

Original sponsor: Rules/Governor

Offered: 5/8/81
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 91 (Finance)

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. The council is located within the Department of Public Safety
14 for budgetary purposes, but serves as the interdepartmental planning
15 and coordinating agency of the Department of Health and Social Services,
16 the Department of Public Safety, the Department of Law, and other
17 departments which provide services to victims of domestic violence or
18 sexual assault or their families or to perpetrators of domestic violence
19 and sexual assault.

20 Sec. 18.66.020. MEMBERSHIP, TERMS, VACANCIES, AND DISQUALIFICA-
21 TION. (a) The council consists of

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

25 (2) two public members appointed by the governor;

26 (3) the commissioner of public safety or the designee of the
27 commissioner of public safety; and

28 (4) the commissioner of health and social services or the
29 designee of the commissioner of health and social services.

1 (b) In addition to the members listed in (a) of this section, the
2 attorney general or a designee of the attorney general is a nonvoting
3 ex officio member of the council.

4 (c) The term of office of a member appointed under (a)(1) or
5 (a)(2) of this section is two years. A member appointed under (a)(1)
6 or (a)(2) of this section serves at the pleasure of the governor and
7 may not serve more than two consecutive terms. A vacancy on the council
8 shall be filled for the unexpired term by appointment by the governor
9 of a person qualified to serve under (a) of this section.

10 (d) A person who has a direct financial involvement with a domes-
11 tic violence, sexual assault, or crisis intervention or prevention
12 program may not be appointed to the council.

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

16 Sec. 18.66.040. MEETINGS AND QUORUM. The council shall meet at
17 least four times a year. At least one meeting each year shall include
18 a statewide public teleconference hearing. The time and place of a
19 meeting shall be set by the presiding officer or by three members who
20 submit a written request for a meeting to the presiding officer. Four
21 voting members of the council constitute a quorum.

22 Sec. 18.66.050. POWERS AND DUTIES. (a) The council may
23 (1) hire an executive director and staff;
24 (2) establish minimum standards for operation of domestic
25 violence, sexual assault, and crisis intervention and prevention pro-
26 grams;

27 (3) develop and implement a standardized data collection
28 system on domestic violence, sexual assault, and crisis intervention
29 and prevention;

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

4 (5) develop resource materials to provide for education of
5 the public about domestic violence, sexual assault, and crisis inter-
6 vention and prevention, including films and school curriculum;

7 (6) conduct public hearings;

8 (7) award grants and contracts to qualified local community
9 entities for domestic violence, sexual assault, and crisis intervention
10 and prevention programs;

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

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

16 (b) The council shall

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

18 (2) in consultation with authorities in the field, develop,
19 implement, maintain, and monitor domestic violence, sexual assault, and
20 crisis intervention and prevention programs, including educational
21 programs on the cause, prevention, and treatment of domestic violence
22 and sexual assault;

23 (3) coordinate services provided by other state agencies and
24 community groups dealing with domestic violence, sexual assault, and
25 crisis intervention and prevention, and provide technical assistance as
26 requested by those state agencies and community groups;

27 (4) through the award of grants and contracts assist local
28 community groups that provide domestic violence, sexual assault, and
29 crisis intervention and prevention services;

1 (5) extend domestic violence, sexual assault, and crisis
2 intervention and prevention programs into urban and rural areas not
3 receiving these services;

4 (6) provide fiscal and technical assistance to plan, organ-
5 ize, implement and administer domestic violence, sexual assault, and
6 crisis intervention and prevention programs;

7 (7) adopt regulations in accordance with the Administrative
8 Procedure Act (AS 44.62) to carry out the purposes of this chapter and
9 to protect the health, safety, well-being, and privacy of persons
10 receiving services financed with grants or contracts under this chapter;

11 (8) make an annual report to the governor and the legisla-
12 ture on the activities of the council, plans of the council for new
13 services and programs, and concerns of the council, including recommen-
14 dations for legislation necessary to carry out the purposes of this
15 chapter.

16
17 Sec. 18.66.060. QUALIFICATIONS. A local community entity is
18 qualified to receive a grant or contract under this chapter if it
19 agrees to provide services approved by the council to victims of domes-
20 tic violence or sexual assault or their families or to perpetrators of
21 domestic violence or sexual assault without regard to ability to pay.

22 Sec. 18.66.900. DEFINITIONS. In this chapter:

23 (1) "council" means the Council on Domestic Violence and
24 Sexual Assault;

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

1 programs;

2 (3) "domestic violence" means a crime specified in AS 11.41
3 when the victim is a spouse or a former spouse of the defendant, a
4 member of the social unit comprised of those living together in the
5 same dwelling as the defendant, or a person related within the second
6 degree by blood or marriage to the defendant;

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

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

13 (6) "sexual assault" means a crime specified in AS 11.41.-
14 410 - 11.41.450 or AS 11.51.130(a)(4);

15 (7) "sexual assault program" means a program that provides
16 services to the victims of sexual assault, their families, or perpetra-
17 tors of sexual assault.

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

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

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