

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

April 18, 2005

1:34 p.m.

**MEMBERS PRESENT**

Senator Fred Dyson, Chair  
Senator Gary Wilken, Vice Chair  
Senator Lyda Green  
Senator Kim Elton  
Senator Donny Olson

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

CS FOR HOUSE BILL NO. 128(HES)

"An Act establishing the Alaska Schools Physical Activity Task Force."

HEARD AND HELD

SENATE BILL NO. 156

"An Act relating to notification to teachers of layoff or non-retention."

MOVED SB 156 OUT OF COMMITTEE

SENATE BILL NO. 167

"An Act authorizing credit in a public correspondence study program for privately purchased curriculum materials from a religious institution."

HEARD AND HELD

SENATE BILL NO. 150

"An Act repealing the limits on grants awarded from the Alaska children's trust fund."

BILL HEARING CANCELED

**PREVIOUS COMMITTEE ACTION**

BILL: HB 128

SHORT TITLE: SCHOOLS PHYSICAL ACTIVITY TASK FORCE

SPONSOR(S): REPRESENTATIVE(S) MCGUIRE

02/04/05           (H)           READ THE FIRST TIME - REFERRALS

02/04/05 (H) EDU, HES, FIN  
 02/24/05 (H) EDU AT 11:00 AM CAPITOL 106  
 02/24/05 (H) -- Meeting Canceled --  
 03/03/05 (H) EDU AT 11:00 AM CAPITOL 106  
 03/03/05 (H) Heard & Held  
 03/03/05 (H) MINUTE(EDU)  
 03/08/05 (H) EDU AT 11:00 AM CAPITOL 106  
 03/08/05 (H) Moved CSHB 128(EDU) Out of Committee  
 03/08/05 (H) MINUTE(EDU)  
 03/09/05 (H) EDU RPT CS(EDU) 7DP  
 03/09/05 (H) DP: GARA, GATTO, WILSON, THOMAS,  
 SALMON, LYNN, NEUMAN  
 03/29/05 (H) HES AT 3:00 PM CAPITOL 106  
 03/29/05 (H) Moved CSHB 128(HES) Out of Committee  
 03/29/05 (H) MINUTE(HES)  
 04/01/05 (H) HES RPT CS(HES) 5DP 2NR  
 04/01/05 (H) DP: CISSNA, GARDNER, MCGUIRE, SEATON,  
 WILSON;  
 04/01/05 (H) NR: ANDERSON, KOHRING  
 04/01/05 (H) FIN REFERRAL WAIVED  
 04/04/05 (H) TRANSMITTED TO (S)  
 04/04/05 (H) VERSION: CSHB 128(HES)  
 04/06/05 (S) READ THE FIRST TIME - REFERRALS  
 04/06/05 (S) HES, FIN  
 04/18/05 (S) HES AT 1:30 PM BUTROVICH 205

BILL: SB 156

SHORT TITLE: LAYOFF/NONRETENTION OF TEACHERS

SPONSOR(s): SENATOR(s) STEVENS B

03/29/05 (S) READ THE FIRST TIME - REFERRALS  
 03/29/05 (S) HES, FIN  
 04/18/05 (S) HES AT 1:30 PM BUTROVICH 205

BILL: SB 167

SHORT TITLE: EDU MATERIALS FROM RELIGIOUS INSTITUTION

SPONSOR(s): SENATOR(s) DYSON

04/08/05 (S) READ THE FIRST TIME - REFERRALS  
 04/08/05 (S) HES, JUD  
 04/18/05 (S) HES AT 1:30 PM BUTROVICH 205

**WITNESS REGISTER**

SENATOR BEN STEVENS  
 Alaska State Capitol  
 Juneau, AK 99801-1182

**POSITION STATEMENT:** Introduced SB 156

BARBARA THOMPSON  
Department of Education  
801 W 10<sup>th</sup> St.  
Juneau, AK 99801-1894

**POSITION STATEMENT:** Neutral on SB 167.

PATRICK SHIER  
Box 210926  
Auk Bay, AK 99821

**POSITION STATEMENT:** Supports SB 167.

NELS TOMLINSON  
Box 32663  
Juneau, AK 99801

**POSITION STATEMENT:** Supports SB 167.

NEIL SLOTNICK, Assistant Attorney General  
Department of Law  
PO Box 110300  
Juneau, AK 99811-0300

**POSITION STATEMENT:** Opposes SB 167.

JEANNE ANGLIN  
Department of Health & Social Services  
PO Box 110601  
Juneau, AK 99801-0601

**POSITION STATEMENT:** Supports SB 128.

EMILY NEENAN, Alaska Government Relations  
The American Cancer Society  
1599 Clifton Road Northeast  
Atlanta, GA 30329

**POSITION STATEMENT:** Supports SB 128.

**ACTION NARRATIVE**

**CHAIR FRED DYSON** called the Senate Health, Education and Social Services Standing Committee meeting to order at [1:34:11 PM](#). Present were Senators Donny Olson, Kim Elton, Gary Wilken, Lyda Green and Chair Fred Dyson.

**SB 156-LAYOFF/NONRETENTION OF TEACHERS**

[1:34:11 PM](#)

CHAIR DYSON announced SB 156 to be up for consideration.

SENATOR BEN STEVENS introduced SB 156 and said the bill establishes a consistent policy for all school districts with regard to notifying a teacher of layoff. Currently, if a school district does not have adequate funding to rehire a teacher for the following school year, the district must notify a tenured teacher by March 16th, but it does not have to notify a non-tenured teacher until the last day of the school year. It seems logical that a school district should be required to notify any teacher of his or her discontinued employment after the district's assembly has approved the budget.

SENATOR BEN STEVENS said the bill would remove Section A and modify Section B of AS.14.21.40 to require districts to inform both tenured and non-tenured teachers of whether or not they will be retained.

[1:38:34 PM](#)

SENATOR ELTON remarked the requirements of line 6 and line 7 seem redundant.

SENATOR BEN STEVENS responded the requirements were taken directly from existing statute.

[1:41:04 PM](#)

CHAIR DYSON understood the language to mean the district must deliver the notification in writing and would have the option of delivering it by hand or certified mail.

[1:43:36 PM](#)

NEIL SLOTNICK, assistant attorney general, Department of Law (DOL), testified the language would give school districts the option of sending notification by certified mail or by hand-delivery.

SENATOR ELTON expressed concern with the difference between deadlines of the two delivery options. Since hand delivery of notification must be provided on or before the last day of school and certified mail must be sent by the last day of school, it is possible that notification sent by certified mail could arrive after the deadline for hand delivered notification.

[1:45:51 PM](#)

SENATOR GREEN moved SB 156 from committee with individual recommendations and no fiscal notes. Hearing no objections, the motion carried.

**SB 167-EDU MATERIALS FROM RELIGIOUS INSTITUTION**

CHAIR DYSON announced SB 167 to be up for consideration. He said SB 345 was signed into law on August 2002. With respect to AS.14.18.060 it says:

Nothing in this paragraph precludes a correspondence study student or the parent or guardian of that correspondence study student from privately obtaining textbooks or curriculum material not provided by the school district.

It now appears as though the Department of Education has issued regulations that say parents can't use certain curricula and text that they have purchased. He asked Mr. Neil Slotnick whether this was the case.

MR. SLOTNICK responded:

No, that is not what the regulations provide. The regulations adopted by the Department of Education and Early Development specifically provide that parents can obtain a curriculum of their own choosing. Districts may provide credit for classes that are obtained by the parents without district approval and purchased by the parents with their own personal funds and taught by the parents.

The district cannot receive funding on the basis of those curricula that are selected by the parents, administered and taught by the parent and paid for by the parents. The district will receive funding for each full-time equivalent student that is enrolled on count day in a correspondence study program. If it is a correspondence study program, at least one half of that student's curriculum must consist of academic classes.

If a student comes in who is going to be selecting a religious curricula and that student is enrolled in a

public school, if he is taught by a state school district and takes three classes from the correspondence study program and one class that is purchased by the student's parents and it has a religious basis, that district will receive funding for a three quarter equivalent, because the curriculum consists of three classes that are district provided and one class that is personally provided.

The aforementioned subject was at issue when the Department of Education did a recent monitoring of correspondence study practices. It found some correspondence programs had missed that distinction and had submitted students in courses such as that for 100 percent reimbursement. The Department disallowed that practice and placed the districts on a program of correction.

[1:52:14 PM](#)

CHAIR DYSON said his understanding of SB 345 was that it allows a parent to select a text and if the correspondence school teacher supervising the class were comfortable with that text, the parents can teach it and the school would give credit for it even if a religious publisher publishes the texts.

MR. SLOTNICK said there were a couple of different issues; credit, funding, and school district participation in teaching religious materials. Credit is a matter of district discretion. If a parent purchases and teaches a religious curriculum, the district decides whether or not to accept it for credit. The department has no regulations governing the district's decision on whether or not to give credit for such a course.

With regards to the issue of funding, the parent may not use state funds to purchase the religious curriculum and the school district may not be reimbursed with state funds for a student who is taught under that curriculum.

The third issue is not explicitly covered in regulations, but it is nevertheless covered in the constitution. It is argued that allowing a teacher to teach a religious curriculum while employed at a public school is a violation of both the United States Constitution's First Amendment and the Alaska Constitution.

[1:55:53 PM](#)

CHAIR DYSON asked whether there were legal criteria for classifying a course as a religious course.

MR. SLOTNICK responded the department has two requirements that speak to the inability of schools to use religious curriculum. One is in AS.14.03.090, which says:

Partisan, sectarian or denominational doctrines may not be advocated in a public school during the hours that the school is in session. A teacher or school board violating the section may not receive public money.

There is a clear requirement in the department's regulation 4AAC33.421(d) that says:

Certificated staff members may not advocate religious, partisan, sectarian or denominational doctrine as part of the member's instructional duties as certificated staff for the district's correspondence study program.

The department also has a requirement that money used to purchase such programs cannot be reimbursed with state money. He does not know whether there are explicit definitions of the terms used in the aforementioned regulations. He is not aware of any problems that have arisen from a lack of the definitions.

SENATOR OLSON said he took a college class on the bible as literature and asked whether the regulations prohibit such courses.

MR. SLOTNICK responded courses that advocate a religious perspective may not be taught in the public schools, but courses about religion as an academic subject are allowed.

SENATOR OLSON asked whether the state would be allowed to reimburse the expense of bibles if they were purchased for an academic study of religion.

MR. SLOTNICK could not answer the question at the time.

[2:02:40 PM](#)

SENATOR GREEN asked whether there is a way for parents to ensure that their children would receive credit for a given course before they begin teaching that course.

BARBARA THOMPSON, director of the Division of Teaching and Learning Support, said when a student enrolls in the statewide correspondence individual learning program, learning plans are developed and curriculum and materials are discussed. At that point there should be an approval of the learning plan because the parent, the student and the district work on that plan together.

SENATOR GREEN asked whether the district is required to approve all courses at that time.

MR. SLOTNICK responded there is a requirement the individual learning plan be jointly approved at the start of the year. He did not know whether that requirement addresses courses taken outside of the district's own program.

[2:05:22 PM](#)

CHAIR DYSON said:

When we passed SB 345, we anticipated that the parents and the student would present a text to the correspondence supervisor who would then determine whether or not it was appropriate. What I hear you saying, which is so disturbing, is that if that text, which might be absolutely world class academically, has a religious publisher or a religious slant to it, they can't give credit to the student for it and the school cannot get reimbursed through the foundation formula for providing the education that uses that text.

That means that if you are studying Newton, whom I happen to respect, who evolved calculus and was absolutely stunned at the eloquence of the equations of the orbits of the planets and ascribed them to some grand mathematician, we can't use it. If you come across any of the personal views of the classic scientists such as Holm, Faraday, Boyles, on the origins of the universe, you can't use them. Do we have to go through Shakespeare and take out all of the biblical allusions? What is the deal here?

MR. SLOTNICK responded:

If what I said was interpreted to mean that we have to cleanse all references to religion from texts, then I

certainly misspoke, that is not what I intended to say, but there are correspondence study programs that clearly advocate a religious perspective. They do what AS.14.03.090 says you cannot do in a public school. I have seen some of these and it is very clear that they are advocating a religious view. Those programs cannot be purchased with state funds. Districts cannot be reimbursed for students taking those classes and public school teachers should not be involved in teaching those programs.

CHAIR DYSON said:

I have information from several states that go right down a list of all of these religious textbook publishers, and they are absolutely approved. They have their own First Amendment language as well. What makes us so weird that those texts can't be used here?

MR. SLOTNICK responded:

The Department of Education and Early Development does not have a list of textbooks. The district decides what will and will not be approved when it meets with a student and his parents. As to whether or not it is a reimbursable expense, if it is not a reimbursable expense for the parent, then it is not a reimbursable class for the district. That is what the Department of Education has determined and that is the extent of the determination that I am aware of.

[2:08:42 PM](#)

CHAIR DYSON said:

I think that that is absolutely outrageous, but my argument is not with you. My reading of the law is that the school and the teacher can't do the advocating, but I don't read where that is applied to the materials that are used. Can you show me that?

MR. SLOTNICK responded:

If it is going to be state reimbursed, then the teacher cannot be an advocate of any particular religion. So, if the materials advocate a particular religion...

CHAIR DYSON interjected:

That is not what it says, this is AS.14.03.090A: 'Except as provided in B, the partisan, sectarian or denomination doctrines may not be advocated in a public school during the hours the school is in session.' A teacher or school board violating this may not receive public money. It doesn't say 'the materials' and it sounds to me like it is what people do when the school is in session. Am I misreading that?

MR. SLOTNICK responded:

It would be my view that if a teacher is using a denominational text to teach from, that teacher is in violation of AS.14.03.090.

CHAIR DYSON asked:

Even if it is just a generally religiously oriented text without emphasis on a specific denomination?

MR. SLOTNICK responded:

It is the same answer if it is a religiously oriented text that is advocated, as opposed to teaching about religion.

CHAIR DYSON said:

What if it is Buddhist, which by definition is agnostic? Buddhists are very clear that they do not say anything about God or ultimate things? It would be okay, right?

MR. SLOTNICK responded, "You are getting way beyond my areas of expertise."

CHAIR DYSON said:

You and I think of it as religion because it is a way of life, a philosophical and mental way of viewing life, but by definition it is agnostic.

MR. SLOTNICK responded:

Mr. Chairman, I don't know. It sounds to me like it might be a partisan, sectarian, or denominational doctrine that is prohibited by 090. If someone challenges that, I guess that we will have to look into it.

SENATOR ELTON asked how a student that transfers from a home school curriculum into a public school is placed with respect to his or her grade level in the public school.

MS. THOMPSON responded it depends on the grade level. If it is an elementary school, a district may accept that student based on information that has been provided by his parent, evidence of work produced, or by placement assessment.

[2:12:39 PM](#)

SENATOR ELTON asked whether it possible for a school district to place a home school student in a lower grade level because part of his or her curriculum contained religious material for which the school district denied credit.

MS. THOMPSON said she has never heard of a case in which that has happened.

[2:14:40 PM](#)

CHAIR DYSON asked:

Why do you suppose that other states are able to allow their correspondence students to use texts from religious publishers while ours does not allow these same texts?

MR. SLOTNICK responded:

I am not able to answer that question. I don't know that this state has a policy that there can be no texts from a religious institution. What we cannot have is text that would be considered advocating religion under the statute.

CHAIR DYSON said:

These other states very clearly do. The list that I read this morning includes many that are used here

Abeka comes to mind and several others that I am told are excellent for math and so on. Is there something peculiar about our state constitution that makes it so that those apparently excellent academic texts can't be used because they have a religious or philosophical slant to them?

MR. SLOTNICK responded

I haven't seen any of this research for which you are speaking. I do know that our constitution prohibits direct aid to religious, sectarian schools. We also have the separation of church and state in our state constitution and in the federal constitution. This body has passed a law as well, telling us that schools cannot advocate denominational, sectarian doctrines.

[2:18:06 PM](#)

Given that, I think that school districts themselves have applied these rules and have come to the determination that they cannot use state funds to purchase certain texts. It has been a district determination. There has been a monitoring done by the Department and it has said that there can be no state funding for courses that are using religious texts. To my knowledge there has not been an appeal of that determination, which is what would put it into my arena over at the department of law. I have not looked into whether we are different from other states and whether there are standards that we could use to approve these texts.

CHAIR DYSON said:

In my understanding, the department is only applying this standard to correspondence programs that are administered across school district boundaries and not to the ones that are administered within a given district.

MR. SLOTNICK responded:

The monitoring was conducted only for statewide correspondence programs. It is the state board's view that where there is a wholly in-district program there is not as much need for oversight as there is for a

statewide program. That does not mean that in-district programs are free to engage in a practice that would violate AS.14.03.090 or the Alaska Constitution or the Federal Constitution. If we had information that such practices were going on, we certainly would take action.

CHAIR DYSON said:

Which might mean, in your opinion, if a parent had bought a textbook that was otherwise excellent, but happened to have a religious orientation and the kid was getting credit for that class as a core class and the school was getting reimbursement from the state, then you would want to stop that.

MR. SLOTNICK responded:

The credit issue is not one that the state would want to stop. As far as reimbursement for that class as a core class, yes. If state money were being used to pay for that class or if teachers paid with state money were teaching that class, then the Department of Education would take action.

CHAIR DYSON asked what the Legislature and the department should do about an unconstitutional law, which SB 345 seems to be, that has been passed by the Legislature. He asked whether the Department of Education or the Department of Law could sue the Legislature in such a case.

MR. SLOTNICK responded:

We have, in the past, issued an Attorney General's opinion and if something is clearly unconstitutional, we have stated it. Where there is no clarity regarding an issue, I usually consider it my job to defend a statute if I can, or, in the alternative, ask if there is an interpretation of the statute that would not offend the constitution. As I read AS.14.07.050, there is such an interpretation. We certainly do not prohibit parents or guardians from privately obtaining textbooks and curriculum that are not provided by the school districts. They are free to do so, but we do not reimburse the parents or the school districts for those classes.

CHAIR DYSON interjected:

That last one is really a sticking point. If that text and a supervising teacher working together get a student to accumulate the skills and knowledge that they want and they can pass a test, why shouldn't the district be reimbursed for that? The kid learned the material.

MR. SLOTNICK responded:

Mr. Chairman, the problem is that we have a requirement in our constitution of separation of church and state. There is a line, upon which we would all agree at some point, that we can't have a teacher advocating religion in the public schools. The question is where do we draw that line? Where are they no longer advocating religion and merely teaching purely secular academic subjects? To answer that question we really need to have more facts than we have here today. I am not sure if that has really been the issue in the monitoring because, again, the initial decision that these materials are not available for reimbursement was made at the district level in every case in the monitoring.

CHAIR DYSON said:

So the department did an audit, decided that some districts were getting money for classes that students took under their supervision that used a text that might have come from a religious publisher and therefore the audit shows that they can't get reimbursed for that and they have got to change their ways. That is what has produced this whole flap?

[2:25:25 PM](#)

MR. SLOTNICK responded:

In at least one case the district did not have a policy of letting the teachers teach this religious oriented material. It was very clear that correspondence teachers were not supposed to teach it and yet the district still sought state reimbursement for it. I think that therein is part of the dilemma. When we have correspondence programs and we provide

for districts to administer them, we expect those districts to do something for that money. So they really should be in there helping students learn that material.

CHAIR DYSON said:

That is certainly not the argument from my perspective. I don't want them to get paid for work that they didn't do, but if they supervised and taught a child using a text book that doesn't meet your standard of secularity, I think they ought to get credit for it and get paid for it as long as a teacher thinks that he can teach math or chemistry or reading from it. I think that it is incumbent upon those who are going to take this stand to define what makes it a religious advocacy book. Does that mean Augustine's "City of God", Milton and half of Shakespeare are to be precluded from our literature classes?

MR. SLOTNICK responded, "I am probably not qualified to say, but I would say, in my view, no they are not."

CHAIR DYSON said, "I am with you and most of the classic scientists of the West are the same way."

SENATOR GREEN asked whether the department has examples of pertinent egregious materials.

MR. SLOTNICK responded:

The way I would approach it is to not try and sit in the hypothetical and think something, I would want to see the texts and see how other states evaluate them and check with the experts of the education department to see if they could be taught in a completely and wholly secular manner. That is how I would approach it. It really must be a factual determination.

[2:30:35 PM](#)

NELS TOMLINSON said he and his wife are currently home schooling their three children. So far the restrictions the school district has placed on curriculum have not been a problem. After last year's new regulations, several of the families that he sees regularly through the Juneau Home Educators Association have told him they are struggling over whether or not they want

to continue with the public program. He believes the statewide School Board, The Department of Education, and the Department of Law are all acting in accordance with what they think is the law and the Legislature's intent. He expressed support for SB 167.

[2:34:52 PM](#)

SENATOR ELTON asked whether a student enrolled in a state funded correspondence program is subject to state requirements such as the High-school Exit Exam.

MR. THOMASON responded his children are enrolled in a public curriculum, so they are subject to the school district's standards.

PATRICK SHIER said he saw a copy of the letter from the school district to the Raven Correspondence Program which said that credit would not be granted for non-secular studies. He is concerned about how that would affect parents in home school programs that use religious materials. The school district policies may negatively affect students that return to high school after being taught through private programs. He supported SB 167.

[2:45:35 PM](#)

RUTH ABBOT, Delta Junction, supported SB 167. She taught her two children with a Christian curriculum and both are currently excelling at college. The Christian Home School curriculum is not substantially different from the public school's secular curriculum since they both use the same information. The main difference is in the perspective of the two curricula. She would like to know the difference between a parent-teacher explaining a secular text within a religious context and the textbook that presented the parent's perspective within the text itself.

[2:47:38 PM](#)

ANNIE DOUGHERTY, Fairbanks, said that she has extensive experience in the school system and is currently teaching her children in home school. She supported SB 167. She said the exclusive concern of the education system should be the academic performance of its students and it is irrelevant whether a high level of academic performance is obtained through secular or sectarian programs. She said that there are many elements in sectarian correspondence programs that do not teach religious

material and yet they are still precluded from state funding on the bases of their origin.

CHAIR DYSON held SB 167 in committee.

**HB 128-SCHOOLS PHYSICAL ACTIVITY TASK FORCE**

CHAIR DYSON announced HB 128 to be up for consideration.

SHALON SZYMANSKI, staff to Representative Lesil McGuire, introduced the bill:

According to the American Obesity Association, more than 30 percent of United States children and adolescents are overweight or obese. Studies show that overweight children are more likely to become overweight adults with a variety of health problems including diabetes, cardiovascular disease, cancer, and high cholesterol.

According to a recent study by the Anchorage school district, 36 percent of Anchorage students are overweight or at risk of becoming overweight. The National Association for Sport and Physical Education recommends that elementary school students receive at least 150 minutes of Physical Education (PE) per week and that middle and high-school students receive at least 225 minutes of PE per week. The center for disease control recommends at least 30 minutes of physical activity per day.

Despite all of these recommendations from the experts, the Anchorage, Valdez, and Fairbanks school districts are requiring that only middle school students receive daily physical activity. Elementary students in these school districts receive only two 30 to 40 minute PE sessions per week and in the four years that a student is in high school; he is required to only take a year and a half of PE in order to graduate.

These levels of PE are clearly much lower than what is recommended by PE and health experts. This task force, if established, would be made up of school officials from rural and urban areas, physicians and members of the Department of Education and Early Development and legislators.

We recognize that different schools have different facilities available for PE and it would be up to this task force to determine an effective and economical way to increase PE within the existing school infrastructure.

This task force would also look into whether new laws or regulations are necessary to provide more physical activities in the schools and whether construction requirements should be changed to facilitate PE. Many other state legislatures are taking similar steps in addressing the problem of overweight children and Alaska should consider following in their footsteps. Establishing this taskforce would be a step in the right direction.

CHAIR DYSON asked Ms. Szymanski how the task force could be established with a zero fiscal note.

[2:59:11 PM](#)

MS. SZYMANSKI responded the taskforce would meet only by teleconference so there would not be any associated travel expenses. The fiscal note shows that the Legislature would absorb the communications costs. The task force would be comprised only of volunteers and there are currently many who are willing to volunteer.

SENATOR WILKEN asked Ms. Szymanski what she envisions to be the deliverable of this taskforce.

MS. SZYMANSKI responded Representative McGuire hopes to develop strategies within the school system to get kids to be more physically active and to adopt healthier diets.

[3:01:27 PM](#)

SENATOR WILKEN said the suggestions of a volunteer nine-member task force would probably not have any affect on such a nebulous problem as juvenile obesity.

SENATOR GREEN agreed with Senator Wilken and remarked that over the years she has been incredibly disappointed with many of the fact-finding committees that have met during the interim. She said the proposed actions of the taskforce should be restricted to the purview of the State School Board since it has a much

greater resource base with which to address the problem. She added the timeframe of the bill is unrealistic.

[3:06:00 PM](#)

SENATOR ELTON voiced support for bringing a Legislative focus to the issue. He said the bill could draw attention and since it does not have a fiscal note, it is worth doing.

CHAIR DYSON said most of what needs to be done is common sense. School districts are under immense pressure from high stakes tests such as the high-school exit exam and the No Child Left Behind mandate and they would not want to divert valuable time and resources from those endeavors.

[3:09:16 PM](#)

JEANNE ANGLIN, Department of Health and Social Services (DHSS), supported HB 128. She recommended the committee adopt an amendment to include a DHSS representative on the task force since the department has considerable interest and expertise in dealing with chronic diseases such as obesity.

SENATOR OLSON asked the sponsor whether she would like to address the concerns of the committee.

MS. ANGLIN responded the bill would not be a stand-alone solution to the problem, but it would help to the organize entities involved in addressing the problems.

CHAIR DYSON asked whether academic achievement is correlated with increased hours of PE in the curriculum.

EMILY NENAN, Alaska Government Relations for the American Cancer Society, supported HB 128. She said the purpose of the task force would be to elevate the discussion and recognize that it is a high level priority for the state. Many organizations support the task force as a means of corroborating on data pertinent to the problems of juvenile inactivity. There is data that suggests healthy children learn better.

CHAIR DYSON held HB 128 in committee. There being no further business to come before the committee, he adjourned the meeting at [3:19:35 PM](#).