

**ALASKA STATE LEGISLATURE  
HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES  
STANDING COMMITTEE**

April 11, 2002  
3:43 p.m.

**MEMBERS PRESENT**

Representative Fred Dyson, Chair  
Representative Peggy Wilson, Vice Chair  
Representative John Coghill  
Representative Gary Stevens  
Representative Vic Kohring  
Representative Sharon Cissna  
Representative Reggie Joule

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

HOUSE BILL NO. 407

"An Act relating to the certificate of need program."

- MOVED CSHB 407(HES) OUT OF COMMITTEE

HOUSE CONCURRENT RESOLUTION NO. 23

Proposing amendments to Uniform Rule 20 of the Alaska State Legislature; and providing for an effective date for the amendments.

- MOVED HCR 23 OUT OF COMMITTEE

HOUSE BILL NO. 464

"An Act relating to statewide school district correspondence study programs."

- MOVED CSHB 464(HES) OUT OF COMMITTEE

**PREVIOUS ACTION**

BILL: HB 407

SHORT TITLE: CERTIFICATE OF NEED PROGRAM

SPONSOR(S): REPRESENTATIVE(S) COGHILL

Jrn-Date	Jrn-Page	Action
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HOUSE HES COMMITTEE

-1-

April 11, 2002

02/13/02	2232	(H)	READ THE FIRST TIME - REFERRALS
02/13/02	2232	(H)	CRA, HES
03/04/02	2469	(H)	COSPONSOR(S): JAMES
03/13/02	2530	(H)	COSPONSOR(S): SCALZI
03/14/02		(H)	CRA AT 8:00 AM CAPITOL 124
03/14/02		(H)	Scheduled But Not Heard
03/18/02	2593	(H)	COSPONSOR(S): DYSON
03/19/02		(H)	CRA AT 8:00 AM CAPITOL 124
03/19/02		(H)	Heard & Held
03/19/02		(H)	MINUTE(CRA)
03/21/02		(H)	CRA AT 8:00 AM CAPITOL 124
03/21/02		(H)	Moved Out of Committee
03/21/02		(H)	MINUTE(CRA)
03/22/02	2638	(H)	CRA RPT 2DP 2NR 3AM
03/22/02	2638	(H)	DP: SCALZI, MEYER; NR: GUESS, HALCRO;
03/22/02	2638	(H)	AM: KERTTULA, MURKOWSKI, MORGAN
03/22/02	2638	(H)	FN1: (HSS)
03/26/02		(H)	HES AT 3:00 PM CAPITOL 106
03/26/02		(H)	Heard & Held
03/26/02		(H)	MINUTE(HES)
03/28/02		(H)	HES AT 3:00 PM CAPITOL 106
03/28/02		(H)	Heard & Held
			MINUTE(HES)
04/02/02		(H)	HES AT 3:00 PM CAPITOL 106
04/02/02		(H)	Heard & Held
			MINUTE(HES)
04/04/02		(H)	HES AT 3:00 PM CAPITOL 106
04/04/02		(H)	-- Meeting Canceled --
04/09/02		(H)	HES AT 3:00 PM CAPITOL 106
04/09/02		(H)	Heard & Held
			MINUTE(HES)
04/11/02		(H)	HES AT 3:00 PM CAPITOL 106

BILL: HCR 23

SHORT TITLE: LEGISLATIVE COMMITTEES: SPLIT HOUSE HESS  
SPONSOR(S): EDUCATION

Jrn-Date	Jrn-Page		Action
02/11/02	2204	(H)	READ THE FIRST TIME - REFERRALS
02/11/02	2204	(H)	EDU, HES
02/13/02		(H)	EDU AT 8:00 AM CAPITOL 120
02/13/02		(H)	Moved Out of Committee
02/13/02		(H)	MINUTE(EDU)

02/13/02	2227	(H)	EDU RPT 6DP
02/13/02	2227	(H)	DP: GREEN, WILSON, JOULE, GUESS,
02/13/02	2227	(H)	STEVENS, BUNDE
02/13/02	2228	(H)	FN1: ZERO(H.EDU)
04/04/02		(H)	HES AT 3:00 PM CAPITOL 106
04/04/02		(H)	-- Meeting Canceled --
04/09/02		(H)	HES AT 3:00 PM CAPITOL 106
04/09/02		(H)	Heard & Held MINUTE(HES)
04/11/02		(H)	HES AT 3:00 PM CAPITOL 106

BILL: HB 464

SHORT TITLE: SCHOOL DISTRICT CORRESPONDENCE STUDY  
 SPONSOR(S): REPRESENTATIVE(S) JAMES

Jrn-Date	Jrn-Page		Action
02/19/02	2313	(H)	READ THE FIRST TIME - REFERRALS
02/19/02	2313	(H)	EDU, HES
02/22/02	2370	(H)	COSPONSOR(S): DYSON
02/27/02	2416	(H)	REFERRALS CHANGED TO HES, EDU
03/07/02		(H)	HES AT 3:00 PM CAPITOL 106
03/07/02		(H)	Heard & Held
03/07/02		(H)	MINUTE(HES)
03/13/02	2530	(H)	COSPONSOR(S): COGHILL, KOHRING, GREEN,
03/13/02	2530	(H)	FOSTER
03/14/02		(H)	HES AT 3:00 PM CAPITOL 106
03/14/02		(H)	Heard & Held
03/14/02		(H)	MINUTE(HES)
03/19/02		(H)	HES AT 3:00 PM CAPITOL 106
03/19/02		(H)	-- Meeting Canceled --
03/21/02		(H)	HES AT 3:00 PM CAPITOL 106
03/21/02		(H)	-- Meeting Canceled --
03/22/02	2655	(H)	COSPONSOR(S): FATE
03/26/02		(H)	HES AT 3:00 PM CAPITOL 106
03/26/02		(H)	Heard & Held
03/26/02		(H)	MINUTE(HES)
04/02/02		(H)	HES AT 3:00 PM CAPITOL 106
04/02/02		(H)	<Bill Canceled>
04/11/02		(H)	HES AT 3:00 PM CAPITOL 106

**WITNESS REGISTER**

ELMER LINDSTROM, Deputy Commissioner  
 Department of Health and Social Services

P.O. Box 110601

Juneau, Alaska 99811-0601

POSITION STATEMENT: Testified on HB 407; explained department's fiscal notes and emphasized that there will be a large impact.

KAREN McCARTHY, Staff  
to Representative Con Bunde  
Alaska State Legislature  
Capitol Building, Room  
Juneau, Alaska 99801

POSITION STATEMENT: As committee aide for the House Special Committee on Education, sponsor of HCR 23, presented the resolution and answered questions.

CARL ROSE, Executive Director  
Association of Alaska School Boards  
316 West Eleventh Street  
Juneau, Alaska 99801-1510

POSITION STATEMENT: Testified in support of HCR 23.

#### **ACTION NARRATIVE**

TAPE 02-31, SIDE A  
Number 0001

CHAIR FRED DYSON called the House Health, Education and Social Services Standing Committee meeting to order at 3:43 p.m. Representatives Dyson, Wilson, Coghill, Stevens, Kohring, Cissna, and Joule were present at the call to order. [For minutes on the overview presentation from the Alaska Suicide Prevention Council heard jointly with the Senate Health, Education and Social Services Standing Committee, see the 3:03 p.m. minutes for this date.]

#### HB 407-CERTIFICATE OF NEED PROGRAM

CHAIR DYSON announced the first order of business, HOUSE BILL NO. 407, "An Act relating to the certificate of need program."

Number 0110

REPRESENTATIVE KOHRING moved to adopt version 22-LS1389\P, Lauterbach, 4/11/02, as the work draft. There being no objection, Version P was before the committee.

CHAIR DYSON offered his understanding that Version P is the same as Version O with [Representative Cissna's conceptual Amendment 1] that was adopted at the April 9 hearing.

Number 0200

REPRESENTATIVE COGHILL moved to adopt Amendment 1, which read [original punctuation provided]:

Page 7: Delete lines 1 - 4.

Page 7, line 1:

Insert:

COMPREHENSIVE HEALTH PLAN; LIMITATIONS. The plan required under AS 47.05.010(b), enacted by sec. 11 of this Act,

(1) It is not intended by the legislature to be updated periodically;

(2) shall be prepared by the Department of Health and Social Services by January 1, 2003, and a copy of it shall be given by the department to the legislature by that date: and

(3) shall be prepared by using staff and other resources of the department that are generally available to perform the duties of the department without an additional appropriation specifically designated for preparation of the plan or without an additional appropriation to fund indirect impact of existing personnel or resources."

REPRESENTATIVE WILSON objected for purposes of discussion.

Number 0220

REPRESENTATIVE COGHILL explained that Amendment 1 would add "relating to comprehensive health planning" to the title. Referring to the fact that the amendment to Version O at the April 9 hearing had been conceptual, he said:

We adopted this by conceptual amendment, basically, and ... I wanted to look it over and ask legal drafting to look it over, and this is basically what [would] come back. And the only thing that we didn't look at was the date, and Representative Cissna had ... registered some concern about that. And I'm open to that discussion. But at this point, it would take

the plan that's required and ... then put it in these three bullets, if you will.

REPRESENTATIVE COGHILL noted that Amendment 1 [paragraph (1)] calls for a one-time plan; it is not intended to be updated periodically, which is in contrast to what is already in statute, to his recollection. [Under paragraph (2)] it would be prepared by [the Department of] Health and Social services, and the date would be 2003, as adopted [in the amendment to Version 0 at the previous hearing]. He indicated he wanted it to be very clear that this [plan is to be developed] within the resources of the Department of Health and Social Services, which paragraph (3) accomplishes.

Number 0325

CHAIR DYSON asked whether Representative Cissna was in basic agreement with Representative Coghill's Amendment 1.

REPRESENTATIVE CISSNA replied that she was in agreement, but had real concerns about the date. She indicated she'd requested a partial copy of the health plan dated June 1984; department personnel had informed her of what is in place that could be drawn on for a [future plan]. She stated that there are gaping holes [in the current state health plan]. She asked if the department could speak to this matter. She suggested that an understanding of the missing pieces would give members an idea of what is reasonable timing for using existing services.

Number 0450

ELMER LINDSTROM, Deputy Commissioner, Department of Health and Social Services, told the committee he didn't believe the date to be a relevant matter because, briefly, "No money, no plan." He said the [1984] report was the last one done by the department. He explained that rarely a week goes by in the department in which someone does not say, "I wish we had a comprehensive health plan." If the department had the resources, it would have done a plan. In the absence of additional resources to develop a comprehensive plan, Mr. Lindstrom said he thought the plan would not be accomplished.

Number 0519

REPRESENTATIVE CISSNA said she was uncertain about the date. She remarked, "I really care about Alaska and that we survive as a state in some kind of not-third-world category." Referencing

the [old health plan] with its problems and the preceding overview presentation by the Alaska Suicide Prevention Council, she again emphasized the need for a plan. As for the bill, Representative Cissna said she sees "two perfectly wonderful sides," without a way to discern the right policy; she expressed doubt that the committee could arrive at good policy without any information, which is lacking in critical areas. For example, there is no health systems data; it doesn't exist.

Number 0599

REPRESENTATIVE COGHILL pointed out that there will be a change in the administration [because the governor's term is up] and suggested that if this administration is going to say, "No way," it might be good to [extend the date to 2004]. He conveyed his inclination to allow the date to change to 2004 if the department is required to use existing resources.

CHAIR DYSON offered his conviction that Alaska needs to do some comprehensive planning in mental health, senior care, health-service delivery in urban and rural areas, prenatal alcohol poisoning, child abuse, and alcohol abuse. He stated his intention of joining [Representative Cissna] in holding some interim hearings on this matter. He added that other bills in the committee, pertaining to planning, won't make it [through the legislative process this session]. He deferred to Representative Cissna with regard to the date.

Number 0708

REPRESENTATIVE CISSNA said no area is as needing of effort as the medical health [planning] area. She pointed out that mental health does have a comprehensive plan, as do many areas. She added, "We really are just ragged in the fastest-growing sector of our economy, which is really pretty scary. And I agree with you: this summer, you're on. Let's go for 2004."

CHAIR DYSON announced, "Let the record reflect that Representative Cissna moves that we amend Amendment 1, line 12, to January [1,] 2004."

Number 0755

REPRESENTATIVE STEVENS objected, saying he didn't see the point of changing it back. He noted that this is just what was done at the last meeting - it was changed from 2004 to 2003. He said his concern at that time was that a lot is being asked to be

done; however, it is not unreasonable to expect that this be done by 2003. He offered that if the premise is that things will be different in a new administration, why not simply consider this bill next year?

CHAIR DYSON said the amendment from Representative Cissna had been presented suddenly on [April 9], and that perhaps it was acted upon with less than due diligence. He added:

Several of us have had time to think about it some more. The reason we did a title change today was to make sure that Representative Cissna's amendment on Tuesday did not fail for lack of a broad enough title. ... But it is an amendment to a bill largely aimed ... on a different subject. So ... you could certainly argue that a comprehensive study belonged in a bill of its own, but the reason we're dealing with this one now is because [of] the interest in modifying the certificate of need that's come up this year.

CHAIR DYSON acknowledged that Representative Cissna and others recognize that having better information and comprehensive planning would be a valuable component in evaluating CONS [certificates of need]. He expressed his belief that the bill's sponsor is interested in seeing the bill move forward this year. When these two subjects were linked, he said, the committee wound up dealing with the date. He offered his perception that the real issue is whether it is reasonable to expect - with very limited resources - to have a valuable product that is able to be accomplished by January.

Number 0928

REPRESENTATIVE CISSNA expressed her view of a "complete tie" between an evaluation tool and the plan. She said, "I don't have the tools to make that decision, and I've asked the department, and they don't have the tools to make ... that decision." She said perhaps other members felt comfortable making [this decision], but she didn't.

CHAIR DYSON said he would argue that this is why Representative Cissna's amendment carried.

Number 0971

REPRESENTATIVE JOULE offered his understanding that when the amendment passed [on April 9] with the 2003 date, that was

assuming an accompanying fiscal note; the 2004 date and the clarification that this will be done with existing resources is the difference between the two dates. He said, "This way, the bill moves forward without a fiscal note, giving the department 18 months to do something with its existing resources, as opposed to doing something in 6 months with no additional resources." He specified that he was speaking in favor of the amendment to Amendment 1 [to change the date to 2004].

CHAIR DYSON voiced his understanding the Representative Cissna's amendment [on April 9] called for the plan to be completed with existing resources and hadn't anticipated a fiscal note. He asked whether Representative Stevens maintained his objection to the amendment to [Amendment 1].

Number 1046

REPRESENTATIVE STEVENS said yes. He added that Alaska is facing enormous problems statewide such as the "salmon disaster." He noted that these problems need serious study, and [if the amendment to Amendment 1 failed] would be dealt with via a report to the legislature by January 2003. In response to Representative Cissna, he said he thought he would support the 2003 date, but indicated he wanted to hear more about it.

REPRESENTATIVE CISSNA withdrew the amendment to Amendment 1.

Number 1130

CHAIR DYSON asked if there was any objection to Amendment 1. Hearing no objection, he announced that Amendment 1 was adopted.

MR. LINDSTROM, in response to Chair Dyson, said the department had prepared two fiscal notes, both dated 4/10/02. One is for \$100,500 for health planning and facilities management, and the other, from the Division of Medical Assistance, is in the amount of \$4.6 million, for Medicaid services.

CHAIR DYSON observed that Representative Coghill had put before the committee a zero fiscal note. He requested an explanation.

Number 1210

REPRESENTATIVE COGHILL called his zero fiscal note a "direct challenge to the administration's fiscal note." He said a lot has to do with how he figured the growth of the economy and the way some Medicaid reimbursements are calculated. He asked the

committee to recognize that this will not have an actuarial impact on the state. He said he recognizes the department's concerns, but drew attention to words in the department's fiscal note such as may, if, expected, estimates, assumptions, and unknowns.

CHAIR DYSON asked whether it is correct that even if the bill passes in its present form, there will be no impact until new facilities are built, in use, and impacting Medicaid rates and reimbursement rates.

Number 1293

MR. LINDSTROM agreed, but pointed out that every fiscal note [from a department] is based on assumptions regarding "somebody doing something." The department's fiscal note is based on the best information the department has, he said, and on what the department believes is most likely to happen, based on the letters of interest and CON applications. In this case, however, the decisions of whether to build facilities will be independent business decisions that the state doesn't control.

MR. LINDSTROM added that the committee has heard widely divergent testimony on the impacts of the bill. Some passionately believe [HB 407] is the best thing that could happen to health care in the state, while others believe it is the death knell for the health care infrastructure in many communities.

Number 1346

MR. LINDSTROM noted that everyone believes this bill will have a significant impact; the department shares this opinion. He offered that the department could not provide members with certainty about the exact costs. He referenced his earlier testimony that a lack of data has hindered [more accurate] estimates. He stated, "There is ... rarely a bill that goes through the legislature where it is more abundantly clear that, yes, there will be a fiscal impact, and it will accrue to the Medicaid program because the Medicaid program insures one out of six Alaskans ... in this state."

MR. LINDSTROM referenced an analysis done on behalf of the Tanana Valley Clinic by Information Insights, dated March 25, which ultimately concluded that over time the bill - at least under the assumptions given - would [result in] a savings to the Medicaid program. He added, "Nevertheless, this analysis

provided by Tanana Valley Clinic indicated in the first year there would probably be an additional cost of \$200,000 to the Medicaid program if one facility was built in Fairbanks." He expressed doubt that anyone knew for sure how many facilities would be built. "There is unanimity, Mr. Chairman, that this bill is going to have a fiscal impact," he concluded.

CHAIR DYSON concurred, noting that members indeed had heard conflicting testimony, including testimony about other states. He announced his intention, out of respect for the department, to send the bill forward with all three fiscal notes.

CHAIR DYSON called for an at-ease at 4:08 p.m. He called the meeting back to order at 4:09 p.m.

Number 1450

CHAIR DYSON informed members that an objection for discussion purposes needed to be withdrawn to [Amendment 1].

REPRESENTATIVE WILSON withdrew her objection.

CHAIR DYSON again asked whether there was any objection to Amendment 1. There being no objection, Amendment 1 was adopted.

Number 1470

REPRESENTATIVE STEVENS asked about the multiple fiscal notes.

CHAIR DYSON explained that it is within the purview of the Speaker [of the House] to decide [on a fiscal note]. The committee is providing the Speaker with a synthesis of the information it has received about the fiscal notes.

Number 1505

REPRESENTATIVE COGHILL moved to report CSHB 407 [version 22-LS1389\p, Lauterbach, 4/11/02], as amended, out of committee with individual recommendations and the accompanying fiscal notes.

REPRESENTATIVE KOHRING objected for discussion purposes. He said he wasn't comfortable including the three fiscal notes, and would prefer to adopt the zero fiscal note. He concurred with Representative Coghill and suggested overhead could be greatly offset, with a possible result of zero cost or at least much less cost than the department projects.

REPRESENTATIVE KOHRING then withdrew his objection, saying although the legislation doesn't go as far as he would like, he wanted to move it forward. He reiterated that he didn't agree with the department's fiscal notes, which are higher than what he would expect.

Number 1573

REPRESENTATIVE CISSNA objected to the motion, explaining that she believes the state isn't prepared to deal with some of the problems it is facing, and that the plan needs to be in place prior to making such choices. In response to Representative Stevens, she reiterated that she objected to making a choice without having the tools to do it.

A roll call vote was taken. Representatives Dyson, Stevens, Kohring, Joule, Wilson, and Coghill voted to move CSHB 407 [version 22-LS1389\P, Lauterbach, 4/11/02, as amended] from committee. [Representative Cissna abstained.] Therefore, CSHB 407(HES) was moved out of the House Health, Education and Social Services Standing Committee by a vote of 6-0.

HCR 23-LEGISLATIVE COMMITTEES:SPLIT HOUSE HESS

CHAIR DYSON announced the next order of business, HOUSE CONCURRENT RESOLUTION NO. 23, Proposing amendments to Uniform Rule 20 of the Alaska State Legislature; and providing for an effective date for the amendments.

Number 1660

KAREN McCARTHY, Staff to Representative Con Bunde, Alaska State Legislature, presented HCR 23 on behalf of the House Special Committee on Education (HEDU), the resolution's sponsor. She explained that HCR 23 would amend the Uniform Rules to create a standing House education committee; it would reconfigure the House Health, Education and Social Services Standing Committee (HHES) to be the House health and social services committee; and the Senate committees would remain unchanged. She noted that the change would be in effect for the next legislative session.

MS. McCARTHY informed members that Representative Guess had first introduced this matter as HCR 11; the House Special Committee on Education, upon review, had decided to sponsor it as HCR 23. She said it was felt that HEDU has proven beneficial to the legislative process by facilitating focused committee

work on education bills and issues. She offered that education issues are complex and very important, and that the workload related to education has become significant and would benefit from the full attention of a permanent, standing committee.

MS. McCARTHY noted that issues such as the High School Graduation Qualifying Exam (HSGQE), school designators, teacher shortage, and education reform in general have benefited from the full attention given them in the special committee [HEDU] without the potential scheduling challenges that HHES faces. She reported that HCR 23 is supported by the Association of Alaska School Boards and the Alaska Council of School Administrators. She expressed hope that members would move HCR 23 out of committee. She added that certainly no offense was ever intended to HHES and the good work of its members.

Number 1732

CARL ROSE, Executive Director, Association of Alaska School Boards (AASB), testified in support of [HCR 23]. He explained that AASB has a long and positive history of working with HHES. The past two years, AASB has been working with HEDU and has had a successful and positive relationship as well. He said that due to the specificity of education issues, AASB believes [HCR 23] to be an [appropriate measure]. He mentioned the workload of HHES and indicated a standing education committee would allow both committees sufficient time to focus on their respective issues, which would be of great value to the state.

Number 1800

CHAIR DYSON asked Ms. McCarthy about the zero fiscal note and the fact that each committee requires a committee aide.

MS. McCARTHY replied that the rationale for the fiscal note was that no additional money would be necessary beyond what is currently being spent. Already there are two committee aides, one for HHES and one for HEDU; therefore, removing education from HHES would not require employing additional staff.

Number 1881

REPRESENTATIVE COGHILL remarked that so many issues addressed in creating an education budget cross over into health and human services policies. He added:

Many of the titles now are coming right out of ... the federal [Department of Health and] Human Services, and many of the state laws are coming right out of what we're doing in health and social services. And we find them combined there - everything from childcare to many of the mandates ... that really are going to be in the health and social service area.

REPRESENTATIVE COGHILL asked Ms. McCarthy whether this subject was discussed in HEDU hearings.

MS. McCARTHY responded no, not that she recalled. She suggested members of HHES [who also serve on HEDU] might remember.

Number 1918

REPRESENTATIVE KOHRING referenced Ms. McCarthy's discussion of the zero fiscal note and suggested there would be costs in addition to the committee aide, such as for supplies, computer equipment, teleconference personnel, transcribers, and other costs. He asked whether those were considered, for example.

MS. McCARTHY replied that those costs already exist. For instance, the recording secretary [position in House Records] already exists, although she was uncertain about the workload of the recording secretaries and whether another position would be warranted if a standing education committee were established.

Number 1987

REPRESENTATIVE KOHRING said:

It's not that the extra costs wouldn't be worth it; perhaps it would be, if we could have a separate committee that's focusing just on education issues, and it might very well be worth incurring some extra costs if this fiscal note wasn't correct and there would be some overhead that was not reflected there.

REPRESENTATIVE KOHRING added that he thought the [legislative] processes should be more streamlined; this is being sought at the agency level. He explained that the intent of a bill several years ago that he'd sponsored was to streamline the processes of what then were the Department of Community and Economic Development and the Department of Community and Regional Affairs. He said he espouses streamlining and

suggested this might be accomplished by having education remaining in HHES.

MS. McCARTHY offered that the sponsors of HCR 23 feel that education is a sufficiently complex and important area of work, as is the health and social services area. Considering that all of the necessary pieces are currently in place and both areas are very important, she suggested it would be beneficial to the state to [establish education as a standing committee].

MS. McCARTHY addressed efficiency, reporting that since the beginning of the Twenty-Second Alaska State Legislature, 119 bills have been referred to HHES, 42 bills to HEDU, and 33 bills to both committees. While some [bills] may have benefited from a second perspective, she suggested members might not know whether it would have been more efficient to avoid double referrals for those 33 bills.

Number 2081

REPRESENTATIVE CISSNA questioned whether the legislature had the "human power" to accomplish [having another standing committee]. She suggested that a test run has been done and asked if it has been problematic for people to work this into their schedules.

MS. McCARTHY replied that it hadn't appeared to be a problem. The HEDU members have been in attendance for every meeting for which they have been in town, she reported.

Number 2115

MR. ROSE pointed out that the U.S. Congress passed the 1,180-page [reauthorization] of the Elementary and Secondary Education Act (ESEA), the full impact of which remains undetermined. He said many predict that the impact of this [Act] to public education will be akin to the impact of the IDEA [Individuals with Disabilities Education Act]. He suggested the need is great to focus on educational issues with ESEA's passage and the upcoming reauthorization of IDEA.

Number 2146

REPRESENTATIVE WILSON commented that she has had the privilege of serving on both committees, as have other members. She said, "I can't imagine what one chairman would have done with all this." She explained that both chairs had [a heavy workload]. She suggested that with the upcoming issues in both committees,

something needs to be reorganized. She added, "I firmly agree that it should be pulled out into two committees." She explained that this doesn't reflect poorly on HHES. Simply, many issues need to be addressed. She recommended passing the resolution.

Number 2196

REPRESENTATIVE STEVENS noted that he has served with Representatives Wilson and Joule on both HHES and HEDU. He offered his impression that this is a natural separation; but acknowledged his lack of an historical point of reference. He said he didn't know how HHES would expand [otherwise], and mentioned perhaps adding an hour to those meetings because of so much to address there. He added that the education committee has addressed the Foundation [Formula], the exit exam, teacher shortage issues, and student loan programs. He observed that this represents an enormous amount of the budget and the responsibility that legislators have. He expressed appreciation for his opportunity to work with the [health and social services] committee but suggested that education issues might be more than [HHES] wishes to handle. He said, "It seemed to work quite well, and I would think it would be a natural thing to have separate standing committees."

Number 2243

CHAIR DYSON noted the practice of the legislature to have special committees, some of which have continued for quite a while, to handle special loads and special issues; he cited the House Special Committee on Oil and Gas and the House Special Committee on Fisheries as examples and indicated their [duration] is appropriate. The need for these committees waxes and wanes with economic and cultural conditions, he said, cautioning against taking lightly the step of [making them standing committees]. He said he'd be a strong voice in support of continuing the House Special Committee on Education, should the need continue, but was unwilling to create a standing committee based on two years' experience, when one hadn't existed in the prior forty-two years.

Number 2300

CHAIR DYSON also pointed out the danger in a committee, when focused on one specific topic of special interest to members, of becoming an "advocacy group." He said one of his mentors on the Anchorage Assembly had said that as important as education is,

it is one of the functions that government is required to supply and shouldn't get a disproportionate voice. He explained that this is in spite of how important he and the people of Alaska believe education to be.

TAPE 02-31, SIDE B  
Number 2333

CHAIR DYSON observed that having too many committee referrals can slow a bill's progress, and is sometimes used as a method to do just that. He said the creation of [HEDU] was a deliberate move for a special, foreseen need; he indicated that was wisely done, and spoke in favor of the flexibility. He reiterated that he is unwilling to put this committee into law [as a standing committee] after just two years.

CHAIR DYSON offered his opinion that if the House has many more committees than the Senate, a "disconnect" occurs, making it more difficult for joint hearings to take place. He suggested that a largely parallel structure in both bodies works well; the greater the departure from this structure, the more difficulty is added. Disagreeing with the premise for a zero fiscal note, he said the special committee is not a "given," whereas [the costs will be certain] if the committee is put into state law. Furthermore, he said he couldn't agree with a zero fiscal note because costs will be incurred for the committee, the aide, transcription, supplies, and other incremental costs.

Number 2249

CHAIR DYSON turned attention to the overlap of education and health-and-social-services issues. He observed that early development was, rightly or wrongly, included in the department of education. He indicated that the areas of juvenile justice and family and youth services greatly impact, and are intertwined with, education. As examples, he mentioned nurses in the schools who are mandatory reporters [of abuse] and who deliver health services in the school context, as well as the Smart Start program.

CHAIR DYSON suggested this has worked well this year in large part because of the excellent relationship between the two committees' chairs. Both chairs were in support [of the special committee] and agreed with the Speaker [of the House] that any bill referred to one committee could be [upon the chair's request] referred to the other committee. However, that might not always be the case. Specifying that he would vote "no" on

this resolution, he said that if he is reelected and there is a need for the special committee, he will be a strong voice for continuing the [House Special Committee on Education].

Number 2145

REPRESENTATIVE CISSNA suggested that an additional consideration is the long-range fiscal plan, whether one is established or not. If no plan is created, she offered, "We're looking at maybe dismantling a lot of things." She indicated that should the [legislature] take responsibility for the state and become accountable to the public that is paying for state services, some serious commitments need to be made to address [health-and-social-services and education] issues. She noted that some bills [heard by HHES] have indicated this as well. She highlighted the importance of addressing why Alaska is rated so low in national studies regarding health. She offered that this should not be this way; to her, this indicates failure to the public.

REPRESENTATIVE CISSNA observed that another issue, one just dealt with by HHES, is medical services and that the state has not measured up to what it was doing in [1984]. She said the three groups facing the most jeopardy right now are the small-business people, the nonprofits, and the self-employed. Those require time commitments in the state. She said she would vote "yes" for the resolution, but conveyed respect for the "very thought-provoking and good comments of the chair."

Number 2053

REPRESENTATIVE STEVENS asked that the issue of cost be addressed again. The costs of the committee will continue whether it is a special committee or a standing committee, he offered. He pointed out that the chair had indicated his support for a continuing special committee. He said the problems are not going away; neither are the education needs. Therefore, the legislature's focus on these matters would not go away. He said a cost will be incurred for either a standing or special committee. He also said he believes the legislature will continue to need an education committee, which is why he would like to see it become permanent, thereby relieving HHES of some responsibilities so its members can be more effective.

Number 1997

REPRESENTATIVE JOULE moved to report HCR 23 out of committee with individual recommendations and the accompanying fiscal notes.

REPRESENTATIVE COGHILL objected.

A roll call vote was taken. Representatives Cissna, Joule, Wilson, and Stevens voted to move HCR 23 from committee. Representatives Dyson, Kohring, and Coghill voted against it. Therefore, HCR 23 was reported from the House Health, Education and Social Services Standing Committee by a vote of 4-3.

HB 464-SCHOOL DISTRICT CORRESPONDENCE STUDY

[Contains discussion relating to SB 346, the companion bill, changes for which were incorporated into Version P of HB 464 on 3/26/02]

Number 1900

CHAIR DYSON announced the final order of business, HOUSE BILL NO. 464, "An Act relating to statewide school district correspondence study programs." [Before the committee was Version P, 22-LS1494\P, Ford, 3/18/02, adopted as a work draft on 3/26/02.]

CHAIR DYSON expressed his belief that the impetus for this bill was a concern about the regulations [proposed by] the Department of Education and Early Development (EED). Those regulations have been modified, but there isn't complete satisfaction. He offered his personal opinion that some staff people within EED and in the educational establishment are uneasy about alternatives in education. The initial regulations were contrary to the interests of parent-directed education, he said.

CHAIR DYSON also offered his belief that the bill's going forward continues protection for parent-led education and minimizes [EED's] capacity to negatively interfere in alternative education. He noted that the committee had heard testimony and done everything but vote on the bill. He reported that the sponsor [Representative James] had asked for it to move forward, and that it would be heard by the House Special Committee on Education.

Number 1772

REPRESENTATIVE KOHRING moved to report CSHB 464 [version 22-LS1494\p, Ford, 3/18/02] out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 464(HES) was moved out of the House Health, Education and Social Services Standing Committee.

#### **ADJOURNMENT**

There being no further business before the committee, the House Health, Education and Social Services Standing Committee meeting was adjourned at 4:41 p.m. [For minutes on the overview presentation from the Alaska Suicide Prevention Council heard jointly with the Senate Health, Education and Social Services Standing Committee, see the 3:03 p.m. minutes for this date.]