

SENATE FINANCE COMMITTEE

April 10, 2014

1:40 p.m.

[1:40:37 PM](#)

CALL TO ORDER

Co-Chair Meyer called the Senate Finance Committee meeting to order at 1:40 p.m.

MEMBERS PRESENT

Senator Pete Kelly, Co-Chair  
Senator Kevin Meyer, Co-Chair  
Senator Anna Fairclough, Vice-Chair  
Senator Mike Dunleavy  
Senator Lyman Hoffman  
Senator Donny Olson

MEMBERS ABSENT

Senator Click Bishop

ALSO PRESENT

David Stutzer, Self, Juneau; Ryan Stanley, President, Academic Policy Committee, Juneau Charter School, Juneau; Dona Helmer, Self, Juneau; Tam Agosti-Gisler, President, Anchorage School Board, Juneau; Natasha VonImhof, Vice-President, Anchorage School Board, Juneau; David Scott, Staff, Senator Donald Olson; Roger Healy, Chief Engineer, Department of Transportation and Public Facilities; Amy Saltzman, Staff, Senator Lesil McGuire; Christine Marasigan, Staff Senator Kevin Meyer; Representative Tammie Wilson;

PRESENT VIA TELECONFERENCE

Arlene Dilts Jackson, Tribal Administrator, Ketchikan Indian Community, Ketchikan; Bob Griffin, Alaska Policy Forum, Eagle River; Michael Rehberg, Winterberry Charter School, Eagle River; Shanna Mall, Winterberry Charter School, Anchorage; Linda Evans, Effie Kokrine Early College Charter School, Fairbanks; Lisa Rieger, Cook Inlet Tribal Council, Anchorage; Cheryl Silcox, Winterberry Charter

School, Anchorage; Betsy Brenna, Member, Nome School Board, Nome; Meghan Steenburgh, Self, Anchorage; Erin Merrym, Erin's Law, Chicago; Jessica Lawmaster, Chair, Alaska Children's Alliance, Homer;

SUMMARY

SB 197       NATURALLY OCCURRING ASBESTOS

SB 197 was REPORTED out of Committee with a "do pass" recommendation and with previously published fiscal note: FN1 (DOT).

SB 216       SEXUAL ABUSE/ASSAULT PREVENTION PROGRAMS

CSSB 216(FIN) was HEARD and HELD in committee for further discussion.

CSHB 268(FIN)

BIG BULL MOOSE DERBIES; SNOW TOWN ICE CL.

CSHB 268(FIN) was HEARD and HELD in committee for further consideration.

CSHB 278(FIN) am

EDUCATION

CSHB 278(FIN) was HEARD and HELD in committee for further consideration.

CSHCR 15(FIN)

TASK FORCE ON UNMANNED AIRCRAFT SYSTEMS

CSHCR 15(FIN) was SCHEDULED but NOT HEARD

#hb278

CS FOR HOUSE BILL NO. 278(FIN) am

"An Act increasing the base student allocation used in the formula for state funding of public education; relating to the exemption from jury service for certain teachers; relating to the powers of the Department of Education and Early Development; relating to high school course credit earned through assessment; relating to school performance reports; relating to assessments; establishing a public school and school district grading system; relating to

charter schools and student transportation; relating to residential school applications; relating to tenure of public school teachers; relating to unemployment contributions for the Alaska technical and vocational education program; relating to earning high school credit for completion of vocational education courses offered by institutions receiving technical and vocational education program funding; relating to schools operated by a federal agency; relating to a grant for school districts; relating to education tax credits; establishing an optional municipal tax exemption for privately owned real property rented or leased for use as a charter school; requiring the Department of Administration to provide a proposal for a salary and benefits schedule for school districts; making conforming amendments; and providing for an effective date."

[1:41:57 PM](#)

DAVID STUTZER, SELF, JUNEAU, spoke in support of the vocational funding in HB 278. He stressed the importance of vocational education and believed that it could help to decrease dropout rates. He thought that language should be added to the bill that highlighted institutions that specialized in hiring the trainees of vocational education programs. He expressed concern that the bill gave too much funding to the University. He thought that it was more important to get students into vocation trades and suggested that more funding be added for the AVTEC program.

[1:45:49 PM](#)

RYAN STANLEY, PRESIDENT, ACADEMIC POLICY COMMITTEE, JUNEAU CHARTER SCHOOL, JUNEAU, testified in support of Section 14 of SB 149: if there were less than 150 students in a charter school, the school would be calculated as if there were 400 students, which presented an inequity to the school of \$200,000 in comparison to a neighborhood school of the same size. He stated that the charter school had a budget of \$977,000 yearly budget, \$100,000 of which was paid to a private corporation for the lease of building space for classrooms. He stated that the school did not have a cafeteria, gym, or playground. He noted several successes in academics that could be boasted by the school.

[1:49:00 PM](#)

DONA HELMER, SELF, JUNEAU, spoke about the importance of education in life and urged the committee to keep the star system written in the bill. She supported keeping the tenure to 3 years. She opined that the Anchorage had not been able to fill open positions for librarians with instate hire, but rather had been forced to recruit from outside Alaska.

[1:53:24 PM](#)

TAM AGOSTI-GISLER, PRESIDENT, ANCHORAGE SCHOOL BOARD, JUNEAU, related a dream that she had had the evening before that related to education in the state.

[1:56:03 PM](#)

NATASHA VONIMHOF, VICE-PRESIDENT, ANCHORAGE SCHOOL BOARD, JUNEAU, spoke to way in which Massachusetts had improved its educational system. She said that a 3 year funding plan would allow the district to fund programs to fruition.

[1:58:56 PM](#)

Vice-Chair Fairclough appreciated that the Anchorage School District had explored what Massachusetts had done for its schools. She believed that it was a model worth evaluating.

[1:59:40 PM](#)

ARLENE DILTS JACKSON, TRIBAL ADMINISTRATOR, KETCHIKAN INDIAN COMMUNITY, KETCHIKAN (via teleconference), testified that KIC was committed to establishing a Southern Southeast Alaska Technical Education Centre as a means of delivering much needed vocational and technical training in individuals residing in Southern Southeast communities. She stated that the kind of funding that would be made available through the bill would help with the development of the types of training opportunities that residents needed to be gainfully employed. She requested that the program be re-included in the legislation.

[2:02:24 PM](#)

BOB GRIFFIN, ALASKA POLICY FORUM, EAGLE RIVER (via teleconference), spoke in support of the Houses amendment to change the school grading system. He believed that the new system would make it easy for parents to see how

schools were doing, and that it would be a catalyst for improvement. He believed that the reform had been proven cost effective in other states. He thought that the provision could be considered the "consumer reports" of K-12 education.

[2:05:21 PM](#)

MICHAEL REHBERG, WINTERBERRY CHARTER SCHOOL, EAGLE RIVER (via teleconference), spoke in support of the provision that added a facility funding arrangement for charter schools. He fully supported the charter school provisions in the legislation. He advocated for a state per student facility funding arrangement directed directly to charter schools to offset facility expenses. He also requested that assurances be made that money requested outside of the BSA be directed to charter schools as well as the districts that housed them.

[2:08:55 PM](#)

SHANNA MALL, WINTERBERRY CHARTER SCHOOL, ANCHORAGE (via teleconference), spoke in support per people facilities allowance, outside of the BSA, to fully fund facilities for charter schools.

[2:10:46 PM](#)

LINDA EVANS, EFFIE KOKRINE EARLY COLLEGE CHARTER SCHOOL, FAIRBANKS (via teleconference), spoke in support of HB 278 and requested the consideration of a facility allowance that was exclusive of the BSA. She testified in support of language that would clarify and mandate pass through monies to charter schools.

[2:13:37 PM](#)

LISA RIEGER, COOK INLET TRIBAL COUNCIL, ANCHORAGE (via teleconference), testified in support of reinstating the increase in the residential stipend that had been removed from the bill. She relayed that the council supported the changes to the charter school law, expansion of the educational tax credits, and the increase in the BSA.

[2:15:34 PM](#)

CHERYL SILCOX, WINTERBERRY CHARTER SCHOOL, ANCHORAGE (via teleconference), spoke in support for fair funding for

charter schools, facility costs in particular. She relayed the various virtues of charter schools.

[2:19:10 PM](#)

BETSY BRENNAN, MEMBER, NOME SCHOOL BOARD, NOME (via teleconference), strongly supported an increase to the BSA for all public schools across the state. She detailed the budgetary struggles that would be alleviated by an increase in the BSA.

[2:20:53 PM](#)

MEGHAN STEENBURGH, SELF, ANCHORAGE (via teleconference), testified in support of the legislation and encouraged further strengthening of charter schools provisions. She opined the lack of additional funding for existing charter schools in the bill.

Co-Chair Meyer CLOSED public testimony.

[2:24:07 PM](#)

AT EASE

[2:24:33 PM](#)

RECONVENED

Co-Chair Meyer discussed housekeeping.

CSHB 278(FIN) was HEARD and HELD in committee for further consideration.

[2:26:03 PM](#)

AT EASE

[2:30:35 PM](#)

RECONVENED

#sb197

SENATE BILL NO. 197

"An Act extending the termination date of the Department of Transportation and Public Facilities' interim project authorization regarding naturally occurring asbestos; and providing for an effective date."

[2:31:05 PM](#)

DAVID SCOTT, STAFF, SENATOR DONALD OLSON, presented a sectional analysis. He stated that Section 1 would extend the authority if the underlying bill from December 31, 2013 through December 31, 2014. Section 2 provided that the authority was retroactive from January 1, 2014, the authorization would be extended to DOT for the entire calendar year of 2014. Section 3 provided and immediate effective date.

[2:33:25 PM](#)

Vice-Chair Fairclough asked whether DOT could explain why the project had been delayed. She explained that she had worked in the past with other lawmakers to provide lower cost gravel and aggregate materials to people in rural Alaska.

[2:34:00 PM](#)

ROGER HEALY, CHIEF ENGINEER, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, said that the department was in the process of issuing draft regulations and that public meetings had been scheduled in Juneau, Fairbanks and Ambler in the following weeks. The process should be concluded and regulations should be issued by mid-July 2014. He stated that the timeframe identified in the bill was sufficient for the department.

[2:34:51 PM](#)

Senator Olson asked whether one year would be enough time to craft and implement the regulations so that state sponsored projects related to schools and airports could be completed.

Mr. Healy replied yes. He said that the timeframe identified in the bill would allow for the completion of the regulations; what was already in place were the interim guidelines that were issued after the original bill passed. He furthered that the program was unique and required a lot of coordination within state agencies. He added that hiring someone to draft the regulations had taken time.

[2:36:32 PM](#)

Co-Chair Meyer OPENED public testimony.

Co-Chair Meyer CLOSED public testimony.

Vice-Chair Fairclough MOVED to REPORT SB 197 out of committee with individual recommendations and the accompanying fiscal note(s). There being NO OBJECTION, it was so ordered.

2:37:19 PM

AT EASE

2:39:19 PM

RECONVENED

#sb216

SENATE BILL NO. 216

"An Act relating to sexual abuse and sexual assault awareness and prevention efforts in public schools; establishing a task force in the Council on Domestic Violence and Sexual Assault; and providing for an effective date."

AMY SALTZMAN, STAFF, SENATOR LESIL MCGUIRE, testified that SB 216 also known as "Erin's Law" would require school districts to implement age-appropriate training and curricula on sexual abuse and assault awareness and prevention for students, kindergarten through 12<sup>th</sup> grade. The bill was part of a national effort spearheaded by Erin Merryn. Erin, an advocate and sexual abuse survivor, had made it her mission to enact this legislation in all 50 states.

Ms. Saltzman stated that, to date, version of Erin's Law had been enacted in 9 states and 25 states, including Alaska, had proposed versions on the law and were currently in progress. She shared that the governor strongly supported the legislation. She relayed that child abuse was a devastating epidemic that affected the most vulnerable Alaskans. Most victims suffer in silence with lifelong trauma and stigma. She shared that according to statistics from the Office of Children's Services, in 2013 there were more than 2,000 allegations of child sexual abuse in Alaska

with more than 1,800 individual victims, over 40% of whom were Alaska Native children. National statistics estimated that one in four girls and one in six boys would be sexually abused before their eighteenth birthday. Ninety percent of these crimes were committed by someone the child knew and trusted. There were currently forty two million survivors of sexual abuse in America alone. Three million of those survivors are children. She pointed out to the committee that schools educated children on the dangers of smoking and drugs, conducted earthquake drill, but did not provide education for this real world danger. She quoted Erin:

"Had someone taught me about safe touch, unsafe touch, safe secrets and unsafe secrets, I would have known it was safe to tell. Instead I lived my horror in silence. I am now on a mission to give children across the country the voice I never had as a child."

[2:42:41 PM](#)

Vice-Chair Fairclough noted that both House and Senate had been working on these issues for many years. She wondered about the progress of the person that was hired to deal directly with DEED for training on the issue.

Ms. Saltzman replied that the person was Patty Owen and she worked for DEED. She said that the training could be in consultation with the Council on Domestic Violence and Sexual Assault. She assured the committee that the intent was not to burden districts and that working with the council would allow for training opportunities and for a broader information base.

Vice-Chair Fairclough informed the committee that training had been adopted and curriculum had been created for the Anchorage School District. She wondered about the cost to other districts to implement training. She said that members of Standing Together Against Rape (STAR) had master's degrees in women's health and had been successful in producing educational opportunities.

Ms. Saltzman replied did not thing that it was Ms. Owens job to implement training programs in schools, but just to

offer the curriculum. She said that most all school districts already had a curriculum in place.

2:46:42 PM

Vice-Chair Fairclough recalled that during her first two years in elected office, providing training had been an issue. She requested an update from Ms. Owen as to the progress of primary prevention curriculum.

2:47:46 PM

Co-Chair Meyer understood that families could choose to have their child opt out of the training in schools. He wondered how that could be reconciled if the abuse was happening within the family.

Ms. Saltzman thought that having resources in the schools would be helpful for children that had problems at home so that they could get the help that they might need. She thought if other students were provided information then maybe they could help those who were in possible danger.

Co-Chair Meyer OPENED public testimony.

2:50:00 PM

ERIN MERRY, ERIN'S LAW, CHICAGO (via teleconference), shared that the law had been passed in 12 states and was currently being voted on in 25 additional states. She said that the intent of the bill was to educate and empower children and to give them the tools pertaining to personal body safety to speak up and tell someone about physical abuse. She offered prepared testimony:

"My name is Erin Merry I come here today from Chicago to speak on a very important topic that is near and dear to my heart. A topic I am very passionate about."

"One in four girls and one in six boys will be sexually abused before their eighteen birthday. There are currently forty two million survivors of sexual abuse in America alone. Three million of those are children. We are just talking about America. Those three million kids could fill forty six national football stadiums. As I often tell people these children are sitting in our classrooms. Yet we often

fail to address the warning signs. We often label these kids behavior disorder, emotionally disturbed, but we never get to the root of the problem. We give them aids, we hold them back, and we put all these resources into these children but we are often failing these kids because we are not educating them. We are not giving them a voice and empowering them to speak up and tell if someone is ever doing anything inappropriate.

When I was just a little six year old I met my best friend in school her name was Ashley. Ashley and I began doing everything together and it was at Ashley's house I had my first sleepover. I was so excited as that little six year old going off to my best friend's house. I fell asleep that night only to wake up that night to her uncle coming into the room and sexually abuse me for the first time. This man went on to sexually abuse me many more times in my childhood. I didn't go home and tell my parents the next day what he had done. No I stayed silent because the only message I was getting as a child from this man was, "this is our little secret, I will come get you Erin, I know where you live, if you tell anyone nobody will believe you." I was being brainwashed with this so I continued to stay silent. At seven years old this man raped me. I can remember that day as if it happened yesterday. This man continued to sexually abuse me until I was 8 1/2 years old. Finally my saving grace came when I moved to a new house. But moving only got me that much closer to my next abuser. It wasn't that stranger danger I was taught about every year, don't go look for the lost puppy, don't talk to strangers, or as I put in my childhood diary, "I sobbed the whole way home over and over in my head I thought about what just happened. In school a guy called officer friendly teaches us about strangers, never answer the door when my parents aren't home, I thought people like my cousin jumped out of bushes and attacked you at night, they don't warn us about our own family, they don't teach us that in school."

You see from ages eleven to thirteen an older cousin was sexually abusing me. Once again getting the only message this is our secret Erin nobody will believe you. I knew as a child how to duck and cover from a tornado, how to run out of a burning building, how to

evacuate a school bus, how to tell a teacher if I am being bullied, internet safety, and what to do in a lock down situation if there was a gunman in my school, but we fail to teach kids on the prevention of sexual abuse. On empowering them if someone is abusing you, you speak up and tell a safe adult. You tell a parent, a teacher, a school social worker, a family member, somebody but you don't keep this a secret. I was also taught DARE we teach this across this country. I am sure we teach it right here in Kansas. You see DARE teaches us the eight ways to say no to drugs but I ask you today where are the eight ways on how to get away and tell today. They never came in my childhood and the only message as I mentioned that I got, "This is our little secret, nobody will believe you, I will come hurt you."

How did I finally find my voice then? Well unfortunately it was learning my little 11 year old sister was also being molested by this same relative. You see these perpetrators live in our backyards. I guarantee every single one of you knows someone that has been sexually abused. We live in a society that looks the other way, pretends it isn't going on, when it is really in our faces all the time we just fail to recognize it. There are people like Jerry Sandusky living in all our communities. There out there. Erin's Law will give children the tools on the difference between a safe touch and unsafe touch, safe secret and unsafe secret, how to get away and tell today. I want educators to be educated on the warning signs to look for and the proper way to handle a child that discloses abuse. I want that seven year old that is being sexually abused tonight to be educated on how to tell through age appropriate curriculum. So she will go to school tomorrow and report it. Because right now in our society that little 7 year old will stay silent and continue to be abused by that step-father for years and it isn't until she is 30 years old in drug rehab finally coming to terms with what she never dealt with because she wasn't educate. My goal here and across this nation is to get this law passed in every state. Every child deserves to be empowered with their voice and not to keep this a secret. Every child should know how to speak up and tell, the same way they know how to not talk to strangers or use drugs. I say to all legislators

across this country the only ones that should be against this bill to help give kids a voice and educate our educators are the sexual offenders themselves. Help me protect kids by giving them the voice I never had. Help the children of Alaska know how to speak up and tell. Thank you!"

[2:59:36 PM](#)

JESSICA LAWMASTER, CHAIR, ALASKA CHILDREN'S ALLIANCE, HOMER (via teleconference), spoke in support of SB 216. She relayed that she had forensically interviewed hundreds of child victims of sexual abuse; at the end of each interview she would ask each child to identify safe adults in their lives to whom they could report further harm. She opined that some children were unable to name a single person. She stated that when children struggled to think of safe adults to talk to because they did not know that it was okay to talk to trusted adults about something so personal, uncomfortable, and confusing. She asserted that shame, blame, and other negative reactions from adults that they seek to please, kept children from speaking their truths. She believed that passage of the bill would help to reduce stigma around disclosing abuse and assure children that it was okay to tell. She noted that, for decades, it has been expected of children to simply say no to abuse, as if they had the power or responsibility to prevent it on their own; the message had been sent to children that it was not only up to them to know what is inappropriate but to make it stop by simply saying "no". She said that the reality was that children were exceptionally vulnerable and the dynamics of child sexual abuse were complex. She stressed that it could even be difficult for adults to discuss child sexual assault, but that it was the responsibility of adults and leaders in the state to protect children. She reiterated the statistics of child sexual assault in the state. She related that in most cases the sexual abuse was perpetrated by a trusted family member: a parent, guardian, step-parent, or the partner of their primary care giver. She said that it was presumed that the numbers known about sexual abuse perpetrated by parents and caregivers were underrepresented because those were the cases that involved the highest level of secrecy and isolation. She explained that perpetrators in the home who abuse their children strategically threaten, manipulate, and isolate their children to the extent where many of the never tell anyone. She hoped that when parents could not be present to protect

children that there would be other trusted adults available who could. She believed that the bill was most important for the children of Alaska whose homes were not safe and were isolated and bound by the chains of secrecy imposed on them by people they love and trust the most. She stressed that she had heard from young children who had grown up with sexual abuse so normalized they never realized that it was not okay and no one had ever told them different.

[3:04:00 PM](#)

Co-Chair Meyer CLOSED public testimony.

Vice-Chair Fairclough MOVED to ADOPT to CSSB 216(FIN), 28-LS1617/Y, 4/10/2014. There being no OBJECTION it was so ordered.

[3:04:52 PM](#)

CHRISTINE MARASIGAN, STAFF SENATOR KEVIN MEYER, spoke to the changes in the new CS. She stated that the only change could be found on the last line of the bill, which changed the effective date to coincide with the fiscal year.

[3:05:13 PM](#)

AT EASE

[3:09:50 PM](#)

RECONVENED

CSSB 216(FIN) was HEARD and HELD in committee for further discussion.

#hb268

CS FOR HOUSE BILL NO. 268(FIN)

"An Act relating to big bull moose derbies and the Snow Town Ice Classic; and relating to permits for games of chance and contests of skill."

[3:10:50 PM](#)

AT EASE

[3:11:23 PM](#)

RECONVENED

REPRESENTATIVE TAMMIE WILSON, presented a sponsor statement:

House Bill 268 would allow the Tanana Valley Sportsmen Association and the Advocates for Victims of Violence to raise funds for their nonprofit organizations.

The big bull moose derbies would be managed by the Tanana Valley Sportsmen Association and will operate much like other contests already allowed under statute. This will take place during the annual moose season, by individuals that have acquired all the proper documentation already implemented by the State of Alaska to stay within the legal boundaries of the moose season. Participants must purchase a derby ticket prior to the open day of the season. Prizes are awarded based on the size or spread of the moose antlers. Anyone who enters a bull would, regardless of the antler spread, be entered into a drawing for prizes.

The Tanana Valley Sportsmen's Association is a nonprofit organization that hosts training and completion events for the nationally ranked University of Alaska Nanooks Rifle Team as well as the local high schools. It is home to a multitude of community and school events; NCAA tournaments, biathlon training & competition, gun safety and personal protection classes are among the many. House Bill 268 would allow the raising of funds to further the use of the Tanana Valley Sportsmen's Association club house and support the efforts of the nationally ranked UAF Nanooks Rifle team who has produced Olympic level competitors.

The Snow Town Ice Classic will be operated and administered by the Advocates for Victims of Violence. Participants must purchase a ticket and guess the total of snow accumulation in the town. Winners are determined by the closest guess of what the total snow accumulation.

The Advocates for Victims of Violence is a nonprofit organization that is committed to ending domestic violence and sexual assault. Advocates for Victims of Violence provide confidential services to victims and their families and operates a safe shelter for woman and their children. A total of 18 communities are

directly served by Advocates for Victims of Violence including Chitina, Glennallen, McCarthy, and Valdez. House Bill 268 would allow the raising of funds to help serve the women and children that stay in the shelter and allow the Advocates for Victims of Violence to continue to strive to end domestic violence, sexual assault, and child abuse.

[3:13:47 PM](#)

Senator Olson asked whether the bill had faced any opposition.

Representative Wilson that there was one individual that had opposed the legislation on the grounds that the contest would draw too many out-of-state hunters.

[3:14:25 PM](#)

Co-Chair Meyer noted that public testimony on the bill would be taken at a later date. He discussed housekeeping for the following day and into the weekend.

#

ADJOURNMENT

[3:15:55 PM](#)

The meeting was adjourned at 3:16 p.m.