

Original sponsor: Rules/Governor

Offered: 5/1/81
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 91 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to domestic violence, sexual assault,
7 and crisis intervention and prevention programs."

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

9 * Section 1. AS 18 is amended by adding a new chapter to read:

10 CHAPTER 66. COUNCIL ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT.

11 Sec. 18.66.010. COUNCIL ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT.

12 There is established the Council on Domestic Violence and Sexual
13 Assault. For budgetary purposes, the council is located within the
14 Department of Public Safety but it is the interdepartmental planning
15 and coordinating agency of the Department of Health and Social Services,
16 the Department of Public Safety, and the Department of Law and other
17 departments which deliver services to families, victims and perpetrators
18 of domestic violence and sexual assault.

19 Sec. 18.66.020. MEMBERSHIP AND TERMS. (a) The council consists
20 of

21 (1) three persons appointed by the governor from a list
22 provided by the Network on Domestic Violence and Sexual Assault, a
23 nonprofit corporation; and

24 (2) two persons appointed by the governor who have been
25 victims of domestic violence or sexual assault.

26 (b) In addition to the members under (a) of this section, the
27 council consists of the following nonvoting ex officio members:

28 (1) the commissioner of public safety or his designee;

29 (2) the commissioner of health and social services or his

1 designee; and

2 (3) the attorney general or his designee.

3 (c) The term of office of a person appointed under (a) of this
4 section is two years. A person shall serve at the pleasure of the
5 governor and may not serve more than two consecutive terms. A vacancy
6 shall be filled for the unexpired portion of the term by appointment by
7 the governor of a person qualified to serve under (a) of this section.

8 Sec. 18.66.030. COMPENSATION AND EXPENSES. The members of the
9 council receive no salary but are entitled to transportation expenses
10 and per diem in accordance with AS 39.20.180.

11 Sec. 18.66.040. MEETINGS. The council shall meet at least four
12 times a year; at least one of the meetings each year shall include a
13 statewide public teleconference hearing. The time and place of a
14 meeting shall be set by the presiding officer or by three members who
15 submit a written request for a meeting to the presiding officer. Three
16 members appointed under AS 18.66.020(a) constitute a quorum.

17 Sec. 18.66.050. POWERS AND DUTIES. (a) The council may

18 (1) hire an executive director and staff;

19 (2) establish minimum standards for operation of domestic
20 violence, sexual assault, and crisis intervention and prevention pro-
21 grams;

22 (3) develop and implement a standardized data collection
23 system on domestic violence, sexual assault, and crisis intervention
24 and prevention;

25 (4) conduct studies on issues relating to violence, includ-
26 ing domestic violence and sexual assault, and to the role of crisis
27 intervention and prevention;

28 (5) develop resource materials to provide for education of
29 the public about domestic violence, sexual assault, and crisis inter-

1 vention and prevention, including films and school curriculum;

2 (6) conduct public hearings;

3 (7) award grants and contracts to qualified local community
4 entities for domestic violence, sexual assault, and crisis intervention
5 and prevention programs;

6 (8) receive and dispense state and federal money to carry
7 out the purposes of this chapter;

8 (9) oversee and audit domestic violence, sexual assault, and
9 crisis intervention and prevention programs which receive money under
10 this chapter.

11 (b) The council shall

12 (1) elect one of its members as presiding officer;

13 (2) in consultation with authorities in the field, develop,
14 implement, maintain, and monitor domestic violence, sexual assault, and
15 crisis intervention and prevention programs, including educational
16 programs on the cause, prevention, and treatment of domestic violence
17 and sexual assault;

18 (3) coordinate services provided by other state agencies and
19 community groups dealing with domestic violence, sexual assault, and
20 crisis intervention and prevention, providing technical assistance as
21 requested;

22 (4) assist local community entities engaged in the delivery
23 of domestic violence, sexual assault, and crisis intervention and
24 prevention services through the award of grants and contracts;

25 (5) extend domestic violence, sexual assault, and crisis
26 intervention and prevention programs into urban and rural areas not
27 receiving the services;

28 (6) provide fiscal and technical assistance to plan, organ-
29 ize, implement and administer domestic violence, sexual assault, and

1 crisis intervention and prevention programs;

2 (7) adopt regulations in accordance with the Administrative
3 Procedure Act (AS 44.62) to carry out the purposes of this chapter and
4 to protect the health, safety, well-being, and privacy of persons using
5 the services provided under this chapter;

6 (8) make an annual report to the governor and the legisla-
7 ture on the activities of the council, plans for new services and
8 programs, and concerns of the council, including recommendations for
9 legislation necessary to carry out the purposes of this chapter.

10 Sec. 18.66.060. QUALIFICATIONS. A local community entity is
11 qualified to receive a grant or contract under this chapter if it
12 agrees to

13 (1) furnish services approved by the council to victims of
14 domestic violence or sexual assault, their families, or perpetrators of
15 domestic violence or sexual assault; and

16 (2) provide services to persons regardless of their ability
17 to pay for their services.

18 Sec. 18.66.900. DEFINITIONS. In this chapter:

19 (1) "council" means the Council on Domestic Violence and
20 Sexual Assault;

21 (2) "crisis intervention and prevention" means a community
22 program that provides information, education, counseling, and referral
23 services to individuals experiencing personal crisis related to domestic
24 violence or sexual assault and to individuals in personal or profes-
25 sional transition, excluding correctional half-way houses, outpatient
26 mental health programs, and drug or alcohol rehabilitation programs;

27 (3) "domestic violence" means a crime specified in AS 11.41
28 when the victim is a spouse or a former spouse of the defendant, a
29 member of the social unit comprised of those living together in the

1 same dwelling as the defendant, or a person related within the second
2 degree by blood or marriage to the defendant;

3 (4) "domestic violence program" means a program that provides
4 services to the victims of domestic violence, their families, or perpe-
5 trators of domestic violence;

6 (5) "local community entity" means a city or borough or
7 other political subdivision of the state, a nonprofit organization, or
8 a combination of these;

9 (6) "sexual assault" means a crime specified in AS 11.41.-
10 410 - 11.41.450 or AS 11.51.130(a)(4);

11 (7) "sexual assault program" means a program that provides
12 services to the victims of sexual assault, their families, or perpe-
13 trators of sexual assault.

14 * Sec. 2. Of the first members appointed to the Council on Domestic
15 Violence and Sexual Assault under AS 18.66.020(a) added in sec. 1 of this
16 Act

17 (1) two members shall be appointed to serve a term of one year;

18 (2) three members shall be appointed to serve a term of two
19 years.