

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

**Juneau, Alaska**

**Monday**

**February 6, 2012**

**Twenty-first Day**

Pursuant to adjournment the Senate was called to order by President Stevens at 11:00 a.m.

The roll showed nineteen members present. Senator McGuire was absent.

Senator Meyer moved and asked unanimous consent that Senator McGuire be excused from a call of the Senate today. Without objection, Senator McGuire was excused.

The prayer was offered by the Chaplain, Father Simeon B. Johnson of St. Nicholas Russian Orthodox Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Elder Paisios of Mount Athos (1924-1994) once taught that there are two kinds of people in the world: flies and honeybees. The honeybee, he said, can be placed in a dump and surrounded by filth, but when you ask him about his surroundings, he will describe the beautiful flower growing, and not the trash it is surrounded by. A fly, however, can be placed in a beautiful field of wildflowers. When you ask the fly about his surroundings, he does not see the beauty, but only the “present” that the dog left in that field.

In our world, especially in a legislative body, it is easy for us to fall into the trap of being like the fly: overlooking the beauty in our colleagues, and our American process. I ask all of you to remember to be honeybees throughout this session and all your lives.

O Lord our God, who created all things, we ask you to come and bless this Senate. Help them with wisdom and understanding as they do the work of the people. Keep them safe, and grant them the strength to remain “honeybees” as the committee meetings and the debates get difficult and contentious. Amen.

Senator Huggins led the Senate in the Pledge of Allegiance.

### **Certification**

Senator Meyer moved and asked unanimous consent that the journals for the eighteenth through twentieth legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

### **Messages from the House**

Message dated February 3 was read stating the House passed and transmitted for consideration:

### **First Reading and Reference of House Resolutions**

#### **HCR 20**

HOUSE CONCURRENT RESOLUTION NO. 20 BY  
REPRESENTATIVES P.WILSON, Herron, Kawasaki, Pruitt,  
Holmes,

Designating February 2012 as American Heart  
Month.

was read the first time and referred to the Health and Social Services  
Committee.

**Standing Committee Reports****SB 13**

A Finance Committee memo dated February 6 was received correcting the February 3 committee report (page 1383) as follows:

Remove Fiscal Note No. 1, Department of Natural Resources

The following fiscal information was published today:

Fiscal Note No. 2, Department of Natural Resources

The bill is in the Rules Committee.

**Introduction and Reference of  
Senate Resolutions****SJR 17**

SENATE JOINT RESOLUTION NO. 17 BY SENATOR MCGUIRE,

Welcoming the Arctic Council Task Force for Arctic Marine Oil Pollution Preparedness and Response to the state for its March 2012 meeting and urging the task force to use its time in the state to inform and inspire the work of the task force.

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

**SCR 22**

SENATE CONCURRENT RESOLUTION NO. 22 BY THE SENATE FINANCE COMMITTEE BY REQUEST OF THE ALASKA NORTHERN WATERS TASK FORCE,

Establishing and relating to the Alaska Arctic Policy Commission.

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

**Introduction and Reference of Senate Bills****SB 189**

SENATE BILL NO. 189 BY SENATOR ELLIS, entitled:

"An Act relating to the membership of the Alaska  
Fire Standards Council."

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

**Consideration of the Calendar****Citations**

Honoring - Linda Lockhart

Representative(s) Neuman, Stoltze

Senator(s) Huggins, Stevens, Coghill, Davis, Dyson, Egan, Ellis,  
Giessel, Hoffman, Kookesh, McGuire, Menard, Meyer, Olson,  
Paskvan, Stedman, Thomas, Wagoner, Wielechowski

Honoring - Sergeant Jacob Wilder

Representative(s) Seaton

Senator(s) Stevens, Coghill, Davis, Dyson, Egan, Ellis, French,  
Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer,  
Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

Honoring - Bob Moss

Representative(s) Seaton

Senator(s) Stevens, Coghill, Davis, Dyson, Egan, Ellis, Giessel,  
Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson,  
Paskvan, Stedman, Thomas, Wagoner, Wielechowski

In Memoriam - Ruth Spicer Brechan

Senator(s) Stevens, Coghill, Davis, Dyson, Egan, Ellis, Giessel,  
Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson,  
Paskvan, Stedman, Thomas, Wagoner, Wielechowski

Representative(s) Austerman

In Memoriam - Dennis Knagin

Senator(s) Stevens, Coghill, Davis, Dyson, Egan, Ellis, Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

Representative(s) Austerman

In Memoriam - Charles Anderson, Jr.

Senator(s) French, Stevens, Coghill, Davis, Dyson, Egan, Ellis, Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

In Memoriam - Carl Christiansen

Representative(s) Seaton

Senator(s) Stevens, Coghill, Davis, Dyson, Egan, Ellis, Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

In Memoriam - Jay Roger Graham

Representative(s) Seaton

Senator(s) Stevens, Coghill, Davis, Dyson, Egan, Ellis, Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

In Memoriam - Douglas Schwiesow

Representative(s) Seaton

Senator(s) Stevens, Coghill, Davis, Dyson, Egan, Ellis, French, Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

In Memoriam - Elizabeth Claire Chapple

Representative(s) Seaton

Senator(s) Stevens, Coghill, Davis, Dyson, Egan, Ellis, Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

In Memoriam - Laura Lou Todd

Representative(s) Seaton

Senator(s) Stevens, Coghill, Davis, Dyson, Egan, Ellis, Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

Senator Meyer 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**

Senator Kookesh moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, February 15 through evening plane time, February 17. Without objection, Senator Kookesh was excused.

Senator Olson moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, February 15 through plane time, February 16. Without objection, Senator Olson was excused.

#### **SB 74**

Senator Thomas moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 74 "An Act requiring insurance coverage for autism spectrum disorders, describing the method for establishing a covered treatment plan for those disorders, and defining the covered treatment for those disorders; and providing for an effective date." Without objection, it was so ordered.

#### **SB 144**

Senator Thomas moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 144 "An Act temporarily reinstating the child and adult immunization program in the Department of Health and Social Services; and providing for an effective date." Without objection, it was so ordered.

#### **SB 176**

Senator Thomas moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 176 "An Act exempting sand and gravel and marketable earth mining operations from the mining license tax; and providing for an effective date." Without objection, it was so ordered.

**SJR 14**

Senator Thomas moved and asked unanimous consent to be shown as a cosponsor on SENATE JOINT RESOLUTION NO. 14 Urging the United States Department of Defense to protect military bases and military personnel in the state. Without objection, it was so ordered.

**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., February 8, 2012. Without objection, the Senate adjourned at 11:34 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 07      Tuesday      Beltz 105 (tsbldg)      3:30 PM**  
 +      Alaska's Mayor's Forum

**Feb 09      Thursday      Beltz 105 (tsbldg)      3:30 PM**  
 +    SB 148    GAS PIPELINE PROPERTY TAX EXEMPTION  
 Bills Previously Heard/Scheduled

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**EDUCATION**

**Feb 06      Monday      Beltz 105 (tsbldg)      8:00 AM**  
 +    SB 182    PUPIL TRANSPORTATION FUNDING  
 +      Bills Previously Heard/Scheduled

**Feb 08      Wednesday      Barnes 124      8:00 AM**  
 +      Joint w/ House EDC  
 +      University of Alaska Board of Regents Report

**Feb 10      Friday      Beltz 105 (tsbldg)      8:00 AM**  
 +    SB 170    VOCATIONAL ED. COUNSELING IN SCHOOLS  
 +    SCR 21    UNIFORM RLS:EDUC./HSS STANDING COMMITTEES  
 +      Moore Case Settlement Overview  
 +      Bills Previously Heard/Scheduled

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**FINANCE**

**Feb 06      Monday                      Senate Finance 532              9:00 AM**

+ SB 136 INCOME TAX CREDIT FOR EMPLOYING A VETERAN  
 + SB 158 REAL ESTATE SALES LICENSEES  
 + Bills Previously Heard/Scheduled

**Feb 07      Tuesday                      Senate Finance 532              9:00 AM**

-- MEETING CANCELED --  
 + Bills Previously Heard/Scheduled

**Feb 08      Wednesday                      Senate Finance 532              9:00 AM**

+ SB 171 INCREASE BASE STUDENT ALLOCATION  
 + SB 187 PENSION RESERVE FUND  
 + Bills Previously Heard/Scheduled

**Feb 09      Thursday                      Senate Finance 532              9:00 AM**

+ Bills Previously Heard/Scheduled

**Feb 10      Friday                      Senate Finance 532              9:00 AM**

+ Presentation on Statewide Transportation Economic Indicators:  
 Christopher Aadnesen, President & CEO Alaska Railroad Corporation  
 Steve Hatter, Deputy Commissioner of Aviation, Department of Transportation and Public Facilities  
 + Bills Previously Heard/Scheduled

**HEALTH & SOCIAL SERVICES**

**Feb 06      Monday                      Beltz 105 (tsbldg)              1:30 PM**

-- Location Change --  
 + SB 134 CHILD SUPPORT AWARDS  
 Presentations:  
 + - Citizen Review Panel, Sylvan Robb, M.A.  
 + - Office of Children Services, Christy Lawton, Director  
 Bills Previously Heard/Scheduled

**HEALTH & SOCIAL SERVICES (continued)**

<b>Feb 08</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	Joint w/ Senate JUD		
+	Alaska Children's Justice Task Force Presentation		
	- Jan Rutherford, Attorney		
	- Dr. Cathy Baldwin-Johnson		
	- Thom Janidlo, Attorney		
	-- Testimony <Invitation Only> --		
	Bills Previously Heard/Scheduled		
 <b>Feb 10</b>	 <b>Friday</b>	 <b>Butrovich 205</b>	 <b>1:30 PM</b>
	No Meeting Scheduled		

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**JUDICIARY**

<b>Feb 06</b>	<b>Monday</b>	<b>Butrovich 205</b>	<b>1:00 PM</b>
	Joint w/ House JUD		
+	Coastal Zone Management Initiative		
	- Doug Gardner, Director, Legislative Legal Services Division		
	- Susan Bell, Commissioner, Dept. of CCED		
	- John Boucher, Office of Management & Budget		
	- Bruce Botelho, Mayor, City & Borough of Juneau		
	- Gail Fenumiai, Director, Division of Elections		
	-- Testimony <Invitation Only> --		
 <b>Feb 08</b>	 <b>Wednesday</b>	 <b>Butrovich 205</b>	 <b>1:30 PM</b>
	Joint w/ Senate HSS		
+	Alaska Children's Justice Task Force Presentation		
	- Jan Rutherford, Attorney		
	- Dr. Cathy Baldwin-Johnson		
	- Thom Janidlo, Attorney		
	-- Testimony <Invitation Only> --		
 <b>Feb 10</b>	 <b>Friday</b>	 <b>Beltz 105 (tsbldg)</b>	 <b>1:30 PM</b>
+=	SB 135	CONTINUANCES IN CRIMINAL TRIALS; VICTIMS	
+=	SB 140	CATHINONE BATH SALTS	
+	SB 186	SENTENCING/PROBATION/MENTALLY ILL	
+	Bills Previously Heard/Scheduled		

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**LABOR & COMMERCE**

**Feb 07      Tuesday                      Beltz 105 (tsbldg)              1:30 PM**

+ SB 146 SNOW CLASSIC  
 + SB 175 PRACTICE OF NATUROPATHY  
 + Bills Previously Heard/Scheduled

**Feb 09      Thursday                      Beltz 105 (tsbldg)              1:30 PM**

+ SB 125 MOTOR VEHICLE TRANSACTIONS  
 + SB 149 TAX CREDIT FOR DONATIONS TO DOG MUSHING  
 + Bills Previously Heard/Scheduled

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**RESOURCES**

**Feb 06      Monday                      Butrovich 205              3:30 PM**

+ Overview of the Decision Following Trial De Novo  
 Re: 2007, 2008, and 2009 Assessed Valuations of  
 the Trans Alaska Pipeline (i.e., the Gleason  
 Decision of 12/30/2011)  
 - Presentation by Robin O. Brena, Owner, Brena,  
 Bell & Clarkson, P.C.  
 -- Testimony <Invitation Only> --

**Feb 07      Tuesday                      Butrovich 205              3:30 PM**

+ Overview of the Decision Following Trial De Novo  
 Re: 2007, 2008, and 2009 Assessed Valuations of  
 the Trans Alaska Pipeline (i.e., the Gleason  
 Decision of 12/30/2011)  
 - Presentation by Robin O. Brena, Owner, Brena,  
 Bell & Clarkson, P.C.  
 -- Testimony <Invitation Only> --

**Feb 08      Wednesday                      Butrovich 205              3:30 PM**

+ Overview of the Decision Following Trial De Novo  
 Re: 2007, 2008, and 2009 Assessed Valuations of  
 the Trans Alaska Pipeline (i.e., the Gleason  
 Decision of 12/30/2011)  
 - Presentation by Robin O. Brena, Owner, Brena,  
 Bell & Clarkson, P.C.  
 -- Testimony <Invitation Only> --

**RESOURCES (continued)**

**Feb 09 Thursday Butrovich 205 3:30 PM**  
 + SB 153 NATURAL GAS STORAGE TAX CREDIT/REGULATION  
 Bills Previously Heard/Scheduled

**Feb 10 Friday Butrovich 205 3:30 PM**  
 + Senate Bill:  
 PRODUCTION TAX ON OIL AND GAS  
 <Pending Introduction & Referral>  
 -- Testimony <Invitation Only> --  
 Bills Previously Heard/Scheduled

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**STATE AFFAIRS**

**Feb 07 Tuesday Butrovich 205 9:00 AM**  
 + SCR 20 DECORATION OF HONOR  
 + SJR 14 MILITARY PERSONNEL CUTS & BASE CLOSURES  
 + SJR 11 NATIONAL WOMEN'S HISTORY MUSEUM  
 + SCR 16 CELIAC DISEASE AWARENESS MONTH  
 Bills Previously Heard/Scheduled

**Feb 09 Thursday Butrovich 205 9:00 AM**  
 + SJR 16 MILITARY PENSIONS  
 + SB 179 MISSING VULNERABLE ADULT RESPONSE PLAN  
 + SB 129 CHILD CARE CTRS: STATE EMPLOYEES & OTHERS  
 + SCR 18 RAOUL WALLENBERG REMEMBRANCE DAY  
 Bills Previously Heard/Scheduled

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**TRANSPORTATION**

**Feb 07 Tuesday Barnes 124 1:30 PM**  
 + Joint w/ House TRA  
 + - Update by Marc Luiken, Commissioner,  
 Department of Transportation and Public Facilities  
 + - AMHS Status Update by Mike Neussl,  
 Deputy Commissioner  
 + - Surface Transportation Update by Pat Kemp,  
 Deputy Commissioner  
 + - Alaska Mobility Coalition, David Levy,  
 Executive Director

**TRANSPORTATION (continued)**

**Feb 09 Thursday Butrovich 205 1:00 PM**  
 + HB 131 COMMUNITY AND TRANSPORTATION ADV. BOARD

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**FINANCE SUBCOMMITTEES****COURT SYSTEM**

**Feb 16 Thursday Fahrenkamp 203 5:00 PM**  
 + FY 13 Budget Request

**Mar 01 Thursday Fahrenkamp 203 5:00 PM**  
 + FY 13 Budget Request

**Mar 15 Thursday Fahrenkamp 203 5:00 PM**  
 + Closeout

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**EDUCATION & EARLY DEVELOPMENT**

**Feb 14 Tuesday Fahrenkamp 203 5:00 PM**  
 + Overview & FY 13 Request

**Feb 21 Tuesday Fahrenkamp 203 3:30 PM**  
 + FY 13 Request  
 Early Learning Programs

**Feb 28 Tuesday Sen Conf Rm 103 Tsb 3:30 PM**  
 + FY 13 Request

**Mar 06 Tuesday Fahrenkamp 203 3:30 PM**  
 + FY 13 Budget Request

**Mar 13 Tuesday Fahrenkamp 203 3:30 PM**  
 + Closeout

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**ENVIRONMENTAL CONSERVATION**

**Feb 21**      **Tuesday**                      **Fahrenkamp 203**              **12:00 PM**  
 +      Overview: Dept. of Environmental Conservation  
 FY 2013 Governor Request  
 -- Testimony <Invitation Only> --

**Feb 28**      **Tuesday**                      **Fahrenkamp 203**              **12:00 PM**  
 +      Overview: Dept. of Environmental Conservation  
 FY 2013 Governor Request  
 -- Testimony <Invitation Only> --

**Mar 13**      **Tuesday**                      **Fahrenkamp 203**              **12:00 PM**  
 +      Closeout  
 -- Testimony <Invitation Only> --

**HEALTH & SOCIAL SERVICES**

**Feb 13**      **Monday**                      **Beltz 105 (tsbldg)**              **3:30 PM**  
 +      Dept. Overview and Status of FY 12 Increments  
 -- Testimony <Invitation Only> --

**Feb 15**      **Wednesday**                      **Beltz 105 (tsbldg)**              **3:30 PM**  
 +      Mental Health Trust  
 -- Testimony <Invitation Only> --

**Feb 22**      **Wednesday**                      **Beltz 105 (tsbldg)**              **3:30 PM**  
 +      FY 13 Budget Overview, Including Amendments; and  
 FY 12 Supplemental Request  
 -- Testimony <Invitation Only> --

**Feb 27**      **Monday**                      **Beltz 105 (tsbldg)**              **3:30 PM**  
 +      Medicaid and the Medicaid Task Force  
 Recommendations and Implementation  
 -- Testimony <Invitation Only> --

**Feb 29**      **Wednesday**                      **Beltz 105 (tsbldg)**              **3:30 PM**  
 +      Open Discussion  
 Question and Answer Session  
 -- Testimony <Invitation Only> --

**MILITARY & VETERANS' AFFAIRS**

<b>Feb 16</b> +	<b>Thursday</b> Overview: Dept. of Military & Veterans Affairs Governor FY 2013 Request -- Testimony <Invitation Only> --	<b>Fahrenkamp 203</b>     <b>12:00 PM</b>
<b>Mar 01</b> +	<b>Thursday</b> Overview: Alaska Aerospace Corporation -- Testimony <Invitation Only> --	<b>Fahrenkamp 203</b>     <b>12:00 PM</b>
<b>Mar 15</b> +	<b>Thursday</b> Closeout -- Testimony <Invitation Only> --	<b>Fahrenkamp 203</b>     <b>12:00 PM</b>

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

<b>Feb 14</b> +	<b>Tuesday</b> Briefings from Alaskan Command and Alaska Army National Guard - Lieutenant General Stephen Hoog, Commander, Alaska Command, U.S. Pacific Command; Commander, 11th Air Force, Pacific Air Forces; and Commander Alaskan Northern American Aerospace Defense Command Region; Commander, Joint Task Force AK, Joint Base Elmendorf-Richardson, Alaska - Major General Thomas Katkus, Adjutant General, Commissioner of Alaska Department of Military & Veterans Affairs -- Testimony <Invitation Only> --	<b>Senate Finance 532</b>          <b>11:00 AM</b>
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**LEGISLATIVE BUDGET & AUDIT**

<b>Feb 27</b>	<b>Monday</b> Audits - Executive Session Other Committee Business	<b>House Finance 519</b>     <b>8:00 AM</b>
<b>Mar 28</b>	<b>Wednesday</b> Audits - Executive Session Other Committee Business	<b>House Finance 519</b>     <b>8:00 AM</b>

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**LEGISLATIVE COUNCIL**

<b>Feb 09</b>	<b>Thursday</b>	<b>House Finance 519</b>	<b>10:30 AM</b>
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Sanctioning of Charitable Events Approval  
 Dare to Care - Hollywood Under the Stars  
 Juneau-Douglas Shrine Club - Annual Dance  
 Big Brothers, Big Sisters - Bowl for Kid's Sake  
 Alaska Youth Choir - A Night in New Orleans  
 Kenai River Sportfishing Association:  
   - Kenai River Classic  
   - Kenai River Jr. Classic  
   - Kenai River Women's Classic  
 Late Travel and Per Diem Claim Approval  
   - Rep. Max Gruenberg and Rep. Kurt Olson  
 Access to Facebook Approval  
 Mat-Su Subordination Agreement Approval  
 FY 11 Legislature Audit  
 FY 13 Legislative Council Budget Request  
 Cutting Edge Snowplowing Amendment Approval  
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**OTHER MEETINGS****JOINT SESSION**

<b>Feb 23</b>	<b>Thursday</b>	<b>House Chamber</b>	<b>10:00 AM</b>
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Annual Address by the Honorable  
 Lisa Murkowski, U.S. Senator

<b>Feb 29</b>	<b>Wednesday</b>	<b>House Chamber</b>	<b>11:00 AM</b>
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State of the Judiciary Address by  
 Chief Justice Walter Carpeneti

<b>Mar 05</b>	<b>Monday</b>	<b>House Chamber</b>	<b>11:00 AM</b>
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Annual Address by the Honorable  
 Mark Begich, U.S. Senator  
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**MISCELLANEOUS MEETING**

**Feb 13      Monday                      Senate Finance 532              1:00 PM**  
School District Legislative Fly-In  
Informal Q&A Session Regarding Alaska's Public  
School System

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**UNIVERSITY BOOSTERS CAUCUS**

**Feb 28      Tuesday                      Butrovich 205              3:00 PM**  
Special Legislative Briefing:  
Chancellor Brian Rogers, Univ. of Alaska-Fairbanks  
Chancellor Tom Case, Univ. of Alaska-Anchorage  
Chancellor John Pugh, Univ. of Alaska-Southeast  
Special Guest Dr. Herb Schroeder of ANSEP