

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

**Juneau, Alaska**

**Monday**

**March 17, 2008**

**Sixty-third Day**

Pursuant to adjournment the Senate was called to order by President Green at 11:16 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Pastor Tom Matthews of Douglas Island Bible Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Dear Lord,

Another week has begun here in the legislative session, and I just want to pray for the men and women here in the Senate as they discuss the business of the great state of Alaska.

By this point in the process, they are getting tired and needing your strength to persevere. I would ask that you would give them clarity of mind, and the ability to make wise decisions as various pieces of legislation are put before them.

I would pray Lord, that each senator would walk in honesty and integrity, and that justice would prevail. What an awesome responsibility and privilege it is to serve our state in this role.

Thank you that I can lift this prayer in the name of your beloved Son, Jesus Christ. Amen.

Senator French led the Senate in the Pledge of Allegiance.

### **Certification**

Senator Ellis moved and asked unanimous consent that the journals for the sixtieth through sixty-second legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

### **Communications**

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

#### **A Program Report**

from Joe Austerman, Manager, Office of Economic Development  
Department of Commerce, Community and Economic Development  
in accordance with AS 44.62.218

#### **Final Commission Report**

Alaska Climate Impact Assessment Commission  
from Representatives Samuels, Chair, and Joule, Vice Chair  
in accordance with Legislative Resolve No. 49 (2006)

### **Standing Committee Reports**

#### **SB 120**

The Finance Committee considered SENATE BILL NO. 120 "An Act relating to the calculation and payment of unemployment compensation benefits; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 120(FIN) "An Act relating to disclosure of certain information from the records of the Department of Labor and Workforce Development and limiting the use of the disclosed information, and to the calculation and payment of unemployment compensation benefits; and providing for an effective date."

Signing do pass: Senator Stedman, Cochair; Senator Elton. Signing no recommendation: Senator Hoffman, Cochair; Senators Thomas, Dyson, Olson.

The following fiscal information was published today:

Fiscal Note No. 2, Department of Labor and Workforce  
Development

The bill was referred to the Rules Committee.

#### **SB 209**

The Finance Committee considered SENATE BILL NO. 209 "An Act extending the termination date of the Alaska Commission on Aging; and providing for an effective date." Signing do pass: Senators Hoffman, Stedman, Cochairs; Senators Elton, Thomas, Huggins. Signing no recommendation: Senators Dyson, Olson.

The following fiscal information was published today:

Fiscal Note No. 2, Department of Health and Social Services

The bill was referred to the Rules Committee.

#### **SB 243**

The Finance Committee considered SENATE BILL NO. 243 "An Act relating to the duties and powers of the Alaska Commission on Aging and the Department of Health and Social Services" and recommended the adoption of the Health, Education and Social Services Committee Substitute offered on page 2004. Signing do pass: Senators Hoffman, Stedman, Cochairs; Senators Elton, Thomas, Huggins. Signing no recommendation: Senator Olson. Signing amend: Senator Dyson.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Health and Social Services

The bill was referred to the Rules Committee.

#### **SB 254**

The Finance Committee considered SENATE BILL NO. 254 "An Act extending the termination date of the Alaska regional economic assistance program; and providing for an effective date." Signing do pass: Senators Hoffman, Stedman, Cochairs; Senators Elton, Thomas, Dyson, Huggins. Signing no recommendation: Senator Olson.

The following fiscal information was published today:

Fiscal Note No. 3, Department of Commerce, Community and  
Economic Development

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

**SB 273**

The Judiciary Committee considered SENATE BILL NO. 273 "An Act relating to cruelty to animals and promoting an exhibition of fighting animals" and recommended it be replaced with

CS FOR SENATE BILL NO. 273(JUD)

Signing do pass: Senator French, Chair; Senator Wielechowski.  
Signing no recommendation: Senators Therriault, McGuire.

The following fiscal information was published today:

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

The bill was referred to the Rules Committee.

**SB 300**

The Health, Education and Social Services Committee considered SENATE BILL NO. 300 "An Act establishing the Alaska Health Care Commission and the Alaska health care information office; relating to health care planning and information; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 300(HES) "An Act establishing the Alaska Health Care Commission and the Alaska health care information office; relating to health care planning and information; relating to a certificate of need study; and providing for an effective date."

Signing do pass: Senator Davis, Chair; Senators Elton, Thomas, Cowdery. Signing do not pass: Senator Dyson.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Health and Social Services

Fiscal Note No. 2, Department of Health and Social Services

Fiscal Note No. 3, Department of Health and Social Services

The bill was referred to the Finance Committee.

#### **SJR 17**

The Resources Committee considered SENATE JOINT RESOLUTION NO. 17 Urging the United States Congress to provide a means for consistently sharing, on an ongoing basis, revenue generated from oil and gas development on the outer continental shelf with all coastal energy-producing states to ensure that those states develop, support, and maintain necessary infrastructure and preserve environmental integrity. Signing do pass: Senator Huggins, Chair; Senators Wielechowski, Wagoner, Green, McGuire, Stevens.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Senate Resources Committee

The resolution was referred to the Rules Committee.

### **Consideration of the Calendar**

#### **Second Reading of Senate Bills**

#### **SB 170**

President Green stated SENATE BILL NO. 170 "An Act requiring that health care insurers provide insurance coverage for well-baby exams" would be returned to the Rules Committee. Without objection, the bill was returned to the Rules Committee.

#### **Second Reading of House Bills**

#### **HB 182**

CS FOR HOUSE BILL NO. 182(JUD) "An Act making the offering of certain promotional checks an unfair or deceptive act or practice" was read the second time.

Senator Ellis moved and asked unanimous consent that the bill be advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR HOUSE BILL NO. 182(JUD) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 182(JUD) "An Act making the offering of certain promotional checks an unfair or deceptive act or practice" pass the Senate?" The roll was taken with the following result:

CSHB 182(JUD)

Third Reading - Final Passage

**YEAS: 19 NAYS: 0 EXCUSED: 0 ABSENT: 1**

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Hoffman, Huggins, Kookesh, McGuire, Olson, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

Absent: Stedman

and so, CS FOR HOUSE BILL NO. 182(JUD) passed the Senate, was signed by the President and Secretary and returned to the House.

### **Second Reading of Senate Resolutions**

#### **SCR 19**

SPONSOR SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 19 was read the second time and was before the Senate on final passage.

Senators Wilken, Ellis, French, Davis, Kookesh moved and asked unanimous consent to be shown as cosponsors on the resolution. Without objection, it was so ordered.

The question being: "Shall SPONSOR SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 19 Relating to implementation of the recommendations of the Governor's Summit on Early Learning, pass the Senate?" The roll was taken with the following result:

SSSCR 19

Second Reading - Final Passage

**YEAS: 14 NAYS: 5 EXCUSED: 0 ABSENT: 1**

Yeas: Davis, Ellis, Elton, French, Hoffman, Huggins, Kookesh, McGuire, Olson, Stevens, Therriault, Thomas, Wielechowski, Wilken

Nays: Bunde, Cowdery, Dyson, Green, Wagoner

Absent: Stedman

and so, SPONSOR SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 19 passed the Senate.

Senator Therriault gave notice of reconsideration.

### **Citations**

In Memoriam – Anita J. Byers

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

Representative(s) Olson

In Memoriam – Clifford Allyn Massie

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

Representative(s) Olson

In Memoriam – Morris Lee Porter Sr.

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

Representative(s) Chenault

In Memoriam – James 'Jim' Roy Howard, Sr.

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

Representative(s) Seaton

In Memoriam – Robert G. "Odie" Kohlbeck

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

Representative(s) Seaton

In Memoriam – Frieda Rose Monson

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

Representative(s) Seaton

In Memoriam – Frank William Hill

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

Representative(s) Seaton, Edgmon

In Memoriam – Dormand Clare McGraw Sr.

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

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

Senator Ellis 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**

Honoring – Central Mat-Su Fire Department On-Call Responders

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

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



**Unfinished Business****HB 182**

Senators McGuire, Elton, Wielechowski, French moved and asked unanimous consent to be shown as cross sponsors on CS FOR HOUSE BILL NO. 182(JUD) "An Act making the offering of certain promotional checks an unfair or deceptive act or practice." Without objection, it was so ordered.

Senator Wagoner moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, March 21 through morning plane time, March 24; from afternoon plane time, April 18 through morning plane time, April 27; and from afternoon plane time, May 3 through morning plane time, May 7. Without objection, Senator Wagoner was excused.

**Announcements**

Announcements are at the end of the journal.

**Adjournment**

Senator Ellis moved and asked unanimous consent that the Senate stand in adjournment until 10:45 a.m., March 18, 2008. Without objection, the Senate adjourned at 11:45 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**

**Mar 18      Tuesday                                      Beltz 211              3:30 PM**  
 +    SB 304    CFEC AS INFORMATION RESOURCE  
 +=   SB 228    MUNICIPAL LAND USE REGULATION  
                  Bills Previously Heard/Scheduled

**Mar 20      Thursday                                      Beltz 211              3:30 PM**  
                  -- MEETING CANCELED --  
 +                   Bills Previously Heard/Scheduled  
                  -----

**FINANCE**

**Mar 17      Monday                                      Senate Finance 532              9:00 AM**  
                  -- Recessed to 5:00 pm --  
 +=   HB 310    APPROP: OPERATING BUDGET/LOANS/FUNDS  
 +=   HB 312    APPROP: MENTAL HEALTH BUDGET  
 +                   Statewide Public Testimony  
                  -- 2 Minute Time Limit --  
                  9 - 10 am Juneau  
                  10 - 11 am Kenai, Valdez, Ketchikan  
                  Kodiak, Seward, Mat-Su, Glennallen, Tok  
                  1 - 2 pm Fairbanks  
                  2 - 3:30 pm Anchorage  
                  5 - 5:30 pm Sitka, Wrangell,  
                  Petersburg, Homer, Dillingham, Cordova  
                  5:30 - 6:30 pm Bethel, Kotzebue, Barrow,  
                  Nome, Delta Junction, Off-nets  
 +                   Bills Previously Heard/Scheduled  
                  Meeting will be recessed to the Call of the Chair

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## FINANCE (continued)

<b>Mar 18</b>	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
	No Meeting Scheduled		
<b>Mar 19</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+	SB 265	SEX OFFENDERS & CHILD KIDNAPPERS	
+		Bills Previously Heard/Scheduled	
+=	HB 310	APPROP: OPERATING BUDGET/LOANS/FUNDS	
+=	HB 312	APPROP: MENTAL HEALTH BUDGET	
<b>Mar 20</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
	No Meeting Scheduled		
<b>Mar 21</b>	<b>Friday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+=	SB 28	LIMIT OVERTIME FOR REGISTERED NURSES	
+=	SB 201	PUBLIC FINANCE WEBSITE	
+		Bills Previously Heard/Scheduled	
<b>Mar 22</b>	<b>Saturday</b>	<b>Senate Finance 532</b>	<b>10:00 AM</b>
+		Bills Previously Heard/Scheduled	

## HEALTH, EDUCATION & SOCIAL SERVICES

<b>Mar 17</b>	<b>Monday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	-- MEETING CANCELED --		
+	SB 206	CHILDREN'S TRUST GRANT FOR ENDOWMENT	
		<Bill Hearing Postponed to 03/19/08>	
+	SB 210	APPROP: ALASKA COMMUNITY FOUNDATION	
		<Bill Hearing Postponed to 03/19/08>	
+		Bills Previously Heard/Scheduled	
+=	SB 107	NATUROPATHS	
<b>Mar 19</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
+=	SB 206	CHILDREN'S TRUST GRANT FOR ENDOWMENT	
+=	SB 210	APPROP: ALASKA COMMUNITY FOUNDATION	
+		Bills Previously Heard/Scheduled	
+=	SB 107	NATUROPATHS	
<b>Mar 21</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	No Meeting Scheduled		

**JUDICIARY**

**Mar 17 Monday Beltz 211 1:30 PM**  
 += SB 234 CRIMINAL LAW/PROCEDURE: OMNIBUS BILL  
 + SB 293 ELECTRONIC COMMUNICATION DEVICES  
 + Bills Previously Heard/Scheduled

**Mar 19 Wednesday Beltz 211 1:30 PM**  
 += SB 234 CRIMINAL LAW/PROCEDURE: OMNIBUS BILL  
 + Bills Previously Heard/Scheduled

**Mar 21 Friday Beltz 211 1:30 PM**  
 + HJR 34 FEDERAL FUNDING FOR DNA TESTING  
 += HB 163 PROPERTY FORECLOSURES AND EXECUTIONS  
 + Confirmation Hearing:  
 Alaska Public Offices Commission  
 <Rescheduled from 03/14/08>  
 + Bills Previously Heard/Scheduled  
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**LABOR & COMMERCE**

**Mar 18 Tuesday Beltz 211 1:30 PM**  
 + SB 179 DEPENDENT HEALTH INSURANCE; AGE LIMIT  
 + SB 263 ARCHITECTS, ENGRS, SURVEYORS BD/EXEMPTION  
 Bills Previously Heard/Scheduled  
 += SB 297 NONUNION PUBLIC EMPLOYEE SALARY & BENEFIT  
 += HB 65 PERSONAL INFORMATION & CONSUMER CREDIT

**Mar 20 Thursday Beltz 211 1:30 PM**  
 + HB 320 SEARCH & RESCUE: CERTIFICATION/WORK.COMP  
 Bills Previously Heard/Scheduled

**Mar 22 Saturday Beltz 211 10:00 AM**  
 -- NOTE: Meeting Time --  
 Bills Previously Heard/Scheduled  
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**RESOURCES**

**Mar 17 Monday Butrovich 205 3:30 PM**  
 += SB 214 HUNTING BY MEMBERS OF THE MILITARY  
 Confirmation Hearings:  
 Board of Fisheries  
 Board of Game  
 Bills Previously Heard/Scheduled  
 -- Testimony <Time Limit May Be Set> --

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## RESOURCES (continued)

<b>Mar 19</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
+ SB 284	BOARD OF FISHERIES: MEMBERSHIP		
+ HJR 14	EXXON PLAINTIFFS; H.R. 2419, SEC. 12801		
+	Confirmation Hearing:		
	AK Commercial Fisheries Entry Commission		
+	Bills Previously Heard/Scheduled		
	-- Testimony <Time Limit May Be Set> --		
<b>Mar 21</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
+	Confirmation Hearings:		
	Big Game Commercial Services Board		
+ SB 237	MGMT OF SUSTAINABLE SALMON FISHERIES		
+ SB 301	LEASE-PURCHASE: HATCHERY		
	Bills Previously Heard/Scheduled		
	-- Testimony <Time Limit May Be Set> --		
<b>Mar 22</b>	<b>Saturday</b>	<b>Butrovich 205</b>	<b>11:00 AM</b>
+	Bills Previously Heard/Scheduled		
	-- Testimony <Time Limit May Be Set> --		

## STATE AFFAIRS

<b>Mar 18</b>	<b>Tuesday</b>	<b>Beltz 211</b>	<b>9:00 AM</b>
+ SB 183	REPEAL DEFINED CONTRIB RETIREMENT PLANS		
+ SB 259	EFFECTIVE DATE: MEDICAL ASSISTANCE LAWS		
+ SB 260	2008 REVISOR'S BILL		
+	Bills Previously Heard/Scheduled		
<b>Mar 20</b>	<b>Thursday</b>	<b>Beltz 211</b>	<b>9:00 AM</b>
+ SB 198	CAMPAIGN FINANCE/ELECTION CODE VIOLATIONS		
+ SB 203	LEGISLATIVE ETHICS: VOTING & CONFLICTS		
+ SCR 12	AMEND UNIFORM RULES: ABSTAIN FROM VOTING		
+ SB 199	CAMPAIGN FINANCE COMPLAINTS		
+ SB 213	LEGISLATIVE AUDIT DIVISION POWERS		
+	Bills Previously Heard/Scheduled		

## TRANSPORTATION

<b>Mar 18</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>1:00 PM</b>
	No Meeting Scheduled		

**TRANSPORTATION (continued)**

<b>Mar 20</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>2:00 PM</b>
	-- Time Change --		
SB 298	MARINE TRANSPORTATION: BOARD & DIVISION		

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

<b>Mar 19</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>
+	Bills Previously Heard/Scheduled		
<b>Mar 21</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>
+	Bills Previously Heard/Scheduled		
<b>Mar 22</b>	<b>Saturday</b>	<b>Butrovich 205</b>	<b>10:00 AM</b>
+	Bills Previously Heard/Scheduled		

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

<b>Mar 18</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>9:00 AM</b>
+	Address on Veterans' Issues by the Honorable Lisa Murkowski, U.S. Senator		

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**LEGISLATIVE BUDGET & AUDIT**

<b>Mar 17</b>	<b>Monday</b>	<b>House Finance 519</b>	<b>8:30 AM</b>
	Contracts		
<b>Mar 25</b>	<b>Tuesday</b>	<b>House Finance 519</b>	<b>8:30 AM</b>
	Final Audits - FY08 Statewide Single Audit Dept. of Admin., AK Data Enterprise Reporting System Preliminary Audits - Dept. of Natural Resources, Matanuska Maid Dept. Environmental Conservation, Div. of Spill Prevention & Response		

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**JOINT COMMITTEES (continued)**

**LEGISLATIVE COUNCIL**

<b>Mar 20</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>5:00 PM</b>
	FY07 Legislature Audit		
	Cutting Edge Development, Inc. Contract Amendment		
	Coldfoot Environmental Services, Inc.		
	Contract Approval		
	Goldstein Improvement Co. Lease Renewal Approval		
	90 Day Session Subcommittee		
	Charitable Event Approval - Alaska Youth		
	Choir Touring Dinner/Fundraiser		
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**OTHER MEETINGS**

**JOINT LEGISLATIVE HEALTH CAUCUS**

<b>Mar 19</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>12:00 PM</b>
	-- MEETING CANCELED --		
	Measuring Success: Improving Health Indicators		
<b>Apr 02</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>12:00 PM</b>
	High Quality, Low Cost		
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**JOINT SESSION**

<b>Mar 18</b>	<b>Tuesday</b>	<b>House Chamber</b>	<b>11:00 AM</b>
	-- Date Change --		
	Annual Address by the Honorable		
	Lisa Murkowski, U.S. Senator		