

HOUSE FINANCE COMMITTEE  
February 28, 2013  
1:35 p.m.

1:35:27 PM

CALL TO ORDER

Co-Chair Stoltze called the House Finance Committee meeting to order at 1:35 p.m.

MEMBERS PRESENT

Representative Alan Austerman, Co-Chair  
Representative Bill Stoltze, Co-Chair  
Representative Mark Neuman, Vice-Chair  
Representative Mia Costello  
Representative Les Gara  
Representative Lindsey Holmes  
Representative Scott Kawasaki, Alternate  
Representative Cathy Munoz  
Representative Steve Thompson  
Representative Tammie Wilson

MEMBERS ABSENT

Representative Guttenberg  
Representative Bryce Edgmon

ALSO PRESENT

Richard Svobodny, Deputy Attorney General, Criminal Division, Department of Law; Darrel Breese, Staff, Representative Bill Stoltze; James Waldo, Staff, Representative Lindsey Holmes; Representative Peggy Wilson; Michael Hanley, Commissioner, Department of Education and Early Development Ron Fuhrer, President, NEA-Alaska; Bruce Johnson, Executive Director, Alaska Council of School Administrators

PRESENT VIA TELECONFERENCE

Amy Erickson, Director, Division of Motor Vehicles, Department of Administration; Cynna Gubatayao, Assistant Borough Manager, Ketchikan Gateway Borough, Ketchikan; Nancy Hull, Alaska Motorcycle Adventure, Palmer; Matt

Fonder, Tax Division, Department of Revenue, Anchorage;  
Lauren Burch, Superintendent, Southeast Island School  
District, Thorne Bay

SUMMARY

HB 19 PERM. MOT. VEH. REGISTRATION/TRAILERS

HB 19 was HEARD and HELD in committee for further  
consideration.

HB 21 FOUR-DAY SCHOOL WEEK

HB 21 was HEARD and HELD in committee for further  
consideration.

CSHB 24 SELF DEFENSE

CSHB 24(JUD) was REPORTED out of committee with a  
"do pass" recommendation and with three  
previously published zero fiscal notes: FN1(ADM),  
FN2(ADM), and FN4(DPS).

HB 56 PASSENGER VEHICLE RENTAL TAX

HB 56 was REPORTED out of committee with a "do  
pass" recommendation and with a previously  
published fiscal impact note: FN1(REV).

Co-Chair Stoltze related that there were some fiscal issues  
with HB 19.

#hb24

HOUSE BILL NO. 24

"An Act relating to self-defense in any place where a  
person has a right to be."

[1:37:27 PM](#)

Vice-Chair Neuman stated that the change to the bill was  
the addition of the language, "or in any other place where  
the person has a right to be." He said that the language  
would allow a person the rights granted by the Castle  
Doctrine anywhere the person happened to be.

[1:38:36 PM](#)

Representative Gara had questions for the Department of Law.

[1:38:52 PM](#)

RICHARD SVOBODNY, DEPUTY ATTORNEY GENERAL, CRIMINAL DIVISION, DEPARTMENT OF LAW expressed that he was available to answer questions.

[1:39:10 PM](#)

Representative Gara noted that existing statute already extended the right to self-defense anywhere a person felt threatened, and was not limited to home protection.

Mr. Svobodny responded in the affirmative.

Representative Gara asserted that people who believed that there was not an existing right to self-defense were misinformed.

[1:40:12 PM](#)

Co-Chair Stoltze requested that Representative Gara ask his questions in a less leading manner.

[1:40:17 PM](#)

Representative Gara inquired if an individual had the right to self-defense in public.

Mr. Svobodny replied in the affirmative.

Representative Gara believed that under current law a person could not chase someone down, kill them, and argue self-defense.

[1:41:45 PM](#)

Co-Chair Stoltze interjected that Mr. Svobodny should not answer moral certitudes. He thought that Representative Gara's questioning was an unfair attempt to affirm his level of certitude. He instructed Mr. Svobodny to reply to "yes" or "no" questions.

Representative Gara argued that he was simply asking questions of the department.

Co-Chair Stoltze reminded Representative Gara that he was asking questions "through the Chair."

[1:42:15 PM](#)

Mr. Svobodny believed that under current law, one had the right to chase a person one felt threatened by.

Representative Gara asked if the right to self-defense could be lost if a person had the ability to not shoot with clear safety to themselves or others.

Mr. Svobodny replied that a jury would decide that question after the fact. He did not believe that the person would be charged in a self-defense situation, provided the person doing the chasing believed that they were in danger of death or serious physical injury.

[1:43:51 PM](#)

Representative Gara understood that under current law a person would lose the right to claim self-defense if the use of deadly force could have been avoided while safety was maintained.

Mr. Svobodny discussed a similar Alaskan case where a person who was fleeing turned towards a homeowner and attempted to fire but the gun jammed. He furthered that as the person was running away with the jammed gun, the homeowner chased them a block and shot them; the homeowner had the duty to retreat as the person was running away, because he could have retreated safely.

[1:45:36 PM](#)

Representative Gara gathered that in that scenario the homeowner did not have to chase the person and therefore lost the right to claim self-defense.

Mr. Svobodny replied that you could not use deadly force against a person when there was no imminent threat to you or those around you; the amount of force must be reasonable to the circumstances.

[1:47:06 PM](#)

Representative Gara queried how passage of the bill would change current law.

Mr. Svobodny thought that there would be circumstances where the district attorney's job would be made more difficult by the question of whether deadly force should have allowed been used. He said that attorneys made that decision all of the time, but it became very clear if a person had the ability to retreat in absolute safety but chose not to.

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Representative Gara stated that if there was no difference between the bill and current law then time was being wasted. He referred to AS 11.81.335(b):

Sec. 11.81.335. Justification: Use of deadly force in defense of self.

(a) Except as provided in (b) of this section, a person who is justified in using non-deadly force in self-defense under AS 11.81.330 may use deadly force in self-defense upon another person when and to the extent the person reasonably believes the use of deadly force is necessary for self-defense against

(1) death;

(2) serious physical injury;

(3) kidnapping, except for what is described as custodial interference in the first degree in AS 11.41.320 ;

(4) sexual assault in the first degree;

(5) sexual assault in the second degree;

(6) sexual abuse of a minor in the first degree; or

(7) robbery in any degree.

(b) A person may not use deadly force under this section if the person knows that, with complete personal safety and with complete safety as to others being defended, the person can avoid the necessity of

using deadly force by leaving the area of the encounter, except there is no duty to leave the area if the person is

(1) on premises

(A) that the person owns or leases;

(B) where the person resides, temporarily or permanently; or

(C) as a guest or express or implied agent of the owner, lessor, or resident;

(2) a peace officer acting within the scope and authority of the officer's employment or a person assisting a peace officer under AS 11.81.380;

(3) in a building where the person works in the ordinary course of the person's employment; or

(4) protecting a child or a member of the person's household.

Representative Gara reiterated his understanding that under current law:

".....if a person was in a shopping mall, or someplace they were legally allowed to be, if with complete safety to yourself and others, you can go call the cops, you have to go call the cops. It seems to me the new bill says that exception "with complete safety to yourself and others" does not apply if you are in this new place. Are there circumstances where, if we pass this bill, where with complete personal safety to yourself and others you could have avoided conflict and could have avoided a shooting, are there circumstances under this bill where you will be allowed to shoot somebody even though you could have not done so with complete personal safety to yourself and others."

Mr. Svobodny responded that the first thing that a prosecutor would consider would not be whether a person retreated, but whether the amount of force was appropriate for the circumstance. He explained that the bill represented a question of how one balanced the death of the person versus one's ability to not run away. He reiterated

the real question came down to whether a person used reasonable or excessive force to defend themselves.

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Representative Gara opined that the bill removed the burden of proof that a person acted in self-defense. He understood that currently if a person could avoid the situation with complete safety then the person had to retreat, HB 24 would give the person the right to confront the other person without first calling the police.

Mr. Svobodny replied that under HB 24 there could be instances where reasonable people would walk away, while others would not and the situation could escalate to the use of deadly force.

[1:53:39 PM](#)

Co-Chair Austerman asked if a person could chase someone outside their home with a gun down and shoot them in self-defense.

Mr. Svobodny responded that current law allowed someone to follow an intruder out of their home and follow them down the street, even if the police told them not to, and if the intruder used deadly force against the person then the person could use deadly force in self-defense.

[1:55:06 PM](#)

Vice-Chair Neuman observed that making judgment calls on particular instances was the job of the jury in a courtroom.

Mr. Svobodny replied in the affirmative.

Vice-Chair Neuman noted that Alaska law currently stated that a person had the duty to retreat. He argued that the bill weighed the right to defend yourself over your duty to retreat.

Mr. Svobodny agreed that that was what the bill would do. He said that under current law the state had the obligation to disprove self-defense beyond a reasonable doubt. He said that currently, if a person did not retreat and the state could prove that they could have retreated in absolute

safety then the court would not pass a self-defense instruction to the jury.

[1:59:33 PM](#)

Representative Thompson asked if the mechanism used for deadly force would be a factor in court.

Mr. Svobodny replied in the negative. He explained that the instrumentality made no difference; it was the amount of deadly force used that would be under consideration.

[2:00:39 PM](#)

Co-Chair Stoltze observed that there are many different types of deadly force.

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Representative Holmes inquired about the zero fiscal note, #3 (LAW). She wondered why it had been changed from indeterminate note to zero.

Mr. Svobodny shared that when the note was first crafted he had approved it under the assumption that the law of the state was the majority rule in the country. He stated that he had recently discovered that in most of the states in the U.S., the majority rule was that there was no duty to retreat. He relayed that the other reason the fiscal note was changed from indeterminate to zero was because prosecutors would still need to work the cases just as they do now, and the responsibility would fall to the jury to determine the outcome.

[2:05:19 PM](#)

Representative Holmes asked if the case was the same for other states that did not have duty to retreat laws.

Mr. Svobodny said yes.

[2:06:23 PM](#)

Representative Munoz probed the reasoning behind the changed fiscal note #3.

Mr. Svobodny responded that he did not believe that that addition of the language, "or in any other place where the person has a right to be", would add to the trial process for self-defense cases. He did believe that the language could be litigated, but that did not change his view of the note. He said that self-defense cases were small in number for the department and would have to be litigated regardless.

[2:08:52 PM](#)

Representative Gara recalled that the stance of the department in the past had been that Stand Your Ground legislation could unwittingly legalize gang violence. He asserted that this type of legislation could make it more difficult to prosecute gang violence cases because both gangs would claim self-defense.

[2:10:46 PM](#)

Co-Chair Stoltze noted that the current Stand Your Ground legislation was HB 24.

[2:12:05 PM](#)

Representative Gara asked if the department maintained its opinion on Stand Your Ground and gang violence.

Mr. Svobodny replied that removing the duty to retreat could exasperate a gang violence situation. He believed that determining the aggressor would be difficult and that mutual aggressors would be unable to use self-defense as an excuse. He thought that the legislation could complicate prosecuting gang related situations because of the burden of proof for the state to prove the negative beyond a reasonable doubt.

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Vice-Chair Neuman stated that significant language changes had been made while crafting the legislation due to previous testimony from the department. He felt that the department's concerns had been addressed. He said that the department had given contradictory testimony concerning arrest procedures self-defense cases.

Mr. Svobodny replied that arrest procedures were subjective. He said that if the officer on the scene could figure out what was going on, not everyone would be arrested; however, if there were several people involved and all with weapons, those who were armed would be arrested. He opined that the hypotheticals were unlimited.

[2:17:05 PM](#)

Vice-Chair Neuman offered another hypothetical.

Mr. Svobodny reiterated that it was the responsibility of the department to prove beyond a reasonable doubt that the person did not act in self-defense. He said it would be more difficult to convict someone who legitimately acted in self-defense.

[2:18:39 PM](#)

Representative Costello discussed the four fiscal notes attached to the bill.

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Vice-Chair Neuman MOVED to REPORT CSHB 24(JUD) out of committee with individual recommendations and the accompanying fiscal notes. There being NO OBJECTION, it was so ordered.

[2:21:16 PM](#)

CSHB 24(JUD) was REPORTED out of committee with a "do pass" recommendation and with four previously published zero fiscal notes: FN1(ADM), FN2(ADM), FN3 (LAW), and FN4(DPS).

AT EASE

[2:27:09 PM](#)

RECONVENED

#hb19

HOUSE BILL NO. 19

"An Act relating to permanent motor vehicle registration; relating to the registration fee for noncommercial trailers and to the motor vehicle tax for trailers; and providing for an effective date."

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Co-Chair Stoltze relayed some background on the legislation.

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DARREL BREESE, STAFF, REPRESENTATIVE BILL STOLTZE, stated that the CS for HB 19 had been changed in the Transportation Committee to remove the final section of the bill which set a maximum for how much the Department of Motor Vehicles (DMV) could collect for a Motor Vehicle Registration Tax. He said that Section 2 of the bill allowed for the owners of non-commercial vehicles, over 8 years-old, to receive a permanent registration. He explained that the basic registration fee for the vehicle would be paid, plus a \$25 permanent registration fee, which would be honored for as long as the person owned the vehicle. He relayed that the permanent registration was non-transferable. He shared that Section 3 addressed senior's ability to receive one-year of free registration, which could be applied along with the \$25 permanent registration fee, towards permanent registration. He furthered that Section 4 offered the \$25 permanent registration fee to owners of non-commercial trailers. He continued that Section 5 remained under the recommendation of legislative legal and addressed I/M testing in municipalities. He continued that Section 6 addressed the Motor Vehicle Registration Tax; it established a base rate for municipalities and communities to use as a guideline for determining a registration tax. Section 7 allowed municipalities to set a motor vehicle registration tax rate for permanently registered vehicles. He relayed that this would allow municipalities raise or lower the rate for permanently registered vehicles.

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AMY ERICKSON, DIRECTOR, DIVISION OF MOTOR VEHICLES, DEPARTMENT OF ADMINISTRATION (via teleconference), related that the DMV was responsible for the fiscal note and what the changes in revenue would be for the state.

[2:36:08 PM](#)

Co-Chair Stoltze inquired whether the DMV supported the bill.

Ms. Erickson responded that the DMV was neutral on the bill.

[2:36:18 PM](#)

Representative Wilson inquired the average duration of vehicle ownership in the state.

Ms. Erickson replied that the average age of vehicles on the road was 13 years.

Representative Wilson inquired if there was any way to know how many times a specific vehicle changed ownership.

Ms. Erickson responded that the DMV did not keep those records.

[2:36:56 PM](#)

Representative Thompson inquired how many senior exempt vehicles were currently on the road in Alaska.

Ms. Erickson replied that she was unsure but would get back to the committee with the requested information.

[2:37:44 PM](#)

CYNNA GUBATAYAO, ASSISTANT BOROUGH MANAGER, KETCHIKAN GATEWAY BOROUGH, KETCHIKAN (via teleconference), expressed the borough's opposition to HB 19. She shared the motor vehicle taxes in the borough were used to fund the Junk Vehicle Program; borough residents could dispose of one vehicle per year, with no disposal costs. She concluded that the borough had a direct nexus between the tax and solving the problems that older vehicles caused.

[2:38:40 PM](#)

Co-Chair Stoltze queried the population of the Ketchikan Gateway Borough.

Ms. Gubatayao replied that it was approximately 13,000.

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Co-Chair Stoltze CLOSED public TESTIMONY

[2:39:28 PM](#)

Co-Chair Stoltze stated that discussion of the fiscal notes would take place at the next hearing.

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HB 19 was HEARD and HELD in committee for further consideration.

#hb56

HOUSE BILL NO. 56

"An Act excluding motorcycles and motor-driven cycles from the passenger vehicle rental tax; and providing for an effective date."

Representative Holmes related that the bill was an attempt to help a fledgling industry in Alaska. She stated that in 2003, the legislature had passed a Vehicle Rental Tax that put a 10 percent rental tax on passenger vehicles. She said that soon after, the legislature realized that the definition of a passenger vehicle also included RV's so during the course of deliberations the bill was amended to charge a lower rate for RV's because they were bigger and more costly to rent. She stated that at the time there had been no discussion of a motorcycle as a passenger vehicle. She offered that the Tax Division had not recognized the absence of a tax on motorcycles until recently. She relayed that like RV's, motorcycles were more expensive to rent than cars. She concluded that the bill would exempt motorcycles from the definition of passenger vehicle, which would eliminate the tax on the rental of motorcycles in Alaska.

[2:43:41 PM](#)

Co-Chair Stoltze inquired how municipalities treated motorcycles for the purposes of rental taxes.

JAMES WALDO, STAFF, REPRESENTATIVE LINDSEY HOLMES, responded that he did not have an answer to the question.

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Co-Chair Stoltze inquired if the sponsor had talked Tax Division regarding the elimination of the \$12,000 per-year tax.

Representative Holmes replied that there had been discussion regarding the proposed reduction of \$12,000 per-year. She said that there had been talks of lowering the tax amount, but then the per-year amount would be so low that it would cost more to collect the tax than could be recovered.

Representative Thompson wondered how much it cost to collect the \$12,000 annually. He agreed that the economic impact of motorcycle rentals could be significant for the state.

[2:46:16 PM](#)

Representative Costello stated queried the cost of a motorcycle rental in the state.

Mr. Waldo responded that motorcycle rentals ranged from \$100 to \$250 per day.

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NANCY HULL, ALASKA MOTORCYCLE ADVENTURE, PALMER (via teleconference), testified in support of HB 56. She supported the exclusion of motorcycles from the 10 percent Vehicle Rental Tax because of the unintended consequences of the tax. She stated that her customers were choosing to rent fewer days or to not rent at all as a result of the high tax. She relayed that in a 90 day season the rates were high; customers paid an average of \$200 per day resulting in a \$20 per day tax. She said that the tax hit spouses and families traveling together particularly hard. She relayed an example of a father and three sons that incurred a tax of over \$700 for a six-day ride. She opined the lack of a tax cap. She listed the areas in Alaska that were difficult to reach but by motorcycle, which meant that tourists gained better access to all areas of the state, while spending money doing it. She urged committee support for the legislation.

[2:51:33 PM](#)

Co-Chair Stoltze inquired how the municipalities dealt with motorcycles.

Ms. Hull responded that the Municipality of Anchorage did not consider motorcycles as passenger vehicles and therefore had no motorcycle tax.

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Co-Chair Stoltze noted that the \$12,000 of the tax collected annually reflected less than a thousand days in motorcycle rentals for the entire industry.

Ms. Hull replied that the season was limited to 90 days. She added that most of the motorcycle rental establishments were predominately small family businesses.

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Co-Chair Stoltze inquired an estimate of how much her business spent on bookkeeping and accounting to keep in compliance with the tax.

Ms. Hull replied that she did all of the accounting for her business and spent a lot of time explaining the tax to customers. She added the tax to every invoice and then forwarded the invoices to the Department of Revenue (DOR). She said that DOR required businesses to report four times per year, including the off-season when there were no rentals.

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Co-Chair Stoltze inquired if there was an estimate of what it cost to administer the tax.

MATT FONDER, TAX DIVISION, DEPARTMENT OF REVENUE, ANCHORAGE (via teleconference), replied that that he did not know. He explained that the department had one person that worked with all of the Vehicle Rental Taxes in the state which made it difficult to break down how much time was spent on motorcycles alone.

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Co-Chair Stoltze CLOSED Public TESTMONY

[2:57:38 PM](#)

Representative Munoz MOVED to REPORT HB 56 out of committee with individual recommendations and the accompanying fiscal note. There being NO OBJECTION, it was so ordered.

HB 56 was REPORTED out of committee with a "do pass" recommendation and with a previously published fiscal impact note: FN1(REV).

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AT EASE

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RECONVENED

#hb21

HOUSE BILL NO. 21

"An Act relating to the length of a school week; and providing for an effective date."

[3:01:08 PM](#)

REPRESENTATIVE PEGGY WILSON, shared her sponsor statement:

HB21 would allow a pilot program for one rural school district to implement a 4 day school week.

There is continued concern of poor student performance in our schools. We should be actively seeking alternative solutions that may improve district results. There are over 22 states in the US that have implemented a 4 day week in rural districts.

For most schools this has been a positive achievement - increased morale for students and teachers, reduced absenteeism and allowing teachers and students to have more direct contact time which then leads to better understanding of educational materials.

Provisions in HB 21 require the district to show that the majority of the community, students and teachers support the implementation of this program. Additionally, the district will have to prove that the students are receiving the equivalent of a 5 day school week. They will also be required to file quarterly reports to the Department of Education on

student and teacher performance and the effect of the program. Specifically an annual report will be required to be submitted to the legislative education committee on the progress and performance ratings from the school district. This report will be due no later than January 15th and must include a comparison of the performance ratings before and after implementation of the 4 day week.

This bill is specific for a 3 year pilot program; at the end of that time period, the State Board of Education will evaluate the program and determine if it is beneficial to the district.

Representative Wilson added that the bill would help schools to continue to evolve and assist rural districts in achieving academic excellence, while responding to the changing needs of the 21st century. She said the bill would help students work, if necessary, to help their families and to travel for sports and other activities. She asserted that the bill would allow time for people in rural communities to travel for medical procedures and for teachers to receive professional development without the loss of student teacher contact hours. She shared that there were 120 school districts in 22 states across the nation that had implemented a four-day school week. She cited Colorado where the change had resulted in savings on fuel and pupil transportation. She asserted that one of the biggest documented benefits of moving to a four-day week was the drop in absenteeism in both students and teachers. She reiterated that it would be a trial program; an evolving program to gather data to assess its effectiveness in Alaska.

[3:05:30 PM](#)

Representative Peggy Wilson pointed out to the committee that the state Board of Education met on a quarterly basis and would not be meet again in time to approve the program for the coming school year. She said that the recommendation had been to change the governing body back to the commissioner's office; in this vein, it was also suggested that the timeline for the commissioner to make the decision be short so that the program could be put into effect for the coming school year. She relayed that there would be no comparative data the first year of the program because tests were administered in the spring and the

result would not be returned by the end of the school year. She suggested that reports to the legislature be given after the second and third years of the program in order to ensure accurate results. She mentioned that teacher retirements could be jeopardized because they are based on the number of days that a teacher worked. She understood that teachers were required to work 180 days per-year, which could be easily met by using an approved alternative schedule that met the hours necessary and could replace the day requirement.

[3:08:46 PM](#)

Representative Costello noted that often the state would do a pilot program in order to determine the return on investment. She noted the lack of a fiscal note attached to the legislation and wondered why the bill was limited on one rural school district, rather than allowing all interested parties to participate.

Representative Peggy Wilson responded that she would be open to including more than one school district.

Co-Chair Stoltze hoped that the commissioner from the Department of Education and Early development would comment on the program.

[3:09:33 PM](#)

MICHAEL HANLEY, COMMISSIONER, DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT, replied that under current statute the commissioner could allow for a four day week. He was not concerned about the pilot program.

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Representative Costello understood that the legislature would receive information on the pilot program which would help to determine the program's success.

Representative Peggy Wilson replied yes. She added that one of the school districts that she represented had requested the program in 2012, which the commissioner denied. She said that the parents of those students and the school board approached her to sponsor the legislation. She hoped that positive data would pave the way for the program in other schools.

[3:12:29 PM](#)

Representative Costello pointed to the report, "Four-Day School Week Report in Montana Public Schools October 2011 (copy on file). She noted that Page 9 listed the some of the states that had gone to a four-day school week. She relayed that the results had shown improved attendance and drop-out rates, but no marked improvement in student achievement.

Representative Peggy Wilson hoped the state would see academic improvement. She believed that the program required proper planning and execution in order to be successful.

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Co-Chair Stoltze stated that time was running short.

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Representative Costello wondered if community support for the program was limited to the school community, or if it included the voting public.

Representative Peggy Wilson replied that the parents, teachers, community, and the school board needed be invested in the program.

[3:14:47 PM](#)

Representative Thompson wondered about the academic possibilities of a six-day school week.

Representative Peggy Wilson replied that she had not researched a six-day school week.

[3:15:28 PM](#)

Representative Gara wondered if language could be added that allow one or more schools within the district to implement the pilot respective of class levels.

Representative Peggy Wilson replied that the bill would work better in rural areas because the rural areas children came home to an adult in the house.

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Co-Chair Austerman understood that the commissioner already retained the authority to implement the program.

Commissioner Hanley replied in the affirmative. He said that the bill allowed for a 30 day window for the school board to make the decision, rather than the commissioner.

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Co-Chair Austerman queried if Commissioner Hanley had turned down any school district requests for a four day week.

Commissioner Hanley responded yes. He relayed that the district's proposal had not met all of the requirements.

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RON FUHRER, PRESIDENT, NEA-ALASKA, testified in support of HB 21. He provided his background in the state education system. He believed that the pilot program should be implemented in order for the state to assess the probable benefits.

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Co-Chair Stoltze acknowledged the prime sponsors of the bill.

[3:21:26 PM](#)

Co-Chair Stoltze queried whether the shorter week could result in over-time or other negotiable issues.

Mr. Fuhrer believed that it would be a local control issue and that it would require a collaborative effort for all parties involved. He thought that if people worked together it would return positive results.

[3:22:18 PM](#)

LAUREN BURCH, SUPERINTENDENT, SOUTHEAST ISLAND SCHOOL DISTRICT, THORNE BAY (via teleconference), testified in support of HB 21. He shared that the local school advisory councils that had been set up for the district's nine

different schools were set up to allow for public involvement. He said that anyone who attended a meeting could vote on the issues, including students.

[3:23:55 PM](#)

Representative Wilson inquired whether districts could customize the school year schedule around what worked best for the students in the community.

Mr. Burch thought so. He warned that altering days and hours could result in some union pushback.

[3:24:36 PM](#)

Representative Wilson wondered if more weeks in the school year, rather than longer school day hours, could help the four-day school week concept.

[3:24:47 PM](#)

Co-Chair Stoltze expressed that the negotiations would be at the local level but the funding would still be a state issue.

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Representative Wilson believed that a school district could add weeks to the school year in order to maintain the shorter week.

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Co-Chair Stoltze suggested that the sponsors explore the financial ramifications of contract involving a shift from a four-day work week to a five-day work week for the law enforcement union.

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BRUCE JOHNSON, EXECUTIVE DIRECTOR, ALASKA COUNCIL OF SCHOOL ADMINISTRATORS, testified to the council's support of HB 21. He related that the council embraced the idea of school choice. He stated that the council would follow the evolution of the legislation closely.

[3:27:53 PM](#)

Co-Chair Stoltze probed any trepidation that the council might have in implementing the program.

Mr. Johnson replied that problems would be handled at the local level and within the parameters of current law.

[3:28:11 PM](#)

Co-Chair Stoltze asked if Mr. Johnson, as a representative of school administrators, could speak to any concerns regarding negotiations or bargaining issues.

Mr. Johnson replied that all negotiations would have to be in writing.

[3:28:57 PM](#)

Representative Wilson commented that the four-day school week was still available whether the bill moved forward or not.

Mr. Johnson replied that the council had been supportive of the commissioner retaining the ability to establish a four-day school week. He shared that the council had been involved with the district that had made the failed proposal to the commissioner.

[3:29:30 PM](#)

Representative Gara thought that it was important that the bill would not limit the board of education's ability to allow the program in more than one district.

[3:30:29 PM](#)

HB 21 was held and was HEARD and HELD in committee for further consideration.

[3:30:40 PM](#)

Co-Chair Austerman discussed housekeeping.

[3:31:14 PM](#)

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ADJOURNMENT

The meeting was adjourned at 3:31 p.m.