

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

**Juneau, Alaska**

**Monday**

**February 27, 2006**

**Fiftieth Day**

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

The roll showed seventeen members present. Senators Green, Stedman were excused from a call of the Senate. Senator Therriault was absent.

The prayer was offered by the Chaplain, Pastor James Duncan, Soldotna-Peninsula Christian Center. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Thank You, Lord, for the opportunity to pray over the servant leaders of our state. We pray that You give us just enough challenges to ask for Your direction, just enough pressure to ask for Your strength, just enough lack of finances and emotional energy to recognize our dependence upon You, leaning not on our own understanding, but acknowledging You in all our ways! Amen.

Senator Kookesh led the Senate in the Pledge of Allegiance.

**Certification**

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

The presence of Senator Therriault was noted.

**Messages from the Governor**

Letters dated and received February 23 were read, stating in accordance with AS 39.05.080, I submit the following names for legislative confirmation to the boards and commissions set out below:

**Board of Governors of the Alaska Bar**

William A. Granger - Anchorage

Reappointed: 2/20/2006 Term Expires: 3/1/2009

The appointment was referred to the Judiciary Committee.

**Board of Barbers and Hairdressers**

Cody Downs - Anchorage

Appointed: 2/20/2006 Term Expires: 3/1/2008

Charlette Lushin - Fairbanks

Reappointed: 2/20/2006 Term Expires: 3/1/2010

Alice B. Massie - Wasilla

Reappointed: 2/20/2006 Term Expires: 3/1/2010

**Alaska Labor Relations Agency**

Dennis S. Niedermeyer - King Salmon

Reappointed: 2/20/2006 Term Expires: 3/1/2009

**Board of Marine Pilots**

Les (Leslie) A. Cronk - Ketchikan

Reappointed: 2/20/2006 Term Expires: 3/1/2010

**Personnel Board**

Alfred L. Tamagni, Sr. - Anchorage

Appointed: 3/1/2006 Term Expires: 3/1/2012

**Real Estate Appraisers**

William A. Larick - Anchorage

Appointed: 1/23/2006 Reappointed: 3/1/2006

Term Expires: 3/10/2010

**Alaska Workers' Compensation Board**

Robert S. Morigeau - Anchorage

Appointed: 1/23/2006 Term Expires: 3/1/2008

Debra G. Norum - Fairbanks

Appointed: 1/23/2006 Term Expires: 3/1/2008

Jeffrey P. Pruss - Fairbanks

Appointed: 1/23/2006 Term Expires: 3/1/2008

H. Bardie Scarbrough - Anchorage

Appointed: 1/23/2006 Term Expires: 3/1/2007

Damian J. Thomas - Fairbanks

Appointed: 1/23/2006 Term Expires: 3/1/2008

Robert C. Weel - Anchorage

Appointed: 1/23/2006 Reappointed: 3/1/2006

Term Expires: 3/1/2009

The appointments were referred to the Labor and Commerce Committee.

**Board of Dental Examiners**

Dr. Kevin L. Gottlieb, DDS - Anchorage

Reappointed: 2/20/2006 Term Expires: 3/1/2010

**Board of Nursing**

JoAnne Bell-Graves - Juneau

Reappointed: 2/20/2006 Term Expires: 3/1/2010

Catherine A. Giessel - Anchorage

Reappointed: 2/20/2006 Term Expires: 3/1/2010

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

**State Commission for Human Rights**

Randy H. Eledge - Anchorage

Reappointed: 2/20/2006 Term Expires: 3/1/2011

The appointment was referred to the State Affairs Committee.

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

**Messages from the House**

Message dated February 24 was read, stating the House passed and transmitted for consideration:

**First Reading and Reference of  
House Resolutions****HCR 33**

HOUSE CONCURRENT RESOLUTION NO. 33 BY THE HOUSE  
RULES COMMITTEE BY REQUEST,

Relating to declaring March 2006 as Sobriety  
Awareness Month.

was read the first time and was before the Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION  
NO. 33 Relating to declaring March 2006 as Sobriety Awareness  
Month, pass the Senate?" The roll was taken with the following result:

HCR 33

Final Passage

**YEAS: 18 NAYS: 0 EXCUSED: 2 ABSENT: 0**

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Guess,  
Hoffman, Huggins, Kookesh, Olson, Seekins, Stevens B, Stevens G,  
Therriault, Wagoner, Wilken

Excused: Green, Stedman

and so, HOUSE CONCURRENT RESOLUTION NO. 33 passed the  
Senate, was signed by the President and Secretary and returned to the  
House.

**First Reading and Reference of House Bills****HB 379**

CS FOR HOUSE BILL NO. 379(JUD) BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act relating to scheduling as a Schedule IA controlled substance gamma-hydroxybutyric acid and certain similar substances."

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

**Communications**

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

Notification of Availability of the Training Program Performance 2004 Report

Division of Administrative Services Research and Analysis Section  
Department of Labor and Workforce Development

available at: [www.labor.state.ak.us/awib/forms/FY04-perf-report.pdf](http://www.labor.state.ak.us/awib/forms/FY04-perf-report.pdf)  
in accordance with AS 23.15.580(f)

**Standing Committee Reports****SB 289**

The Labor and Commerce Committee considered SENATE BILL NO. 289 "An Act relating to the payment of insurer examination expenses, to the regulation of managed care insurance plans, to actuarial opinions and supporting documentation for an insurer, to insurance firms, managing general agents, and third-party administrators, to eligibility of surplus lines insurers, to suitability of life and health insurance policies and annuity contracts, to unfair discrimination under a health insurance policy, to prompt payment of health care insurance claims, to required notice by an insurer, to individual deferred annuities, to direct payment to providers under a health insurance policy, to mental health benefits under a health care insurance plan, to the definitions of 'title insurance limited producer'

and of other terms used in the title regulating the practice of the business of insurance, and to small employer health insurance; repealing the Small Employer Health Reinsurance Association; making conforming amendments; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 289(L&C)

Signing do pass: Senator Bunde, Chair; Senators Ben Stevens, Seekins.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Commerce, Community and Economic Development

The bill was referred to the Finance Committee.

**SB 290**

The State Affairs Committee considered SENATE BILL NO. 290 "An Act relating to reimbursement of premiums for Servicemembers' Group Life Insurance paid by members of the Alaska National Guard deployed to a combat zone; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 290(STA) "An Act providing for the issuance of complimentary fishing and hunting licenses to certain members of the Alaska National Guard returning from active duty deployment; relating to reimbursement of premiums for Servicemembers' Group Life Insurance paid by members of the Alaska National Guard deployed to a combat zone; and providing for an effective date."

Signing do pass: Senator Therriault, Chair; Senator Huggins. Signing no recommendation: Senator Elton.

The following fiscal information was published today:

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

The bill was referred to the Finance Committee.

**SB 298**

The Labor and Commerce Committee considered SENATE BILL NO. 298 "An Act relating to loans from trust property; relating to a trustee's power to appoint the principal of a trust to another trust; relating to challenges to, claims against, and liabilities of trustees, beneficiaries, and creditors of trusts and of trusts and estates; relating to individual retirement accounts and plans; relating to certain trusts in divorce and dissolutions of marriage situations; and providing for an effective date." Signing do pass: Senator Bunde, Chair; Senators Seekins, Ben Stevens.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Commerce, Community and Economic Development

The bill was referred to the Judiciary Committee.

**Unfinished Business****Citations**

Senator Gary Stevens 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**

In Memoriam – Charles Ellis Jackson

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

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

Senator Wilken moved and asked unanimous consent to withdraw his excusal motion for March 3 to March 5. Without objection, the motion was withdrawn.

Senator Wilken moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, March 10 to evening plane time, March 12. Without objection, Senator Wilken 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 11:00 a.m., March 1, 2006. Without objection, the Senate adjourned at 11:22 a.m.

Kirsten Waid  
Secretary of the Senate

February 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>Feb 27</b>	<b>Monday</b> No Meeting Scheduled	<b>Beltz 211</b>	<b>1:30 PM</b>
<b>Mar 01</b>	<b>Wednesday</b> No Meeting Scheduled	<b>Beltz 211</b>	<b>1:30 PM</b>
<b>Mar 03</b>	<b>Friday</b> No Meeting Scheduled	<b>Beltz 211</b>	<b>1:30 PM</b>

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**FINANCE**

<b>Feb 27</b>	<b>Monday</b> No Meeting Scheduled	<b>Senate Finance 532</b>	<b>9:00 AM</b>
<b>Feb 28</b>	<b>Tuesday</b> No Meeting Scheduled	<b>Senate Finance 532</b>	<b>9:00 AM</b>
<b>Mar 01</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>

+ SB 207 AK AEROSPACE DEVEL. CORP BD MEMBERSHIP  
 + SB 253 EXTEND BOARD OF CHIROPRACTIC EXAMINERS  
 + SB 254 EXTEND PT & OCCUPATIONAL THERAPY BOARD  
 + SB 255 OPTOMETRY: EXTEND BD/ LIC. ENDORSEMENT  
 + Bills Previously Heard/Scheduled

**FINANCE (continued)**

**Mar 02      Thursday                      Senate Finance 532              9:00 AM**  
 += SB 232 APPROPS: ENERGY-RELATED, PIPELINE & MISC.  
 += SB 264 FAST TRACK SUPPLEMENTAL APPROPS  
 += SB 243 TOBACCO REV. FOR UNIV. & CORR. FACILITIES  
 + Bills Previously Heard/Scheduled

**Mar 03      Friday                              Senate Finance 532              9:00 AM**  
 + Bills Previously Heard/Scheduled

**Mar 03      Friday                              Senate Finance 532              3:30 PM**  
 + Joint w/(S) Resources  
 Presentation by Legislative Consultants  
 On Oil and Gas Production Tax

**Mar 04      Saturday                              Senate Finance 532              10:00 AM**  
 + Joint w/(S) Resources  
 Presentation by Legislative Consultants  
 On Oil and Gas Production Tax

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**HEALTH, EDUCATION & SOCIAL SERVICES**

**Feb 27      Monday                              Butrovich 205              1:30 PM**  
 += SB 251 POSTSEC. STUDENT MENINGITIS IMMUNIZATION  
 + SB 244 NO DISCRIMINATION AGAINST ACUPUNCTURIST  
 + SJR 19 TASK FORCE ON HOSPITAL INFECTIONS  
 + SB 242 STATUTORY REFERENCES TO DISABILITIES  
 + HB 357 STATUTORY REFERENCES TO DISABILITIES  
 + Bills Previously Heard/Scheduled

**Mar 01      Wednesday                              Butrovich 205              1:30 PM**  
 + SB 281 SCHOOL DIST. ENROLLMENT SHARING/CORRESPON  
 += SB 162 REPORT STUDENT HEALTH/DISCIPLINE/SAFETY  
 + SB 199 SCHOOL NUTRITION SUPPORT GRANTS  
 + Bills Previously Heard/Scheduled

**Mar 03      Friday                                      Butrovich 205              1:30 PM**  
 No Meeting Scheduled

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**JUDICIARY**

**Feb 27      Monday                                      Butrovich 205                      8:30 AM**

+ SB 206 DETENTION OF MATERIAL WITNESSES  
 + SB 222 PROTECTION OF PERSONAL INFORMATION  
 + SB 216 BAIL RESTRICTIONS  
 + Bills Previously Heard/Scheduled

**Feb 28      Tuesday                                      Butrovich 205                      8:30 AM**

+ SJR 20 CONST. AM: BENEFITS & MARRIAGE  
 + SB 284 SENTENCING FOR ALCOHOL-RELATED CRIMES  
 + Bills Previously Heard/Scheduled

**Mar 01      Wednesday                                      Butrovich 205                      8:30 AM**

+ SB 252 DEFINITION OF CHILD ABUSE AND NEGLECT  
 + SB 301 CHANGE OF VENUE IN CIVIL CASES  
 + SB 249 REPORTING BAIL AND RELEASE INFORMATION  
 + Bills Previously Heard/Scheduled

**Mar 02      Thursday                                      Butrovich 205                      8:30 AM**

+ SB 298 TRUSTS: CHALLENGES; CLAIMS; LIABILITIES  
 + HB 92 UNIV. OF ALASKA & NONPROFIT CORP STOCK  
 + HB 318 LIMITATION ON EMINENT DOMAIN  
 + Bills Previously Heard/Scheduled

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**LABOR & COMMERCE**

**Feb 28      Tuesday                                      Beltz 211                      1:30 PM**

No Meeting Scheduled

**Mar 02      Thursday                                      Beltz 211                      2:00 PM**

+ SB 306 UNEMPLOYMENT INSURANCE FUND & TAXES  
 + SB 272 MORTGAGE LENDING  
 + Confirmation Hearings:  
     Alcohol Beverage Control Board -  
     William G. Andrews, 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

**RESOURCES**

<b>Feb 27</b>	<b>Monday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
+ SB 305	OIL AND GAS PRODUCTION TAX Stakeholder Presentations		
<b>Feb 28</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
+ SB 305	OIL AND GAS PRODUCTION TAX Stakeholder Presentations		
<b>Mar 01</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
+ SB 305	OIL AND GAS PRODUCTION TAX Stakeholder Presentations		
<b>Mar 02</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
+ SB 305	OIL AND GAS PRODUCTION TAX		
<b>Mar 03</b>	<b>Friday</b>	<b>Senate Finance 532</b>	<b>3:30 PM</b>
	Joint w/(S) Finance		
+ SB 305	OIL AND GAS PRODUCTION TAX Presentation by Legislative Consultants		
<b>Mar 04</b>	<b>Saturday</b>	<b>Senate Finance 532</b>	<b>10:00 AM</b>
	Joint w/(S) Finance		
+ SB 305	OIL AND GAS PRODUCTION TAX Presentation by Legislative Consultants		

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**STATE AFFAIRS**

<b>Feb 28</b>	<b>Tuesday</b>	<b>Beltz 211</b>	<b>3:30 PM</b>
	-- Location Change --		
+ SB 279	OPERATING BUDGET MISSIONS/DESIRED RESULTS		
+ HB 167	DECEASED VETERAN DEATH CERTIFICATE/HONOR Bills Previously Heard/Scheduled		
<b>Mar 02</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
	Joint w/(H) State Affairs		
	Alaska 20/20 2006 Annual Report		
	Bills Previously Heard/Scheduled		

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**TRANSPORTATION**

**Feb 28      Tuesday                      Butrovich 205      1:30 PM**  
 + SB 266    COMMEMORATIVE PLATES: STATEHOOD ANIV.  
 + SB 304    AIRPORT PARKING SHUTTLES/AIRPORT CHARGES  
 +            Bills Previously Heard/Scheduled

**Mar 02      Thursday                      Butrovich 205      2:00 PM**  
 -- Time Change --  
 + SB 303    KNIK ARM BRIDGE AND TOLL AUTHORITY  
 Bills Previously Heard/Scheduled

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**FINANCE SUBCOMMITTEES****ADMINISTRATION**

**Mar 02      Thursday                      Beltz 211      5:00 PM**  
 FY07 Operating Budget

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**COMMERCE, COMMUNITY & ECONOMIC DEV**

**Feb 28      Tuesday                      Beltz 211      8:30 AM**  
 -- Time Change --  
 Budget Overview: DCCED  
 -- Testimony <Invitation Only> --

**Mar 07      Tuesday                      Beltz 211      8:00 AM**  
 Budget Detail

**Mar 14      Tuesday                      Beltz 211      8:00 AM**  
 Budget Detail

**Mar 21      Tuesday                      Beltz 211      8:00 AM**  
 Budget Detail

**Mar 28      Tuesday                      Beltz 211      8:00 AM**  
 Budget Detail

**Apr 04      Tuesday                      Beltz 211      8:00 AM**  
 Budget Closeout

**CORRECTIONS**

**Mar 02      Thursday                      Fahrenkamp 203                      4:00 PM**  
Commissioner's Remarks/Budget Overview  
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**COURT SYSTEM**

**Mar 02      Thursday                      Beltz 211                      8:00 AM**  
Director's Remarks/Budget Overview  
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**EDUCATION & EARLY DEVELOPMENT**

**Mar 02      Thursday                      Fahrenkamp 203                      2:30 PM**  
FY07 Operating Budget  
Topics: Intensive Need Student Audit,  
Pupil Transportation Costs, Other Issues  
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**ENVIRONMENTAL CONSERVATION**

**Mar 02      Thursday                      Senate Finance 532                      8:00 AM**  
Agency Overview Follow-up  
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**FISH & GAME**

**Mar 01      Wednesday                      Fahrenkamp 203                      1:30 PM**  
+ FY 07 Budget Overview  
-- Testimony <Invitation Only> --  
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**HEALTH & SOCIAL SERVICES**

**Mar 02      Thursday                      Fahrenkamp 203                      1:00 PM**  
Commissioner's Remarks/Budget Overview:  
"A Half Hour of Highlights."  
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**LAW**

<b>Mar 02</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>4:30 PM</b>
	-- Rescheduled to 03/09/06 -- Budget Overview: Dept of Law		
<b>Mar 09</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>4:30 PM</b>
	Budget Overview: Dept of Law		
<b>Mar 16</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>4:30 PM</b>
	Budget Detail		
<b>Mar 23</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>4:30 PM</b>
	Budget Detail		
<b>Mar 30</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>4:30 PM</b>
	Budget Closeout		

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**NATURAL RESOURCES**

<b>Feb 28</b>	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>8:00 AM</b>
+	FY 07 Budget Overview -- Testimony <Invitation Only> --		

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**REVENUE**

<b>Mar 02</b>	<b>Thursday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
	-- Location Change -- -- Rescheduled from 02/23/06 -- Budget Overview: Dept of Revenue		
<b>Mar 09</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>1:30 PM</b>
	Budget Detail		
<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		

**REVENUE (continued)**

<b>Mar 30</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>1:30 PM</b>
	Budget Closeout		

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**TRANSPORTATION & PUBLIC FACILITIES**

<b>Mar 03</b>	<b>Friday</b>	<b>Beltz 211</b>	<b>8:00 AM</b>
	Commissioner's Remarks/Budget Overview		

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**SPECIAL COMMITTEES****COMMITTEE ON UNIVERSITY OVERSIGHT**

<b>Feb 28</b>	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>5:00 PM</b>
	-- Location Change --		
	-- Teleconference <Listen Only> --		
+	Overview of National Education Trends		
	Julie Bell, National Conference of State Legislatures		

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

<b>Feb 28</b>	<b>Tuesday</b>	<b>Terry Miller 104</b>	<b>6:30 PM</b>
	Fairbanks Office Space RFP Protest		
	Legislative Council Subcommittee Meeting		
	Executive Session 7 pm		
	Statute Publication RFP		

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**OTHER MEETINGS****FISH CAUCUS**

<b>Feb 28</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>12:00 PM</b>
	New Frontiers in Fisheries: The Alaska Fisheries Development Foundation		
	Bob Pawlowski, Executive Director		



**JOINT LEGISLATIVE HEALTH CAUCUS**

**Mar 01      Wednesday                      Butrovich 205              12:00 PM**  
Topic: "Black Holes in the Health Care  
Universe"  
A light lunch will be served.

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**JOINT SESSION**

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