

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

March 30, 2004

3:06 p.m.

**MEMBERS PRESENT**

Representative Peggy Wilson, Chair  
Representative Carl Gatto, Vice Chair  
Representative John Coghill  
Representative Paul Seaton  
Representative Kelly Wolf  
Representative Sharon Cissna  
Representative Mary Kapsner

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

HOUSE BILL NO. 338

"An Act relating to attendance at public school; and providing for an effective date."

- MOVED CSHB 338(HES) OUT OF COMMITTEE

SENATE BILL NO. 288

"An Act relating to certain determinations concerning placement of a child in emergency custody and temporary placement hearings in child-in-need-of-aid proceedings; and providing for an effective date."

- MOVED SB 288 OUT OF COMMITTEE

SENATE BILL NO. 269

"An Act relating to access to the library records of a child by a parent or guardian."

- MOVED SB 269 OUT OF COMMITTEE

SENATE CONCURRENT RESOLUTION NO. 19

Relating to the support of fisheries education, training, and research and encouraging collaborative efforts between the state, the University of Alaska, and other educational institutions to provide fisheries education programs.

- MOVED SCR 19 OUT OF COMMITTEE

HOUSE BILL NO. 239

"An Act directing the Department of Public Safety to establish an Internet-based identification and tracking system relating to controlled substances that are prescribed for human use; and relating to the manner in which prescriptions for controlled substances may be filled by a pharmacist."

- SCHEDULED BUT NOT HEARD

**PREVIOUS COMMITTEE ACTION**

BILL: HB 338

SHORT TITLE: ENTRY INTO SCHOOL

SPONSOR(S): REPRESENTATIVE(S) MCGUIRE

01/12/04	(H)	PREFILE RELEASED 1/2/04
01/12/04	(H)	READ THE FIRST TIME - REFERRALS
01/12/04	(H)	EDU, HES
02/17/04	(H)	EDU AT 11:00 AM CAPITOL 124
02/17/04	(H)	Moved CSHB 338(EDU) Out of Committee
02/17/04	(H)	MINUTE(EDU)
02/18/04	(H)	EDU RPT 6DP 1NR
02/18/04	(H)	DP: WILSON, OGG, SEATON, GARA, KAPSNER,
02/18/04	(H)	GATTO; NR: WOLF
02/18/04	(H)	FIN REFERRAL ADDED AFTER HES
02/24/04	(H)	CORRECTED RPT CS(EDU) 3DP 1NR
02/24/04	(H)	DP: WILSON, KAPSNER, GATTO; NR: WOLF
03/02/04	(H)	HES AT 3:00 PM CAPITOL 106
03/02/04	(H)	Scheduled But Not Heard
03/25/04	(H)	HES AT 3:00 PM CAPITOL 106
03/25/04	(H)	Heard & Held
03/25/04	(H)	MINUTE(HES)
03/30/04	(H)	HES AT 3:00 PM CAPITOL 106

BILL: SB 288

SHORT TITLE: TEMPORARY CHILD CUSTODY HRNGS/PLACEMENT

SPONSOR(S): SENATOR(S) GREEN

02/02/04	(S)	READ THE FIRST TIME - REFERRALS
02/02/04	(S)	HES, JUD
02/09/04	(S)	HES AT 1:30 PM BUTROVICH 205
02/09/04	(S)	Moved CSSB 288(HES) Out of Committee
02/09/04	(S)	MINUTE(HES)
02/11/04	(S)	HES RPT CS 3DP SAME TITLE

02/11/04 (S) DP: DYSON, GREEN, WILKEN  
 02/11/04 (S) FIN REFERRAL ADDED AFTER JUD  
 02/18/04 (S) JUD AT 8:00 AM BUTROVICH 205  
 02/18/04 (S) Heard & Held  
 02/18/04 (S) MINUTE(JUD)  
 02/23/04 (S) JUD AT 8:00 AM BUTROVICH 205  
 02/23/04 (S) -- Meeting Canceled --  
 03/01/04 (S) JUD RPT CS 2DP 2NR NEW TITLE  
 03/01/04 (S) DP: SEEKINS, OGAN; NR: THERRIAULT,  
 03/01/04 (S) ELLIS  
 03/01/04 (S) JUD AT 8:00 AM BUTROVICH 205  
 03/01/04 (S) Moved CSSB 288(JUD) Out of Committee  
 03/01/04 (S) MINUTE(JUD)  
 03/09/04 (S) FIN AT 9:00 AM SENATE FINANCE 532  
 03/09/04 (S) Moved CSSB 288(JUD) Out of Committee  
 03/09/04 (S) MINUTE(FIN)  
 03/10/04 (S) FIN RPT CS(JUD) 5DP 2NR  
 03/10/04 (S) DP: GREEN, WILKEN, DYSON, BUNDE,  
 03/10/04 (S) STEVENS B; NR: HOFFMAN, OLSON  
 03/15/04 (S) TRANSMITTED TO (H)  
 03/15/04 (S) VERSION: CSSB 288(JUD)  
 03/16/04 (H) READ THE FIRST TIME - REFERRALS  
 03/16/04 (H) HES, JUD, FIN  
 03/30/04 (H) HES AT 3:00 PM CAPITOL 106

BILL: SB 269

SHORT TITLE: PARENT ACCESS TO CHILD'S LIBRARY RECORDS

SPONSOR(S): SENATOR(S) GREEN

01/16/04 (S) READ THE FIRST TIME - REFERRALS  
 01/16/04 (S) CRA, HES  
 02/11/04 (S) CRA AT 1:30 PM FAHRENKAMP 203  
 02/11/04 (S) Heard & Held  
 02/11/04 (S) MINUTE(CRA)  
 02/18/04 (S) CRA AT 1:30 PM FAHRENKAMP 203  
 02/18/04 (S) Moved CSSB 269(CRA) Out of Committee  
 02/18/04 (S) MINUTE(CRA)  
 02/19/04 (S) CRA RPT CS 2DP 1DNP 2AM NEW TITLE  
 02/19/04 (S) DP: STEDMAN, WAGONER; DNP: ELTON  
 02/19/04 (S) AMEND: LINCOLN, STEVENS G  
 02/20/04 (S) HES AT 1:30 PM BUTROVICH 205  
 02/20/04 (S) -- Meeting Canceled --  
 02/23/04 (S) HES AT 2:30 PM BUTROVICH 205  
 02/23/04 (S) Moved CSSB 269(CRA) Out of Committee  
 02/23/04 (S) MINUTE(HES)  
 02/25/04 (S) HES RPT CS(CRA) 2DP 1NR  
 02/25/04 (S) DP: GREEN, WILKEN; NR: GUESS

03/03/04 (S) TRANSMITTED TO (H)  
03/03/04 (S) VERSION: CSSB 269(CRA)  
03/04/04 (H) READ THE FIRST TIME - REFERRALS  
03/04/04 (H) HES, JUD  
03/30/04 (H) HES AT 3:00 PM CAPITOL 106

BILL: SCR 19

SHORT TITLE: SUPPORTING FISHERIES EDUCATION

SPONSOR(S): SENATOR(S) STEVENS G BY REQUEST OF SALMON INDUSTRY  
TASK FORCE

01/23/04 (S) READ THE FIRST TIME - REFERRALS  
01/23/04 (S) HES  
02/25/04 (S) HES AT 1:30 PM BUTROVICH 205  
02/25/04 (S) Moved SCR 19 Out of Committee  
02/25/04 (S) MINUTE(HES)  
02/27/04 (S) HES RPT 2DP 2NR  
02/27/04 (S) DP: DYSON, WILKEN; NR: GUESS, GREEN  
03/03/04 (S) TRANSMITTED TO (H)  
03/03/04 (S) VERSION: SCR 19  
03/04/04 (H) READ THE FIRST TIME - REFERRALS  
03/04/04 (H) FSH, HES  
03/15/04 (H) FSH RPT 4DP 1NR  
03/15/04 (H) DP: OGG, WILSON, SAMUELS, SEATON;  
03/15/04 (H) NR: GUTTENBERG  
03/15/04 (H) FSH AT 9:00 AM CAPITOL 124  
03/15/04 (H) Moved Out of Committee  
03/15/04 (H) MINUTE(FSH)  
03/30/04 (H) HES AT 3:00 PM CAPITOL 106

**WITNESS REGISTER**

RYAN MAKINSTER, Staff  
to Representative Lesil McGuire  
Alaska State Legislature  
Juneau, Alaska

POSITION STATEMENT: Testified on behalf of Representative  
McGuire, sponsor of HB 338, and answered questions from the  
committee.

SENATOR LYDA GREEN  
Alaska State Legislature  
Juneau, Alaska

POSITION STATEMENT: Sponsor of SB 288 and SB 269, testified on  
the SB 288 and SB 269, and answered questions from the  
committee.

JACQUELINE TUPOU, Staff  
to Senator Lyda Green  
Alaska State Legislature  
Juneau, Alaska

POSITION STATEMENT: Testified on SB 288 and SB 269, and answered questions from the committee.

JOANNE GIBBENS, Program Administrator  
Office of Children's Services  
Department of Health and Social Services  
Juneau, Alaska

POSITION STATEMENT: Testified on SB 288 and answered questions from the members.

MARC ANTRIM, Commissioner  
Office of the Commissioner  
Department of Corrections  
Juneau, Alaska

POSITION STATEMENT: Testified in support of SB 269.

DIANE KELLER, Mayor  
City of Wasilla  
Wasilla, Alaska

POSITION STATEMENT: Testified in support of SB 269.

ANDREE McCLEOD  
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 269.

ARTHUR WEEKS, Director  
Anchorage Municipal Libraries  
Municipality of Anchorage  
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to SB 269 and answered questions from the members.

KAY JABUSCH, Public Librarian  
Irene Ingle Public Library  
Wrangell, Alaska

POSITION STATEMENT: Testified on SB 269.

JUDITH ANGLIN, Library Director  
Ketchikan Public Library  
Ketchikan, Alaska

POSITION STATEMENT: Testified on SB 269 and answered questions from the members.

JUNE PINNELL-STEPHENS, Past President and Board Member  
Alaska Civil Liberties Union (AKCLU)  
Fairbanks, Alaska

POSITION STATEMENT: Testified on AKCLU's behalf on SB 269 and answered questions from the committee.

CHRISTINE O'CONNOR, Librarian  
Dillingham Public Library  
Dillingham, Alaska

POSITION STATEMENT: Testified on SB 269 and answered questions from the members.

BARBARA BERG, Director  
Juneau Public Library  
Juneau, Alaska

POSITION STATEMENT: Testified on SB 269 and answered questions from the committee.

CHERYL SUTTON, Staff  
to the Joint Legislative Salmon Industry Task Force  
Alaska State Legislature  
Juneau, Alaska

POSITION STATEMENT: Testified on behalf of Senator Gary Stevens, sponsor of SCR 19.

#### **ACTION NARRATIVE**

#### **TAPE 04-24, SIDE A**

Number 0001

**CHAIR PEGGY WILSON** called the House Health, Education and Social Services Standing Committee meeting to order at 3:06 p.m. Representatives Wilson, Wolf, Coghill, and Seaton were present at the call to order. Representatives Gatto, Cissna, and Kapsner arrived as the meeting was in progress.

#### HB 338-ENTRY INTO SCHOOL

Number 0050

CHAIR WILSON announced that the first order of business would be HOUSE BILL NO. 338, "An Act relating to attendance at public school; and providing for an effective date."

Number 0153

REPRESENTATIVE COGHILL commented that he will not object to the bill moving out of committee; however, he told the members that he does not see the necessity of it since the administrative authority in school districts can make a determination already.

CHAIR WILSON said that there are probably a couple of districts where this change would be very meaningful, such as districts where there are a high number of people who are in the military.

REPRESENTATIVE COGHILL agreed with Chair Wilson's point, adding that he represents residents of Fort Wainwright.

Number 0278

CHAIR WILSON announce that Representative Cissna has joined the meeting.

Number 0288

REPRESENTATIVE WOLF pointed out that this issue could come back to the legislature again requesting that the date be rolled back to September 15, September 30, or October 15.

REPRESENTATIVE COGHILL replied that he talked with Eddie Jeans on that very issue. Mr. Jeans [Finance Manager, School Finance and Facilities Section, Department of Education and Early Development] explained to him that the school year starts on July 1 and ends on June 30.

Number 0354

RYAN MAKINSTER, Staff to Representative Lesil McGuire, Alaska State Legislature, testified on behalf of Representative McGuire, sponsor of HB 338, and answered questions from the committee. He told the members that he spoke with the Anchorage, Fairbanks, and Juneau school districts regarding the movement of the early entry date to whatever was actually established as the first day of school. The districts agreed that it would be better to have a concrete date rather than a rolling one. He summarized that it was the districts' wishes to have one established date.

Number 0396

REPRESENTATIVE COGHILL moved to report CSHB 338, Version S, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB

338(HES) was reported out of the House Health, Education and Social Services Standing Committee.

SB 288-TEMPORARY CHILD CUSTODY HRNGS/PLACEMENT

Number 0440

CHAIR WILSON announced that the next order of business would be SENATE BILL NO. 288, "An Act relating to certain determinations concerning placement of a child in emergency custody and temporary placement hearings in child-in-need-of-aid proceedings; and providing for an effective date."

Number 0457

SENATOR LYDA GREEN, Alaska State Legislature, sponsor of SB 288, testified on the SB 288 and answered questions from the committee. She explained that SB 288 defines language that a judge must use at a hearing when a child is being assessed or is being determined as a child-in-need-of-aid. This bill says that the judge must use the phrase "contrary to the welfare of the child", she stated. Senator Green emphasized that this bill has nothing to do with the process used in making that determination. This bill only refers to the language the judge must use at the time the decision is made, she reiterated. Senator Green pointed out that this has grave consequences for the lifetime of the child in custody because without this language federal funding will be denied until the child "ages-out" of the system. It could be a loss of hundreds of thousands of dollars over a child's lifetime. She stated that this language must be in statute in order to properly capture those funds.

CHAIR WILSON asked if this is a new requirement.

SENATOR GREEN responded that she does not know if this requirement is new.

Number 0588

JACQUELINE TUPOU, Staff to Senator Lyda Green, Alaska State Legislature, testified on SB 288 and answered questions from the committee. She explained that all the state laws are in place that dictate this process, this bill only conforms the language that the judge must use to be in compliance with federal requirements. Ms. Tupou told the members that this language

will ensure that the state will receive an estimated \$500,000 in federal [Title IV-E] funds in FY05 with the passage of this legislation.

Number 0637

REPRESENTATIVE WOLF referred to the last sentence in the sponsor statement which reads as follows:

The Office of Children's Services estimates that passage of this legislation will result in an increase in federal Title IV-E receipts of \$500,000 in fiscal year 2005.

REPRESENTATIVE WOLF commented that as a parent he finds this sentence troubling. While he has no problem with the bill, he stated he is really concerned when getting more money is linked to kids [being removed from their homes].

SENATOR GREEN reiterated that nothing about this bill changes the way the department or agency goes about making a determination for children.

REPRESENTATIVE WOLF replied that he understands that. It is the linking of receipts of money to the welfare of children that is bothersome, he reiterated.

Number 0730

REPRESENTATIVE CISSNA agreed with Representative Wolf on that point. She added that the state does not do everything it can to provide services to families. Many times services which would be helpful [in keeping families together] do not get to the families who have slipped through the cracks of the system. If the resources could be made available just before the judge is ready to make a decision, that is the teachable moment for the parents to change their lives, Representative Cissna said. Budget cuts that affect kids are scary.

Number 0814

REPRESENTATIVE WOLF moved to report SB 288(JUD), Version V, out of committee with individual recommendations and the accompanying fiscal notes.

Number 0847

REPRESENTATIVE CISSNA objected. She said she would feel more comfortable with this bill if the department would make more of a commitment to keep kids in their homes and/or return them to their homes.

Number 0907

JOANNE GIBBENS, Program Administrator, Office of Children's Services, Department of Health and Social Services, testified on SB 288 and answered questions from the members.

REPRESENTATIVE CISSNA noted that there is a shift from using state general fund dollars to obtaining as much in federal funds as possible. In making this change there is a certain amount of risk because the federal government disallows a lot of the billings sent to them through Medicaid. She said she has been working for six years to get intensive family services in place at that moment when the judge is about to determine that the home is not safe. It is that moment many families can be helped, but the state is not offering these services, she added. The foster care system funding has been whittled away, so there is little training there too, and that is where the children will go.

MS. GIBBENS replied [what happens next] depends on the judge's determination.

REPRESENTATIVE CISSNA said the money is an incentive to remove the child, but the system is overwhelmed. The state is not helping families keep their kids, or there would not be so many kids in the system, she added. Money isn't going into the foster care system either. Representative Cissna told the members that she wants commitments from the department.

CHAIR WILSON commented that there are many changes taking place in the system now. Next year may be a better time to make demands because many of those changes will be in place. She agreed with Representative Cissna on the funding issue and offered to speak with members of the House Finance Committee on that point.

Number 1136

REPRESENTATIVE SEATON asked for clarification on Representative Cissna's question. He questioned whether she believes passing this bill at this time, which would provide access to federal

funds, would then influence judges to pull more kids from their families.

REPRESENTATIVE CISSNA replied that the incentive would not be for the judge to make that determination; it would be an incentive to the state and incentives matter. It is an additional \$500,000 that the state would receive. Representative Cissna told the members that it has been known for six years that intensive family services work.

CHAIR WILSON urged Representative Cissna to sponsor a bill to implement intensive family services. She asked Ms. Gibbens to respond to Representative Cissna's comments.

MS. GIBBENS responded that this bill requires that the judge make a certain ruling at the first hearing that concerns the placement of the child. She explained that part of the reason this language is a requirement for Title IV-E funding is because the federal government wants to ensure that the parent's rights and the child's rights are protected. If the judge does not make that ruling, then the child would be returned to his/her home, she said. The federal government is very clear that the judge has made that ruling before providing funds.

MS. GIBBENS pointed out that the Office of Children's Services is undergoing a tremendous amount of change at the present time. Keeping children in their own home and preventing removal is one of the major areas of the program improvement plan, she said. That is one of the reasons why the department has implemented the new Family-to-Family Project. The number one priority is to keep kids safe, and families together if at all possible, she summarized. Ms. Gibbens told the members that she is very comfortable making that commitment on behalf of the Office of Children's Services.

CHAIR WILSON commented that next year she hope the House Health, Education and Social Services Standing Committee would be briefed on the progress the Office of Children's Services has made in achieving these goals. She added that she hopes that next year there will be additional funding to address [some of the concerns Representative Cissna mentioned].

Number 1360

A roll call vote was taken. Representatives Wilson, Wolf, Coghill, Seaton, and Gatto voted in favor of SB 288. Representatives Cissna voted against it. Therefore, CSSB

288(JUD), version V, was reported out of the House Health, Education and Social Services Standing Committee by a vote of 5-1.

SB 269-PARENT ACCESS TO CHILD'S LIBRARY RECORDS

Number 1440

CHAIR WILSON announced that the next order of business would be SENATE BILL NO. 269, "An Act relating to access to the library records of a child by a parent or guardian."

Number 1464

SENATOR LYDA GREEN, Alaska State Legislature, as sponsor of SB 269 presented the bill and answered questions from the members. She told the members that she introduced SB 269 after having conversations with residents in her district who had received telephone calls from the local library concerning their children. One was to say that a book had arrived that the child had on order. The parent asked for the name of the book and was told that the name of the book could not be shared because that was confidential information. The parent was also told that the book could not be picked up with out the child present. In another instance that telephone message was left that there were books overdue and a fine was being imposed. In this case it happened to be the mayor of Wasilla. When she called back to get the names of the books so she could look for them, she was informed that she could not have the names of the books her eight or nine year old child had checked out. Senator Green said that she was sure someone had misinterpreted what the law says so her office began the quest to determine this interpretation.

Number 1543

SENATOR GREEN explained that current law allows parents to access children's library records at public school libraries, but public libraries are not included in that language so there is an assumption that the law does not include a public library. The Federal Education Rights and Privacy Act (FERPA) requires that parents do have the right to access all educational records of their children in a public school. This bill brings Alaska's statutes into conformity with FERPA which provides for parents with children under the age of 18 years old to access those records, she said. Senator Green pointed out that this bill

will make public library standards conform to school library standards. She emphasized that she would not want to discourage anyone from reading, or deny anyone the privacy of reading whatever it is he/she may wish. It is her concern that parents have the right to access what their children are reading. There is a real inconvenience for parents to not have that access over the telephone. Senator Green said she finds it a disagreeable issue that a public library could have more information about a child's records than a parent is entitled to. There has been a great deal of supportive correspondence. She added that she does not want to create a more difficult process for public libraries and understands that there is a reason for privacy protection on books that are checked out of the library. For instance, she would not want to see a published list of books and the people who checked them out.

Number 1760

MARC ANTRIM, Commissioner, Office of the Commissioner, Department of Corrections, testified in support of SB 269. He told the members that he is testifying today as the father of Molly, his 18-year-old daughter who is a voracious reader. He told the members that this bill has special significance to him because it addresses the concern of parental control. There is concern about movies and TV shows that children watch with respect to sexual and violent content. Commissioner Antrim pointed out that this bill will give rights back to parents to monitor what children are reading. He pointed out that parents are financially liable for the books their children take out, but currently cannot know what those books are. At the other end of the spectrum he said he wanted his daughter to read everything that she could. He shared that at a very early age his daughter received a library card, she would reserve a book through their home computer, and he would receive a call when the book was in. Then one time he went down to pickup a book for her and he was advised that she had to be with me in order to get the book. He told the members that he got into a heated discussion and realized it was the library's policy and there was no purpose in arguing about it. Later he called the librarian and made an arrangement whereby a note was placed in the computer to allow him to pickup his daughter's books. That worked for a short while. At a certain point that even stopped. By the age of 13 his daughter stopped using the public library and she now uses Amazon.COM where she can buy used books. Commissioner Antrim told the members that he thinks this is wrong and is a result of unintended consequences of policies in place now. He pointed out that Juneau's library is not near a

lot of neighborhoods and it was convenient for him to swing by the library on the way home and pickup books. He urged the members' support of SB 269.

Number 1923

REPRESENTATIVE GATTO commented if library books are private, maybe grades should be private too. Most kids would vote for that. The current right to privacy from parents on library books that are checked out has gone beyond the point of being reasonable, he added.

COMMISSIONER ANTRIM agreed that the current law does not make sense.

Number 1970

DIANE KELLER, Mayor, City of Wasilla, testified in support of SB 269. She explained that when her son was young she got him his own library card to teach him about responsibility. However, there came a time when there were books that needed to be returned and she wanted to find out what was checked out so they could be returned. She was told that the information could not be provided to her. Mayor Keller said she and her son searched the house for any books that were clearly library books, but did not get them all. The library then sent her a bill for overdue books her son had checked out and listed every title that she was refused to be given on the telephone prior to them being overdue. There is an inconsistency in that she can't know what the books are before they are overdue, yet she is held responsible for them later.

MAYOR KELLER told the members that she has had numerous parents complain to her on this same issue. She has encouraged them to contact their legislature because it is a state issue, rather than a local one. She told the members she supports the bill.

Number 2102

ANDREE McCLEOD testified in support of SB 269. She told the members that she is the parent of a 21 year old and as far as she is concerned he still does not have a right to privacy. She said that she wants to thank Senator Green for taking on what might appear to be an annoyance, but in all actuality points to an acrimonious public policy that is adversarial to parents and guardians of children under the age of 18. Ms. McCleod

commented that she is appalled at what prompted this legislation and urged the members to support the SB 269.

Number 2212

ARTHUR WEEKS, Director, Anchorage Municipal Libraries, testified in opposition to SB 269 and answered questions from the members. He explained that he has been a librarian for the past 28 years and is the father of two children, one who is now an adult. He told the members that for all of those years he has protected the rights of privacy of individuals who make reading a matter of personal inquiry and who want to take themselves on a self-directed individual educational path that is free from oversight of the state or a parent. For example, a child may seek information at the library to help them through a difficult time, whether it be parental abuse, alcoholism, or other conditions in which the child may not want parental oversight.

MR. WEEKS commented that the reason this bill was written is that the parent asked what the child was reading. He said he wonders why the parent didn't simply ask the child. Mr. Weeks said that with open communication this bill should not be necessary. He said that the mission between school libraries and public libraries is very different. The mission of the public libraries is to provide information and inspiration for people to grow and develop. This bill would undermine that mission, he added. He said he understands why parents want the assistance of a librarian guiding and coaching children in what their reading should be. At a young age a child should not be at a library without their parent anyway, he said. When a child reaches the teen years he/she should be able to explore with the same kind of protection to privacy as that offered by a psychologist or health care provider. Mr. Weeks told the members that he strongly opposes this bill. It could have the same results as the Patriot Act and the members could find that there are unintended consequences of this legislation.

Number 2384

REPRESENTATIVE GATTO asked if Mr. Weeks is familiar with the book titled "It is Only Natural."

MR. WEEKS said that he is not familiar with it and asked Representative Gatto to review it for him.

REPRESENTATIVE GATTO said that it is a very controversial book and has been asked to be removed from certain libraries. It

treats sexuality very factually and is full of photographs. He said that it was available to children in elementary schools.

**TAPE 04-24, SIDE B**

REPRESENTATIVE GATTO told Mr. Weeks that this book actually told students how to have sex. He asked him if he did not think that it might be important for parents to know if their child was checking out books such as this.

MR. WEEKS replied that he is from the school that if a child is old enough to ask, then the child is old enough to get a responsible answer. He commented that his child, who is about 11 years old, recently asked him about sex.

Number 2350

REPRESENTATIVE WOLF asked if Mr. Weeks wouldn't prefer that his child ask him the question rather than go to the library for the answers. He asked him if he didn't see this as a parent's responsibility rather than some librarian who is a stranger.

MR. WEEKS said that he has observed that his child selects reading matter at the level that he can understand what he is reading and viewing. He said he is not worried that this would bring harm to his child.

KAY JABUSCH, Public Librarian, Irene Ingle Public Library, testified on SB 269. She told the members that she was born and raised in Wrangell and has served as the public librarian for 22 years. Ms. Jabusch explained that her concern lies with the fact that the library staff has no way to determine which parent or guardian may have the legal right to request the information about their child's library records. She pointed out that the public library does not work under the same conditions as the school library. There could be some liability to the staff under the proposed law, Ms. Jabusch added. She summarized her comments by saying that there has not been one instance where the library staff has not been able to work with the parents and the child with regard to the books that were borrowed from the library. The existing rules work, she added.

Number 2235

JUDITH ANGLIN, Library Director, Ketchikan Public Library, testified on SB 269 and answered questions from the members. She said that she does have parents come into the library and

request information about the books their child has checked out. It is explained to them that a permission note from the child must be placed on the child's record saying it is okay for the parents to see the child's records. Ms. Anglin told the members that once that is done, it remains in place until the child requests the permission note be removed. She emphasized that it is not that difficult a situation to work around. Ms. Anglin said that the point needs to be made that not all families are fully functional and not all parents have their children's best interest at heart. Sometimes children need protection from their families. Ms. Anglin told the members that she agrees with Kay Jaybusch's comments that this puts public librarians in an untenable situation. She said she believes it is important that young adults are free to seek information without their parent's knowledge. This could create a difficult situation at home, she added. In summary, she told the members that she does not want to see librarians getting between parents and children.

Number 2148

REPRESENTATIVE GATTO asked if the current law doesn't create the environment that puts the library staff between the parent and the child, rather than avoiding it.

MS. ANGLIN replied that obviously she has a difference of opinion. She commented that a parent can always ask their child and the child can always ask their parent. Ms. Anglin said that the librarian would prefer not to be making these judgment calls about who is or is not authorized to get this information. It would be better for the parent and child to work it out between them.

REPRESENTATIVE GATTO asked Ms. Anglin if she does not see it as a judgment call when denying the right for a parent to view records. He asked which parent would have the right to view their child's library records and which parent would lose the right, if parents are not getting along.

MS. ANGLIN responded that there would be no way for a public librarian to know that information. It is not possible for a librarian to know which parent has custodial rights and which one does not.

REPRESENTATIVE GATTO asked how it would make any difference which parent had custodial rights. Why would one parent have that right and not the other, he asked. Perhaps Ms. Anglin believes that it is appropriate for her to determine which

parent has the right and which one does not, in spite of what the noncustodial parent may want, he added.

MS. ANGLIN said that she does not want to comment because she does not have the expertise to make that judgment.

Number 2072

REPRESENTATIVE CISSNA asked how often it is necessary to explain to parents that they must get their child's permission.

MS. ANGLIN responded that it probably comes up about once a month.

REPRESENTATIVE CISSNA asked how many people use the library.

MS. ANGLIN replied that the library lends about 200,000 items per year.

Number 2010

JUNE PINNELL-STEPHENS, Past President and Board Member, Alaska Civil Liberties Union (AKCLU), testified on AKCLU's behalf on SB 269 and answered questions from the committee. She told the members that in addition to her work on the AKCLU she has also been a public librarian for more than 30 years. Ms. Pinnell-Stephens shared that she has served as the President of the Alaska Library Association and the Pacific Northwest Library Association. She stated that she does not support the change in the confidentiality records in SB 269.

MS. PINNELL-STEPHENS explained that in most libraries before children under a certain age can obtain their own library card parents must sign a form agreeing to be responsible for their children's use of the library. Even if this form were not signed, parents are still responsible for their children's actions whether or not the parent agrees with the child or not. Ms. Pinnell-Stephens said that once a card has been issued anyone can use it. She commented that parents can use their child's card to check out items if they have forgotten their own card or often because their cards are blocked because the parent has overdue material.

MS. PINNELL-STEPHENS pointed out that with this bill all the records could be divulged, possibly to a divorced spouse, who may or may not have custody of a child, but would have a right under this change to view the records. Libraries that do not

have the means or authority to unravel complicated family relationships will be placed in the middle of a custody battle or divorce, particularly when there is a disagreement in how to raise their children, she added.

MS. PINNELL-STEPHENS explained that all libraries send out notices on overdue materials which provides all the information necessary for parents to track down the material and return it. There may be fines to pay, but they are capped at a very modest amount. Many libraries, such as the one where she works does not charge fines at all, she added.

MS. PINNELL-STEPHENS said that she believes there are two possible reasons for this bill. One is to help parents avoid minor inconveniences in handling their children's transactions at the library. Parents who are concerned about fines should work with the local library to adjust fines or have them eliminated, she added. Another way to address this problem is to note the number of books that are checked out or designate a special shelf at home for easy identification. Many states have laws which allow a person to authorize release of his/her records. Ms. Pinnell-Stephens said she would support this kind of amendment to the bill. She commented that she heard Federal Educational Records Privacy Act (FERPA) mentioned and explained that this act does not apply to public libraries because public libraries do not have students.

MS. PINNELL-STEPHENS offered another possible reason for this bill is to help parents control the content of what their children are reading. The right to privacy statute is guaranteed in the state's constitution and one that is not restricted by age. She suggested that a better way for parents to handle this kind of problem is to use this as an opportunity to discuss what their children are reading and to share their values and provide guidance. She said that unfortunately for many children they are trapped in grim family situations where the library is the only source of information or solace. Children may check out books about abuse to write a report for school, but they may also be victims of abuse.

Number 1859

MS. PINNELL-STEPHENS summarized that there are less restrictive ways to address the inconvenience to parents. She urged the members to support the constitutional right to privacy.

Number 1840

CHAIR WILSON commented that she understands what Ms. Pinnell-Stephens is saying about the right to privacy. If a child is being abused, the child likely would not bring a book about that subject home. She said that she is having a hard time connecting the concern about taking away rights to privacy when the child could just spend the time in the library, read the book, and not even check it out.

MS. PINNELL-STEPHENS replied that the underlying principal is that minors have the same constitutional rights as adults. She said that the older a child is, the more likely the courts would uphold the rights of a minor. There could be some very substantial challenges on the right to privacy as well as the right to receive information.

Number 1770

REPRESENTATIVE KAPSNER posed a hypothetical question about a child who is a ward of the state and in foster care. She asked who would sign off for the child [to have a library card].

MS. PINNELL-STEPHENS replied that she has no idea.

Number 1740

REPRESENTATIVE WILSON commented that she believes that librarians are fearful of being held liable because information was released to the wrong parent. She asked if Ms. Pinnell-Stephens believes that if this bill passes, a librarian will be held liable at some point.

MS. PINNELL-STEPHENS responded that it is possible that at some point librarians will be drawn into a legal action because often parents do not agree on how to raise their children. She pointed to the U.S. Supreme Court case that was argued last week where the "Under God" phrase in the pledge of allegiance was discussed. In this case one parent took the case to the U.S. Supreme Court, while the child and mother did not agree with the father.

Number 1670

REPRESENTATIVE SEATON asked if she has any citations in Alaska that would relate to the right of privacy, at what age, and schools libraries vs. public libraries, that might apply to this bill.

MS. PINNELL-STEPHENS replied that she does not have one for Alaska or even the 9th Circuit Court of Appeals, but would be happy to check into it and get the information back to the committee if she finds something.

Number 1640

CHRISTINE O'CONNOR, Librarian, Dillingham Public Library, testified on SB 269 and answered questions from the members. She told the members that she believes this bill needs to be amended to protect the teens who use the library. Unfortunately, not all teens come from caring homes. In some cases the parents are either indifferent or harmful to these young adults. She explained that these are the teens she believes will be harmed if this bill passes as it now reads. Teens who lose the privacy of their library will be losing the security of knowing that they can come to the library for safe access to vital information. Ms. O'Connor told the members that girls will come to her with a stack of books and as she is checking them out, she will realize the books are about pregnancy. While she knew these teens and their parents, each time she was saddened to realize that these young girls were developing an understanding for the situation they were in. These girls almost always come from sad homes, where they have virtually raised themselves because of neglect or abuse, she added. In small towns a visit to the public health center does not go unnoticed, she said. The library allows teens the ability to get the information needed privately and then they can make decisions with a little more information than they once had. In summary, Ms. O'Connor urged the members to maintain the privacy sanctuary and keep these at risk teens in mind when hearing this bill.

Number 1550

REPRESENTATIVE GATTO asked if teens ever come to the library, read, and not check out books.

MS. O'CONNOR said yes. A particular book called "A Woman's Body" which is not explicit, but one which she often finds in the back corner of the library. She said that she does not agree with an earlier comment that kids that are at risk would not check out a book on abuse and take it home. Many kids will leave the book in their backpack or in their school locker. She said she knows this because at the end of the school year the school will return some of the books to the public library.

Number 1494

BARBARA BERG, Director, Juneau Public Library, testified on SB 269 and answered questions from the committee. She provided the members with a copy of the Patron Right to Privacy procedures used by the City and Borough of Juneau's public library. Ms. Berg told the member that while she is very sympathetic to parents' interest in being involved in their children's education and reading, she said she believes the best way to accomplish that is for parents to discuss with their children what they are reading and learning in school. It is also important to go to the library with them when they are young, so that as they get older the parents can trust their judgments.

Number 1422

MS. BERG told the members that librarians are concerned not just because they would be required to reveal the private reading matter of children, but personal registration information is also covered by this bill too. She pointed out that a librarian does not know if the person requesting the information has any right to that information. It could be the parent, legal guardian, or some stranger off the street who is representing themselves as a parent or guardian. She noted that these days very seldom do children have the same last name as their parents. There is no real way for a librarian to establish that the adult requesting the information has any right to it without requesting a birth certificate or passports.

MS. BERG said that she is concerned with young adults needing sensitive information and being unwilling to engage in a transaction in a public library to take that material out unless they have an expectation of confidentiality.

Number 1340

MS. BERG referred to the Patron Right to Privacy policy and discussed the way the library enables parents to see what the children have checked out. The parent can instruct the child to request a copy of the material checked out, the parent can retain possession of the card, and the parent can do all the checkout for the child on the child's card. Ms. Berg explained that if a parent has the child's library card, it is assumed to be permission to access library records and check books out for the child. A signed note can also be used to pickup materials for a child. She said that if someone comes in without the

library card or note, and the person is available by telephone then their verbal agreement would allow books to be checked out for the child. Ms. Berg told the members that it is the library's position that once a notice of overdue books has gone out, the right of privacy has been lost because the financial responsibility has been transferred to the parent.

MS. BERG commented that this bill would extend to state libraries as well. She said that 48 states disallow examination of records by anyone other than the cardholder in academic and state libraries. Also, in 41 states someone other than the cardholder is disallow examination of records in public libraries.

CHAIR WILSON clarified that whoever has possession of the card has access to the records, even if the card is not in that person's name.

MS. BERG told the members that in the Juneau library system the interpretation of the confidentiality law provided to them by the city attorney indicates that the contract is the card. If a parent has the card in their possession there is the assumption that the parent has been given permission to see what has been checked out on that card, she said. This interpretation has not been tested in a court of law, she added. Ms. Berg explained that the library was also told on the advice of the city's legal representation that when money is owed or items are overdue, the parent may see what is on the record because they have a financial responsibility.

CHAIR WILSON commented that before a child gets a library card the parent must sign an agreement that they will assume financial responsibility for whatever is checked out on the card. So the parent can't know what was checked out; however, if it is past due, then the library will tell the parent what is overdue.

MS. BERG replied that is correct, because a financial responsibility has been incurred at that point.

CHAIR WILSON asked if this breaks the privacy protection of the child.

MS. BERG responded that it does not break the privacy protection of the child according to the legal advice the libraries were given by the city attorney. She commented that there is some inconsistency in how this is applied. Ms. Berg said that a

previous speaker appreciated that a note could be attached to the system, but unfortunately, the current system does not allow notes to be attached. It is a software problem, she added.

CHAIR WILSON asked for clarification on her comment about 41 states.

MS. BERG replied that 41 states do not allow examination of library records by anyone other than the cardholder.

Number 1046

REPRESENTATIVE CISSNA asked how often this becomes an issue.

MS. BERG responded that she could not say because she does not work at the circulation desk. She commented that the only time she hears about it is when someone is upset about it. Ms. Berg did say that the example that was given today [by Commissioner Antrim] is the only one she recalls since being named acting director in May of last year. The policy is normally explained to the parent when they sign their child up for a library card, she added.

REPRESENTATIVE CISSNA asked how a child normally gets a library card.

MS. BERG said the parent comes in with the child. If a child comes in and asks for a card then a guardian card is given to the child to take home for signature. The card is completed and signed, and then brought back to the library where the child will receive a library card, she explained.

Number 0923

REPRESENTATIVE GATTO pointed to page 1, lines 12 through 14 which reads:

(b) Records of a [PUBLIC ELEMENTARY OR SECONDARY SCHOOL] library identifying a [MINOR] child under 18 years of age shall be made available on request to a parent or guardian of that child.

MS. BERG responded that is correct. She noted that this relates to a public elementary or secondary school library; it is not a public library.

REPRESENTATIVE GATTO clarified that parents can get information on books checked out from a school library at any time, but not

from a public library. He asked Ms. Berg if she believes that is a distinction that is reasonable or beneficial.

MS. BERG replied that she does believe it is reasonable and beneficial because the public library is an independent learning environment. She said she believes it is especially essential when children reach their teen years. At this point the teens are using the library as adults to foster their own learning.

Number 0828

REPRESENTATIVE GATTO commented that there are a lot of TV ads that ask parents how they know if their kids are on drugs, and the response is that they ask their kids every day. He said that is an ad that is promoting parental involvement in the activities of their children. He asked Ms. Berg if that is in keeping with the situation where it is being said that parental involvement is not wanted.

MS. BERG responded that is absolutely not what she is saying. She clarified that she does want parental involvement but said she does not believe parental involvement should occur by putting a librarian between a child and his/her parents. She said she believes parents should be talking with their children, going to the library with them, and should be constantly engaged in their lives. If a parent is caring and involved in a child's upbringing the child does not become secretive.

Number 0734

SENATOR GREEN directed the members' attention to the list of state's which specifically say that parents are allowed access to school library records.

CHAIR WILSON asked how current the list is.

JACQUELINE TUPOU, Staff to Senator Lyda Green, Alaska State Legislature, testified on SB 269 and answered questions from the committee. She told the members that she obtained the information from the National Conference of State Legislatures (NCSL) about three months ago.

SENATOR GREEN continued to explain that in eight states it specifically says parents have access to public library records, 14 states provide for students' library records to be private and 23 states have no laws specifically addressing children, but provide for public library records to be confidential. She told

the members that she did further research on the states that are silent and do not address children's privacy rights. However, whenever there has been a court process dealing with this issue the courts have sided with the parents' rights to access of their children's records with respect to public libraries.

CHAIR WILSON clarified that according to the NCSL 13 states allow parental access, 14 states provided for records to be private, and 23 state have no laws specifically addressing children, but provide for public library records to be confidential.

MS. TUPOU provided additional clarification that in the 23 states that do not have a specific law either way, although library records are confidential there are four incidents of case law that says that if it came right down to it the parents have the right to the records and children do not have rights of privacy for the library records. She commented that given this case law it could be viewed that these states did not provide for the children's records to be private.

REPRESENTATIVE SEATON pointed out that of the 13 states that provide parental access, five of those states specifically say access to school library records. In the case of those five states the law would not apply to public library records, he commented. He said that he believes under federal law all states would have to allow access to library records for all schools, so those five states are really just mirroring the federal law. Representative Seaton noted that there are really only eight states that allow for parental access to children's public library records.

MS. TUPOU told the members that Representative Seaton is referring to the Family Educational Rights and Privacy Act (FERPA) which became law in 1974. In 2002 there was a U.S. Supreme Court decision which said that the federal government needs to be diligent about enforcing this law. As a result an office called the Family Compliance Office was opened to specifically ensure that parents have access to their children's records, she explained. A state that is not in compliance will lose all federal education funding. She suggested that as the office looks at each state and its compliance, these issues will be raised in other states as well.

SENATOR GREEN noted that this act refers to public school records.

REPRESENTATIVE SEATON commented that the numbers are consistent.

SENATOR GREEN reiterated that there are 23 states where the law could apply.

Number 0406

REPRESENTATIVE CISSNA pointed out that Alaska has some of the strongest privacy laws in the nation. She shared that she taught her daughter the right to privacy and dignity at an early age. If her daughter received a library card at an early age, Representative Cissna said she would have kept the library card herself. Children who receive and keep library cards themselves probably do not have the kind of parents who would be checking what their children read, until it was necessary to pay a fine. She said that she likes the idea of a parent asking their children for permission because it is giving a child some power.

REPRESENTATIVE CISSNA asked if the age of 17 could be reconsidered since children start to take on more responsibility, go places, and do things on their own at a younger age.

NUMBER 0202

SENATOR GREEN responded that she looked at the FERPA requirements for consistency purposes and set the age at the same level as that in federal statute. She pointed out that parent's still have the financial responsibility for overdue or lost books until the age of 18. Senator Green commented that children do not have the right to enter into contracts, nor do they have the right to give their parents permission to do these things. That is a distinction that is being made here. She told the committee that civil rights and rights to privacy are subject to interpretation, particularly where parents have rights and a responsibility for oversight. Senator Green stated that this bill was not intended to become a civil rights issue. It is to bring some degree of reason to daily life in raising children. She reiterated the frustration felt by many parents and the inflexibility of many libraries which has become a problem. She noted that the Juneau model probably works very well in Juneau; however, she told the members that no one should have more information about someone's children than the parent has.

**TAPE 04-25, SIDE A**

Number 0040

REPRESENTATIVE CISSNA responded that she understands what Senator Green is saying and would normally agree with her, but in this case the parent has signed a form or contract that says their child has permission to check out items from the library. She said it is her understanding that the rules which relate to this are clearly delineated on the form.

SENATOR GREEN said that she believes that may only apply to the Juneau Public Libraries.

REPRESENTATIVE CISSNA commented that she would like to know if that is the case.

MS. TUPOU shared that Senator Green's office has talked to many libraries across the state who have a variety of approaches to this issue. She said that when the parents do sign the form agreeing to be legally responsible for the books, what they are really signing is that they are legally responsible for their child's actions with respect to the items checked out of the library. So what this legislation is saying is that parents have access to what they are legally responsible for.

MS. TUPOU told the members that she has talked extensively with Legislative Legal and Research Services about this issue. She faxed Juneau public library's policy to them and their take is that the way it is giving out information to parents is on very soft legal ground and in some cases it is actually breaking the law. She commented that it is unfortunate that this is turning librarians into criminals for using common sense and providing information to parents.

Number 0182

REPRESENTATIVE SEATON asked what criteria librarians use to determine who the legal guardian is for a child.

SENATOR GREEN responded that it is being done the same way it is done when the parent or guardian comes into the library with the child to apply for a card. She said her issue is not with the level of the reading material, but with the common sense information a parent should be entitled to from the public library. She pointed out that no parent would go to a library and ask for an address or phone number for their child. She commented that this really is about simplicity. In response to Representative Kapsner's comment about children in foster care,

in this case the agency approved foster parent should be the person who should have access to that information for that child, she said.

Number 0369

REPRESENTATIVE SEATON commented that a lot of times it is the devil in the details. There are a lot of parents who are divorced and a non-custodial parent may want information that the library is required to provide, including personal information and the child's book list. This could make an interesting case, he added. Representative Seaton asked what would happen with emancipated minors.

SENATOR GREEN told the members that emancipated minors are considered independent from parental control.

Number 0420

MS. TUPOU offered a point of clarification that Legislative Legal and Research Services stated that a librarian who acts in good faith would not be subject to litigation in a case where information were provided to someone who is not the child's parent or legal guardian.

CHAIR WILSON asked Ms. Tupou to expand on that point.

MS. TUPOU said that Legislative Legal and Research Services advised her that when talking about the legal issues of liability if something were to occur in which a librarian acted in good faith during the normal course of his/her job the librarian would not be subject to litigation.

CHAIR WILSON asked Ms. Tupou to provide a written legal opinion from Legislative Legal and Research Services which could be forwarded to the next committee of referral.

MS. TUPOU said she would do that.

REPRESENTATIVE SEATON told the members that he would like to hear a discussion on the constitutionality of the privacy provision by Legislative Legal and Research Services. He commented that Alaska is quite different than other states in that Alaskans' privacy is protected under its constitution. Representative Seaton said that he would also like to know how this relates to the University of Alaska and private nonprofit organizations.

Number 0586

MS. TUPOU commented that Senator Green's office had received an e-mail that there might be constitutional issues with respect to privacy with this bill. She explained that in her discussions with Legislative Legal and Research Services it was indicated that under the constitution it is the legislature that sets those policies with respect to privacy.

Number 0605

REPRESENTATIVE COGHILL read [Article I, Section 22] of the Constitution of the State of Alaska as follows:

Right to Privacy. The right of the people to privacy is recognized and shall not be infringed. The legislature shall implement this section.

REPRESENTATIVE COGHILL commented that the legislature has done this many times. The basis of this argument and the policy call that the legislature is asked to make is if a parent is responsible for the establishment of the library card and the items that may be checked out on it, then do the parents have the right to that information. He said he sides with the parents right to have the information over a library official's determination. Representative Coghill said he believes that would stand up in any court.

CHAIR WILSON agreed with Representative Coghill. However, she said that she wants to assure that librarians are not left in the middle.

REPRESENTATIVE COGHILL said he appreciates and agrees with Chair Wilson's concern for librarians. Once the librarian gives the information to the parents, any argument is really between the parent and the child, he added.

CHAIR WILSON stated that librarians should not concern themselves as to whether the parent requesting the information is the custodial parent or the visiting parent. This should not be a problem. If it becomes one, the legislature could fix it, she added.

Number 0767

REPRESENTATIVE CISSNA commented that if a parent goes to check

out a book a library card is necessary.

MS. TUPOU said that is not exactly correct. She explained that in the example discussed earlier the books were checked out on-line. In doing this the child's library card number was entered into the computer electronically and the parent stopped by to pick up the books later. She added that this may not be possible at every library in the state, but some libraries do offer this option.

REPRESENTATIVE CISSNA asked how many [libraries] can check out books on-line.

MS.TUPOU responded that she does not know.

SENATOR GREEN commented that she assumes all the major municipalities have this capability.

Number 0870

REPRESENTATIVE SEATON told the members that last session the legislature passed [SCS CSHJR 22(Jud)] which was related to the Patriot Act. On page two of that legislation it read as follows:

FURTHER RESOLVED that, in the absence of reasonable suspicion of criminal activity under Alaska State law, may not

(1) initiate, participate in, or assist or cooperate with an inquiry, investigation, surveillance, or detention;

(2) record, file, or share intelligence information concerning a person or organization, including library lending and research records, book and video store sales and rental records, medical records, financial records, student records, and other personal data even if authorized under the USA PATRIOT Act;

REPRESENTATIVE SEATON commented that at the time this resolution unanimously passed both houses of the legislature there was discussion that the members did not want records maintained, such as library records, that could then be shared with the federal government. He said he wants to make sure it is on the record that this bill does not require any libraries to maintain records beyond its normal policy and is consistent with [SCS

CSHJR 22(Jud)].

Number 0950

REPRESENTATIVE COGHILL agreed with Representative Seaton's point. He commented that it is a stretch to connect these two pieces of legislation. He stated that there is nothing in SB 269 which would require retention of library records. Representative Coghill told the members that he was the co-author of the resolution which came about as a result of concerns for government intrusion, and this bill is about parental involvement in their children's lives. These are two entirely different issues, he added for the record.

MS. TUPOU agreed with the Representatives Seaton and Coghill and reiterated that SB 269 has nothing to do with record retention. She pointed out that the state archivist is the person who oversees record retention and believes the policy is to retain records for state libraries for three years. He also puts out a suggested records retention schedule to each of the municipalities, but each library decides its own policy, Ms. Tupou explained.

Number 0999

REPRESENTATIVE COGHILL moved to report CSSB 269(CRA), 23-LS1457\Q, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSSB 269(CRA) was reported out of House Health, Education and Social Services Standing Committee.

SCR 19-SUPPORTING FISHERIES EDUCATION

Number 1010

CHAIR WILSON announced that the final order of business would be SENATE CONCURRENT RESOLUTION NO. 19, Relating to the support of fisheries education, training, and research and encouraging collaborative efforts between the state, the University of Alaska, and other educational institutions to provide fisheries education programs.

Number 1070

CHERYL SUTTON, Staff, Joint Legislative Salmon Industry Task Force, Alaska State Legislature, testified on behalf of Senator

Gary Stevens, sponsor of SCR 19. She commented that Chair Wilson and Representative Seaton have already heard this bill in a previous committee and asked for their assistance in ensuring that all pertinent information that she might omit, be provided to the members. Ms. Sutton explained that the Legislative Salmon Industry Task Force recommended this resolution because of its belief in the importance of fisheries education, training, and research as a long-term solution for revitalizing the fishing and seafood industry. She added that currently there are no educational institutions in the United States that offer a seafood business degree. This resolution recommends that education providers in the state collaborate to develop and provide fisheries education programs in Alaska.

MS. SUTTON told the members that in the House Special Committee on Fisheries Representative Ogg recognized that former Representative Hermann was the moving force behind this effort. She pointed out that there is a zero fiscal note and that SCR 19 unanimously passed the Alaska State Senate.

Number 1121

REPRESENTATIVE WOLF said that since no educational institutions offer seafood business degrees, he asked if the University of Alaska might develop an educational curriculum for industry professionals such as roe inspectors.

MS. SUTTON replied that is precisely what SCR 19 would encourage.

Number 1152

REPRESENTATIVE SEATON moved to report SCR 19 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, SCR 19 was reported 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 5:00 p.m.