

HOUSE FINANCE COMMITTEE  
March 16, 2020  
9:05 a.m.

9:05:24 AM

CALL TO ORDER

Co-Chair Johnston called the House Finance Committee meeting to order at 9:05 a.m.

MEMBERS PRESENT

Representative Neal Foster, Co-Chair  
Representative Jennifer Johnston, Co-Chair  
Representative Dan Ortiz, Vice-Chair  
Representative Ben Carpenter  
Representative Andy Josephson  
Representative Gary Knopp  
Representative Bart LeBon  
Representative Kelly Merrick  
Representative Colleen Sullivan-Leonard  
Representative Cathy Tilton  
Representative Adam Wool

MEMBERS ABSENT

None

ALSO PRESENT

Erin Shine, Staff, Representative Jennifer Johnston;  
Representative Jonathan Kreiss-Tompkins, Sponsor;  
Representative Matt Claman, Sponsor.

PRESENT VIA TELECONFERENCE

Dale Kelly, Commissioner, Commercial Fishing Entry Commission, Department of Fish and Game; Tamara Van Wyhe, Director, Division of Innovation and Educational Excellence, Department of Education and Early Development; Lacey Sanders, Administrative Services Director, Department of Education and Early Development, Office of Management and Budget, Office of the Governor.

SUMMARY

HB 24 LIMITED TEACHER CERTIFICATES; LANGUAGES

CSHB 24(FIN) was REPORTED out of committee with six "do pass" recommendations and five "no recommendation" recommendations and with one new zero note from the Department of Commerce, Community and Economic Development and one previously published fiscal impact note: FN1 (EED).

HB 181 PUBLIC SCHOOLS: MENTAL HEALTH EDUCATION

HB 181 was HEARD and HELD in committee for further consideration.

HB 185 REGISTRATION OF BOATS: EXEMPTION

CSHB 185(FIN) was REPORTED out of committee with a "do pass" recommendation and with one new fiscal impact note from the Department of Fish and Game, one new fiscal impact note from the Department of Administration, and one previously published zero note: FN1 (DPS).

HJR 15 CONST. AM: VOTES NEEDED FOR VETO OVERRIDE

HJR 15 was REPORTED out of committee with seven "do pass" recommendations and four "do not pass" recommendations and with one previously published zero note: FN1 (GOV).

Co-Chair Johnston reviewed the agenda for the meeting.

#hb185

HOUSE BILL NO. 185

"An Act relating to the registration of commercial vessels; and providing for an effective date."

[9:06:34 AM](#)

Co-Chair Foster MOVED to ADOPT the proposed committee substitute for HB 185, Work Draft 31-LS1250\E (Klein, 3/12/20).

There being NO OBJECTION, it was so ordered.

ERIN SHINE, STAFF, REPRESENTATIVE JENNIFER JOHNSTON, highlighted new language on page 2, line 27 through page 3, line 3 of the committee substitute (CS).

Co-Chair Johnston asked the Department of Fish and Game to address the new fiscal note.

DALE KELLY, COMMISSIONER, COMMERCIAL FISHING ENTRY COMMISSION, DEPARTMENT OF FISH AND GAME (via teleconference), reviewed the fiscal note that reflected the waiver provided for in HB 185 for vessel owners who paid fees for the Derelict Vessel Fund through the Division of Motor Vehicles (DMV) in either 2019 or 2020. She elaborated that the Commercial Fisheries Entry Commission (CFEC) would begin collecting the fees beginning in January 2021. She detailed that DMV assessed a three-year fee of \$24 for the program and CFEC would assess an annual \$8 fee. She explained that without the waiver, fishermen who had already paid would be overcharged for one or two years when the new fee was implemented. The commission would not know precisely how many vessel owners had paid the fee until the end of 2020. In order to account for the waiver, CFEC used the \$21,500 decrement in DMV's fiscal note to adjust its revenue projection downward for the first three fiscal years of the program.

Ms. Kelly clarified that because the new fee would begin during the second half of FY 21, CFEC had reduced the revenue projection for that year by half (about \$35,000 minus the \$21,500). Although the waivers would last no more than two years and would end on December 31, 2022, FY 23 would be included because it began in July 2022. She reported that CFEC licensed roughly 8,800 vessels per year and all vessel owners would pay the \$8 annual fee. From FY 24 onward, CFCE estimated an annual revenue of \$70,500 for the Derelict Vessel Fund. She explained that during the first two years of the program, CFEC anticipated some added expense in handling the waivers, but it would work to try to absorb the costs within the current budget. After that time, CFEC anticipated minimal costs to collect the licensing fee.

[9:09:47 AM](#)

Co-Chair Foster MOVED to REPORT CSHB 185(FIN) out of committee with individual recommendations and the

accompanying fiscal notes. There being NO OBJECTION, it was so ordered.

CASHB 185(FIN) was REPORTED out of committee with a "do pass" recommendation and with one new fiscal impact note from the Department of Fish and Game, one new fiscal impact note from the Department of Administration, and one previously published zero note: FN1 (DPS).

#hb24

HOUSE BILL NO. 24

"An Act relating to instruction in a language other than English; and relating to limited teacher certificates."

9:10:42 AM

Co-Chair Foster MOVED to ADOPT the proposed committee substitute for HB 24, Work Draft 31-LS0290\G (Marx/Caouette).

Co-Chair Johnston OBJECTED for discussion.

ERIN SHINE, STAFF, REPRESENTATIVE JENNIFER JOHNSTON, directed committee members to page 1, lines 11 through 12 in the committee substitute (CS) that incorporated the amendment that had passed the previous Friday. She relayed it was the only change in the CS.

Co-Chair Johnston WITHDREW her OBJECTION.

There being NO further OBJECTION, Work Draft 31-LS0290\G was ADOPTED.

Representative Wool was concerned that immersion schools were being treated differently than other public schools. He noted they were all funded the same way and were in the same school district under the auspices of the Department of Education and Early Development (DEED). He detailed that when there was a language teacher shortage in a regular public school they had to go through the typical process; however, immersion schools had a fast track to getting teachers. He believed language teachers were needed everywhere and he had heard from his school district about the need. He reported that his district would be willing to accept a teacher under the conditions of the bill. He

supported the concept. He reasoned that immersion schools were likely similar to charter schools (there was no immersion school in his community). He highlighted that kids attending charter schools tended to have parents who could drive them to school. He elaborated that the parents were typically more involved, and the kids were usually higher performing. He explained that it tended to attract a different kind of student. He reiterated that he did not have an immersion school in his district, but he was basing his experience off of charter schools that tended to be a little higher performing.

Representative Wool thought it seemed slightly disadvantageous to the schools and children who could not afford to be driven to school but wanted language exposure. He considered that perhaps the bill did not apply to high school. He noted a person who had testified previously had stated there were K-12 programs; however, the bill sponsor had relayed there were not many vibrant K-12 programs. He remarked that younger kids did not have language programs in public schools. He objected to the idea that only immersion schools had the advantage of the hiring process, even though they were all in the public school system and all received state funds.

[9:13:52 AM](#)

Representative LeBon considered how districts treated the immersion language program. From his perspective, the bill opened the door for a school district to pursue immersion language opportunities for students. He asked whether an immersion language opportunity allowed a student to receive foreign language credit towards graduation. Alternatively, he wondered if the immersion program was an enhancement to a student's academic portfolio, similar to a foreign language club. He considered whether the immersion program was a substitute for curriculum requirements to graduate by senior year in high school. He believed most of the programs would be at the high school level or may begin in middle school. He asked if the immersion language was intended to be an enhancement to the school day and to the language for a student or whether it was also intended to be a substitution for the foreign language requirements that a school district may establish for graduation from high school. He asked if it was one or the other or both.

Representative LeBon shared that when he had served on the Fairbanks School Board, the board would approve curriculum for foreign language requirements to graduate. He stated that if the school district chose to allow the bill to be a substitution for the foreign language requirements to graduate, the curriculum for the immersion language program would need to be reviewed and accepted by the school board. Additionally, the performance of the instructor and student would have to be measured and tracked. The minimum requirements as established in the curriculum would have to be met if the bill substituted for the foreign language to earn credits to graduate. He summarized his questions. He wondered if the bill resulted in an educational enhancement as in a foreign language club or if it would add to the foreign language curriculum where standards would be established for the instructor and student. He believed it was an enhancement and not a substitution, given the name Alaska Native language preservation. He believed it would be up to a school district to decide whether to treat the program as its foreign language requirement.

Co-Chair Johnston noted the department was available for questions.

TAMARA VAN WYHE, DIRECTOR, DIVISION OF INNOVATION AND EDUCATIONAL EXCELLENCE, DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT (via teleconference), asked Representative LeBon to repeat the question.

[9:17:49 AM](#)

Representative LeBon repeated his question. He wondered if the bill would allow a school district to take an immersion language opportunity and treat it as part of the foreign language curriculum for graduation. Alternatively, he wondered if it was up to the district to decide. He asked if the department had any insight into how a district may treat the issue.

Ms. Van Wyhe replied that much of the decision would be up to the school districts to determine. She elaborated that if a district or school offered foreign language in a club-type scenario with no credit attached, certification for the instructor would not be necessary. However, [instructor] certification would matter if academic credit was earned. She elaborated that the district would need to go through the proper channels to ensure the instructor was

certificated. How the issue was handled would be a school-by-school and district-by-district decision.

[9:19:08 AM](#)

Representative LeBon provided a scenario where a school district wanted to take advantage of the talent of a foreign language speaking individual in the community and allow the language (e.g. Russian or Chinese) to be part of the foreign language requirement curriculum. He asked if the class would be part of the curriculum and would fall under a whole different approval process. He stated that it was typically referred to a curriculum committee to write the curriculum and establish standards for instruction and student performance. He surmised it would have to be tracked and followed and a passing grade would have to be earned to check off the foreign language requirement for graduation. He had been reading the bill as an immersion program that would enhance the preservation of Alaska Native languages via a community member coming to the school to teach for a stipend or activity fee (not at the pay level of a certified language teacher). He asked for comment.

Ms. Van Wyhe answered that it would be a question for the individual school districts. The way districts handled special coursework related to a uniquely qualified individual was specific to each district - it would depend on the size of the district, the resources available, and the size of the teaching staff. She was not comfortable answering the question for districts across the state. She deferred to the bill sponsor for additional clarification.

REPRESENTATIVE JONATHAN KREISS-TOMPKINS, SPONSOR, asked if the question was whether fluency attained through an immersion credit should not qualify as a language credit in a school district.

Representative LeBon explained he was trying to understand the world the bill applied to. He asked if the bill applied to a foreign language offered by a school district and perhaps it required students to take one year of foreign language to graduate. If so, he asked if the immersion language would or would not potentially satisfy the requirement to graduate.

Representative Kreiss-Tompkins answered that Brandon Locke [director of the World Languages and Immersion Programs in the Anchorage School District] would have been best suited to answer the question because it would be on a district-by-district basis [Mr. Locke testified previously on the bill in a 3/10/20 10:00 a.m. meeting]. He believed it would be fairly absurd to not credential scenarios where students were fully fluent in a language. For example, if there were students coming out of grade 6 who could fluently speak Japanese and continued to do so through high school, something would be wrong if the school district did not recognize it as foreign language credit. He noted that he did not know how the foreign language credit worked. He added that the issue would be on a district-by-district basis. He surmised there was probably an existing mechanism to determine how the language would be credited.

[9:23:12 AM](#)

Representative LeBon used the example provided by the bill sponsor about a Japanese speaking student. He considered a situation where a school did not offer Japanese as a language and the student was the only student taking the language in an immersion course. He thought the district would have to determine whether to formally recognize Japanese as an immersion language and to give the student foreign language credit. He continued that it would be necessary to run the course through a curriculum development process and ensure the instruction met the standards; it would also require approval by the school board. He continued that it would also be necessary to measure proficiency and declare that the instructor and student met the minimum standards and performance expectations, respectively.

Representative Kreiss-Tompkins responded that he understood the direction of the questioning. He thought it was a nuanced inquiry. He had dialogued with over a dozen districts during the four years he had carried the legislation and the topic of how students coming out of immersion language programs qualified towards foreign language programs had never come up as a "sticky wicket." He did not have the answer to the question. He explained that someone who ran an immersion program would have to answer the question. He explained that the programs had been around for a long time and operated successfully.

Representative LeBon referenced a scenario where a student entering a school district was fluent in Japanese. He asked if the student could opt out of taking a foreign language to graduate to meet the foreign language requirements of the district if Japanese was not one of the offered languages. He asked if the student would be required to take Spanish, French, or German if they were the three offered foreign languages and the district had no immersion program. He wondered if the student would be given a pass because they spoke fluent Japanese. He guessed the answer would be no. He surmised that the student would be required to take another foreign language even though they already spoke a foreign language fluently.

[9:26:26 AM](#)

Vice-Chair Ortiz asked if there was a handle on the number of existing immersion schools and whether they only existed at the elementary or high school level.

Ms. Van Whye replied that DEED did not track the data. She would check with the teacher certification administrators.

Representative Wool followed up on Vice-Chair Ortiz's question. He recalled that a testifier who ran the immersion programs in Anchorage had referenced a K-12 program; however, the bill sponsor had communicated that the program was not robust. He believed many of the immersion programs were for younger students in K-6 or K-8. He assumed those classroom hours would not apply towards high school requirements. He did not believe [entering school] speaking a foreign language was enough to exempt a student from the foreign language requirement. He shared that his sister-in-law spoke a foreign language and her kids were fairly fluent and they had been a bit discouraged when they had to take a foreign language in school. He reasoned that it was not merely about speaking a language or else students would not have to take high school English. He thought the foreign language requirement was more of an academic requirement than just being able to speak the language.

Representative Wool highlighted that the bill specified an immersion program. He thought Representative LeBon may have been referring to an immersion program within a conventional school. He surmised the bill would apply if a school wanted to start a program; however, the person

instructing within the immersion program would not be able to teach a "regular" foreign language class within the same school, which he found challenging. On the other hand, he considered that perhaps the immersion teacher would be too busy teaching economics, history, and other topics in the immersion program. He had many questions remaining. He asked what a typical grade 9 through 12 immersion program looked like at present and into the future.

Representative Kreiss-Tompkins believed the programs varied. He stated the question would have been best directed to Brandon Locke. The bulk of immersion programs were K-6 (whether they terminated at 6th grade varied). There were different language immersion tracks in the Anchorage School District where there was a continued study and maintenance of the language, including at higher levels (e.g. studying literature of the language). He did not believe there was a cookie cutter answer as to what an immersion program looked like after grade 6. Broadly speaking, immersion programs were primary education focused and the amount of time spent in a target language classroom tapered off as a student approached 6th grade. He explained that the immersion programs were frontloaded in the first few years of primary school. He relayed that the questions would be best directed to administrators of the programs.

[9:30:45 AM](#)

AT EASE

[9:30:54 AM](#)

RECONVENED

Co-Chair Foster MOVED to REPORT CSHB 24(FIN) out of committee with individual recommendations and the accompanying fiscal notes. There being NO OBJECTION, it was so ordered.

CSHB 24(FIN) was REPORTED out of committee with six "do pass" recommendations and five "no recommendation" recommendations and with one new zero note from the Department of Commerce, Community and Economic Development and one previously published fiscal impact note: FN1 (EED).

#hjr15

HOUSE JOINT RESOLUTION NO. 15

"Proposing an amendment to the Constitution of the State of Alaska relating to actions upon veto."

[9:31:37 AM](#)

Co-Chair Johnston asked for a brief reintroduction of the bill.

REPRESENTATIVE JONATHAN KREISS-TOMPKINS, SPONSOR, explained that the resolution would create a uniform two-thirds veto override threshold.

Representative Josephson supported and co-sponsored the bill. He stated that when the language had been drafted in December 1955/January 1956 the state had felt more insecure. He detailed that according to Gordon Harrison and other scholars, the state felt it needed the strongest possible governor, which the state now had. He discussed that other states had an elected statewide treasurer, lands commissioner, secretary of state, and attorney general, which resulted in more diffused power. He noted that some states had a separately elected court system, which he opposed. He supported pulling back the reigns on the strong governor model ever so slightly.

Representative Josephson believed in some respects, the change would save a governor acting in an extreme position from himself or herself to some degree. He highlighted that the previous session there had been a divided capital issue between Juneau and Wasilla. He elaborated that there had been 16 people who could interfere with the wishes of 44 [legislators]. He thought it took the rights of the Minority a little far. He recalled that at the time the legislature had been looking at the [governor's] \$138 million veto to the university. He stated, "I'm not sure that wouldn't have happened. That is, that we couldn't have overridden that." He opined that to be the outlier of the 50 states did not have merit.

[9:34:12 AM](#)

Co-Chair Foster MOVED to REPORT HJR 15 out of committee with individual recommendations and the accompanying fiscal note.

Representative Tilton OBJECTED. She read a Thomas Jefferson quote from his 1801 inaugural address:

All too will bear in mind the sacred principle, that though the will of the majority is in all cases to prevail, that will, to be rightful, must be reasonable; that the minority possesses their equal rights, which equal law must protect, and to violate would be oppression.

Representative Tilton found it curious there were 15 constitutional amendments sitting that had been initiated by the House, and HJR 15 was the only one to make it through the committees of referral. The majority of the others addressed the Permanent Fund Dividend and other constitutional amendments that would bring the constitutional spending limit current. She had heard reference that there were many states with the same threshold. She countered that Alaska was not like all other states. She pointed out that Alaska's constitution was regarded as one of the best, most succinct, and articulate constitutions in the U.S. She did not support looking at what other states were doing and comporting to a lesser document.

[9:36:07 AM](#)

A roll call vote was taken on the motion.

IN FAVOR: Wool, Josephson, Knopp, LeBon, Ortiz, Foster, Johnston

OPPOSED: Sullivan-Leonard, Tilton, Carpenter, Merrick

The MOTION PASSED (7/4).

There being NO further OBJECTION, HJR 15 was REPORTED out of committee with seven "do pass" recommendations and four "do not pass" recommendations and with one previously published zero note: FN1 (GOV).

[9:37:01 AM](#)

AT EASE

[9:38:17 AM](#)

RECONVENED

#hb181

HOUSE BILL NO. 181

"An Act relating to mental health education."

9:38:21 AM

Co-Chair Johnston asked for a brief reintroduction of the bill.

REPRESENTATIVE MATT CLAMAN, SPONSOR, provided brief remarks. He believed updating the health education standards to include mental health was long overdue. The bill would not establish a required curriculum and would allow local school districts to determine whether they wanted to go down the path included in the bill. The bill provided guidelines for work taking place in many districts across the state.

Representative Claman shared that he had two concerns about the fiscal note. First, he believed the notion the bill would require bringing in 20 to 30 people in twice by airplane to conferences in Anchorage to come up with updated health curriculum to include mental health seemed like far too much money and had no justification. He explained that much of the work could be done remotely. He thought the fiscal note seemed unusually high. Second, he was troubled the department had included \$6,000 for regulations and needed legal support for the regulations. He explained that the Alaska Administrative Code (AAC) only included one section related to education standards - AAC 4.04.140. He detailed that AAC 4.04.140(b) specified that the content standards for physical education was set out in the department's publication entitled Alaska Physical Education Standards as revised or adopted by reference. He did not believe that equated to \$6,000 worth of legal support for regulation. He recognized there may be some costs associated with the bill, but he thought the department's fiscal note was much too high and out of touch with reality.

Co-Chair Johnston asked to hear from the Department of Education and Early Development (DEED).

LACEY SANDERS, ADMINISTRATIVE SERVICES DIRECTOR, DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT, OFFICE OF MANAGEMENT AND BUDGET, OFFICE OF THE GOVERNOR (via teleconference), addressed the sponsor's comments on the fiscal note. She explained that historically each bill requiring DEED to work with the Department of Law (DOL) on regulations cost \$6,000 to go through the process based on DOL's standard

billing. She explained that anytime DEED had to deal with regulations it cost the department money. She spoke to the travel costs in the fiscal note. She detailed that the bill's intent language outlined several representatives DEED would work with to develop the guidelines for instructions. She elaborated that DEED worked via teleconference as often as possible and it had determined that in order to bring the involved voices together to have the best conversation about what was being developed, two in-person meetings were required. The cost was based on the number of people identified in the bill.

[9:42:28 AM](#)

Representative Wool asked if the number of people that would participate in the roundtable policy discussion was 30.

Ms. Sanders replied that the fiscal note identified between 20 and 30 representatives of mental health organizations.

Vice-Chair Ortiz asked for more detail on the stated need to have two in-person meetings. He asked why the in-person meetings were necessary.

Ms. Sanders answered that she was new to the department. Her understanding was that in the past not all voices may be heard when meetings were held only via teleconference. She relayed that a colleague was available and may have more information on the need for the two meetings.

[9:44:02 AM](#)

TAMARA VAN WYHE, DIRECTOR, DIVISION OF INNOVATION AND EDUCATIONAL EXCELLENCE, DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT (via teleconference), relayed that DEED had a structure for gathering stakeholder input when it came to the development and revision of standards. She highlighted how important it was for Alaskans to have a voice at the table. She elaborated that when discussing standards for students and learning it was critical to have voices from across the state representing many of the state's school districts of various sizes and in different regions. She confirmed that virtual communication was doable and was utilized frequently by DEED. She highlighted that the current experience [with COVID-19] may change the way things were done in the future, but historically it had

been important to have stakeholders together in the same room to discuss standards face-to-face and ensure that all of the educators understood the standards. She elaborated that it was important for educators to have an opportunity to learn from content area experts and work with facilitators to result in standards that had significant buy-in. She explained that the standards would not be implemented in the school districts if they did not have buy-in. The goal was for standards to be meaningful when they reached the classroom where student learning occurred.

Co-Chair Johnston noted that the process described had less to do with the standards and general outcome and more to do with involving the educational community as a whole in order to ensure "the wheels on the bus are all going the same direction." When she first saw the bill, she thought that perhaps the development of the curriculum could be contracted out and then discussed with communities. However, she believed DEED was saying it took all the communities to be part of the development of the curriculum to work statewide.

Ms. Van Wyhe agreed. She explained that it was not just a document or a set of standards that mattered; it was the process that mattered. She elaborated on the importance of allowing educators to play a role in developing and vetting those standards before the standards went to the state board for approval and to school districts for implementation.

[9:47:15 AM](#)

Co-Chair Johnston considered that there may be a need to develop new forms of communication. She asked if it would be fair for the fiscal note to reflect one in-person meeting and one follow up teleconference meeting.

Ms. Van Wyhe answered that things had changed dramatically over the past couple of weeks related to distancing practices. She explained that the fiscal note was based on the department's current practice (two in-person meetings and virtual meetings in between), which had worked very well over many years. She believed people globally would be reconsidering the way they gathered (e.g. the way DEED gathered to obtain stakeholder input). She considered that it was possible to convene one face-to-face meeting followed by additional distanced conversations. She

reiterated that the note was based on the department's existing practice that had worked well for many years.

Co-Chair Johnston looked at the \$35,000 for a one-year contract, \$60,000 for travel, \$6,000 for legal costs, and \$12,000 to print booklets. She surmised that the committee could consider reducing the fiscal note by \$30,000. She asked if the remaining funds would meet the one-time meeting commitment.

Ms. Van Wyhe deferred to Ms. Sanders.

Ms. Sanders replied that DEED could have an internal conversation and follow up with a final response.

Representative Josephson remarked that the first time he had seen a committee change a department's fiscal note he had been surprised. However, he considered the \$35,000 contract and remarked on the thousands of mental health experts in Alaska. He did not mean to diminish the seriousness of the work but surmised that a set of standards could be developed over the course of a weekend. He believed the two separate in-person meetings could be cut to one meeting, which would cut the fiscal note in half. He would vote in support for a motion to change the note.

[9:50:46 AM](#)

AT EASE

[9:52:01 AM](#)

RECONVENED

Co-Chair Johnston was pleased to hear the department was willing to review the fiscal note. She announced an amendment deadline for the following afternoon.

Representative Claman understood that DEED often received a bill from DOL for \$6,000 for regulatory work. However, he found it hard to believe DOL would charge \$6,000 to modify one paragraph in regulation if there were not additional regulations apart from the one he had identified. He understood DOL may have standard rates, but he would like DEED to find out more about what regulations needed to be changed. He was skeptical of the \$6,000 cost.

Representative LeBon stated that the language in the bill specified that the mental health element to the health curriculum a school district presented to students needed to be established by DEED. He continued that the department had two years to develop the material to present to school districts. He asked if districts were expected to accept the DEED recommendations. Alternatively, he wondered if districts could look at the recommendations and adopt the mental health component of the program based on their own goals and objectives. He wondered if a school board would be expected to give a stamp of approval without much input.

Representative Claman replied that he read the bill language a bit differently. He pointed to Section 3(b), where the board developed guidelines. He highlighted that the current content standards for health guidelines were two pages. He anticipated the guidelines that came back from DEED would not be significantly longer, which would leave curriculum development largely to local school boards. He thought there would be some expectation the department would provide some information beyond the guidelines in terms of what school boards may look for in their individual curriculum. He did not believe the Fairbanks or Anchorage school boards started the curriculum development process in a vacuum. He believed they looked to see what information was available.

Representative Claman thought the school boards would look to the state to see what resources were available, but he believed it would be completely up to local school boards to develop curriculum. He hoped that on a statewide level there would be some similarity from one school district to the next. He did not believe the state would dictate what the curriculum would look like. Alternatively, he believed the state would provide guidelines. For example, he highlighted skills for healthy living guidelines that were broad and left significant room for school districts to decide what was best after consultation with parents and faculty. He did not see the bill as imposing any specific curriculum on any district. He believed the existing guidelines supported the notion it would be easy to fit within those guidelines.

[9:56:36 AM](#)

Representative LeBon could not help reading into things, particularly if the topic would come before the school

board. He stated that if it was the expectation for school boards to rubber stamp the DEED recommendations, the school boards would want to see the recommendations as early as possible. Additionally, school boards would want to see what the content would look like, whether there was a fiscal element, whether it crowded out other aspects of their health program, and whether it fit in well. He reasoned there were considerations that each school district and each school board would have to weigh. He was not reading into the bill that it would be mandated by the state to all school districts.

Co-Chair Johnston stated that Representative LeBon may have made the argument for the fiscal note. She pointed out that DEED had talked about getting buy-in from all parties to a certain extent.

Representative Claman pointed to Section 3 (AS 14.30.360(b)) and noted that the only thing being added to existing law was mental health. He elaborated that curriculum specialists were in existing law; therefore, the presumption was that the position already existed. He believed the fiscal note was only related to the guideline development and not to the existing role of the specialist in the department. He shared that his conversations with school districts had consistently been that they had significant leeway in what they wanted to do.

Ms. Van Wyhe clarified that the topic was standards. She pointed out that there was a difference between standards and curriculum. She relayed that DEED supported the work of developing standards and the State Board of Education had very high standards for the standards developed by DEED in terms of the processes followed by the department and ensuring there was significant stakeholder input. She furthered that once standards were adopted - standards in general were voluntary as were the standards in the bill - the districts would take the standards and develop curriculum, select instructional materials, and determine precisely how the standards and expectations of the standards rolled out in the districts. She noted there had been a bit of confusion between standards and curriculum in the past several minutes of discussion.

[9:59:37 AM](#)

Representative Wool looked at Section 3 of the bill and noted that it specified that a school health education specialist position shall be established and funded in the department to coordinate the program statewide. He assumed it was already in place for the physical health program. He asked if the same person would be tasked with the mental health program to eliminate the need to hire another education specialist. He did not want to keep layering specialists on if possible.

Representative Claman answered that it was existing law and therefore, there should be an existing position. He clarified that the bill did not call for adding another position.

Representative Wool recognized that health education was being broadened all of the time to include not only physical health but topics like substance abuse, healthy relationships, mental health including depression, mental illness, suicide and other related topics. He asked if the department envisioned another class. He remarked that often times the physical education teacher was tasked with the topic. He shared that at his kid's school the class alternated between health and gym. He thought it seemed like a significant amount to ask of a physical education teacher.

[10:01:55 AM](#)

Ms. Van Wyhe answered that the decisions were completely up to individual school districts. She highlighted that the standards were voluntary, and it would be up to each district to determine how to implement them, what the course offerings would look like, and which staff would teach the course. The department had no jurisdiction over the decisions.

Representative Wool asked what the department envisioned for implementation.

Ms. Van Wyhe deferred to the bill sponsor.

Representative Claman envisioned that the state board would adopt new guidelines, which would be supportive of more districts incorporating mental health into their health education curriculum.

HB 181 was HEARD and HELD in committee for further consideration.

Co-Chair Johnston reviewed the schedule for the following meeting.

#  
ADJOURNMENT

[10:03:40 AM](#)

The meeting was adjourned at 10:03 a.m.