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SENATE CS FOR CS FOR HOUSE BILL NO. 63(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 4/17/09

Referred: Rules

Sponsor(s): REPRESENTATIVES FAIRCLOUGH, HOLMES, COGHILL, AND WILSON, Herron, Lynn, Gara, Kerttula, Johnson, Neuman, Millett, Buch, Tuck

SENATORS Therriault, Kookesh, French, Davis, Dyson, Thomas, Ellis, Paskvan, Wielechowski, Menard, Meyer, McGuire, Stedman, Stevens

A BILL**FOR AN ACT ENTITLED**

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

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

4 * **Section 1.** AS 18.66.020 is amended to read:

5 **Sec. 18.66.020. Membership, terms, vacancies, and disqualification.** (a) The
 6 council consists of

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

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

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

3 (4) the commissioner of education and early development or the
4 designee of the commissioner of education and early development; [AND]

5 (5) the attorney general or the designee of the attorney general; **and**

6 **(6) the commissioner of corrections or the designee of the**
7 **commissioner of corrections.**

8 (b) The term of office of a **public** member appointed under (a)(1) of this
9 section is **three** [TWO] years. A **public** member appointed under (a)(1) of this section
10 serves at the pleasure of the governor and may not serve more than two consecutive
11 terms. A vacancy on the council shall be filled for the unexpired term by appointment
12 by the governor. **The governor may consult** [AFTER CONSULTATION] with the
13 **Alaska** Network on Domestic Violence and Sexual Assault **on an appointment of a**
14 **public member made under this subsection.**

15 (c) A person who receives compensation from or is an employee of **the State**
16 **of Alaska or** a domestic violence, sexual assault, or crisis intervention or prevention
17 program may not be appointed **as a public member of** [TO] the council.

18 * **Sec. 2.** AS 18.66.020 is amended by adding a new subsection to read:

19 (d) In this section, "rural area" means a community with a population of 7,500
20 or less that is not connected by road or rail to Anchorage or Fairbanks or with a
21 population of 3,500 or less that is connected by road or rail to Anchorage or Fairbanks.

22 * **Sec. 3.** AS 18.66.040 is amended to read:

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

28 * **Sec. 4.** AS 18.66.050 is amended to read:

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

30 (1) hire an executive director, and the executive director may hire staff;
31 the executive director **is** [AND STAFF ARE] in the exempt service under

1 AS 39.25.110 **and staff members are in the classified service under AS 39.25.100;**

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

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

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

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

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

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

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

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

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

30 (11) adopt regulations in accordance with AS 44.62 (Administrative
31 Procedure Act) to carry out the purposes of this chapter and to protect the health,

1 safety, well-being, and privacy of persons receiving services financed with grants or
2 contracts under this chapter;

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

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

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

13 * **Sec. 5.** AS 39.25.110(38) is amended to read:

14 (38) the executive director [AND STAFF] of the Council on Domestic
15 Violence and Sexual Assault established under AS 18.66.010;

16 * **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to
17 read:

18 ADDITION OF MEMBER TO THE COUNCIL ON DOMESTIC VIOLENCE AND
19 SEXUAL ASSAULT AND EXTENSION OF CERTAIN MEMBERS' TERMS. (a) The
20 governor shall appoint a new member to the Council on Domestic Violence and Sexual
21 Assault under AS 18.66.020(a)(1), as amended by sec. 1 of this Act, within 30 days after this
22 Act takes effect.

23 (b) Notwithstanding any other provision of law, the term of office of each public
24 member of the Council on Domestic Violence and Sexual Assault serving under
25 AS 18.66.020(a)(1) on the effective date of this section shall be extended one year.

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

28 TRANSITION: ASSIGNMENT OF EXISTING STAFF MEMBERS OF THE
29 COUNCIL ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT. Employees employed
30 as staff members of the Council on Domestic Violence and Sexual Assault as of the effective
31 date of this Act are assigned to the classified service in accordance with AS 18.66.050, as

1 amended by sec. 4 of this Act. Notwithstanding any other provision of law, staff members of
2 the Council on Domestic Violence and Sexual Assault employed as of the effective date of
3 this Act

4 (1) shall immediately be appointed to the classified service;

5 (2) may not have a reduction in pay

6 (A) solely because of the assignment described in this section; or

7 (B) if the employee is assigned to a position in the classified service

8 that is classified at a lower rate of pay than that received when the position was

9 assigned to the exempt service.

10 * **Sec. 8.** This Act takes effect July 1, 2009.