

SENATE FINANCE COMMITTEE  
SECOND SPECIAL SESSION  
June 10, 2015  
10:04 a.m.

[Note: The meeting was held in Anchorage, Alaska at the Anchorage Legislative Information Office]

10:04:11 AM

CALL TO ORDER

Co-Chair MacKinnon called the Senate Finance Committee meeting to order at 10:04 a.m.

MEMBERS PRESENT

Senator Anna MacKinnon, Co-Chair  
Senator Pete Kelly, Co-Chair  
Senator Peter Micciche, Vice-Chair  
Senator Click Bishop  
Senator Mike Dunleavy  
Senator Lyman Hoffman  
Senator Donny Olson

MEMBERS ABSENT

None

ALSO PRESENT

Laura Pierre, Staff, Senator Anna MacKinnon; Representative Charisse Millett; Representative Geran Tarr; Senator Cathy Giessel; Senator Berta Gardner; Representative Kurt Olson; Representative Sam Kito; Representative Les Gara; Representative Scott Kawasaki.

SUMMARY

CSHB 44(FIN)

SEX ABUSE/ASSAULT/DATING VIOL PREV. PROGS

CSHB 44(FIN) was HEARD and HELD in committee for further consideration.

#hb44

CS FOR HOUSE BILL NO. 44(FIN)

"An Act relating to sexual abuse and sexual assault awareness and prevention efforts in public schools; and relating to dating violence and abuse awareness and prevention efforts in public schools."

10:04:19 AM

Vice-Chair Micciche MOVED to ADOPT proposed committee substitute for CSHB 44(FIN), Work Draft 29-LS0258\S (Glover, 6/9/15).

Co-Chair MacKinnon OBJECTED for discussion.

10:04:56 AM

AT EASE

10:05:36 AM

RECONVENED

Co-Chair MacKinnon noted that Co-Chair Kelly had joined the meeting.

Vice-Chair Micciche WITHDREW his prior motion. He MOVED to ADOPT proposed committee substitute for CSHB 44(FIN), Work Draft 29-LS0258\F (Glover, 6/9/15). Co-Chair MacKinnon OBJECTED for discussion. She asked her staff to review the sectional analysis for the committee substitute (CS).

10:06:25 AM

LAURA PIERRE, STAFF, SENATOR ANNA MACKINNON, relayed that she would present a sectional analysis for the CS (copy on file).

Co-Chair MacKinnon recognized the bill sponsor, Representative Charisse Millett in the room. Additionally, Representatives Geran Tarr, Kurt Olson, Sam Kito III, Scott Kawasaki, Les Gara, and Senators Berta Gardner, and Cathy Giessel were present. She noted that the purpose of adopting the CS was to provide the public access to the document on the legislative BASIS website.

Mr. Pierre relayed that the bill was accessible online. She read from the sectional analysis:

Section 1. Provides a short title for sec. 16 of the bill Alaska Safe Children's Act.

Section 2. Limits AS 14.03.073, which allows students to challenge courses for credit, to apply only to students in grades nine through 12.

Section 3. Clarifies that school districts do not have to establish assessment tools for all courses offered in grades nine through 12 for purposes of challenging a course.

Section 4. Prohibits school districts, principals, other persons in charge of schools, or teachers from administering a questionnaire or survey unless written permission is obtained from a student's parent or guardian.

Section 5. Amends AS 14.03.110(d) to require schools to inform parents or guardians of who will have access to results of questionnaires or surveys.

Section 6. Requires regional school boards to establish procedures to provide required training for school employees.

Section 7. Requires borough and city school boards to establish procedures to provide required training for school employees.

Section 8. Requires the State Board of Education and Early Development (the board) to establish procedures for training employees of state boarding schools.

Section 9. Allows school districts to determine how frequently to provide training related to selection of nondiscriminatory textbooks and educational materials.

Section 10. Requires individuals receiving a teacher certificate to complete training relating to alcohol and drug related disabilities, training regarding sexual abuse and assault awareness and prevention, training regarding dating violence and abuse awareness and prevention, and training related to suicide prevention.

Section 11. Requires school districts to determine how frequently to provide employee evaluation training for certificated school employees.

Section 12. Requires school districts and regional educational attendance areas to determine how frequently to provide training relating to alcohol and drug related disabilities.

Section 13. Removes "additional" from AS 14.30.070(b), which pertains to physical examinations for students required by the Department of Health and Social Services.

Section 14. Prohibits school districts from paying the costs of physical examinations for teachers.

Section 15. Provides that the governing bodies of school districts shall adopt policies establishing training programs for employees and students related to sexual abuse and sexual assault awareness and prevention and, in grades 7-12, dating violence and abuse awareness and prevention.

Section 16. Makes conforming amendments to AS 14.30.070.

Section 17. Allows school districts to determine how frequently to provide school crisis response training.

Section 18. Requires continuing education for teachers on the following subjects: the nature, extent, and cause of domestic violence; procedures designed to promote the safety of the victim and other household members; resources available to victims and perpetrators of domestic violence; and the lethality of domestic violence.

Section 19. Allows a person who possess a valid teacher certificate and applies to work at a facility or residential child care facility to request that the person's criminal justice information and national criminal history record check on file with the department be used to satisfy criminal history check requirements for the Department of Health and Social Services.

Section 20. Adds an individual who volunteers with children more than four hours per week to immediately report the suspected harm.

Section 21. Modifies state agency training intervals for recognition and reporting of child abuse for mandatory reporters of child abuse and neglect and allows school districts to determine how frequently to provide the training.

Section 22. Adds the definition of volunteer to AS 47.17.290(1).

Section 23. Repeals AS 14.03.075(a), (b), (c), and (e), (1), and AS 14.07.165(a)(5) and (b) which relate to college and career readiness assessments; and AS 14.30.070(a) and 14.30.120, relating to physical examinations required for students.

Section 24. Establish the Alaska Safe Children's Act Task Force to develop model curricula.

Section 25. Applicability of Section 10 relating to training requirements for teachers.

Section 26. Repeals Section 4, ch. 34, SLA 2012.

Section 27. Effective date.

Ms. Pierre noted that Sections 10, 12, 18, 20, 22, 24, 25, and 27 were new.

[10:13:26 AM](#)

Co-Chair MacKinnon WITHDREW her OBJECTION. There being NO further OBJECTION, Work Draft 29-LS0258\F was ADOPTED.

Vice-Chair Micciche asked if there would be committee discussion or time for committee members to review the changes in the CS.

Co-Chair MacKinnon relayed that the purpose of the current meeting was to provide the public with the new document. She added that the bill contained some new concepts that had not yet been discussed. She communicated that amendments would be considered. She pointed out that the CS included formation of a task force, which may create a

separation of power issue. She noted that there were some options the committee could consider to solve the issue. The CS accounted for the legislature's interest in ensuring that the curriculum was available for school districts. She relayed that 24 of Alaska's 54 school districts had adopted and implemented some form of curriculum. She believed time was needed to ensure that a standardized curriculum was available for districts to choose from. She addressed that another hurdle was that state law required that the legislature could not mandate individual school districts' curriculum; therefore, one solution was that task force or advisory board members would be ex officio. She detailed that the legislature was not trying to influence the Department of Education and Early Development's role and responsibility, but was trying to ensure that the curriculum was available. She believed legislators shared a common goal of ensuring that children were protected and that training was available as soon as possible.

Co-Chair MacKinnon made note of the two-year implementation date on the training provision. The CS proposed that districts would adopt the training, but allowed two years for the development. The intent was to prevent the delay of implementation and to ensure that the Council on Domestic Violence and Sexual Assault (CDVSA) and Department of Administration collaborate and possibly make recommendations the following legislative session to enable statutory standardization of the training. She underscored that she had no intention to delay the implementation of the bill. The goal was to improve the outcomes of safety for children in the state's schools. She relayed that the committee would meet at 1:00 p.m. to hear invited and public testimony on the CS. She highlighted that different bills and concepts had been incorporated into the CS. For example, the House had passed a bill sponsored by Representative Lynn Gattis that would provide streamlining for individual districts to save money; therefore, Representative Gattis would be available for questions during the afternoon meeting. She asked the public to contact her office with questions related to specific sections of the bill.

[10:19:59 AM](#)

Vice-Chair Micciche commented that many of the changes included in the CS related to the initial bill version. He pointed to the task force as an example and noted that some

extra space was added, but it did not change the effectiveness of the "Erin and Bree law" sections.

Senator Dunleavy asked for clarification that a section on parental rights had been completely removed from the CS. Co-Chair MacKinnon replied in the negative. She believed it was a matter of perspective. She elaborated that there were portions of what had been SB 89 remaining in the bill. She detailed that the two most controversial sections for the public had been removed, which had prevented abortion service providers from providing training. Additionally, Section 2 from SB 89 was not included in the CS.

[10:21:32 AM](#)

Co-Chair MacKinnon stated the CS included an opt-out provision for parents who were concerned about the curriculum.

Vice-Chair Micciche clarified that the original version of HB 44 had also included an opt-out provision.

Co-Chair MacKinnon referred to the formatting of legislation and the challenge in recognizing what is existing state statute versus new language. She furthered that the CS also touched upon teachers' credentialing, which she believed strengthened the training proposed in the bill. She noted that it would impact teachers seeking professional credentials in Alaska. She expressed interest in public comment on the issue. She reiterated that the committee would meet at 1:00 p.m. to hear public testimony on the CS.

#  
ADJOURNMENT

[10:24:07 AM](#)

The meeting was adjourned at 10:24 a.m.