

SENATE FINANCE COMMITTEE

April 11, 2014

9:07 a.m.

[9:07:14 AM](#)

CALL TO ORDER

Co-Chair Meyer called the Senate Finance Committee meeting to order at 9:07 a.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

None

ALSO PRESENT

Amy Saltzman, Staff, Senator Lesil McGuire; Patty Owen, Education Specialist, Department of Education and Early Development; Lauree Morton, Executive Director, Council on Domestic Violence and Sexual Assault, Department of Public Safety; Representative Tammie Wilson; Senator Peter Micciche.

PRESENT VIA TELECONFERENCE

George Pierce, Self, Kasilof; Rowena Palomar, Executive Director, Advocates for Victims of Violence, Valdez; Doug Vincent-Lang, Director of Wildlife, Department of Fish and Game, Anchorage; Grant L. Lewis, President, Tanana Valley Sportsman's Association, Fairbanks.

SUMMARY

SB 216 SEXUAL ABUSE/ASSAULT PREVENTION PROGRAMS

CSSB 216(FIN) was REPORTED out of committee with a "do pass" recommendation and with previously published fiscal impact note: FN1 (EED).

SB 209 REGULATION OF SMOKING

SB 209 was HEARD and HELD in committee for further consideration.

CSHB 268(FIN)

BIG BULL MOOSE DERBIES; SNOW TOWN ICE CL.

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

#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."

[9:08:28 AM](#)

Vice-Chair Fairclough MOVED to ADOPT the committee substitute for CSSB 216(FIN), Work Draft 28-LS1617\R (Mischel, 4/10/14). There being NO OBJECTION, it was so ordered.

AMY SALTZMAN, STAFF, SENATOR LESIL MCGUIRE, announced that the only change in the CS was on page 1, lines 10 and 11, and added in consultation with the Council on Domestic Violence and Sexual Assault. The new section would read, "The governing body of each school district, shall, in consultation with the Council on Domestic Violence and Sexual Assault adopt and implement a policy; establish a mandatory training program for employees and students enrolled in kindergarten and provide publications related to sexual assault and sexual assault awareness and prevention to parents, students, and staff. She stated that the additions followed through to all the requirements listed in subsection B.

PATTY OWEN, EDUCATION SPECIALIST, DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT, introduced herself.

LAUREE MORTON, EXECUTIVE DIRECTOR, COUNCIL ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT, DEPARTMENT OF PUBLIC SAFETY, introduced herself.

Vice-Chair Fairclough stated that there were more than 120 school districts in Alaska and over 120 different policies. She stated that there were some discussions regarding prevention. An education specialist was hired to work with the students, and she wondered how the collaboration with the council was operating. Ms. Owen replied that she had stepped into her position three years prior to address health and safety issues in the schools, particularly domestic violence and sexual assault prevention. She stated that she represented Department of Education and Early Development (DEED) on the Council on Domestic Violence and Sexual Assault. She shared that the focus had been on the Four R Healthy Relationships Curriculum, which was voluntary curriculum that had broad support in the state to develop healthy relationships among students. She stated that she was currently expecting the results from a three-year formal evaluation of the implementation of the curriculum. She explained that the Four R Curriculum addressed grades 7 through 9, and stated that there were some efforts to add curriculum for the elementary grades. She stressed that the curriculum did not address personal safety education curriculum. She stated that legislation would be the first type of health curricula in schools. The education was encouraged, but not required.

[9:15:37 AM](#)

Vice-Chair Fairclough wondered if the adoption of the law would be focused on K-12. Ms. Owen replied in the affirmative.

Vice-Chair Fairclough stressed that there must be support for the child, once the child admits their situation. She wondered how the children would be supported. Ms. Morton responded that there was an intention to reach out to the smaller communities' available resources that were identified as respectful and safe adults. The department would work to incorporate the curricula in the communities.

Vice-Chair Fairclough stressed that the school districts would not be immediately effective upon adoption of the curriculum. She wondered if there would be a schedule for

implementation, to ensure that the safety network was in place. Ms. Morton replied in the affirmative. She stated that there was some prevention work that was already in place, and the legislation would support and supplement the existing programs.

Vice-Chair Fairclough stressed that the children must be protected.

Senator Dunleavy wondered if the Department of Law had weighed in on the legislation. Ms. Morton deferred to the sponsor.

Senator Dunleavy wondered if the training had evolved since an incident that took place at a preschool many years prior. Ms. Owen replied that she was unfamiliar with the case.

Co-Chair Meyer asked what case Senator Dunleavy was referencing. Senator Dunleavy responded that the McMartin Preschool case in California, which had unexpected results.

Co-Chair Meyer wondered if the Department of Law had expressed an opinion on the bill. Ms. Saltzman replied that the Department of Law had not weighed in on the legislation.

Vice-Chair Fairclough MOVED to REPORT CSSB 216(FIN) out of committee with individual recommendations and the accompanying fiscal note. There being NO OBJECTION, it was so ordered.

CSSB 216(FIN) was REPORTED out of committee with a "do pass" recommendation and with previously published fiscal impact note: FN1 (EED).

[9:23:16 AM](#)

AT EASE

[9:25:27 AM](#)

RECONVENED

#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."

9:25:57 AM

Vice-Chair Fairclough remarked that there were many halibut derbies. She felt that eliminating the largest game, may affect the gene pool. She wondered if there was a concern about restricting the opportunity for obtaining large game. She asked if there was a different form of conducting the derbies.

REPRESENTATIVE TAMMIE WILSON, explained that there had been discussion regarding Vice-Chair Fairclough's concerns. She stated that there were some areas that already designated the minimum size animals. She felt that there could be an option to bring the size to the closest possible minimum. She felt that it would not have a negative effect on the competition, and would increase participation in the derbies.

Vice-Chair Fairclough restated her concern about the availability for breeding large animals.

Co-Chair Meyer understood that concern.

GEORGE PIERCE, SELF, KASILOF (via teleconference), testified against the legislation. He felt that the moose belonged to the residents of Alaska, and should not be used to benefit non-profit organizations that were directed toward non-residents of Alaska. He pointed out that the King Salmon derby directed funds to non-residents. He felt that the non-residents of Alaska did not use the meat of the bull moose.

ROWENA PALOMAR, EXECUTIVE DIRECTOR, ADVOCATES FOR VICTIMS OF VIOLENCE, VALDEZ (via teleconference), spoke in support of the legislation. She stated that the Advocates for Victims of Violence was eligible to receive funds from the Snow Ice Classics, that would help reopen their office in Glennallen, and continue its operation to better serve the victims of domestic violence and sexual assault.

9:32:54 AM

Co-Chair Meyer CLOSED public testimony.

Vice-Chair Fairclough asked for information regarding the issues of non-residents. Representative Wilson stated that there was a misunderstanding. She stressed that non-residents did not have different requirements than residents. The moose would still need to go to the check stations, and the meat would go with the person that shot the moose, not to the non-profit. The non-profit was based on the measurement of the size of the antlers.

Co-Chair Meyer wondered if Mr. Vincent-Lang had heard the concerns about targeting large game.

DOUG VINCENT-LANG, DIRECTOR OF WILDLIFE, DEPARTMENT OF FISH AND GAME, ANCHORAGE (via teleconference), understood that the legislation allowed non-profits to have a derby to raise funds within legal seasons and methods of means. He announced that there was some concern regarding taking large animals out of the population, and the affect that could have over time. He stressed that Department of Fish and Game (DFG) closely monitored the effects of targeting large game.

Co-Chair Meyer RE-OPENED public testimony.

[9:38:06 AM](#)

GRANT L. LEWIS, PRESIDENT, TANANA VALLEY SPORTSMAN'S ASSOCIATION, FAIRBANKS (via teleconference), testified in support of the legislation. He stated that the Tanana Valley Sportsman Association was one of the oldest sportsman's groups in the state. He stated that the focus of the association was on firearms safety education. The money from the derby would help to increase those education programs.

Co-Chair Meyer CLOSED public testimony.

Co-Chair Meyer noted the zero fiscal note.

Senator Olson looked at the last page of the bill. He asked about the organization referenced on Diomedes Island. Representative Wilson asked for him to restate his question.

Senator Olson looked at line 7, page 4, and wondered what kind of event was on Diomed Island. Representative Wilson wondered if Senator Olson meant the Snow Town Ice Classic.

Senator Olson asked for information about the City of Diomed. Representative Wilson replied that the reference to the City of Diomed was already in statute, and the only new addition was the Snow Town Ice Classic.

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

#sb209

SENATE BILL NO. 209

"An Act prohibiting smoking in certain locations; and providing for an effective date."

9:42:20 AM

SENATOR PETER MICCICHE, explained the legislation. He stated that SB 209 was designed to provide a smoke-free work environment for most employees in Alaska. Second hand smoke kills more people in the United States than automobile accidents. He stressed that, even though many municipalities had ordinances against second hand smoke, a large number of Alaskans may still be subject to second hand smoke in the workplace. He remarked that the legislation did not subtract from the rights of the smoker, it simply protected the right of the nonsmokers from the choices of others. He stressed that there were staggering statistics about the exposure to second hand smoke. He stressed that second hand smoke killed five times more people in the U.S. each year than drunk driving and all combined highway fatalities. He pointed out that he had to figure out for himself if the legislation was the proper form of government, and he felt that the regulations were a safety concern. He added that he was a fiscal conservative, so the legislation would help to alleviate medical costs for people with conditions resulting from second hand smoke.

Senator Dunleavy looked at page 3, line 5 of the bill, and wondered if commercial fishing vessels were exempt. Senator Micciche replied in the affirmative. He stated that they were exempt, because the high seas in the outdoors may be more dangerous than the second hand smoke.

Senator Dunleavy stressed that those individuals may be subject to second hand smoke. Senator Micciche agreed, but felt that there was a consideration of what had the greatest health risk.

[9:47:46 AM](#)

Co-Chair Meyer queried the other exemptions that were included in the bill. He felt that the fishing vessel exemption was troubling. He surmised that the exemption was a safety issue. Senator Micciche replied that the primary concern was safety on the fishing vessel. He stressed that the larger boats, like the ferries, made it easier for people to smoke outside.

Co-Chair Meyer he felt that the cold weather in Fairbanks may also be a health and safety issue. He wondered if the local option was made through the committee process. Senator Micciche responded in the affirmative.

Senator Dunleavy surmised that the unorganized boroughs would be governed by the state. Senator Micciche agreed.

Senator Olson wondered if the employer could smoke in the workplace. Senator Micciche replied that the employer could not smoke in the workplace only if the employer had employees.

Senator Olson asked if a smoke shop owner would be exempt. Senator Micciche replied in the affirmative.

Senator Olson commented that he was not condoning smoking; he was merely inquiring the exemptions.

Co-Chair Meyer stressed that he was concerned about the health of the employees of the smoke shop.

SB 209 was HEARD and HELD in committee for further consideration.

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ADJOURNMENT

[9:51:44 AM](#)

The meeting was adjourned at 9:51 a.m.