

CS FOR HOUSE BILL NO. 259(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 2/12/24

Referred: Finance

Sponsor(s): REPRESENTATIVES VANCE, Wright

A BILL

FOR AN ACT ENTITLED

1 **"An Act establishing the Council on Human and Sex Trafficking; relating to the Council**
2 **on Domestic Violence and Sexual Assault; and providing for an effective date."**

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

4 * **Section 1.** AS 18.66.050 is amended to read:

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

6 (1) **select two of its members by majority vote to serve on a joint**
7 **hiring committee with two members of the Council on Human and Sex**
8 **Trafficking to recruit and** hire an executive director **to oversee the council and the**
9 **Council on Human and Sex Trafficking**, and the executive director may hire staff;
10 the executive director is in the exempt service under AS 39.25.110 and staff members
11 are in the classified service under AS 39.25.100;

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

13 (3) in consultation with authorities in the field, develop, implement,
14 maintain, and monitor domestic violence, sexual assault, and crisis intervention and

1 prevention programs, including educational programs, films, and school curricula on
2 the cause, prevention, and treatment of domestic violence and sexual assault;

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

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

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

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

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

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

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

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

30 (12) consult with the Department of Health in the formulation of
31 standards and procedures for the delivery of services to victims of domestic violence

1 by health care facilities and practitioners of healing arts and personnel in those
2 facilities as required in AS 18.66.300;

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

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

9 * **Sec. 2.** AS 18.66.050 is amended by adding a new subsection to read:

10 (b) The commissioner of public safety or the commissioner's designee shall
11 chair the joint hiring committee under (a)(1) of this section. Only one representative
12 from a department may serve on the committee. If both the council and the Council on
13 Human and Sex Trafficking select a member from the same department to serve on the
14 joint hiring committee, the presiding officer of the council shall coordinate with the
15 chair of the Council on Human and Sex Trafficking to jointly determine which
16 member will serve on the committee.

17 * **Sec. 3.** AS 39.25.110(38) is amended to read:

18 (38) the executive director of the Council on Domestic Violence and
19 Sexual Assault established under AS 18.66.010 **and the Council on Human and Sex**
20 **Trafficking established under AS 44.41.150;**

21 * **Sec. 4.** AS 39.50.200(b) is amended by adding a new paragraph to read:

22 (65) Council on Human and Sex Trafficking (AS 44.41.150).

23 * **Sec. 5.** AS 44.41 is amended by adding new sections to read:

24 **Article 2. Council on Human and Sex Trafficking.**

25 **Sec. 44.41.150. Council on Human and Sex Trafficking.** The Council on
26 Human and Sex Trafficking is created in the Department of Public Safety. The
27 purpose of the council is to provide planning and coordination of programs specific to
28 victim services, education, public awareness, data collection and dissemination, and
29 reducing demand for human and sex trafficking.

30 **Sec. 44.41.155. Duties.** (a) The council shall

31 (1) elect one of its members as chair;

1 (2) develop and implement a standardized data collection system on
2 human and sex trafficking, including methods for synthesizing and disseminating data
3 and establishing standardized definitions as necessary;

4 (3) receive and dispense state and federal money and award grants and
5 contracts from appropriations to qualified local community entities for the purpose of
6 human and sex trafficking intervention and prevention programs;

7 (4) oversee and audit qualified local community entities that receive
8 money from the council;

9 (5) coordinate and consult with the Department of Education and Early
10 Development, the Department of Corrections, the Department of Health, the
11 Department of Law, the Department of Labor and Workforce Development, the
12 Department of Family and Community Services, the Department of Public Safety,
13 other state agencies and qualified local community entities dealing with human and
14 sex trafficking, including the Council on Domestic Violence and Sexual Assault, and
15 survivors of human and sex trafficking to develop educational materials and resources
16 related to, and increase public awareness of, human and sex trafficking;

17 (6) provide technical assistance as requested by the state agencies and
18 qualified local community entities listed in (5) of this subsection;

19 (7) conduct public hearings and create opportunities for public input on
20 issues relating to human and sex trafficking in the state;

21 (8) make an annual report to the governor on the activities of the
22 council, plans of the council for new services and programs, and concerns of the
23 council, including recommendations for legislation necessary to carry out the purposes
24 of AS 44.41.150 - 44.41.175; the council shall notify the legislature that the report is
25 available;

26 (9) select two of its members by majority vote to serve on a joint hiring
27 committee with two members of the Council on Domestic Violence and Sexual
28 Assault to recruit and hire an executive director to oversee the council and the Council
29 on Domestic Violence and Sexual Assault, and the executive director may hire staff;
30 the executive director is in the exempt service under AS 39.25.110 and staff members
31 are in the classified service under AS 39.25.100.

1 (b) The council may create advisory subcommittees.

2 (c) The commissioner of public safety or the commissioner's designee shall
3 chair the joint hiring committee under (a)(9) of this section. Only one representative
4 from a department may serve on the committee. If both the council and the Council on
5 Domestic Violence and Sexual Assault select a member from the same department to
6 serve on the joint hiring committee, the chair shall coordinate with the presiding
7 officer of the Council on Domestic Violence and Sexual Assault to jointly determine
8 which member will serve on the committee.

9 **Sec. 44.41.160. Membership.** (a) The council consists of the following 17
10 members:

11 (1) seven members appointed by the governor as follows:

12 (A) two members who are mayors or elected officials in local
13 government;

14 (B) one member who represents a victim advocacy
15 organization;

16 (C) one member who represents an Alaska Native organization;
17 in this subparagraph, "Alaska Native organization" has the meaning given in
18 AS 18.66.020(d);

19 (D) one member who represents a local law enforcement
20 agency;

21 (E) one member who represents a faith-based community
22 organization; and

23 (F) one member who represents an organization that provides
24 direct services to the homeless;

25 (2) the chief executive officer of the Alaska Mental Health Trust
26 Authority or the chief executive officer's designee;

27 (3) the commissioner of health or the commissioner's designee;

28 (4) the attorney general or the attorney general's designee;

29 (5) the commissioner of public safety or the commissioner's designee;

30 (6) the commissioner of corrections or the commissioner's designee;

31 (7) the commissioner of education and early development or the

1 commissioner's designee;

2 (8) the commissioner of labor and workforce development or the
3 commissioner's designee;

4 (9) the commissioner of family and community services or the
5 commissioner's designee; and

6 (10) two nonvoting members appointed as follows:

7 (A) one ex officio member from the house of representatives,
8 appointed by the speaker of the house of representatives; and

9 (B) one ex officio member from the senate, appointed by the
10 president of the senate.

11 (b) Public members of the council appointed under (a)(1) and (2) of this
12 section serve three-year terms. A public member serves at the pleasure of the governor
13 and may not serve more than two consecutive terms. Nonvoting members appointed
14 under (a)(10) of this section serve staggered three-year terms and may not serve more
15 than two full terms. A vacancy on the council shall be filled for the unexpired term by
16 appointment by the governor.

17 (c) A person who receives compensation from or is an employee of the state or
18 a human or sex trafficking crisis intervention or prevention program may not be
19 appointed as a public member of the council.

20 **Sec. 44.41.165. Meetings and quorum.** (a) The council shall meet at least
21 quarterly at times and locations to be determined by the chair. Additional meetings
22 may be called by the chair. The council and its advisory subcommittees shall, to the
23 extent practicable, allow participation by council members by teleconference or other
24 electronic means.

25 (b) The council may convene public meetings to present information and
26 receive public comment.

27 (c) Eight members of the council or a majority of filled positions, whichever is
28 less, constitutes a quorum for conducting business.

29 **Sec. 44.41.170. Compensation and expenses.** The members of the council
30 receive no salary but are entitled to transportation expenses and per diem in
31 accordance with AS 39.20.180.

1 **Sec. 44.41.175. Definitions.** In AS 44.41.150 - 44.41.175,

2 (1) "council" means the Council on Human and Sex Trafficking;

3 (2) "human and sex trafficking" means conduct in violation of
4 AS 11.41.360, 11.41.365, or AS 11.66.110 - 11.66.130.

5 * **Sec. 6.** AS 44.66.010(a) is amended by adding a new paragraph to read:

6 (15) Council on Human and Sex Trafficking (AS 44.41.150) - June 30,
7 2028.

8 * **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to
9 read:

10 TRANSITION: DIRECTOR. (a) Notwithstanding AS 18.66.050(1), as amended by
11 sec. 1 of this Act, and AS 44.41.155(a)(9), enacted by sec. 5 of this Act, the person serving as
12 the executive director of the Council on Domestic Violence and Sexual Assault on the day
13 before the effective date of this Act shall also serve, under the same terms and conditions, as
14 the executive director of the Council on Human and Sex Trafficking, created under
15 AS 44.41.150, enacted by sec. 5 of this Act.

16 (b) On or after the effective date of this Act, when a vacancy occurs in the executive
17 director position for the Council on Domestic Violence and Sexual Assault and the Council
18 on Human and Sex Trafficking, that position shall be filled as provided in AS 18.66.050(1), as
19 amended by sec. 1 of this Act, and AS 44.41.155(a)(9), enacted by sec. 5 of this Act.

20 * **Sec. 8.** This Act takes effect March 1, 2025.