

**SENATE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-FOURTH LEGISLATURE**  
**SECOND SESSION**

**Juneau, Alaska**

**Thursday**

**March 9, 2006**

**Sixtieth Day**

Pursuant to adjournment the Senate was called to order by President Stevens at 11:10 a.m.

The roll showed fifteen members present. Senators Dyson, Hoffman, Olson were excused from a call of the Senate. Senators Cowdery, Therriault were absent.

The prayer was offered by the Chaplain, Pastor Brian Ewing of Calvary Fellowship. Senator Bunde moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

And Jesus sent messengers on ahead of Him and they went and entered a village of the Samaritans to make arrangements for Him. But they did not receive Him, ...When His disciples James and John saw this, they said, "Lord, do You want us to command fire to come down from heaven and consume them?" But He turned and rebuked them, and said, "You do not know what kind of spirit you are of; for the Son of Man did not come to destroy men's lives, but to save them." And they went on to another village. (Luke 9:52-56)

Jesus, You came to seek and to save those who are lost. Forgive us who love You and in our zeal for what is right would call down fire to destroy those who oppose us. Give us Your heart. Give us an unwavering boldness to stand for what is unchangeable truth. But give us also grace and compassion for our opponents. You showed love for those who opposed You. You had compassion on a city that soon would be judged for rejecting You. You took no delight in their impending doom.

We know Father that a people cannot reject Your ways for long without bringing disaster upon themselves.

Our prayer to You today is for an extension. Give this city, this state, this nation an extension of Your mercy. Forestall judgment, O God, for one more day. Give us space to repent and turn to Your son, Jesus Christ. Amen.

Senator Wagoner led the Senate in the Pledge of Allegiance.

### **Certification**

Senator Gary Stevens moved and asked unanimous consent that the journals for the fifty-eighth and fifty-ninth legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

### **Messages from the Governor**

Letter dated and received March 8 was read, stating in accordance with AS 39.05.080, I submit the following names for legislative confirmation of appointment to the positions noted:

#### **Big Game Commercial Services Board**

Robert D. Mumford - Anchorage

Appointed: 3/3/2006 Term Expires: 3/1/2010

#### **Board of Game**

Richard A. Burley - Fairbanks

Appointed: 3/3/2006 Term Expires: 3/1/2009

Cliff Judkins - Wasilla

Reappointed: 3/3/2006 Term Expires: 3/1/2009

The appointments were referred to the Resources Committee.

**Board of Certified Direct-Entry Midwives**

Mila (Melinda) A. Cosgrove - Juneau

Reappointed: 2/24/2006 Term Expires: 3/1/2010

**Board of Psychologists and Psychological Associate Examiners**

Dr. Lorin L. Bradbury - Bethel

Reappointed: 2/24/2006 Term Expires: 3/1/2010

**Board of Social Work Examiners**

Gail La Rose-Henderson, MSW - Wasilla

Appointed: 2/24/2006 Term Expires: 3/1/2009

The appointments were referred to the Health, Education and Social Services Committee.

The resumes for these appointments have been submitted to the Offices of the Senate Secretary and the Chief Clerk.

**Standing Committee Reports**

Report dated March 9 was read, stating:

In accordance with AS 39.05.080, the Judiciary Committee reviewed the following and recommends the appointment be forwarded to a joint session for consideration:

**Board of Governors of the Alaska Bar**

William A. Granger

This does not reflect an intent by any of the members to vote for or against the individual during any further sessions.

Signing the report: Senator Seekins, Chair; Senators French, Huggins, Guess.

**SB 216**

The Finance Committee considered SENATE BILL NO. 216 "An Act relating to bail" and recommended the adoption of the Judiciary Committee Substitute offered on page 2332.

Signing do pass: Senators Green, Wilken, Cochair; Senators Bunde, Stedman. Signing no recommendation: Senator Hoffman.

The following fiscal information was published today:

Fiscal Note No. 2, indeterminate, Department of Administration

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Corrections

The bill was referred to the Rules Committee.

#### **SB 265**

The Finance Committee considered SENATE BILL NO. 265 "An Act increasing the total amount of bonds and notes that the Alaska Municipal Bond Bank Authority may have outstanding; and providing for an effective date." Signing do pass: Senators Wilken, Green, Cochair; Senators Hoffman, Stedman. Signing no recommendation: Senator Bunde.

The following previously published fiscal information applies:

Fiscal Note No. 1, Department of Revenue

The bill was referred to the Rules Committee.

#### **SB 306**

The Labor and Commerce Committee considered SENATE BILL NO. 306 "An Act requiring an employing unit with a change in ownership, management, or control or similar change to notify the Department of Labor and Workforce Development of the change; relating to the unemployment contribution rate of an employing unit; defining 'business' for purposes of statutes setting unemployment contribution rates; establishing the crime of obtaining an unemployment rate by deception; and providing for an effective date." Signing do pass: Senator Bunde, Chair; Senators Davis, Ben Stevens.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Labor and Workforce Development

The bill was referred to the Judiciary Committee.

**HB 92**

The Judiciary Committee considered CS FOR HOUSE BILL NO. 92(JUD) "An Act relating to the purchase of interests in nonprofit corporations by the University of Alaska" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 92(JUD) "An Act relating to the purchase of interests in corporations, including limited liability companies, by the University of Alaska."  
(Title change SCR forthcoming)

Signing do pass: Senator Seekins, Chair; Senator Huggins. Signing no recommendation: Senators French, Guess.

The following fiscal information was published today:

Fiscal Note No. 2, zero, University of Alaska

The bill was referred to the Rules Committee.

**Introduction and Reference of Senate Bills****SB 308**

SENATE BILL NO. 308 BY THE SENATE TRANSPORTATION COMMITTEE, entitled:

"An Act authorizing the Alaska Railroad Corporation to issue revenue bonds to finance rail transportation projects that qualify for federal financial participation; and providing for an effective date."

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

**Unfinished Business****Citations**

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

**Special Order of Business**

Honoring - AWARE Women of Distinction, Nora Marks Dauenhauer, Lynnette Dihle, Sally Rue, and Tamara Collins

Representative(s) Kerttula, Weyhrauch

Senator(s) Elton, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, French, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Gary Stevens, Therriault, Wagoner, Wilken

Honoring - Harold N. "Buddy" Brown

Senator(s) Seekins, Kookesh, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Green, Guess, Hoffman, Huggins, Olson, Stedman, Gary Stevens, Therriault, Wagoner, Wilken

Senator Gary Stevens moved and asked unanimous consent that the citations be adopted. Without objection, the citations were adopted and referred to the Secretary for transmittal.

Senator Stedman moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, March 10 to morning plane time, March 13. Without objection, Senator Stedman was excused.

Senator Gary Stevens moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, March 17 to morning plane time, March 20. Without objection, Senator Gary Stevens was excused.

Senator Kookesh moved and asked unanimous consent to be excused from a call of the Senate from plane time, March 13 to plane time, March 18. Without objection, Senator Kookesh was excused.

Senator Huggins moved and asked unanimous consent to be excused from a call of the Senate from evening plane time, March 10 to afternoon plane time, March 12. Without objection, Senator Huggins was excused.

Senator Ellis moved and asked unanimous consent to be excused from a call of the Senate on March 10, and to morning plane time on March 13. Without objection, Senator Ellis was excused.

**Announcements**

Announcements are at the end of the journal.

**Adjournment**

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in adjournment until 10:00 a.m., March 10, 2006. Without objection, the Senate adjourned at 11:28 a.m.

Kirsten Waid  
Secretary of the Senate

March 2006

**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.

**STANDING COMMITTEES**

+ indicates teleconference

= indicates bill previously heard/scheduled

**COMMUNITY & REGIONAL AFFAIRS**

<b>Mar 10</b>	<b>Friday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
	Bills Previously Heard/Scheduled		
+ SB 193	DEFERRAL OF MUNICIPAL PROPERTY TAXES		
+ SB 291	MUNICIPAL HARBOR FACILITY GRANTS		
+ SB 247	REVENUE SHARING PROGRAM		
+ SB 246	APPROP TO REVENUE SHARING FUND		
+ SB 248	ADMINISTRATIVE BOROUGH/BOROUGH GRANTS/		
 <b>Mar 13</b>	 <b>Monday</b>	 <b>Beltz 211</b>	 <b>1:30 PM</b>
	Bills Previously Heard/Scheduled		
 <b>Mar 15</b>	 <b>Wednesday</b>	 <b>Beltz 211</b>	 <b>1:30 PM</b>
	Bills Previously Heard/Scheduled		
 <b>Mar 17</b>	 <b>Friday</b>	 <b>Beltz 211</b>	 <b>1:30 PM</b>
	No Meeting Scheduled		

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**FINANCE**

<b>Mar 09</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+ SJR 20	CONST. AM: BENEFITS & MARRIAGE		
+	Bills Previously Heard/Scheduled		



**FINANCE (continued)**

<b>Mar 10</b>	<b>Friday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+	Bills Previously Heard/Scheduled		
+=	SB 232	APPROPS: ENERGY-RELATED, PIPELINE & MISC.	
		-- Joint Meeting Canceled --	
+		Joint w/(S) Transportation	
		Discussion Regarding Federal	
		Transportation Funding	
<b>Mar 13</b>	<b>Monday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
		Joint w/(S) Transportation	
+		Discussion Regarding-	
		Federal Transportation Funding	
+		Bills Previously Heard/Scheduled	
<b>Mar 14</b>	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+	SB 303	KNIK ARM BRIDGE AND TOLL AUTHORITY	
+	SB 304	AIRPORT PARKING SHUTTLES/AIRPORT CHARGES	
		<Pending Referral>	
+	SB 250	DOMESTIC VIOLENCE/SEXUAL ASSAULT COUNCIL	
+		Bills Previously Heard/Scheduled	
<b>Mar 15</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
		No Meeting Scheduled	
<b>Mar 15</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>3:30 PM</b>
+		Key Campaign Presentation	
<b>Mar 16</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+		Bills Previously Heard/Scheduled	
<b>Mar 17</b>	<b>Friday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+	SB 235	SCHOOL PERFORMANCE BONUSES	
+		Bills Previously Heard/Scheduled	

**HEALTH, EDUCATION & SOCIAL SERVICES**

<b>Mar 10</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
		No Meeting Scheduled-Energy Council	

**HEALTH, EDUCATION & SOCIAL SERVICES (continued)**

**Mar 13      Monday                      Butrovich 205              1:30 PM**  
 += SB 299 NONDISCRIMINATION HEALTH CARE PROVIDERS  
 +    HB 379 CONTROLLED SUBSTANCES, INCL. ANALOGS  
 +            Bills Previously Heard/Scheduled

**Mar 15      Wednesday                      Butrovich 205              1:30 PM**  
 +            Bills Previously Heard/Scheduled

**Mar 17      Friday                      Butrovich 205              1:30 PM**  
 No Meeting Scheduled

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**JUDICIARY**

**Mar 09      Thursday                      Butrovich 205              8:30 AM**  
 +            Board of Governors of the Alaska Bar:  
               William A. Granger  
 =    HB 318 LIMITATION ON EMINENT DOMAIN  
 +            Bills Previously Heard/Scheduled

**Mar 10      Friday                      Butrovich 205              8:30 AM**  
 -- Meeting Canceled --  
 Meeting will be held if necessary.  
 +            Bills Previously Heard/Scheduled

**Mar 13      Monday                      Butrovich 205              8:30 AM**  
 No Meeting Scheduled

**Mar 14      Tuesday                      Butrovich 205              8:30 AM**  
               Joint w/(H) Judiciary  
 +            Presentation on Therapeutic Courts  
 += SB 222 PROTECTION OF PERSONAL INFORMATION  
 +            Bills Previously Heard/Scheduled

**Mar 15      Wednesday                      Butrovich 205              8:30 AM**  
 += SB 206 DETENTION OF MATERIAL WITNESSES  
 +    SB 306 UNEMPLOYMENT INSURANCE FUND & TAXES  
 +            Bills Previously Heard/Scheduled

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## JUDICIARY (continued)

<b>Mar 16</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>8:30 AM</b>
+	HB 410	REVISOR'S BILL	
+	HB 326	USE OF LEWD MATERIAL AS HARASSMENT	
+		Bills Previously Heard/Scheduled	
<b>Mar 17</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>8:30 AM</b>
	No Meeting Scheduled		

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## LABOR & COMMERCE

<b>Mar 09</b>	<b>Thursday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
+	SB 307	LANDLORD REMEDIES; LATE FEE	
+	HB 393	INSURANCE FOR COLORECTAL CANCER SCREENING	
+		Confirmation Hearing:	
		Alcohol Beverage Control Board -	
		Billy G. Andrews and Gail M. Niemi	
		State Board of Registration for	
		Architects, Engineers & Land Surveyors -	
		Charles A. Leet	
		Board of Veterinary Examiners -	
		Steve Torrence	
+		Bills Previously Heard/Scheduled	
		Including But Not Limited to:	
+=	HB 274	PUBLIC ACCOUNTANTS	

<b>Mar 14</b>	<b>Tuesday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
	No Meeting Scheduled		

<b>Mar 16</b>	<b>Thursday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
+	SB 273	MOTOR VEHICLE SALES	
+	SB 300	MOTOR VEHICLE NEGATIVE EQUITY	
		<Pending Referral>	
		Bills Previously Heard/Scheduled	
		Including But Not Limited to:	

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## RESOURCES

<b>Mar 09</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
	-- Meeting Canceled --		
=	SB 305	OIL AND GAS PRODUCTION TAX	

**RESOURCES (continued)**

<b>Mar 10</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
= SB 305	-- Meeting Canceled --		
	OIL AND GAS PRODUCTION TAX		
	-- Agenda to be Announced --		
<b>Mar 11</b>	<b>Saturday</b>	<b>Butrovich 205</b>	<b>10:00 AM</b>
= SB 305	-- Meeting Canceled --		
	OIL AND GAS PRODUCTION TAX		
	-- Agenda to be Announced --		
<b>Mar 13</b>	<b>Monday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
= SB 305	OIL AND GAS PRODUCTION TAX		
	-- Testimony <Invitation Only> --		
	Econ I Presentation		
<b>Mar 14</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
= SB 305	OIL AND GAS PRODUCTION TAX		
	-- Testimony <Invitation Only> --		
<b>Mar 15</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
= SB 305	OIL AND GAS PRODUCTION TAX		
	-- Testimony <Invitation Only> --		
<b>Mar 16</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
= SB 305	OIL AND GAS PRODUCTION TAX		
	-- Testimony <Invitation Only> --		
<b>Mar 17</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
= SB 305	OIL AND GAS PRODUCTION TAX		
	-- Testimony <Invitation Only> --		
<b>Mar 18</b>	<b>Saturday</b>	<b>Butrovich 205</b>	<b>10:00 AM</b>
= SB 305	OIL AND GAS PRODUCTION TAX		
	-- Testimony <Invitation Only> --		

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**STATE AFFAIRS**

<b>Mar 09</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
	No Meeting Scheduled		

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## STATE AFFAIRS (continued)

**Mar 14      Tuesday                      Butrovich 205              3:30 PM**  
No Meeting Scheduled

**Mar 16      Thursday                      Beltz 211              3:30 PM**  
+    SCR 22    JT. LEG. OVERSIGHT CMTE FOR ALMR PROJECT  
Bills Previously Heard/Scheduled  
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## TRANSPORTATION

**Mar 09      Thursday                      Butrovich 205              1:30 PM**  
+              Bills Previously Heard/Scheduled

**Mar 10      Friday                      Senate Finance 532              9:00 AM**  
-- Meeting Canceled --  
-- Location and Time Change --  
Joint w/(S) Finance  
Discussion Regarding Federal  
Transportation Funding

**Mar 13      Monday                      Senate Finance 532              9:00 AM**  
+              Joint w/(S) Finance  
+              Discussion Regarding -  
Federal Transportation Funding

**Mar 14      Tuesday                      Butrovich 205              9:00 AM**  
No Meeting Scheduled

**Mar 16      Thursday                      Butrovich 205              1:30 PM**  
+    SB 308    ALASKA RAILROAD REVENUE BONDS  
Bills Previously Heard/Scheduled  
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## FINANCE SUBCOMMITTEES

## ADMINISTRATION

**Mar 17      Friday                      Butrovich 205              7:30 AM**  
+              FY07 Operating Budget  
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**COMMERCE, COMMUNITY & ECONOMIC DEV**

<b>Mar 14</b>	<b>Tuesday</b> Budget Detail	<b>Beltz 211</b>	<b>8:00 AM</b>
<b>Mar 21</b>	<b>Tuesday</b> Budget Detail	<b>Beltz 211</b>	<b>8:00 AM</b>
<b>Mar 28</b>	<b>Tuesday</b> Budget Detail	<b>Beltz 211</b>	<b>8:00 AM</b>
<b>Apr 04</b>	<b>Tuesday</b> Budget Closeout	<b>Beltz 211</b>	<b>8:00 AM</b>

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**EDUCATION & EARLY DEVELOPMENT**

<b>Mar 15</b>	<b>Wednesday</b> FY07 Operating Budget Title I School Improvement Sites (Level 2 and above) Other Education Issues	<b>Senate Finance 532</b>	<b>8:00 AM</b>
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**ENVIRONMENTAL CONSERVATION**

<b>Mar 09</b>	<b>Thursday</b> Agency Overview Follow-up	<b>Senate Finance 532</b>	<b>8:00 AM</b>
<b>Mar 16</b>	<b>Thursday</b> Agency Overview Follow-up	<b>Senate Finance 532</b>	<b>8:00 AM</b>

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**FISH & GAME**

<b>Mar 15</b>	<b>Wednesday</b> -- Meeting Postponed until 03/22/06 -- Budget Priorities	<b>Senate Finance 532</b>	<b>1:30 PM</b>
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**LABOR & WORKFORCE DEVELOPMENT**

<b>Mar 16</b>	<b>Thursday</b> Budget Priorities	<b>Fahrenkamp 203</b>	<b>8:00 AM</b>
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**LAW**

<b>Mar 09</b>	<b>Thursday</b> -- Time Change -- Budget Overview: Dept of Law	<b>Senate Finance 532</b>	<b>2:30 PM</b>
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<b>Mar 16</b>	<b>Thursday</b> Budget Detail	<b>Senate Finance 532</b>	<b>4:30 PM</b>
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<b>Mar 23</b>	<b>Thursday</b> Budget Detail	<b>Senate Finance 532</b>	<b>4:30 PM</b>
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<b>Mar 30</b>	<b>Thursday</b> Budget Closeout	<b>Senate Finance 532</b>	<b>4:30 PM</b>
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**MILITARY AND VETERANS AFFAIRS**

<b>Mar 14</b> +	<b>Tuesday</b> FY07 Operating Budget	<b>Senate Finance 532</b>	<b>1:30 PM</b>
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**NATURAL RESOURCES**

<b>Mar 14</b> +	<b>Tuesday</b> Budget Priorities	<b>Capitol 120</b>	<b>8:00 AM</b>
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**PUBLIC SAFETY**

<b>Mar 16</b> +	<b>Thursday</b> FY07 Operating Budget	<b>Butrovich 205</b>	<b>12:00 PM</b>
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**REVENUE**

<b>Mar 09</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>1:30 PM</b>
	Budget Overview: Dept of Revenue		
<b>Mar 16</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>1:30 PM</b>
	Budget Detail		
<b>Mar 23</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>1:30 PM</b>
	Budget Detail		
<b>Mar 30</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>1:30 PM</b>
	Budget Closeout		

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**UNIVERSITY OF ALASKA**

<b>Mar 15</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>10:15 AM</b>
+	University FY07 Operating Budget Overview		

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**JOINT COMMITTEES****LEGISLATIVE COUNCIL**

<b>Mar 16</b>	<b>Thursday</b>	<b>Terry Miller 104</b>	<b>5:00 PM</b>
	Statute Publishing RFP Subcommittee Executive Session		
<b>Mar 23</b>	<b>Thursday</b>	<b>House Finance 519</b>	<b>5:00 PM</b>
	Fairbanks Office Space RFP Lease Renewals Late Per Diem Request Ombudsman FY07 Budget Request Anchorage Office Space Lease		
<b>Mar 30</b>	<b>Thursday</b>	<b>House Finance 519</b>	<b>5:00 PM</b>
	FY05 Legislature Audit Alaska Statehood Celebration Commission Capitol Security		

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**OTHER MEETINGS**

**JOINT SESSION**

<b>Mar 22</b>	<b>Wednesday</b>	<b>House Chamber</b>	<b>11:00 AM</b>
	Address by the Honorable Ted Stevens, U.S. Senator		