

SENATE FINANCE COMMITTEE  
SECOND SPECIAL SESSION  
June 11, 2015  
8:25 a.m.

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

[8:25:50 AM](#)

CALL TO ORDER

Co-Chair MacKinnon called the Senate Finance Committee meeting to order at 8:25 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

SUMMARY

CSHB 44(FIN)

SEX ABUSE/ASSAULT/DATING VIOL PREV. PROGS

There being NO OBJECTION, SCS CSHB 44(FIN) was REPORTED out of committee with a "do pass" recommendation and with one new fiscal note from the Senate Finance Committee for the Department of Education and Early Development; one new fiscal impact note from Department of Education and Early Development; one previously published zero fiscal note: FN 3(DHS).

#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."

8:26:08 AM

Co-Chair MacKinnon noted that three amendments had been incorporated into the bill during the previous meeting. She noted the intent to address additional amendments. She highlighted Amendment 4 that would delete Section 14 of the bill [Note: Amendment 4 was offered and held at the end of the Senate Finance Committee meeting on 6/10/15, 1:11 p.m.]:

Page 1, lines 6 - 7:  
Delete "relating to physical examinations for teachers;"

Page 2, line 6:  
Delete "Section 15"  
Insert "Section 14"

Page 7, lines 21 - 27:  
Delete all material.

Renumber the following bill sections accordingly.

Page 12, line 10:  
Delete "sec. 15"  
Insert "sec. 14"

Page 12, line 12:  
Delete "sec. 15"  
Insert "sec. 14"

Page 13, line 20:  
Delete "15"  
Insert "14"

8:26:47 AM

AT EASE

8:26:54 AM

RECONVENED

Senator Olson addressed Amendment 4. He explained that the section would require a second physical exam for teachers. He detailed that the amendment would eliminate confusion by requiring only one physical exam.

Co-Chair MacKinnon OBJECTED.

A roll call vote was taken on the motion.

IN FAVOR: Hoffman, Micciche, Olson, Bishop, Dunleavy  
OPPOSED: MacKinnon, Kelly

The MOTION PASSED (5/2). Amendment 4 was ADOPTED.

[8:28:14 AM](#)

AT EASE

[8:28:39 AM](#)

RECONVENED

Vice-Chair Micciche MOVED to ADOPT conceptual Amendment 5. He explained that the amendment would add an effective date of June 30, 2017 to Sections 4 related to student surveys, Sections 20 and 22, and Sections 21 and 23 as adopted in Amendment 3.

Co-Chair MacKinnon OBJECTED.

Vice-Chair Micciche explained that there were some concerns from districts on understanding the impact of the student survey documentation and on the volunteer training and mandatory reporting. He reasoned that the two-year time period would provide time to evaluate the potential impacts.

Co-Chair MacKinnon discussed that Section 22 related to volunteers, was language she had added to the bill. She emphasized that the bill was important to many people across the state. However, there were other families struggling with issues they had faced as well. She shared a story about a family; their child had been raped on a school field trip and the coach did not report the incident. She relayed that the family did not find out and their child subsequently had committed suicide 15 years later. She encouraged a yes vote on the amendment and WITHDREW her OBJECTION.

There being NO further OBJECTION, Amendment 5 was ADOPTED.

[8:31:14 AM](#)

Vice-Chair Micciche MOVED to ADOPT conceptual Amendment 6. The amendment would change the implementation of Section 23 for one year to June 30, 2016.

Co-Chair MacKinnon OBJECTED for discussion.

Vice-Chair Micciche explained that the amendment would delay implementation of Section 23 for one year; it would continue to allow access to the Alaska Performance Scholarship so rural Alaskans could take the required SAT, ACT, or WorkKeys tests until the impacts of the change were fully understood.

Senator Olson supported the conceptual amendment. He believed that it was prudent to continue to provide rural students with access to the college entrance exams; otherwise the students would need to travel to hub communities to take the tests, which was a disadvantage.

Co-Chair MacKinnon WITHDREW her OBJECTION to Amendment 6.

Senator Dunleavy commented that the section reflected a bill that had passed the House sponsored by Representative Lynn Gattis. He explained that a new law had been implemented the previous year [under HB 178, an omnibus education bill]; under the law approximately \$500,000 had been designated for the purpose of taking the SAT, ACT, or WorkKeys as a condition for graduation. He agreed with Representative Gattis that because the program was new, it was an appropriate place to cut; the money would be reallocated to help with training and to support the main component of HB 44.

There being NO further OBJECTION, Amendment 6 was ADOPTED.

[8:33:56 AM](#)

Co-Chair MacKinnon MOVED to ADOPT conceptual Amendment 7, which would delete lines 8 through 10 on page 13.

Vice-Chair Micciche OBJECTED for discussion.

Co-Chair MacKinnon explained that she had received an email from Department of Education and Early Development (DEED) Commissioner Mike Hanley advising that the task force would cost money. She detailed that it had not been the intent for per diem costs to be incurred for the meetings, which would focus on curriculum development and recommendations for curriculum standardization. She stated that people could participate by telephone; the state did not believe it was necessary to pay for travel associated with the meetings. She did not believe the absence of a per diem payment would deter people from participating. She stated that if it was a challenge for someone to participate they could speak with her office. She did not want to burden DEED with travel or per diem costs.

Vice-Chair Micciche WITHDREW his OBJECTION. There being NO further OBJECTION, conceptual Amendment 7 was ADOPTED.

Vice-Chair Micciche discussed the fiscal notes. Fiscal Note 1 was from DEED related to student and school achievement; the note had zero fiscal impact from FY 16 to FY 21 with no supplemental costs.

8:36:53 AM

AT EASE

8:37:30 AM

RECONVENED

Vice-Chair Micciche noted that any costs associated with activities listed in Fiscal Note 1 would be incurred by school districts; the legislature hoped any cost would be minor. He added that there was sponsorship by child advocacy organizations to help cover the costs. Fiscal Note 2 from DEED addressed the elimination of testing; it had a negative fiscal impact from FY 16 through FY 21 of approximately \$525,000. He detailed that the costs would change as a result in the delay of the implementation date by one year. Fiscal Note 3 from the Department of Health and Social Services had zero fiscal impact from FY 16 to FY 21 and zero supplemental.

Co-Chair MacKinnon asked support for a fiscal note that contained \$10,000 as a good faith effort to communities that had pledged to provide additional funds to help implement the curriculum related to sexual assault and domestic violence training and dating violence training.

There was currently a \$25,000 proposal moving through the Alaska Children's Trust and additional donations may occur. She believed the state had been able to create electronic training modules (at a cost of \$30,000) for suicide prevention. She noted that \$10,000 was below the needed amount, but sufficient funds had been pledged to fill the remaining gap.

[8:39:54 AM](#)

Co-Chair MacKinnon noted that there had not been a fiscal note allowed out of the committee using significant general fund dollars.

Senator Dunleavy referred to Fiscal Note 1. He believed the last sentence on page 2 was critical to discussions about locating mandates to remove from school districts. He explained that the legislature and federal government were responsible for creating mandates for districts. He believed some of the mandates were very good, but costs were borne on the backs of school districts. He spoke to significant financial cuts to school districts given the state's current budget deficit. He was concerned that a lack in financial resources could mean that a law's implementation would come up short. He stated that school districts would have to locate the resources internally. He noted that as a result of conversations there were groups coming forward to assist with the costs. He was confident that the message was clear and that the state would assist where it could to ensure curriculum implementation was done in a way that would assure the desired outcomes.

[8:43:39 AM](#)

Vice-Chair Micciche requested that bill sponsors help spread the word to communities that "Erin's Law and Bree's Law" were intact in their entirety in the bill. There were other items that were helpful to the cause. He underscored that impediments to the laws that occurred in an earlier bill version had been removed. The committee had made instruction to keep children safe a priority. He thanked Co-Chair MacKinnon for a compromise that kept important pieces in place and focused the priority on the delivery of the sexual assault/domestic violence instruction. He believed the issue was the number one social issue in Alaska. He was looking forward to the results and noted committee members' commitment to continue securing outside

funding that would keep costs down for the state and would hopefully eliminate costs to school districts.

Senator Dunleavy concurred with the remarks of Vice-Chair Micciche. However, he noted that what may be viewed as impediments by some could be viewed as enhancements by others. He remarked that some of the items could have held up the passage of the bill, which he did not want.

[8:46:39 AM](#)

Co-Chair MacKinnon added that the purpose of the task force was to work to avoid passing costs on to school districts and to provide the curriculum in a way that would give teachers and parents easy access. She believed it was important to have transparency in the efforts moving forward to eliminate sexual assault, dating and domestic violence, suicide prevention, and drug and alcohol abuse. She stressed that Alaska ranked first in the nation on some significant negative social issues. She underscored the importance of decreasing the numbers. She expressed appreciation for the committee's support in reaching a compromise. Additionally, she appreciated the participation of other legislators and advocates.

Senator Olson commented from his perspective of a father on the importance of the bill.

Senator Dunleavy asserted that the bill did not only apply to females. He discussed that males were molested and abused as well. He stated that some abuse began when a child was an infant. He believed the training would have a positive outcome and applied to people of all ages.

Co-Chair MacKinnon remarked that she did not know the real statistics for boys.

Co-Chair Kelly MOVED to REPORT SCS CSHB 44(FIN) out of committee with individual recommendations and the accompanying fiscal notes.

There being NO OBJECTION, SCS CSHB 44(FIN) was REPORTED out of committee with a "do pass" recommendation and with one new fiscal note from the Senate Finance Committee for the Department of Education and Early Development; one new fiscal impact note from Department of Education and Early

Development; one previously published zero fiscal note: FN 3(DHS).

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ADJOURNMENT

8:50:07 AM

[Note: the committee rescinded its action to adjourn the meeting and then recessed; however, the meeting did not reconvene. The meeting officially adjourned at 3:39 p.m.]