

**ALASKA LEGISLATURE**

**2239**

**HOUSE and SENATE FINANCE COMMITTEE FILES, 2001 - 2002**



# SENATE COMMITTEE REPORT

DATE: 4/6/01

FURTHER: State Affairs  
Finance

DATE TURNED IN TO OFFICE: 1-28-02

Health, Education and Social Services Committee considered

HOUSE BILL NO. 162

"An Act relating to absences from the state under the longevity bonus program."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**Senate Bill:**

- same title
- new title

**House Bill:**

- same title
- technical title
- new: SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#
DOA	1/25/02	(146.7)		2

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>	✓			
<i>Bobby D. Davis</i>	✓			
<i>Robert D. Roman</i>	✓			
<i>Gary Lee</i>	✓			
CHAIR: <i>Lyle Green</i>	✓			

HB 162-ABSENCES UNDER LONGEVITY BONUS PROGRAM  
SENATE FINANCE COMMITTEE

SIGN-IN

NAME: Alison Elgee Subject/Bill No: HB162  
Co./Dept./Title: Dep. Comm. - Dept. of Admin Phone: 465-2200  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_  
Do you wish to testify?  Yes  No  Respond To Questions re: Fiscal note

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_  
Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_  
Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_  
Do you wish to testify?  Yes  No  Respond To Questions

**HB**

**165**

SFIN

FILE

HB 165

was referred to the  
Senate Finance  
Committee

No hearing was held  
on this bill

**HB**

**171**

HFIN

FILE



# FISCAL NOTE

**STATE OF ALASKA**  
**2002 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: CS HB 171 (FIN)  
 () Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: EED  
 Title An Act relating to a curriculum for Alaska BRU Teaching & Learning Support  
History Component Quality Schools  
 Sponsor Rep. Kapsner  
 Requester House Finance Component No. 2147

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services	0.0					
Travel	0.0					
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0					
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2002) cost: 0.0  
 Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)  
 The changes to this bill eliminate the role of the department in developing a statewide Alaska History curriculum. New language in the bill directs the governing body of each district to develop local curriculum. The costs associated with development and any related professional development will be assumed by each district.

Prepared by: Barbara Thompson, Deputy Director Phone 465-8727  
 Division: Teaching & Learning Support Date/Time 2/13/02 11:59 AM  
 Approved by: Fd McLain, Deputy Commissioner Date 2/13/02  
 Agency: Department of Education & Early Development

22-LS0070\T  
Ford  
2/5/02

**CS FOR HOUSE BILL NO. 171( )**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-SECOND LEGISLATURE - SECOND SESSION**

**BY**

**Offered:  
Referred:**

**Sponsor(s): REPRESENTATIVES KAPSNER, Stevens, Kookesh, Joule, Whitaker, McGuire, Berkowitz, Fate, Wilson, Meyer, Croft, Murkowski, Kerttula, Hayes, Guess, Morgan, Dyson, Foster, Halcro, James, Hudson, Cissna, Crawford, Moses, Davies, Harris, Williams, Coghill, Green**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to a curriculum for Alaska history; and providing for an effective**  
2 **date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **\* Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
5 to read:

6 **FINDINGS AND INTENT.** (a) The legislature finds that

7 ~~(1)~~ an education rich in history and government is vital to the development of  
8 a representative democracy and a civil society; knowledge of a person's own state history and  
9 government is fundamental to informed and effective participation in state and local affairs;

10 (2) Alaska's human history is at least 10,000 years old and reflects the  
11 diversity of Native, European, American, and Asian cultures; the study of Alaska history  
12 should be as rich as Alaska's origins and evolution as a political community, and it should  
13 take into consideration the ancient, historic, and modern interactions of Native, European,  
14 American, and Asian cultures, economies, governments, and values; every student graduating

1 from an Alaska secondary school should do so with a demonstrable understanding of Alaska's  
2 rich and unique history;

3 (3) the face of Alaska is changing demographically, economically, and  
4 socially; the speed of change makes it imperative for Alaska's citizens and leaders to have a  
5 sound understanding of the state's history;

6 (4) a knowledge of history provides a context for understanding where  
7 Alaskans came from and what Alaskans value about the diversity and richness of the state;  
8 that knowledge can help Alaskans make decisions individually and collectively that will  
9 protect and enhance what Alaskans value both now and into the future;

10 (5) a civics component to an Alaska history curriculum, including how  
11 Alaska's economy and Alaska's form of government developed, is crucial to understanding  
12 how to deal with today's issues, including urban and rural cooperation and the state's fiscal  
13 challenges;

14 (6) an educated Alaska populace with a full appreciation for the history of  
15 Alaska will make better decisions for the good of all Alaska citizens, both rural and urban;

16 (7) an understanding of Alaska's history will help Alaska avoid mistakes of  
17 the past and will contribute to a prosperous, successful future for all Alaskans;

18 (8) Alaska schools are positioned to transmit knowledge of Alaska history to  
19 the majority of people who will inhabit Alaska in coming generations;

20 (9) 22 other states currently require by statute the teaching of state history;

21 (10) over the past decade, a number of instructional resources have become  
22 available and could be used to teach courses on Alaska and Alaska Native history.

23 (b) It is the intent of this Act

24 (1) to ensure that every future Alaska high school graduate receive instruction  
25 in Alaska history through a locally adopted curriculum that meets the state social studies  
26 standards;

27 (2) that Alaska school districts should receive the instructional support needed  
28 to put an Alaska history curriculum in place and to prepare teachers to maximize the effect of  
29 the curriculum;

30 (3) to encourage public and private involvement and support for  
31 implementation of an Alaska history curriculum;

1 (4) to provide for a broad based Alaska history curriculum that includes study  
2 of the state's geography, resource development, economics, government, anthropology, art,  
3 Native history, and cultural relationships.

4 \* Sec. 2. AS 14.03.255(a) is amended to read:

5 (a) A charter school operates as a school in the local school district except that  
6 the charter school (1) is exempt from the local school district's textbook, program,  
7 curriculum, and scheduling requirements; (2) is exempt from AS 14.14.130(c); the  
8 principal of the charter school shall be selected by the academic policy committee and  
9 shall select, appoint, or otherwise supervise employees of the charter school; and (3)  
10 operates under the charter school's annual program budget as set out in the contract  
11 between the local school board and the charter school under (c) of this section. A  
12 local school board may exempt a charter school from other local school district  
13 requirements if the exemption is set out in the contract. A charter school is subject to  
14 secondary school competency testing as provided in AS 14.03.075 and other  
15 competency tests required by the department. A charter school is subject to Alaska  
16 history education requirements under AS 14.30.440.

17 \* Sec. 3. AS 14.30 is amended by adding a new section to read:

18 **Article 6A. Alaska History Education.**

19 **Sec. 14.30.440. Alaska history education.** (a) Each governing body shall  
20 develop a standards-based Alaska history education curriculum within grades 9  
21 through 12. The curriculum must include a Native studies component. The  
22 curriculum shall be implemented as a part of regular classroom studies and must  
23 require that each student complete the curriculum with a passing grade as a  
24 requirement for graduation.

25 (b) Notwithstanding (a) of this section, a governing body may waive  
26 completion of the curriculum described under (a) of this section as a requirement for  
27 graduation for a student who transfers into the district from another state or country  
28 after completion of the student's junior year.

29 (c) In this section,

30 (1) "curriculum" means a course of study that, by the completion of the  
31 12th grade, is the equivalent of at least one semester;

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(2) "district" has the meaning given in AS 14.17.990.

\* Sec. 4. The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. This Act applies to students who begin the ninth grade on or after July 1, 2003.

\* Sec. 5. This Act takes effect July 1, 2002.

# FISCAL NOTE

**STATE OF ALASKA**  
**2002 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: CS HB 171 (EDU)  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: EED  
 Title: An Act relating to a curriculum for Alaska BRU Teaching & Learning Support  
History Component Quality Schools  
 Sponsor: Rep. Kapsner  
 Requester: House Finance Component No. 2147

**Expenditures/Revenues (Thousands of Dollars)**

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services	52.0					
Travel	4.5					
Contractual	163.0	30.0	30.0	30.0	30.0	30.0
Supplies	3.5					
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>223.0</b>	<b>30.0</b>	<b>30.0</b>	<b>30.0</b>	<b>30.0</b>	<b>30.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE (Thousands of Dollars)**

FUND SOURCE	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
1002 Federal Receipts						
1003 GF Match						
1004 GF	223.0	30.0	30.0	30.0	30.0	30.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>223.0</b>	<b>30.0</b>	<b>30.0</b>	<b>30.0</b>	<b>30.0</b>	<b>30.0</b>

Estimate of any current year (FY2002) cost: 0.0  
 Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

Please see attached analysis pages.

Prepared by: Barbara Thompson, Deputy Director Phone 465-8727  
 Division: Teaching & Learning Support Date/Time 1/23/02 2:14 PM  
 Approved by: Ed McLain, Deputy Commissioner of Education Date 1/23/02  
 Agency: Department of Education & Early Development

*Alaska Department of Education & Early Development  
CS for HB 171 (EDU) Fiscal Note Analysis*

Section 3 of the CS for HB 171 (EDU) directs the Alaska Department of Education & Early Development to develop a standards-based Alaska history education curriculum within grades 9 through 12. The curriculum must include a Native studies component. Completion of this curriculum is required for a student to graduate from high school.

The department will develop this curriculum using educational experts from across the state through a committee approach. The curriculum will be pilot tested in a district or districts beginning in January of 2003. Full implementation and availability of the curriculum will begin in the 2003-2004 school year.

Districts will be able to use the curriculum in a stand-alone course or integrate it into existing courses. Training for proper implementation of this curriculum (either as a stand-alone course or integrated) will be provided for teachers across the state, to ensure that teachers know how to teach this standards-based course and that students benefit from completing it. Initial training will occur at 2-day regional training sessions (Anchorage, Fairbanks, Juneau) with at least one representative from each district in attendance. The district may send additional representatives at its own expense.

Continued annual training on the use of the curriculum will occur through a distance delivered, web-based course. The course will be developed and offered for credit.

The budget for this fiscal note follows.

Personal Services

.5 FTE Education Specialist	\$ 36,000 (in year 1)
.5 FTE Administrative Clerk	\$ 16,000 (in year 1)
Sub total	\$ 52,000

Travel

Staff travel to conduct curriculum development	
Meetings and regional training sessions (6 total	
Meetings and training trips at 2 days each)	\$ 4,500 (in year 1)
Sub total	\$ 4,500

*Alaska Department of Education & Early Development  
CS for HB 171 (EDU) Fiscal Note Analysis*

Contractual

Postage, phone, copier, fax charges	\$ 5,000 (in year 1)
Professional Services Contracts for curriculum developers/trainers	\$ 50,000 (in year 1)
Staff Development Contracts with 53 districts, 1 Representative each for regional trainings (53 Staff, 3 days each, including substitute fees)	\$ 53,000 (in year 1)
Contract to develop distance delivered course with Credit option, administered annually	\$ 25,000 (in year 1)
Printing costs for completed curriculum	<u>\$ 30,000</u> (in year 1)
Sub total	\$163,000

Supplies

General office supplies for staff	<u>\$ 3,500</u> (in year 1)
Sub total	\$ 3,500

**Total**                      **\$223,000**

adopted 1/24/02 Amended Page 4

22-LS0070\NR  
Ford  
1/22/02

**CS FOR HOUSE BILL NO. 171( )**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-SECOND LEGISLATURE - SECOND SESSION**

**BY**

**Offered:  
Referred:**

**Sponsor(s): REPRESENTATIVES KAPSNER, Stevens, Kookesh, Joule, Whitaker, McGuire, Berkowitz, Fate, Wilson, Meyer, Croft, Murkowski, Kerttula, Hayes, Guess, Morgan, Dyson, Foster, Halcro, James, Hudson, Cissna, Crawford, Moses, Davies, Harris, Williams, Coghil, Green**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to a curriculum for Alaska history; and providing for an effective  
2 date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 \* Section 1. The uncodified law of the State of Alaska is amended by adding a new section  
5 to read:

6 **FINDINGS AND INTENT. (a) The legislature finds that**

7 (1) an education rich in history and government is vital to the development of  
8 a representative democracy and a civil society; knowledge of a person's own state history and  
9 government is fundamental to informed and effective participation in state and local affairs;

10 (2) Alaska's human history is at least 10,000 years old and reflects the  
11 diversity of Native, European, American, and Asian cultures; the study of Alaska history  
12 should be as rich as Alaska's origins and evolution as a political community, and it should  
13 take into consideration the ancient, historic, and modern interactions of Native, European,  
14 American, and Asian cultures, economies, governments, and values; every student graduating

1 from an Alaska secondary school should do so with a demonstrable understanding of Alaska's  
2 rich and unique history;

3 (3) the face of Alaska is changing demographically, economically, and  
4 socially; the speed of change makes it imperative for Alaska's citizens and leaders to have a  
5 sound understanding of the state's history;

6 (4) a knowledge of history provides a context for understanding where  
7 Alaskans came from and what Alaskans value about the diversity and richness of the state;  
8 that knowledge can help Alaskans make decisions individually and collectively that will  
9 protect and enhance what Alaskans value both now and into the future;

10 (5) a civics component to an Alaska history curriculum, including how  
11 Alaska's economy and Alaska's form of government developed, is crucial to understanding  
12 how to deal with today's issues, including urban and rural cooperation and the state's fiscal  
13 challenges;

14 (6) an educated Alaska populace with a full appreciation for the history of  
15 Alaska will make better decisions for the good of all Alaska citizens, both rural and urban;

16 (7) an understanding of Alaska's history will help Alaska avoid mistakes of  
17 the past and will contribute to a prosperous, successful future for all Alaskans;

18 (8) Alaska schools are positioned to transmit knowledge of Alaska history to  
19 the majority of people who will inhabit Alaska in coming generations;

20 (9) 22 other states currently require by statute the teaching of state history;

21 (10) over the past decade, a number of instructional resources have become  
22 available and could be used to teach courses on Alaska and Alaska Native history.

23 (b) It is the intent of this Act

24 (1) to ensure that every future Alaska high school graduate receive instruction  
25 in Alaska history through a locally adopted curriculum that meets the state social studies  
26 standards;

27 (2) that Alaska school districts should receive the instructional support needed  
28 to put an Alaska history curriculum in place and to prepare teachers to maximize the effect of  
29 the curriculum;

30 (3) to encourage public and private involvement and support for  
31 implementation of an Alaska history curriculum;

1 (4) to provide for a broad based Alaska history curriculum that includes study  
2 of the state's geography, resource development, economics, government, anthropology, art,  
3 Native history, and cultural relationships.

4 \* Sec. 2. AS 14.03.255(a) is amended to read:

5 (a) A charter school operates as a school in the local school district except that  
6 the charter school (1) is exempt from the local school district's textbook, program,  
7 curriculum, and scheduling requirements; (2) is exempt from AS 14.14.130(c); the  
8 principal of the charter school shall be selected by the academic policy committee and  
9 shall select, appoint, or otherwise supervise employees of the charter school; and (3)  
10 operates under the charter school's annual program budget as set out in the contract  
11 between the local school board and the charter school under (c) of this section. A  
12 local school board may exempt a charter school from other local school district  
13 requirements if the exemption is set out in the contract. A charter school is subject to  
14 secondary school competency testing as provided in AS 14.03.075 and other  
15 competency tests required by the department. A charter school is subject to Alaska  
16 history education requirements under AS 14.30.440.

17 \* Sec. 3. AS 14.30 is amended by adding a new section to read:

18 **Article 6A. Alaska History Education.**

19 **Sec. 14.30.440. Alaska history education.** (a) The department shall develop  
20 a standards-based Alaska history education curriculum within grades 9 through 12.  
21 The curriculum must include a Native studies component. Each governing body shall  
22 implement the curriculum as a part of regular classroom studies and shall require that  
23 each student complete the curriculum with a passing grade as a requirement for  
24 graduation.

25 (b) Notwithstanding (a) of this section, a governing body may waive  
26 completion of the curriculum described under (a) of this section as a requirement for  
27 graduation for a student who transfers into the district from another state or country  
28 after completion of the student's junior year.

29 (c) In this section,

30 (1) "curriculum" means a course of study that, by the completion of the  
31 12th grade, is the equivalent of at least one semester;

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(2) "district" has the meaning given in AS 14.17.990;

~~(3) "special education" has the meaning given in AS 14.30.350.~~

\* Sec. 4. The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. This Act applies to students who begin the ninth grade on or after July 1, 2003.

\* Sec. 5. This Act takes effect July 1, 2002.

# FISCAL NOTE

**STATE OF ALASKA**  
**2001 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: CSHB 171(EDU)  
 (H) Publish Date: 4/25/01

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Education & Early Development  
 Title: An Act relating to a curriculum for Alaska history BRU: Teaching & Learning Support  
 Component: Quality Schools  
 Sponsor: Rep. Kapsner  
 Requester: House Special Committee on Education Component Number: 2147

**Expenditures/Revenues (Thousands of Dollars)**

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	52.0					
Travel	4.5	0.0	0.0	0.0	0.0	0.0
Contractual	163.0	30.0	30.0	30.0	30.0	30.0
Supplies	3.5					
Equipment						
Land & Structures						
Grants & Claims						
Misce'laneous						
<b>TOTAL OPERATING</b>	<b>223.0</b>	<b>30.0</b>	<b>30.0</b>	<b>30.0</b>	<b>30.0</b>	<b>30.0</b>

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
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**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF	223.0	30.0	30.0	30.0	30.0	30.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>223.0</b>	<b>30.0</b>	<b>30.0</b>	<b>30.0</b>	<b>30.0</b>	<b>30.0</b>

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

Please see attached analysis page.

Prepared by: Barbara Thompson, Deputy Director  
 Division: Teaching & Learning Support  
 Approved by: Bruce Johnson, Deputy Commissioner of Education  
 Agency: Department of Education & Early Development

Phone 465-8727  
 Date/Time 4/16/01 12:00 AM  
 Date 4/16/01

For distribution information, call the Governor's Legislative Office

*Alaska Department of Education & Early Development  
HB 171 Fiscal Note Analysis*

Section 3 of HB 171 directs the Alaska Department of Education & Early Development to develop a standards-based Alaska history education curriculum within grades 9 through 12. The curriculum must include a Native studies component. Completion of this curriculum is required for a student to graduate from high school.

The department will develop this curriculum using educational experts from across the state through a committee approach. The curriculum will be pilot tested in a district or districts beginning in January of 2002. Full implementation and availability of the curriculum will begin in the 2002-2003 school year.

Districts will be able to use the curriculum in a stand-alone course or integrate it into existing courses. Training for proper implementation of this curriculum (either as a stand-alone course or integrated) will be provided for teachers across the state, to ensure that teachers know how to teach this standards-based course and that students benefit from completing it. Initial training will occur at 2-day regional training sessions (Anchorage, Fairbanks, Juneau) with at least one representative from each district in attendance. The district may send additional representatives at its own expense.

Continued annual training on the use of the curriculum will occur through a distance delivered, web-based course. The course will be developed and offered for credit.

The budget for this fiscal note follows.

*Personal Services*

.5 FTE Education Specialist	\$ 36,000 (in year 1)
.5 FTE Administrative Clerk	<u>\$ 16,000 (in year 1)</u>
Sub total	\$ 52,000

*Travel*

Staff travel to conduct curriculum development	
Meetings and regional training sessions (6 total	
Meetings and training trips at 2 days each)	<u>\$ 4,500 (in year 1)</u>
Sub total	\$ 4,500

*Alaska Department of Education & Early Development  
HB 171 Fiscal Note Analysis*

*Contractual*

Postage, phone, copier, fax charges	\$ 5,000 (in year 1)
Professional Services Contracts for curriculum developers/trainers	\$ 50,000 (in year 1)
Staff Development Contracts with 53 districts, 1 Representative each for regional trainings (53 Staff, 3 days each, including substitute fees)	\$ 53,000 (in year 1)
Contract to develop distance delivered course with Credit option, administered annually	\$ 25,000 (in year 1)
Printing costs for completed curriculum	<u>\$ 30,000</u> (in year 1)
Sub total	\$163,000

*Supplies*

General office supplies for staff	<u>\$ 3,500</u> (in year 1)
Sub total	\$ 3,500

**Total**                      **\$223,000**

# Representative Mary Kapsner

State Capitol • Juneau, Alaska 99801-1182

Phone: (907) 465-4942 • Fax: (907) 465-4589

E-Mail: Representative\_Mary\_Kapsner@legis.state.ak.us

House District 39

Lower Kuskokwim and Upper Bristol Bay

Akiachak

Akiak

Aleknagik

Atmautluak

Bethel

Chefornak

Clarks Point

Dillingham

Eek

Ekuk

Eluvok

Goodnews Bay

Kasigluk

Kipnuk

Koliganek

Kongiganak

Kuwethluk

Kwigillingok

Manokotak

Napaktak

Napaskiak

New Stuyahok

Nunapitchuk

Oscarville

Platinum

Portage Creek

Qimhagak

Toqtiak

Tuntutuliak

Twin Hills

## MEMORANDUM

TO: Representative Bill Williams

FROM: Representative Mary Kapsner

DATE: January 23, 2002

RE: HB 171 – Alaska History Curriculum CS

Attached is a new blank CS for HB 171, dated 1/22/01 which makes an additional change to Section 3, page 3, lines 27-28. CSHB171(EDU) had added the subsection (b) allowing a governing body to waive the Alaska History requirement for students who transferred into the district following their junior year and special education students.

It has been recommended that the bill remove the provision related to special education students because they are under a federal legislative umbrella. The Department of Education supports this change, advising me that each student's IEP is the best place to determine the appropriate curriculum activities for the special education student. Unlike the High School Graduation Qualifying Exam, meeting the requirement for a semester of Alaska History does not entail a high stakes exam.

In the course of discussing this change, I have asked for language clarifying the exemption for students transferring into the district. The intent is that students who transfer from out of state after their junior year may be exempted from the requirement, not those transferring between districts within Alaska.

The other changes from CSHB171 (EDU) are simply the updated effective dates on page 4, lines 6 and 7.

Thank you.

# Representative Mary Kapsner

State Capitol • Juneau, Alaska 99801-1182

Phone: (907) 465-4942 • Fax: (907) 465-4589

E-Mail: Representative\_Mary\_Kapsner@legis.state.ak.us

House District 39

Lower Kuskowkin and Upper Bristol Bay

Akiachak  
Akiak  
Aleknagik  
Atmautluak  
Bethel  
Chefornak  
Clarks Point  
Dillingham  
Eek  
Ekuk  
Ekiok  
Goodnews Bay  
Kasigluk  
Kipnuk  
Koliganek  
Kongiganak  
Kwethluk  
Kwigillingok  
Manokotak  
Napaktak  
Napaskiak  
New Stuyahok  
Numapitchuk  
Oscarville  
Platinum  
Portage Creek  
Quinhagak  
Toqtak  
Tuntutuliak  
Twin Hills

## MEMORANDUM

TO: Representative Bill Williams, Co-Chair  
House Finance Committee

FROM: Representative Mary Kapsner

DATE: January 15, 2002

RE: CS HB 171 (EDU) - Alaska History Curriculum

I would appreciate your consideration of scheduling House Bill 171 for hearing. I have attached a copy of a blank CS, my Sponsor Statement, a Sectional Analysis, and a sampling of supportive documents. This CS makes two changes, updating effective dates. The first is on page 4, line 6, changing the date of applicability from July 1, 2002 to July 1, 2003. The second change is the effective date of the bill, now July 1, 2002.

The CS adopted by the Special Committee on Education adds a new subsection (b) to section 3 of the bill (page 3, line 23) to allow the school board to waive the requirement for a student who transfer into the district after their junior year or for a student who receives special education services.

In the course of preparing this bill for introduction I have worked with an extremely active Alaska History Committee, organized as a part of the 2000 Commonwealth North Urban Rural Study, the Alaska Municipal League, the Association of Alaska School Boards, NEA, and Commissioner Holloway. Commissioner Holloway has suggested that a standards based Alaska History requirement would dovetail with the work that has been done over the last decade on social studies standards.

When I have talked with other Alaskans about this bill the response I most frequently get is one of surprise. Most of those who were educated in the Lower 48 are surprised because they had been required to take their home state's history and assumed Alaska students would be educated in our state's history also. In 1981 the State Board of Education talked about requiring Alaska History and Government as a graduation requirement. In 1988 Senator Willie Hensley tried again to address the lack of Alaska History education through a resolution asking the State School Board to act through regulation. I have become convinced that the only way we are going to make sure Alaska students are given the opportunity to enrich their lives in the many ways an Alaska history and government education will do, is to require it by statute. I look forward to discussion through the public hearing process.

Thank you for your consideration.

## *Representative Mary Kapsner*

State Capitol • Juneau, Alaska 99801-1182

Phone: (907) 465-4942 • Fax: (907) 465-4589

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Kipnuk

Kotlgane'k

Kongiganak

Kwethluk

Kwigillingok

Manokotak

Napakiaak

Napaskiak

New Stuyahok

Nunapitohuk

Oscarville

Platnum

Portage Creek

Quinhagak

Togiak

Tuntutuliak

Twin Hills

### House Bill 171 – Alaska History Curriculum Sponsor Statement

Although we are a very young state, we are a land with a rich history. Today's Alaska Natives are descendants of people who have made their homes in Alaska for over 10,000 years. They welcomed newcomers to the land and taught them skills to survive and flourish. Other Alaskans immigrated from European, American and Asian cultures, bringing with them ideas and values that, along with the foundational beliefs of the Native people, have helped shape the society we have today.

Understanding our state's history is important to providing the context of where Alaskans came from and what we as Alaskans value about the diversity and richness of our state. It is fundamental to being an informed and effective participant in state and local affairs. An understanding of how Alaskan's economy and form of government developed is crucial to understanding how to deal with today's issues.

Commonwealth North's study in 2000 on the urban/rural divide in Alaska found that if we do nothing to address the critical issues that divide Alaskans, the result will be an increasingly fragmented state, with discouraging economic growth and increasing social and cultural clashes. The group put forth a set of recommendations and action items, including the teaching of Alaska history at the high school level, and backed up the recommendation with an active working committee.

Support has grown. Resolutions were passed at the AFN Convention for the past three years calling for Alaska history education. The Alaska Municipal League issued a policy statement in support of civic education for Alaska's students, noting that teaching children how to understand and influence their government is critical to the well being of Alaska. The Alaska Association of School Boards and NEA Alaska support the legislation. The Department of Education and the Association of School Boards have worked with us as well, helping craft and fine tune language for House Bill 171.

We share an important goal: that every student graduating from an Alaska secondary school will do so with a demonstrable understanding of Alaska's rich and unique history. Current events such as the paintball incident in Anchorage and the work of the Tolerance Commission have been reminders that understanding who we are and how we got here is fundamental in addressing issues that divide us and building bridges to a prosperous future for all Alaskans.

**CS House Bill 171 ( )**  
**Alaska History Curriculum**

- Section 1. Findings and Intent.
- Section 2. Amends 14.03.255 related to charter school operations to include charter schools.
- Section 3. Adds a new section AS 14.30 related to Alaska History Education.
- (a) Requires the department to develop a standards-based Alaska history education curriculum for grades 9-12. Requires each school board to implement and require passage of Alaska history for graduation.
- (b) Allows the governing body to waive the graduation requirement for students who transfer into the district in their senior year or who receive special education services.
- (c) Defines curriculum to allow flexibility of offering Alaska history as a stand alone class or integrated into existing curriculum by requiring the course of study to be cumulatively the equivalent of one semester.
- Section 4. The bill applies to students beginning ninth grade on or after July 1, 2003.
- Section 5. Effective date of legislation is July 1, 2002.

### ***What are the most significant issues?***

To achieve a unified vision for Alaska's future, we believe the main issues that must be addressed are: (1) economic survival and development, (2) quality, delivery and control of local services, and (3) access to fish and game. The body of this report discusses each of these issues in detail, using the next decade as our basic frame of reference. Each section of the report includes descriptions of some specific real world "success stories" as illustrations that some communities already are making progress toward a resolution of these issues.

In examination of these issues, certain broad needs emerged that must be dealt with in order to develop a full partnership between "urban" and "rural" Alaska:

- The need for cross-cultural understanding through enhanced personal contact and education of both urban and rural viewpoints.
- The need for cross-cultural understanding of how essential subsistence hunting and fishing is to rural Alaskans, and yet how important hunting and fishing is to urban Alaskans.
- The need for recognition that local decisions are best made by local people at the community level and may be influenced or implemented by municipal governments and tribal organizations.
- The need to encourage communities in their efforts to promote meaningful economic development and career opportunities for their citizens.
- The need for statesmanship and leadership with a statewide (not just regional) perspective, in both the public and private sectors.
- The need for state and local funding mechanisms to be equitable and sustainable.
- The absolutely essential need to create and maintain an effective education system for its economic as well as social benefits.
- \* • The need to require meaningful instruction in Alaskan history for every student.
- The need to make access to utilities, transportation, justice, health care and modern high-speed telecommunications available throughout the state.

### ***What would the ideal look like?***

Utopia is not achievable, but it *is* possible to achieve a more harmonious Alaska that honors and respects the diversity of its people and recognizes the many areas where urban and rural interests coincide. Alaska has an opportunity to create a unique society that draws upon both the traditions of Alaska's Native peoples as well as our nation's historical system of state and local government. In this unique society:

# Alaska Historical Society



P.O. BOX 100299  
ANCHORAGE, ALASKA 99510-0299  
PHONE (907) 276-1596

March 6, 2001

The Honorable Mary Kapsner  
House of Representatives  
State Capitol  
Juneau, Alaska 99801-1182

Dear Representative Kapsner:

Last week, the Alaska Historical Society's Board of Directors unanimously voted to support your bill calling for high school students to take a semester of Alaska History to graduate. They recommend that bill call for "Alaska History" and not "Alaska Studies." If taught correctly, a course in Alaska history would, as the bill presently states, include geography, Native history, government, economics, anthropology, resource development, art, and other cultural relationships. Our concern with the term "Alaska Studies" is that it might focus too much on the state's current events, leaving out any historical perspective.

The Society appreciates your efforts to encourage the study of Alaska's history and the exchange of ideas and information concerning our heritage.

Thank you for keeping me advised of the bill. Please let me know how the Alaska Historical Society can help get the bill considered and passed.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Bruce Parham". The signature is fluid and cursive, written over the word "Sincerely,".

R. Bruce Parham  
Vice President



# NEA-ALASKA

*Affiliated with the National Education Association*

April 26, 2001

TO: Representative Mary Kapsner  
FROM: Rich Kronberg  
RE: HB 171

This past January, our Delegate Assembly met to determine NEA-Alaska policy for this year. Among the New Business Items passed was the following:

01-57: Alaska Native History Curriculum: NEA-Alaska shall encourage the Department of Education and Early Development to develop regulations providing mandatory Alaskan History curriculum which honors Native cultures throughout the State in both primary and intermediate levels.

I believe that HB 171 is definitely within the spirit of the action of our delegates. During the debate on NBI 01-57, it was clear that our delegates believe that simply adding an additional course, even in such an important subject as Alaska History, was not something that would be positive for students. Many educators already believe that our curriculum is already "a mile wide and an inch deep."

We are pleased that the legislative approach being utilized under your proposed legislation would not necessarily result in an additional required course. We are also pleased to note that your approach comports with our statewide focus on standards,

It is important that individual school districts have flexibility in implementing the new Alaska History standard. Your legislation offers that flexibility. It is critical that Alaskan students have an understanding of their history and culture.

We are pleased to go on record in support of HB 171.

ALASKA FEDERATION OF NATIVES, INC

2001 ANNUAL CONVENTION

RESOLUTION 01-36

TITLE: ALASKA HISTORY - A REQUIREMENT

WHEREAS: An education rich in history and government is vital to the development of a representative democracy and a civil society; knowledge of a person's own state history and government is fundamental to informed and effective participation in state and local affairs, and;

WHEREAS: The study of Alaska history should be as rich as Alaska's origins and evolution as a political community, and should take into consideration the ancient, historic, and modern interactions of ethnic cultures, economies, governments and values, and;

WHEREAS: A number of incidents over the past years indicate that a general lack of knowledge and understanding Alaska Natives and their contributions to Alaska history and culture, and;

WHEREAS: Alaska human history is at least 10, 000 years old and reflects the diversity of the world's cultures, and;

WHEREAS: The face of Alaska is changing demographically, economically, and socially; the speed of change makes it imperative for Alaska's citizens and leaders to have a sound understanding of the State's history, and;

WHEREAS: Some of Alaska's fifty five school districts have an Alaska History/Alaska Studies high school program graduation requirement, but it is not mandatory, and;

WHEREAS: The authors get approval, first from Alaska tribal leaders; and,

NOW THEREFORE BE IT RESOLVED that the delegates to the 2001 Annual Convention of the Alaska Federation of Natives demand the State of Alaska to require all high school students to take one semester of Alaska History through adopted curriculum that meets the state social studies standards before graduation; and,

BE IT FURTHER RESOLVED that the Department of Education, in consultation with the Alaska Native Education Council, develop the curriculum and the textbooks for Alaska History program for Alaska studies.

SUBMITTED BY: Association of ANCSA Regional Corporation Presidents & CEO's

COMMITTEE ACTION: DO PASS

CONVENTION ACTION: AMENDED/PASSED



ALASKA FEDERATION OF NATIVES, INC.

2001 ANNUAL CONVENTION

RESOLUTION 01-74

TITLE: REQUIRING ALASKA HISTORY FOR HIGH SCHOOL GRADUATION

WHEREAS: Alaska is one of the few states in the nation that does not require a state history course for graduation, and

WHEREAS: the State of Alaska has a rich and diversified history, and

WHEREAS: there is not a specific time set for teaching cultural classes in schools, and

WHEREAS: There are many current issues which are rooted in historical events, and

WHEREAS: There is limited understanding of the history, lifestyles, cultures, and industries between various regions of the state, and

WHEREAS: the Native people must teach these courses and develop this curriculum because of their specialized knowledge

THEREFORE BE IT RESOLVED that the Department of Education and Early Development require two semesters of Alaska History with a strong emphasis on Alaska Native history and cultures prior to high school graduation, and

BE IT FURTHER RESOLVED that a cross section of Alaska Native educators be included in the development of the Alaska History curriculum.

Be It Further Resolved: that AFN support House Bill 171.

SUBMITTED BY: ANEC

COMMITTEE ACTION: DO PASS

CONVENTION ACTION: PASSED



**Subject: Resolution in support of HB 171, SB 144**  
**Date: Mon, 16 Apr 2001 15:35:57 EDT**  
**From: MargaretN@aol.com**  
**To: Representative\_Mary\_Kapsner@legis.state.ak.us**

Hi Rep. Kapsner:

The Alaska Native Heritage Center Board of Directors approved the following resolution April 11.

Sincerely,

Margaret Nelson  
President & CEO  
Alaska Native Heritage Center

Alaska Native Heritage Center

Resolution 01-05  
In Support of HB #171/SB #144

WHEREAS, the Alaska Native Heritage Center is a gathering place to celebrate, perpetuate, and share Alaska Native cultures, located in Anchorage, Alaska.

WHEREAS, Anchorage has experienced a rash of incidents over the past months that indicate a general lack of knowledge and understanding about Alaska Natives and our history and cultures.

WHEREAS, the Alaska Native Heritage Center has seen the positive results among non-Native visitors of providing such information and promoting such understanding through its public adult and school education programs.

WHEREAS, the Alaska State Legislature, through HB #171 and SB #144 has provided an avenue to address the problem of ignorance and misunderstanding through a statewide Alaska history high school graduation requirement.

NOW THEREFORE BE IT RESOLVED that on April 11, 2001 the Alaska Native Heritage Center Board of Directors approves the passage of the concurrent bills.

Passed on this 11th day of April, 2001.

\_\_\_\_ Original signed April 11, 2001 \_\_\_\_\_  
Roy Huhndorf, Chairperson Date

ATTEST:

\_\_\_\_ Original signed April 11, 2001 \_\_\_\_\_  
David Oesting, Secretary/Treasurer Date

# History lesson

*Alaska students need it;  
State House gets to work*

**S**tirring to life in the Alaska Legislature is a bill that shows great long-term promise for helping bridge the state's disturbing urban-rural divide. HB 171 would require graduating Alaska students to pass a high school class in Alaska history, including a Native studies component. The bill cleared the House Education Committee on Wednesday. The next committee in line to consider the bill waived any action on it, a sure sign the bill is gathering momentum. Now it's awaiting action in the House Finance Committee. Along the way, HB 171 has picked up a bipartisan list of 18 cosponsors, just three short of the 21 votes needed for passage when a bill comes to the House floor.

The bill's preamble makes a compelling case for the measure:

*"An education rich in history and government is vital to the development of a representative democracy and a civil society. Knowledge of a person's own state history and government is fundamental to informed and effective participation in state and local affairs. ... An educated Alaska populace with a full appreciation for the history of Alaska will make better decisions for the good of all Alaska citizens."*

*Extra urgency  
for the Alaska  
history  
requirement  
comes from a  
simple fact of  
Alaska  
geography.*

Requiring Alaska history for high school graduation would be a good idea under any circumstances. After all, 22 other states have a similar law. But extra urgency for the Alaska history requirement comes from a simple fact of Alaska geography. The state's rural areas, where most of the Alaska Native population lives, are so distant and isolated that few urban Alaskans ever go there. That physical gulf creates a chasm of misunderstanding about the unique needs of rural Alaska, especially about the many different Native cultures found there.

So far, no House member has objected to the proposed Alaska history requirement. The only hesitant voice comes from Anchorage Rep. Con Bunde, who opposes the provision that opens a possible exemption from the requirement for special education students.

We hope the measure won't get sidetracked over that important, but largely technical, issue. Alaska can't start soon enough to give its graduating students the fundamental grounding they need to be informed, caring citizens.



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Anchorage Daily News

## **Group seeks Alaska course in schools**

**CULTURE: Coalition says a required class would foster understanding.**

By Rosemary Shinohara  
Anchorage Daily News

*(Published May 15, 2001)*

A coalition of Anchorage groups, spurred by the January paint ball attack on Alaska Natives, proposed Monday that the Anchorage School District add a required high school course to teach students about Alaska cultures and history.

The attack this winter, by two white male teenagers and a young white man, shocked the town. The three recorded their activities on videotape.

They showed that "some people don't care much about other people," said Ira Perman, executive director of the Alaska Humanities Forum. "The way you develop caring is to develop understanding."

The Humanities Forum, the Alaska Native Heritage Center and the Bridge Builders multicultural group organized a task force and on Monday presented their proposal to the School Board. The board took no immediate action.

Board members said in interviews Monday that they like the idea of requiring Alaska studies but are concerned about how to fit the course into students' schedules and don't want to further restrict choices for electives.

"We've already been hearing from students in fine arts and music, and students who want to take four years of foreign language, that they're having a hard time finding any time for electives," board member Debbie Ossiander said.

Superintendent Carol Comeau said she'll talk to teachers, parents, students and principals and then recommend that the subject be taught either as a stand-alone course or as part of other required courses.

Lack of knowledge about Alaska's people and history has contributed to "so much misunderstanding," Comeau said. Many Alaskans don't know how the Alaska Permanent Fund came to be, why subsistence is an issue and how the Native land claims were settled, she said.

"If we had a course of study, it would go a long way toward improving cooperation statewide," Comeau said.

The Legislature is considering a similar requirement for all Alaska students. The plan, which won widespread endorsement in the House this year, would be flexible, said Rep. Mary Kapsner, D-Bethel, the

main sponsor. It would require that Alaska studies either be taught in a separate course or integrated into other courses. The bill secured 29 co-sponsors. It did not make it through the Legislature this year but will be up again next January.

The state would lay out the topics districts should cover and create lesson plans that teachers could use. Kapsner said.

That might work in villages, but in a large district like Anchorage, there would be no way to track whether each student had learned the material, said Pat Partnow, vice president of the Alaska Native Heritage Center. "In my personal experience with the Anchorage School District, unless you have an actual class, it doesn't get done," she said. Partnow formerly wrote curriculum for the district.

The course should be taught in high school and not earlier because the goal is to create an informed citizenry, Partnow said.

"We expect kids to come away with a respect for other cultures. For children of color, we expect a more welcoming, positive atmosphere," she said.

Elsa Sargento, who came to Alaska with her husband from the Philippines, said of recent immigrants, "We are invisible in the history books, and that makes us invisible as citizens." She urged the board to adopt an Alaska history course.

In high school, students can read original documents like the Alaska Native Claims Settlement Act. They can understand the complexities of the subsistence issue and learn how the Permanent Fund works, Partnow said.

Anchorage students cover some Alaska studies in lower grades. In second grade, teachers focus on Anchorage, and in third grade, the social studies theme is Alaska. Anchorage seventh-graders study Alaska literature and also learn Alaska social studies for nine weeks.

High schoolers are not required to take any Alaska courses. For high school social studies, the district requires two years of integrated world and U.S. history, a semester each of economics and government and two other elective social studies classes. One elective must be tied to geography and the other to history or other social sciences. For the geography requirement, students may now take Alaska studies or may choose from about 18 other geography courses.

The community groups proposed that one of the two social studies electives be the required Alaska studies class.

Reporter Rosemary Shinohara can be reached at [rshinohara@adn.com](mailto:rshinohara@adn.com) and 257-4340.

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Anchorage Daily News

### School district tests waters in public poll

**SURVEY: Almost two-thirds favor new Alaska studies course.**

By Katie Pesznecker

Anchorage Daily News

(Published: December 13, 2001)

Most Anchorage residents want smaller classes. They want high schools to keep kids on campus during lunch. They like the idea of an Alaska history requirement.

Those findings are among pages worth of answers to a public-opinion survey the School District commissioned recently. Most people also said they skip School Board meetings, but the board already knew that.

The district has historically polled voters about its bond packages. This is the first survey school officials could recall that asks residents about other education issues, from curriculum to computers in classrooms. The district and School Board will use the poll results to make budget decisions and gain some insight into how people feel about Anchorage schools.

"We hear from a lot of people through e-mails and telephone calls, but I've always been concerned that type of feedback is skewed," said Rita Holthouse, the board's vice president. "Some people will feel very strongly on an issue but they're not going to sit down and send an e-mail or make a call. That's why I like the ideas of the polls. I think they're more objective."

About 386 adults -- half men, half women, and just under half claiming to have kids in public school -- participated in the poll. The survey has a margin of error of 5 percentage point. Ivan Moore Research ran the survey at the end of November, after wrapping up a larger poll about the April 2002 school project bond package.

Superintendent Carol Comeau says the survey is like a report card for the district. And it gives direction, she said. For example, the results found about two-thirds of people supported a new Alaska studies course for high schoolers. But even more, about 71 percent, were against the new course if it meant reducing math requirements from five to four semesters.

"That was good information," said Comeau, who successfully pitched Alaska studies to the board Monday -- without reducing math requirements.

A pre-election poll in April 2001 warned that voters would deny a \$122 million bond package, especially if it included a new Eagle River high school. The Anchorage Assembly combined the propositions anyway. Voters failed it, and Comeau ordered another survey to figure out why.

This November, she hired Moore for a third bond survey of about 750 voters, a larger sample group than ever before.

Based on that poll, Moore has advised the district against putting all the projects into one large bond package this year. He said voters last year voted no because they wanted more choices.

The board will consider that information at a meeting today, as it decides what to put on the April bond package. The meeting begins at 5:30 p.m. in the district headquarters on DeBarr Road. The

public is welcome to attend, but the public hearing is over.

Combined, the November polls cost nearly \$18,000, said Moore, who has done polls for the district since 1996.

"Doing a survey, you get responses from people across the board," Moore said. "Some are sensible, some are not. Some are correct, some or not. But taken as a whole, those survey respondents are a representative slice of all the people out there."

The district used the poll to find out how people learn about schools. About 40 percent have used the district's Web site, while 74.6 percent say they never attend school board meetings. More than half read school newsletters, about 87.8 percent watch TV news and about 83 percent read about schools in the newspaper.

The poll also explored how people feel about what's taught. About 95 percent said reading and writing are "very important," while about 80.4 percent said math is "very important." Science registered "very important" among 55.2 percent; civics and citizenship got 43.8 percent. Only 17.4 percent said music and the arts are "very important."

Board members and district officials can use the poll right away for budgeting priorities and strategy, Moore said.

For example, the district has resisted closing campuses, but a citizens group is gathering signatures to put the issue on the April ballot. In Moore's poll, 56 percent supported closing campuses. But that shrunk to 47 percent when respondents were told closing campuses could cost about \$1.5 million.

While this new poll is valuable, and maybe a sign of more to come, it's not enough by itself, Holthouse said.

"You have to believe in polling, and you have to believe there is valid sampling, and I am trusting of 'nose," Holthouse said. "But I wouldn't want them to replace the individual contact. I'd like to see both types of input continue, because I do think it's a good balance."

Reporter Katie Pesznecker can be reached at [kpesznecker@adn.com](mailto:kpesznecker@adn.com) or 907 257-4589.

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# Alaska State History— Let's Teach It Now!

In a recent public appearance it became painfully clear that Alaska's generation of the future knows little about Alaska's past.

I asked a group of high school grads what they knew about Pearl Harbor Day. I saw puzzled looks and blank stares on the faces of the young audience.

When told that bombing Pearl Harbor started WW II for the U.S. and that Alaska was also bombed during that war, the looks turned to doubt. Playing to my obvious strength I asked if anybody knew that when Alaska was purchased from Russia aboriginal inhabitants were to receive certain status, according to the agreement signed by U.S. Secretary of State William H. Seward and Baron Eduard de Stoeckl (for Alexander II of Russia). (And who were they, anyway?) Or further, that the Baron had to actually bribe certain members of both houses of Congress to secure the required number of votes to complete the purchase.

I later wondered if any high school student had ever thought about the land bridge, or had read about the European explorers who came to the Great Land, the first one from Denmark.

Beyond their own culture, are students aware of the several distinct cultures that make up the population of Alaska? Their customs, tools, modes of transportation and trade; religious observation or geographic ranges and uses of the land?

In the main, they knew nothing of these things. Worse, they don't really care. They're not relevant today, they say. If not relevant, it is because adults have not made them relevant. The kids cannot be faulted.

### Can't We All Just Get Along?

Understanding begins with knowledge. Beware that understanding doesn't always beget appreciation or tolerance.

Such things come only with time. But, begin with knowledge.

We support the proposition that a passing grade in Alaska history should be requisite to secondary school graduation. That's the easy part. Coming up with a suitable textbook, goals and objectives and course work will not be easy to do during the first few years. Just defining Alaska history will be daunting enough. Shall we study Alaska "State" (modern) history? Shall we go back further to Alaska ancient history? Much of that history is recorded in the oral tradition of Alaska's First Peoples.

### How Broad A Viewpoint?

The twig in the pathway over which we must not trip while seeking knowledge is this: The course must not be overtaken by a few advocates of only one or limited experiential histories. To suppose that Alaska's history began with the list of European explorers and exploiters who nearly extinguished Native cultures in Alaska would be just as wrong as to suppose that Europeans (white people) had nothing positive to offer. Likewise would it be counterproductive to wallow through centuries of hate and self-pity.

### Alaska's Grand Social Experiment

And finally, a chapter must be included to cover the period 1970 to the present. It would be dedicated to the anthropology and sociology of financially disadvantaged landholders when they become wealthy shareholders. Ergo, a current case history and analysis of the Alaska Native Claims Settlement Act belongs in a good history of Alaska. It has changed the Great Land forever and ever, and for ages unto ages.

—Vern C. McCorkle

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Vern C. McCorkle, Publisher

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Alaska Association of School Administrators

LEADERSHIP • PROFESSIONAL DEVELOPMENT • SUPPORT

2225 PRINCE OF WALES AVENUE, SUITE 100, ANCHORAGE, ALASKA 99503

PHONE: 907-562-7222 FAX: 907-562-7223 WWW: WWW.AASAP.ORG



Date: January 22, 2002  
To: Representative Mary Kapsner  
From: Darroll Hargraves, Executive Director ACSA  
Subject: Support for HB 171

I am pleased to give support for HB 171, Alaska History Curriculum. School Superintendents have gone on record in support for this bill.

It is appropriate for the state to require that Alaska History be taught in the public schools. The state will be well served if students have an opportunity to study the state's history.

You will not often hear support from me or other superintendents for legislation that mandates specific courses be taught in the public schools. State history is supported because many states have traditionally required that their history be taught in their schools. Schools are in the business of preparing good citizens for our state and national. State history is a necessary component in the development of enlightened citizens.

We can't mediate all of the social ills in our society through our schools, but people need to know where they come from. They need to have an understanding of past events that influence their community and state. If a person is going to be an Alaskan then they are well served if they know the state's history. These issues can be addressed by including Alaska History in the school's program.

It is interesting to note that the two largest school superintendents support the requirement of Alaska History in the curriculum. A statutory requirement will give these school districts the needed leverage to implement Alaska History in their programs.

I want to express my appreciation to you and to others who support HB 171.

Does Not Require Alaska History or Alaska Studies	Requires High School	Requires Lower Grades
Chatham	Alaska Gateway (9-12)	Aleutian
Chugach	Aleutian	Aleutian East Boroug
Delta Greely	Aleutian East Borough (10)	Anchorage (2,3,7)
Denali Borough	Anchorage (December 2001)	Bering Strait (4)
Fairbanks North Star	Annette Island (9)	Bristol Bay Borough (4)
Iditarod Area	Bering Strait (9-12)	Cordova (8)
Juneau Borough	Bristol Bay Borough (11)	Dillingham City (8)
Sitka Borough	Copper River (10)	Haines Borough (6)
Unalaska City	Craig City (10)	Hydaburg City (7-8)
	Galena City (10)	Kake City (6)
	Haines Borough (9-12)	Kenai (6)
	Hoonah City (9-12)	Ketchikan Gateway (4)
	Kashunamuit (11)	Kodiak (4)
	Klawock City (9)	Kuspuk (4)
	Kuspuk (9-12)	Lake & Peninsula Borough (7-12)
	Lake & Peninsula Borough (7-12)	Lower Kukokwim (3, 4)
	Lower Kuskokwim (9-12)	Mat Su Borough (4)
	Lower Yukon (9-12)	Northwest Arctic Borough (7, 8)
	Nenana City (9-12)	Petersburg City (elem/middle)
	Nome City (12)	Skagway City (elem)
	North Slope Borough (9-12)	Southwest Region (4)
	Northwest Arctic Borough (10, 11)	Tanana City (7,8)
	Pelican City (9-12)	Yakutat City (4, 7, 8)
	Pribilof (10)	
	Saint Mary's City (9-12)	
	Skagway City (9-12)	
	Southeast Island (9-12)	
	Southwest Region (9-12)	
	Valdez City (9-12)	
	Wrangell (9)	
	Yakutat City (9)	
	Yukon Flats (11 or 12)	
	Yukon Koyukuk (9-12)	
	Yupiit (9-12)	
	Mt. Edgecumbe (10, 12)	
9 districts with no requirement	23 require at high school levels only	11 require in lower grades only
	12 require in both high school and lower grades	

# FISCAL NOTE

**STATE OF ALASKA**  
**2002 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: CS HB 171 (FIN)  
 () Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: EED  
 Title An Act relating to a curriculum for Alaska BRU Teaching & Learning Support  
History Component Quality Schools  
 Sponsor Rep. Kapsner  
 Requester House Finance Component No. 2147

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services	0.0					
Travel	0.0					
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0					
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

The changes to this bill eliminate the role of the department in developing a statewide Alaska History curriculum. New language in the bill directs the governing body of each district to develop local curriculum. The costs associated with development and any related professional development will be assumed by each district.

Prepared by: Barbara Thompson, Deputy Director Phone 465-8727  
 Division Teaching & Learning Support Date/Time 2/13/02 11:59 AM  
 Approved by: Ed McLain, Deputy Commissioner Date 2/13/02  
 Agency Department of Education & Early Development

**HB**

**172**

**HFIN**

**FILE**

# HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: March 26, 2001

FURTHER REFERRALS:

Date of Committee Action: 4/5/01

The FINANCE Committee considered:

HB 172

HOUSE BILL NO. 172

THERAPEUTIC DRUG AND ALCOHOL COURTS

"An Act relating to therapeutic courts for offenders and to the authorized number of superior court judges."

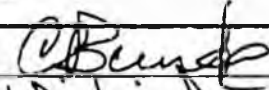
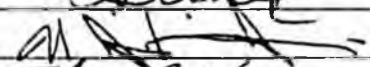

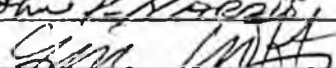
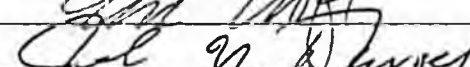
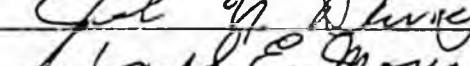
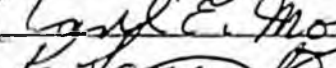
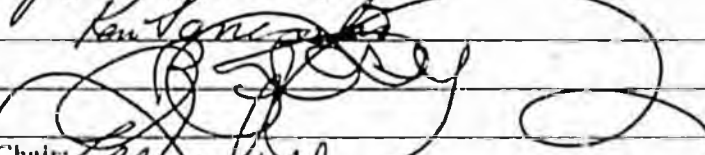


Recommends it be replaced with CS HB 172 (FIN) [ ] Same Title [ ] New Title  
 For Senate Bills with new title: [ ] Technical Title [ ] New Title: HCR

- [ ] attach amendments
- [ ] add new referral to \_\_\_\_\_ Committee
- [ ] Letter of Intent \_\_\_\_\_ Committee

List of Abbrev. For Depts.:  
 ADM  
 CED  
 COR  
 CRT  
 EED  
 DEC  
 DFG  
 GOV  
 HSS  
 LAA  
 LAW  
 LWF  
 MVA  
 DNR  
 DPS  
 REV  
 DOT  
 UA

<u>NEW FISCAL NOTES</u>				
*For Chief Clerk's Office Use Only				
FN#	List by Dept(s):	Fiscal	Indet.	Zero
	Law	✓		
	Adm	✓		

<u>PREVIOUS FISCAL NOTES</u>				
List by Dept(s):	FN #	Fiscal	Indet.	Zero
COR	2	✓		
CRT	4	✓		
HSS	5	✓		

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
	Bunde	✓			
	Whitaker	✓			
	HARRIS	✓			
	CRET	✓			
	Darig	✓			
	MOSES	✓			
	Lancaster	✓			
	Foster	X			
Chair: 	Mulder	✓			
Chair: 	William	✓			

# FISCAL NOTE

**STATE OF ALASKA**  
**2001 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: CSHB 172 (FIN)  
 (H) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Law  
 Title: An Act relating to therapeutic courts for BRU: Criminal Div; Civil Div  
offenders & to the authorized number . Component: 3rd Judicial District; Anch  
 Sponsor: Representative Porter 4th Judicial Dist; Human Services  
 Requester: \_\_\_\_\_ Component Number: 2261, 2201, 2208

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	242.2	242.2	242.2	60.6	0.0	0.0
Travel	1.4	1.6	1.6	0.2	0.0	0.0
Contractual	65.5	74.8	74.8	9.4	0.0	0.0
Supplies	5.6	6.4	6.4	0.8	0.0	0.0
Equipment	32.5	0.0	0.0	0.0	0.0	0.0
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>347.2</b>	<b>325.0</b>	<b>325.0</b>	<b>71.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	347.2	325.0	325.0	71.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>347.2</b>	<b>325.0</b>	<b>325.0</b>	<b>71.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2001) cost: 0.0

**POSITIONS**

Full-time	3	3	3	1	0	0
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

Prepared by: Representative Eldon Mulder  
 Co-Chair  
Representative Bill Williams  
 Co-Chair

Phone 465-2647/465-3424

Date 4/4/01

# FISCAL NOTE

**STATE OF ALASKA**  
**2001 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: CSHB 172 (FIN)  
 (H) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Administration  
 Title: An Act relating to therapeutic courts for BRU: Legal & Advocacy  
offenders & to the authorized number . Component: Public Defenders Agency  
 Sponsor: Representative Porter  
 Requester: \_\_\_\_\_ Component Number: 1631

**Expenditures/Revenues (Thousands of Dollars)**

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	248.6	248.6	248.6	54.1	0.0	0.0
Travel	11.8	13.6	13.6	1.8	0.0	0.0
Contractual	88.6	101.7	101.7	13.1	0.0	0.0
Supplies	7.1	8.1	8.1	1.0	0.0	0.0
Equipment	29.2	3.2	3.2	0.0	0.0	0.0
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>385.3</b>	<b>375.2</b>	<b>375.2</b>	<b>70.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF	385.3	375.2	375.2	70.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>385.3</b>	<b>375.2</b>	<b>375.2</b>	<b>70.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2001) cost: 0.0

**POSITIONS**

Full-time	4	4	4	1	0	0
Part-time						
Temporary						

**ANALYSIS: (Attach a separate page if necessary)**

2 Att  
 1 Par  
 1 Staff

Prepared by: Representative Eldon Mulder  
 Co-Chair  
Representative Bill Williams  
 Co-Chair

Phone 465-2647/485-3424

Date 4/4/01

# FISCAL NOTE

STATE OF ALASKA  
2001 LEGISLATIVE SESSION

Fiscal Note Number: 2  
Bill Version: CSHB 172(JUD)  
(H) Publish Date: 3/26/01

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Corrections  
Title: An Act relating to therapeutic courts for offenders and to the authorized number of superior court judges. BRU: 271  
Sponsor: Representative Porter Component: Community Corrections  
Requester: House Judiciary Component Number: 1382

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	89.9	179.9	185.9	36.0		
Travel						
Contractual	14.0	14.0	14.0	3.5		
Supplies						
Equipment	6.0	3.0				
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>109.9</b>	<b>196.9</b>	<b>199.9</b>	<b>39.5</b>		

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	109.9	196.9	199.9	39.5		
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>109.9</b>	<b>196.9</b>	<b>199.9</b>	<b>39.5</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

**POSITIONS**

Full-time	2	3	3	1		
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

The first year of the Wellness Court in Anchorage would require 1 fulltime Probation Officer, including a leased vehicle as well as a one time expenditure for computer equipment. In Bethel, the Probation Officer would begin in January 2002, requiring salary for only 1/2 of a year. This person would also require a vehicle and a one time purchase of computer equipment. By the second year, Anchorage will need an additional Probation Officer position which will also include a vehicle and one-time purchase of computer equipment. This position will be responsible for case management and supervision of the Therapeutic Court offenders.

Prepared by: Candace Brower Phone 465-4652  
Division: Commissioner's Office Date/Time 3/14/01 4:00 p.m.  
Approved by: Margaret Pugh, Commissioner Date 3/14/01  
Agency: \_\_\_\_\_

For distribution information, call the Governor's Legislative Office

# FISCAL NOTE

**STATE OF ALASKA  
2001 LEGISLATIVE SESSION**

**Fiscal Note Number: 4**  
**Bill Version: CSHB 172(JUD)**  
**(H) Publish Date: 3/26/01**

Revision Date/Time (Note if correction) \_\_\_\_\_ Dept. Affected \_\_\_\_\_  
 Title Therapeutic Courts BRU Alaska Court System  
 Component Trial Courts  
 Sponsor Rep. Porter  
 Requester House Judiciary Component No. 768

**Expenditures/Revenues (Thousands of Dollars)**

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	397.8	486.9	486.9	486.9	486.9	486.9
Travel						
Contractual						
Supplies						
Equipment	24.0					
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>421.8</b>	<b>486.9</b>	<b>486.9</b>	<b>486.9</b>	<b>486.9</b>	<b>486.9</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF	421.8	486.9	486.9	486.9	486.9	486.9
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>421.8</b>	<b>486.9</b>	<b>486.9</b>	<b>486.9</b>	<b>486.9</b>	<b>486.9</b>

Estimate of any current year (FY2001) cost: 0.0

**POSITIONS**

Full-time	8	8	8	8	8	8
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

See attached.

Prepared by: Douglas Wooliver Phone 463-4750  
 Division: Alaska Court System Date/Time 3/20/01 @ 5:00 P.M.  
 Approved by: Stephanie Cole Date \_\_\_\_\_  
 Agency: Alaska Court System

For distribution information, call the Governor's Legislative Office

COMMITTEE COPY

HB 172  
Fiscal Analysis  
Alaska Court System

House Bill 172 allows the court system to establish a pilot court in Anchorage and another in Bethel for the prosecution and treatment of defendants who are addicted to alcohol. The focus of these therapeutic courts will be those charged with multiple DWI offenses.

The court system and the Department of Law estimate that the Anchorage court will see 80 defendants a year, and the Bethel court will see 15 cases the first half-year and 45 cases a year in years two and three.

Therapeutic courts are resource-intensive for the court system. They require defendants to appear regularly before the judge to report on progress and to appear for sanctions if they have failed to meet the program requirements. In order to meet this additional workload, and because the Anchorage and Bethel courts are already beyond their carrying capacity for felony cases, this bill calls for a new superior court judge in each location.

The superior court judge position in Bethel will replace the current district court position in that location so the fiscal impact is the difference between a district court judge and a superior court judge.

In both Anchorage and Bethel, a superior court judge position comes with a law clerk, a secretary, and an in-court clerk. The Anchorage position includes a court clerk to coordinate and schedule the therapeutic court procedures. This fiscal note includes one-time expenses for equipment for the judges and their staff.

Alaska Court System  
 Therapeutic Drug Court HB 172  
 3/20/01

<u>Positions for Bethel</u>	<u>Range</u>	<u>FY02 Cost Position Cost</u>	<u>FY03 Full Year Cost Position Cost</u>
Superior Court Judge (6 months)	82A	\$ 72,821	\$ 145,642
Law Clerk (6 months)	13D	\$ 30,777	\$ 61,553
Secretary (6 months)	12A	\$ 26,336	\$ 52,671
In-Court (6 months)	10A	\$ 23,378	\$ 46,755
Equipment (3 desks, 3 chairs, 3 computers)		\$ 9,000	\$ -
<b>Total Superior Court Judge Position &amp; Staff</b>		\$ 162,311	\$ 306,621
<b>Less: District Court Judge FY01 Funding (6 months)</b>		\$ (64,161)	\$ (128,321)
<b>Net Funding Required for Bethel Positions</b>		\$ 98,150	\$ 178,300
 <u>Positions for Anchorage</u>			
Superior Court Judge	82A	\$ 138,467	\$ 138,467
Law Clerk for Superior Court Judge	13D	\$ 48,130	\$ 48,130
Secretary	12A	\$ (41,997)	\$ 41,997
In-Court Clerk	12A	\$ 41,997	\$ 41,997
Court Clerk	10A	\$ 5,000 (38,018)	\$ 38,018
Equipment (5 desks, 5 chairs, 5 computers)		\$ 9,000 15,000	\$ -
<b>Funding Required for Anchorage Positions</b>		\$ 323,609	\$ 308,609
<b>Fiscal Note Total</b>		\$ 421,759	\$ 486,909

340.6

# FISCAL NOTE

**STATE OF ALASKA**  
**2001 LEGISLATIVE SESSION**

Fiscal Note Number: 5  
 Bill Version: CSHB 172(JUD)  
 (H) Publish Date: 3/26/01

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Health & Social Services  
 Title: An Act relating to therapeutic courts BRU: Alcohol & Drug Abuse Svcs  
 Component: Alcohol/Drug Abuse Grants  
 Sponsor: Porter  
 Requester: H Judiciary Component Number: 1239

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	501.3	685.4	685.4			
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>501.3</b>	<b>685.4</b>	<b>685.4</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

FUND SOURCE	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
1002 Federal Receipts						
1003 GF Match						
1004 GF	501.3	685.4	685.4			
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>501.3</b>	<b>685.4</b>	<b>685.4</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

**POSITIONS**

Full-time	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

**ANCHORAGE PILOT PROJECT:** The agencies propose that 80 DWI offenders will be handled each year in the therapeutic court. Participants will be felony DWI offenders currently prosecuted by the state, as well as offenders who have 2 or more prior DWI convictions and are currently prosecuted as misdemeanants by the Municipality of Anchorage because of the 5-year look-back for felony DWI. Under this model, the state would take over the prosecutions of these misdemeanor offenses and process them in the therapeutic court in the superior court.

**BETHEL PILOT PROJECT**

The agencies plan to have 15 offenders participate the first half-year and 45 offenders in years 2 and 3. Offenders charged with alcohol or drug-related felonies and misdemeanors will be eligible to participate.

Prepared by: Ernest Turner, Director Phone 465-2071  
 Division: Alcoholism and Drug Abuse Date/Time 3/13/01 2:05pm  
 Approved by: Elmer A. Lindstrom, Special Assistant Date 3/15/01 9:16 AM  
 Agency: Department of Health & Social Services

For distribution information, call the Governor's Legislative Office

## ANALYSIS: (continued)

The amount of grant funds needed is based on the following levels of care for one year.

The following schema is predicated on 12 months involvement with the treatment program. These figures are for a single client. The total cost then would be based on the number of persons served by the therapeutic court. Obviously "one size" does not fit all clients and some will require more intensive treatment and some will require less but this is the best design for most of the clients from either the drug or alcohol involved clients.

Phase I Intensive Outpatient 6 weeks	
Assessment	\$100.00
Urinalysis @ \$25 per week	\$150.00
10 Hours intensive outpatient/week @\$45	\$2,700.00
Naltrexone 1xday @\$4.50	\$189.00
Physical Exam for safe Naltrexone use	\$200.00
Two written reports for courts	\$60.00
<b>Total Phase I costs</b>	<b>\$3,399.00</b>
Phase II Continuing Care 20/weeks	
Urinalysis \$25 bi-weekly	\$250.00
1 group per week @\$20	\$400.00
Naltrexone 1xday @\$4.50	\$630.00
On-going medical monitoring	\$100.00
Five care coordination of 30 min.	\$75.00
Five written reports for courts	\$150.00
<b>Total Phase II costs</b>	<b>\$1,605.00</b>
Phase III Extended Continuing Care 26 weeks	
Urinalysis \$25 monthly random	\$150.00
1 group every 2 weeks @\$20	\$260.00
Six care coordination of 30 min.	\$90.00
Six written reports for courts	\$180.00
<b>Total Phase III costs</b>	<b>\$680.00</b>
<b>Total 12 month costs per person with indirect costs @20%</b>	<b>\$6,821.00</b>

For the Anchorage therapeutic court the costs would reflect serving 80 persons each year of the court.

Year 1 costs for 80 clients \$545,664 less self pay \$409,248  
 Year 2 costs for 80 clients \$545,664 less self pay \$409,248  
 Year 3 costs for 80 clients \$545,664 less self pay \$409,248

*5115.60 / each*

*20 x 5115.60 = 102,312*

ANALYSIS: (continued)

For the Bethel therapeutic court the cost would reflect serving 15 persons in first year and 45 in the second year. HB 172 indicates the Bethel court is just six months (January 1, 2002) the first year.

Year 1 Costs for 15 clients \$102,312 less self pay \$92,081

Year Two Costs for 45 clients \$306,936 less self pay \$276,242

Year Three Costs for 45 clients \$306,936 less self pay \$276,242

Note: These costs are reflective of Intensive Outpatient Services. Some clients will require residential services that can be supplied only on a space available basis unless the administration's budget increments for treatment expansion are fully funded.

Adopted  
7/5/01

22-LS0612\L.3  
Luckhaupt  
4/2/01

#1

AMENDMENT

OFFERED IN THE HOUSE  
TO: CSHB 172(JUD)

1 Page 3, line 30, following "case":

2 Insert ", including the case of a defendant charged with violating the terms of  
3 probation,"

4

5 Page 3, line 31:

6 Delete "if the defendant's request is made within 45 days of arraignment"

7

8 Page 4, line 2, following "AS 11.41.410 - 11.41.470":

9 Insert ", or with violating probation for one of those offenses"

10

11 Page 4, lines 3 - 18:

12 Delete all material and insert:

13 "(g) Upon acceptance into the therapeutic court, the defendant shall enter a no contest  
14 or guilty plea to an offense or shall admit to a probation violation, as appropriate. The state  
15 and the defendant may enter into a plea agreement to determine the offense or offenses to  
16 which the defendant is required to plead. If the court accepts the agreement, the court shall  
17 enforce the terms of the agreement.

18 (h) The court shall enter a judgment of conviction for the offense or offenses for  
19 which the defendant has pleaded or an order finding that the defendant has violated probation,  
20 as appropriate. A judgment of conviction or an order finding a probation violation must set a  
21 schedule for payment of restitution owed by the defendant. In a judgment of conviction and  
22 upon probation conditions that the court considers appropriate, the court may withhold  
23 pronouncement of a period of imprisonment or a fine to provide an incentive for the defendant  
24 to complete recommended treatment successfully. Imprisonment or a fine imposed by a

1 therapeutic court shall comply with AS 12.55 or any mandatory minimum or other sentencing  
2 provision applicable to the offense. However, notwithstanding any other provision of law, the  
3 entire period of imprisonment or amount of fine, including a presumptive or mandatory  
4 minimum sentence, may be suspended if the defendant has successfully completed court-  
5 ordered treatment, is current with restitution payments, and has substantially complied with  
6 sobriety and other conditions imposed by the court. A court entering an order finding the  
7 defendant has violated probation may withhold pronouncement of disposition to provide an  
8 incentive for the defendant to complete recommended treatment successfully.

9 (i) If the defendant is terminated from therapeutic court, the defendant's no contest or  
10 guilty plea or admission to a probation violation to the court shall stand, and the sentence  
11 previously imposed shall be executed or, if sentence has not yet been imposed, imposition of  
12 sentence shall be scheduled in a nontherapeutic court."

4105/01

22-LS0612\L.4  
Luckhaupt  
4/4/01

#2

AMENDMENT

OFFERED IN THE HOUSE

TO: CSHB 172(JUD)

- 1 Page 5, line 4:
- 2 Delete "is authorized"
- 3 Insert "may require treatment providers"
- 4
- 5 Page 5, lines 5 - 6:
- 6 Delete "of participating in the treatment programs"
- 7 Insert "related to the use of Naltrexone"
- 8
- 9 Page 5, line 7:
- 10 Delete "department"
- 11 Insert "treatment provider"

# HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: March 26, 2001

FURTHER REFERRALS:

Date of Committee Action: 4/5/01

The FINANCE Committee considered:

HB 172

HOUSE BILL NO. 172

THERAPEUTIC DRUG AND ALCOHOL COURTS

"An Act relating to therapeutic courts for offenders and to the authorized number of superior court judges."

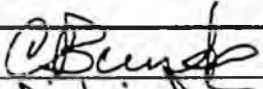


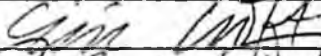
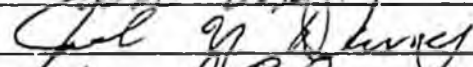
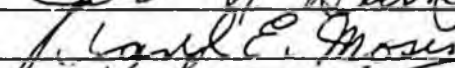
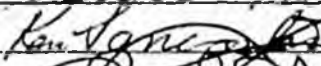

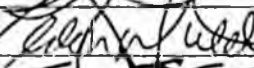
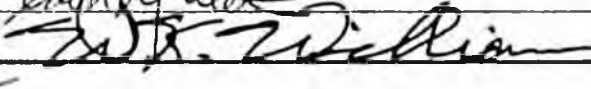
Recommends it be replaced with CS HB 172 (FIN) [ ] Same Title [ ] New Title  
 For Senate Bills with new title: [ ] Technical Title [ ] New Title: HCR \_\_\_\_\_

- [ ] attach amendments
- [ ] add new referral to \_\_\_\_\_ Committee
- [ ] Letter of Intent \_\_\_\_\_ Committee

- List of Abbrev. For Depts.:
- ADM
  - CED
  - COR
  - CRT
  - EED
  - DEC
  - DFG
  - GOV
  - HSS
  - LAA
  - LAW
  - LWF
  - MVA
  - DNR
  - DPS
  - REV
  - DOT
  - UA

<u>NEW FISCAL NOTES</u>				
*For Chief Clerk's Office Use Only				
FN# *	List by Dept(s):	Fiscal	Indet.	Zero
	Law	✓		
	Adm	✓		

<u>PREVIOUS FISCAL NOTES</u>				
List by Dept(s):	FN #	Fiscal	Indet.	Zero
COR	2	✓		
CRT	4	✓		
HSS	5	✓		

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
	Bunde	✓			
	Whitaker	✓			
	HARRIS	✓			
	CREFF	✓			
	Davies	✓			
	MOSES	✓			
	Lancaster	✓			
	Foster	X			
Chair: 	Mulder	✓			
Chair: 	William	✓			

March 23, 2001

To: House Judiciary Committee  
Attn: Heather Nobrega

From: Janet McCabe,  
Chair, Partners for Downtown Progress

Re: Fiscal Requirements – Anchorage Wellness Court

**Current Grant and Budget:**

The Anchorage Wellness Court is currently supported by a federal grant to Partners for Downtown Progress from the U.S. Department of Justice. This is a "Byrne Discretionary Grant" and we were told last week that this source has been fully spent, and funds will not be available in future years.

Our current grant for \$150,000 will be used for the December 2000 through December 2001 year. (The approval date was earlier, but mid-winter was the effective start date.)

Nearly all our money is used to contract with others for needed community based services. I handle program administration without cost to the program. In rounded terms, annual expenditures for the Wellness Court break out as follows:

1. Municipal Case Coordinator (40 participants)	\$70,000
2. Treatment, medical costs, group therapy @ \$1,000 per person <sup>1</sup>	\$40,000
3. Community Liaison (assists participants in finding acceptable housing and needed community services)	\$30,000
4. Other program costs (supplies, postage, telephone, training etc.)	<u>\$10,000</u>
<b>TOTAL</b>	<b>\$150,000</b>

**Fiscal Needs**

This budget only reaches 40 people, and it is not adequate to cover real program needs. Comparing our budget with the fiscal notes received for the Superior Court makes this clear.

To provide a bare bones, but adequate budget for the current 40 participant Anchorage Wellness Court during the FY 2002, we need enough to supplement the grant for 6 months (July, 2001 through December, 2001) and enough to cover all costs of the Wellness Court for 6 months (January through June 2002) after the grant terminates.

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<sup>1</sup> Treatment/medical/group therapy costs are funded under a "meet us at least halfway" policy. Typically, we manage this as a "grab stake grant" paying initial costs. After the participant starts earning a living, he or she pays for the remainder of treatment/medical/therapy costs.

**FY 02 – Anchorage Wellness Court**

**FIRST 6 MONTHS – state funding needed to add to federal grant:**

1. Municipal Case Coordinator ( <i>covered by grant</i> )	0
2. Treatment, medical costs, group therapy ( <i>adds \$500 per person to 20 people to increased "grub stake" to a more realistic \$1,500 per person</i> )	\$10,000
3. Community Liaison ( <i>supplement</i> )	\$20,000
4. Municipal Prosecutor ( <i>no grant funds for this</i> )	\$20,000
5. Municipal Defender Firm ( <i>no grant funds for this</i> )	\$20,000
6. Program Administration ( <i>replaces volunteer</i> )	\$30,000
7. Training ( <i>no grant funds for this</i> )	\$10,000
8. Other Program Costs ( <i>Supplement</i> )	\$10,000
9. Program Evaluation	<u>\$10,000</u>
<b>TOTAL</b>	<b>\$130,000</b>

**SECOND 6 MONTHS – state funding alone**

1. Municipal Case Coordinator (40 people)	\$35,000
2. Treatment, medical costs, group therapy ( <i>\$1,500 per person "grub stake" grant</i> )	\$30,000
3. Community Liaison	\$30,000
4. Municipal Prosecutor ( <i>no grant funds for this</i> )	\$20,000
5. Municipal Defender Firm ( <i>no grant funds for this</i> )	\$20,000
6. Program Administration ( <i>replaces volunteer</i> )	\$30,000
7. Training ( <i>no grant funds for this</i> )	\$10,000
8. Other Program Costs	\$15,000
9. Program Evaluation	<u>\$10,000</u>
<b>TOTAL</b>	<b>\$200,000</b>

**TOTAL FY 02 NEEDS – ANCHORAGE WELLNESS COURT - \$330,000**

**Note:** Costs for a full year without the remaining federal grant funds would be \$400,000 for 40 participants. If the state wanted to double this number to 80 participants, costs per person would be slightly less because of some administrative costs savings. It is estimated that it would cost about \$600,000 per year for 80 participants in the Wellness Court.

**Note:** Funds could be appropriated to the Municipality of Anchorage with a note that half the appropriation be used for direct Municipal costs of the program and half be granted to Partners for Downtown Progress to cover their costs in contracting for treatment, and other community liaison assistance to participants.

# FISCAL NOTE

**STATE OF ALASKA**  
**2001 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: CS HB 172 (JUD)  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Health & Social Services  
 Title: An Act relating to therapeutic courts BRU: Alcohol & Drug Abuse Svcs  
 Component: Administration  
 Sponsor: Rep. Porter  
 Requester: House (FIN) Component Number: 302

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	48.1	48.1	48.1	48.1	48.1	48.1
Travel	2.5	2.5	2.5	2.5	2.5	2.5
Contractual						
Supplies						
Equipment	5.0	5.0	5.0	5.0	5.0	5.0
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>55.6</b>	<b>55.6</b>	<b>55.6</b>	<b>55.6</b>	<b>55.6</b>	<b>55.6</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	55.6	55.6	55.6	55.6	55.6	55.6
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>55.6</b>	<b>55.6</b>	<b>55.6</b>	<b>55.6</b>	<b>55.6</b>	<b>55.6</b>

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

**POSITIONS**

Full-time	1	1	1	1	1	1
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

"(0) The Department of Health and Social Services is authorized to make advances to a defendant accepted to the therapeutic court to cover the initial costs of participating in the treatment programs if the defendant is otherwise without resources to pay those costs. The court shall require as a condition of probation that the defendant repay the department."

The Division of Alcoholism and Drug Abuse funds programs via the grant-in-aid process as established in AS 47.30.470. This amendment, would require the Department to establish an infrastructure to advance money to individuals so they could then pay for the initial costs of treatment to the programs. The Division does not have any infrastructure to be able to comply with this amendment. The Division's only financial relationship is with the treatment programs receiving grant funds.

Prepared by: Emile Turner Phone: \_\_\_\_\_  
 Division: Alcoholism and Drug Abuse Date/Time: \_\_\_\_\_  
 Approved by: Elmer A. Lindstrom, Special Assistant Date: 3/29/01 4:03 PM  
 Agency: Department of Health & Social Services

For distribution information, call the Governor's Legislative Office

## ANALYSIS: (continued)

Under this portion of CS HB 172 (JUD) the Division would need to establish a process that would:

1. Make a determination that "...the defendant is otherwise without resources to pay these costs." This may well be a different process than determining if the person is indigent for purposes of the court proceedings.
2. Establish how the payment would be made. While the amendment states to advance to the defendant, the Division would most likely make the direct payment to the treatment program if for treatment costs. If for physical exams and or medications the payment might be to the doctor or pharmacy. Under state administrative rules for paying these costs and issuing checks this process will require considerable time.
3. Establish a credible mechanism to assure that the advance is repaid. While the court may well require the repayment of the advance, it will be the Division's responsibility to collect the amount advanced.

This process would require one new staff for the Division. Cost for this staff person would include office furniture and equipment and travel. Since the pilot sites for the Therapeutic Courts will be both Anchorage and Bethel, some travel to Bethel will be required. While most of the system developed could be done by phone and fax, at least quarterly visits to Bethel would be required to verify those process and to meet with defendants that may not be repaying the advances.

The requirements for this position would include some elements of an Eligibility Technician, a Collections Specialist, and accounting position. We are costing this position out at a Range 14 in this fiscal note.

All grantees of the Division that provide treatment services are required to charge for their services, have a sliding fee scale so that what is charged is commensurate with the persons ability to pay, and then to collect those fees. This is done by the grantee program, not the Division.

The fiscal note on treatment costs (ADA Grants component) requests funds that would cover 75% of the estimated costs of treatment in Anchorage and 90% in Bethel assuming that the programs would not be able to collect this amount from the consumers. These figures were estimated based upon the best estimates of current collections from clients. 70% of our current clients make less than \$10,000 per year and very few have health insurance coverage to pay the costs and therefore would pay 10% or less of their treatment costs. Half of the remaining clients make \$20,000 or less and the remaining clients would be able to raise the overall payment to 25% of the cost of treatment in Anchorage but significantly less in Bethel.

If this portion of CS HB 172(JUD) were deleted from the bill, the Division will require the treatment provider to cover the initial costs from their grant funds and work with the client to collect payment for the treatment under their existing policies.

# FISCAL NOTE

**STATE OF ALASKA  
2001 LEGISLATIVE SESSION**

Fiscal Note Number: 6  
 Bill Version: CSHB 172(JUD)  
 (H) Publish Date: 3/26/01

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Law  
 Title: "An Act relating to therapeutic courts for BRU Criminal Division; Civil Division  
offenders and to the authorized number of superior court judges." Component 3rd Judicial District; Anchorage;  
 Sponsor Representative Porter 4th Judicial District; Human Services  
 Requester House Judiciary Committee Component No. 2261;2201;2208

**Expenditures/Revenues (Thousands of Dollars)**

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	423.9	484.4	484.4	60.6	0.0	0.0
Travel	1.4	1.6	1.6	0.2	0.0	0.0
Contractual	65.5	74.8	74.8	9.4	0.0	0.0
Supplies	5.6	6.4	6.4	0.8	0.0	0.0
Equipment	32.5					
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>528.8</b>	<b>567.2</b>	<b>567.2</b>	<b>70.9</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF	528.8	567.2	567.2	70.9		
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>528.8</b>	<b>567.2</b>	<b>567.2</b>	<b>70.9</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

**POSITIONS**

Full-time	5	5	5	1		
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

HB 172 authorizes the court system to establish two pilot sites for therapeutic courts for alcohol- and drug-addicted offenders in Anchorage and Bethel. The Anchorage court would commence on the effective date of the act, and the Bethel court on January 2, 2002. The pilot programs end three years after each commences. The bill also adds two new superior court judge positions: one in Anchorage, and one in Bethel. The new judges would preside over the therapeutic courts, and also handle other matters, including criminal cases, juvenile delinquency cases, and children in need of aid cases.

Therapeutic courts are very resource intensive. Defendants who are accepted into the court agree to enter a program structured for them that is very closely monitored. The court requires defendants to make frequent appearances, and all parties, including the prosecutor, attend these court proceedings.

Prepared by: Joan M. Kasson Phone 465-5370  
 Division: Attorney General's Office Date/Time 3/15/01 5:30 PM  
 Approved by: Kathryn Daughheteo for Bruce M. Botelho, Attorney General Date 3/15/01  
 Agency: Department of Law

For distribution information, call the Governor's Legislative Office

FISCAL NOTE

STATE OF ALASKA  
2001 LEGISLATIVE SESSION

BILL NO. HB 172

ANALYSIS CONTINUATION

In addition, a new superior court judge in Anchorage means another court room in which prosecutors and assistant attorneys general will need to appear on other criminal and civil matters. As a rule of thumb, the department's experience has been that it needs four attorneys for each superior court judge.

However, because the therapeutic court will theoretically be operating about one-half of the time, we estimate three attorney positions will be sufficient: two for the Criminal Division, Anchorage District Attorney's Office, and one for the Civil Division, Human Services section. One attorney will be responsible for cases before the therapeutic court, and the other two will handle other criminal and civil cases the new judge will calendar.

Beginning January 2, 2002, the Bethel therapeutic court will begin operations. The department is informed that the court system plans on replacing the current District Court judge position with the new Superior Court position. Because of this, only one new FTE attorney position will be necessary for the Bethel District Attorney's office. This position will be assigned cases that are referred to the therapeutic court. Existing staff will be able to handle the other criminal and civil cases because this is not a new and additional court room to be covered.

Using the department's FY02 standard attorney cost allocation plan, the annual cost of the positions is \$567.2 (\$141.8 x 4). This includes clerical support, communications, space, supplies, data processing, and other normal overhead expenses. The standard cost does not include one-time new equipment purchases, and \$6.5 per position is included. Proportionate support position funding is included in the standard attorney cost schedule at a rate of approximately one support position for every three professional positions. Position authorizations for the support positions are required, however, and the one FTE legal secretary position is requested, along with \$6.5 for one-time equipment costs in FY02. The Bethel attorney position is funded in FY02 for only one-half of the fiscal year due to the delayed effective date of the pilot court. It will be necessary to annualize that position in FY03.

The line-item breakdown by component follows:

Component	Position	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Criminal Division: 3rd Judicial District: Anchorage (2261)							
	100 2 FTE Attorney	242.2	242.2	242.2			
	200 1 FTE Legal Secy	0.8	0.8	0.8			
	300	37.4	37.4	37.4			
	400	3.2	3.2	3.2			
	500	19.5					
	Total 1004 General Fund	303.1	283.6	283.6	0.0	0.0	0.0
Criminal Division: 4rd Judicial District (2201)							
	100 1 FTE Attorney	60.6	121.1	121.1	60.6		
	200	0.2	0.4	0.4	0.2		
	300	9.4	18.7	18.7	9.4		
	400	0.8	1.6	1.6	0.8		
	500	6.5					
	Total 1004 General Fund	77.4	141.8	141.8	70.9	0.0	0.0
Civil Division: Human Services (2208)							
	100 1 FTE Attorney	121.1	121.1	121.1			
	200	0.4	0.4	0.4			
	300	18.7	18.7	18.7			
	400	1.6	1.6	1.6			
	500	6.5					
	Total 1004 General Fund	148.3	141.8	141.8	0.0	0.0	0.0

# FISCAL NOTE

**STATE OF ALASKA  
2001 LEGISLATIVE SESSION**

Fiscal Note Number: 3  
 Bill Version: CSHB 172 (JUD)  
 (H) Publish Date: 3/26/01

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Court  
 Title: Therapeutic Drug and Alcohol Courts BRU: District Court  
 Sponsor: Representative Porter Component: District Wellness Court  
 Requester: House Judiciary Component Number: \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	85.0					
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>85.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	85.0					
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>85.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2001) cost: 0.0

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

\$75,000 to be used by Judge Wanamaker's Wellness Court, located in the Anchorage District Court, for subsidizing initial treatment costs for needy participants.  
 \$10,000 to be designated to Judge Froehlich's Naltrexone Court, located in the Juneau District Court.

Prepared by: Heather Nobrega, Committee Counsel

Phone 465-4990

Representative Rep. Norman Rokeberg  
Committee Chair

Date 03/23/01 1:00 p.m.



# ALASKA STATE LEGISLATURE

SPEAKER OF THE HOUSE BRIAN PORTER

## SPONSOR STATEMENT

### COMMITTEE SUBSTITUTE FOR HOUSE BILL 172 (JUD)

*"An Act relating to therapeutic courts for offenders and to the authorized number of superior court judges."*

CS for House Bill 172(JUD) will establish two therapeutic court pilot projects-Anchorage and Bethel. These courts are designed to serve as working models for the development of other similar courts throughout the state.

As stated in the legislative purpose section of CSHB 172(JUD), therapeutic courts are designed to:

- assist offenders toward lasting sobriety;
- protect society from alcohol and drug related crime;
- provide prompt payment of restitution to victims;
- encourage effective interaction and use of resources among criminal justice and community agencies; and,
- reduce long-term costs relating to arrest, trial and incarceration.

The pilot projects will be implemented through joint efforts of the Court System, Department of Law, the Public Defender Agency, the Department of Corrections, the Department of Health and Social Services and other agencies in accordance with a mutually agreed upon plan. The courts are to use existing public agencies, medical and treatment services, housing and other public, private and non-profit community services as well. The Bethel pilot project is designed to coordinate services with municipal and local entities, taking into consideration local resources and cultural traditions, to facilitate rehabilitation.

The Court System has requested two additional superior court judge positions to preside over the therapeutic courts. These positions will be assigned to Anchorage and Bethel.



# ALASKA STATE LEGISLATURE

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SPEAKER OF THE HOUSE BRIAN PORTER

## SECTIONAL ANALYSIS

### COMMITTEE SUBSTITUTE FOR HOUSE BILL 172 (JUD)

*"An Act relating to therapeutic courts for offenders and to the authorized number of superior court judges"*

**Section 1: Legislative purpose.** This section states the purpose of the pilot therapeutic courts, their locations, criteria to consider when imposing sentences, sanctions to be imposed if conditions imposed by therapeutic court are violated, time limits for entering a plea and conviction judgement, conditions of bail or probation and evaluation of the pilot projects by the Alaska Judicial Council.

**Section 2: Amends AS 22.10.120. Number of judges.** This section adds two superior court judges. One additional judge assigned to the Third Judicial District (to be based in Anchorage) and one additional judge assigned to the Fourth Judicial District (to be based in Bethel). These judges will preside over the pilot therapeutic courts as well as other cases that they may be assigned.

# STATE OF ALASKA

## DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF ALCOHOLISM AND DRUG ABUSE

TONY KNOWLES, GOVERNOR

P.O. BOX 110607  
JUNEAU, ALASKA 99811-0607  
PHONE: (907) 465-2071  
FAX: (907) 465-2185

Dear Reader:

The Division of Alcoholism and Drug Abuse is pleased to present this report on the outcomes of treatment services provided in Alaska. Preliminary findings from this study show that Alaska's treatment programs work.

The State of Alaska's treatment programs care for about 2,500 residential and 5,500 outpatients a year. Treatment services are provided by 45 programs in the State.

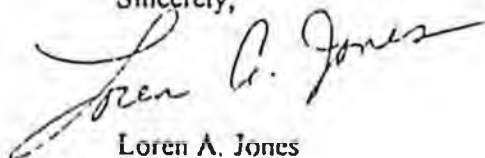
The study for the Division of Alcoholism and Drug Abuse is being conducted by New Standards, Inc., a nationally recognized authority in studying treatment programs. Under the study, some 1,600 residential patients and outpatients will be followed from their admission to a treatment program to one year following admission. In this portion of the study, NSI followed up on the first 300 patients in the study six months after they began treatment. These patients will be contacted again a year after treatment.

Findings from the study, even at this early stage, show that treatment does work. The study also confirms our belief that continuing care is very important. When complete, the study will help us design the best treatment and after care programs for Alaskans. These findings also compare very positively to studies done at programs elsewhere in the nation.

This study followed up patients from treatment centers in Anchorage, Barrow, Bethel, Craig, Dillingham, Fairbanks, Healy, Nenana, Juneau, Kenai, Ketchikan, Nome and Mat-Su. The full study is scheduled to be completed in mid-1997.

We encourage you to read and study this report. If you have any questions please contact the Division.

Sincerely,



Loren A. Jones  
Director

## Chemical Dependency Treatment Outcome Study Executive Summary

Results from a study of Alaska's chemical dependency treatment programs show that the state's efforts are succeeding on several fronts. Follow-up interviews with participants in both inpatient and outpatient treatment programs indicate that, after one year, arrests and hospitalization decreased, while participants' employment rates and work attendance increased.

The Alaska Division of Alcoholism and Drug Abuse commissioned the treatment outcome study to measure the effectiveness of publicly funded residential and outpatient treatment programs. Beginning in February 1994, the study surveyed 1024 residential/step-down patients and 510 outpatients who consented to assessments at admission, discharge, and six and 12 months after admission to treatment. The findings were collected by New Standards Inc., a Minnesota-based authority in studying treatment programs.

The study will provide information to help policymakers design the best treatment and after-care programs for Alaskans.

The outcome study found:

- Of Alaskan patients surveyed, 56 percent of those in outpatient programs abstained from alcohol for one year after treatment, compared to 42 percent of residential patients. Outpatients in the study received an average of 59 hours of care, while patients in residential programs received an average of 39 days of inpatient care.
- The study also found there is a strong association between abstinence rates and post-treatment levels of care and peer support groups like Alcoholics Anonymous. For 75 percent of residential patients, formal aftercare taken for a year resulted in a year of sobriety. Formal aftercare during the first six months appears to have the strongest impact on recovery among outpatients, with 71 to 77 percent reporting sobriety.
- Both residential and outpatient program participants reported substantial decreases in legal problems one year posttreatment. Criminal arrests, traffic arrests and motor vehicle accidents dropped. This yields overall societal benefits as a result of chemical dependency treatment by easing demands on already overburdened legal and insurance systems.
- Documented reductions in hospitalizations and emergency care and outpatient care for chemical dependency program patients support the notion that, following treatment there is a shifting away from costly hospital and emergency room "crisis" or urgent care, toward more timely and appropriate preventive or routine outpatient treatment.
- Employment rates changed dramatically from pretreatment through one year after treatment. Full-time employment increased from 30 percent before treatment to 45 percent at 12 months. Conversely, unemployment rates dropped from 45 percent to 24 percent.
- Both residential and outpatients reported significant reductions in tardiness and missing work. Outpatients in particular reported fewer problems with supervisors and fewer mistakes on the job.
- A significant number of patients surveyed reported sexual and physical abuse; 10 percent of the residential patients and 8 percent of the outpatients indicated incest by a male relative. Twenty-eight percent of the outpatients and 29 percent of the residential patients reported physical abuse prior to age 18.



FEB 16 2001

# alaska judicial council

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To: See Below  
\_\_\_\_\_

Fax #: See Below  
\_\_\_\_\_

Date: 2/16/01  
\_\_\_\_\_

Time: \_\_\_\_\_

From: Teri Carns  
\_\_\_\_\_

Number of pages (including this cover sheet) 5

If you have any problems or questions, please contact Teri Carns  
at (907) 279-2526.

**Comments:**

*The Judicial Council has prepared the attached charts at the request of the members of the interim Criminal Justice Council. We thought that you would find the information helpful. Please contact me if you have questions or comments. Teri Carns*

\*If more than one person at the same agency please distribute copies to each one.

Janel McCabe - 272-2883  
Lynda Zaugg - 269-7385  
Senator Elton - 465-2108  
Rep. Croft - 466-4419

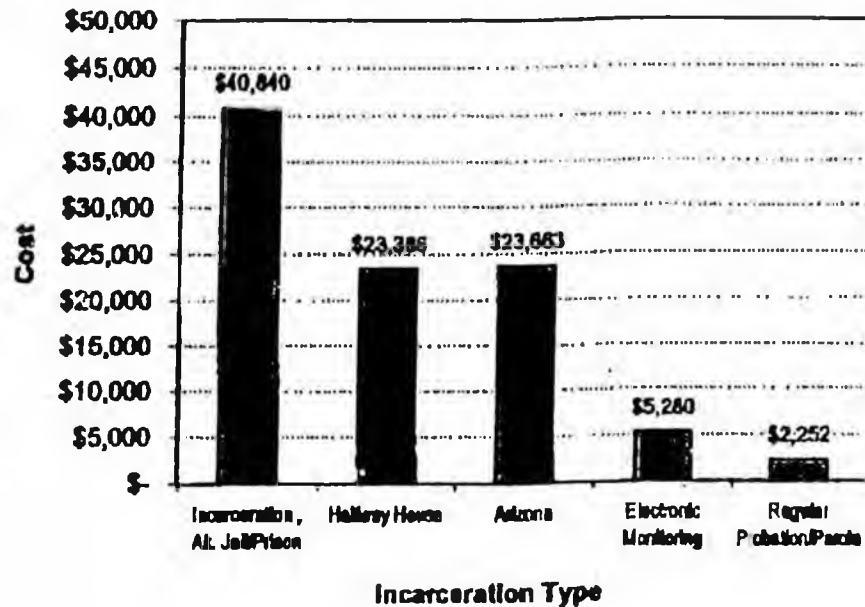
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Doug Wooliver - 264-8291  
Marilee Fletcher - 465-2185  
Rep. Berkowitz - 465-2137

## Costs and recidivism rates for incarceration compared to therapeutic programs

### Costs of Incarceration - \$ per year/per offender\*

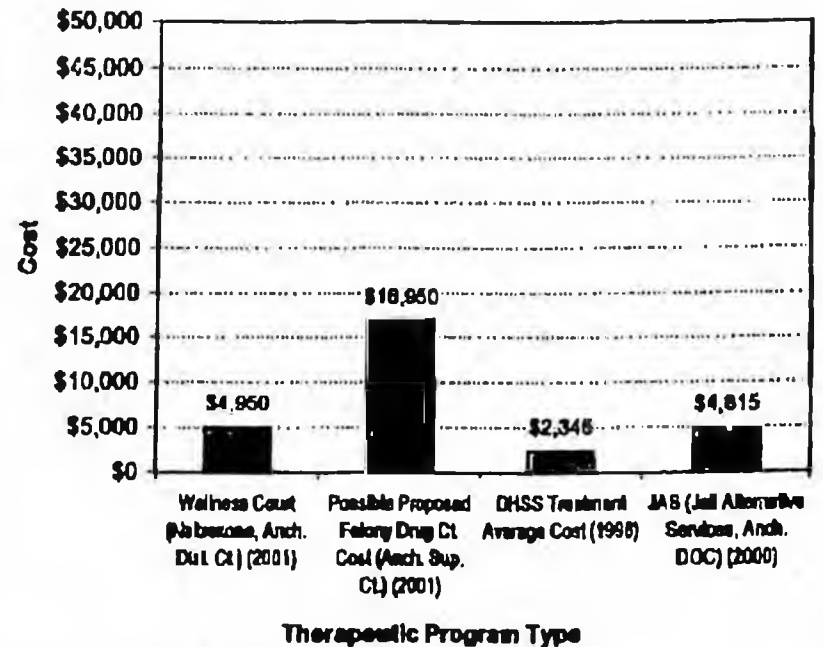


\*Data provided by Alaska Department of Corrections 1/01

\*Electronic monitoring is often paid for in full or part by the offender. Some probation and incarceration costs also are paid by some offenders.

Alaska Judicial Council: 2001

### Costs of Therapeutic Programs - \$ per year/per client\*



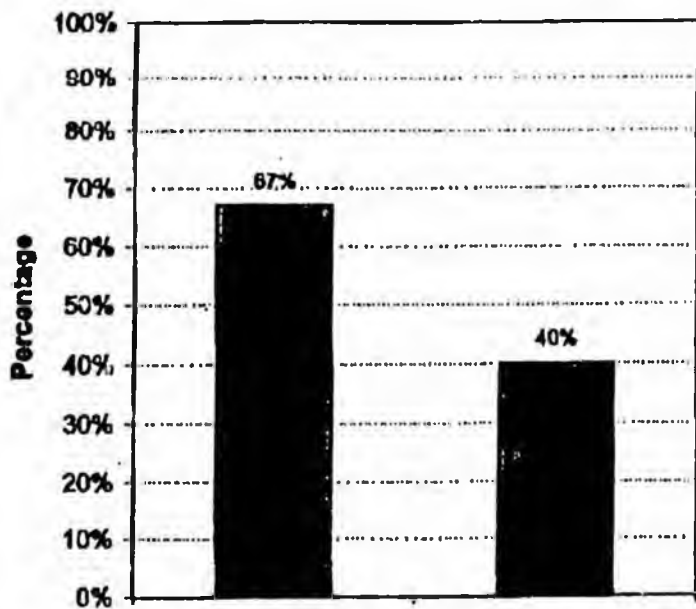
\*Data provided by various sources.

\*Costs of treatment programs include, when known, grant costs for administration and payments to treatment providers. Some of the costs may be paid through insurance, Medicaid, or other sources, for some offenders.

Alaska Judicial Council: 2001

**Costs and recidivism rates for Incarceration  
compared to therapeutic programs (continued)**

**Recidivism Rates After Incarceration**



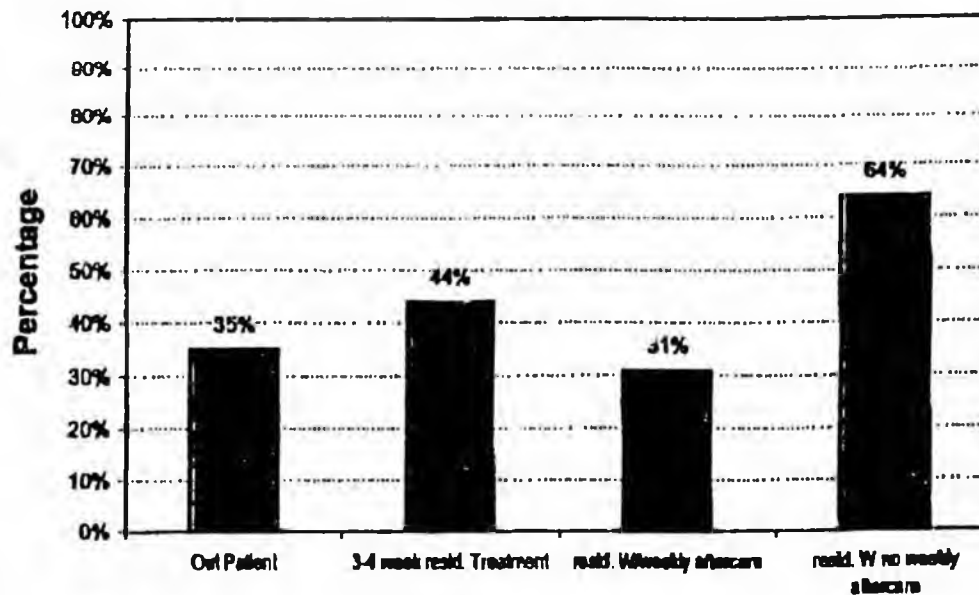
Nationwide, 67% of all released re-arrested within 3 years (p. 3, 11/00 DOJ paper)

2 of 5 of all inmates released this year nationwide will return to jail within 3 years (VERA p. 3 2000)

**Incarceration**

Alaska Judicial Council: 2001

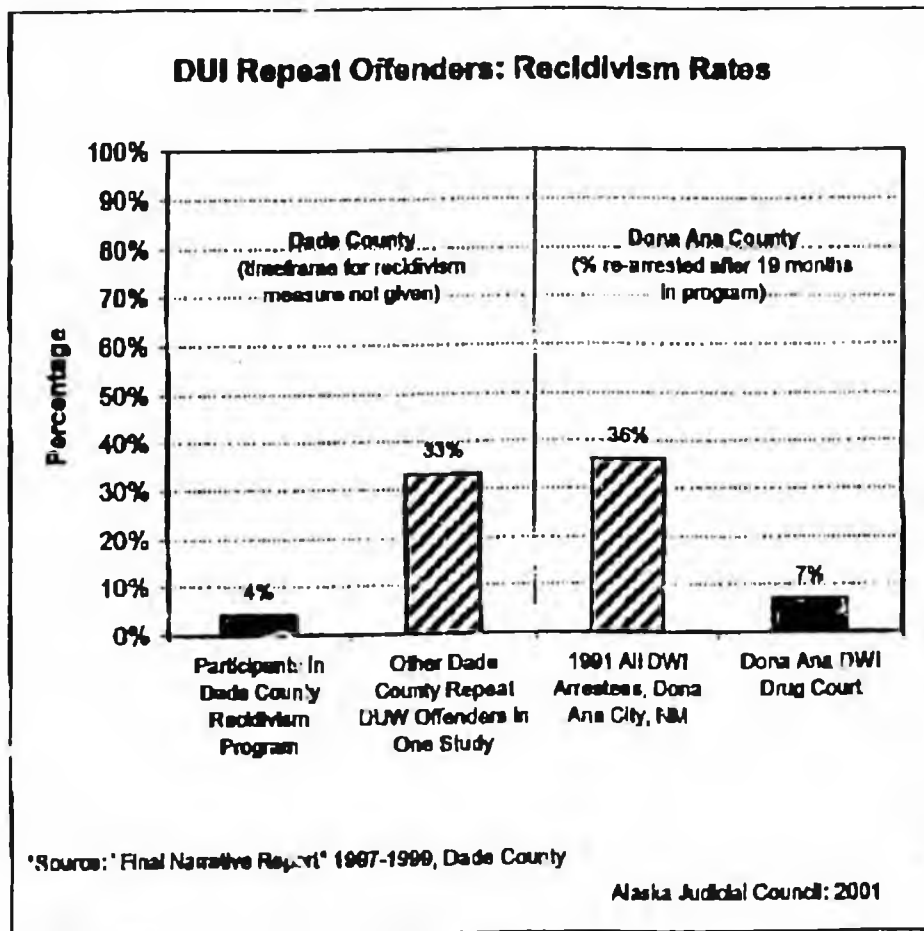
**Effectiveness of different substance abuse treatments  
in one study\* - Relapsed within 6 months after leaving  
program**



\*1994 Division of Alcoholism and Drug Abuse, cited in Legislative Audit #08-1570-09, p.30.

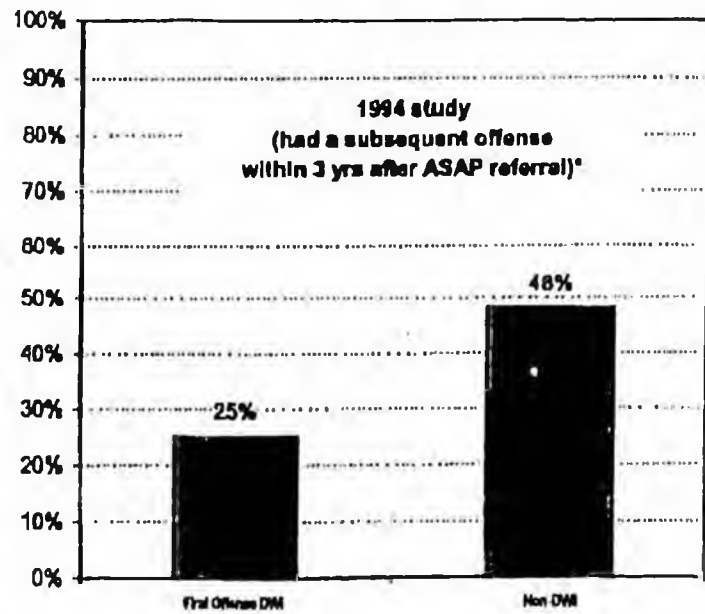
Alaska Judicial Council: 2001

**Costs and recidivism rates for incarceration compared to therapeutic programs (continued)**



## Costs and recidivism rates for incarceration compared to therapeutic programs (continued)

### Recidivism Rates, with ASAP Referral

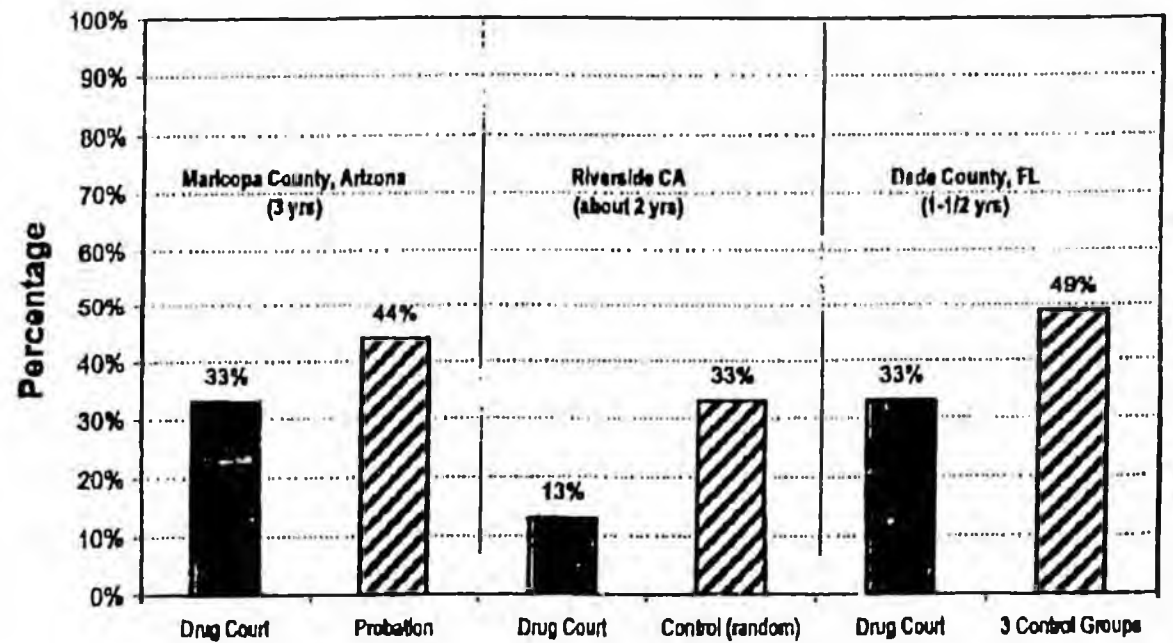


No control groups available

ASAP Evaluation Survey, 1994, UAA

Alaska Judicial Council: 2001

### Drug Courts: Recidivism Rates in Controlled Studies\*



\*"Research on Drug Courts: A Critical Review," S. Belenko Natl. Drug Ct Institute Review Vol. 1, Issue 1.

Alaska Judicial Council: 2001

**ABUSE IN AMERICA:** Fresh research and shifting views of treatment are opening new fronts in a deadly struggle. **By Jonathan Alter**

**MAYBE YOU'VE SEEN THE MOVIE:** DAD, AN OHIO JUDGE AND the nation's new drug czar, needs a cocktail to "take the edge off." Mom has her own youthful history with drugs and scoffs at Dad's suggestion that she was just "experimenting." Their 16-year-old

daughter, a lovely straight-A student at a fancy private school, starts freebasing cocaine, then turns tricks to pay for her habit.

Whatever happens next month at the Oscars, the movie "Traffic" is a cinematic IV injection—a jolting reminder of the horrors of drugs

**THE  
WAR  
ON**

# ADDICTION

and the drug war. After a campaign in which both parties all but ignored the drug issue, director Steven Soderbergh manages the nearly impossible feat of illuminating a national debate without taking sides (both reformers and hard-liners like the movie), beyond attaching a patina of hopelessness to the whole issue.

Actually, the future may not be quite as bleak as the film suggests. While policy revolutions—like legalizing narcotics somehow eradicating supply—are pipe dreams, change is coming to the world of addiction and drug policy. Voters in several states are far ahead of the politicians, approving ballot initiatives

that offer more treatment options. "Drug courts" that allow judges to impose substance-abuse treatment in place of jail have grown since the mid-1990s, part of a new understanding that, with frequent relapses, treatment is much less expensive for society than prison and interdiction. All of the former drug czars as well as the man rumored to be President Bush's choice for the job, retired Col. James McDonough, stress treatment and demand-side reduction as their first priority, though the funding decisions have yet to catch up to the new rhetoric.

More broadly, this relatively peaceful interlude in the nation's drug history (half as many regular drug users as in 1979 and the crack epidemic ebbing) offers a rare chance to rethink old approaches not just to renewed threats like heroin but to the mother of all abused substances—alcohol. Science is yielding clues about the "hedonic region" of the brain, while breakthrough medications and greater understanding of the mental-health problems that underlie many addictions are giving therapists new tools.

Addiction is hardly an American affliction, but it sometimes looks that way. The master narrative of public life these days seems to be all about abuse

Even greatly expanded prison capacity that consumes billions can't accommodate this flow. So over the next few years, as sentences from the high-crime 1980s are completed and reform of drugs laws accelerates, hundreds of thousands of offenders will be released or sentenced more leniently. Hard-core addicts in some jurisdictions are estimated to commit 100 petty crimes each per year. If their substance-abuse problems aren't addressed, the country will face another crime wave soon.

In an attempt to break the vicious cycle, drug addiction is increasingly being viewed more as a disease than a crime. (Drug trafficking is a different matter.) California approved Proposition 36 last fall, a landmark referendum that offers treatment options in place of jail for nonviolent offenders. New York is rewriting its draconian Rockefeller-era drug laws. The outgoing drug czar, retired Gen. Barry McCaffrey, says the phrase "drug war" should be retired in favor of "drug cancer." The straight-talking military man has little to say about interdiction. His No. 1 recommendation on leaving office last

**DRUG CULTURES**

Stars become inmates; generals decry war. Even Hollywood can't write an ending to the substance-abuse story. Downey (far right), *Traffic's* Michael Douglas and ex-czar McCaffrey (facing page)



**Even hard-liners in the war on drugs like to say that**

and recovery, with inner demons replacing outer enemies or forces of nature as the dramatic foils of choice. After leaving drug rehab, Jennifer Capriati stages an improbable tennis comeback to win the Australian Open. Robert Downey Jr. relapses once again, a haunting symbol of the limits of treatment. The departing president of the United States appears to have been addicted to sex, while the new president—by his own account—once had a drinking problem.

In the real America, the toll is incalculable. Consider Areina Garcia, 34, mother of four children ages 1, 2, 4 and 7. She admits she was "selling my ass for drugs" and getting high in front of her kids. She didn't stop until her husband reported her to family court. Or Brian Kelly, 31, who started drinking at 8 while tailgating with his alcoholic parents at Notre Dame games. His crack habit landed him in a \$14,000-a-month "country club" treatment program with a pool, tennis courts and nothing but what he calls "appeasement" of his problem. Now both Garcia and Kelly are midway through a no-nonsense, 12- to 15-month residential treatment program at Phoenix House, still at real risk of relapse, but with at least a fighting chance to salvage their lives.

The aggregate consequences of addiction are staggering. Consider that the number of inmates in American prisons more than tripled over the last 20 years to nearly 2 million, with 60 percent to 70 percent testing positive for substance abuse on arrest. These inmates are the parents of 2.4 million children, all of whom are disproportionately likely to follow their parents to jail. According to the exponential math of a Brown University study, if the prison population were to continue growing at the current rate, by 2053 the United States would actually have more people in prison than out.

month was that insurance companies offer the same level of coverage for mental-health and drug disorders as they do for any other illness. This is unlikely (managed care has led to lower reimbursements for treatments). But even hard-liners are beginning to say that we can no longer incarcerate our way out of the problem.

**O**F COURSE OLD HABITS DIE HARD. WASHINGTON still directs two thirds of the federal drug budget (including \$1.1 billion in military aid to Colombia) to law enforcement, while state legislatures—leery of seeming to coddle criminals—lag behind public opinion on funding treatment. So-called harm-reduction strategies like needle exchanges (common in Europe) have a tough time winning approval, despite many studies proving that they save lives. The new attorney general, John Ashcroft, has opposed not just needle exchanges, but a taxpayer-supported media campaign aimed at teens. The early signs are that the Bush team will essentially maintain the status quo on drug policy.

Even so, a "third way" consensus between liberals and conservatives is emerging, especially at the local level where the real money is spent. It combines flexible enforcement with mandatory treatment. The drug-court idea, which comes with strong backing from most prosecutors, is sometimes known as "coercive abstinence"—using the threat of jail to motivate substance abusers to get help. "The real, nut-cutting issue is motivation," says Joseph Califano, chairman of the National Center on Addiction and Substance Abuse. The research shows that those forced into treatment do at least as well as addicts who enroll voluntarily—often better, be-