

BILLS 1981 - 1982
HB 71 cont. - HB 91

1438

1438

Bofo
12-0107

Introduced: 2/4/61
Referred: Finance

1 IN THE HOUSE BY GARDINER AND ROGERS

2 HOUSE BILL NO. 71
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the payment of permanent fund
7 dividends to eligible minors; and providing for an
8 effective date."

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

10 * Section 1. AS 43.23 is amended by adding a new section to read:

11 Sec. 43.23.015. ACCRUAL OF DIVIDENDS FOR MINORS. (a) A perma-
12 nent fund dividend shall annually accrue to the benefit of an eligible
13 minor in the same manner as provided in AS 43.23.010.

14 (b) The department shall maintain records showing the permanent
15 fund dividends to which each eligible minor is entitled.

16 (c) The department shall establish a separate trust fund in which
17 shall be deposited the amount of permanent fund dividends accruing to
18 the benefit of each eligible minor. The trust fund shall be adminis-
19 tered by the commissioner and may be invested by the commissioner in
20 the same manner provided for the investment of the Alaska permanent
21 fund under AS 37.13.120. The costs of administering the trust fund
22 shall be paid from the earnings of the trust fund.

23 (d) Upon reaching the age of 18 an individual shall receive all
24 permanent fund dividends, plus interest, which accrued to his benefit
25 while he was an eligible minor. Payment of the accrued dividends and
26 interest shall be made as authorized under AS 43.23.010(d) and (e).

27 (e) If an eligible minor dies before reaching the age of 18, his
28 accrued permanent fund dividends shall be paid to his estate.

29 * Sec. 2. AS 43.23.100 is amended by adding a new paragraph to read:

COMMITTEE COPY

1 (9) "eligible minor" means an individual under 18 years of
2 age who is otherwise eligible to receive a permanent fund dividend
3 under AS 43.23.010.

4 * Sec. 3. This Act is retroactive to January 1, 1979.

5 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
6 070(c).

ALASKA STATE LEGISLATURE

TWELFTH Legislature FIRST Session

HOUSE BILL NO. 71

By GARDNER AND ROGERS

"An Act providing for the payment of permanent fund dividends to eligible minors; and providing for an effective date."

Payment of permanent fund dividends to minors

Introduced in the House ... 2/4 ... 19. 81

HISTORY IN THE HOUSE

19 81

Feb. 4 Read first time and referred to Committee on Finance

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration
PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused
Reported correctly engrossed
Signed by Speaker
Sent to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration
PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused
Reported correctly engrossed
Signed by President
Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Received from Senate

Concurred in Senate amendment thus adopting:
VOTE

Failed to concur in Senate amendment; asked Senate to recede
VOTE

Senate receded from amendment
VOTE

Senate failed to recede from amendment
VOTE

CC appointed by House

CC appointed by Senate

CC adopted by House
VOTE

CC adopted by Senate
VOTE

To enrolling
Reported correctly enrolled
Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

Original sponsor: Moss

Offered: 4/9/81
Referred: Finance

Funding Information
General Fund \$500,000
Other Funds -0-
\$500,000

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2

CS FOR HOUSE BILL NO. 75 (Resources)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act making a special appropriation for cost sharing
7 for clearing and breaking land on small farms; and
8 providing for an effective date."

9

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

10

* Section 1. The sum of \$500,000 is appropriated from the general fund
11 to the Department of Natural Resources for cost sharing for the clearing and
12 breaking of land on small farms.

13

* Sec. 2. The unexpended and unobligated portion of the appropriation
14 made by this Act lapses into the general fund June 30, 1986.

15

* Sec. 3. This Act takes effect on the effective date of an Act entitled
16 "An Act relating to the development of small farms; and providing for an
17 effective date."

18

19

20

21

22

23

24

25

26

27

28

29

Funding Information
General Fund \$4,000,000
Other Funds -0-
\$4,000,000

Introduced: 2/4/81
Referred: Resources and
Finance

1 IN THE HOUSE

BY MOSS

2 HOUSE BILL NO. 75

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Natural Resources; and providing for an effec-
8 tive date."

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

10 * Section 1. The sum of \$4,000,000 is appropriated from the general fund
11 to the Department of Natural Resources for cost-sharing for the clearing and
12 breaking of land on small farms.

13 * Sec. 2. The unexpended and unobligated portion of the appropriation
14 made by this Act lapses into the general fund June 30, 1986.

15 * Sec. 3. This Act takes effect on the effective date of an Act entitled
16 "An Act relating to the development of small farms; and providing for an
17 effective date."

18

19

20

21

22

23

24

25

26

27

28

29

COMMITTEE REPORT

HOUSE

4/9

2/4/81

FURTHER: FINANCE

(11)

Date: 4/8/81

Mr. Speaker:

The Committee on RESOURCES has had HB 75

"An Act making a special appropriation to the Department of Natural Resources; and providing for an effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

[] do pass [] do not pass

[] do pass with attached amendments(s)

[X] replace with CS for HB 75 (Res) and recommends ~~DO PASS~~ same title new title

[] AND attaches a "Letter of Intent" . [] New Fiscal Note

[X] reports it back without ^{individual} recommendation

[] referred to the _____ Committee

MEMBERS SIGNING DO PASS

Terry Gardner
Frank Z. Zboroff
John L. ...
Eric G. ...
...

MEMBERS HAVING OTHER RECOMMENDATIONS:

D. Amith - No Rec
J. ... - No Rec
Rich Halford - No Rec

Terry Gardner
Co-CHAIRMAN
Frank Z. Zboroff

Pegues
12-0222

Original sponsor: Moss

Offered: 4/9/81
Referred: Finance

Funding Information

General Fund	\$500,000
Other Funds	-0-
	<u>\$500,000</u>

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 75 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation for cost sharing
7 for clearing and breaking land on small farms; and
8 providing for an effective date."

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

10 * Section 1. The sum of \$500,000 is appropriated from the general fund
11 to the Department of Natural Resources for cost sharing for the clearing and
12 breaking of land on small farms.

13 * Sec. 2. The unexpended and unobligated portion of the appropriation
14 made by this Act lapses into the general fund June 30, 1986.

15 * Sec. 3. This Act takes effect on the effective date of an Act entitled
16 "An Act relating to the development of small farms; and providing for an
17 effective date."
18
19
20
21
22
23
24
25
26
27
28
29

Info

12-0222

Funding Information	
General Fund	\$4,000,000
Other Funds	-0-
	<u>\$4,000,000</u>

Introduced: 2/4/81
Referred: Resources and
Finance

1 IN THE HOUSE

BY MOSS

2 HOUSE BILL NO. 75

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Natural Resources; and providing for an effec-
8 tive date."

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

10 * Section 1. The sum of \$4,000,000 is appropriated from the general fund
11 to the Department of Natural Resources for cost-sharing for the clearing and
12 breaking of land on small farms.

13 * Sec. 2. The unexpended and unobligated portion of the appropriation
14 made by this Act lapses into the general fund June 30, 1986.

15 * Sec. 3. This Act takes effect on the effective date of an Act entitled
16 "An Act relating to the development of small farms; and providing for an
17 effective date."

ALASKA STATE LEGISLATURE

TWELFTH Legislature FIRST... Session

HOUSEBILL..... NO. ...75...

By MOSS

"An Act making a special appropriation to the Department of Natural Resources; and providing for an effective date."

Spec appro, Dept. of Natural Resources

Introduced in the House2/4..., 19. 81

HISTORY IN THE HOUSE

19 81

Feb. 4

Read first time and referred to Committee on Resources and Finance

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by Speaker
Sent to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by President
Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Received from Senate

Concurred in Senate amendment thus adopting:
VOTE

Failed to concur in Senate amendment; asked Senate to recede
VOTE

Senate receded from amendment
VOTE

Senate failed to recede from amendment
VOTE

CC appointed by House

CC appointed by Senate

CC adopted by House
VOTE

CC adopted by Senate
VOTE

To enrolling
Reported correctly enrolled
Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

COMMITTEE REPORT

HOUSE

6/3

2/4/81

FURTHER: FINANCE

(5)

Date: June 2, 1981

Mr. Speaker:

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had HB 76

"An Act establishing the Legislative Regional Educational Attendance Area Budget Oversight Committee as a permanent interim committee of the legislature, and defining its powers and duties; and providing for an effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 76 (New) same title new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without ^{individual} recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

J. Clockman

Bette Cato

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Terry Martin - No Rec.

Mark Beiser - No Rec.

J. Clockman
CHAIRMAN

Chenoweth
12-0343

Original sponsor: Moss

Offered: 6/3/81
Referred: Rinance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 76 (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 education in the unorganized
7 borough: establishing community school committees in
8 regional educational attendance areas, establishing
9 the Legislative Regional Educational Attendance Area
10 Budget Oversight Committee as a permanent interim
11 committee of the legislature; and providing for an
12 effective date."

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

14 * Section 1. AS 14.08 is amended by adding new sections to read:

15 Sec. 14.08.173. COMMUNITY SCHOOL COMMITTEES. (a) There is
16 established a community school committee in each community and military
17 reservation served by a school operated by a regional educational
18 attendance area. If the regional educational attendance area school in
19 a community or military reservation has an average daily membership of
20 less than 251 pupils, the community school committee consists of three
21 members. If the average daily membership is more than 250 pupils, the
22 community school committee consists of five members. This section does
23 not apply in a regional educational attendance area which serves only
24 one community or military reservation.

25 (b) If a community or military reservation qualifies for a three-
26 member community school committee under (a) of this section, the quali-
27 fied voters of that community or military reservation may increase the
28 committee to five members by referendum conducted at an election coin-
29 ciding with an election for community school committee members. If a

COMMITTEE COPY

1 community or military reservation qualifies for a five-member community
2 school committee under (a) of this section, the qualified voters of
3 that community or military reservation may increase the committee to
4 seven members by referendum conducted at an election coinciding with an
5 election for community school committee members.

6 (c) The election of community school committee members shall be
7 held at the same time as regular municipal elections in the second
8 class city having the largest population in the regional educational
9 attendance area. If there is no second class city within the regional
10 educational attendance area, the election shall be held on an annual
11 election date fixed by regulation adopted by the department.

12 (d) An election under (b) or (c) of this section shall be con-
13 ducted substantially in the same manner as a regular municipal election
14 which is held within the largest second class city in the area served
15 by the regional educational attendance area. If there is no second
16 class city within the regional educational attendance area, an election
17 shall be conducted under general rules established by regulation of the
18 department. An election under this section shall be administered
19 within a second class city as part of the regular municipal election,
20 and shall be administered by the regional school board in the area
21 outside second class cities.

22 (e) A member of a community school committee is subject to recall
23 in accordance with the provisions of AS 29.28.130 - 29.28.250. When
24 recall of a member of a community school committee is proposed, the
25 chief school administrator of a regional educational attendance area
26 performs the functions of the municipal clerk, and the regional school
27 board performs the functions of the assembly or council under AS 29.28.-
28 130 - 29.28.250.

29 Sec. 14.08.178. QUALIFICATIONS OF COMMUNITY SCHOOL COMMITTEE

1 VOTERS AND MEMBERS. (a) To qualify to vote at an election for com-
2 munity school committee members a person must be

3 (1) a citizen of the United States;

4 (2) 18 years of age or older;

5 (3) a registered voter who resides in the area served by the
6 school.

7 (b) To qualify to serve on a community school committee, a person
8 must qualify to vote under (a) of this section.

9 (c) Election to a community school committee is not an election
10 to a civil office of the state.

11 Sec. 14.03.183. TERMS OF OFFICE AND VACANCY. (a) The terms of
12 the initial members of a three-member community school committee are
13 one, two, and three years, respectively. Each initial member serves
14 until a successor takes office. Thereafter, a member is elected for a
15 term of three years and until a successor takes office.

16 (b) Of the initial members of a community school committee which
17 consists of five members, one member is elected for a one-year term,
18 two members for a two-year term, and two members for a three-year term.
19 Each initial member serves until a successor takes office. Thereafter,
20 a member is elected for a term of three years and until a successor
21 takes office.

22 (c) If a three-member community school committee is increased to
23 a five-member committee, the two additional members are elected for
24 terms of two years and three years respectively. Thereafter, a member
25 is elected for a three-year term. If a five-member committee is in-
26 creased to a seven-member committee, the two additional members are
27 elected for terms of two years and three years respectively. There-
28 after, a member is elected for a three-year term.

29 (d) When required under (a) - (c) of this section, members of a

1 community school committee shall choose lots to determine the length of
2 the term which each initial member shall serve.

3 (e) A vacancy on a community school committee is filled by ap-
4 pointment by the remaining members of the committee. A person appointed
5 to fill a vacancy serves until the next regular election. At that time
6 an election of a member will be held with the person elected to serve
7 for the remaining portion of the term.

8 Sec. 14.08.188. POWERS. A community school committee may

9 (1) review all information available to the regional school
10 board pertaining to curriculum, program, employment of staff, budget,
11 and general operation of the school or schools in the community or
12 military reservation for which the community school committee is estab-
13 lished;

14 (2) make recommendations to the regional school board con-
15 cerning curriculum, program, employment or retention of staff, budget,
16 and general operation of the school or schools in the community or
17 military reservation for which the community school committee is estab-
18 lished;

19 (3) review pertinent information and make recommendations
20 to the regional school board concerning the employment or retention of
21 the chief school administrator of the regional educational attendance
22 area;

23 (4) delegate one of its members to attend any meeting of the
24 regional school board; and

25 (5) exercise additional powers as may be delegated by the
26 regional school board.

27 * Sec. 2. AS 14.08.111 is amended by adding a new paragraph to read:

28 (9) reimburse each member of a community school committee
29 for costs incurred in attending a meeting of a regional school board.

1 * Sec. 3. AS 24.20 is amended by adding new sections to read:

2 ARTICLE 5. LEGISLATIVE REGIONAL EDUCATIONAL
3 ATTENDANCE AREA BUDGET OVERSIGHT COMMITTEE.

4 Sec. 24.20.600. LEGISLATIVE REGIONAL EDUCATIONAL ATTENDANCE AREA
5 BUDGET OVERSIGHT COMMITTEE ESTABLISHED. The Legislative Regional
6 Educational Attendance Area Budget Oversight Committee is established
7 as a permanent interim committee of the legislature.

8 Sec. 24.20.605. MEMBERSHIP AND ORGANIZATION. (a) The committee
9 is composed of six members. The chairman of the health, education and
10 social services committee of each house of the legislature shall be
11 members of the committee. Two members of the committee shall be
12 members of the house of representatives appointed by the speaker of the
13 house. Two members of the committee shall be members of the senate
14 appointed by the president of the senate. At least one member from the
15 house of representatives shall represent an election district in which
16 more than 10 percent of the registered voters are qualified to vote in
17 elections for regional school board members under AS 14.08.071. At
18 least one member from the senate shall represent a senate district in
19 which more than 10 percent of the registered voters are qualified to
20 vote in elections for regional school board members under AS 14.08.071.

21 (b) The chairman of the health, education and social services
22 committee of the house of representatives is the chairman of the com-
23 mittee.

24 (c) The membership of the committee from each house of the legis-
25 lature shall include at least one member from each of the two major
26 political parties.

27 (d) The committee shall organize within 15 days after the organi-
28 zation of each legislature. A member of the committee serves for the
29 duration of the legislature during which he is appointed. If a member

1 is reelected or his term of office extends into the next succeeding
2 legislature, the member continues to serve until reappointed or until
3 his successor is appointed.

4 (e) If a member of the committee files a declaration of candidacy
5 for an elective office other than that of a member of the legislature
6 and he has not resigned his membership on the committee, his committee
7 membership terminates on the date he files for the elective office.

8 (f) When a vacancy occurs in the membership of the committee, the
9 presiding officer of the house from which the vacancy is incurred shall
10 choose a successor to serve as a member of the committee for the unex-
11 pired portion of the term of the member first appointed.

12 Sec. 24.20.610. MEETINGS OF THE COMMITTEE. (a) The committee
13 may meet during sessions of the legislature and during the interim
14 between legislative sessions. The committee may meet at any time and
15 in any place in the state as the chairman of the committee determines.

16 (b) A member of the committee may receive, for the minimum time
17 required to travel to and return from meetings of the committee and for
18 the time while attending meetings, the same travel and per diem allow-
19 ances provided by law for members of the legislature while attending
20 sessions of the legislature. However, members of the committee may not
21 receive a per diem allowance for attending a meeting which is held at
22 the state capital while the legislature is in session other than the
23 per diem allowance paid to legislators under AS 24.15.010.

24 Sec. 24.20.615. DUTIES AND POWERS OF THE COMMITTEE. (a) The
25 committee shall

26 (1) organize and adopt rules for the conduct of its busi-
27 ness, and prescribe procedures for its work;

28 (2) review appropriations requested by the Department of
29 Education for the operating expenses of regional educational attendance

1 areas;

2 (3) review appropriations requested by the Department of
3 Education and the Department of Transportation and Public Facilities
4 for capital improvements for regional educational attendance areas;

5 (4) recommend to the legislature annual appropriations for
6 regional educational attendance areas so as to assure that the amounts
7 appropriated for regional educational attendance areas are equitable
8 and consistent with amounts appropriated for city and borough school
9 districts;

10 (5) coordinate its work with community school committees to
11 obtain information about the school and educational programs from
12 community school committees, parents, and residents of communities
13 having regional educational attendance area schools.

14 (b) The committee may

15 (1) hold public hearings, administer oaths, issue subpoenas,
16 compel the attendance of witnesses and production of papers, books,
17 accounts, documents, and testimony, and have the deposition of wit-
18 nesses taken in a manner prescribed by court rule or law for taking
19 depositions in civil actions;

20 (2) require state officials and agencies of state government
21 and officers and members of school boards of regional educational
22 attendance areas to give full cooperation to the committee in assemb-
23 ling and furnishing requested information;

24 (3) present information concerning appropriations for re-
25 gional educational attendance areas to community school committees and
26 to the finance committees of the house of representatives and senate;

27 (4) work with the Department of Education and community
28 school committees to review appropriation requests, the expenditure of
29 state money, and the relationship between program expenditures and

1 program accomplishments for regional educational attendance areas; and

2 (5) travel to regional educational attendance area schools
3 to inspect facilities and to consult with officers and employees of
4 regional educational attendance area school boards, community school
5 committees, parents, and residents interested in matters relating to
6 public education.

7 Sec. 24.20.620. DEFINITIONS. In AS 24.20.600 - 24.20.620,

8 (1) "committee" means the Legislative Regional Educational
9 Attendance Area Budget Oversight Committee established under AS 24.20.-
10 600;

11 (2) "community school committee" means a committee estab-
12 lished under AS 14.08.173 - 14.08.188;

13 (3) "regional educational attendance area" means the educa-
14 tional service areas established in the unorganized borough under
15 AS 14.08.031.

16 * Sec. 4. AS 14.08.115 is repealed.

17 * Sec. 5. CONVENING OF FIRST LEGISLATIVE REGIONAL EDUCATIONAL ATTENDANCE
18 AREA BUDGET OVERSIGHT COMMITTEE. The members of the Legislative Regional
19 Educational Attendance Area Budget Oversight Committee first appointed under
20 AS 24.20.605(a), added by sec. 3 of this Act, shall be appointed within 15
21 days after the effective date of this Act.

22 * Sec. 6. This Act takes effect immediately in accordance with AS 01.-
23 10.070(c).

Chenoweth
12-0343

Introduced: 2/4/81
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY MOSS

2 HOUSE BILL NO. 76

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Legislative Regional Educa-
7 tional Attendance Area Budget Oversight Committee as a
8 permanent interim committee of the legislature, and
9 defining its powers and duties; and providing for an
10 effective date."

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

12 * Section 1. AS 24.20 is amended by adding new sections to read:

13 ARTICLE 5. LEGISLATIVE REGIONAL EDUCATIONAL
14 ATTENDANCE AREA BUDGET OVERSIGHT COMMITTEE.

15 Sec. 24.20.600. LEGISLATIVE REGIONAL EDUCATIONAL ATTENDANCE AREA
16 BUDGET OVERSIGHT COMMITTEE ESTABLISHED. The Legislative Regional
17 Educational Attendance Area Budget Oversight Committee is established
18 as a permanent interim committee of the legislature.

19 Sec. 24.20.605. ORGANIZATION OF COMMITTEE. (a) The committee is
20 composed of six members. Three members shall be members of the house
21 of representatives appointed by the speaker of the house. Three mem-
22 bers shall be members of the senate appointed by the president of the
23 senate. At least one member from the house of representatives shall
24 represent an election district in which more than 10 percent of the
25 registered voters are qualified to vote in elections for regional
26 school board members under AS 14.08.071. At least one member from the
27 senate shall represent a senate district in which more than 10 percent
28 of the registered voters are qualified to vote in elections for region-
29 al school board members under AS 14.08.071.

1 (b) The membership of the committee from each house shall include
2 at least one member from each of the two major political parties.

3 (c) The committee shall organize within 15 days after the organi-
4 zation of each legislature. A member of the committee serves for the
5 duration of the legislature during which he is appointed. If a member
6 is reelected or his term of office extends into the next succeeding
7 legislature, he continues to serve until he is reappointed or until his
8 successor is appointed.

9 (d) The committee shall select a chairman from among its members.
10 The chairmanship of the committee shall alternate between a member
11 appointed from the house of representatives and a member appointed from
12 the senate. The chairman shall serve for the duration of the legisla-
13 ture during which he is selected.

14 (e) If a member of the committee files a declaration of candidacy
15 for an elective office other than that of a member of the legislature
16 and he has not resigned his membership on the committee, his committee
17 membership terminates on the date he files for the elective office.

18 (f) When a vacancy occurs in the membership of the committee, the
19 presiding officer of the house from which the vacancy is incurred shall
20 choose a successor to serve as a member of the committee for the unex-
21 pired portion of the term of the member first appointed.

22 Sec. 24.20.610. MEETINGS OF THE COMMITTEE. (a) The committee
23 may meet during sessions of the legislature and during the interim
24 between legislative sessions. The committee may meet at any time and
25 in any place in the state as the chairman of the committee determines.

26 (b) A member of the committee may receive, for the minimum time
27 required to travel to and return from meetings of the committee and for
28 the time while attending meetings, the same travel and per diem allow-
29 ances provided by law for members of the legislature while attending

1 sessions of the legislature. However, members of the committee may not
2 receive a per diem allowance for attending a meeting which is held at
3 the state capital while the legislature is in session other than the
4 per diem allowance paid to legislators under AS 24.15.010.

5 Sec. 24.20.615. DUTIES AND POWERS OF THE COMMITTEE. (a) The
6 committee shall

7 (1) organize and adopt rules for the conduct of its busi-
8 ness, and prescribe procedures for its work;

9 (2) review appropriations requested by the Department of
10 Education for the operating expenses of regional educational attendance
11 areas;

12 (3) review appropriations requested by the Department of
13 Education and the Department of Transportation and Public Facilities
14 for capital improvements for regional educational attendance areas;

15 (4) recommend to the legislature annual appropriations for
16 regional educational attendance areas so as to assure that the amounts
17 appropriated for regional educational attendance areas are equitable
18 and consistent with amounts appropriated for city and borough school
19 districts.

20 (b) The committee may

21 (1) hold public hearings, administer oaths, issue subpoenas,
22 compel the attendance of witnesses and production of papers, books,
23 accounts, documents, and testimony, and have the deposition of wit-
24 nesses taken in a manner prescribed by court rule or law for taking
25 depositions in civil actions;

26 (2) require state officials and agencies of state government
27 and officers and members of school boards of regional educational
28 attendance areas to give full cooperation to the committee in assemb-
29 ling and furnishing requested information;

1 (3) present information concerning appropriations for re-
2 gional educational attendance areas to the finance committees of the
3 house of representatives and senate;

4 (4). work with the Department of Education to review appro-
5 priation requests, the expenditure of state money, and the relationship
6 between program expenditures and program accomplishments for regional
7 educational attendance areas; and

8 (5) travel to regional educational attendance area schools
9 to inspect facilities and to consult with officers and employees of
10 regional educational attendance area school boards.

11 Sec. 24.20.620. DEFINITIONS. In AS 24.20.600 - 24.20.620,

12 (1) "committee" means the Legislative Regional Educational
13 Attendance Area Budget Oversight Committee established under AS 24.20.-
14 600;

15 (2) "regional educational attendance area" means the educa-
16 tional service areas established in the unorganized borough under
17 AS 14.08.031.

18 * Sec. 2. CONVENING OF FIRST LEGISLATIVE REGIONAL EDUCATIONAL ATTENDANCE
19 AREA BUDGET OVERSIGHT COMMITTEE. The members of the Legislative Regional
20 Educational Attendance Area Budget Oversight Committee first appointed under
21 AS 24.20.605(a), added by sec. 1 of this Act, shall be appointed within 15
22 days after the effective date of this Act.

23 * Sec. 3. DESIGNATION OF FIRST CHAIRMAN OF LEGISLATIVE REGIONAL EDUCA-
24 TIONAL ATTENDANCE AREA BUDGET OVERSIGHT COMMITTEE. The chairman of the
25 Legislative Regional Educational Attendance Area Budget Oversight Committee
26 first selected under AS 24.20.605(d), added by sec. 1 of this Act, shall be
27 a member appointed by the president of the senate.

28 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
29 10.070(c).

COMMITTEE COPY

ALASKA STATE LEGISLATURE

TWELFTH Legislature FIRST Session

HOUSE BILL..... NO. ...76...

By ...MOSS.....

"An Act establishing the Legislative Regional Educational Attendance Area Budget Oversight Committee as a permanent interim committee of the legislature, and defining its powers and duties; and providing for an effective date."

Leg. Reg. Educational Attendance Area Budget Oversight Committee

Introduced in the House ^{2/4}....., 19..81

HISTORY IN THE HOUSE

19 81	Read first time and referred to Committee on HESS and Finance												
Feb. 4	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	<table border="0"> <tr><td>Reconsideration</td><td></td></tr> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
Reconsideration													
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed Signed by Speaker Sent to Senate												
	CHIEF CLERK OF THE HOUSE												

HISTORY IN THE SENATE

19	Read first time and referred to Committee on												
	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	<table border="0"> <tr><td>Reconsideration</td><td></td></tr> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
Reconsideration													
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed Signed by President Returned to House												
	SECRETARY OF THE SENATE												

HISTORY IN THE HOUSE

19	Received from Senate
	Concurred in Senate amendment thus adopting: VOTE
	Failed to concur in Senate amendment; asked Senate to recede VOTE
	Senate receded from amendment VOTE
	Senate failed to recede from amendment VOTE
	CC appointed by House
	CC appointed by Senate
	CC adopted by House VOTE
	CC adopted by Senate VOTE
	To enrolling Reported correctly enrolled Sent to Governor by Governor
	Filed with Lt. Governor
	Chapter No.

Original sponsor: Moss

Offered: 6/3/81
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

CS FOR HOUSE BILL NO. 76 (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 education in the unorganized
7 borough: establishing community school committees in
8 regional educational attendance areas, establishing
9 the Legislative Regional Educational Attendance Area
10 Budget Oversight Committee as a permanent interim
11 committee of the legislature; and providing for an
12 effective date."

13

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

14

* Section 1. AS 14.08 is amended by adding new sections to read:

15

Sec. 14.08.173. COMMUNITY SCHOOL COMMITTEES. (a) There is
16 established a community school committee in each community and military
17 reservation served by a school operated by a regional educational
18 attendance area. If the regional educational attendance area school in
19 a community or military reservation has an average daily membership of
20 less than 251 pupils, the community school committee consists of three
21 members. If the average daily membership is more than 250 pupils, the
22 community school committee consists of five members. This section does
23 not apply in a regional educational attendance area which serves only
24 one community or military reservation.

25

(b) If a community or military reservation qualifies for a three-
26 member community school committee under (a) of this section, the quali-
27 fied voters of that community or military reservation may increase the
28 committee to five members by referendum conducted at an election coin-
29 ciding with an election for community school committee members. If a

1 community or military reservation qualifies for a five-member community
2 school committee under (a) of this section, the qualified voters of
3 that community or military reservation may increase the committee to
4 seven members by referendum conducted at an election coinciding with an
5 election for community school committee members.

6 (c) The election of community school committee members shall be
7 held at the same time as regular municipal elections in the second
8 class city having the largest population in the regional educational
9 attendance area. If there is no second class city within the regional
10 educational attendance area, the election shall be held on an annual
11 election date fixed by regulation adopted by the department.

12 (d) An election under (b) or (c) of this section shall be con-
13 ducted substantially in the same manner as a regular municipal election
14 which is held within the largest second class city in the area served
15 by the regional educational attendance area. If there is no second
16 class city within the regional educational attendance area, an election
17 shall be conducted under general rules established by regulation of the
18 department. An election under this section shall be administered
19 within a second class city as part of the regular municipal election,
20 and shall be administered by the regional school board in the area
21 outside second class cities.

22 (e) A member of a community school committee is subject to recall
23 in accordance with the provisions of AS 29.28.130 - 29.28.250. When
24 recall of a member of a community school committee is proposed, the
25 chief school administrator of a regional educational attendance area
26 performs the functions of the municipal clerk, and the regional school
27 board performs the functions of the assembly or council under AS 29.28.-
28 130 - 29.28.250.

29 Sec. 14.08.178. QUALIFICATIONS OF COMMUNITY SCHOOL COMMITTEE

1 VOTERS AND MEMBERS. (a) To qualify to vote at an election for com-
2 munity school committee members a person must be

- 3 (1) a citizen of the United States;
4 (2) 18 years of age or older;
5 (3) a registered voter who resides in the area served by the
6 school.

7 (b) To qualify to serve on a community school committee, a person
8 must qualify to vote under (a) of this section.

9 (c) Election to a community school committee is not an election
10 to a civil office of the state.

11 Sec. 14.08.183. TERMS OF OFFICE AND VACANCY. (a) The terms of
12 the initial members of a three-member community school committee are
13 one, two, and three years, respectively. Each initial member serves
14 until a successor takes office. Thereafter, a member is elected for a
15 term of three years and until a successor takes office.

16 (b) Of the initial members of a community school committee which
17 consists of five members, one member is elected for a one-year term,
18 two members for a two-year term, and two members for a three-year term.
19 Each initial member serves until a successor takes office. Thereafter,
20 a member is elected for a term of three years and until a successor
21 takes office.

22 (c) If a three-member community school committee is increased to
23 a five-member committee, the two additional members are elected for
24 terms of two years and three years respectively. Thereafter, a member
25 is elected for a three-year term. If a five-member committee is in-
26 creased to a seven-member committee, the two additional members are
27 elected for terms of two years and three years respectively. There-
28 after, a member is elected for a three-year term.

29 (d) When required under (a) - (c) of this section, members of a

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

Original sponsor: Moss

Offered: 6/3/81
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 76 (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 education in the unorganized
7 borough: establishing community school committees in
8 regional educational attendance areas, establishing
9 the Legislative Regional Educational Attendance Area
10 Budget Oversight Committee as a permanent interim
11 committee of the legislature; and providing for an
12 effective date."

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

14 * Section 1. AS 14.08 is amended by adding new sections to read:

15 Sec. 14.08.173. COMMUNITY SCHOOL COMMITTEES. (a) There is
16 established a community school committee in each community and military
17 reservation served by a school operated by a regional educational
18 attendance area. If the regional educational attendance area school in
19 a community or military reservation has an average daily membership of
20 less than 251 pupils, the community school committee consists of three
21 members. If the average daily membership is more than 250 pupils, the
22 community school committee consists of five members. This section does
23 not apply in a regional educational attendance area which serves only
24 one community or military reservation.

25 (b) If a community or military reservation qualifies for a three-
26 member community school committee under (a) of this section, the quali-
27 fied voters of that community or military reservation may increase the
28 committee to five members by referendum conducted at an election coin-
29 ciding with an election for community school committee members. If a

1 community or military reservation qualifies for a five-member community
2 school committee under (a) of this section, the qualified voters of
3 that community or military reservation may increase the committee to
4 seven members by referendum conducted at an election coinciding with an
5 election for community school committee members.

6 (c) The election of community school committee members shall be
7 held at the same time as regular municipal elections in the second
8 class city having the largest population in the regional educational
9 attendance area. If there is no second class city within the regional
10 educational attendance area, the election shall be held on an annual
11 election date fixed by regulation adopted by the department.

12 (d) An election under (b) or (c) of this section shall be con-
13 ducted substantially in the same manner as a regular municipal election
14 which is held within the largest second class city in the area served
15 by the regional educational attendance area. If there is no second
16 class city within the regional educational attendance area, an election
17 shall be conducted under general rules established by regulation of the
18 department. An election under this section shall be administered
19 within a second class city as part of the regular municipal election,
20 and shall be administered by the regional school board in the area
21 outside second class cities.

22 (e) A member of a community school committee is subject to recall
23 in accordance with the provisions of AS 29.28.130 - 29.28.250. When
24 recall of a member of a community school committee is proposed, the
25 chief school administrator of a regional educational attendance area
26 performs the functions of the municipal clerk, and the regional school
27 board performs the functions of the assembly or council under AS 29.28.-
28 130 - 29.28.250.

29 Sec. 14.08.178. QUALIFICATIONS OF COMMUNITY SCHOOL COMMITTEE

1 VOTERS AND MEMBERS. (a) To qualify to vote at an election for com-
2 munity school committee members a person must be

3 (1) a citizen of the United States;

4 (2) 18 years of age or older;

5 (3) a registered voter who resides in the area served by the
6 school.

7 (b) To qualify to serve on a community school committee, a person
8 must qualify to vote under (a) of this section.

9 (c) Election to a community school committee is not an election
10 to a civil office of the state.

11 Sec. 14.08.183. TERMS OF OFFICE AND VACANCY. (a) The terms of
12 the initial members of a three-member community school committee are
13 one, two, and three years, respectively. Each initial member serves
14 until a successor takes office. Thereafter, a member is elected for a
15 term of three years and until a successor takes office.

16 (b) Of the initial members of a community school committee which
17 consists of five members, one member is elected for a one-year term,
18 two members for a two-year term, and two members for a three-year term.
19 Each initial member serves until a successor takes office. Thereafter,
20 a member is elected for a term of three years and until a successor
21 takes office.

22 (c) If a three-member community school committee is increased to
23 a five-member committee, the two additional members are elected for
24 terms of two years and three years respectively. Thereafter, a member
25 is elected for a three-year term. If a five-member committee is in-
26 creased to a seven-member committee, the two additional members are
27 elected for terms of two years and three years respectively. There-
28 after, a member is elected for a three-year term.

29 (d) When required under (a) - (c) of this section, members of a

1 community school committee shall choose lots to determine the length of
2 the term which each initial member shall serve.

3 (e) A vacancy on a community school committee is filled by ap-
4 pointment by the remaining members of the committee. A person appointed
5 to fill a vacancy serves until the next regular election. At that time
6 an election of a member will be held with the person elected to serve
7 for the remaining portion of the term.

8 Sec. 14.08.188. POWERS. A community school committee may

9 (1) review all information available to the regional school
10 board pertaining to curriculum, program, employment of staff, budget,
11 and general operation of the school or schools in the community or
12 military reservation for which the community school committee is estab-
13 lished;

14 (2) make recommendations to the regional school board con-
15 cerning curriculum, program, employment or retention of staff, budget,
16 and general operation of the school or schools in the community or
17 military reservation for which the community school committee is estab-
18 lished;

19 (3) review pertinent information and make recommendations
20 to the regional school board concerning the employment or retention of
21 the chief school administrator of the regional educational attendance
22 area;

23 (4) delegate one of its members to attend any meeting of the
24 regional school board; and

25 (5) exercise additional powers as may be delegated by the
26 regional school board.

27 * Sec. 2. AS 14.08.111 is amended by adding a new paragraph to read:

28 (9) reimburse each member of a community school committee
29 for costs incurred in attending a meeting of a regional school board.

1 * Sec. 3. AS 24.20 is amended by adding new sections to read:

2 ARTICLE 5. LEGISLATIVE REGIONAL EDUCATIONAL
3 ATTENDANCE AREA BUDGET OVERSIGHT COMMITTEE.

4 Sec. 24.20.600. LEGISLATIVE REGIONAL EDUCATIONAL ATTENDANCE AREA
5 BUDGET OVERSIGHT COMMITTEE ESTABLISHED. The Legislative Regional
6 Educational Attendance Area Budget Oversight Committee is established
7 as a permanent interim committee of the legislature.

8 Sec. 24.20.605. MEMBERSHIP AND ORGANIZATION. (a) The committee
9 is composed of six members. The chairman of the health, education and
10 social services committee of each house of the legislature shall be
11 members of the committee. Two members of the committee shall be
12 members of the house of representatives appointed by the speaker of the
13 house. Two members of the committee shall be members of the senate
14 appointed by the president of the senate. At least one member from the
15 house of representatives shall represent an election district in which
16 more than 10 percent of the registered voters are qualified to vote in
17 elections for regional school board members under AS 14.08.071. At
18 least one member from the senate shall represent a senate district in
19 which more than 10 percent of the registered voters are qualified to
20 vote in elections for regional school board members under AS 14.08.071.

21 (b) The chairman of the health, education and social services
22 committee of the house of representatives is the chairman of the com-
23 mittee.

24 (c) The membership of the committee from each house of the legis-
25 lature shall include at least one member from each of the two major
26 political parties.

27 (d) The committee shall organize within 15 days after the organi-
28 zation of each legislature. A member of the committee serves for the
29 duration of the legislature during which he is appointed. If a member

1 is reelected or his term of office extends into the next succeeding
2 legislature, the member continues to serve until reappointed or until
3 his successor is appointed.

4 (e) If a member of the committee files a declaration of candidacy
5 for an elective office other than that of a member of the legislature
6 and he has not resigned his membership on the committee, his committee
7 membership terminates on the date he files for the elective office.

8 f) When a vacancy occurs in the membership of the committee, the
9 presiding officer of the house from which the vacancy is incurred shall
10 choose a successor to serve as a member of the committee for the unex-
11 pired portion of the term of the member first appointed.

12 Sec. 24.20.610. MEETINGS OF THE COMMITTEE. (a) The committee
13 may meet during sessions of the legislature and during the interim
14 between legislative sessions. The committee may meet at any time and
15 in any place in the state as the chairman of the committee determines.

16 (b) A member of the committee may receive, for the minimum time
17 required to travel to and return from meetings of the committee and for
18 the time while attending meetings, the same travel and per diem allow-
19 ances provided by law for members of the legislature while attending
20 sessions of the legislature. However, members of the committee may not
21 receive a per diem allowance for attending a meeting which is held at
22 the state capital while the legislature is in session other than the
23 per diem allowance paid to legislators under AS 24.15.010.

24 Sec. 24.20.615. DUTIES AND POWERS OF THE COMMITTEE. (a) The
25 committee shall

26 (1) organize and adopt rules for the conduct of its busi-
27 ness, and prescribe procedures for its work;

28 (2) review appropriations requested by the Department of
29 Education for the operating expenses of regional educational attendance

1 areas;

2 (3) review appropriations requested by the Department of
3 Educati n and the Department of Transportation and Public Facilities
4 for capital improvements for regional educational attendance areas;

5 (4) recommend to the legislature annual appropriations for
6 regional educational attendance areas so as to assure that the amounts
7 appropriated for regional educational attendance areas are equitable
8 and consistent with amounts appropriated for city and borough school
9 districts;

10 (5) coordinate its work with community school committees to
11 obtain information about the school and educational programs from
12 community school committees, parents, and residents of communities
13 having regional educational attendance area schools.

14 (b) The committee may

15 (1) hold public hearings, administer oaths, issue subpoenas,
16 compel the attendance of witnesses and production of papers, books,
17 accounts, documents, and testimony, and have the deposition of wit-
18 nesses taken in a manner prescribed by court rule or law for taking
19 depositions in civil actions;

20 (2) require state officials and agencies of state government
21 and officers and members of school boards of regional educational
22 attendance areas to give full cooperation to the committee in assemb-
23 ling and furnishing requested information;

24 (3) present information concerning appropriations for re-
25 gional educational attendance areas to community school committees and
26 to the finance committees of the house of representatives and senate;

27 (4) work with the Department of Education and community
28 school committees to review appropriation requests, the expenditure of
29 state money, and the relationship between program expenditures and

1 program accomplishments for regional educational attendance areas; and

2 (5) travel to regional educational attendance area schools
3 to inspect facilities and to consult with officers and employees of
4 regional educational attendance area school boards, community school
5 committees, parents, and residents interested in matters relating to
6 public education.

7 Sec. 24.20.620. DEFINITIONS. In AS 24.20.600 - 24.20.620,

8 (1) "committee" means the Legislative Regional Educational
9 Attendance Area Budget Oversight Committee established under AS 24.20.-
10 600;

11 (2) "community school committee" means a committee estab-
12 lished under AS 14.08.173 - 14.08.188;

13 (3) "regional educational attendance area" means the educa-
14 tional service areas established in the unorganized borough under
15 AS 14.08.031.

16 * Sec. 4. AS 14.08.115 is repealed.

17 * Sec. 5. CONVENING OF FIRST LEGISLATIVE REGIONAL EDUCATIONAL ATTENDANCE
18 AREA BUDGET OVERSIGHT COMMITTEE. The members of the Legislative Regional
19 Educational Attendance Area Budget Oversight Committee first appointed under
20 AS 24.20.605(a), added by sec. 3 of this Act, shall be appointed within 15
21 days after the effective date of this Act.

22 * Sec. 6. This Act takes effect immediately in accordance with AS 01.-
23 10.070(c).

Introduced: 2/4/81
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY MOSS

2 HOUSE BILL NO. 76

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Legislative Regional Educa-
7 tional Attendance Area Budget Oversight Committee as a
8 permanent interim committee of the legislature, and
9 defining its powers and duties; and providing for an
10 effective date."

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

12 * Section 1. AS 24.20 is amended by adding new sections to read:

13 ARTICLE 5. LEGISLATIVE REGIONAL EDUCATIONAL

14 ATTENDANCE AREA BUDGET OVERSIGHT COMMITTEE.

15 Sec. 24.20.600. LEGISLATIVE REGIONAL EDUCATIONAL ATTENDANCE AREA
16 BUDGET OVERSIGHT COMMITTEE ESTABLISHED. The Legislative Regional
17 Educational Attendance Area Budget Oversight Committee is established
18 as a permanent interim committee of the legislature.

19 Sec. 24.20.605. ORGANIZATION OF COMMITTEE. (a) The committee is
20 composed of six members. Three members shall be members of the house
21 of representatives appointed by the speaker of the house. Three mem-
22 bers shall be members of the senate appointed by the president of the
23 senate. At least one member from the house of representatives shall
24 represent an election district in which more than 10 percent of the
25 registered voters are qualified to vote in elections for regional
26 school board members under AS 14.08.071. At least one member from the
27 senate shall represent a senate district in which more than 10 percent
28 of the registered voters are qualified to vote in elections for region-
29 al school board members under AS 14.08.071.

1 (b) The membership of the committee from each house shall include
2 at least one member from each of the two major political parties.

3 (c) The committee shall organize within 15 days after the organi-
4 zation of each legislature. A member of the committee serves for the
5 duration of the legislature during which he is appointed. If a member
6 is reelected or his term of office extends into the next succeeding
7 legislature, he continues to serve until he is reappointed or until his
8 successor is appointed.

9 (d) The committee shall select a chairman from among its members.
10 The chairmanship of the committee shall alternate between a member
11 appointed from the house of representatives and a member appointed from
12 the senate. The chairman shall serve for the duration of the legisla-
13 ture during which he is selected.

14 (e) If a member of the committee files a declaration of candidacy
15 for an elective office other than that of a member of the legislature
16 and he has not resigned his membership on the committee, his committee
17 membership terminates on the date he files for the elective office.

18 (f) When a vacancy occurs in the membership of the committee, the
19 presiding officer of the house from which the vacancy is incurred shall
20 choose a successor to serve as a member of the committee for the unex-
21 pired portion of the term of the member first appointed.

22 Sec. 24.20.610. MEETINGS OF THE COMMITTEE. (a) The committee
23 may meet during sessions of the legislature and during the interim
24 between legislative sessions. The committee may meet at any time and
25 in any place in the state as the chairman of the committee determines.

26 (b) A member of the committee may receive, for the minimum time
27 required to travel to and return from meetings of the committee and for
28 the time while attending meetings, the same travel and per diem allow-
29 ances provided by law for members of the legislature while attending

1 sessions of the legislature. However, members of the committee may not
2 receive a per diem allowance for attending a meeting which is held at
3 the state capital while the legislature is in session other than the
4 per diem allowance paid to legislators under AS 24.15.010.

5 Sec. 24.20.615. DUTIES AND POWERS OF THE COMMITTEE. (a) The
6 committee shall

7 (1) organize and adopt rules for the conduct of its busi-
8 ness, and prescribe procedures for its work;

9 (2) review appropriations requested by the Department of
10 Education for the operating expenses of regional educational attendance
11 areas;

12 (3) review appropriations requested by the Department of
13 Education and the Department of Transportation and Public Facilities
14 for capital improvements for regional educational attendance areas;

15 (4) recommend to the legislature annual appropriations for
16 regional educational attendance areas so as to assure that the amounts
17 appropriated for regional educational attendance areas are equitable
18 and consistent with amounts appropriated for city and borough school
19 districts.

20 (b) The committee may

21 (1) hold public hearings, administer oaths, issue subpoenas,
22 compel the attendance of witnesses and production of papers, books,
23 accounts, documents, and testimony, and have the deposition of wit-
24 nesses taken in a manner prescribed by court rule or law for taking
25 depositions in civil actions;

26 (2) require state officials and agencies of state government
27 and officers and members of school boards of regional educational
28 attendance areas to give full cooperation to the committee in assemb-
29 ling and furnishing requested information;

1 (3) present information concerning appropriations for re-
2 gional educational attendance areas to the finance committees of the
3 house of representatives and senate;

4 (4) work with the Department of Education to review appro-
5 priation requests, the expenditure of state money, and the relationship
6 between program expenditures and program accomplishments for regional
7 educational attendance areas; and

8 (5) travel to regional educational attendance area schools
9 to inspect facilities and to consult with officers and employees of
10 regional educational attendance area school boards.

11 Sec. 24.20.620. DEFINITIONS. In AS 24.20.600 - 24.20.620,

12 (1) "committee" means the Legislative Regional Educational
13 Attendance Area Budget Oversight Committee established under AS 24.20.-
14 600;

15 (2) "regional educational attendance area" means the educa-
16 tional service areas established in the unorganized borough under
17 AS 14.08.031.

18 * Sec. 2. CONVENING OF FIRST LEGISLATIVE REGIONAL EDUCATIONAL ATTENDANCE
19 AREA BUDGET OVERSIGHT COMMITTEE. The members of the Legislative Regional
20 Educational Attendance Area Budget Oversight Committee first appointed under
21 AS 24.20.605(a), added by sec. 1 of this Act, shall be appointed within 15
22 days after the effective date of this Act.

23 * Sec. 3. DESIGNATION OF FIRST CHAIRMAN OF LEGISLATIVE REGIONAL EDUCA-
24 TIONAL ATTENDANCE AREA BUDGET OVERSIGHT COMMITTEE. The chairman of the
25 Legislative Regional Educational Attendance Area Budget Oversight Committee
26 first selected under AS 24.20.605(d), added by sec. 1 of this Act, shall be
27 a member appointed by the president of the senate.

28 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
29 10.070(c).

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill 77
 Title Special appropriation for Delta Junction Legislative Information Office
 Requested by Finance Date 2/10/81

II. FISCAL DETAIL

Agency Affected Legislative Affairs Agency
 Program Category Affected General Government
 BRU, Program, or Subprogram(s) Affected Legislative Council
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		62,817				
200 TRAVEL		3,734				
300 CONTRACTUAL	2,288	54,169				
400 COMMODITIES	1,639	3,729				
500 EQUIPMENT	56,331					
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	60,258	124,449				

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

FY '81 One time cost to establish office limited basis. (Note: Legislative Council authorized start up funds for part time office)

FY '82 Annual Recurring cost

FY '83 And on incorporate in Division of Public Services, Legislative Affairs Agency. Budget Submission

IV. DATE February 10, 1981 PREPARED BY Richard G. Berg
 AGENCY Administrative Services
 PHONE 465-3850

Original: Legislative Finance ✓
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Funding Information
General Fund \$185,000
Other Funds - 0 -
\$185,000

Introduced: 2/4/81
Referred: Finance

1 IN THE HOUSE

BY MOSS

2 HOUSE BILL NO. 77

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Legis-
7 lative Affairs Agency for the creation and operation
8 of a legislative information office at Delta Junction;
9 and providing for an effective date."

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

11 * Section 1. The sum of \$185,000 is appropriated from the general fund
12 to the Legislative Affairs Agency for the creation and operation of a legis-
13 lative information office at Delta Junction.

14 * Sec. 2. The unexpended and unobligated portion of the appropriation
15 made by this Act lapses into the general fund June 30, 1982.

16 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
17 070(c).

18
19
20
21
22
23
24
25
26
27
28
29

COMMITTEE REPORT

HOUSE

2/4/81

FURTHER:

(11)

Date: _____

Mr. Speaker:

The Committee on FINANCE has had HB 77

"An Act making a special appropriation to the Legislative Affairs Agency for the creation and operation of a legislative information office at Delta Junction; and providing for an effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

Info
12-0244

Funding Information
General Fund \$185,000
Other Funds - 0 -
\$185,000

Introduced: 2/4/81
Referred: Finance

1 IN THE HOUSE

BY MOSS

2 HOUSE BILL NO. 77

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Legis-
7 lative Affairs Agency for the creation and operation
8 of a legislative information office at Delta Junction;
9 and providing for an effective date."

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

11 * Section 1. The sum of \$185,000 is appropriated from the general fund
12 to the Legislative Affairs Agency for the creation and operation of a legis-
13 lative information office at Delta Junction.

14 * Sec. 2. The unexpended and unobligated portion of the appropriation
15 made by this Act lapses into the general fund June 30, 1982.

16 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
17 070(c).

ALASKA STATE LEGISLATURE

TWELFTH Legislature FIRST Session

HOUSE BILL NO. 77

By MOSS

"An Act making a special appropriation to the Legislative Affairs Agency for the creation and operation of a legislative information office at Delta Junction; and providing for an effective date."

Info Office, Delta Junction

Introduced in the House 2/4, 19. 81

HISTORY IN THE HOUSE

19 81 Feb 4	Read first time and referred to Committee on Finance												
	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	<table border="0"> <tr><td>Reconsideration</td><td></td></tr> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
Reconsideration													
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed												
	Signed by Speaker												
	Sent to Senate												
	CHIEF CLERK OF THE HOUSE												

HISTORY IN THE SENATE

19	Read first time and referred to Committee on												
	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	<table border="0"> <tr><td>Reconsideration</td><td></td></tr> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
Reconsideration													
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed												
	Signed by President												
	Returned to House												
	SECRETARY OF THE SENATE												

HISTORY IN THE HOUSE

19	Received from Senate
	Concurred in Senate amendment thus adopting: VOTE
	Failed to concur in Senate amendment; asked Senate to recede VOTE
	Senate receded from amendment VOTE
	Senate failed to recede from amendment VOTE
	CC appointed by House
	CC appointed by Senate
	CC adopted by House VOTE
	CC adopted by Senate VOTE
	To enrolling
	Reported correctly enrolled
	Sent to Governor
 by Governor
	Filed with Lt. Governor
	Chapter No.

Introduced: 2/4/81
Referred: Resources and
Finance

1 IN THE HOUSE

BY MOSS

2 HOUSE BILL NO. 79

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL.

6 For an Act entitled: "An Act authorizing the Alaska Agricultural Action
7 Council to compensate certain farmers for the loss of
8 income attributable to bison."

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

10 * Section 1. AS 44.33.470(a) is amended by adding a new paragraph to
11 read:

12 (3) compensate producers of small grains and other related
13 agricultural products for loss of income attributable to the depreda-
14 tions of bison.

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

COMMITTEE REPORT

HOUSE

47

FURTHER: FINANCE

2/4/81

(11)

Date: APRIL 6, 1981

Mr. Speaker:

The Committee on RESOURCES has had HB 79

"An Act authorizing the Alaska Agricultural Action Council to compensate certain farmers for the loss of income attributable to bison."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter, of Intent" New Fiscal Note
- reports it back without ^{individual} recommendation
- referred to the _____ Committee

MEMBERS SIGNING DO PASS

[Signature]

MEMBERS HAVING OTHER RECOMMENDATIONS:

Tony Hardines - No Rec

Fred F. Stewart No Rec

J. Smith No Rec

[Signature] (No Rec)

James H. Jones Do Not Pass

Rick Halford Do Not Pass

[Signature]

Tony Hardines
Co-CHAIRMAN

Guthrie
12-0345

Introduced: 2/4/81
Referred: Resources and
Finance

1 IN THE HOUSE

BY MOSS

2 HOUSE BILL NO. 79

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act authorizing the Alaska Agricultural Action
7 Council to compensate certain farmers for the loss of
8 income attributable to bison."

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

10 * Section 1. AS 44.33.470(a) is amended by adding a new paragraph to
11 read:

12 (3) compensate producers of small grains and other related
13 agricultural products for loss of income attributable to the depreda-
14 tions of bison.

ALASKA STATE LEGISLATURE

TWELFTH Legislature FIRST Session

HOUSE BILL NO. 79

By MOSS

"An Act authorizing the Alaska Agricultural Action Council to compensate certain farmers for the loss of income attributable to bison."

Compensate certain farmers for loss of income attributable to bison

Introduced in the House 2/4, 1981

HISTORY IN THE HOUSE

1981	Read first time and referred to Committee on Resources and Finance										
Feb. 4	Reported back with recommendation that										
	Read second time and										
	Read third time and										
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
PASS	Effective Date										
Yeas	Yeas										
Nays	Nays										
Absent	Absent										
Excused	Excused										
	<p>Reconsideration</p> <table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
PASS	Effective Date										
Yeas	Yeas										
Nays	Nays										
Absent	Absent										
Excused	Excused										
	Reported correctly engrossed Signed by Speaker Sent to Senate										
CHIEF CLERK OF THE HOUSE											

HISTORY IN THE SENATE

19	Read first time and referred to Committee on										
	Reported back with recommendation that										
	Read second time and										
	Read third time and										
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
PASS	Effective Date										
Yeas	Yeas										
Nays	Nays										
Absent	Absent										
Excused	Excused										
	<p>Reconsideration</p> <table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
PASS	Effective Date										
Yeas	Yeas										
Nays	Nays										
Absent	Absent										
Excused	Excused										
	Reported correctly engrossed Signed by President Returned to House										
SECRETARY OF THE SENATE											

HISTORY IN THE HOUSE

19	Received from Senate
	Concurred in Senate amendment thus adopting: VOTE
	Failed to concur in Senate amendment; asked Senate to recede VOTE
	Senate receded from amendment VOTE
	Senate failed to recede from amendment VOTE
	CC appointed by House
	CC appointed by Senate
	CC adopted by House VOTE
	CC adopted by Senate VOTE
	To enrolling Reported correctly enrolled Sent to Governor by Governor
	Filed with Lt. Governor
	Chapter No.

COMMITTEE REPORT
HOUSE

FURTHER:

Date: July 18, 1981

Mr. Speaker:

The Committee on FINANCE has had consideration

"To vote on the special appropriation to the Department of Social and Home Care for the purpose of reducing child support payments and non-child support payments."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HR 2000 same title
- and recommends do not pass new title
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

1. [Signature]
2. [Signature]

CHAIRMAN

Original sponsor: Moss

Offered: 4/9/81
Referred: Finance

Funding Information

General Fund \$275,000
Other Funds -0-
\$275,000

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2

CS FOR HOUSE BILL NO. 83 (Resources)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act making special appropriations to the Depart-

7

ment of Fish and Game for bison management; and provid-

8

ing for an effective date."

9

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

10

* Section 1. The sum of \$25,000 is appropriated from the general fund to

11

the Department of Fish and Game to

12

(1) divert bison from farm crops in the Delta Junction area;

13

(2) encourage bison migration to the Delta Junction Bison Range;

14

and

15

(3) study fall bison migration patterns in order to develop

16

methods of reducing bison damage to crops.

17

* Sec. 2. The sum of \$250,000 is appropriated from the general fund to

18

the Department of Fish and Game to clear and plant soil on the Delta Junction

19

Bison Range (AS 16.20.300) to provide alternate winter range and diversionary

20

crops and forage for bison. The appropriation made by this section is

21

contingent upon the signing of a cooperative bison management agreement

22

between the Department of Fish and Game, the Alaska Agricultural Action

23

Council (AS 44.33.450), and the United States Army commander at Fort Greely.

24

* Sec. 3. The unexpended and unobligated portions of the appropriations

25

made by this Act lapse into the general fund June 30, 1982.

26

* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-

27

070(c).

28

29

Original sponsor: Moss

Offered: 4/9/81
Referred: Finance

Funding Information

General Fund	\$275,000
Other Funds	-0-
	<u>\$275,000</u>

1 IN THE HOUSE BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 83 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making special appropriations to the Depart-
7 ment of Fish and Game for bison management; and provid-
8 ing for an effective date."

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

10 * Section 1. The sum of \$25,000 is appropriated from the general fund to
11 the Department of Fish and Game to

- 12 (1) divert bison from farm crops in the Delta Junction area;
13 (2) encourage bison migration to the Delta Junction Bison Range;

14 and

15 (3) study fall bison migration patterns in order to develop
16 methods of reducing bison damage to crops.

17 * Sec. 2. The sum of \$250,000 is appropriated from the general fund to
18 the Department of Fish and Game to clear and plant soil on the Delta Junction
19 Bison Range (AS 16.20.300) to provide alternate winter range and diversionary
20 crops and forage for bison. The appropriation made by this section is
21 contingent upon the signing of a cooperative bison management agreement
22 between the Department of Fish and Game, the Alaska Agricultural Action
23 Council (AS 44.33.450), and the United States Army commander at Fort Greely.

24 * Sec. 3. The unexpended and unobligated portions of the appropriations
25 made by this Act lapse into the general fund June 30, 1982.

26 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
27 070(c).

28

29

COMMITTEE REPORT

SENATE

FURTHER: None

11/17/81

Date: _____

Mr. President:

The Committee on SI AICS has had CSHR 91(Fir) on

domestic violence, sexual assault, and crisis intervention and prevention
act.

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

do pass do not pass

do pass with attached amendments(s)

replace with CS for CS HR 91 same title

and recommends _____ new title

AND attaches a "Letter of Intent" New Fiscal Note

reports it back without recommendation

referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

CHAIRMAN

Original sponsor: Rules/Governor

Offered: 5/21/81
Referred: Health, Educa-
tion & Social Services

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 91 (State Affairs)

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 PURPOSE. There is established in the Department of Public Safety the
13 Council on Domestic Violence and Sexual Assault. The purpose of the
14 council is to provide for planning and coordination of services to
15 victims of domestic violence or sexual assault or to their families and
16 to perpetrators of domestic violence and sexual assault and to provide
17 for crisis intervention and prevention programs.

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

20 (1) three persons appointed by the governor after consulta-
21 tion with the Network on Domestic Violence and Sexual Assault, a non-
22 profit corporation; the Network on Domestic Violence and Sexual Assault
23 shall submit a list to the governor of persons recommended for appoint-
24 ment;

25 (2) the commissioner of public safety or the designee of the
26 commissioner of public safety; and

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

29 (4) the commissioner of education or the designee of the

1 commissioner of education;

2 (5) the attorney general or the designee of the attorney
3 general.

4 (b) The term of office of a member appointed under (a)(1) of this
5 section is two years. A member appointed under (a)(1) of this section
6 serves at the pleasure of the governor and may not serve more than two
7 consecutive terms. A vacancy on the council shall be filled for the
8 unexpired term by appointment by the governor after consultation with
9 the Network on Domestic Violence.

10 (c) A person who receives compensation from or is an employee of
11 a domestic violence, sexual assault, or crisis intervention or preven-
12 tion 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 members of the council constitute a quorum.

22 Sec. 18.66.050. DUTIES OF THE COUNCIL. (a) The council shall
23 (1) hire an executive director and necessary staff;
24 (2) elect one of its members as presiding officer;
25 (3) in consultation with authorities in the field, develop,
26 implement, maintain, and monitor domestic violence, sexual assault, and
27 crisis intervention and prevention programs, including educationa¹
28 programs, films, and school curricula on the cause, prevention, and
29 treatment of domestic violence and sexual assault;

1 (4) coordinate services provided by the Department of Law,
2 the Department of Education, the Department of Public Safety, the
3 Department of Health and Social Services, and other state agencies and
4 community groups dealing with domestic violence, sexual assault, and
5 crisis intervention and prevention, and provide technical assistance as
6 requested by those state agencies and community groups;

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

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

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

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

20 (9) provide fiscal and technical assistance to plan, organ-
21 ize, implement and administer domestic violence, sexual assault, and
22 crisis intervention and prevention programs;

23 (10) make an annual report to the governor and the legisla-
24 ture on the activities of the council, plans of the council for new
25 services and programs, and concerns of the council, including recommen-
26 dations for legislation necessary to carry out the purposes of this
27 chapter;

28 (11) adopt regulations in accordance with the Administrative
29 Procedure Act (AS 44.62) to carry out the purposes of this chapter and

1 to protect the health, safety, well-being, and privacy of persons
2 receiving services financed with grants or contracts under this chapter.

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

8 Sec. 18.66.900. DEFINITIONS. In this chapter:

9 (1) "council" means the Council on Domestic Violence and
10 Sexual Assault;

11 (2) "crisis intervention and prevention program" means a
12 community program that provides information, education, counseling, and
13 referral services to individuals experiencing personal crisis related
14 to domestic violence or sexual assault and to individuals in personal
15 or professional transition, excluding correctional half-way houses,
16 outpatient mental health programs, and drug or alcohol rehabilitation
17 programs;

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

23 (4) "domestic violence program" means a program that pro-
24 vides services to the victims of domestic violence, their families, or
25 perpetrators of domestic violence;

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

29 (6) "sexual assault" means a crime specified in AS 11.41.-

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

410 - 11.41.450 or AS 11.51.130(a)(4);

(7) "sexual assault program" means a program that provides services to the victims of sexual assault, their families, or perpetrators of sexual assault.

* Sec. 2. AS 39.50.200(b) is amended by adding a new paragraph to read:
(44) Council on Domestic Violence and Sexual Assault (18.66.010).

* Sec. 3. AS 44.66.010(a) is amended by adding a new paragraph to read:
(10) Council on Domestic Violence and Sexual Assault --
June 30, 1985.

* Sec. 4. Of the first members appointed to the Council on Domestic Violence and Sexual Assault under AS 18.66.020(a) added in sec. 1 of this Act

- (1) one member shall be appointed to serve a term of one year;
- (2) two members shall be appointed to serve a term of two years.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SCSCSHE 91 (State Affairs)
Title An Act Relating to Domestic Violence, Sexual Assault, and Crisis Intervention
Requested by State Affairs Committee Date 5/22/81

II. FISCAL DETAIL

Agency Affected Department of Public Safety
Program Category Affected Administration of Justice
BRU, Program, or Subprogram(s) Affected Council on Domestic Violence (Commissioner's Office)
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.) and Administration & Support
EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		96.0	105.6	116.2	127.8	140.1
200 TRAVEL		14.0	15.4	16.9	18.6	20.5
300 CONTRACTUAL		24.0	26.4	29.0	31.9	35.1
400 COMMODITIES		2.5	2.8	3.1	3.4	3.7
500 EQUIPMENT		6.5	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		143.0	150.2	165.2	181.7	199.4

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND		143.0	150.2	165.2	181.7	199.4
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME		2	2	2	2	2
PART TIME						
TEMPORARY		1	1	1	1	1

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The bill will establish "Council on Domestic Violence and Sexual Assault" within the Department of Public Safety.

The Council will provide programs and services for victims of domestic violence or sexual assault, their families, and perpetrators of domestic violence and sexual assault, and provide crisis intervention and prevention programs.

These functions, on a very limited scale, are now being performed by the Department of Health and Social Services through its Division of Adult and Aging. PCN 7055 within the Department of Health and Social Services and budgeted associated costs should be transferred to the Council and is in addition to the requested additional cost.

The powers and duties of the Council are outlined under Sec. 18.66.050.

IV. DATE 5/22/81 PREPARED BY Jos Mabravath
AGENCY PUBLIC SAFETY
PHONE 465-4349

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

Among other duties, the Council will award grants and contracts to qualified local community entities, probably spread among 25 programs. The Council will have authority to receive and disburse Federal grants.

Section 18.66.050(a), subsections 1 through 11, outlines the range of duties of this "new" council. To accomplish these tasks and to provide for the administrative costs of the Council, composed of 8 members (5 appointed and 3 ex-officio), the following resources are requested. Sec. 18.66.050 empowers the Council to hire an Executive Director and staff.

i) Council Staff:

1 Executive Director, Range 23	\$56,699
1 Secretary I, Range 10	25,034
Subtotal	<u>\$81,763</u>

ii) Administration & Support BRU (DPS)

1 Admin. Support (Finance), Range 10 (non-permanent for 4 months)	7,592
Subtotal	\$88,355

Total is 3 permanent full-time and 1 non-permanent position.
(including 1 position, PCN 7055, appropriated to and
established within the Division of Adult and Aging Services,
Department of Health & Social Services)

Associate Costs:

200, Travel:

8 Council meetings (4 meetings @ 1750 each)	\$14,000
--	----------

Executive Director and staff travel will be accomplished using available funding that will be transferred from the Department of Health and Social Services (\$6800).

300, Contractual:

Phone, copying costs, postage, printing, rent	\$14,000
Data Processing equipment of Health & Social Services, Public Safety and Education will be used to develop data needed to the decision makers. A minimum amount of \$10,000 is included for Contractual Services help.	
Professional Service for the development of data	\$10,000
Subtotal	\$24,000

IV. DATE

5/22/81

PREPARED BY

Jos Mafra

AGENCY

PUBLIC SAFETY

PHONE

465-4349

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

400, Supplies:

Office and duplicating supplies \$2500

500, Equipment:

3 desks @ \$550 each	\$1650	
1 credenza & side table	750	
7 chairs @ \$225 each	1575	
3 file cabinets @ \$200 each	600	
1 typewriter	1250	
1 calculator	250	
3 book shelves	300	
1 typewriter table	100	\$6475

Summary of Costs (FY 82)

	<u>Council</u>	<u>Div. of Admin. Services</u>	<u>Transfer/Div. Adult & Aging*</u>
100	88.4	7.6	47.9
200	14.0	-0-	6.8
300	24.0	-0-	1.7
400	2.5	-0-	0.4
500	6.5	-0-	-0-
	<u>135.4</u>	<u>7.6</u>	<u>56.8</u>

TOTAL \$199.8

The amount of \$199.8 requested for FY 82 is strictly for the program operating costs of the Council and the Central accounting, budgeting and other administrative costs. The Fiscal Note, however, requests only \$143.0 in additional funds. (\$56.8 should be transferred from the Adult and Aging Services BRU within the Department of Health and Social Services - includes 1 PCN)

*In addition, grant funds appropriated to Division of Adult and Aging Services will also be transferred to the Council Budget, either through the budgetary process now or through RSA between Department of Health and Social Services and Public Safety in FY 82.

IV. DATE 5/22/81 PREPARED BY Jos mabramath
 AGENCY PUBLIC SAFETY
 PHONE 465-4349
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

POSITION PAPER

REC'D AFTER
bill WAS
reported out
of H.F.C.

SENATE CS FOR CS FOR HOUSE BILL NO. 91 (State Affairs)

"An Act relating to domestic violence, sexual assault and crisis intervention and prevention programs."

Senate CS for House Bill No. 91 (State Affairs) would transfer the Domestic Violence, Sexual Assault and Crisis Intervention and Prevention programs presently funded by the Department of Health and Social Services to a Council on Domestic Violence and Sexual Assault placed under the Department of Public Safety. The Council would act as an interdepartmental planning and coordinating agency of the Departments of Health and Social Services, Public Safety, Law and Education.

The Council would consist of seven voting members appointed by the Governor; three of those persons would be appointed in consultation with the Network on Domestic Violence and Sexual Assault, and representatives of the Departments of Health and Social Services, Public Safety, Law and Education.

The duties of the Council would be to: hire an executive director and staff, develop and implement a standardized data system, conduct studies on issues relating to domestic violence, develop a resource library of community education as well as a curriculum for use in public schools, award grants to programs, receive state and federal funds, and monitor programs.

The Department of Health and Social Services is pleased that the Bill specifically addresses the issue of coordination with major departments involved in issues of violence, particularly in the area of domestic violence and sexual assault. There is no doubt that more public awareness, even at the early educational years, is necessary in order to begin to eliminate some of the cycles of violence which have become established in some families.

The Council's role to coordinate services could have a noticeable impact on violence issues in the state. However if this council is burdened with the responsibility of grants and program management for only one segment of the programs which address the issue of domestic violence and sexual assault it will divert it from its major function of inter-departmental coordination and advisement.

The Department is also pleased that, if passed, legislative appropriations for support of the many programs presently being funded will be authorized by statute as requested by the legislature last session and submitted by the Department and Governor in the original version of House Bill No. 91.

The Department of Health and Social Services has some concerns about this Bill:

- 1) While we recognize the importance of coordination and involvement of the criminal justice systems as well as other systems and agencies in addressing the problem of domestic violence and sexual assault, this Department is concerned with moving domestic violence and women's resource program from

a human service treatment agency into a police model which has a primary focus on safety, and not treatment. We perceive a possible conflict of purpose to have the arresting agency and the treatment agency in the same organizational structure. There are differing philosophies in the domestic violence arena with regard to compulsory prosecution of the perpetrator and how that affects treatment of all members of the family unit.

- 2) We question the long range benefit of placing a social service function in a traditionally public safety oriented department. Research by the Center for Women Policy Studies in the summer of 1980 finds that of the 27 states that have services to violent families, 25 states place the lead responsibility in a human service agency. Of the remaining two, Minnesota places it in the Commission of the Department of Corrections; Ohio has a joint responsibility shared by the Attorney General's Office and the Department of Economic and Community Development, Division of Criminal Justice Services.

Recommendation: The Department of Health and Social Services recommends the establishment of a strong advisory council with review authority on state policy regarding domestic violence and sexual assault. We believe an advisory council, rather than an administrative one, is indeed the appropriate structure to facilitate the accomplishment of the major goal of the council, which is interdepartmental policy, advice and coordination. We believe the Council having the responsibility of handling traditional administrative duties, such as grants dispersion, may find itself without sufficient time, energy and attention to adequately address these all important policy direction coordination issues.

Recommended by: Elizabeth Muktarian
Elizabeth Muktarian, Director
Division of Adult and
Aging Services

Date: 5/25/81

Approved by: Helen D. Beirne
Helen D. Beirne, Commissioner
Department of Health and
Social Services

Date: 5/25/81

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Senate CS For CS For House Bill No. 91 (State Affairs)
Title "An Act relating to domestic violence, sexual assault and crisis intervention and
Requested by prevention programs." Date May 20, 1981

II. FISCAL DETAIL

Agency Affected Department of Public Safety
Program Category Affected _____
BRU, Program, or Subprogram(s) Affected Council on Domestic Violence
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		47.9				
200 TRAVEL		6.8				
300 CONTRACTUAL		1.7				
400 COMMODITIES		.4				
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		1988.8				
TOTAL	-0-	2045.6				

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	2045.6				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	-0-	1				
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Department of Health and Social Services FY'82 requested funds would be transferred to the Department of Public Safety in a new BRU.

IV. DATE 5-20-81 PREPARED BY Dorothy Walt
AGENCY Division of Adult and Aging Services
PHONE 465-3250

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named) M&B Approval Marshall Hubbard Date 5/23/81

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Senate CS For CS For House Bill No. 91 (State Affairs)
 Title "An Act relating to domestic violence, sexual assault and crisis intervention and
Requested by prevention programs." Date May 20, 1981

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services
 Program Category Affected Division of Adult and Aging Services
 BRU, Program, or Subprogram(s) Affected Adult Services

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		(47.9)				
200 TRAVEL		(6.8)				
300 CONTRACTUAL		(1.7)				
400 COMMODITIES		(.4)				
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		(1988.8)				
TOTAL	-0-	(2045.6)	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	(2045.6)				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	-0-	(1)				
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Department of Health and Social Services FY'82 requested funds would be transferred to the Department of Public Safety.

IV. DATE

5-20-81

PREPARED BY Dorothy Walt

AGENCY Division of Adult and Aging Services

PHONE 465-3250

Original: Legislative Finance
 cc: Budget and Management

Prime Sponsor (First Legislator Named) M&B Approval _____ Date _____

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) am
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; the governor may request additional names from
25 the network;

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

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

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

1 designee of the commissioner of health and social services.

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

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

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

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

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

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

24 (1) hire an executive director and staff;

25 (2) establish minimum standards for operation of domestic
26 violence, sexual assault, and crisis intervention and prevention pro-
27 grams which receive money under this chapter;

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

1 and prevention;

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

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

8 (6) conduct public hearings;

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

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

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

17 (b) The council shall

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

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

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

28 (4) through the award of grants and contracts assist local
29 community groups that provide domestic violence, sexual assault, and

1 crisis intervention and prevention services;

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

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

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

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

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

23 Sec. 18.66.900. DEFINITIONS. In this chapter:

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

26 (2) "crisis intervention and prevention program" means a
27 community program that provides information, education, counseling, and
28 referral services to individuals experiencing personal crisis related
29 to domestic violence or sexual assault and to individuals in personal

1 or professional transition, excluding correctional half-way houses,
2 outpatient mental health programs, and drug or alcohol rehabilitation
3 programs;

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

9 (4) "domestic violence program" means a program that pro-
10 vides services to the victims of domestic violence, their families, or
11 perpetrators of domestic violence;

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

15 (6) "sexual assault" means a crime specified in AS 11.41.-
16 410 - 11.41.450 or AS 11.51.130(a)(4);

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

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

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

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

26 * Sec. 3. AS 44.66.010 (a) is amended by adding a new paragraph to read:

27 (10) Council on Domestic Violence and Sexual Assault-June 30,
28 1985.

29

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CSHE 91 (Fin) (Page 1 of 2)
 Title Domestic violence, sexual assault, crisis intervention
 Requested by Finance committee Date 5/7/81

II. FISCAL DETAIL
 Agency Affected Public Safety
 Program Category Affected Administration of Justice
 BRU, Program, or Subprogram(s) Affected Council on Domestic Violence (Commissioner's office)
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		106.4				
200 TRAVEL		20.0				
300 CONTRACTUAL		115.0				
400 COMMODITIES		10.0				
500 EQUIPMENT		6.0				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		257.4				

FUNDING (Thousands of Dollars)

GENERAL FUND		257.4				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		3				
PART TIME						
TEMPORARY		1				

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

100 PERSONAL SERVICES: 1 Project Coordinator, Range 18 41,020
 1 Research Analyst, Range 16 35,835
 1 Clerk-Typist, Range 7 21,915
 98,770

Administration & Support BRU (DPS)
 1 Admin Support, Range 10 (4 mos) 7,592
 106,362

200 TRAVEL:
 Council members 10,000
 Staff 10,000
 20,000

300 CONTRACTUAL
 Phone, copying, postage, printing, rent 15,000
 Media communication 100,000

IV. DATE 5/7/81 PREPARED BY [Signature]
 AGENCY _____
 PHONE _____

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

400 SUPPLIES	Books, film library	7,500
	Office & duplication	<u>2,500</u>
		10,000
500 EQUIPMENT	New position equip	6,000

January 19, 1981

Speaker of the House
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to domestic violence, sexual assault, and adult crisis intervention programs. Though \$1.8 million dollars were appropriated from the general fund by the legislature last session for these programs, legislation establishing responsibilities in the area has yet to be enacted. This bill authorizes the Department of Health and Social Services to monitor domestic violence, sexual assault, and adult crisis intervention programs, to adopt regulations to protect persons using those services, and to award grants to local community programs.

Sincerely,

S/SSH

Jay S. Hammond
Governor

A M E N D M E N T

OFFERED IN THE SENATE:
SCS CSHB 91(SA)

By: Senate HESS

To: _____ SENATE BILL No. _____

HOUSE BILL No. _____

PAGE: 4

LINE: 21 & 22

page 4, line 21: after the word "defendant" delete ", or a person related within the second degree by blood or marriage to the defendant"

LETTER OF INTENT

It is the intent of the legislature that the Department of Health and Social Services and the Department of Public Safety should cooperate and coordinate to the fullest extent to implement the provisions of HB 91 in order to insure the ongoing functions of programs to be funded in fiscal year 1982. It is the intent of the legislature that funding for services to clients for domestic violence and sexual assault shall not be interrupted during the transfer of program responsibility from the Department of Health and Social Services to the Department of Public Safety.

file in orig.
file only.

Old fiscal notes

POSITION PAPER
ON
CS FOR HOUSE BILL NO. 91 (Finance) am

Rec'd 5/18/81
After bill was
reported out
of HFC

"An Act relating to domestic violence, sexual assault and
vention and prevention programs."

CS for House Bill No. 91 (Finance) am would transfer the Domestic Violence programs presently funded by the Department of Health and Social Services to a Council on Domestic Violence and Sexual Assault placed, for budgetary purposes, under the Department of Public Safety. The Council would act as an interdepartmental planning and coordinating agency of the Departments of Health and Social Services, Public Safety and Law.

The Council would consist of five voting members appointed by the Governor; three of those persons would be appointed from a list provided by the Network on Domestic Violence and Sexual Assault, two persons from the general public and representatives of the Departments of Health and Social Services and Public Safety; the Department of Law would be a non-voting member.

The Council would be empowered to: hire an executive director and staff, establish program standards, develop and implement a standardized data system, conduct studies on issues relating to domestic violence, develop a resource library of community education as well as a curriculum for use in public schools, award grants to programs, receive state and federal funds, and monitor programs.

The Department of Health and Social Services has some concerns about this Bill:

- 1) The Attorney General's Office has noted concerns regarding certain provisions of this proposed legislation and has prepared the attached memorandum on this topic.
- 2) While we recognize the importance of coordination and involvement of the criminal justice systems as well as other systems and agencies in addressing the problem of domestic violence and sexual assault, this Department is concerned with moving domestic violence programs from a human service treatment agency into a police model which has a primary focus on safety, and not treatment. We perceive a possible conflict of purpose to have the arresting agency and the treatment agency in the same organizational structure. There are differing philosophies in the domestic violence arena with regard to compulsory prosecution of the perpetrator and how that affects treatment of all members of the family unit.
- 3) We question the long range benefit of placing a social service function in a traditionally public safety oriented department. Research by the Center for Women Policy Studies in the summer of 1980 finds that of the 27 states that have services to violent families, 25 states place the lead responsibility in a human service agency. Of the remaining two, Minnesota places it in the Commission of the Department of Corrections; Ohio has joint responsibility shared by the Attorney General's Office and the Department of Economic and Community Development, Division of Criminal Justice Services.

- 4) The Council of State Governments in its publication 1980 Suggested State Legislation places the council on domestic violence problems in a department of health and social services.
- 5) Since the intention of the Bill is to authorize the support of programs which are presently receiving state funding, there appear to be several inconsistencies in some of the language: the title of the Act relates to domestic violence, sexual assault and crisis intervention and prevention programs. The following changes should be made in order to be consistent:
 - a) Page 1, Line 10 Chapter 66. COUNCIL ON DOMESTIC VIOLENCE, [AND] SEXUAL ASSAULT, CRISIS INTERVENTION AND PREVENTION.
 - b) Page 1, Line 11 and Line 12: The same changes as above.
 - c) Page 4, Lines 20-22 provide services approved by the council to victims of domestic violence or sexual assault, their families, or perpetrators of domestic violence or sexual assault or their families or to perpetrators of domestic violence or sexual assault without regard to ability to pay[.] and provide services approved by the council to individuals experiencing personal or professional transition; and

6) In order to make consistent the granting, standard setting and auditing provisions of this bill, we would recommend that AS 18.66.050 (a) (7) be modified to insure that the Council establishes standards and awards grants only for programs funded by the Council under this Chapter. This would eliminate confusion at the local level when a program might receive a grant from one agency, but yet be liable to meet standards established by both the granting agency and the Council. For example, a sexual assault program such as the Center for Children and Parents board might receive a grant from our Department. As a condition of receiving these monies, our Department would require the Center's board to meet certain standards. If this legislation were passed as written, the Center's board could be required also to meet the standards set by the Council. We do not believe that this is the intent, but rather the Council was indeed planned to be directly responsible only for those programs that receive funds from it. We would therefore recommend that the following change be made:

Page 3, Lines 9-11, Amend AS 18.66.050 (7) to read:

(7) award grants and contracts to qualified local community entities for domestic violence, sexual assault, and crisis intervention and prevention programs[;] with monies appropriated under this chapter;

7) Since the Bill as written would not be effective, if passed, until 90 days after the Governor's response, rather than July 1, 1981, the interim period will be a crucial time, possibly involving recommendations on the funding level of grants, new program acceptability, and the establishment of new systems, such a transition may place programs and their clients at risk. If this Bill becomes law, the Department of Health and Social Services will work cooperatively with the Department of Public Safety so that in the interest of clients and the state, services will not be interrupted.

The Department of Health and Social Services is pleased with the emphasis in the proposed legislation on the coordination aspects; certainly it is increasingly apparent that domestic violence issues involve several departments. The Department is also pleased that, if passed, legislative appropriations for support of the many programs presently being funded will be in authorized by statute as requested by the legislature last session.

The Department does prefer that the programs remain as the responsibility of our Division of Adult and Aging Services, since both prevention and treatment are provided through programs in our Department.

Recommendations: The Department of Health and Social Services recommends the establishment of a strong advisory council instead of an administrative council. Such an advisory council would have the power to recommend employment of staff, review and recommend regulations, review grant applications and recommend funding, etc. The actual administration would be under the authority of the department. This would relieve the Council of day to day administrative responsibilities so their efforts could go into long range planning and recommended policy development.

Recommended by: Elizabeth Muktarian
Elizabeth Muktarian, Director
Division of Adult and
Aging Services

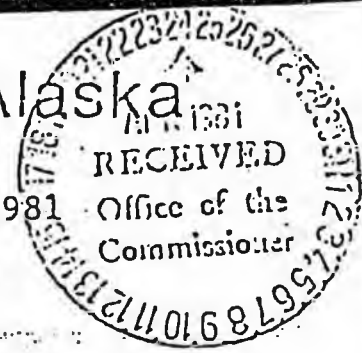
Date: 5/12/81

Approved by: Helen D. Beirne
Helen D. Beirne, Commissioner
Department of Health and
Social Services

Date: 5/14/81

MEMORANDUM

State of Alaska



TO: Hon. Helen D. Beirne
Commissioner
Department of Health & Social
Services

DATE: April 23, 1981

FILE NO: J-66-698-81

TELEPHONE NO: 465-3600

FROM: WILSON L. CONDON
ATTORNEY GENERAL

SUBJECT: Proposed Council on
Domestic Violence
and Sexual Assault

By:

Rodger W. Pegues
Assistant Attorney General

You have asked whether establishment of a proposed Council on Domestic Violence and Sexual Assault poses any legal problems.

In the form proposed by the draft bill for an Act relating to domestic violence and sexual assault, the proposal violates the state constitution in two ways. */

The first constitutional infirmity in the proposed bill is that it unduly impairs the appointment authority of the chief executive, transferrin^g it, as it were, to a special interest group under proposed AS 18.66.030(3). The proposed council's job is to carry out the law, and that function is vested by the constitution in the governor. To perform that function, he appoints subordinates to assist him. While reasonable qualifications may unquestionably be prescribed by law for those appointments, the power of selection cannot be shared except as the constitution itself provides. Bradner v. Hammond, 553 P.2d 1 (Alaska 1976).

Accordingly, in order to conform with the dictates of the state constitution, the requirement in proposed AS 18.66.030(3) that appointments be from a list should be changed to a requirement for consultation with the Network of Domestic Violence and Sexual Assault. (We are concerned that the network may lack a formal, corporate status, thereby making even consultation haphazard.)

The second constitutional infirmity is that the bill gives the council tenure and also the authority to super-

*/ There are other existing and proposed councils on ad hoc subjects which share one or both of these constitutional defects, for example, CSHB 198 (Fin), establishing a seafood market council.

wise and direct a unit of state government in carrying out a significant part of the law which, under the constitution, is expressly a function and responsibility of the governor. We are not dealing here with a regulatory or quasi-judicial council, the members of which under the constitution, need not serve at the chief executive's pleasure. Humphrey's Executor v. United States 295 U.S. 602 (1935); Buckley v. Valeo, 424 U.S. 1, 140-141 (1976) (dicta). We are dealing rather with persons who are being placed in charge of carrying on the duties of an executive department of the government, and such officers must be responsible to the chief executive. Myers v. United States, 272 U.S. 52 (1926); cf., Alaska State Operated School System v. Mueller, 536 P.2d 99 (Alaska 1975), Walker v. Alaska State Mtg. Ass'n, 416 P.2d 245 (Alaska 1966).

Accordingly, in order further to conform the bill with the dictates of the state constitution, the last sentence of proposed AS 18.66.040 should be amended to delete after the word "members," the words "shall be limited to no" and insert "serve at the pleasure of the governor and may not serve" instead.

There are other, technical changes which should be made. For example, the Attorney General, rather than the Chief Prosecutor, should be named to retain the parallelism. The Attorney General would have the option of naming a designee. It makes no sense to appoint a subcabinet, non-statutory officer to a statutory council.

Finally, experience teaches that the establishment of a line division on domestic violence and sexual assault in whichever department should handle the subject (with an advisory council of concerned and involved citizens) will have much more effect than the establishment of a separate council which will not be part and parcel of either department's operations. That is a practical matter rather than a legal one, and we do not insist on a change, but we strongly recommend one.

RWP/pjg

cc: Hon. W.R. Nix, Commissioner
Department of Public Safety

Hon. Donald Clocksin
House of Representatives