

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Wednesday

January 17, 2001

Tenth Day

Pursuant to adjournment the Senate was called to order by President Halford at 11:11 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Major Larry Fankhauser of The Salvation Army. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Dear God, for this new day we give You thanks. Those gathered in this room today have been given a great responsibility. God, we would pray for each senator a special blessing of Your insight and wisdom for clear minds that would bring understanding. Lord, for Your strengthening to face the challenges that will come this day, we pray. Let us rest in the knowledge that right decisions have been made and we can go from this place thankful that because we are a nation "under God" Your leading is directing us. For Your faithfulness and loving care, we say thank You. Amen.

Senator Ellis led the Senate in the Pledge of Allegiance.

Certification

Senator Leman moved and asked unanimous consent that the journal for the ninth legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the House

Message dated January 16 was read, stating:

The House has confirmed Representatives Green and Kerttula as House members and Representatives Porter and Berkowitz as alternate House members to the Select Committee on Legislative Ethics.

The House has confirmed the reappointment of Dennis E. "Skip" Cook and the appointment of Thomas P. Owens, Jr. as public members to the Select Committee on Legislative Ethics.

Communications

The following report is on file in the Office of the Secretary of the Senate:

Alaska Board of Game, Spring 2001 Proposal Book
from Boards Support Section, Department of Fish and Game

Standing Committee Reports

Rules Committee Report dated January 17 was received, stating:

In compliance with AS 24.10.030 and Uniform Rule 3(a), the Senate Rules Committee hereby reports its nomination of Heidi Vogel to serve as Secretary of the Senate for the Twenty-second Legislature and recommends election by the Senate.

The report was signed by Senator Pearce, Chair, Senators Cowdery, Phillips, Therriault, Ellis.

Senator Pearce moved and asked unanimous consent that the Rules Committee Report be adopted. Without objection, it was so ordered, thereby confirming Heidi Vogel as Secretary of the Senate.

**Introduction and Reference of
Senate Resolutions**

SJR 4

SENATE JOINT RESOLUTION NO. 4 BY SENATORS WILKEN,
Leman, Pearce, Ellis,

Relating to supporting the Great Alaska Shootout, the
Top of the World Classic, and similar preseason
basketball tournaments, and requesting that the
National Collegiate Athletic Association reject
legislative proposal No. 2000-106.

was read the first time and referred to the State Affairs Committee.

SJR 5

SENATE JOINT RESOLUTION NO. 5 BY SENATORS LEMAN,
Wilken, Pearce, Ellis,

Relating to opposition to National Collegiate Athletic
Association legislative proposal 2000-106.

was read the first time and referred to the State Affairs Committee.

Introduction and Reference of Senate Bills

SB 39

SENATE BILL NO. 39 BY THE SENATE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to an assistant adjutant general for
national missile defense in the Department of
Military and Veterans' Affairs."

was read the first time and referred to the State Affairs and Finance
Committees.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Military and Veterans' Affairs

Governor's transmittal letter dated January 15:

Dear President Halford:

This bill I am transmitting establishes the position of assistant adjutant general for national missile defense in the Department of Military and Veterans' Affairs to represent the state in matters pertaining to the development and deployment of the national missile defense program.

This position would be federally financed and authorized for as long as the federal government is developing and deploying the national missile defense program in this state and is financing the position, which is expected for at least three years. The position would be filled by the adjutant general with the concurrence of the governor.

In order for the state to thoroughly participate in the national missile defense program as it involves Alaska, I urge your prompt and favorable action on this measure.

Sincerely,
/s/
Tony Knowles
Governor

SB 40

SENATE BILL NO. 40 BY THE SENATE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to the education of children with disabilities and of gifted children; relating to the Governor's Council on Disabilities and Special Education; making conforming amendments; and providing for an effective date."

was read the first time and referred to the Health, Education and Social Services and Finance Committees.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Education and Early Development

Governor's transmittal letter dated January 15:

Dear President Halford:

Alaska's responsibility for providing quality educational services for our children extends to all children, including those with unique educational needs. I transmit today a bill clarifying the state's role in the education of our exceptional children.

In 1997, Congress authorized amendments to the Individuals with Disabilities Education Act (IDEA). The subsequent federal regulations related to the IDEA took effect in May 1999. This bill amends inconsistent components of our state statutes to bring Alaska into compliance with these current federal special education mandates, including emphasizing the participation of parents in making decisions relating to special education eligibility and services.

An important protection provided to both school districts and children with disabilities is the due process hearing. This bill clarifies the procedures for requesting a due process hearing and streamlines the process for selecting a hearing officer by having the Department of Education and Early Development (department) randomly assign officers from a list maintained by the department. These procedures will help due process hearings be completed in a fair and timely fashion.

Alaska law presently requires that a school district provide special education services to children with disabilities who reside in the district. State law also exempts children from attending public school if children are enrolled in an alternative education program. This has resulted in confusion regarding which school district or other educational agency is responsible for providing special education services when children are enrolled in alternate programs. This bill addresses this problem by providing for allocation of the responsibilities and coordination of the provision of special education services among the various educational agencies.

Present state law provides a combined program of services for gifted children and for children with disabilities. The detailed requirements of the federal IDEA and the federal program financing apply only to the state's educational programs for children with disabilities; federal money for the IDEA may not be used for programs for gifted children. To be consistent with federal requirements, this bill separates statutes regarding special education requirements for children with disabilities from those regarding requirements for gifted children. However, the bill maintains procedural safeguards for both programs.

As part of Alaska's commitment to quality education for all children, including children with disabilities and gifted children, I urge your prompt and favorable action on this bill.

Sincerely,
/s/
Tony Knowles
Governor

SB 41

SENATE BILL NO. 41 BY SENATOR DAVIS, entitled:

"An Act relating to kindergarten programs and compulsory education; and providing for an effective date."

was read the first time and referred to the Health, Education and Social Services and Finance Committees.

SB 42

SENATE BILL NO. 42 BY SENATORS DAVIS, Ellis, entitled:

"An Act requiring an annual inflation adjustment of the base student allocation used in the formula for state funding of public education; and providing for an effective date."

was read the first time and referred to the Community and Regional Affairs, Health, Education and Social Services, and Finance Committees.

SB 43

SENATE BILL NO. 43 BY SENATOR DAVIS, entitled:

"An Act relating to a dress code for public schools."

was read the first time and referred to the Health, Education and Social Services and Finance Committees.

SB 44

SENATE BILL NO. 44 BY SENATOR WARD, entitled:

"An Act establishing an Alaska Toll Bridge and Causeway Authority; and providing for an effective date."

was read the first time and referred to the Transportation and Finance Committees.

SB 45

SENATE BILL NO. 45 BY SENATOR WARD, entitled:

"An Act making an appropriation for the design of the Knik Arm crossing; and providing for an effective date."

was read the first time and referred to the Transportation and Finance Committees.

Consideration of the Calendar

Citations

Honoring – Karma Darani and Rhonda Hanks
Representative(s) James
Senator(s) Therriault, Wilken, Pearce, Green, Kelly, Taylor,
Austerman, Lincoln, Elton, Davis, Hoffman

Senator Leman moved and asked unanimous consent that the citation be adopted. Without objection, the citation was adopted and referred to the Secretary for transmittal.

Unfinished Business

Senator Ward moved and asked unanimous consent to be excused from a call of the Senate from January 19 through plane time, January 22. Without objection, Senator Ward was excused.

Senator Hoffman moved and asked unanimous consent to be excused from a call of the Senate on January 26, January 29 and March 1. Without objection, Senator Hoffman was excused.

Senator Donley moved and asked unanimous consent to be excused from a call of the Senate on January 19. Without objection, Senator Donley was excused.

Senator Leman moved and asked unanimous consent that President Halford be excused from a call of the Senate on January 19. Without objection, Senator Halford was excused.

Senator Therriault moved and asked unanimous consent to be excused from a call of the Senate from afternoon, January 18 through January 21. Without objection, Senator Therriault was excused.

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Leman moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., January 18, 2001. Without objection, the Senate adjourned at 11:24 a.m.

Heidi Vogel
Secretary of the Senate

January 2001

Announcements

Americans with Disabilities Act Notice - Persons with disabilities who require special accommodation or alternative communication formats to access committee meetings may contact the appropriate committee office or the Legislative Information Office in their community. Reasonable advance notice is needed to accommodate the request. For further information, call the ADA Coordinator at 465-3854 Voice/465-4980 TDD.

SENATE STANDING COMMITTEES

+ indicates teleconference
 = indicates bill previously heard/scheduled

COMMUNITY & REGIONAL AFFAIRS

FAHRENKAMP 203

Jan 17	Wednesday	1:30 PM
	No Meeting Scheduled	
Jan 19	Friday	1:30 PM
	No Meeting Scheduled	

FINANCE

HOUSE FINANCE 519

Jan 17	Wednesday	3:00 PM
	Joint w/(H) Finance Presentation by Denali Commission	

SENATE FINANCE 532

Jan 18	Thursday	9:00 AM
	Update on Federal and State Medical Issues- American Medical Association	
Jan 23	Tuesday	9:00 AM
	Presentation by Alaska Travel Industry Association	

HEALTH, EDUCATION & SOCIAL SERVICES

BUTROVICH 205

Jan 17	Wednesday	1:30 PM
	No Meeting Scheduled	

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JUDICIARY

BELTZ 211

Jan 17	Wednesday	1:30 PM
	No Meeting Scheduled	
Jan 19	Friday	1:30 PM
	No Meeting Scheduled	
Jan 22	Monday	1:30 PM
SB 37	PHYSICIAN NEGOTIATIONS WITH HEALTH INSURE	
SB 21	FINES BY THE STATE MEDICAL BOARD	
Jan 24	Wednesday	1:30 PM
	Confirmation Hearing- Select Committee on Legislative Ethics: Thomas P. Owens, Jr., Dennis "Skip" Cook	
Jan 26	Friday	1:30 PM
	No Meeting Scheduled	

LABOR & COMMERCE

BELTZ 211

Jan 18	Thursday	1:30 PM
	-- Agenda to be Announced --	

RESOURCES

BUTROVICH 205

Jan 17	Wednesday	3:30 PM
+SB 16	OIL DISCH PREVENTION: NONTANK VESSELS/RR	
Jan 19	Friday	3:30 PM
	No Meeting Scheduled	

STATE AFFAIRS

BELTZ 211

Jan 18	Thursday	3:30 PM
	No Meeting Scheduled	

TRANSPORTATION

Jan 18 BUTROVICH 205
Thursday 1:30 PM
Joint w/(H) Transportation
Transportation Department Workshop
General Overview

JOINT COMMITTEES

LEGISLATIVE BUDGET & AUDIT

Jan 24 HOUSE FINANCE 519
Wednesday 12:00 PM

SELECT CMTE ON LEGISLATIVE ETHICS

Jan 17 SENATE FINANCE 532
Wednesday 1:00 PM
Public Comment, Report of Old Business,
Election of Officers, Committee
Procedures, State Benefit and Loan
Programs, Legislation, Administrator
Position, Electronic Filing.

OTHER MEETINGS

CHILDREN'S CAUCUS

Jan 24 FAHRENKAMP 203
Wednesday 12:00 PM
-- Teleconference --
Alaska Association of Homes for Children