

SENATE FINANCE COMMITTEE

April 15, 2016

8:03 a.m.

8:03:40 AM

CALL TO ORDER

Co-Chair MacKinnon called the Senate Finance Committee meeting to order at 8:03 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

Erin Shine, Staff, Senator Anna MacKinnon; Crystal Koeneman, Staff, Representative Cathy Munoz; Representative Dave Talerico, Sponsor; Representative Louise Stutes, Sponsor; Representative Wes Keller, Sponsor; Christa McDonald, Staff, Senator Mike Dunleavy; Representative Lora Reinbold, Co-sponsor of the Bill, Juneau.

PRESENT VIA TELECONFERENCE

Henry Schildbach, Self, Anchorage; Micah Perino, Self, Anchorage; Samantha Savage, Self, Fairbanks; Pamela Samash, Self, Nenana; Jessica Gray, Self, Anchorage; Caroline Storm, Self, Anchorage; Elise Boyer, Self, Homer; Mary Lou Kelsey, Self, Homer; Lily Spiroski, Self, Anchorage; Kristen DeHaven, Self, Anchorage; Tanner Dunn, Self, Anchorage; Devry Garity, Self, Homer; Kim Smith, Self, Homer; Robin Smith, Self, Anchorage; Lisa Eagan-Lagerquist, Self, Juneau; Deena Mitchell, Self, Anchorage; Kenni Psenak Linden, Self, Palmer; Linda File, Self, Fairbanks; Daniel File, Self, Fairbanks; Ed Gray, Self, Sitka; Paula Terrel,

Self, Juneau; Carol Clausson, Self, Anchorage; Judy Andree, Self, Juneau; Alyson Currey, Planned Parenthood Votes Northwest and Hawaii, Juneau; Butch Moore, Self, Big Lake; Dirk White, Pharmacist, Sitka; David Nees, Self, Anchorage; Doug Koester, Self, Homer; Jessica Cler, Self, Anchorage; Eric Glatt, Attorney, American Civil Liberties Union of Alaska, Anchorage; William Deaton, Self, Cordova; Mike Coons, Self, Palmer; Arlene Ronda, Self, Homer; Terrie Gottstein, Self, Anchorage; Willie Lewis, Self, Anchorage; Pete Hoepfner, Cordova School District, Cordova; Alyse Galvin, Self, Anchorage; Seta Kabaranian, Self, Anchorage; Angie Hutchinson, Self, Mat-Su; Paul D. Kendall, Self, Anchorage; April Smith, Self, North Pole; Janet Pasternak, Alaska Nurses Association, Anchorage; Donna Beran, Self, Homer; Tim Robinson, Self, Wasilla; Caroline Ahrens, Self, Anchorage; Kate Finn, Self, Anchor Point.

#### SUMMARY

CSHB 41(FIN)am

SPORT FISHING SERVICES

CSHB 41(FIN)am was HEARD and HELD in committee for further consideration.

CSHB 137(FIN)am

HUNT/FISH/TRAP: FEES;LICENSES;EXEMPTIONS

CSHB 137(FIN)am was HEARD and HELD in committee for further consideration.

HB 254 EXTEND BIG GAME COMMERCIAL SERVICES BOARD

HB 254 was HEARD and HELD in committee for further consideration.

CSHB 156(EDC)

SCHOOL ACCOUNTABILITY MEASURES; FED. LAW

CSHB 156(EDC) was HEARD and HELD in committee for further consideration.

#hb41

CS FOR HOUSE BILL NO. 41(FIN) am

"An Act relating to sport fishing services, sport fishing operators, and sport fishing guides; and providing for an effective date."

[8:05:02 AM](#)

Vice-Chair Micciche MOVED to ADOPT the committee substitute for CSHB 41(FIN)am, Work Draft 29-LS0238\S (Bullard, 4/14/16).

Co-Chair MacKinnon OBJECTED for the purpose of discussion.

[8:05:17 AM](#)

ERIN SHINE, STAFF, SENATOR ANNA MACKINNON, explained the committee substitute reverted back to a previous version of the legislation, which had bifurcated fresh and salt water sport fishing licenses in reporting. She said that conversations with the departments had revealed that the Board of Fish had the authority to regulate the log books and the penalties associated with reporting requirements. She said that the committee substitute (CS) brought fresh and saltwater sport fishing licenses under one umbrella, removed reporting requirements, and updated the penalty section for log book violations.

Co-Chair MacKinnon WITHDREW the OBJECTION. There being NO OBJECTION, the proposed committee substitute was adopted.

[8:06:49 AM](#)

Co-Chair MacKinnon asked whether the bill sponsor had reviewed the cs.

[8:06:57 AM](#)

CRYSTAL KOENEMAN, STAFF, REPRESENTATIVE CATHY MUNOZ, replied that both bill sponsors had reviewed the revised cs and supported the changes.

[8:07:15 AM](#)

Co-Chair MacKinnon asked whether either of the bill sponsors had concerns about the legislation that should be discussed on the record.

Ms. Koeneman replied that the bill sponsors had no concerns with the current draft. She pointed out to the committee that there was an updated sectional analysis in their packets (copy on file).

[8:07:45 AM](#)

Senator Olson wondered whether the new cs had been crafted in collaboration with fishing guides.

Ms. Shine responded that she had worked with a guide representative on the cs who was available in the gallery to speak to support of the legislation.

CSHB 41(FIN)am was HEARD and HELD in committee for further consideration.

#hb137

CS FOR HOUSE BILL NO. 137(FIN) am

"An Act raising certain fees related to sport fishing, hunting, and trapping; relating to the fish and game fund; providing for the repeal of the sport fishing surcharge and sport fishing facility revenue bonds; replacing the permanent sport fishing, hunting, or trapping identification card for certain residents with an identification card valid for three years; relating to hunting and fishing by proxy; relating to fish and game conservation decals; raising the age of eligibility for a sport fishing, hunting, or trapping license exemption for state residents; raising the age at which a state resident is required to obtain a license for sport fishing, hunting, or trapping; and providing for an effective date."

[8:08:43 AM](#)

Vice-Chair Micciche MOVED to ADOPT the committee substitute for CSHB 137(FIN)am, Work Draft 29-LS0625\T (Bullard, 4/14/16). There being NO OBJECTION, it was so ordered.

Co-Chair MacKinnon OBJECTED for DISCUSSION.

[8:08:57 AM](#)

ERIN SHINE, STAFF, SENATOR ANNA MACKINNON, explained the changes made by the committee substitute. She noted the

deletion in the title of sockeye stamp language, as well as the addition of language establishing certain special hunting and fishing licenses and permits for residents with developmental disabilities.

[8:09:35 AM](#)

Co-Chair MacKinnon clarified that language referring to the sockeye salmon stamp had been removed throughout the bill.

Ms. Shine replied in the affirmative.

[8:09:43 AM](#)

Ms. Shine spoke to Page2, line 16, which reflected the change in the age limit from 65, to 60, for a permanent identification.

[8:10:04 AM](#)

Co-Chair MacKinnon asked whether the change reflected current statute.

Ms. Shine replied in the affirmative.

[8:10:10 AM](#)

Ms. Shine stated that the resident hunting and trapping license on Page4, line 11, had been changed from \$60 to \$55.

[8:10:28 AM](#)

Co-Chair MacKinnon interjected that the license was a dual one and the change was meant to provide an incentive for purchasing the licenses together.

Ms. Shine agreed.

[8:10:38 AM](#)

Ms. Shine addressed said that the next change could be found on Page 4, line 15; the resident hunting and sport fishing license had previously been \$60, and was now \$50. Additionally, line 17 reflected that the resident hunting, trapping, and sport fishing license was now \$75, down from \$80. She furthered that Section 9 had been deleted from the

bill, which spoke to non-annual sport fishing licenses. She relayed that Page 5, line 14 had been changed to reflect that the tag must be affixed before leaving the kill site, rather than immediately upon capture. Line 28 of the same page reflected that the tag fee for a wolf had been raised from \$30 to \$60. She continued to Page 6, line 13, which reflected a conforming amendment, lowering the senior age from 65 to 60.

[8:12:03 AM](#)

Ms. Shine pointed out to the committee Page 6, line 26, which reflected change that the tag must be affixed to the animal before leaving the kill site, rather than immediately upon capture. She continued to Page 7, line 12, which listed that the tag for a wolf was raised from \$50 to \$100 for non-residents. The same page, line 27, reflected that the resident king salmon tag had been lowered to the current statute level of \$10. She turned to Page 8, line three, which reflected the lowering of the senior age to 60. The king salmon tag for non-residents had been reduced from \$150 to \$100, and was in current statute. Section 21 from the previous version, referring to the resident sockeye salmon tag, had been removed from the version. She continued to Page 9, section 22, and explained that a sentence which had read, "Those programs, and they include fish and wildlife viewing, fish and wildlife education, and programs relating to fish and wildlife diversity." had been deleted from the section. She noted the conforming amendment of on Page 10, line 4, which lowered the senior age to 60. She said that Section 25, on page 10, had been inserted and contained conforming language from a floor amendment in the other body that had been adopted for disabilities. She stated that Section 30 on page 12 also contained the conforming amendment to the floor amendment adopted by the house. She noted the next change on Page 13, line 24, where a repealer date of December 31, 2022 had been added.

[8:14:54 AM](#)

Co-Chair MacKinnon WITHDREW the OBJECTION. There being NO OBJECTION, the proposed committee substitute was adopted.

[8:15:16 AM](#)

Ms. Shine stated that there may be technical amendments in the future to ensure a clean bill.

Co-Chair MacKinnon agreed.

CSHB 137(FIN)am was HEARD and HELD in committee for further consideration.

#hb254

HOUSE BILL NO. 254

"An Act extending the termination date of the Big Game Commercial Services Board; and providing for an effective date."

[8:16:00 AM](#)

Vice-Chair Micciche MOVED to ADOPT the committee substitute for HB 254, Work Draft 29-LS1309\W (Bruce, 4/14/16). There being NO OBJECTION, it was so ordered.

Co-Chair MacKinnon OBJECTED for DISCUSSION.

[8:16:35 AM](#)

REPRESENTATIVE DAVE TALERICO, SPONSOR, stated that he was satisfied with the version of HB 137 that had been adopted by the committee.

[8:17:15 AM](#)

AT EASE

[8:17:29 AM](#)

RECONVENED

#HB254

HOUSE BILL NO. 254

"An Act extending the termination date of the Big Game Commercial Services Board; and providing for an effective date."

[8:17:29 AM](#)

ERIN SHINE, STAFF, SENATOR ANNA MACKINNON, discussed the changes in the current bill version. She pointed to Page 1, line 8, which required the big game commercial services

board to report to the legislature by August 31, 2016, detailing how they would become financially solvent by December 31, 2019. She noted that the sunset date remained 2019.

Co-Chair MacKinnon WITHDREW the OBJECTION. There being NO OBJECTION, the proposed committee substitute was adopted.

[8:18:29 AM](#)

REPRESENTATIVE LOUISE STUTES, SPONSOR, testified that she was satisfied with the cs before the committee. She reference a support letter in member's packets that spoke to any financial concerns held by the committee. (copy on file).

HB 254 was HEARD and HELD in committee for further consideration.

Co-Chair MacKinnon announced that amendments for any of the bills heard during the meeting were due by 4PM.

#hb156

CS FOR HOUSE BILL NO. 156(EDC) am

"An Act relating to the duties of the State Board of Education and Early Development, the Department of Education and Early Development, school boards, and school districts; relating to public school curriculum and assessments; relating to compliance with federal education laws; relating to public school accountability; relating to a statewide assessment plan and review of education laws and regulations; and providing for an effective date."

[8:20:53 AM](#)

REPRESENTATIVE WES KELLER, SPONSOR, relayed that he was available to walk through the bill and answer questions.

[8:21:29 AM](#)

Co-Chair MacKinnon queried the intent of the legislation and requested a sectional analysis.

[8:21:44 AM](#)

Representative Keller explained that the bill would provide a two year break in standardized testing, which would allow the State Board of Education to review the assessment of the states and Title 14, in light of the Every Student Shall Succeed Act. He note that other states had passes similar legislation.

[8:23:11 AM](#)

Representative Keller outlined the Sectional Analysis (copy on file):

Section 1. Requires local school boards to adopt policies allowing parents to withdraw their children from any activity, class, program, or standards-based assessment required by the state to which the parent objects.

Section 2. Exempts curricula and materials for sexual abuse and sexual assault awareness and prevention training and for dating violence and abuse awareness and prevention training from the definition of 'human reproduction or sexual matters.'

[8:23:53 AM](#)

AT EASE

[8:27:14 AM](#)

RECONVENED

[8:27:17 AM](#)

Representative Keller continued to address the sectional analysis:

Section 3. Requires the Department of Education and Early Development (the department) to include a performance designation for the state public school system in its annual report entitled "Alaska's Public Schools: A Report Card to the Public."

Section 4. Requires the department to inform each school district of the performance designation assigned to the state public school system.

Section 5. Requires the process for assigning performance designations to include a comparison of

the state public school system to public schools in other states. Section 5 also removes the department's obligation to implement measures necessary to conform to federal law in providing for the student assessment system and process for assigning performance designations under AS 14.03.123.

Section 6. Requires improvement plans for schools with low performance designations to include measures that increase local control of education and parental choice and that do not require a direct increase in state or federal funding for the school or district.

Section 7. Modifies the criteria for recognizing schools that receive a high performance designation to require that the school demonstrate an improvement over the school's performance designation for the previous year.

Section 8. Removes the requirement for the department to implement 20 U.S.C. 6301 - 7941 (Elementary and Secondary Education Act of 1965, as amended) in the accountability system for schools and districts required under AS 14.03. 123(f). Section 8 also requires the department to select student assessments with the input of teachers and school administrators.

[8:30:33 AM](#)

Co-Chair MacKinnon asked if the exemption from federal law in Section 8 could result in the loss of federal education funds.

Representative Keller replied that the bill did not exempt the state from federal law, but took out language that the state would implement federal law. He said that the law would not be implemented without public policy discussion with the legislature. He stressed that the bill did not exempt the state from federal law.

[8:31:43 AM](#)

Representative Keller looked at Section 10:

Section 10. Adds a new section prohibiting the department from requiring a school district or school to administer a statewide standards-based assessment

after July 1, 2017, and before July 1, 2019. Requires the department to create a plan for developing or selecting statewide assessments that are approved by school districts for administration no later than the school year beginning in 2020. Requires the department to submit a report to the legislature on or before January 1, 2018, describing the assessment plan and making recommendations for changes in education laws or regulations that would allow school districts greater control over education policy in light of the enactment of the Every Student Succeeds Act, P.L. 114-95.

Section 11. Amends AS 14.08.111 to remove a requirement to establish procedures for crisis intervention training under AS 14.33.127 from the duties of regional school boards.

Section 12. Amends AS 14.08.111, as amended by a session law, to remove a requirement to establish procedures for crisis intervention training under AS 14.33.127 from the duties of regional school boards.

Section 13. Amends AS 14.14.090 to remove a requirement to establish procedures for crisis intervention training under AS 14.33.127 from the duties of school boards.

Section 14. Amends AS 14.08.111, as amended by a session law, to remove a requirement to establish procedures for crisis intervention training under AS 14.33,127 from the duties of school boards.

Section 15. Amends AS 14.16.020 to remove a requirement to establish procedures for crisis intervention training under AS 14.33.127 from the duties of regional school boards.

Section 16. Amends AS 14.16.020, as amended by a session law, to remove a requirement to establish procedures for crisis intervention training under AS 14.33.127 from the duties of regional school boards.

[8:33:04 AM](#)

Co-Chair MacKinnon requested further clarification on sections 11 through 16.

[8:33:09 AM](#)

Representative Keller responded that the sections began on Page 8, line 27 of the bill. He noted that the only changes to the sections was the deletion of the reference to require crisis training.

[8:34:39 AM](#)

AT EASE

[8:35:11 AM](#)

RECONVENED

[8:35:17 AM](#)

Representative Keller continued to read from the sectional analysis:

Section 17. Allows school districts to require physical examinations of teachers, but provides that school districts are not required to pay for the physical examinations.

Section 18. Adds a new section providing that only certified teachers may teach classes in sex education, and that curriculum and materials for sex education classes must be approved by the school board and available for parents to review.

Section 19. Amends AS 14.30.362, added by a session law, to provide that suicide awareness and prevention training must be provided to each teacher, administrator, counselor, and specialist who is employed by the district or the department to provide services to students.

Section 20. Amends AS 36.30.850(b) to exempt department contracts for student assessments from the state procurement code.

Section 21. Repeals AS 14.17.520, which relates to minimum expenditure for instruction.

Section 22. Repeals AS 14.07.175, added by sec. 10 of the bill, on July 1, 2020.

Section 23. Repeals sec. 4, ch. 2, SSSLA 2015, which amended AS 14.03.110(a), relating to questionnaires or surveys administered in schools.

Section 24. Allows the department to adopt regulations necessary to implement the Act.

The regulations may not take effect before the effective date of the law implemented by the regulations,

Section 25. Provides an immediate effective date for sec. 24 of the bill.

Section 26. Provides that sections 12, 14, and 16 of the bill take effect on the effective date of sec. 14, ch. 2, SSSLA 2015.

Section 27. Provides that section 19 of the bill takes effective date of sec. 15, ch. 2, SSSLA 2015.

Section 28. Provides that section 2 of the bill takes effect on June 30, 2017.

Section 29. Provides that the remainder of the bill takes effect July 1, 2017.

[8:38:15 AM](#)

Senator Olson asked whether there were guidelines for who could conduct physical exams on teachers.

Representative Keller replied in the negative, and added that all that bill addressed was that local districts were allowed to require a physical.

Senator Olson wondered whether a health aid could perform the physical exam on a teacher if a doctor were not readily available.

Representative Keller said that he did not know.

Senator Olson spoke to section 18. He testified that, as a healthcare professional traveling in rural areas, he had been asked to provide sex education to schools. He asserted that healthcare professionals have a knowledge of anatomy and sexually transmitted diseases that was beneficial to

young people. He asked whether he would be able to continue the practice under the legislation.

Representative Keller expected that an amendment would soon be offered that would speak to the issue. He asserted that the intent of the legislation was to ensure that teachers teaching sexual education were certified, and not to harm the "process happening in rural Alaska."

Co-Chair MacKinnon withdrew her OBJECTION. There being NO OBJECTION, it was so ordered.

[8:40:49 AM](#)

Co-Chair MacKinnon revealed that there were 2 amendments ready to be introduced to the committee.

[8:41:06 AM](#)

Senator Dunleavy MOVED to ADOPT Amendment 1, 29-LS0566\T.1, Glover, 4/14/16 (copy on file):

Page16, line 10:  
Delete "AS 14.20.020"  
Insert "AS 14.20"

Page 16, following line 17:  
Insert a new bill section to read:  
" **\*Sec. 19.** AS 14.30.361, enacted by sec. 18 of this Act, is amended by adding a new subsection to read:  
(c) The requirements under (a) of this section do not apply to  
(1) sexual abuse and sexual assault awareness and prevention training required under AS 14.30.355; or  
(2) dating violence and abuse awareness and prevention training required under AS 14.30.356."

Re-number the following bill sections accordingly.

Page17, line6:  
Delete "Section 24"  
Insert "Section 25"

Page17, line9:  
Delete "Section 19"

Insert "Section 20"

Page17, line 11:

Delete "Section 2 of this Act takes"

Insert "Sections 2 and 19 of this Act take"

Page17, line 12:

Delete "secs. 25 - 28"

Insert "secs. 26 - 29"

Co-Chair MacKinnon OBJECTED for the purpose of discussion.

[8:41:27 AM](#)

CHRISTA MCDONALD, STAFF, SENATOR MIKE DUNLEAVY, spoke to Amendment 1. The amendment would change AS 14.20.020 to AS 14.20, this would extend the definition of a certified teacher to include a certified school counselor, school nurse, or school psychologist. The amendment would insert a new subsection into AS 14.33.61, and would clarify that the requirements under the Section 18 did not apply to the sexual abuse and sexual assault awareness and prevention training, or the dating violence and abuse awareness and prevention training required under the Alaska Safe Children's Act.

[8:42:19 AM](#)

Senator Dunleavy interjected that the intent was to separate sexual abuse education from sexuality education; to redefine who could teach sexual education.

[8:42:58 AM](#)

Co-Chair MacKinnon wondered whether crisis intervention would be affected by separating sex education and sexual violence education.

Senator Dunleavy replied that it was not the intent to deny students crisis intervention education, he reiterated that the focus of the amendment was to view sex education through a different lens than sexual assault education.

[8:44:18 AM](#)

Co-Chair MacKinnon said she would submit her concerns to Legislative Legal Division.

[8:44:26 AM](#)

Senator Olson expressed concern that he, as a healthcare professional, would be unable to teach youth in small rural communities about sex education.

Senator Dunleavy replied that the current language specified that only certified teachers could teach sex education in schools. He felt that Senator Olson raised a good question. He reiterated that the goal was to ensure that anything and everything that was happening in the classroom regarding sex education had been vetted by a school board, materials had been adopted by a school board, the public had been notified, and that there were "no surprises" as to what was being taught in the classes.

[8:46:21 AM](#)

Co-Chair MacKinnon informed the committee that people were waiting to testify on the bill.

[8:46:36 AM](#)

Vice-Chair Micciche supported curriculum that was reviewed by the school board. He believed that the amendment provided for parental input. He said that he was trying to understand the best way to limit who could teach the course. He spoke to SB 89, which he supported, and also supported the amendment.

[8:48:49 AM](#)

Co-Chair MacKinnon WITHDREW the OBJECTION. There being NO OBJECTION, Amendment 1 was adopted.

[8:48:57 AM](#)

MOVED to ADOPT Amendment 2, 29-LS0566\T.2, Mischel\Glover, 4/14/16(copy on file):

Page 8, line 9, following "contrary,":  
Insert "and except as provided in (d) of this section,"

Page 8, following line 25:  
Insert a new subsection to read:

"(d) The department shall require a school district or school to administer a statewide standards-based assessment after July 1, 2016, and before July 1, 2018, if the United States Department of Education provides notice that the United States Department of Education intends to withhold all or a portion of the state's federal education funding as a result of the department's compliance with (a) - (c) of this section."

Reletter the following subsection accordingly.

Co-Chair MacKinnon OBJECTED for the purpose of discussion.

[8:49:14 AM](#)

Representative Keller explained that he had been in telephonic discussions with the United States Department of Education in order to understand any consequences for non-compliance with federal law. He shared that the department had listed potential funds that could be withheld if the state failed to comply with federal law. He said that the federal government would assess whether or not the state was in compliance, which would lead to negotiations as to how to handle the situation. He said that the bill aimed to improve the testing program, which the federal government supported.

[8:51:52 AM](#)

Senator Dunleavy interjected that the federal government had never been clear of potential sanctions that would apply to the state if it were found to be out of compliance. He spoke to the failure of recent statewide standardized tests, which had been the fault of the vendor. He believed that the amendment would alleviate concerns that the state was rebelling against the federal government in terms of education.

[8:53:29 AM](#)

Co-Chair MacKinnon noted that there were 30 Alaskans currently waiting to testify on the issue.

[8:53:31 AM](#)

Senator Bishop felt that the amendment would pressure the state to procure a test quickly.

[8:53:53 AM](#)

Representative Keller replied that the amendment was a way to ensure that the state did not lose federal funds for non-compliance.

Co-Chair MacKinnon Co-Chair MacKinnon WITHDREW the OBJECTION. There being NO OBJECTION, Amendment 2 was adopted.

Co-Chair MacKinnon OPENED public testimony.

[8:55:28 AM](#)

REPRESENTATIVE LORA REINBOLD, CO-SPONSOR OF THE BILL, JUNEAU, testified in support of the legislation. She asserted that the Alaska Measures of Progress (AMP) testing had been a debacle. She said that the assessments had never proven to be fair, valid or reliable. She opined that school districts had been held accountable to the assessments. She opined that the tests were expensive and wasted classroom time. She relayed that that the tests not lead to improvement in class room teaching. She revealed that Section 2 was her favorite part of the bill. She offered several examples of the stymieing of parental rights by schools across the state.

[8:58:39 AM](#)

Representative Reinbold spoke in opposition to Amendment 2.

[8:59:49 AM](#)

HENRY SCHILDBACH, SELF, ANCHORAGE (via teleconference), testified in strong opposition to HB 156. He relayed that he was a member of a group that was trained in working with other teens on topics ranging from sexual and reproductive health to healthy relationships. He said that the goal of the education was prevention, and highlighted that Alaska had no standardized sexual health education. He relayed that less than one-fourth of Alaska's schools taught recommended HIV, STD, and pregnancy prevention in the 2013-2014 school year. He stated that Alaska ranked 47th in sexual health education in the country, while ranking 1st

in cases of chlamydia and teen pregnancy. He expressed disappointment with the portions of the bill that would intentionally target Planned Parenthood. He asserted that studies had consistently shown that comprehensive sex education, like the kind offered by Teen Council and Planned Parenthood, was effective in the reduction of STDs, delaying the start of sexual activity, and lower teen pregnancy rates. He argued that teachers and school districts relied on Planned Parenthood, as well as doctors, nurses, and other community members, who would be banned from entering schools to teach anything related to sexual education, human reproduction, or human sexuality. He furthered that resources such as Standing Together Against Rape (STAR) and Abused Women Aid In Crisis (AWAIC) would be banned from entering schools and providing knowledge to students.

[9:02:02 AM](#)

MICAH PERINO, SELF, ANCHORAGE (via teleconference), testified in opposition of the legislation. He felt that the bill would eliminate the possibility of certain organizations to visit and teach in schools. He relayed that students needed access to organizations that provided awareness for matters related to human sexuality and abuse and that could offer help, safety, and security. He pointed out to the committee that the certified teachers in schools had enough work with their annual lessons and should not be burdened with creating a sexual education curriculum. He felt that requiring teachers to teach on subjects that they were not experts on would result in the dissemination of inaccurate information, which could lead to higher rates of STIs, STDs, teen pregnancy, teen abortion, and suicide.

[9:03:59 AM](#)

SAMANTHA SAVAGE, SELF, FAIRBANKS (via teleconference), spoke against the legislation. She expressed frustration that the legislature was ignoring the will of the people of Alaska by continuing push the agenda of SB 89, as an amendment in HB 156. She voiced concern for Section 18, and Amendment 1. She believed that the amendment would restrict access to sexual education by making it impossible for anyone qualified in the field to teach classes in schools. She noted that high rates of sexually transmitted diseases, teen pregnancy, and intimate partner violence and sexual assault. She asserted that the bill would put barriers

between students and the education that they needed to make safe decisions. She believed that sexual assault and intimate partner violence was not separate from reproductive health, and that Planned Parenthood was particularly targeted by the bill. She reiterated that Alaska led the nation in preventable reproductive health issues, and that students deserved comprehensive and medically accurate sex education, from experts.

[9:06:07 AM](#)

PAMELA SAMASH, SELF, NENANA (via teleconference), spoke in support of the legislation. She expressed her concern for dwindling parental rights in the state. She felt that if the government did not care about parental rights then she should remove her daughters from public school.

[9:08:29 AM](#)

JESSICA GRAY, SELF, ANCHORAGE (via teleconference), spoke in opposition to the legislation. She shared that she was a registered nurse, trained as an educator. She contended that trained healthcare providers were the most qualified people to teach sexual and reproductive education in schools. She said that all healthcare providers were trained as educators and that education was in integral part of the protection and improvement of the health of patients. She felt that it was foolish to reduce educational resources available to students, particularly during the current fiscal climate, and especially in rural communities. She offered several statistics from the Center for Disease Control's 2015 Alaska Health Profile. She charged the committee to oppose the legislation and the associated amendments.

[9:10:16 AM](#)

CAROLINE STORM, SELF, ANCHORAGE (via teleconference), testified against the bill. She echoed previous opposition to the legislation. She warned that failure to meet federal standardized testing requirements could jeopardize federal funding for education in the state. She stressed that limiting who was allowed to provide education was a direct attack on the health and safety of young adults in the state who did not have the luxury of a loving family to guide them.

9:12:15 AM

ELISE BOYER, SELF, HOMER (via teleconference), spoke against the bill, particularly Section 18. She felt that knowledge would prepare young people to enter into the work as functional adults. She spoke to the peer health program in her town, which provided students with factual information in a safe environment. She relayed that parents already reserved the right to remove their children from sexual education classes.

9:14:16 AM

MARY LOU KELSEY, SELF, HOMER (via teleconference), testified against HB 156 as amended in Section 18, and Amendment 1. She said that she had taught human sexuality and reproductive health in middle school, high school, and at the local fire hall, and was her area of practice and expertise. She felt that the information she taught to students was lifesaving. She expressed concern that the Amendment would ban reproductive health professionals, local peer educators, and other community health professionals from educating young people. She pled with the committee not to use the excuse of parental rights to interfere with the rights of students to have accurate and complete information. She asked the committee to acknowledge the fact that most of the state did not support the legislation.

9:15:42 AM

LILY SPIROSKI, SELF, ANCHORAGE (via teleconference), testified against the legislation. She reiterated previous testimony on the merits of Teen Council and Planned Parenthood, and the importance that comprehensive, medically accurate sexual health education be available to youth in Alaska.

9:17:11 AM

KRISTEN DEHAVEN, SELF, ANCHORAGE (via teleconference), spoke against the legislation. She worried that the bill would restrict professionals such as doctors, nurses, pharmacists, and Planned Parenthood and other advocacy and support groups from helping at-risk teens and minority groups that needed assistance. She predicted that the

passage of HB 156 would lead to a rise in teen suicide, teen pregnancy, and STD rates.

[9:18:18 AM](#)

TANNER DUNN, SELF, ANCHORAGE (via teleconference), testified in opposition of the legislation. He believed that teens needed the medically accurate information, unique teaching opportunities, and support networks that the bill would restrict.

[9:19:16 AM](#)

DEVRY GARITY, SELF, HOMER (via teleconference), spoke against the legislation. She spoke as a parent of two teenagers and a pediatric nurse practitioner. She stressed the importance of continuing the programs offered through peer educators teaching high quality, effective sexual education in schools. She felt that promoting health among teens (PHAT) had been effective. She contended that teens turning toward their peers was one of the most valued resources for guidance. She relayed that the peer education program was vital for educating teens to be healthy guides in delivering accurate, high quality information about topics that could be life changing. She said that teens in her community that had interfaced with the program were knowledgeable about health sexual relationships, aware of STIs, and schooled in the importance of pregnancy prevention.

[9:21:46 AM](#)

KIM SMITH, SELF, HOMER (via teleconference), testified against the legislation. She offered a brief overview of her history with the issue of sexual health education. She offered that Homer had benefited from a peer lead, rigorous health education program in its schools for over 20 years. She said that the education in her community was fact bases and included parental involvement throughout the courses. She asserted that it was crucial that trusted, educated sources were available to help young people to learn healthy decision making. She argued that Amendment 1 would literally shut down a vital program that employed young people.

[9:24:03 AM](#)

ROBIN SMITH, SELF, ANCHORAGE (via teleconference), spoke against the legislation. She reiterated previous testimony that supported peer education in the school setting. She reminded the committee of the state's grim STI, sexual assault, and sex abuse statistics, and wondered why the legislature would restrict communities from using local resources from providing information about human reproduction and sexuality, and health relationships. She echoed previous testimony that parents already reserved the option to opt out of any health education courses. She argued that opposing abortion should not lead to denying high quality sexual education to young people; she furthered that Senator Dunleavy opposed abortion, which was why was targeting Planned Parenthood with Amendment 1.

[9:27:11 AM](#)

LISA EAGAN-LAGERQUIST, SELF, JUNEAU (via teleconference), spoke out in opposition to the legislation, particularly Section 18. She relayed stories of past students that she had watched struggle with issues related to human sexuality and sexual abuse. She asserted that the legislation was misguided, and in the current fiscal climate it was foolish to limit the resources available to public schools. She said that teachers were not prepared to teach courses on human sexuality and students were not comfortable discussing sexuality with their academic teachers.

[9:30:26 AM](#)

DEENA MITCHELL, SELF, ANCHORAGE (via teleconference), testified in strong opposition to the bill. She worried that many children in the state did not have strong familial support and were in need of comprehensive sexual education. She was thankful that her children had had access to comprehensive and accurate sexual education, which would help them to establish health relationships and engage in respectful, consensual activities. She believed that the state's deplorable STD, sexual abuse, and sexual assault statistics could be lowered with comprehensive education.

[9:33:37 AM](#)

KENNI PSENAK LINDEN, SELF, PALMER (via teleconference), spoke against the legislation. She believed that the bill would undermine the strides that had been made to improve

education in the state, while jeopardizing federal dollars for education. She contended that the bill was an attempt to dismantle and academic culture of inclusivity and the importance of public education, including sexual health education. She relayed her personal experience of being taught sex education by her gym teacher while in school. She opined that the teacher failed to discuss reproductive health. She stated that it was not possible to talk about sexual assault and domestic violence curriculum without discussing sexual health. She asserted that talking about consent and healthy relationships was equally as important as talking about STIs and pregnancy prevention.

[9:36:17 AM](#)

LINDA FILE, SELF, FAIRBANKS (via teleconference), testified in opposition to the legislation. She renounced the bill as anti- public education and anti-child. She believed that the issue Amendment 1 attempted to address ignored the large public opposition to SB 89. She felt that the legislation was poorly constructed and ideologically based, and had no place in responsible public policy. She believed that the bill would fail students and undermine access to free and appropriate public education. She asserted that educators had always sought outside expert speakers to enhance classroom learning.

[9:38:37 AM](#)

DANIEL FILE, SELF, FAIRBANKS (via teleconference), spoke in opposition to the legislation. He expressed concern for Amendment 1, which he deemed unnecessary, inappropriate, and restrictive of educator's rights to academic freedom. He explained that local school districts already had mechanisms in place for parents and other members of the public to give input related to all curricula, and that health education, and sex education specifically, received the most input. He added that parents already reserved the option to opt out of any curricula. He shared that many teachers were uncomfortable teaching the subject matter and often brought in outside experts to teach sex education. He emphasized that teachers invited a myriad of professional experts into the classroom to educate about their respective fields.

[9:40:54 AM](#)

ED GRAY, SELF, SITKA (via teleconference), spoke in support to the legislation. He spoke out against Planned Parenthood in schools. He supported the suspension of assessment testing and the recognition of parental rights inherent in the bill. He championed certified teachers teaching sexual education in schools. He expounded that the bill did not prohibit sex education, but prohibited "pro-abortion" groups from indoctrinating and sexualizing children.

[9:43:32 AM](#)

PAULA TERREL, SELF, JUNEAU (via teleconference), spoke in opposition to the bill. She shared that she was a retired teacher, and one who would have been woefully unqualified to teach sexual education to her students. She averred that the intent of the bill made little sense and was a clear attack on Planned Parenthood. She declared that there was no need for school districts or boards to be involved, and that the parental opt-out option was already in existence. She pointed out the irony in railing against interference on the federal level, while usurping local control of education. She avowed that Planned Parenthood did not discuss the issue of abortion when providing sex education; abortion was not part of their presentation. She urged members of the committee to combat misinformation by attending a Planned Parenthood presentation in the schools.

[9:46:42 AM](#)

CAROL CLAUSSON, SELF, ANCHORAGE (via teleconference), spoke against the legislation. She reiterated previous testimony that sexual education should be taught by health professionals in schools.

[9:47:51 AM](#)

JUDY ANDREE, SELF, JUNEAU (via teleconference), spoke against the legislation. She recalled testimony from a previous public hearing on the hearing where a man had called women, "enticers and entrappers of men." She alleged that the bill was an anti-choice maneuver and was a "slap in the face" to women and their health, as well as being a step backwards for women's rights. She supported that abortion was a difficult issue, but defended that the inner thoughts of a woman who was faced with the choice of whether or not to have an abortion, or the forces that resulted in the pregnancy, could not be known. She asserted

that because there was no way to know what led a woman to choose abortion, it was not right to ban an organization that gave solace and understanding to women in a non-judgmental way that provided her with options and choices. She stressed that the conversation should be between a woman and a healthcare provider. She concluded that all young men and women should be equip with the tools to avoid an unwanted pregnancy.

[9:50:23 AM](#)

ALYSON CURREY, PLANNED PARENTHOOD VOTES NORTHWEST AND HAWAII, JUNEAU (via teleconference), spoke against the legislation. She reminded the committee that Alaska fell far behind in the area of public health. She contended that the sexual health education that students received in public schools by traditional, certified teachers was not proving successful. She explained that in the last year, less than a quarter of Alaska's schools taught all of the recommended HIV, STD, and pregnancy prevention topics and required courses. She relayed that today's youth received less formal sex education than 15 years ago, a standard that was creating more barriers to comprehensive, medically accurate information. She reiterated previous testimony that public schools rely on all community resources available to them during the current fiscal climate. She stated that Planned Parenthood was a community resources that schools depended on and opined this fourth attempt by the legislature to keep Planned Parenthood educators out of schools. She pointed out to the committee that other school subjects were allowed to invite outside instructors, with no teaching certificates, to supplement learning in the classroom, sex education had been singled out and treated differently without evidence based reason. She declared that Amendment 1 did nothing to improve public health, did not increase access to quality sex education, and did not help already financially struggling school districts. She concluded that Planned Parenthood was committed to working together with community partners, and the legislature, to endure that Alaska's youth had access to the information and resources needed to stay healthy and safe.

[9:52:48 AM](#)

AT EASE

[9:53:12 AM](#)

RECONVENED

[9:53:16 AM](#)

Co-Chair MacKinnon clarified that the cs that had been introduced at the beginning of the meeting did not currently include Amendment 1, which the committee had adopted. Another cs would be drafted that incorporated the amendment and that version would be brought before the committee at the next bill hearing.

[9:53:56 AM](#)

BUTCH MOORE, SELF, BIG LAKE (via teleconference), spoke against the legislation. He contended that the legislation was a rewrite of SB 89. He said that he did not support the intent of the bill on the issue of parental consent or assessment testing. He thought that the possible loss of federal funds for education was too much of a gamble. He thought that the bill, as amended, would limit the education available to youth. He agreed that core curricula should be taught by certified teachers, but that not everyone with a teaching degree was qualified to teach sexual education. He said that students would appreciate being taught sexual education by a health professional rather than a school teacher.

[9:57:45 AM](#)

DIRK WHITE, PHARMACIST, SITKA (via teleconference), spoke against the legislation. He testified that he had helped with health classes in Sitka public schools. He opined that the legislation would restrict him from bringing his expertise into the schools. He relayed that he had always worked in tandem with certified teachers and only while teachers were present in the classroom. He stated that in rural areas a nurse or a pharmacist could be the best local resource for correct and accurate medical information about medications and the human body.

Co-Chair MacKinnon handed the gavel to Vice-Chair Micciche.

[9:59:48 AM](#)

DAVID NEES, SELF, ANCHORAGE (via teleconference), spoke in support of the legislation. He believed that the bill would bring the state in line with the other 33 states in the nation that required HIV/AIDS instruction and the 24 that required public school sexual education.

Vice-Chair Micciche handed the gavel to Co-Chair MacKinnon.

[10:01:56 AM](#)

DOUG KOESTER, SELF, HOMER (via teleconference), spoke in opposition to the legislation. He shared that he had taught sexual health in a rural village near Homer within the last 24 hours. He believed that parent's rights was an important part of sex education. He said that he instructed students to look to their parents to get information on reproductive health and healthy relationships. He lamented that not all students had a healthy home environments. He added that he gave classes for parents to learn how to teach their children in a way that they felt comfortable with. He said that not allowing peer educators to teach in the Kenai Peninsula would be devastating to the communities.

[10:04:14 AM](#)

JESSICA CLER, SELF, ANCHORAGE (via teleconference), testified against the legislation, specifically Amendment 1 and Section 18. She said that there was already a lack of access to comprehensive, medically accurate, sexual health education in the state. She relayed that Alaska had no state standards for sexual health education, yet had an epidemic of sexually transmitted infections, the highest rate of reported rape in the country, and incidents of child sexual assault rape were 6 times the national average. She felt that she would have benefited from the type of education provided by Planned Parenthood concerning prevention, consent, and healthy relationships. She stated that at a time when the state's education system was facing unprecedented budget cuts districts should be encouraged to use every resource available to educate students, and should not be limited in options for local programming.

[10:06:18 AM](#)

ERIC GLATT, ATTORNEY, AMERICAN CIVIL LIBERTIES UNION OF ALASKA, ANCHORAGE (via teleconference), spoke against Section 18 of the legislation. He said that Section 18 of the bill would be constitutionally problematic because it would empower school administrators to regulate the speech of Alaska's students in violation of both the Alaska State Constitution and the Constitution of the United States. He said that the intent of Section 18 was school control over what material student could and could not share with each

other in school when the materials related to sexual education, which was an unconstitutional regulation of speech. He believed that litigation, which would be of cost to the state, could be avoided by not passing the legislation.

[10:08:00 AM](#)

Senator Dunleavy felt that there were many misconceptions and fallacies reflected within the public testimony. He argued that the Division of Legislative Legal had vetted the section and had found no constitutional infractions. He contended that the state was within its rights to legislate certificate requirements and qualifications for those that taught in the state.

[10:08:48 AM](#)

WILLIAM DEATON, SELF, CORDOVA (via teleconference), spoke in support of the legislation. He expressed support for parental rights. He opined the connection between Planned Parenthood and legally accessible abortion. He claimed that Planned Parenthood performed 902 abortions, per day, in 2009.

[10:10:42 AM](#)

MIKE COONS, SELF, PALMER (via teleconference), spoke in support of the legislation. He believed that Planned Parenthood teaching sexual health curriculum in schools would lead to the "liberalization" of students and teachers. He warned that Planned Parenthood taught students to be tolerant of "abhorrent" sexual practices, such as, bestiality, homosexuality, and cross-dressing.

[10:12:39 AM](#)

ARLENE RONDA, SELF, HOMER (via teleconference), spoke against the proposed Section 18. She said that experience had shown her that parents were granted significant input into school curriculum. She stressed that parents had always maintained an opt-out option for any curriculum offered in Alaska's schools. She expressed concern for the restrictive nature of Section 18. She echoed previous testimony in opposition to the legislation.

[10:14:33 AM](#)

TERRIE GOTTSTEIN, SELF, ANCHORAGE (via teleconference), spoke against the current version of the legislation. She reiterated previous testimony in opposition of the bill. She felt that restricting access to medically accurate sexual health information, in light of Alaska's staggering STI statistics, was irresponsible. She categorized the amendment by Senator Dunleavy as playing politics with children's education. She believed that bill of this nature were meant to be a diversion from the state's fiscal crisis.

Zoey Story, Self, Homer (via teleconference), testified that she had taught sexual health education and healthy relationship classes as a peer educator in high school. She spoke out against the legislation.

[10:18:29 AM](#)

AT EASE

FIX TIMESTAMP

RECONVENED

FIX TIMESTAMP

WILLIE LEWIS, SELF, ANCHORAGE (via teleconference), spoke against Amendment 1 and Section 18. He opined the influence of the Tea Party in Alaska.

FIX TIMESTAMP

PETE HOEPFNER, CORDOVA SCHOOL DISTRICT, CORDOVA (via teleconference), spoke against the bill. He stressed the need for community partners in educating students.

[10:23:39 AM](#)

ALYSE GALVIN, SELF, ANCHORAGE (via teleconference), spoke in opposition to the legislation. She said her children were currently learning sex education from a Planned Parenthood educator. She believed that better educated students made informed decisions. She urged those that supported the legislation to spend some time in their children's schools.

[10:26:38 AM](#)

SETA KABARANIAN, SELF, ANCHORAGE (via teleconference), testified in opposition to the bill. She said that many cultures present in the state did not feel comfortable

discussing sexual matters in the home, which was why sexual education in schools was necessary.

[10:27:57 AM](#)

ANGIE HUTCHINSON, SELF, MAT-SU (via teleconference), testified in support of the legislation. She spoke in favor of parents rights.

[10:30:49 AM](#)

PAUL D. KENDALL, SELF, ANCHORAGE (via teleconference), spoke in support and opposition of the legislation. He believed that a "Women's Agency" should be established and that males and females should have segregated sexual education classes. He expressed a fear of the "tearing apart of the patriarchal rule." He asserted that "young males and females" were being "gender neutralized" by school districts.

[10:34:06 AM](#)

APRIL SMITH, SELF, NORTH POLE (via teleconference), spoke in support of the legislation, but encouraged the committee to remove Section 18. She thought that removing the section would allow for the bill to pass. She advocated for parental rights.

[10:35:48 AM](#)

JANET PASTERNAK, ALASKA NURSES ASSOCIATION, ANCHORAGE (via teleconference), testified against the legislation. She asserted that children who did not receive adequate sexual education in school grew up to be ignorant adults who relied on the state to manage their sexual health. She argued that limiting access to information would cost the state money.

[10:38:01 AM](#)

DONNA BERAN, SELF, HOMER (via teleconference), spoke against the legislation. She reiterated previous testimony in apposition to the bill. She believed in providing education to children from a young age would benefit because perpetrators were often victims of sexual assault as young children.

[10:41:10 AM](#)

TIM ROBINSON, SELF, WASILLA (via teleconference), testified against the bill, and provided a sarcastic testimony themed on government overreach.

[10:42:58 AM](#)

CAROLINE AHRENS, SELF, ANCHORAGE (via teleconference), testified against the current legislation, specifically Section 18. She opined that funding for education was limited. She contended that parental rights should be satisfied with the availability to opt-out of classes. She spoke of the merits of having Planned Parenthood teaching in schools.

[10:46:29 AM](#)

KATE FINN, SELF, ANCHOR POINT (via teleconference), testified against Section 18 of the legislation. She reiterated previous testimony that parents already had the opt-out option.

Co-Chair MacKinnon CLOSED public testimony.

CSHB 156(FIN)am was HEARD and HELD in committee for further consideration.

#

ADJOURNMENT

[10:49:37 AM](#)

The meeting was adjourned at 10:49 a.m.