

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

**Juneau, Alaska**

**Friday**

**February 23, 2007**

**Thirty-ninth Day**

Pursuant to adjournment the Senate was called to order by President Green at 10:04 a.m.

The roll showed thirteen members present. Senators Bunde, Ellis, Huggins, Stedman, Stevens, Wilken were excused from a call of the Senate. Senator Kookesh was absent.

The prayer was offered by the Chaplain, Pastor Mike Rose of the Juneau Christian Center. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Gracious Heavenly Father,

Thank you for this day, a day that you have made that we might rejoice and be glad in it. Lord, thank you for the privilege we have to live in this great nation and state. As we are instructed by scripture that first of all supplications, prayers, intercessions and giving of thanks be made for all men. For kings and all who are in authority, that we might lead a quiet and peaceable life in all godliness.

Lord, we pray for the leaders in our state, our Governor, her cabinet, the Senate and the House and ask that your Kingdom come, your will be done in the decisions made by our leaders today. I pray that we will be in alignment with your purpose and your plan for our great state.

I ask for your provision and protection over the Senate, their families, and their staff. Thank you for your favor today in hearing and answering this prayer. In your wonderful name I pray. Amen.

Senator McGuire led the Senate in the Pledge of Allegiance.

### **Certification**

Senator Olson, Acting Majority Leader, moved and asked unanimous consent that the journal for the thirty-eighth legislative day and Senate and House Joint Journal Supplement No. 2 be approved as certified by the Secretary. Without objection, it was so ordered.

### **Messages from the Governor**

#### **HB 69**

Message was read stating the Governor signed the following bill on February 20 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE CS FOR CS FOR HOUSE BILL NO.  
69(JUD) "An Act relating to executive clemency."

Chapter 1, SLA 2007  
Effective Date: 5/21/07

#### **SB 46**

Message was read stating the Governor signed the following bill on February 20 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR SENATE BILL NO. 46(RES) "An Act relating to the Alaska coastal management program; providing for an effective date by amending the effective date of sec. 45, ch. 24, SLA 2003, as amended by sec. 21, ch. 31, SLA 2005; and providing for an effective date."

Chapter 2, SLA 2007  
Effective Date: 2/21/07

**Messages from the House**

Message dated February 22 was read, stating the House passed and transmitted for consideration:

**First Reading and Reference of House Bills****HB 120**

CS FOR HOUSE BILL NO. 120(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act extending the Council on Domestic Violence and Sexual Assault; and providing for an effective date."

was read the first time and referred to the Finance Committee.

**Communications**

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

2006 Annual Report  
from William F. Large, Chairperson  
Alaska Municipal Bond Bank Authority, Department of Revenue  
in accordance with AS 44.85.100

General Reserve Bond Certificate  
from William F. Large, Chairperson  
Alaska Municipal Bond Bank Authority, Department of Revenue  
in accordance with AS 44.85.270(g)

**Standing Committee Reports**

Report dated February 22 was read, stating:

In accordance with AS 39.05.080, the Community and Regional Affairs Committee reviewed the following and recommends the appointments be forwarded to a joint session for consideration:

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

Emil Notti

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

Signing the report: Senator Olson, Chair; Senators Wagoner, Thomas.

**SB 7**

The State Affairs Committee considered SENATE BILL NO. 7 "An Act relating to the voting rights of felons" and recommended it be replaced with

CS FOR SENATE BILL NO. 7(STA)

Signing do pass: Senator McGuire, Chair. Signing no recommendation: Senators French, Green.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Corrections

Fiscal Note No. 2, zero, Office of the Governor

The bill was referred to the Judiciary Committee.

**SB 35**

The State Affairs Committee considered SENATE BILL NO. 35 "An Act making an appropriation to the public education fund; making an appropriation to the earnings reserve account of the Alaska permanent fund; making an appropriation to the Alaska housing finance revolving fund; making an appropriation to the constitutional budget reserve fund; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 35(STA) "An Act making an appropriation to the public education fund; making an appropriation to the earnings reserve account of the Alaska permanent fund; making an appropriation to the Alaska Housing Finance Corporation; making an appropriation to the constitutional budget reserve fund; and providing for an effective date."

Signing do pass: Senator McGuire, Chair. Signing no recommendation: Senators French, Green.

The bill was referred to the Finance Committee.

**SB 36**

The State Affairs Committee considered SENATE BILL NO. 36 "An Act relating to sentencing for the commission of certain offenses influenced by alcohol and to the offense of consumption of alcohol in violation of sentence" and recommended it be replaced with

CS FOR SENATE BILL NO. 36(STA)

and further recommended the adoption of the following State Affairs Committee Letter of Intent:

Letter of Intent

The legislature recognizes that laws alone may not achieve the same level of behavioral correction that counseling and treatment are designed to provide. It is therefore the intent of the legislature that the courts, when addressing those who are first time violators of AS 12.55.015(a)(13) in this act, use when available, Therapeutic Court in lieu of a standard sentencing.

If openings in the Therapeutic Court are not available, the legislature intends that standard sentencing for a class A misdemeanor be carried out as set out in AS 11.56.768(b)&(d) of this Act.

Signing no recommendation: Senator McGuire, Chair; Senator Green.  
Signing do pass: Senator French.

The following fiscal information was published today:

Fiscal Note No. 1, indeterminate, Alaska Court System  
Fiscal Note No. 2, indeterminate, Department of Administration  
Fiscal Note No. 3, indeterminate, Department of Administration  
Fiscal Note No. 4, indeterminate, Department of Corrections  
Fiscal Note No. 5, zero, Department of Law

The bill was referred to the Judiciary Committee.

**SB 43**

The State Affairs Committee considered SENATE BILL NO. 43 "An Act relating to contributions from permanent fund dividends to community foundations, to certain educational organizations, and to certain other charitable organizations that provide a positive youth development program, workforce development, aid to the arts, or aid and services to the elderly, low-income individuals, individuals in emergency situations, disabled individuals, or individuals with mental illness; and providing for an effective date" and recommended it be replaced with

**CS FOR SENATE BILL NO. 43(STA)**

Signing do pass: Senator McGuire, Chair. Signing no recommendation: Senators French, Green.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Revenue

The bill was referred to the Finance Committee.

**HJR 8**

The Labor and Commerce Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 8(L&C) am Opposing the enactment by the Washington State Legislature of a bill proposing to impose a fee on the processing of shipping containers in the State of Washington because of the negative impact of the fee on the people and the economy of this state. Signing do pass: Senator Ellis, Chair; Senators Davis, Hoffman.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Legislative Agency

The resolution was referred to the Rules Committee.

**Introduction and Reference of Senate Bills****SB 94**

SENATE BILL NO. 94 BY SENATOR ELLIS BY REQUEST,  
entitled:

"An Act establishing a division of blind services  
within the Department of Health and Social Services;  
and relating to the administration of the vocational  
rehabilitation program."

was read the first time and referred to the Labor and Commerce,  
Health, Education and Social Services and Finance Committees.

**Unfinished Business**

Senator French moved and asked unanimous consent to be excused  
from a call of the Senate on February 26 to morning plane time.  
Without objection, Senator French was excused.

**HB 18**

Senator Davis, Chair, moved and asked unanimous consent that the  
Health, Education and Social Services Committee referral be waived  
on CS FOR HOUSE BILL NO. 18(HES) "An Act amending the  
functions and powers of the Alaska Commission on Postsecondary  
Education; and relating to the repayment provisions for medical  
education and postsecondary degree program participants." Without  
objection, the bill was referred to the Finance Committee.

**SB 80**

Senator McGuire moved and asked unanimous consent to be shown as  
a cosponsor on SENATE BILL NO. 80 "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." Without objection, it was so  
ordered.

**Announcements**

Announcements are at the end of the journal.

**Adjournment**

Senator Olson, Acting Majority Leader, moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 26, 2007. Without objection, the Senate adjourned at 10:26 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 27      Tuesday      Beltz 211      3:30 PM**  
 + Overview - Local Boundary Commission  
 Bills Previously Heard/Scheduled

**Mar 01      Thursday      Beltz 211      4:00 PM**  
 += SB 16 EXTEND REGULATORY COMMISSION OF ALASKA  
 Bills Previously Heard/Scheduled  
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**FINANCE**

**Feb 23      Friday      Senate Finance 532      9:00 AM**  
 No Meeting Scheduled

**Feb 26      Monday      Senate Finance 532      9:00 AM**  
 + SB 49 COMMEMORATIVE PLATES: STATEHOOD ANIV.  
 + SB 75 EXTENDING COUNCIL ON DOMESTIC VIOLENCE  
 + HB 120 EXTENDING COUNCIL ON DOMESTIC VIOLENCE  
 + HB 18 POSTSECONDARY MEDICAL & OTHER EDUC. PROG.

**Feb 27      Tuesday      Senate Finance 532      9:00 AM**  
 += SB 83 SUPPLEMENTAL APPROPRIATIONS  
 -- Testimony <Invitation Only> --  
 + Bills Previously Heard/Scheduled

**Feb 28      Wednesday      Senate Finance 532      9:00 AM**  
 + Bills Previously Heard/Scheduled

**FINANCE (continued)**

**Mar 01      Thursday      Senate Finance 532      9:00 AM**  
 +      Joint w/ (H) Finance  
      Alaska Permanent Fund Corporation  
      Presentation; APFC Board of Directors  
      -- Testimony <Invitation Only> --

**Mar 02      Friday      Senate Finance 532      9:00 AM**  
 +      Bills Previously Heard/Scheduled  
      -----

**HEALTH, EDUCATION & SOCIAL SERVICES**

**Feb 23      Friday      Butrovich 205      1:30 PM**  
      No Meeting Scheduled

**Feb 26      Monday      Butrovich 205      1:30 PM**  
 += SJR 1 MEDICAL ASSISTANCE FOR CHILDREN  
      SEED: Ready to Read, Ready to Learn;  
      AEYC; AK Child Care Resource & Referral  
      Network; Alaska Head Start Directors  
      Presentation: Economic Impact of Early  
      Education & Child Care Services in Alaska  
      Panel Discussion

**Feb 28      Wednesday      Butrovich 205      1:30 PM**  
 +      Strengthening Families Initiatives  
 = SB 40 LONGEVITY BONUS REAPPLICATIONS  
      Bills Previously Heard/Scheduled

**Mar 02      Friday      Butrovich 205      1:30 PM**  
      No Meeting Scheduled  
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**JUDICIARY**

**Feb 26      Monday      Beltz 211      1:30 PM**  
 += SB 13 BAN CONSULTING CONTRACTS WITH LEGISLATORS

**Feb 28      Wednesday      Beltz 211      1:30 PM**  
      -- Teleconference <Listen Only> --  
 +      Confirmation Hearing : Talis Colberg  
      Attorney General - Department of Law

**JUDICIARY (continued)**

<b>Mar 01</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
+	Bills Previously Heard/Scheduled		

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**LABOR & COMMERCE**

<b>Feb 27</b>	<b>Tuesday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
+	SB 84	BURNING CAPABILITY OF CIGARETTES	
		Bills Previously Heard/Scheduled	
+=	SB 68	MOTOR VEHICLE INSURANCE	

<b>Mar 01</b>	<b>Thursday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
+	Confirmation of Governor's Appointees:		
	Alcoholic Beverage Control Board -		
	Shirley A Gifford		
	Alaska Workers' Compensation Appeals		
	Commission - Stephan T Hagedorn		
	Alaska Workers' Compensation Board -		
	Mark A Crutchfield		
	Gloria O'Neill		
	Janet L Waldron		
	William K Williams		

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**RESOURCES**

<b>Feb 23</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
	-- MEETING CANCELED --		
+	Bills Previously Heard/Scheduled		
+	Presentations Previously Heard/Scheduled		

<b>Feb 26</b>	<b>Monday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
+	Presentation: Agrium Kenai Nitrogen		
	Operations: Agrium US Inc, Alaska RR,		
	Usibelli Coal Mine, Inc		
	-- Testimony <Invitation Only> --		

<b>Feb 28</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>12:00 PM</b>
	Joint w/ (H) Resources		
+	Mining Industry Briefing - Council of		
	Alaska Producers		
	-- Testimony <Invitation Only> --		
	Bills Previously Heard/Scheduled		

**RESOURCES (continued)**

**Feb 28**      **Wednesday**      **Butrovich 205**      **3:30 PM**  
 += SB 80 OIL & GAS PRODUCTION TAX: EXPENDITURES  
 Bills Previously Heard/Scheduled

**Mar 02**      **Friday**      **Butrovich 205**      **3:30 PM**  
 + HB 25 RECREATIONAL LAND USE LIABILITY/ADV. POSS  
 + Confirmation Hearings:  
 Department Commissioners:  
 Tom Irwin, Larry Hartig, Denby Lloyd  
 Big Game Commercial Services Board:  
 Richard A Roher, Leif Wilson  
 Board of Game:  
 Robert Bell, Ben Grussendorf  
 Alaska Oil & Gas Conservation Commission:  
 Cathy P Foerster  
 Bills Previously Heard/Scheduled  
 Presentations Previously Heard/Scheduled  
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**STATE AFFAIRS**

**Feb 27**      **Tuesday**      **Beltz 211**      **9:00 AM**  
 + Overview: Impacts of the 90-Day Session

**Mar 01**      **Thursday**      **Beltz 211**      **9:00 AM**  
 + Overview: Impacts of the 90-Day Session  
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**TRANSPORTATION**

**Feb 27**      **Tuesday**      **Butrovich 205**      **1:30 PM**  
 No Meeting Scheduled

**Mar 01**      **Thursday**      **Butrovich 205**      **1:30 PM**  
 No Meeting Scheduled  
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**FINANCE SUBCOMMITTEES****ADMINISTRATION**

**Feb 26**      **Monday**      **Senate Finance 532**      **3:00 PM**  
 Department Budget Overview

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**FINANCE SUBCOMMITTEES (continued)****ADMINISTRATION (continued)**

<b>Mar 05</b>	<b>Monday</b> Department Budget Detail	<b>Senate Finance 532</b>	<b>3:00 PM</b>
<b>Mar 12</b>	<b>Monday</b> Department Budget Detail	<b>Senate Finance 532</b>	<b>3:00 PM</b>
<b>Mar 19</b>	<b>Monday</b> Department Budget Detail	<b>Senate Finance 532</b>	<b>3:00 PM</b>

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**COURT SYSTEM**

<b>Mar 01</b> +	<b>Thursday</b> Budget Closeout	<b>Fahrenkamp 203</b>	<b>5:00 PM</b>
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**EDUCATION & EARLY DEVELOPMENT**

<b>Mar 07</b>	<b>Wednesday</b> -- Meeting Canceled -- FY'08 Proposed Budget	<b>Butrovich 205</b>	<b>8:00 AM</b>
<b>Mar 14</b>	<b>Wednesday</b> Postsecondary Education Commission FY'08 Proposed Budget Overview	<b>Butrovich 205</b>	<b>8:00 AM</b>
<b>Mar 16</b>	<b>Friday</b> Dept of Education & Early Development FY'08 Proposed Budget	<b>Butrovich 205</b>	<b>8:00 AM</b>
<b>Mar 21</b>	<b>Wednesday</b> Dept of Education & Early Development FY'08 Proposed Budget	<b>Butrovich 205</b>	<b>8:00 AM</b>

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**FISH & GAME**

<b>Feb 27</b>	<b>Tuesday</b> -- Time Change -- Budget Overview	<b>Senate Finance 532</b>	<b>3:00 PM</b>
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**FINANCE SUBCOMMITTEES (continued)****FISH & GAME**

<b>Mar 01</b>	<b>Thursday</b> Budget Detail	<b>Senate Finance 532</b>	<b>3:00 PM</b>
<b>Mar 13</b>	<b>Tuesday</b> Budget Detail	<b>Senate Finance 532</b>	<b>8:00 AM</b>

**HEALTH & SOCIAL SERVICES**

<b>Mar 08</b>	<b>Thursday</b> Department Budget Detail	<b>Fahrenkamp 203</b>	<b>8:00 AM</b>
<b>Mar 22</b>	<b>Thursday</b> Department Budget Detail	<b>Fahrenkamp 203</b>	<b>8:00 AM</b>
<b>Apr 05</b>	<b>Thursday</b> Department Budget Close-Out	<b>Fahrenkamp 203</b>	<b>8:00 AM</b>

**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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**FINANCE SUBCOMMITTEES (continued)****NATURAL RESOURCES**

<b>Mar 06</b>	<b>Tuesday</b> -- MEETING CANCELED -- 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>
<b>Mar 22</b>	<b>Thursday</b> FY'08 Proposed Budget	<b>Fahrenkamp 203</b>	<b>4:00 PM</b>

**PUBLIC SAFETY**

<b>Mar 05</b>	<b>Monday</b> -- Meeting Canceled -- Department Budget Detail	<b>Beltz 211</b>	<b>8:00 AM</b>
<b>Mar 06</b> +	<b>Tuesday</b> Department Budget Detail	<b>Beltz 211</b>	<b>8:00 AM</b>
<b>Mar 19</b>	<b>Monday</b> -- Meeting Canceled -- Department Budget Detail	<b>Beltz 211</b>	<b>8:00 AM</b>
<b>Mar 20</b> +	<b>Tuesday</b> Department Budget Detail	<b>Beltz 211</b>	<b>8:00 AM</b>
<b>Apr 02</b>	<b>Monday</b> -- Meeting Canceled -- Department Budget Close-Out	<b>Beltz 211</b>	<b>8:00 AM</b>
<b>Apr 03</b> +	<b>Tuesday</b> Department Budget Close-Out	<b>Beltz 211</b>	<b>8:00 AM</b>

**REVENUE**

<b>Mar 01</b>	<b>Thursday</b> Budget Overview	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
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**FINANCE SUBCOMMITTEES (continued)****REVENUE**

<b>Mar 08</b>	<b>Thursday</b> Budget Detail	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
<b>Mar 15</b>	<b>Thursday</b> Budget Detail	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
<b>Mar 22</b>	<b>Thursday</b> Budget Detail	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>

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**TRANSPORTATION & PUBLIC FACILITIES**

<b>Mar 15</b>	<b>Thursday</b> DOT/PF Budget	<b>Beltz 211</b>	<b>8:00 AM</b>
<b>Mar 29</b>	<b>Thursday</b> DOT/PF Budget	<b>Beltz 211</b>	<b>8:00 AM</b>

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**UNIVERSITY OF ALASKA**

<b>Mar 01</b>	<b>Thursday</b> Budget Overview	<b>Senate Finance 532</b>	<b>7:30 AM</b>
<b>Mar 08</b>	<b>Thursday</b> Budget Detail	<b>Senate Finance 532</b>	<b>7:30 AM</b>
<b>Mar 15</b>	<b>Thursday</b> Budget Detail	<b>Senate Finance 532</b>	<b>7:30 AM</b>
<b>Mar 22</b>	<b>Thursday</b> Budget Detail	<b>Senate Finance 532</b>	<b>7:30 AM</b>

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

<b>Feb 23</b>	<b>Friday</b> No Meeting Scheduled	<b>Butrovich 205</b>	<b>8:00 AM</b>
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**SPECIAL COMMITTEES (continued)****SPECIAL COMMITTEE ON EDUCATION (continued)**

<b>Feb 28</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>
	Consideration: Repeal of requirement that 70% of education funds to be spent on instruction.		
<b>Mar 02</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>
	Overview: Truancy and Dropouts		
SB 31	TRUANCY		

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

<b>Mar 05</b>	<b>Monday</b>	<b>Senate Finance 532</b>	<b>5:00 PM</b>
	Agenda TBA		

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**OTHER MEETINGS****JOINT LEGISLATIVE HEALTH CAUCUS**

<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 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		