduced: 3/15/79  
Referred: Health, Education &  
Social Services and Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 130

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to domestic violence and sexual  
7 assault; and providing for an effective date."

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

9 \* Section 1. AS 47 is amended by adding a new chapter to read:

10 CHAPTER 90. DOMESTIC VIOLENCE AND SEXUAL ASSAULT.

11 Sec. 47.90.010. OFFICE OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT.

12 There is established within the Department of Health and Social  
13 Services, division of social services, the office of domestic violence  
14 and sexual assault. The office is headed by a coordinator appointed by  
15 the Advisory Board on Family Violence and Sexual Assault and approved by  
16 the director of the division of social services. The director of the  
17 division of social services may participate, on a non-voting basis, in  
18 interviews of candidates for the position of coordinator. The coordina-  
19 tor is in the exempt service under AS 39.25.

20 Sec. 47.90.020. QUALIFICATIONS OF COORDINATOR. In order to  
21 qualify for the position of coordinator, a person must have experience  
22 in

23 (1) organizing and administering a program for victims of  
24 domestic violence or sexual assault; and

25 (2) providing direct service to victims of domestic violence  
26 or sexual assault.

27 Sec. 47.90.030. POWERS OF OFFICE. The office may

28 (1) write and administer grants;

29 (2) make contracts necessary or incidental to the performance

1 of its duties and the execution of its powers;

2 (3) prepare proposed regulations relating to shelter pro-  
3 grams;

4 (4) coordinate its activities and cooperate with programs of  
5 domestic violence or sexual assault in this and other states, and make  
6 cooperative arrangements with state, local or private agencies for the  
7 expansion or improvement of services to victims of domestic violence or  
8 sexual assault;

9 (5) keep records, consolidate statewide information, and  
10 engage in research;

11 (6) develop, encourage and foster statewide, regional and  
12 local plans for the prevention of domestic violence and sexual assault  
13 and for the provision of services to victims, victims' families or  
14 perpetrators of domestic violence or sexual assault in cooperation with  
15 public and private agencies, organizations, and individuals and provide  
16 technical assistance and consultation services for this purpose;

17 (7) prepare, publish, evaluate and disseminate educational  
18 and technical assistance materials relating to domestic violence and  
19 sexual assault.

20 Sec. 47.90.040. DUTIES OF OFFICE. The office shall

21 (1) develop uniform, minimum standards for methods of keeping  
22 statistical information by individuals and public and private agencies  
23 or organizations providing services to victims of domestic violence or  
24 sexual assault; the purpose of the standards is to promote uniform and  
25 minimal necessary statistics gathering by the appropriate agencies and  
26 individuals; the standards are subject to the approval of the advisory  
27 board;

28 (2) organize and promote training programs for all persons  
29 engaged in providing services to victims, victims' families, or pepe-

1 trators of domestic violence or sexual assault;

2 (3) prepare an annual comprehensive report including,  
3 but not limited to, a review of present and proposed services  
4 relating to domestic violence and sexual assault financed through  
5 the division of social services, the effect and current status of  
6 efforts to improve related services provided by other programs in  
7 the state, and a review of national changes in legislation and  
8 program trends relating to domestic violence and sexual assault;

9 (4) function as staff to the advisory board;

10 (5) review all state health, welfare and criminal justice  
11 plans to be submitted for state or federal financing and inform the  
12 advisory board of provisions in the plans relating to domestic violence  
13 and sexual assault.

14 Sec. 47.90.050. ADVISORY BOARD ON FAMILY VIOLENCE AND SEXUAL  
15 ASSAULT. There is established in the Department of Health and Social  
16 Services, division of social services, an Advisory Board on Family  
17 Violence and Sexual Assault.

18 Sec. 47.90.060. COMPOSITION OF ADVISORY BOARD. The advisory board  
19 consists of nine members appointed by the director of the division of  
20 social services from a list of nominees provided by the Alaska Council  
21 on Intrafamily Violence, Inc. The list of nominees shall include at  
22 least two nominees from each of the categories listed in (b) of this  
23 section. Appointments shall, to as great an extent as possible, provide  
24 for statewide geographical representation. No member of the board of  
25 directors or staff of a domestic violence or sexual assault program  
26 receiving state funds through the office may be appointed to the advi-  
27 sory board.

28 (b) The advisory board shall include the following members:

29 (1) one village health aide or public health nurse;

1 (2) one representative from a Native social services organi-  
2 zation;

3 (3) two people who are or have been victims of domestic  
4 violence or sexual assault;

5 (4) one person actively involved in community programs in-  
6 cluding, but not limited to, programs relating to domestic violence or  
7 sexual assault;

8 (5) one person identified in the state as being knowledgeable  
9 in women's issues and concerns;

10 (6) one attorney; and

11 (7) two persons who are experienced in delivery of shelter  
12 program services to victims of domestic violence or sexual assault.

13 Sec. 47.90.070. TERM OF OFFICE. Members of the advisory board  
14 serve terms of four years; however, members initially appointed from the  
15 categories described in AS 47.90.060(b)(1), (3), (4) and (5) serve terms  
16 of three years. Members of the advisory board may not be reappointed.

17 Sec. 47.90.080. VACANCIES. A vacancy in the membership of the  
18 advisory board shall be filled in the same manner as an original  
19 appointment. A member appointed to fill a vacancy serves for the unex-  
20 pired term of the member he succeeds. If the unexpired portion of the  
21 term is less than two years, the member may be reappointed. A vacancy  
22 arises if a member resigns or is absent from two consecutive regular  
23 meetings of the advisory board.

24 Sec. 47.90.090. QUORUM. Five members constitute a quorum for the  
25 transaction of the business of the advisory board; however, at least two  
26 members must be present who were appointed from the categories described  
27 in AS 47.90.060(b)(1), (4), (5) or (7).

28 Sec. 47.90.100. COMPENSATION. Members of the advisory board  
29 receive no salaries but are entitled to per diem and travel allowances

1 as authorized by law for boards and commissions.

2 Sec. 47.90.110. POWERS OF ADVISORY BOARD. The advisory board may

3 (1) review and approve proposals submitted to the office for  
4 state or federal money or grants;

5 (2) review and approve provisions relating to domestic vio-  
6 lence or sexual assault in any state plan submitted for state or federal  
7 money;

8 (3) appoint, with the approval of the director of the divi-  
9 sion of social services, a coordinator for the office;

10 (4) monitor and evaluate domestic violence and sexual assault  
11 programs receiving state money;

12 (5) adopt standards and guidelines for domestic violence and  
13 sexual assault programs;

14 (6) delegate powers or responsibilities to staff and contract  
15 for services.

16 Sec. 47.90.120. CONFIDENTIALITY. Information received by the  
17 advisory board or by the office from a domestic violence or sexual  
18 assault program is confidential and may be disclosed only

19 (1) for the purposes of an official law enforcement investi-  
20 gation;

21 (2) when its production is required in a court proceeding; or

22 (3) for statistical purposes if the statistics are presented  
23 in a manner which prevents the identification of a victim, perpetrator  
24 or family of a victim of domestic violence or sexual assault.

25 Sec. 47.90.130. DEFINITIONS. For the purposes of this chapter

26 (1) "advisory board" means the Advisory Board on Family  
27 Violence and Sexual Assault established in AS 47.90.050;

28 (2) "domestic violence or sexual assault program" means a  
29 program that has as a major focus the provision of direct services to

1 the victims or perpetrators of domestic violence or sexual assault;

2 (3) "domestic violence" means actual or imminent danger of  
3 physical harm by another person which makes the victim's household  
4 unsafe;

5 (4) "office" means the office of domestic violence and sexual  
6 assault established in AS 47.90.010;

7 (5) "sexual assault" means nonconsenting sexual contact by a  
8 non-household member which does not present an actual or imminent danger  
9 of physical harm to the victim;

10 (6) "shelter program" means a program which has as a major  
11 focus the provision of emergency or short-term lodging or housing for  
12 victims of domestic violence or sexual assault.

13 \* Sec. 2. Within one month after the effective date of this Act the  
14 director of the division of social services in the Department of Health and  
15 Social Services shall appoint an acting coordinator for the office of domes-  
16 tic violence and sexual assault established in AS 47.90.010. The appointment  
17 may be made without consultation with the Advisory Board on Family Violence  
18 and Sexual Assault established in AS 47.90.050. The acting coordinator  
19 serves until the appointment of a coordinator in accordance with AS 47.90.-  
20 010.

21 \* Sec. 3. This Act takes effect July 1, 1979.  
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