

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

March 13, 2008

3:04 p.m.

**MEMBERS PRESENT**

Representative Peggy Wilson, Chair  
Representative Bob Roses, Vice Chair  
Representative Anna Fairclough  
Representative Wes Keller  
Representative Paul Seaton  
Representative Sharon Cissna  
Representative Berta Gardner

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 190

"An Act relating to break times for employees who nurse a child."

- MOVED CSSSHB 190(HES) OUT OF COMMITTEE

HOUSE BILL NO. 397

"An Act creating a postsecondary scholarship grant program for Alaska residents based on high achievement and financial need."

- HEARD AND HELD

HOUSE BILL NO. 403

"An Act appropriating \$100,000,000 to the Alaska achievers' scholarship fund; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

**PREVIOUS COMMITTEE ACTION**

BILL: HB 190

SHORT TITLE: NURSING MOTHERS IN WORKPLACE

SPONSOR(S): REPRESENTATIVE(S) CISSNA

03/12/07	(H)	READ THE FIRST TIME - REFERRALS
03/12/07	(H)	HES, L&C

04/25/07 (H) SPONSOR SUBSTITUTE INTRODUCED  
04/25/07 (H) READ THE FIRST TIME - REFERRALS  
04/25/07 (H) HES, L&C  
03/13/08 (H) HES AT 3:00 PM CAPITOL 106

BILL: HB 397

SHORT TITLE: POSTSECONDARY SCHOLARSHIPS  
SPONSOR(S): REPRESENTATIVE(S) GUTTENBERG

02/19/08 (H) READ THE FIRST TIME - REFERRALS  
02/19/08 (H) HES, FIN  
03/13/08 (H) HES AT 3:00 PM CAPITOL 106

**WITNESS REGISTER**

ANNA SORENSEN, Staff  
to Representative Sharon Cissna  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented HB 190 on behalf of  
Representative Cissna, prime sponsor.

GREY MITCHELL, Director  
Central Office  
Division of Labor Standards & Safety  
Department of Labor & Workforce Development (DLWD) Juneau,  
Alaska

**POSITION STATEMENT:** Testified during the hearing on HB 190.

CATHERINE TAPEY, President  
Alaska Breastfeeding Coalition  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 190.

DEBRA GOLDEN, Nurse Consultant  
Section of Women, Children & Family Health  
Division of Public Health  
Department of Health & Social Services  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 190.

ERIN MACARTHUR, Pediatrician; Board Member  
Alaska Breastfeeding Coalition  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 190.

COLLEEN TURNER, Executive Director

Resource Center for Parents and Children  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of HB 190.

DEADRA HALL, Nursing mother; Employee  
ASEA/AFSCME Local 52  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 190.

WILLIE ANDERSON, Lobbyist  
National Education Association (NEA) Alaska  
Juneau, Alaska

**POSITION STATEMENT:** Testified in support of HB 190.

REPRESENTATIVE DAVID GUTTENBERG  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Introduced HB 397, as the prime sponsor.

WILLIAM ANDREWS, Member  
Board of Regents  
University of Alaska; Student  
University of Alaska Southeast  
Juneau, Alaska

**POSITION STATEMENT:** Testified in support of HB 397 and 403.

DIANE BARRANS, Executive Director  
Postsecondary Education Commission  
Department of Education and Early Development  
Juneau, Alaska

**POSITION STATEMENT:** Testified on HB 190.

ANNAMARIA DICOLA, Student  
University of Alaska  
Homer, Alaska

**POSITION STATEMENT:** Testified in support for HB 397 and 403.

JOHN ROBERSON III, Student Body President  
University of Anchorage  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 397 and 403.

RYAN BUCHHOLDT, Student  
University of Alaska Anchorage  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 397 and 403.

MISTY M. GIL MARTINEZ, Student  
University of Alaska Fairbanks  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of HB 397.

MEREDITH CAMERON, Student  
University of Alaska Fairbanks  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of HB 397.

DAVID CHILDERS, Student  
University of Alaska Anchorage  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 397 and HB 403.

MARY GOWER, Director  
Enrollment Services  
University of Alaska Fairbanks  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of HB 397 and HB 403.

DELIGHT KENNEDY, Student  
University of Alaska Fairbanks  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of HB 397 and HB 403.

CHRISTOPHER STEFANOVICH, Student  
University of Alaska Anchorage  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 397 and 403.

JAKE HAMBURG, Student Body President  
University of Alaska Fairbanks  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of HB 397 and HB 403.

CASEY MELIAH, Student  
University of Alaska Anchorage  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 397 and HB 403.

DANIEL SWISHER, Student  
University of Alaska Fairbanks  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of HB 397 and HB 403.

SETH HOLTSHOUSER, Student

University of Alaska Anchorage  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 397 and HB 403.

JOSEPH HICKMAN, Director  
Student Support Services  
University of Alaska Fairbanks (UAF)  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of HB 397 and HB 403.

ANDY ANGAIK, Director  
Upward Bound Program  
University of Alaska Fairbanks  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified during the hearing on HB 397 and HB 403.

MELANIE K. LEYDON, Student  
University of Alaska Anchorage (UAA)  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 397 and HB 403.

KEVIN TURNBOUGH, Employee  
Upward Bound  
University of Alaska Fairbanks  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified during the hearing on HB 397 and HB 403.

DANA L. THOMAS, Professor of Statistics; Assistant Provost for  
General Studies  
University of Alaska Fairbanks  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of HB 397.

LINDSEY FORREST, Student Government President  
University of Alaska Southeast  
Juneau, Alaska

**POSITION STATEMENT:** Testified in support of HB 397 and HB 403.

#### **ACTION NARRATIVE**

**CHAIR PEGGY WILSON** called the House Health, Education and Social Services Standing Committee meeting to order at [3:04:54 PM](#). Representatives Wilson, Roses, Keller, Seaton, Cissna, and

Gardner were present at the call to order. Representative Fairclough arrived as the meeting was in progress.

[3:05:42 PM](#)

HB 190-NURSING MOTHERS IN WORKPLACE

[3:07:42 PM](#)

CHAIR WILSON announced that the first order of business would be SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 190,"An Act relating to break times for employees who nurse a child." She then stated that Version E was before the committee.

[3:07:52 PM](#)

ANNA SORENSEN, staff to Representative Sharon Cissna, Alaska State Legislature, related that in February, 2007, the governor established the Alaska Health Care Strategies Planning Council to address health care issues. The highest priority of the council was the recommendation of personal responsibility for one's health care. House Bill 190 complies with this priority by ensuring that nursing mothers are not hindered from being personally responsible for their own, and their children's, health. She explained that mothers are the fastest growing segment of the U. S. labor force, approximately 70 percent of employed mothers with children younger than three years of age work full time, one-third of these mothers return to work within three months after birth, and two-thirds return within six months. Furthermore, mothers who work outside the home initiate breastfeeding at the same rate as mothers who stay at home; however, the breastfeeding rate declines substantially in mothers who return to work resulting in a shorter duration of breastfeeding of their children.

[3:09:54 PM](#)

MS. SORENSEN continued to explain that in Alaska, from 2000 to 2003, 43 percent of mothers of newborn infants reported that they were currently in school or working outside of their home. In addition, of the mothers who stopped breastfeeding their infants, 22 percent reported that one reason they did so was because they were returning to work or school. The United States Breastfeeding Committee reports that breastfeeding provides numerous well documented health benefits to mothers including: reduced risks for breast and ovarian cancer; reduced risk of bleeding after birth; reduced rate of diabetes; reduced rates of

osteoporosis and bone fractures; the promotion of postpartum weight loss; and the promotion of emotional good health.

[3:12:34 PM](#)

MS. SORENSEN then listed the many benefits breastfeeding provides for infants and the developing child. Furthermore, benefits to employers include less employee absenteeism, less employee turnover, faster return from maternity leave, lower utilization of employee health care benefits, and improved morale and loyalty. Fifteen states have laws related to breastfeeding or expressing milk in the workplace and Ms. Sorensen explained the different standards of each.

[3:17:00 PM](#)

MS. SORENSEN indicated that SSHB 190, Version E, has three components that employers must provide: reasonable unpaid break time to an employee who is the nursing mother of a child; a private, secure, and sanitary room where an employee can breastfeed or express milk; and a procedure for enforcement. She then gave the definitions for "employer" and "undue hardship" that are proposed in the bill and noted that there are two amendments offered by Representative Cissna.

[3:19:23 PM](#)

REPRESENTATIVE SEATON asked for the definition of "reasonable unpaid break time" as allowed by the bill.

[3:20:19 PM](#)

MS. SORENSEN explained that a reasonable time generally includes 15 minutes to 30 minutes to nurse or express milk.

[3:20:32 PM](#)

CHAIR WILSON observed that some employees may require additional time.

[3:21:02 PM](#)

REPRESENTATIVE CISSNA explained that this is unpaid time and the bill specifies that any additional time needed was not to be paid by the employer.

[3:21:48 PM](#)

REPRESENTATIVE ROSES indicated that this language is only acceptable to him with the passage of the amendment that removes the penalty section of the bill.

[3:22:18 PM](#)

REPRESENTATIVE FAIRCLOUGH suggested that there should be a limit to the number of months or years that an employee could breastfeed, in addition to the amount of time taken each day. Also, she cautioned about the potential cost to an employer to provide an appropriate location in close proximity to the work space.

[3:24:34 PM](#)

REPRESENTATIVE CISSNA pointed out that the bill stipulates a location "other than a toilet stall" which does not exclude a bathroom and provides some flexibility to the employer. Regarding the length of time for the mother to breastfeed, the first six months of a baby's life provide the highest benefits. However, the bill allows for an interactive process between an employer and an employee to address these issues and to build a strong work environment.

[3:26:37 PM](#)

REPRESENTATIVE FAIRCLOUGH agreed that families and the health of children always come first. She related her personal experience in employing nursing mothers as a non-profit employer and the problems with limited space. Accommodating employees is a team effort, but one size does not fit all, thus the requirement of providing space would be a cost to an employer to implement the bill.

[3:28:34 PM](#)

CHAIR WILSON questioned whether the language in the bill ensures fair treatment to an employer who has limited space.

[3:29:51 PM](#)

REPRESENTATIVE CISSNA directed the committee's attention to page 1, line 10, which read: "(b) Unless to do so would create a substantial and undue hardship on the employer, ...." She acknowledged that in the case of an employee who works in a one-room office, nursing in the workplace would not be a good

choice. The intent of the bill is to invite Alaskans to begin building on all of the possibilities to promote good health.

[3:31:02 PM](#)

REPRESENTATIVE ROSES pointed out that the "undue hardship" clause of the bill allows for the consideration of the size and situation of the employer. The penalty clauses are being removed, and the statement of reasonableness covers his concerns.

[3:31:53 PM](#)

REPRESENTATIVE GARDNER agreed with Representative Roses.

[3:32:06 PM](#)

REPRESENTATIVE SEATON asked whether the term "undue hardship" corresponds with the American Disabilities Act (ADA) definition. He noted that the ADA definition requires a very high standard of modification to a workplace and a challenge to the bill may require a court interpretation. If the definition in the bill does not follow the ADA standard he said that he would support the bill.

[3:33:19 PM](#)

REPRESENTATIVE CISSNA read page 2, line 7 through 9, of the bill. She opined that the definitions "don't sound like definitions that would come with physical disabilities."

[3:34:03 PM](#)

REPRESENTATIVE SEATON disagreed and said that the ADA definition has broad implications for employers. Furthermore, he asked for the meaning of "sanitary room" on page 1, line 11, of the bill.

[3:34:50 PM](#)

REPRESENTATIVE CISSNA responded that a "sanitary room" is a reasonably clean room with a sink and with soap and water available.

[3:35:24 PM](#)

REPRESENTATIVE SEATON observed that those requirements would disqualify a private office. He suggested that the expectations of a "sanitary room" need to be on the record.

[3:36:15 PM](#)

REPRESENTATIVE CISSNA stressed that the sponsor's intent was to provide an appropriately clean room, with or without running water. In a rural setting, employers may need to be creative.

[3:37:03 PM](#)

REPRESENTATIVE ROSES advised that a food handler's permit requires a sanitary station which can be as simple as providing disinfectant wipes. As far as the ADA requirements are concerned, a lactating mother is not disabled.

[3:38:17 PM](#)

REPRESENTATIVE SEATON acknowledged that was not his point; but it is important to provide the source of the definition. He assumed that an individual bathroom would be acceptable under some circumstances.

[3:39:20 PM](#)

REPRESENTATIVE CISSNA agreed and suggested that a more general definition in the bill would be better.

[3:40:00 PM](#)

REPRESENTATIVE GARDNER commented that she was shocked that her daughter was nursing in a bathroom at her work until her daughter said, "Oh, it's great, there's a big chair and counters." Representative Gardner opined that an acceptable room cannot be unsanitary, such as a mop closet or room filled with fish guts, but not necessarily sterile, either.

[3:40:51 PM](#)

GREY MITCHELL, Director, Central Office, Division of Labor Standards & Safety, Department of Labor & Workforce Development (DLWD), said that having the penalty aspect of HB 190 removed solves many potential problems with the bill.

[3:42:14 PM](#)

REPRESENTATIVE SEATON asked whether the definition of "employer" found on page 2, line 4, generally fits with definitions used by the DLWD.

MR. MITCHELL said that some definitions require a certain number of employees. He opined that this language appears to be a broad definition and to encompass all employers, except for the federal government.

[3:43:18 PM](#)

CHAIR WILSON asked whether the language fits the ADA standards.

MR. MITCHELL said that he did not know.

[3:43:39 PM](#)

REPRESENTATIVE SEATON asked how the DLWD would interpret "sanitary room" for enforcement purposes.

MR. MITCHELL explained that bringing clarity to the term at this time would be helpful, otherwise provisions of case law would need to be researched to determine the meaning.

[3:44:55 PM](#)

REPRESENTATIVE SEATON asked whether the discussion during the hearing today had provided ample clarity for the term.

MR. MITCHELL stated that the comment made by Representative Gardner made the interpretation fairly clear.

[3:45:34 PM](#)

CHAIR WILSON added that there are many women working in construction, with portable bathrooms, and no appropriate areas. She suggested "a sanitary room, much like found in a normal household."

[3:46:17 PM](#)

REPRESENTATIVE CISSNA recommended "a not unsanitary room." On the other hand, a mother may be using a vehicle or another creative solution.

[3:47:06 PM](#)

REPRESENTATIVE GARDNER advised that a sanitary room is a place where one is comfortable eating lunch.

3:47:25 PM

REPRESENTATIVE ROSES opined that using a personal standard of home conditions may not be the right approach, given the variables of acceptability. The intent of the bill is relatively clear and he stated that he is comfortable with the existing language.

3:48:44 PM

CATHERINE TAPEY, President, Alaska Breastfeeding Coalition, stated her support for HB 190, paraphrasing from a prepared statement which read as follows [original punctuation provided see packet]:

The Alaska Breastfeeding Coalition supports bills SB 113 and HB 190, an act relating to break times for employees who nurse a child. As professionals, we see on a daily basis the dilemma of mothers as they return to work. We know that many women choose to quit breastfeeding sooner than they would like due to the difficulty they experience when trying to express their milk for their child during their work schedule.

The passage of bills SB 113 and HB 190 will not only benefit breastfeeding mothers and their infants, but employers as well. Breastfed babies generally develop fewer occurrences of ear infections, lower respiratory infections, and GI illnesses during infancy and childhood. This translates into fewer absences from work by the parent. In addition, healthier children have fewer doctor visits reducing health care costs.

As stated in a letter to the Editor of the New York Times by Dr. Audrey Naylor, "A goal of the United States Breastfeeding Committee is that 'every woman, regardless of her employment status, will have the opportunity to provide breast milk for her child.'" By showing support for SB 113 and HB 190 you can protect breastfeeding mothers from discrimination and support their efforts to raise healthy babies. We find this legislation to be a step forward in reaching that goal.

[3:50:46 PM](#)

DEBRA GOLDEN, Nurse Consultant, Section of Women, Children & Family Health, Division of Public Health, Department of Health & Social Services, stated her support for HB 190, concurring with the presentation by Representative Cissna's staff. She highlighted the most applicable points previously made and cited statistics regarding the health of breastfed babies, provided by the Oregon Department of Human Services.

[3:54:52 PM](#)

REPRESENTATIVE ROSES asked whether Ms. Golden was a public health nurse.

MS. GOLDEN answered that she was a public health nurse in the past, but she now is a para-natal nurse consultant working for the Division of Public Health.

REPRESENTATIVE ROSES asked Ms. Golden whether the committee had completely discussed the possibilities of what constitutes a private and sanitary room.

MS. GOLDEN agreed that the issue had been well discussed and said that she was comfortable with language that described the space for nursing as a home-like environment; clean, but not sterile.

[3:56:37 PM](#)

REPRESENTATIVE GARDNER asked for information regarding the average time that working women breastfeed.

MS. GOLDEN opined that about 10 percent of women will breastfeed beyond one year. In addition, women who do not work or work part-time, breastfeed longer than those who work.

[3:58:47 PM](#)

REPRESENTATIVE GARDNER observed that it would be reasonable for an employer to expect that an employee may breastfeed or express milk for one year or less.

MS. GOLDEN agreed and added that the majority of women breastfeed for six months. She noted that some medical organizations recommend breastfeeding beyond twelve months.

CHAIR WILSON opined that any amount of time breastfeeding is a benefit.

MS. GOLDEN agreed that breastfeeding is important to the infant "early on."

[4:01:06 PM](#)

ERIN MACARTHUR, Pediatrician; Board Member, Alaska Breastfeeding Coalition, stated her support for HB 190. She pointed out the preventative effects of breastfeeding on obesity and stated that obesity is a critical problem in Alaska. Dr. MacArthur clarified that a mother needs to express milk at work in order to keep a sufficient supply of milk for the growing needs of her infant. As a child approaches one year in age, the mother would need less time at work to express milk.

[4:05:08 PM](#)

REPRESENTATIVE FAIRCLOUGH asked Dr. MacArthur to estimate how much time is necessary to require an employer to allow for a nursing mother.

DR. MACARTHUR opined that a lunch break and two other breaks would be adequate as most mothers need 15 to 20 minutes of time. However, the comfort level for nursing or expressing milk plays a part in the length of time needed.

[4:07:31 PM](#)

REPRESENTATIVE FAIRCLOUGH asked for clarification.

DR. MACARTHUR said three times per day is needed.

[4:07:45 PM](#)

CHAIR WILSON asked whether three times during an eight-hour shift is sufficient.

DR. MACARTHUR said, "Allowing it every three to four hours is probably the better way to say it."

[4:08:02 PM](#)

CHAIR WILSON surmised that, normally, workers have a 15 minute break in the morning and afternoon, and a lunch hour.

DR. MACARTHUR noted that this schedule should work for most mothers.

4:08:30 PM

COLLEEN TURNER, Executive Director, Resource Center for Parents and Children, paraphrased from a prepared statement, which read as follows [original punctuation provided]:

Our mission is [to] create a culture that values parenting and keeping children safe. I am here today to talk with you about HB 190 and my support for the bill.

It is unfortunate a bill such as this is needed. It only seems natural that breastfeeding mothers should be afforded whatever is needed to make the experience the best possible for the mother and child. I have been a business leader in the community for over 20 years, seven at the Resource Center. During that time we have had half a dozen women who have had newborns and chosen to nurse their babies. Again it only seemed natural to do everything we could do to make the experience a successful one.

Because we recognize the value of breastfeeding we adopted policies that allow mothers to bring their children to work up until one year of age, if nursing. This practice kept valuable employees in the workforce longer, and strengthened the mother/child bond. We have been able to provide quiet, clean places to nurse.

4:10:08 PM

DEADRA HALL, informed the committee that she was a nursing mom and stated her support for HB 190. She is a state worker and also works for Local 52. In her situation, she drives to her child's daycare in order to nurse at lunch. Having a permanent, designated place to nurse at work, and encouragement from her employer, would enable her child to be brought to her. Ms. Hall said that there are five nursing mothers in her department

4:12:10 PM

CHAIR WILSON asked Ms. Hall what type of work she does.

MS. HALL said that she is an office worker. She opined that time for nursing mothers does not place a hardship on her employer; nevertheless, providing a space is difficult.

CHAIR WILSON asked about Ms. Hall's schedule.

MS. HALL said that she expresses her milk twice and drives across town to nurse at lunch.

[4:13:31 PM](#)

REPRESENTATIVE GARDNER asked how long working mothers have continued to nurse.

MS. HALL related that one co-worker stopped after three months, because she was uncomfortable with the arrangements, and others continue for three to five months.

[4:14:47 PM](#)

CHAIR WILSON asked how long Ms. Hall plans to continue.

MS. HALL said that she wished to nurse for at least a year.

[4:15:23 PM](#)

REPRESENTATIVE CISSNA asked how Ms. Hall's employer reacts to nursing mothers.

MS. HALL stated that her employer is receptive and is willing to work with the mothers.

[4:16:44 PM](#)

WILLIE ANDERSON, Lobbyist, National Education Association-Alaska (NEA - Alaska), described the support within NEA - Alaska for this bill and characterized it as a strong pro-family bill. Mr. Anderson pointed out that the NEA - Alaska health plan offers a pump benefit as part of its commitment to support breastfeeding mothers. He urged members to pass the bill out of committee.

[4:18:37 PM](#)

CHAIR WILSON asked whether the teacher's lounge is an acceptable area for nursing mothers.

MR. ANDERSON said that prior negotiations have been for a separate and private area, such as the nurse's office.

4:19:09 PM

REPRESENTATIVE ROSES asked whether negotiations have included additional time, for teachers who are nursing, beyond planning time and lunch breaks.

MR. ANDERSON explained that negotiations are on a case-by-case basis with the teacher and the school principal and additional time, beyond breaks, lunch and planning, has not been requested.

4:20:36 PM

REPRESENTATIVE ROSES further asked whether the passage of this bill would change what has been negotiated thus far.

MR. ANDERSON indicated that a change was not anticipated; in fact, trying to find time away from the classroom for a teacher was always difficult.

REPRESENTATIVE ROSES agreed that it can be difficult and costly to find coverage for a classroom; the potential ramifications of this bill are unknown.

4:22:44 PM

CHAIR WILSON warned that finding a private place for a nursing mother would be very difficult in some schools; in fact, sometimes the nurse is working in the hallway. She asked whether providing a substitute teacher would be an undue hardship for a school.

MR. ANDERSON stressed that the times allowed by the language in the proposed bill are sufficient. He gave an example of an appropriate space that was provided for a teacher.

CHAIR WILSON expressed her concern that cooperation would not always prevent lawsuits.

4:25:09 PM

REPRESENTATIVE SEATON recalled that Alaska has existing statute that ensures that women can legally breastfeed anywhere they like, including in a teacher's lounge. He asked whether the bill was necessary to provide for expressing milk.

[4:26:27 PM](#)

MR. ANDERSON explained that using the teacher's lounge was a modesty, not a legal, issue. The existing law does allow mothers to breastfeed.

[4:27:33 PM](#)

REPRESENTATIVE GARDNER opined that there was a distinction between breastfeeding, which can be discreet, or expressing.

[4:27:56 PM](#)

CHAIR WILSON closed public testimony.

[4:28:19 PM](#)

REPRESENTATIVE CISSNA offered Amendment 1, which read:

Page 1, line 14, through page 2, line 2:  
Delete all material.

Page 2, line 3:  
Delete "(d)"  
Insert "(c)"

REPRESENTATIVE CISSNA explained that this amendment removes any type of sanction against an employer who does not meet the requirements of the bill.

[4:29:30 PM](#)

There being no objection, Amendment 1 was adopted.

[4:29:44 PM](#)

REPRESENTATIVE ROSES offered Amendment 2, which read:

Page 1, line 11:  
Delete ", secure,"

There being no objection, Amendment 2 was adopted.

[4:30:42 PM](#)

REPRESENTATIVE FAIRCLOUGH offered Conceptual Amendment 3, such that on page 1, line 5, after "unpaid break time", the language "not to exceed three times" would be inserted.

REPRESENTATIVE ROSES objected for discussion.

[4:31:45 PM](#)

REPRESENTATIVE FAIRCLOUGH explained that the amendment sets the parameter so an employer would know that this is unpaid break time that fits into a regularly scheduled work day.

[4:32:23 PM](#)

REPRESENTATIVE ROSES removed his objection.

There being no further objection, Conceptual Amendment 3 was adopted.

[4:32:34 PM](#)

REPRESENTATIVE FAIRCLOUGH offered Amendment 4, such that on page 1, line 5, after "nursing mother of a child" insert "up to six months of age."

REPRESENTATIVE ROSES objected.

REPRESENTATIVE FAIRCLOUGH explained that this amendment provides the employer with an expectation of the length of time that a new mother may nurse or express milk.

[4:33:21 PM](#)

CHAIR WILSON suggested that the language provided by Ms. Golden was appropriate.

REPRESENTATIVE FAIRCLOUGH re-stated that this gives an employer a specific time limit for the accommodation.

[4:34:08 PM](#)

REPRESENTATIVE GARDNER opined that this bill would make a statement of support for a practice that would provide health benefits; therefore, a time limit does not seem appropriate.

[4:34:41 PM](#)

REPRESENTATIVE SEATON pointed out that nothing in the amendment requires the employer or employee to stop the practice after a certain period of time; it just limits the mandate on the employer to provide accommodations. He then asked whether the amendment specifies six months or one year.

CHAIR WILSON answered six months.

[4:35:46 PM](#)

REPRESENTATIVE CISSNA suggested "no more than one year or twelve months."

[4:36:11 PM](#)

REPRESENTATIVE FAIRCLOUGH stated that the intent of the amendment is to limit the employer's exposure. She opined that a change in labor practice in the state to require accommodations for nursing mothers would need more specific guidelines for employers, so employers could determine the fiscal impact. Representative Fairclough said that she was not opposed to a limit of twelve months.

[4:37:45 PM](#)

REPRESENTATIVE SEATON offered Amendment 1 to Amendment 4, such that "six" was changed to "twelve."

There being no objection, Amendment 1 to Amendment 4 was adopted.

REPRESENTATIVE ROSES removed his objection to Amendment 4.

Hearing no further objection, Amendment 4, as amended, was adopted.

[4:38:19 PM](#)

CHAIR WILSON asked about the difference between HB 190 and the existing Alaska statute that says mothers can nurse in public.

[4:38:51 PM](#)

REPRESENTATIVE CISSNA explained that the current statute does not specify the work place. She then advised that the Center for Disease Control (CDC) held a teleconference concerning overweight children and revealed that breastfeeding is an

important preventative step. In fact, the CDC is implementing training tools for states to work on ways to minimize the impact on businesses and enable employers to address this issue and support improved health across the nation. Representative Cissna encouraged Representative Fairclough's attempt to strengthen the bill from the employer's perspective.

[4:41:11 PM](#)

REPRESENTATIVE ROSES further explained that the existing statutes were enacted to prevent a woman from being charged with indecent exposure while breastfeeding in public. House Bill 190 requires an employer to provide a place and an opportunity for an employee to breastfeed at her workplace.

[4:41:45 PM](#)

REPRESENTATIVE FAIRCLOUGH offered Amendment 5, as follows:

Page 1, line 10 and 11;

Delete "(b) Unless to do so would create a substantial and undue hardship on the employer,"

Page 1, line 11, following "employer shall."

Capitalize "An"

Page 2

Delete lines 7-9

REPRESENTATIVE ROSES objected.

REPRESENTATIVE FAIRCLOUGH recalled the difficulty defining "undue hardship" and the possible conflict with the ADA. Amendments 5 and 6 would eliminate the subjective language of the bill.

REPRESENTATIVE ROSES asked for a reading of the Amendment.

[4:43:21 PM](#)

REPRESENTATIVE FAIRCLOUGH modified Amendment 5 to include on page 1, line 11, after the word "shall", insert "make a reasonable attempt to." She concluded that the amendment would eliminate the possible problem with the ADA and use the word "reasonable," which is a term already defined in law.

[4:44:22 PM](#)

REPRESENTATIVE GARDNER asked whether "reasonable" can include factors such as the size of the business, its financial resources, and the nature and structure of its environment, so that the expectation of different businesses can be appropriate.

REPRESENTATIVE FAIRCLOUGH opined that "reasonable" can be accommodating to different situations. She cited the language used in New York is "employers must allow breastfeeding mothers reasonable unpaid break times to express milk and to make a reasonable attempt to provide a private location."

[4:46:11 PM](#)

REPRESENTATIVE GARDNER stressed that "reasonable" also includes financial aspects and a variety of factors.

REPRESENTATIVE FAIRCLOUGH clarified that "reasonable" includes modifications that might be required and cause expense to the employer to provide accommodations to the mother.

[4:46:48 PM](#)

REPRESENTATIVE ROSES removed his objection.

Hearing no further objection, Amendment 5 [as modified] was adopted.

[4:47:44 PM](#)

REPRESENTATIVE GARDNER moved to report SSHB 190, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSSSHB 190(HES) was moved out the House Health, Education and Social Services Standing Committee

HB 397-POSTSECONDARY SCHOLARSHIPS

[Contains discussion of HB 403.]

[4:48:01 PM](#)

CHAIR WILSON announced that the next order of business would be HOUSE BILL NO. 397, "An Act creating a postsecondary scholarship grant program for Alaska residents based on high achievement and financial need."

[Testimony was heard on HOUSE BILL NO. 403, "An Act appropriating \$100,000,000 to the Alaska achievers' scholarship fund; and providing for an effective date," although the bill was not formally before the committee.]

[4:48:56 PM](#)

REPRESENTATIVE DAVID GUTTENBERG, Alaska State Legislature, introduced HB 397, as the prime sponsor. He informed the committee that the bill establishes an endowment to fund a combination needs-based and merit-based college scholarship program. Representative Guttenberg pointed out that Alaska ranks last in the U. S. in supplying this type of scholarship and it was a critical aspect of the legislature to assist residents with the ability to go to college.

[4:50:54 PM](#)

WILLIAM ANDREWS, Member, Board of Regents, University of Alaska; Student, University of Alaska Southeast, stated his support for HB 397 and HB 403. Through his experience as a member of the Board of Regents and as a former legislative staffer, Mr. Andrews realized the importance of the services the legislature provides to the residents of the state. Furthermore, as a student, he realized that there is a growing population of students falling through the cracks due to their inability to meet the cost of tuition. These bills would help bridge the gap for students who can not afford to continue at the University of Alaska (UA). He opined that there was a discrepancy between the affluence of the state and the lack of scholarship programs. Existing scholarship programs are not increased with rising costs, and students who need scholarships to complete their educations are disenfranchised. Mr. Andrews advocated for the need to support students who have the potential to develop the Alaska work force. He concluded that the accountability aspect of this fund requires successful academic performance, on behalf of the student, to continue to receive financial aid.

[4:55:57 PM](#)

REPRESENTATIVE ROSES asked how Mr. Andrews is paying for college.

MR. ANDREWS stated that he is receiving scholarship funding through various Native corporations. In addition, he receives about \$300 per month through the G. I. bill, and found

additional funding through the Preparing Indigenous Teachers and Administrators for Alaska's Schools (PITAAS) scholarship.

4:57:56 PM

REPRESENTATIVE ROSES recounted his college experience attending a private school, and how he paid for his education. The education was dear to him because he had to pay every cent; however, some students do not take personal responsibility in paying for their educations. Representative Roses pointed out that students today have scholarships and the Permanent Fund Dividend (PFD) to help pay for college.

5:00:11 PM

MR. ANDREWS noted that his PFD was not available to him until he was 18 years of age. He agreed that it is a resource now, but should not be considered as an entitlement available to pay for college into the future. Furthermore, he opined that the availability of the PFD has accounted for raises in tuition at the UA.

5:02:15 PM

DIANE BARRANS, Executive Director, Postsecondary Education Commission, Department of Education and Early Development, informed the committee that there was a clear unmet need for needs-based aid for students. The additional element of merit is laudable; however, the goal of the Postsecondary Education Commission is to assist those with the greatest need. She said that these funds would be administered in conjunction with existing programs and indicated that there would be a sizable demand for the scholarships.

5:03:40 PM

REPRESENTATIVE CISSNA recalled that Alaska ranks last in the achievement of bachelor's degrees. She asked Ms. Barrans to comment.

5:04:52 PM

MS. BARRANS stated that incentives and information need to be provided to students and their families. Academic preparation and ability, and the ability to pay tuition, are critical for students to successfully complete their studies and obtain a degree. In Alaska, fewer than one in six college students

complete their higher education in a timely manner, one barrier being the accumulated debt.

[5:06:53 PM](#)

REPRESENTATIVE SEATON asked whether there should be a limit on the number of years an applicant was eligible for a scholarship.

MS. BARRANS advised that amendments have been prepared to address this issue.

[5:07:56 PM](#)

REPRESENTATIVE ROSES asked whether Ms. Barrans' office is responsible for managing the portion of PFD funds that are dedicated for college.

MS. BARRANS said no. The PFD allotment is managed through the UA.

[5:08:34 PM](#)

REPRESENTATIVE ROSES expressed his interest in how many people choose to dedicate funds for education. This is another example of removing an individual's responsibility to provide for his or her education. He then asked whether there is a limit in the amount of student loans given per year by the Postsecondary Education Commission.

[5:09:33 PM](#)

MS. BARRANS said that the limit, per student, per year, is \$8,500. The total loan volume last year was \$85 million.

REPRESENTATIVE ROSES further asked whether there were qualified students who did not receive funds.

MS. BARRANS recalled that qualified applicants have not been denied funds since 1987.

REPRESENTATIVE ROSES observed that an applicant that qualifies for this scholarship would also qualify for a student loan.

MS. BARRANS explained that all of the students would need to combine grant aid with loans from various sources. A small minority of students would be able to pay for their education,

which costs about \$17,000 per year at a public institution, solely with grants or scholarships.

The committee took an at-ease from [5:10:48 PM](#) to [5:11:46 PM](#).

[5:11:51 PM](#)

CHAIR WILSON explained the procedure for public testimony.

[5:13:00 PM](#)

REPRESENTATIVE ROSES opined that the bill allows scholarships to "qualifying postsecondary institutions in the state" and may apply to students attending trade and vocational schools, or working under an apprenticeship.

[5:13:42 PM](#)

MS. BARRANS clarified that the eligible institutions must be regionally or nationally accredited, and located in Alaska.

[5:14:16 PM](#)

REPRESENTATIVE GARDNER asked whether union apprenticeships charge tuition.

MS. BARRANS opined that they do not.

[5:14:49 PM](#)

REPRESENTATIVE SEATON asked for a list of the qualified schools.

[5:15:08 PM](#)

ANNAMARIA DICOLA, Student, University of Alaska, stated her support for HB 397 and HB 403. She pointed out that the non-traditional students in Homer are focused on career development and this program would help to meet the state's workforce need.

[5:16:39 PM](#)

JOHN ROBERSON III, Student Body President, University of Anchorage, asked for the committee's help in assisting Alaskans to achieve their academic goals. He recalled the recent legislation to give incentives to outside businesses that come to Alaska; in fact, HB 397 and HB 403 would give incentives for students to stay in Alaska and improve the state's workforce.

Mr. Roberson stressed the importance of keeping students in the state so that they will stay and work here.

[5:18:57 PM](#)

RYAN BUCHHOLDT, Student, University of Alaska Anchorage, stated his support for HB 397 and HB 403 and echoed the sentiments of the previous witness. To pay for school he works a full-time job and lives with family. Mr. Buchholdt opined that this incentive would help prevent future students from leaving the state. In response to questions from Representative Roses, he said that he carried 12 credits and works full-time.

[5:20:43 PM](#)

MISTY M. GIL MARTINEZ, Student, University of Alaska Fairbanks, stated that she is a wife, the mother of three, a full-time student, and an employee. She reviewed her highly successful high school history and stated that she did not attend college due to financial constraints. Ten years later she began college to improve her employment opportunities. Ms. Gil Martinez spoke of her financial difficulties and the effect full-time employment had on her grade point average. She opined that financial aid relieves stress and facilitates learning. She concluded that funding for education will improve Alaska in many ways.

[5:24:34 PM](#)

MEREDITH CAMERON, Student, University of Alaska Fairbanks, stated her support for HB 397, paraphrasing from a prepared statement, which read as follows [original punctuation provided]

As a resident of Fairbanks, a student of the University of Alaska Fairbanks and an Alaskan, I would like to express my support for the Alaska Achievers Incentive Program (AAIP) [HB 397 and HB 403]. This program is our first step towards college affordability and increased student success.

Higher education should be a top priority to our state, as we are the future of Alaska. Through this program those who have the grades and skills will be able to think about attending University without needing to think about the money. For graduating high school grads the cost of a higher education is the most important topic discussed by the student and the

family. It is a shame that students do not move on to higher learning because of the cost. The AAIP looks to provide assistance to these students who have a 3.0 High School GPA and meet financial aid standards.

As a Junior here at the University of Alaska and a high school graduate of West Valley, I have seen way too many of my fellow students drop out of college because they cannot afford it. They did not leave because their classes were too hard, or they felt they were not getting a stellar education, it was because they could not afford the rising costs. No student should be forced to work 40 hours a week to struggle to pay for the 12 credits they now are struggling in because they are too busy working.

Our students of Alaska high schools deserve more. They need to know that some [one] out [there] cares and worries about the rising cost of tuition. We have a very successful merit based scholarship, the UA Scholars, now it is time for a needs based scholarship. I have never seen a group of students more passionate [ate] about a need. Here at the University of Alaska Fairbanks, the Associated Students of UAF have finally stood up and demanded an equal opportunity for the students of Alaska. There were many sleepless nights, pouring over thousands of pages of material and reports, and dialogue with students, staff, and administrator. In the end they achieved something that they were told was impossible. A House Bill No. 397 now sits in committee that would start an endowment to provide scholarships on a merit and needs based system.

The great state of Alaska and the nation thrive on our higher education institutions. The University of Alaska engages the community, provides a skilled labor force, and builds a stronger state. As your voting constituent I urge [you] to please support bill number 397 and open up the future of many young Alaskans.

[5:26:12 PM](#)

REPRESENTATIVE GARDNER asked whether Ms. Cameron held a job and was working over spring break.

MS. CAMERON said yes.

[5:26:46 PM](#)

REPRESENTATIVE FAIRCLOUGH asked all of the students if they know the source of the state grant money.

MS. CAMERON indicated that the money comes from oil.

REPRESENTATIVE FAIRCLOUGH explained the struggle of policy makers who must consider approving benefits to some who may not support the industry that provides 90 percent of the state's revenue. Conversations with students have indicated that they, and perhaps the university system, do not support development of the Pebble Mine or oil exploration in the Chukchi Sea. However, she pointed out that resource development is the source of income that would fund this \$100 million grant. Representative Fairclough observed that there should be support for the revenue stream from those who receive benefits.

[5:29:46 PM](#)

CHAIR WILSON supported Representative Fairclough's point.

[5:30:01 PM](#)

REPRESENTATIVE CISSNA asked whether the students have ideas on how to diversify Alaska's source of revenue.

[5:30:51 PM](#)

DAVID CHILDERS, Student, University of Alaska Anchorage, remarked that students in Alaska can look to economic opportunities, outside of resource development, and explore them through the university. However; the university does not have the capability to provide scholarships for needs-based students or to compete with other states that provide up to \$4,000 per year to support low income students. The diversity of Alaska's economic base may depend on UA graduates developing the future resources in technology, the Internet, or in construction.

REPRESENTATIVE ROSES asked whether the \$4,000 provided to students in other states is a grant or a loan.

MR. CHILDERS answered that the Supplemental Educational Opportunity Grant funds grants in the amount of \$2,000 to \$4,000.

[5:34:51 PM](#)

REPRESENTATIVE ROSES suggested that the state greatly increase the amount of the student loan program and add a work incentive for those who stay in the state.

MR. CHILDERS opined that the increased debt burden would prevent graduates from investing in their community for many years.

REPRESENTATIVE ROSES advised that a loan program would have a source of future income that may support the program after declining oil revenues can not.

[5:37:09 PM](#)

REPRESENTATIVE KELLER noted that funds for the program may be limited. He asked whether the preference would be to needs-based, or merit-based, scholars in that case.

[5:37:55 PM](#)

MR. CHILDERS pointed out that the UA Scholars Program is available to support students on a merit only basis. However, HB 397 incorporates need-based and merit-based qualifications in a sustainable scholarship endowment system. In fact, a 5 percent to 10 percent investment return on the endowment would mean \$5 million to \$10 million available for scholarships.

[5:39:16 PM](#)

REPRESENTATIVE KELLER surmised that the \$100 million endowment would take care of the needs-based applicants.

MR. CHILDERS related statistics by the financial aid office at the University of Alaska Anchorage that indicated that \$3 million would be sufficient to allow UA Anchorage to assist its needs-based applicants. He further opined that \$10 million would be sufficient for the statewide university system.

[5:40:35 PM](#)

MARY GOWER, Director, Enrollment Services, University of Alaska Fairbanks, recalled that Alaska is ranked 51st in the nation for supplying need-based aid for education. She stressed the need for additional need-based grant aid and pointed out that the existing need-based programs are modest programs with limited resources.

[5:41:56 PM](#)

REPRESENTATIVE ROSES asked Ms. Gower for the average yearly enrollment of the statewide university system.

MS. GOWEN indicated that enrollment was about 33,000 full-time and part-time students.

REPRESENTATIVE ROSES observed that 5 percent of the endowment, or about \$8 million, would only help 1,600 of the students each year.

MS. GOWAN pointed out that the university is awarding approximately \$102 million in financial aid each year, a portion of which is loan aid. In addition, \$13.1 million is distributed as need-based grants and students continue to drop out due to financial problems.

[5:43:47 PM](#)

DELIGHT KENNEDY, Student, University of Alaska Fairbanks, stated that she is representing students from the past and the present, and from rural and urban communities. She pointed out that only twenty-seven percent of enrollees graduate in six years; in fact, the highest percentage drop out for family and financial reasons. Ms. Kennedy related her personal experience regarding family financial responsibilities. She continued to point out that many current enrollees are working full-time, which detracts from their academic success, and the existing financial aid programs are inadequate. For example, at her urban high school, the top 10 percent of the class had a grade point average of 4.2. She concluded that an investment in Alaskan students is an investment in Alaska.

[5:47:04 PM](#)

CHRISTOPHER STEFANOVICH, Student, University of Alaska Anchorage, provided statistics that indicated how an increase in tuition affects enrollment at the university. He urged the committee to support the bills.

[5:49:02 PM](#)

JAKE HAMBURG, President, Student Body, University of Alaska Fairbanks, stated that he was representing nine thousand

students. He paraphrasing from a prepared statement, which read as follows [original punctuation provided]:

I am a University of Alaska Fairbanks student who began his UA education at Kenai Peninsula College in Soldotna. I work approximately 56 ours per week both as UAF's student body president and as a weekend sales associate while also attending class fulltime. I cannot afford to work any less due to rent, inevitable car repairs, fuel, tuition, and books. I do not shy away from hard work but paying for my college education is increasingly placing a strain upon my ability to successfully complete by degree.

As UAF's student body president, this [is] a common experience I hear from many of the students and groups that I have met with. I have met far too many students who have been forced to drop out because they could not personally fund their education. I know from speaking with many other students around the state that they are working long hours to make ends meet while trying to also finish their homework and attend classes. Students know how important a college education is to their future and so they work incredible hours and burden themselves with debt.

The state of Alaska's employers are craving more university graduates and addressing the affordability issues plaguing students and their families will go a long way toward meeting that need. We know from existing research that a \$1,000 reduction in the cost of a college education can boost enrollment by nine percent. We also know that a \$160 increase in the cost of attendance can drop undergraduate enrollment by .5 percent and community college enrollment by 2.3 percent. A survey performed by the University of Alaska Southeast found that the number two reason why students were dropping out was because they couldn't afford to continue their education. The number one reason was family problems.

For students approaching their high school graduation, the cost of a higher education is the most important topic discussed by the student and the family. It is unfortunate that students do not move on to higher learning because of the cost.

It has also been shown that the growing cost of an education is changing the perception of affordability among our elementary and middle school students and their parents. It is at these ages that students really decide whether college is something attainable for themselves.

There is some good news. The state has an opportunity to support a student-led effort to provide scholarships to those students who demonstrate academic merit and financial need. In the interest of thousands of students from all ages and regions around this state, it is my sincere hope that you will support HB 397 and HB 403.

[5:50:12 PM](#)

CASEY MELIAH, Student, University of Alaska Anchorage, informed the committee that he is a freshman enrolled at UA Anchorage and HB 397 and HB 403 would allow him to better pursue his studies to be a firefighter and paramedic. He explained that he will need to exceed the recommended 20 hour work week to cover his college expenses.

[5:51:48 PM](#)

CHAIR WILSON asked whether Mr. Meliah plans to stay in Alaska to work.

MR. MELIAH said yes.

[5:52:16 PM](#)

DANIEL SWISHER, Student, University of Alaska Fairbanks, expressed his concern that the committee was unaware that the cost of tuition is just one part of the cost of an education. He noted that fees are rising as fast, or faster, than tuition. Mr. Swisher opined that the bill proposes a one time funding that will be sustained as an endowment. Furthermore, the return on the endowment would fit with the other existing programs to assist students.

[5:54:01 PM](#)

CHAIR WILSON thanked those who have been waiting to testify since 3:00 p.m.

[5:54:35 PM](#)

SETH HOLTSHOUSER, Student, University of Alaska Anchorage, said that he is a life-long Alaskan. He expressed his belief that individual responsibility is the same as the state's responsibility to develop and cultivate future human resources through its own citizens. The Alaska Achievers' Incentive Scholarship Program [(AAIP)] endorses the investment and the economic development of Alaska's workforce in future leaders and provides Alaskans greater access to the training, education, and resources of the universities across Alaska. He encouraged the state's policy makers to join other states in placing economic access to education as the top priority and responsibility for its citizens. Mr. Holtshouser concluded that this program is a crucial point in addressing student's needs, now and in the future, and to make a positive impact on the state.

[5:56:44 PM](#)

REPRESENTATIVE ROSES asked whether Mr. Holtshouser saved his PFD for college.

[5:56:58 PM](#)

MR. HOLTSHOUSER noted that, after the age of 18, he chose to use his PFD to offset student loans. In response to a question, Mr. Holtshouser said that he was a sophomore.

[5:59:08 PM](#)

JOSEPH HICKMAN, Director, Student Support Services, University of Alaska Fairbanks (UAF), explained that he was a low-income and high achieving student at UAF. Although he qualified for many scholarship and loan programs, and worked full-time, he graduated with \$50,000 of student loan debt. He opined that this bill would relieve students of much of that kind of loan debt. He listed statistics that indicated the level of support for low income students provided by other states. Mr. Hickman acknowledged that this program is not going to fix the entire problem, but it is a small step.

[6:01:34 PM](#)

REPRESENTATIVE ROSES asked whether, in his capacity as the Director of Student Support Services, Mr. Hickman assisted students to get loans, grants, and scholarships.

MR. HICKMAN indicated that his position is funded by the U. S. Department of Education that supports low-income students with grants, computers, and tutoring.

REPRESENTATIVE ROSES further asked whether there is one area that is a clearing house for available scholarships.

MR. HICKMAN said no. His office searches for possibilities and provides the information to the student.

REPRESENTATIVE ROSES then asked whether all of the scholarships are distributed each year.

MR. HICKMAN said yes. He added that his program is able to award only one-half of the applications received. Furthermore, the successful applicants are required to apply for UAF scholarships as well. In response to a question, Mr. Hickman stated that the loans and scholarships are available to all UAF students.

[6:03:14 PM](#)

ANDY ANGAIK, Director, Upward Bound Program, University of Alaska Fairbanks, informed the committee that Upward Bound is a federal program, funded through the U. S. Department of Education, which was created by the War on Poverty initiatives of the 1960's. Its purpose is to encourage low-income high school students to graduate and enter programs of higher education. Mr. Angaiak said that Upward Bound serves 13 Alaska high schools and he provided statistics on the Upward Bound program.

[6:05:37 PM](#)

MELANIE K. LEYDON, Student, University of Alaska Anchorage (UAA), informed the committee that she was a freshman at UAA and works part-time. She shared her future plans for a career in Alaska. Ms. Leydon said that she was speaking for herself and her siblings as they are receiving no financial assistance from their parents to pay for college. She asked for the committee to assist the future leaders of Alaska.

[6:07:05 PM](#)

REPRESENTATIVE GARDNER asked for the reason Ms. Leydon does not receive financial support from her parents.

MS. LEYDON explained that it is a financial reason.

REPRESENTATIVE GARDNER asked whether her parents are college educated.

MS. LEYDON said no.

[6:07:50 PM](#)

REPRESENTATIVE ROSES asked Ms. Leydon whether she had acquired any student debt.

MS. LEYDON, in response to questions, answered that she works part-time to pay cash for school, lives at home, and works at a real estate office full-time in the summer.

[6:09:21 PM](#)

KEVIN TURNBOUGH, Representative, Upward Bound, University of Alaska Fairbanks, addressed the issue of need-based students who leave the state for their education. He explained that for every Pell grant student that comes in to the state for higher education, five to seven Pell grant students leave. He gave examples of Upward Bound high school students who have successfully completed high school under difficult circumstances. These students need and deserve additional support in order to attend college. Mr. Turnbough stressed that the state needs to do more for students coming from low-income backgrounds so that they can better their lives through higher education.

[6:13:53 PM](#)

REPRESENTATIVE ROSES asked whether granting a scholarship would guarantee that the student would stay in the state.

MR. TURNBOUGH said that there is no guarantee, but it would increase the likelihood. His personal experience was that students feel a commitment to their state; however, they do not want to graduate with student debt.

[6:15:25 PM](#)

DANA L. THOMAS, Professor of Statistics; Assistant Provost for General Studies, University of Alaska Fairbanks, stated that he was raised and educated in Alaska and expressed his support for the bill[s]. To answer the question of whether students should

work, his data indicates that more UAF students work in excess of 20 hours per week and attend school part-time than in other states. National research shows that these students attain degrees at a significantly lower rate, and in a greater length of time, than full-time students. In his own experience, Mr. Thomas was able to work part-time and pay for college; however, the evidence is clear that, at the cost of education today, that is not possible. He pointed out that, at UAF, when student's reach a debt of about \$10,000 in loans, they tend to drop out. Lastly, he related that the Postsecondary Education Commission distributed financial aid to 579 students whose family annual income was less than \$15,000.

[6:18:20 PM](#)

LINDSEY FORREST, President, Student Government, University of Alaska Southeast, stated her support for HB 397 and HB 403, paraphrasing from a prepared statement, which read as follows [original punctuation provided]:

I am the President of the UAS Student Government. I am the Speaker Pro-Tem for the Coalition of Student Leaders. I am a senior with one more year to go before I graduate at UAS with a BLA in English Literature and a minor in Law. I wear many caps but the one that I wear today is that of a student in financial need. I work seven days a week, either at one of my two jobs, or both, as the President of the Student Body, which is a full time job in itself, or on school work, which is another full time job. However, as a representative of the students at UAS it is my duty to inform you that there are a number of my own constituents who would benefit greatly from the passing of HB 397 and 403 as they currently exist. As a representative of the Coalition of Student Leaders it is my duty to inform you that a vast majority of the constituents of my colleagues would benefit hugely from the passing of HB 397 and 403 as brought to you by the members of this Legislative body and the members of the Coalition of Student Leaders. As a member of this jury it is your duty to deliberate and express your decision on the inception of HB 397 and 403. However, it is also your duty as state representatives to be concerned with the financial well-being of your students attending post-secondary educational institutes in Alaska. It is your duty as a state representative to be concerned with the

welfare of the future of this great state. Ladies and gentlemen of this jury the students before you today and the students whose voices do not bet [to] be heard are the future of this state, a bright future indeed, and it is your duty to provide for us the means to be the growth you wish us to be, we cannot do it all on our own. Give us another avenue to seek financial aid from, give us the means to attend college and further our dreams, you will not [be] disappointed at the outcome nor the caliber of students that will graduate and remain in this great state of Alaska that we want ... to call home. Thank you all for your support for the students of the University of Alaska, your support for higher education and your support for making Alaska a better state and better home.

[6:21:17 PM](#)

REPRESENTATIVE ROSES spoke of the other needs in the state, such as programs to support the mentally ill or senior care. He pointed out the difficult choice between funding a student grant program or replacing federal funds for the Department of Health and Social Services. He asked whether a student loan program, with incentives to benefit students who stay and work in Alaska after graduation, would be more effective than a grant in growing Alaska's workforce.

MS. FORREST responded that she was unsure; however, she opined that supporting the state's future leaders can not be detrimental to the state.

REPRESENTATIVE ROSES said he is not necessarily against a grant, but all of the options around this issue should be explored. He described his personal experience during his college years and assured those attending college now that the committee has an understanding of their situation.

[6:26:54 PM](#)

REPRESENTATIVE CISSNA pointed out that, without a state income tax, Alaska residents have a disassociation with state government. In addition, Alaska does not produce a sufficient number of professionals and must pay a high price to bring people in, especially in the fields of health and education. She opined that HB 397 and HB 403 will entice graduates to stay in the state. Representative Cissna asked Ms. Forrest whether a

large, or a smaller, debt after graduation will keep graduates in Alaska.

MS. FORREST responded that a student with a smaller debt would be more willing to stay in Alaska because entry level jobs pay less here. Her experience is that students can go to school and live more cheaply in other states, thus graduating with less debt. Ms. Forrest shared her personal plan to leave Alaska after graduation.

[6:31:59 PM](#)

CHAIR WILSON related a personal history of education and repaying school loans. She then reminded the witnesses of the source of the state's wealth.

[6:34:38 PM](#)

REPRESENTATIVE SEATON spoke regarding the "brain drain" and how students who go outside to college choose spouses and jobs during their time at college and stay outside. If legislators want people to stay in Alaska, the legislature needs to help them graduate from college in Alaska. He expressed his frustration at funding the senior bonus instead of programs that will keep young people in Alaska and free from the limitations of large amounts of debt. Representative Seaton stated that it is good policy to provide a program that requires students to maintain a high level of academic achievement and he indicated his support for the bill.

[6:39:03 PM](#)

CHAIR WILSON closed public testimony.

[6:39:12 PM](#)

[HB 397 was held over.]

[6:40:16 PM](#)

#### **ADJOURNMENT**

There being no further business before the committee, the House Health, Education and Social Services Standing Committee meeting was adjourned at 6:40 p.m.