

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SEVENTH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Tuesday

January 18, 2011

First Day

Pursuant to provisions of the Constitution of the State of Alaska, the Uniform Rules of the Alaska State Legislature, and AS 24.05.160, the Senate of the State of Alaska assembled in the Senate chamber for the first regular session of the Twenty-seventh Legislature. The Senate was called to order at 2:02 p.m. by the Honorable Mead Treadwell, Lieutenant Governor.

Colors

The following members of the Honor Guard of the Tongass Alaska Girl Scout Council presented the colors:

Teja Tolbert	Dorothy Kuterbach
Chantel Eckland	Sierra Coleman
Sommer Ward	Reece Bleakley
Asianna Mazon	Allison Rivera

The Girl Scout Honor Guard led the Senate in the Pledge of Allegiance.

Alaska Flag Song and National Anthem

Under the direction of Missouri Smyth, Artistic Director, the following members of the Alaska Youth Choir performed the Alaska Flag Song and the National Anthem:

Sierra Lloyd	Ava Meade
Keenan Miller	Electra Morley
Alexis Weissmuller	Jessica Cooper
Madison Cordle	Natalie Cosgrove
Lily League	Bryan Miramontes
Grace Newman	Lily Otsea
Summer Smith	Laura Barnhill
Jordan Cooper	Hannah Cordle
Elle Campbell	Mattison Smith
Serena Partlow	

Invocation

The prayer was offered by the Chaplain, The Most Reverend Edward J. Burns, Bishop of the Catholic Diocese of Juneau. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Blessed are you, Lord, God of all Creation - for through your goodness you have given us many gifts. We thank you for those who founded our nation and pioneered this great land.

We ask that you bless all Alaskans who come from different cultures and backgrounds. Bless the members of this Senate - may politics and prejudice never blind us from what is right for the common good - for our people and for our land.

Send forth your Spirit of Wisdom to guide these men and women as they embark on a new legislative session. May all of us serve as the faithful stewards of your many gifts. Bless our families, our towns and villages; and in a special way, Heavenly Father, continue to bless the great state of Alaska.

I ask all this, in your name.

Amen.

Election Certification

The Lieutenant Governor read the certificate of election:

I, Gail Fenumiai, Director of the Division of Elections for the State of Alaska, do hereby certify that a General Election was held on the 2nd day of November, 2010, pursuant to AS 15.15.020 in the State of Alaska and the following candidates were elected to the office of State Senator for the district and term indicated:

Senate District B	Dennis Egan (D)	4 year term
Senate District D	Joe J. Thomas (D)	4 year term
Senate District F	John B. Coghill (R)	4 year term
Senate District H	Charlie R. Huggins (R)	4 year term
Senate District J	Bill Wielechowski (D)	4 year term
Senate District L	Johnny Ellis (D)	4 year term
Senate District N	Lesil McGuire (R)	4 year term
Senate District P	Catherine A. Giessel (R)	4 year term
Senate District R	Gary L. Stevens (R)	4 year term
Senate District S	Lyman F. Hoffman (D)	4 year term

In Testimony Whereof, I have hereunto set my hand and affixed hereto the Seal of the State of Alaska, at Juneau, the Capital, this 30th day of November, A.D. 2010.

/s/

Gail Fenumiai, Director
Division of Elections

Lieutenant Governor Treadwell requested the following Senators approach the rostrum to be administered the Oath of Office:

District B	Dennis Egan
District D	Joe J. Thomas
District F	John B. Coghill
District H	Charlie R. Huggins
District J	Bill Wielechowski

The Lieutenant Governor administered the Oath of Office to the Senators.

Lieutenant Governor Treadwell requested the following Senators approach the rostrum to be administered the Oath of Office:

District L	Johnny Ellis
District N	Lesil McGuire
District P	Catherine A. Giessel
District R	Gary L. Stevens
District S	Lyman F. Hoffman

The Lieutenant Governor administered the Oath of Office to the Senators.

President Pro Tempore

Lieutenant Governor Treadwell announced that nominations were in order for President pro tempore of the Senate.

Senator Meyer moved and asked unanimous consent that Senator Ellis be nominated. Without objection, it was so ordered.

Senator Meyer moved and asked unanimous consent that nominations for President pro tempore of the Senate be closed. Without objection, it was so ordered.

Senator Meyer moved and asked unanimous consent that Senator Ellis be elected President pro tempore. There being no objection, Senator Ellis was elected President pro tempore of the Senate.

Lieutenant Governor Treadwell requested Senator Olson and Senator Stedman escort the President pro tempore to the rostrum.

President pro tempore Ellis requested Senator Stedman and Senator Olson escort the Lieutenant Governor from the chamber.

President pro tempore Ellis announced that under provisions of law, AS 24.05.120, the Uniform Rules of the Twelfth Legislature, First Session, as amended in 1985, 1988, 1989, 1991, 1998, 2001, 2003, 2004 and 2008 will serve as the temporary rules of the current legislature until permanent rules are adopted.

President

President pro tempore Ellis announced that nominations for permanent President of the Senate were open.

Senator Meyer moved and asked unanimous consent that Senator Stevens be nominated President of the Senate for the Twenty-seventh Legislature.

Senator Meyer moved and asked unanimous consent that nominations be closed. Without objection, it was so ordered.

Senator Meyer moved and asked unanimous consent that Senator Stevens be elected President of the Senate for the Twenty-seventh Legislature. Without objection, Senator Stevens was elected President of the Senate.

President pro tempore Ellis requested Senator Hoffman and Senator Wagoner to escort President Stevens to the podium.

President Stevens made the following appointments:

Committee on Committees

Senator Stevens, Chair
Senator Ellis
Senator Hoffman
Senator Meyer
Senator Stedman

President Stevens appointed Senator Wielechowski and Senator Egan to inform the Governor that the Senate was organized and ready to do business.

President Stevens appointed Senator Paskvan and Senator Thomas to inform the House that the Senate was organized and ready to do business.

Recess

Senator Meyer moved and asked unanimous consent that the Senate stand in recess. Without objection, the Senate recessed at 2:32 p.m.

After Recess

The Senate reconvened at 2:44 p.m.

Committee on Committees Report

Mr. President:

Your Committee on Committees has met and submits to the Senate for its consideration chairs and members to the ten standing committees as approved by the Committee on Committees:

Community and Regional Affairs Committee

Senator Olson, Chair
Senator Ellis
Senator Kookesh
Senator Menard
Senator Wagoner

Education Committee

Senator Meyer, Cochair
Senator Thomas, Cochair
Senator Davis, Vice Chair
Senator French
Senator Stevens

Finance Committee

Senator Hoffman, Cochair
Senator Stedman, Cochair
Senator Egan
Senator Ellis
Senator McGuire
Senator Olson
Senator Thomas

Health and Social Services Committee

Senator Davis, Chair
Senator Egan
Senator Ellis
Senator Meyer
Senator Dyson

Judiciary Committee

Senator French, Chair
Senator Wielechowski, Vice Chair
Senator McGuire
Senator Paskvan
Senator Coghill

Labor and Commerce Committee

Senator Egan, Chair
Senator Paskvan, Vice Chair
Senator Davis
Senator Menard
Senator Giessel

Resources Committee

Senator Paskvan, Cochair
Senator Wagoner, Cochair
Senator Wielechowski, Vice Chair
Senator French
Senator McGuire
Senator Stedman
Senator Stevens

Rules Committee

Senator Ellis, Chair
Senator Hoffman
Senator Meyer
Senator Stedman
Senator Stevens

State Affairs Committee

Senator Wielechowski, Chair
Senator Paskvan, Vice Chair
Senator Davis
Senator Kookesh
Senator Meyer

Transportation Committee

Senator Kookesh, Chair
Senator Thomas, Vice Chair
Senator Egan
Senator Menard
Senator Huggins

The report was signed by Senator Stevens, Chair; Senators Ellis, Hoffman, Meyer, Stedman.

Senator Meyer moved and asked unanimous consent that the Committee on Committees Report be adopted. Without objection, the Committee on Committees Report was adopted.

President Stevens announced that Senator Meyer will serve as Majority Leader for the Twenty-seventh Legislature.

President Stevens announced that the Minority has selected Senator Huggins to serve as Minority Leader for the first session of the Twenty-seventh Legislature, and it is their intention that Senator Coghil will serve as minority leader for the second session.

Messages from the House

Message dated January 18 was read stating:

The House of Representatives respectfully invites the Senate to a Joint Session of the Twenty-seventh Alaska Legislature at 7:00 p.m. on Wednesday, January 19 for the purpose of hearing Governor Parnell's annual State of the State message.

Senator Meyer moved and asked unanimous consent that the Senate accept the House invitation to meet in Joint Session. Without objection, it was so ordered.

The Secretary was requested to notify the House.

Communications

The following reports are on file in the Office of the Secretary of the Senate:

Report Listing Alaska Statutes With Delayed Repeals or Delayed Amendments and Examining Court Decisions and Opinions of the Attorney General Construing Alaska Statutes
from MaryEllen Duffy, Special Assistant
Legal Services, Legislative Affairs Agency
in accordance with AS 24.20.065(b)

State of Alaska Comprehensive Annual Financial Report
Fiscal Year Ended June 30, 2010
from Sean Parnell, Governor
in accordance with AS 37.05.210

Advisory Opinions Rendered by the Committee Volume XXXI
January 1, 2009 - December 31, 2010
from H. Conner Thomas, Chair
Select Committee on Legislative Ethics
in accordance with AS 24.60.150

Public Decisions Issued by the Committee Volume XIII
January 1, 2009 - December 31, 2010
from H. Conner Thomas, Chair
Select Committee on Legislative Ethics
in accordance with AS 24.60.150

Alaska Annual Report on Activities of the National Conference of Commissioners on Uniform State Laws
from Deborah E. Behr, Alaska Uniform Law Commissioner
Department of Law

Status Report on Health Information Exchange in Alaska
December 2010

from Wilda J. Laughlin, Special Assistant to the Commissioner
Department of Health and Social Services
in accordance with AS 18.23.300

Alaska Railroad Corporation Report to the State of Alaska
December 2010

from Christopher Aadnesen, President and CEO
Alaska Railroad Corporation
in accordance with AS 42.40.290

The following memorandum dated October 1, 2010 was received from
Kathryn L. Kurtz, Assistant Revisor, Legal Services, Legislative
Affairs Agency:

We have discovered a manifest error in sec. 45, ch. 43, SLA 2010 (HCS CSSB 230(FIN) am H). That section refers to an appropriation at "sec. 1, ch. 3, FSSLA 2005, page 27, line 32, through page 30, line 3 (Matanuska-Susitna Borough, Colony High School running track - \$172,502)." The second page reference is clearly an error; the appropriation referred to ends on page 28, line 3 of the 2005 Act.

This error was discovered after enrollment, and the session laws have already been printed, so the error has not been corrected. However, the references in the Cumulative Table of Alaska Session Laws and the 2010 Summary of Alaska Legislation reflect the actual pagination of the 2005 Act.

Please publish a copy of this in the journal in order to provide notice of the error under AS 01.05.031.

The following Budget and Audit Reports were received from Pat Davidson, Legislative Auditor, in accordance with AS 24.20.311 and are on file in the Office of the Secretary of the Senate:

A Special Report on the Department of Revenue, Alaska Natural Gas Development Authority, Selected Operational Issues, October 8, 2010

A Sunset Review of the Department of Commerce, Community and Economic Development, Board of Barbers and Hairdressers
September 30, 2010

A Sunset Review of the Department of Commerce, Community and Economic Development, Board of Dental Examiners
September 30, 2010

A Sunset Review of the Department of Commerce, Community and Economic Development, Board of Nursing, September 30, 2010

A Special Report on the Department of Commerce, Community and Economic Development, Regulatory Commission of Alaska, FY 09 Annual Report September 21, 2010

Introduction and Reference of Senate Resolutions

SR 1

SENATE RESOLUTION NO. 1 BY THE SENATE RULES COMMITTEE,

Establishing a Senate Special Committee on World Trade.

was read the first time.

The following fiscal information was published today:
Fiscal Note No. 1, zero, Senate Rules Committee

Senator Meyer moved and asked unanimous consent that SENATE RESOLUTION NO. 1 be taken up. Without objection, the resolution was before the Senate on final passage.

The question being: "Shall SENATE RESOLUTION NO. 1 Establishing a Senate Special Committee on World Trade, pass the Senate?" The roll was taken with the following result:

SR 1

Final Passage

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

Yeas: Coghill, Davis, Dyson, Egan, Ellis, French, Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Stevens, Thomas, Wagoner, Wielechowski

and so, SENATE RESOLUTION NO. 1 passed the Senate and was referred to the Secretary for engrossment and enrollment.

Senator Meyer moved and asked unanimous consent that further introduction and reference of senate resolutions be held one legislative day. Without objection, it was so ordered.

Introduction and Reference of Senate Bills

Senator Meyer moved and asked unanimous consent that the introduction and reference of senate bills be held one legislative day. Without objection, it was so ordered.

Unfinished Business

Election of Senate Secretary

In accordance with AS 24.10.030 and Uniform Rule 3(a), Senator Ellis, Rules Committee Chair, nominated Kirsten Waid to serve as Senate Secretary for the Twenty-seventh Legislature and moved and asked unanimous consent that the nominations be closed. Without objection, it was so ordered.

Senator Ellis moved and asked unanimous consent that Kirsten Waid be elected Senate Secretary for the Twenty-seventh Legislature. Without objection, Kirsten Waid was elected Senate Secretary for the Twenty-seventh Legislature.

President Stevens made the following appointments:

Select Committee on Legislative Ethics

Senator Stevens

Senator Coghill

Senator Thomas, alternate to Senator Stevens

Senator Olson, alternate to Senator Coghill

Senator Meyer moved that Senator Stevens and Senator Coghill be confirmed as members to the Select Committee on Legislative Ethics.

The question being: "Shall Senator Stevens and Senator Coghill be confirmed as members to the Select Committee on Legislative Ethics?" The roll was taken with the following result:

Shall the Senate confirm Senator Stevens and
Senator Coghill to the Select Committee
on Legislative Ethics?

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

Yeas: Coghill, Davis, Dyson, Egan, Ellis, French, Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Stevens, Thomas, Wagoner, Wielechowski

and so, Senator Stevens and Senator Coghill were confirmed as members to the Select Committee on Legislative Ethics.

Senator Meyer moved that Senator Thomas and Senator Olson be confirmed as alternate members to the Select Committee on Legislative Ethics.

The question being: "Shall Senator Thomas and Senator Olson be confirmed as alternate members to the Select Committee on Legislative Ethics?" The roll was taken with the following result:

Shall the Senate confirm Senator Thomas
and Senator Olson as alternates to the
Select Committee on Legislative Ethics?

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

Yeas: Coghill, Davis, Dyson, Egan, Ellis, French, Giessel, Hoffman,
Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan,
Stedman, Stevens, Thomas, Wagoner, Wielechowski

and so, Senator Thomas and Senator Olson were confirmed as
alternate members to the Select Committee on Legislative Ethics.

The Secretary was requested to notify the House.

President Stevens made the following appointments:

Legislative Council

Senator Menard, Chair
Senator Davis
Senator Egan
Senator Hoffman
Senator Olson
Senator Stedman
Senator Stevens

Legislative Budget & Audit

Senator Stedman, Vice Chair
Senator French
Senator Hoffman
Senator Menard
Senator Wagoner
Senator Meyer, alternate

Administrative Regulation Review

Senator French, Chair
Senator Wagoner
Senator Wielechowski

Joint Armed Services Committee

Senator Wielechowski, Cochair
Senator Davis
Senator Paskvan
Senator Thomas
Senator Huggins

SR 1**Special Committee on World Trade**

Senator Stevens, Chair
Senator Ellis
Senator Hoffman
Senator McGuire
Senator Menard
Senator Meyer
Senator Wagoner

Citations

Senator Meyer moved and asked unanimous consent that the following citation be made a special order of business. Without objection, it was so ordered.

Special Order of Business

Honoring - Dr. Martin Luther King Jr. Day
Senator(s) Davis, Stevens, Coghill, Dyson, Egan, Ellis, French, Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

Senator Meyer 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 (continued)

Letters dated October 26 and 27, 2010 were received stating President Stevens made the following appointments:

Education Commission on the States

Senator Davis

Citizens' Advisory Commission on Federal Areas

Warren Olson (term expires March 1, 2011)

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Meyer moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., January 19, 2011. Without objection, the Senate adjourned at 2:58 p.m.

Kirsten Waid
Secretary of the Senate

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.

* first hearing in first committee of referral
 + teleconferenced
 = bill was previously heard/scheduled

JOINT COMMITTEES**LEGISLATIVE BUDGET & AUDIT**

Jan 20	Thursday	House Finance 519	3:30 PM
	Agenda: Organizational		
+	-- Teleconferenced <Invitation Only> --		

LEGISLATIVE COUNCIL

Jan 20	Thursday	House Finance 519	10:00 AM
	-- Agenda to be Announced --		

SELECT COMMITTEE ON LEGISLATIVE ETHICS

Jan 19	Wednesday	Butrovich 205	12:30 PM
+	Approval of Agenda		
	Welcome New Legislative Members		
	Election of Committee Chairs for 2011-2012		
	Public Comment		
	Chair/Staff Report		
	Rules of Procedure - suggested changes		
	Marston & Cole - FY11 Legal Counsel Contract		
	Budget - FY11 and FY12		
	Use of State Resources and Campaigning -		
	Informational Only		
	2011 Legislation Update		
	Other Business		

OTHER MEETINGS**JOINT SESSION**

Jan 19	Wednesday	House Chamber	7:00 PM
	Annual State of the State by the Honorable Sean Parnell, Governor of Alaska		

MISCELLANEOUS MEETING

Jan 31	Monday	Senate Finance 532	1:00 PM
	School District Legislative Fly-in Informal Q&A Session Regarding Alaska's Public School System		