

ALASKA STATE LEGISLATURE
CONFERENCE COMMITTEE ON SENATE BILL 11

May 7, 2002
8:40 a.m.

SENATE MEMBERS PRESENT

Senator Gene Therriault, Chairman
Senator Donny Olson
Senator Gary Wilken

SENATE MEMBERS ABSENT

None

HOUSE MEMBERS PRESENT

Representative John Coghill
Representative Mary Kapsner
Representative Gary Stevens

HOUSE MEMBERS ABSENT

None

COMMITTEE CALENDAR

CS FOR SENATE BILL NO. 11(FIN) am H

"An Act relating to required school attendance and relating to a curriculum for Alaska history; and providing for an effective date."

HEARD AND HELD

PREVIOUS COMMITTEE ACTION

Jrn-Date	Jrn-Page	Action
01/08/01	0014	(S) PREFILE RELEASED - 12/29/00
01/08/01	0014	(S) READ THE FIRST TIME - REFERRALS
01/08/01	0014	(S) HES, FIN
02/05/01	Text	(S) HES AT 1:30 PM BUTROVICH 205
02/05/01	Text	(S) Heard & Held
02/05/01	Text	(S) MINUTE(HES)
04/20/01	Text	(S) HES AT 1:30 PM BUTROVICH 205
04/20/01	Text	(S) Heard & Held
04/20/01	Text	(S) MINUTE(HES)
04/27/01	Text	(S) HES AT 1:30 PM BUTROVICH 205
04/27/01	Text	(S) Moved Out of Committee
04/27/01	Text	(S) MINUTE(HES)

04/28/01 1323 (S) HES RPT 1DP 1DNP 2NR
04/28/01 1323 (S) NR: GREEN, WARD; DP: DAVIS; DNP: LEMAN
02/21/02 Text (S) FIN AT 9:30 AM SENATE FINANCE 532
02/21/02 Text (S) Heard & Held
02/21/02 Text (S) MINUTE(FIN)
02/28/02 Text (S) FIN AT 9:00 AM SENATE FINANCE 532
02/28/02 Text (S) Moved CS(FIN) Out of Committee
02/28/02 Text (S) MINUTE(FIN)
03/01/02 2336 (S) FIN RPT CS 6DP 3NR NEW TITLE
03/01/02 2336 (S) DP: DONLEY, KELLY, GREEN, AUSTERMAN,
03/01/02 2336 (S) WILKEN, LEMAN;
03/01/02 2336 (S) NR: HOFFMAN, OLSON, WARD
03/05/02 Text (S) RLS AT 10:00 AM FAHRENKAMP 203
03/05/02 Text (S) MINUTE(RLS)
03/06/02 2387 (S) RULES TO CALENDAR 3/6/02
03/06/02 2389 (S) READ THE SECOND TIME
03/06/02 2389 (S) FIN CS ADOPTED UNAN CONSENT
03/06/02 2389 (S) ADVANCED TO THIRD READING UNAN CONSENT
03/06/02 2389 (S) READ THE THIRD TIME CSSB 11(FIN)
03/06/02 2389 (S) PASSED Y14 N4 E2
03/06/02 2390 (S) EFFECTIVE DATE(S) SAME AS PASSAGE
03/06/02 2390 (S) DAVIS NOTICE OF RECONSIDERATION
03/13/02 2419 (S) RECON TAKEN UP - IN THIRD READING
03/13/02 2419 (S) PASSED ON RECONSIDERATION Y18 N- E1 A1
03/13/02 2419 (S) EFFECTIVE DATE(S) SAME AS PASSAGE
03/13/02 2420 (S) TRANSMITTED TO (H)
03/13/02 2420 (S) VERSION: CSSB 11(FIN)
03/15/02 2537 (H) READ THE FIRST TIME - REFERRALS
03/15/02 2537 (H) EDU, HES
04/03/02 Text (H) EDU AT 8:00 AM CAPITOL 120
04/03/02 Text (H) Moved CSSB 11(FIN) Out of Committee
04/03/02 2778 (H) EDU RPT 4DP 1NR
04/03/02 2778 (H) DP: GUESS, PORTER, WILSON, BUNDE;
04/03/02 2778 (H) NR: GREEN
04/16/02 Text (H) HES AT 3:00 PM CAPITOL 106
04/16/02 Text (H) Moved CSSB 11(FIN) Out of Committee
04/16/02 Text (H) MINUTE(HES)
04/17/02 2970 (H) HES RPT 3DP 1NR 2AM
04/17/02 2970 (H) DP: WILSON, STEVENS, DYSON; NR: JOULE;
04/17/02 2970 (H) AM: COGHILL, CISSNA
04/25/02 3141 (H) RULES TO CALENDAR 4/25/02
04/25/02 3141 (H) READ THE SECOND TIME
04/25/02 3142 (H)ADVANCED TO THIRD READING 4/26 CALENDAR
04/26/02 3181 (H) READ THE THIRD TIME CSSB 11(FIN)
04/26/02 3181 (H) RETURN TO SECOND FOR AM 1 UNAN CONSENT
04/26/02 3181 (H) AM NO 1 ADOPTED UNAN CONSENT
04/26/02 3182 (H) RETURN TO SECOND FOR AM 2 Y27 N10 E3
04/26/02 3183 (H) AM NO 2 ADOPTED Y29 N8 E3

04/26/02	3183	(H)	...CHANGES TITLE OF LEGISLATION
04/26/02	3187	(H)	PASSED Y35 N2 E3
04/26/02	3187	(H)	EFFECTIVE DATE(S) SAME AS PASSAGE
04/26/02	3187	(H)	MASEK NOTICE OF RECONSIDERATION
04/26/02	3186	(H)	AUTOMATICALLY IN THIRD READING
04/29/02	3223	(H)	RECONSIDERATION HELD TO 5/1/02
05/01/02	3267	(H)	RECONSIDERATION NOT TAKEN UP
05/01/02	3267	(H)	TRANSMITTED TO (S) AS AMENDED
05/01/02	3267	(H)	VERSION: CSSB 11(FIN) AM H
05/02/02	3098	(S)	FAILED CONCUR (H) AM Y7 N12 E1
05/03/02	3141	(S)	CONFERENCE COMMITTEE APPOINTED
05/03/02	3141	(S)	*TERRIAULT, WILKEN, OLSON
05/03/02	3342	(H)	CONFERENCE COMMITTEE APPOINTED
05/03/02	3342	(H)	STEVENS, COGHILL, KAPSNER

ACTION NARRATIVE

TAPE 02-01, SIDE A

8:40 a.m.

#SB 11

SB 11-COMPULSORY SCHOOL ATTENDANCE/AK HISTORY

CHAIRMAN GENE THERRIAULT called the Conference Committee on Senate Bill 11 to order at 8:40 a.m. Present were Senators Olson and Wilken, Representatives Coghill, Kapsner and Stevens and Chairman Therriault.

CHAIRMAN THERRIAULT noted the committee had two versions of SB 11 before it: CSSB 11 amH and CSSB 11(FIN). Members of the Senate objected to the amendment that mandates school districts to teach Alaska history, which was adopted on the floor of the House of Representatives. He said the Senate would prefer to return to the original intent of the bill. He said Representative Coghill also offered an amendment that he felt fit into the original intent and would be acceptable to the Senate, which deals with mandatory attendance.

REPRESENTATIVE COGHILL said because his amendment was offered on the House floor, they would have to recede from both actions to recede from one.

CHAIRMAN THERRIAULT said the Alaska history provision is the cause of the problem. He asked the House members to consider accepting a version of the bill that contains Representative Coghill's amendment but not the Alaska history amendment. He said without that action, the bill would not pass the Senate.

SENATOR OLSON thought it was premature to say that SB 11 with the Alaska history provision would not pass the Senate. He said sometimes bills he thought didn't have a ghost of a chance grew legs and walked through and sometimes bills that made a lot of sense to a majority of the legislature got stalled for one reason or another and never went anywhere. He thought they all agreed that it is important for Alaskans to be educated in Alaska history, they just could not agree on how to do it. He understood there were probably other ways to ensure that students coming out of Alaska's schools know about Alaska history.

CHAIRMAN THERRIAULT said Alaska history is taught in most school districts on a voluntary basis.

REPRESENTATIVE KAPSNER said it is not taught in some of the largest school districts.

REPRESENTATIVE COGHILL said another mechanism has reached the Senate [HB 171] that requires school districts to teach Alaska history.

REPRESENTATIVE KAPSNER said the reason the contents of HB 171 was incorporated into SB 11 was to breathe new life into it because HB 171 seemed to be dead in the Senate.

CHAIRMAN THERRIAULT said HB 171 is in the Senate Health, Education and Social Services Committee but that points out the problem the Senate has with the bill. He said Representative Kapsner presented a lot of information during a hearing that outlined the history of the issue. She said HB 171 would not be an unfunded mandate and noted that school districts with an Alaska history curriculum are willing to distribute it for possible modification by the state board of education so other districts could use it as a model at minimal expense. He felt the problem is already well on its way to being solved. He thought most districts that aren't already teaching Alaska history would probably teach it if they could do so at little expense. He asked Representative Kapsner which larger school districts do not teach Alaska history.

REPRESENTATIVE KAPSNER said Alaska history is an elective class in most of the larger schools. The Anchorage School District made it a requirement shortly before session started. She thought Alaska history is especially important now because of the subsistence issue and the looming fiscal crisis. She thought it is important that people understand why the Permanent Fund was set up and to clarify a misconception about the subsistence issue. Many believe that legislators are trying to take away the

people's right to hunt, which is not what the debate is about. She said people do not understand the basic premise of the legal debate surrounding the Constitution of the State of Alaska.

CHAIRMAN THERRIAULT said SB 11 is an attempt to address a very real problem school districts are having. Parents are using the first grade as a babysitter for their children. He said a school of 500-600 students might have one or two children who only attend sporadically because state law does not mandate attendance until children turn seven years of age. Teachers have to expend an incredible amount of time and energy to keep those children up to speed with the class, which diverts resources and attention from the rest of the students. He said, in addition, it is not good for the children because they would most likely be held back at the end of the year.

REPRESENTATIVE COGHILL said he agrees and one reason he proposed his amendment is that some parents might enroll their children at the age of six and shortly thereafter decide their children aren't benefiting. Those parents should have the right to pull their child out of school. He said those parents would have no mechanism to pull their children out without stretching the limit of the existing mandatory attendance law. He said he would be willing to vote the Alaska history requirement out if it is going to sidetrack the bill because it is a different issue entirely.

CHAIRMAN THERRIAULT said Representative Coghill's amendment would not trigger a title change.

REPRESENTATIVE COGHILL agreed.

REPRESENTATIVE STEVENS felt that both SB 11 and an Alaska history requirement have great value but expressed surprise that members couldn't agree on how important it is for students to know Alaska history. He said it is important for students to know about the political issues that Representative Kapsner brought up but it is also important to know basic Alaska history. He said people are unaware of events such as the Native settlements, Russian colonization and World War II. He asked for an explanation of how conference committees work.

CHAIRMAN THERRIAULT said two Senate members and two House members have to agree on something to be taken back to their respective bodies. Then a majority vote of both bodies is necessary to adopt the conference committee's recommendation.

REPRESENTATIVE STEVENS asked what would happen if they could not come to an agreement.

CHAIRMAN THERRIAULT said there is still a possibility that either body could recede.

REPRESENTATIVE KAPSNER noted that 36 members of the House of Representatives voted for the Alaska history amendment. She said she understood and supported SB 11 in its original form but thought the amendment made it better.

SENATOR OLSON asked if the original Alaska history bill [HB 171] would pass if it was scheduled for a vote on the Senate floor.

CHAIRMAN THERRIAULT said he didn't know. He thought the debate in the Senate centered on the philosophical issue of who should control the local school districts and curricula. He said the State mandated districts to teach certain levels of math and the social sciences. He has heard complaints from his school district that districts are required to fulfill too many mandates without additional funds. He said requiring Alaska history would be micromanaging curriculum. The legislature would not only be telling districts they have to teach history but also what kind of history they have to teach.

CHAIRMAN THERRIAULT told members that he has heard from many constituents who say they don't understand economics or the separation of powers in government. If he were to mandate classes, he would mandate more civics and economics but he believes those decisions should be made at the local level. He said that ensuring that students learn Alaska history is a problem well on its way to being corrected.

SENATOR WILKEN asked why members are having this meeting at all. He said if they want to talk about mandatory attendance, they should talk about it. If they want to talk about a mandatory history requirement, they should do that. He didn't know why they were talking about both at the same time. The only reason he'd heard to explain why a good bill was hijacked for another purpose was because the [House] was desperate. He wasn't sure desperation would drive him to want to marry the two bills. He was concerned that they would lose one good bill because they couldn't move another bill. He said they should have a discussion about Alaska history and whether it should or shouldn't be compulsory and how it would be funded but they should not have that discussion in conjunction with SB 11 because it is an entirely separate issue. He said they were hurting a good effort because they didn't have the courage or backing to talk about a controversial issue. He said if the Alaska history requirement does not pass, they could try again the next year.

REPRESENTATIVE KAPSNER agreed. She said the House had the courage to talk about mandating Alaska history but she didn't see the same level of commitment in the Senate. She said the Senate hasn't held any hearings on mandating Alaska history even though there is overwhelming public support.

SENATOR OLSON thought both issues are very important and people feel passionately about them. He said most districts don't have the babysitting problem but they do have the Alaska history problem. He said people don't understand what happened in World War II in Alaska or what the creation of the Permanent Fund was about - many people think the Permanent Fund was set up as a rainy day account. He said the reason they are having this discussion is because they had a bill that people felt passionately about on one side and a bill that people felt equally passionately about on the other side that couldn't get a hearing in the Senate.

REPRESENTATIVE COGHILL said members are talking about two mandates: attendance and teaching Alaska history. One is paid for and one is not. He said history is being paid for in another area. He said if they want to talk about mandatory attendance, they should just deal with that but that the history discussion should be a separate discussion.

REPRESENTATIVE KAPSNER said if they could get an Alaska history bill to the Senate floor, she would be happy to recede from the amendment. She thought many House members felt the same.

CHAIRMAN THERRIAULT said they were not going to be able to pull the Alaska history bill out of the Senate Health, Education and Social Services Committee without objection from the Chair. He said people are willing to deal with the babysitting problem. If a district with an existing Alaska history curriculum were to offer it to be modified, he thought all districts would pick it up and the problem would be dealt with. He thought Alaska history is already taught in more than half of the school districts. He thought some school districts were resisting because they felt it was another thing the Legislature was forcing them to do. He said if it were offered without a mandate, it would be easy for the districts to say yes because they would have no reason to say no.

REPRESENTATIVE KAPSNER said a legislative resolution was adopted in 1988 that pertained to teaching Alaska history. That was before she graduated from high school and she thought by now school districts would be required to teach it. She said three-

quarters of the states felt state history is an important enough topic that they have mandated that it be taught.

REPRESENTATIVE STEVENS said the State has not published any textbooks except for an Alaska history textbook. He tried to use it to teach a semester course but it didn't work very well because it was really designed for a one-year course. He thought they'd done a great job and there was forward movement. He wasn't sure they wanted to change SB 11 at that point.

SENATOR OLSON said Alaska history would not be an unfunded mandate. Chairman Therriault stated that school districts were looking at this as another burden they would have to carry. He said that isn't quite true. Groups that are overseeing the State of Alaska's education system, such as the National Education Association and school administrations, support mandating an Alaska history course.

CHAIRMAN THERRIAULT said a couple of years down the road when a district says there were too many unfunded mandates and he asks what they were, the Alaska history requirement will be one they point to.

SENATOR OLSON said there is money for it.

CHAIRMAN THERRIAULT said the bill had no funding source attached to it.

REPRESENTATIVE STEVENS said he didn't buy the unfunded mandate argument. He said they require math, reading and writing and state history is another basic subject that ought to be required. He had to take Oregon history in high school and he was glad that he did. He felt the Alaska history requirement wouldn't be a burden. He thought the argument that it wasn't going to be paid for was hollow. He said it wasn't so unusual or bizarre for the State to require its own history to be taught in schools because a lot of other states do it. He said Alaska is the odd one out.

CHAIRMAN THERRIAULT asked if he uses his knowledge of Oregon history now that he is an Alaska resident.

REPRESENTATIVE STEVENS said he did when he taught history.

CHAIRMAN THERRIAULT asked if it would have been better if he had been required to take additional economics or world geopolitical economics. He said the State of Alaska sells resources on the world market and thinks people have no concept of how to sell a commodity on the market when they tell him Alaska should just

make the oil companies pay more. He asked if a better understanding of that process might serve Alaskans better than knowing when the czar bought Alaska.

SENATOR WILKEN said this is a local control issue. He said people should look at how Fairbanks taught Alaska history to see how it ought to be done. Pieces of Alaska history were taught throughout school. That culminated in one course, Alaska Studies: Historical Survey of the Last Frontier and Its People. He read the following from the course description:

During this semester survey of Alaska's history and its people, students become knowledgeable about the historic, economic, political, geographic, and cultural influences on Alaska and their impact on Alaska development from pre-European settlement through the end of the 20th century.

He read five bullet points identifying the specific goals of the course:

- Understand Alaska political, economic and military positions;
- Examine and contrast the social and cultural differences of Alaska immigrants and native Alaskans at the beginning of the 20th century;
- Identify the major players, movements, obstacles and legislation that led to Alaska statehood;
- Review the issue of subsistence and the legislation and rulings regarding rural Alaska; and
- Identify and review the contributions of pioneering women to the cultural and social development of modern communities.

He said the school board chose the curriculum to teach the material to students. If the board said Alaska history would be mandatory, then it would be mandatory. But they chose not to make it mandatory. He felt a proposed Alaska history requirement implies that school boards don't really know what is best for their students and the Legislature does. He said mandating Alaska history isn't a bad idea, but local school boards who are elected to represent the students, administration, parents and community should make that decision. He said that is why he objects to an Alaska history requirement.

SENATOR OLSON agreed and thought that is a very respectable way to address the issue. He applauded Fairbanks for putting forth the curriculum and assumed Fairbanks students are well versed in Alaska history. However, he said it is unfortunate that other school districts throughout the state do not have the benefit of

teachers who have been in the system for long periods of time. He said those are the districts mandatory Alaska history is aimed at. He said they want to make sure students in the rest of Alaska have the same opportunities as Fairbanks students.

SENATOR WILKEN said every school districts in Alaska could mandate an Alaska history curriculum tomorrow and use the Fairbanks curriculum.

CHAIRMAN THERRIAULT said if a good curriculum was available to every district in the state, each district would probably have discuss and adopt it. He wanted to allow them that opportunity.

SENATOR OLSON said there have been 30 years of districts not doing that. He said we lost a generation and are starting in on a second generation of people who don't know Alaska history.

REPRESENTATIVE KAPSNER asked how many students took the Fairbanks course.

CHAIRMAN THERRIAULT said the course is an elective but components of Alaska history are taught throughout grade school. He was not sure how many students took the elective.

SENATOR WILKEN agreed that components of Alaska history are taught throughout school and that in one of the senior classes, civics, a two-week section on the Permanent Fund is taught. He said a student could go through school without taking the elective course and still learn bits and pieces of Alaska history.

REPRESENTATIVE STEVENS noted that the State requires teachers to take Alaska history or Alaska studies to get certified. He said the State felt it is such an important topic that teachers should know it to be able to teach in the state. He said there ought to be a connection between what teachers are required to know and what students are required to know.

CHAIRMAN THERRIAULT asked how long that requirement had been in effect.

REPRESENTATIVE STEVENS said at least ten years.

CHAIRMAN THERRIAULT said he had no delusions that the committee would resolve the issue that day. He hoped the original intent of SB 11 didn't get lost because [sporadic attendance] is a real problem that cannot be dealt with by local school districts and will require legislative action. He said the committee would try

to meet again in the next couple of days.

ADJOURNMENT

There being no further business before the committee, the Conference Committee on Senate Bill 11 meeting was adjourned.

#