

**SENATE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-FIFTH LEGISLATURE**  
**FIRST SESSION**

**Juneau, Alaska**

**Friday**

**February 9, 2007**

**Twenty-fifth Day**

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

The roll showed sixteen members present. Senators Cowdery, Kookesh, McGuire, Therriault were excused from a call of the Senate.

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

Oh God, as we end this week, may we look back on things accomplished that will lead to a better state; needs met of its citizens who are in need and most vulnerable. Though there are days ahead to still accomplish many more things, may these men and women, senators of this great state of Alaska be self-controlled, disciplined to lead and make right choices based on honorable information and debate. Uphold them in the hours and days that lie ahead. May they not be shaken from what lays before them. Thank you for this privilege to pray for them. I ask this in your great name oh God. May it be so.                      Amen.

Senator Ellis led the Senate in the Pledge of Allegiance.

**Certification**

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

**Messages from the House**

Message dated February 8 was read, stating the House passed and transmitted for consideration:

**First Reading and Reference of House Bills****HB 21**

CS FOR HOUSE BILL NO. 21(STA) BY THE HOUSE STATE AFFAIRS COMMITTEE, entitled:

"An Act relating to the state flag; and relating to the proper retirement of an official state flag."

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

**Communications**

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

Report to the State of Alaska  
dated January 2007  
from the Alaska Railroad Corporation

**Standing Committee Reports****SB 59**

The Labor and Commerce Committee considered SENATE BILL NO. 59 "An Act relating to the use of broadcasting to promote charitable raffles and lotteries." Signing do pass: Senator Ellis, Chair; Senators Bunde, Davis, Stevens, Hoffman.

The following fiscal information was published today:  
Fiscal Note No. 1, zero, Department of Revenue

The bill was referred to the Rules Committee.

### **Introduction and Reference of Senate Bills**

#### **SB 77**

SENATE BILL NO. 77 BY SENATOR BUNDE, entitled:

"An Act prohibiting use of agency shop fees for political contributions or expenditures."

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

#### **SB 78**

SENATE BILL NO. 78 BY SENATOR FRENCH, entitled:

"An Act relating to the installation of window tinting in automobiles."

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

#### **SB 79**

SENATE BILL NO. 79 BY SENATOR BUNDE, entitled:

"An Act making an appropriation for reimbursement to boroughs and cities for granting of property tax exception; and providing for an effective date."

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

#### **SB 80**

SENATE BILL NO. 80 BY SENATORS WAGONER, Therriault, Dyson, Wilken, Elton, French, Kookesh, Thomas, Wielechowski, Green, Stevens, Olson, Davis, Stedman, Ellis, Huggins, entitled:

"An Act relating to allowable lease expenditures for the purpose of determining the production tax value of oil and gas for the purposes of the oil and gas production tax; and providing for an effective date."

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

### **Consideration of the Calendar**

#### **Citations**

In Memoriam – Howard Anderson

Senator(s) Stevens, Green, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Therriault, Thomas, Wagoner, Wielechowski, Wilken  
Representative(s) LeDoux

In Memoriam – Elsie Rose Perrin Mellott "Dash to aan"

Representative(s) Thomas  
Senator(s) Kookesh, Green, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Hoffman, Huggins, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

In Memoriam – Annie Cessnun

Representative(s) Johansen  
Senator(s) Stedman, Green, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Hoffman, Huggins, Kookesh, McGuire, Olson, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

In Memoriam – Joseph W. Dilley

Representative(s) Olson  
Senator(s) Wagoner, Green, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wielechowski, Wilken

In Memoriam – Alan M. Bishop

Representative(s) Olson

Senator(s) Wagoner, Green, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wielechowski, Wilken

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

### **Unfinished Business**

#### **HB 69**

Senator Stevens moved and asked unanimous consent that President Green be shown as a cross sponsor on CS FOR HOUSE BILL NO. 69(JUD) "An Act relating to executive clemency." Without objection, it was so ordered.

Senators Wielechowski, Huggins, Wilken, Elton, Stedman, Hoffman, Stevens, Ellis, French, Davis, Thomas, Olson moved and asked unanimous consent to be shown as cross sponsors on CS FOR HOUSE BILL NO. 69(JUD) "An Act relating to executive clemency." Without objection, it was so ordered.

Senator Stedman moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, February 15 through morning plane time, February 19 and from afternoon plane time, February 22 through morning plane time, February 26. Without objection, Senator Stedman was excused.

Senator Wagoner moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, March 7 through evening plane time, March 13. Without objection, Senator Wagoner was excused.

Senator French moved and asked unanimous consent to be excused from a call of the Senate on February 11 to evening plane time. Without objection, Senator French was excused.

President Green added a Labor and Commerce Committee referral to the following Governor's appointment:

**Commissioner - Department of Commerce, Community and Economic Development**

Emil Notti

The appointment was referred to both the Labor and Commerce Committee and Community and Regional Affairs Committee (page 182).

**Announcements**

Announcements are at the end of the journal.

**Adjournment**

Senator Stevens moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 12, 2007. Without objection, the Senate adjourned at 10:21 a.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.

**STANDING COMMITTEES**

+ indicates teleconference

= indicates bill previously heard/scheduled

**COMMUNITY & REGIONAL AFFAIRS**

**Feb 13      Tuesday      Beltz 211      3:30 PM**  
 + SB 72 COMMUNITY REVENUE SHARING  
 + SB 3 COMMUNITY DIVIDEND PROGRAM

**Feb 15      Thursday      Beltz 211      3:30 PM**  
 + SB 16 EXTEND REGULATORY COMMISSION OF ALASKA  
 Bills Previously Heard/Scheduled  
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**FINANCE**

**Feb 09      Friday      Senate Finance 532      9:00 AM**  
 + Education Foundation Formula Overview  
 Dept of Education  
 Bills Previously Heard/Scheduled

**Feb 12      Monday      Senate Finance 532      9:00 AM**  
 += SB 19 EXEC. BRANCH ETHICS:INTERESTS & ACTIONS  
 += SB 20 LEGISLATIVE DISCLOSURES

**Feb 13      Tuesday      Senate Finance 532      9:00 AM**  
 No Meeting Scheduled

**Feb 14      Wednesday      Senate Finance 532      9:00 AM**  
 + Presentation by Alaska Mental Health  
 Trust Authority, Jeff Jessee, CEO  
 -- Testimony <Invitation Only> --

**FINANCE (continued)**

<b>Feb 15</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+	PERS/TRS Funding Status & Review		
	Dept of Administration		
	-- Testimony <Invitation Only> --		
<b>Feb 16</b>	<b>Friday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
	No Meeting Scheduled		
<b>Mar 01</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+	Joint w/ (H) Finance		
	Alaska Permanent Fund Corporation		
	Presentation; APFC Board of Directors		
	-- Testimony <Invitation Only> --		

**HEALTH, EDUCATION & SOCIAL SERVICES**

<b>Feb 09</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	No Meeting Scheduled		
<b>Feb 12</b>	<b>Monday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	Overview: No Child Left Behind		
	Performance and Program Changes		
	Presentation: The Gender Gap in Higher		
	Education in Alaska		
	William S. Pollack, Ph.D.		
<b>Feb 14</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
SCR 2	BRAIN INJURY AWARENESS MONTH: MARCH 2007		
	Advisory Board on Alcoholism & Drug Abuse		
	Alaska Mental Health Board		
	Presentation: Bring the Kids Home Initiative		
<b>Feb 16</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	No Meeting Scheduled		

**JUDICIARY**

<b>Feb 12</b>	<b>Monday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
+	Bills Previously Heard/Scheduled		
+= SB 64	DISCLOSURES & ETHICS		



**JUDICIARY(continued)**

<b>Feb 14</b> +	<b>Wednesday</b> Joint w/ (H) Judiciary Overviews: Alaska Rural Justice Commission & Law Enforcement Commission Sex Offender Management in Alaska Teresa Foster, Esq. - Office of Special Prosecutions and Appeals John Bodick, Esq. - Assistant Attorney General -- Teleconference <Listen Only> --	<b>Capitol 120</b>	<b>1:00 PM</b>
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<b>Feb 15</b> +	<b>Thursday</b> Bills Previously Heard/Scheduled -----	<b>Butrovich 205</b>	<b>3:30 PM</b>
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**LABOR & COMMERCE**

<b>Feb 13</b> +	<b>Tuesday</b> Overview Hearings: Rural Economic Development; Workforce Development	<b>Beltz 211</b>	<b>1:30 PM</b>
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<b>Feb 15</b> +	<b>Thursday</b> Overview Hearing: Workforce Development -----	<b>Beltz 211</b>	<b>1:30 PM</b>
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**RESOURCES**

<b>Feb 09</b> +	<b>Friday</b> Presentation: Upstream Stakeholders: Producers & Shippers: Sighting the Horizon -- Testimony <Invitation Only> --	<b>Butrovich 205</b>	<b>3:30 PM</b>
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<b>Feb 12</b> +	<b>Monday</b> Presentation: DNR/Division of Oil & Gas Market Analysis of Cook Inlet -- Testimony <Invitation Only> -- Kevin Banks, Acting Dir., Division of Oil and Gas	<b>Butrovich 205</b>	<b>3:30 PM</b>
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**RESOURCES (continued)**

**Feb 14      Wednesday                      Butrovich 205              3:30 PM**  
 +      Presentation:  
      After the Pipeline Shutdown: Update on Corrosion  
      Dept of Natural Resources  
      Dept of Environmental Conservation  
      Dept of Law  
      BP  
      -- Testimony <Invitation Only> --  
 +    HB 37   ESTABLISHING SUSAN BUTCHER DAY

**Feb 16      Friday                                      Butrovich 205              3:30 PM**  
      No Meeting Scheduled

**STATE AFFAIRS**

**Feb 13      Tuesday                                      Beltz 211                  9:00 AM**  
      No Meeting Scheduled

**Feb 15      Thursday                                      Beltz 211                  9:00 AM**  
      No Meeting Scheduled

**TRANSPORTATION**

**Feb 13      Tuesday                                      Senate Finance 532      1:00 PM**  
      Joint w/ (H) Transportation  
      Overview of the Department of Transportation  
      Highway System

**Feb 15      Thursday                                      Butrovich 205              1:30 PM**  
      SB 41   REPEAL STUDDERED TIRE FEE  
      =    SB 15   BOARD OF MARINE PILOTS  
      =    SB 49   COMMEMORATIVE PLATES: STATEHOOD ANIV.

**FINANCE SUBCOMMITTEES****EDUCATION & EARLY DEVELOPMENT**

**Mar 07      Wednesday                                      Butrovich 205              8:00 AM**  
      FY'08 Proposed Budget

**FINANCE SUBCOMMITTEES (continued)****EDUCATION & EARLY DEVELOPMENT (continued)**

<b>Mar 16</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>
	FY'08 Proposed Budget		

<b>Mar 21</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>
	FY'08 Proposed Budget		

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**ENVIRONMENTAL CONSERVATION**

<b>Feb 09</b>	<b>Friday</b>	<b>Beltz 211</b>	<b>12:00 PM</b>
	Overview		

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**FISH & GAME**

<b>Feb 27</b>	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>8:00 AM</b>
	Budget Overview		

<b>Mar 01</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>3:00 PM</b>
	Budget Detail		

<b>Mar 13</b>	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>8:00 AM</b>
	Budget Detail		

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**HEALTH & SOCIAL SERVICES**

<b>Feb 22</b>	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>8:00 AM</b>
	Department Budget Detail		

<b>Mar 08</b>	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>8:00 AM</b>
	Department Budget Detail		

<b>Mar 22</b>	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>8:00 AM</b>
	Department Budget Detail		

<b>Apr 05</b>	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>8:00 AM</b>
	Department Budget Close-Out		

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**FINANCE SUBCOMMITTEES (continued)****LAW**

<b>Feb 27</b>	<b>Tuesday</b> Budget Overview	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
<b>Mar 06</b>	<b>Tuesday</b> Budget Detail	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
<b>Mar 13</b>	<b>Tuesday</b> Budget Detail	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
<b>Mar 20</b>	<b>Tuesday</b> Budget Detail	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>

**MILITARY AND VETERANS AFFAIRS**

<b>Mar 14</b>	<b>Wednesday</b> Overview by Major General Craig Campbell FY'08 Proposed Budget	<b>Beltz 211</b>	<b>12:00 PM</b>
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**NATURAL RESOURCES**

<b>Mar 06</b>	<b>Tuesday</b> FY'08 Proposed Budget	<b>Fahrenkamp 203</b>	<b>4:00 PM</b>
<b>Mar 13</b>	<b>Tuesday</b> FY'08 Proposed Budget	<b>Fahrenkamp 203</b>	<b>4:00 PM</b>
<b>Mar 20</b>	<b>Tuesday</b> FY'08 Proposed Budget	<b>Fahrenkamp 203</b>	<b>4:00 PM</b>

**PUBLIC SAFETY**

<b>Feb 19</b>	<b>Monday</b> Department Budget Overview	<b>Beltz 211</b>	<b>8:00 AM</b>
<b>Mar 05</b>	<b>Monday</b> Department Budget Detail	<b>Beltz 211</b>	<b>8:00 AM</b>
<b>Mar 19</b>	<b>Monday</b> Department Budget Detail	<b>Beltz 211</b>	<b>8:00 AM</b>

**FINANCE SUBCOMMITTEES (continued)****PUBLIC SAFETY (continued)**

<b>Apr 02</b>	<b>Monday</b>	<b>Beltz 211</b>	<b>8:00 AM</b>
	Department Budget Close-Out		

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**REVENUE**

<b>Mar 01</b>	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
	Budget Overview		

<b>Mar 08</b>	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
	Budget Detail		

<b>Mar 15</b>	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
	Budget Detail		

<b>Mar 22</b>	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
	Budget Detail		

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**TRANSPORTATION & PUBLIC FACILITIES**

<b>Feb 15</b>	<b>Thursday</b>	<b>Beltz 211</b>	<b>8:00 AM</b>
	Department Budget Overview		

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**UNIVERSITY OF ALASKA**

<b>Mar 01</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>7:30 AM</b>
	Budget Overview		

<b>Mar 08</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>7:30 AM</b>
	Budget Detail		

<b>Mar 15</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>7:30 AM</b>
	Budget Detail		

<b>Mar 22</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>7:30 AM</b>
	Budget Detail		

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**SPECIAL COMMITTEES****SPECIAL COMMITTEE ON EDUCATION**

<b>Feb 09</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>
SB 1	INCREASE AMT OF BASE STUDENT ALLOCATION		
<b>Feb 14</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>
SB 73	WWAMI MEDICAL SCHOOL		
<b>Feb 16</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>
	-- Meeting Canceled -- Consideration: Requirement of 70% of Funds to be Spent on Instruction		
<b>Feb 21</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>
	Consideration: Requirement for 70% of Funds to be Spent on Instruction		
<b>Feb 23</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>
	No Meeting Scheduled		

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**WORLD TRADE AND STATE/FEDERAL RELATIONS**

<b>Feb 13</b>	<b>Tuesday</b>	<b>Fahrenkamp 203</b>	<b>3:00 PM</b>
	Presentation by World Trade Center Alaska Greg Wolf, Executive Director: Overview of WTCAL Activities and Alaska Trade Issues		

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**JOINT COMMITTEES****ARMED SERVICES COMMITTEE**

<b>Feb 14</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>10:00 AM</b>
	Presentations by: Lt. General Douglas M. Fraser Transforming Alaska's Military Lt. General Henry A. Obering Missile Defense Overview Major General Craig Campbell Transformation of Alaska National Guard		

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**JOINT COMMITTEES (continued)****OMBUDSMAN SELECTION COMMITTEE (continued)**

<b>Feb 13</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>12:00 PM</b>
+	Nomination Hearing for Alaska Ombudsman		

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**OTHER MEETINGS****CHILDREN'S CAUCUS**

<b>Feb 14</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>12:00 PM</b>
+	-- Note Day Change -- Alaska Children's Justice Act Task Force: Updates & Trends in Child Maltreatment Issues		

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**JOINT LEGISLATIVE HEALTH CAUCUS**

<b>Feb 21</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>12:00 PM</b>
	"Filling the Need: Mid-Level Health Providers"		

<b>Mar 21</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>12:00 PM</b>
	"Filling the Need: Complimentary Medicine Workforce"		

<b>Apr 18</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>12:00 PM</b>
	"Filling the Need: Other Forms of Health Care"		

<b>May 02</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>12:00 PM</b>
	"Week of the Uninsured: Alaska's Workforce"		

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**JOINT SESSION**

<b>Feb 22</b>	<b>Thursday</b>	<b>House Chamber</b>	<b>11:00 AM</b>
	Annual Address by the Honorable Lisa Murkowski, U.S. Senator		

<b>Feb 28</b>	<b>Wednesday</b>	<b>House Chamber</b>	<b>11:00 AM</b>
	Chief Justice Dana Fabe's Annual State of the Judiciary Message		

<b>Mar 19</b>	<b>Monday</b>	<b>House Chamber</b>	<b>11:00 AM</b>
	Annual Address by the Honorable Ted Stevens, U.S. Senator		

**MISCELLANEOUS MEETINGS**

<b>Feb 12</b>	<b>Monday</b>	<b>Senate Finance 532</b>	<b>12:30 PM</b>
	School District Legislative Fly-In: Informal Q&A Session Regarding Alaska's Public School System		