

HB

269

<TARGET><BILL>HB 269</BILL><SUBJECT>HB
269</SUBJECT><COMM>HSTA29</COMM></TARGET>

29-GH2797\AW

Bruce
3/31/16**CS FOR HOUSE BILL NO. 269(STA)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY THE HOUSE ~~RULES~~STATE AFFAIRS COMMITTEE ~~BY REQUEST OF THE GOVERNOR~~~~Introduced: 1/20/16~~~~Offered:~~~~Referred: State Affairs, Finance~~Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR**A BILL****FOR AN ACT ENTITLED**

1 "An Act adding the commissioner of military and veterans' affairs to the membership of
2 the Council on Domestic Violence and Sexual Assault-"; and relating to the duties of the
3 Council on Domestic Violence and Sexual Assault."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:*** Section 1.** AS 18.66.020(a) is amended to read:

(a) The council consists of

7 (1) four public members appointed by the governor, one of whom shall
8 be from a rural area; the governor may consult with the Alaska Network on Domestic
9 Violence and Sexual Assault, a nonprofit corporation, in appointing the public
10 members under this paragraph; the Alaska Network on Domestic Violence and Sexual
11 Assault shall submit a list to the governor of persons recommended for appointment;

12 (2) the commissioner of public safety or the designee of the
13 commissioner of public safety;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

(3) the commissioner of health and social services or the designee of the commissioner of health and social services;

(4) the commissioner of education and early development or the designee of the commissioner of education and early development;

(5) the attorney general or the designee of the attorney general; [AND]

(6) the commissioner of corrections or the designee of the commissioner of corrections; **and**

(7) the commissioner of military and veterans' affairs or the designee of the commissioner of military and veterans' affairs.

* **Sec. 2.** AS 18.66.040 is amended to read:

Sec. 18.66.040. Meetings and quorum. The council shall meet at least four times a year. At least one meeting each year shall include a statewide public teleconference hearing. The time and place of a meeting shall be set by the presiding officer or by three members who submit a written request for a meeting to the presiding officer. **Six** [FIVE] members of the council constitute a quorum.

* **Sec. 3.** AS 18.66.050 is amended to read:

Sec. 18.66.050. Duties of the council. The council shall

(1) hire an executive director, and the executive director may hire staff; the executive director is in the exempt service under AS 39.25.110 and staff members are in the classified service under AS 39.25.100;

(2) elect one of its members as presiding officer;

(3) in consultation with authorities in the field, develop, implement, maintain, and monitor domestic violence, sexual assault, and crisis intervention and prevention programs, including educational programs, films, and school curricula on the cause, prevention, and treatment of domestic violence and sexual assault;

(4) coordinate services provided by the Department of Law, the Department of Education and Early Development, the Department of Public Safety, the Department of Health and Social Services, the Department of Corrections, **the Department of Military and Veterans' Affairs,** and other state agencies and community groups dealing with domestic violence, sexual assault, and crisis intervention and prevention, and provide technical assistance as requested by those

1 state agencies and community groups;

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

4 (6) conduct public hearings and studies on issues relating to violence,
5 including domestic violence and sexual assault, and on issues relating to the role of
6 crisis intervention and prevention;

7 (7) receive and dispense state and federal money and award grants and
8 contracts from appropriations for the purpose to qualified local community entities for
9 domestic violence, sexual assault, and crisis intervention and prevention programs;

10 (8) oversee and audit domestic violence, sexual assault, and crisis
11 intervention and prevention programs that receive money under this chapter;

12 (9) provide fiscal and technical assistance to plan, organize,
13 implement, and administer domestic violence, sexual assault, and crisis intervention
14 and prevention programs;

15 (10) make an annual report to the governor on the activities of the
16 council, plans of the council for new services and programs, and concerns of the
17 council, including recommendations for legislation necessary to carry out the purposes
18 of this chapter; the council shall notify the legislature that the report is available;

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

23 (12) consult with the Department of Health and Social Services in the
24 formulation of standards and procedures for the delivery of services to victims of
25 domestic violence by health care facilities and practitioners of healing arts and
26 personnel in those facilities as required in AS 18.66.300;

27 (13) consult with the Alaska Police Standards Council and other police
28 training programs in the state to develop training programs regarding domestic
29 violence for police officers and for correction, probation, and parole officers;

30 (14) consult with public employers, the Alaska Supreme Court, school
31 districts, and prosecuting authorities who are required by AS 18.66.300 - 18.66.310 to

1

provide continuing education courses in domestic violence to employees.

Conceptual #1

Amendment to HB 269

Kreiss - Tomkins

Keller objects & removed

* Sec. 3. AS 18.66.050 is amended to read:

Sec. 18.66.050. Duties of the council. The council shall

(1) hire an executive director, and the executive director may hire staff; the executive director is in the exempt service under AS 39.25.110 and staff members are in the classified service under AS 39.25.100;

(2) elect one of its members as presiding officer;

(3) in consultation with authorities in the field, develop, implement, maintain, and monitor domestic violence, sexual assault, and crisis intervention and prevention programs, including educational programs, films, and school curricula on the cause, prevention, and treatment of domestic violence and sexual assault;

(4) coordinate services provided by the Department of Law, the Department of Education and Early Development, the Department of Public Safety, the Department of Health and Social Services, the Department of Corrections, the Department of Military and Veterans' Affairs and other state agencies and community groups dealing with domestic violence, sexual assault, and crisis intervention and prevention, and provide technical assistance as requested by those state agencies and community groups;

and adding to the title

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

(6) conduct public hearings and studies on issues relating to violence, including domestic violence and sexual assault, and on issues relating to the role of crisis intervention and prevention;

(7) receive and dispense state and federal money and award grants and contracts from appropriations for the purpose to qualified local community entities for domestic violence, sexual assault, and crisis intervention and prevention programs;

(8) oversee and audit domestic violence, sexual assault, and crisis intervention and prevention programs that receive money under this chapter;

(9) provide fiscal and technical assistance to plan, organize, implement, and administer domestic violence, sexual assault, and crisis intervention and prevention programs;

(10) make an annual report to the governor on the activities of the council, plans of the council for new services and programs, and concerns of the council, including recommendations for legislation necessary to carry out the purposes of this chapter; the council shall notify the legislature that the report is available;

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

Legal Mary Ellen

contracts under this chapter;

(12) consult with the Department of Health and Social Services in the formulation of standards and procedures for the delivery of services to victims of domestic violence by health care facilities and practitioners of healing arts and personnel in those facilities as required in AS 18.66.300;

(13) consult with the Alaska Police Standards Council and other police training programs in the state to develop training programs regarding domestic violence for police officers and for correction, probation, and parole officers;

(14) consult with public employers, the Alaska Supreme Court, school districts, and prosecuting authorities who are required by AS 18.66.300 - 18.66.310 to provide continuing education courses in domestic violence to employees.

STATE CAPITOL
P.O. Box 110001
Juneau, AK 99811-0001
907-465-3500
fax: 907-465-3532



550 West Seventh Avenue, Suite 1700
Anchorage, AK 99501
907-269-7450
fax 907-269-7461
www.Gov.Alaska.Gov
Governor@Alaska.Gov

Governor Bill Walker
STATE OF ALASKA

January 18, 2016

The Honorable Mike Chenault
Speaker of the House
Alaska State Legislature
State Capitol, Room 208
Juneau, AK 99801-1182

Dear Speaker Chenault:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill adding the Commissioner of the Department of Military and Veterans Affairs to the membership of the Council on Domestic Violence and Sexual Assault.

The purpose of the council is to provide for planning and coordination of services to victims of domestic violence or sexual assault or to their families and to perpetrators of domestic violence and sexual assault and to provide for crisis intervention and prevention programs. Since domestic violence pervades all sectors of our society, including our military forces, the input of a person with an understanding of the challenges those in the military face would assist the council's work. With this change, we will continue to work together to eliminate domestic violence and sexual assault in this state.

I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in black ink that reads "Bill Walker".

Bill Walker
Governor

Enclosure

Fiscal Note

State of Alaska
2016 Legislative Session

| | |
|---------------------|-----------|
| Bill Version: | HB 269 |
| Fiscal Note Number: | 2 |
| (H) Publish Date: | 1/20/2016 |

Identifier: DPS-CDVSA-01-06-16
 Title: MVA COMMISSIONER MEMBER OF CDVSA
 Sponsor: RLS BY REQUEST OF THE GOVERNOR
 Requester: Governor

Department: Department of Public Safety
 Appropriation: Council on Domestic Violence and Sexual Assault
 Allocation: Council on Domestic Violence and Sexual Assault
 OMB Component Number: 521

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

| | FY2017 Appropriation Requested | Included in Governor's FY2017 Request | Out-Year Cost Estimates | | | | | |
|-------------------------------|--------------------------------------|--|-------------------------|------------|------------|------------|------------|------------|
| | | | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 |
| OPERATING EXPENDITURES | | | | | | | | |
| Personal Services | | | | | | | | |
| Travel | | | | | | | | |
| Services | | | | | | | | |
| Commodities | | | | | | | | |
| Capital Outlay | | | | | | | | |
| Grants & Benefits | | | | | | | | |
| Miscellaneous | | | | | | | | |
| Total Operating | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Fund Source (Operating Only)

| | | | | | | | | |
|--------------|------------|------------|------------|------------|------------|------------|------------|------------|
| None | | | | | | | | |
| Total | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Positions

| | | | | | | | | |
|-----------|--|--|--|--|--|--|--|--|
| Full-time | | | | | | | | |
| Part-time | | | | | | | | |
| Temporary | | | | | | | | |

| | | | | | | | | |
|---------------------------|--|--|--|--|--|--|--|--|
| Change in Revenues | | | | | | | | |
|---------------------------|--|--|--|--|--|--|--|--|

Estimated SUPPLEMENTAL (FY2016) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2017) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
 If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

| |
|----------------------------------|
| Not applicable, initial version. |
|----------------------------------|

| | | | |
|--------------|---|--------|---------------------|
| Prepared By: | Lauree Morton, Executive Director | Phone: | (907)465-5503 |
| Division: | Council on Domestic Violence and Sexual Assault | Date: | 01/06/2016 03:40 PM |
| Approved By: | Gary Folger, Commissioner | Date: | 01/06/16 |
| Agency: | Public Safety | | |

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2016 LEGISLATIVE SESSION

Analysis

This legislation amends AS 18.66.020(a) by adding a new paragraph (7) to add as a member of the Council on Domestic Violence and Sexual Assault the adjutant general for military and veterans' affairs or their designee. This will increase the council membership from nine members to ten.

The fiscal impact of this legislation on the council is limited to the additional paper, supplies, and printing costs associated with the materials provided for each member at each council meeting. These costs are expected to be minimal and can be absorbed within the council's existing budget. Therefore, a zero fiscal note is being submitted.

Fiscal Note

State of Alaska
2016 Legislative Session

| | |
|---------------------|-----------|
| Bill Version: | HB 269 |
| Fiscal Note Number: | 1 |
| (H) Publish Date: | 1/20/2016 |

Identifier: MVA-OOC-1-6-16
 Title: MVA COMMISSIONER MEMBER OF CDVSA
 Sponsor: RLS BY REQUEST OF THE GOVERNOR
 Requester: Governor

Department: Department of Military and Veterans' Affairs
 Appropriation: Military and Veterans' Affairs
 Allocation: Office of the Commissioner
 OMB Component Number: 414

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

| | FY2017 Appropriation Requested | Included in Governor's FY2017 Request | Out-Year Cost Estimates | | | | | |
|-------------------------------|--------------------------------------|--|-------------------------|------------|------------|------------|------------|------------|
| | | | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 |
| OPERATING EXPENDITURES | | | | | | | | |
| Personal Services | | | | | | | | |
| Travel | | | | | | | | |
| Services | | | | | | | | |
| Commodities | | | | | | | | |
| Capital Outlay | | | | | | | | |
| Grants & Benefits | | | | | | | | |
| Miscellaneous | | | | | | | | |
| Total Operating | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Fund Source (Operating Only)

| | | | | | | | | |
|--------------|------------|------------|------------|------------|------------|------------|------------|------------|
| None | | | | | | | | |
| Total | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Positions

| | | | | | | | | |
|-----------|--|--|--|--|--|--|--|--|
| Full-time | | | | | | | | |
| Part-time | | | | | | | | |
| Temporary | | | | | | | | |

| | | | | | | | | |
|---------------------------|--|--|--|--|--|--|--|--|
| Change in Revenues | | | | | | | | |
|---------------------------|--|--|--|--|--|--|--|--|

Estimated SUPPLEMENTAL (FY2016) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2017) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
 If yes, by what date are the regulations to be adopted, amended or repealed? N/A

Why this fiscal note differs from previous version:

| | | | |
|--------------|--------------------------------|--------|---------------------|
| Prepared By: | Susan Colligan, Director | Phone: | (907)428-6881 |
| Division: | Administrative Services | Date: | 01/06/2016 03:30 PM |
| Approved By: | Bob Doehl, Deputy Commissioner | Date: | 01/06/16 |
| Agency: | Military and Veterans' Affairs | | |

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2016 LEGISLATIVE SESSION**Analysis**

The proposed legislation adds the commissioner of the Alaska Department of Military and Veterans' Affairs (DMVA) or his/her designee to the membership of the Council on Domestic Violence and Sexual Assault. The Council's mission is to provide safety for Alaskans victimized or impacted by domestic violence and sexual assault. It is responsible for ensuring Alaska has a system of statewide crisis intervention services such as local shelter programs, perpetrator accountability programs such as approved batterer's intervention programs, and prevention services.

The DMVA commissioner oversees several programs designed to prevent and address domestic violence and sexual assault in both civilian and military environments and would bring useful perspectives to the deliberations of the Council. DMVA anticipates absorbing any expenses associated with carrying out the duties of this new position as a matter of fulfilling its multiple missions.