

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

**Juneau, Alaska**

**Friday**

**January 29, 2010**

**Eleventh Day**

Pursuant to adjournment the Senate was called to order by President Stevens at 11:02 a.m.

The roll showed fourteen members present. Senators Hoffman, Huggins, McGuire, Stedman were excused from a call of the Senate. Senators Coghill, Olson were absent.

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

Senator Ellis moved and asked unanimous consent that Senator Olson be excused from a call of the Senate from today through evening plane time, January 31. Without objection, Senator Olson was excused.

The prayer was offered by the Chaplain, Vicar Michael J. Steckel of Faith Lutheran Church. Senator Kookesh moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Dear Lord, in the gospel of Matthew the eleventh chapter you said, "Come to me, all you who are weary and burdened and I will give you rest. Take my yoke upon you and learn from me, for I am gentle and humble in heart and you will find rest for your souls. For my yoke is easy and my burden is light."

Gracious God we praise and thank you for giving us work. We give thanks for the work which was accomplished this week. Continue to strengthen and

sustain the members of this legislature in their work as they serve the people of Alaska. Also, at the end of this week, grant to them rest of body, soul and mind, so they may be re-energized and renewed in their tasks for the upcoming week.

I pray this in the name of Jesus Christ. Amen.

Senator Wagoner led the Senate in the Pledge of Allegiance.

### **Certification**

Senator Ellis moved and asked unanimous consent that the journals for the ninth and tenth legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

### **Communications**

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

Annual Report to the Legislature on Efforts to Obtain and Implement State Primacy for the National Pollutant Discharge Elimination System (NPDES)  
from Lynn Tomich Kent, Director, Division of Water, Department of Environmental Conservation  
in accordance with Chapter 95 SLA 2005

### **Standing Committee Reports**

#### **SB 43**

The Community and Regional Affairs Committee considered SENATE BILL NO. 43 "An Act adding a second verse to the official Alaska state song." Signing do pass: Senator Olson, Chair; Senators Kookesh, Menard, Thomas.

The following fiscal information was published today:  
Fiscal Note No. 1, zero, Office of the Governor

The bill was referred to the State Affairs Committee.

**SB 184**

The State Affairs Committee considered SENATE BILL NO. 184 "An Act relating to public access to legislative committee meetings during regular legislative sessions by Internet broadcast." Signing do pass: Senator Menard, Chair; Senators French, Meyer, Paskvan, Kookesh.

The following fiscal information was published today:  
Fiscal Note No. 1, Legislative Agency

The bill was referred to the Finance Committee.

**SB 194**

The State Affairs Committee considered SENATE BILL NO. 194 "An Act relating to civil damages for certain alcohol violations" and recommended it be replaced with

CS FOR SENATE BILL NO. 194(STA) "An Act relating to penalties and civil damages for certain alcohol violations."

Signing do pass: Senator Menard, Chair; Senators French, Meyer, Paskvan, Kookesh.

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

The bill was referred to the Judiciary Committee.

**Introduction and Reference of Senate Bills**

**SB 244**

SENATE BILL NO. 244 BY SENATORS STEDMAN, Egan, entitled:

"An Act providing that, during the governor's term of office, the duty station of the governor is Juneau, and prohibiting payment of certain travel allowances for use of the governor's personal residence."

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

**SB 245**

SENATE BILL NO. 245 BY THE SENATE FINANCE COMMITTEE, entitled:

"An Act relating to the salmon product development tax credit; and providing for an effective date by amending an effective date in sec. 7, ch. 57, SLA 2003, as amended by sec. 4, ch. 3, SLA 2006, and by sec. 4, ch. 8, SLA 2008."

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

**SB 246**

SENATE BILL NO. 246 BY THE SENATE RULES COMMITTEE BY REQUEST, entitled:

"An Act increasing the number of superior court judges designated for the third judicial district; and providing for an effective date."

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

**SB 247**

SENATE BILL NO. 247 BY SENATOR OLSON, entitled:

"An Act extending the termination date of the Board of Pharmacy; and providing for an effective date."

was read the first time and referred to the Labor and Commerce and Finance Committees.

**SB 248**

SENATE BILL NO. 248 BY SENATOR OLSON, entitled:

"An Act extending the termination date of the Board of Marital and Family Therapy; and providing for an effective date."

was read the first time and referred to the Labor and Commerce and Finance Committees.

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

In Memoriam - Ron Sparks  
Representative(s) Thomas  
Senator(s) Kookesh, Stevens, Bunde, Coghill, Davis, Dyson, Egan, Ellis, Hoffman, Huggins, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

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**

Senator Bunde moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, February 5 through morning plane time, February 10. Without objection, Senator Bunde was excused.

Senator French moved and asked unanimous consent to be excused from a call of the Senate on February 1, to morning plane time. Without objection, Senator French was excused.

Senator Menard moved and asked unanimous consent to be excused from a call of the Senate from plane time, January 29 through plane time, January 31. Without objection, Senator Menard was excused.

Senator Kookesh moved and asked unanimous consent to be excused from a call of the Senate from January 29 through plane time, February 1. Without objection, Senator Kookesh 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 11:00 a.m., February 1, 2010. Without objection, the Senate adjourned at 11:23 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 02 Tuesday Beltz 105 (tsbldg) 3:30 PM**  
 No Meeting Scheduled

**Feb 04 Thursday Beltz 105 (tsbldg) 3:30 PM**  
 += SB 43 SECOND VERSE OF ALASKA'S STATE SONG  
 <Bill Hearing Canceled>  
 += SB 212 MUNICIPAL ENERGY IMPROVEMENTS PROGRAM  
 + SB 120 MUNICIPAL PROPERTY TAX EXEMPTION  
 + SB 232 MUNICIPAL RESIDENTIAL PROPERTY TAXES

**EDUCATION**

**Jan 29 Friday Fahrenkamp 203 8:00 AM**  
 += SB 109 REPEAL SECONDARY SCHOOL EXIT EXAM

**Feb 01 Monday Beltz 105 (tsbldg) 8:00 AM**  
 + SB 237 SCHOOL CONSTRUCTION DEBT REIMBURSEMENT  
 Bills Previously Heard/Scheduled

**Feb 03 Wednesday Barnes 124 8:00 AM**  
 -- Location Change --  
 Joint w/(H) Education  
 + Overview: Governor's Performance Scholarships  
 + SB 224 POSTSECONDARY SCHOLARSHIPS  
 Bills Previously Heard/Scheduled

**Feb 05 Friday Beltz 105 (tsbldg) 8:00 AM**  
 + SB 236 TAX CREDITS FOR EDUCATIONAL CONTRIBUTIONS  
 Bills Previously Heard/Scheduled

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**FINANCE**

<b>Jan 29</b>	<b>Friday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
		No Meeting Scheduled	
<b>Feb 01</b>	<b>Monday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+		Overview by Dept of Revenue: State Savings Accounts and Budget Reserves	
<b>Feb 02</b>	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
		No Meeting Scheduled	
<b>Feb 03</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+		Presentations: Patrick Gamble, CEO, Alaska Railroad Corp Christine Klein, Deputy Commissioner of Aviation John Parott, Airport Manager, Ted Stevens Anchorage International Airport	
<b>Feb 04</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
		No Meeting Scheduled	
<b>Feb 05</b>	<b>Friday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+		Overview of State Bonding and Debt Instruments	

**HEALTH & SOCIAL SERVICES**

<b>Jan 29</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
		No Meeting Scheduled	
<b>Feb 01</b>	<b>Monday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
+ SB 238		MEDICAID FOR MEDICAL & INTERMEDIATE CARE	
<b>Feb 02</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>3:00 PM</b>
+		Joint w/ (H) H&SS Presentation: Children's Justice Task Force Report	
<b>Feb 03</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
		Joint w/ (H) H&SS Presentations: United Way - 211 Project Presentation; Alaska Health Care Commission Report	
+= SB 172		ALASKA HEALTH CARE COMMISSION	



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**HEALTH & SOCIAL SERVICES**

**Feb 05      Friday                              Butrovich 205              1:30 PM**  
 No Meeting Scheduled

**JUDICIARY**

**Jan 29      Friday                              Beltz 105 (tsbldg)              1:30 PM**  
 No Meeting Scheduled

**Feb 01      Monday                              Beltz 105 (tsbldg)              1:30 PM**  
 + SB 60 UNIFORM PROBATE CODE; TRUSTS, WILLS  
 + HB 186 AK FIREARMS EXEMPT FROM FED. REGULATION  
 += HB 98 ALCOHOL: MINOR CONSUMING/LOCAL OPTION  
 + Bills Previously Heard/Scheduled

**Feb 03      Wednesday                              Beltz 105 (tsbldg)              1:30 PM**  
 + Overview: U.S. Supreme Court Decision:  
 Citizens United v. Federal Election Commission  
 Tom Dosik and John Ptacin, Alaska  
 Department of Law  
 Kathryn Kurtz and Alpheus Bullard,  
 Legislative Legal Services  
 -- Testimony <Invitation Only> --  
 + Bills Previously Heard/Scheduled

**Feb 05      Friday                              Beltz 105 (tsbldg)              1:30 PM**  
 No Meeting Scheduled

**LABOR & COMMERCE**

**Feb 02      Tuesday                              Beltz 105 (tsbldg)              2:00 PM**  
 += SB 175 INTERNET ACCESS AUTHORITY/TASK FORCE  
 Overview of Broadband in the State of Alaska  
 -- Testimony <Invitation Only> --  
 + Bills Previously Heard/Scheduled

**Feb 04      Thursday                              Beltz 105 (tsbldg)              2:00 PM**  
 + Overview of Economic Development in the  
 State of Alaska  
 -- Testimony <Invitation Only> --

**RESOURCES**

- Jan 29 Friday Butrovich 205 3:30 PM**  
 No Meeting Scheduled
- Feb 01 Monday Butrovich 205 3:30 PM**  
 + Pipeline Progress by TransCanada: FERC Filings Update
- Feb 03 Wednesday Butrovich 205 3:30 PM**  
 += SB 220 ENERGY EFFICIENCY/ ALTERNATIVE ENERGY  
 + SB 104 STAN PRICE STATE WILDLIFE SANCTUARY  
 + SB 195 MAKE GOLDSTREAM PUBLIC USE AREA PERMANENT  
 + HB 20 FISHERIES LOANS:ENERGY EFFICIENCY/AMOUNT
- Feb 04 Thursday Butrovich 205 3:30 PM**  
 + Update by the Administration - ACES and  
 Its Effect on Oil and Gas Investment  
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**STATE AFFAIRS**

- Feb 02 Tuesday Beltz 105 (tsbldg) 9:00 AM**  
 + SJR 21 CONST. AM: INCREASE NUMBER OF LEGISLATORS  
 + SB 92 U.S. PRESIDENTIAL ELECTION COMPACT
- Feb 04 Thursday Beltz 105 (tsbldg) 9:00 AM**  
 + SB 216 GRANTS TO DISASTER VICTIMS  
 + SB 217 GUARANTEED REVENUE BONDS FOR VETERANS  
 + SB 63 TRANSFER RESTRICTIONS ON TRUSTS  
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**TRANSPORTATION**

- Feb 02 Tuesday Butrovich 205 1:00 PM**  
 No Meeting Scheduled
- Feb 04 Thursday Butrovich 205 1:00 PM**  
 + HB 114 USE STATE TRANS FACILITY FOR DISASTER AID  
 + Bills Previously Heard/Scheduled  
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**FINANCE SUBCOMMITTEES****ADMINISTRATION**

<b>Feb 03</b>	<b>Wednesday</b>	<b>Beltz 105 (tsbldg)</b>	<b>3:30 PM</b>
	Division of General Services Division of Motor Vehicles Public Communications Services Public Defender Agency		
<b>Feb 10</b>	<b>Wednesday</b>	<b>Beltz 105 (tsbldg)</b>	<b>3:30 PM</b>
	Division of Finance Division of Personnel & Labor Relations Office of Public Advocacy Violent Crimes Compensation Board		
<b>Feb 17</b>	<b>Wednesday</b>	<b>Beltz 105 (tsbldg)</b>	<b>3:30 PM</b>
	Oil & Gas Conservation Commission Public Offices Commission		
<b>Feb 24</b>	<b>Wednesday</b>	<b>Beltz 105 (tsbldg)</b>	<b>3:30 PM</b>
	Enterprise Technology Services		

**COMMERCE, COMMUNITY & ECONOMIC DEV**

<b>Feb 02</b>	<b>Tuesday</b>	<b>Fahrenkamp 203</b>	<b>11:00 AM</b>
	DCCED Budget Overview by Commissioner Emil Notti Department Overview Introduction of Division Directors, Commissioner's Office, Administrative Services		
<b>Feb 11</b>	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>11:00 AM</b>
	DCCED Overview Continued - Other Items of Interest or Concerns (if necessary)		

**EDUCATION & EARLY DEVELOPMENT**

<b>Feb 11</b>	<b>Thursday</b>	<b>Room 103 (tsbldg)</b>	<b>5:00 PM</b>
+	Overview		
<b>Feb 18</b>	<b>Thursday</b>	<b>Room 103 (tsbldg)</b>	<b>5:00 PM</b>
+	FY11 Budget Request		

**FINANCE SUBCOMMITTEES (continued)**

**EDUCATION & EARLY DEVELOPMENT (continued)**

<b>Feb 26</b>	<b>Friday</b>	<b>Room 103 (tsbldg)</b>	<b>3:00 PM</b>
+	FY11 Budget Request		
<b>Mar 10</b>	<b>Wednesday</b>	<b>Room 103 (tsbldg)</b>	<b>12:00 PM</b>
+	FY11 Budget Request		
<b>Mar 17</b>	<b>Wednesday</b>	<b>Room 103 (tsbldg)</b>	<b>12:00 PM</b>
+	Closeout		

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**FISH & GAME**

<b>Feb 01</b>	<b>Monday</b>	<b>House Finance 519</b>	<b>5:00 PM</b>
	Joint w/(H) Fish & Game FY11 Budget Overview Division of Sport Fish Commercial Fisheries Entry Commission		

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**HEALTH & SOCIAL SERVICES**

<b>Feb 02</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>
+	Department Budget Overview -- Testimony <Invitation Only> --		
<b>Feb 04</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>
+	Department Budget Overview Continuation -- Testimony <Invitation Only> --		
<b>Feb 09</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>
+	Mental Health Trust Programs -- Testimony <Invitation Only> --		
<b>Feb 11</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>
+	Medicaid, FMAP, Provider Rates, Denali KidCare Update -- Testimony <Invitation Only> --		
<b>Feb 16</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>
+	Public Assistance (PA) programs: LEAN Approach, Adult PA Senior Benefit Payments, Child Care Assistance, and Heating Assistance -- Testimony <Invitation Only> --		

**FINANCE SUBCOMMITTEES (continued)****MILITARY & VETERANS' AFFAIRS**

**Feb 05**      **Friday**                      **Fahrenkamp 203**              **12:00 PM**  
 +  
 Departmental Overview  
 -- Testimony <Invitation Only> --

**Feb 16**      **Tuesday**                      **Butrovich 205**              **9:30 AM**  
 +  
 Committee Discussion and Draft Closeout  
 -- Testimony <Invitation Only> --

**NATURAL RESOURCES**

**Feb 04**      **Thursday**                      **Fahrenkamp 203**              **10:00 AM**  
 Department Overview

**Feb 09**      **Tuesday**                      **Fahrenkamp 203**              **1:00 PM**  
 Division of Oil and Gas

**Feb 11**      **Thursday**                      **Beltz 105 (tsbldg)**              **11:00 AM**  
 Gas Pipeline Implementation

**Feb 16**      **Tuesday**                      **Fahrenkamp 203**              **1:00 PM**  
 Division of Mining, Land, and Water  
 Division of Geological and Geophysical Surveys

**Feb 23**      **Tuesday**                      **Fahrenkamp 203**              **2:00 PM**  
 Division of Agriculture  
 Office of Project Management & Permitting  
 Support Services Division

**Mar 09**      **Tuesday**                      **Fahrenkamp 203**              **1:00 PM**  
 Close Out

**PUBLIC SAFETY**

**Feb 04**      **Thursday**                      **Fahrenkamp 203**              **1:30 PM**  
 +  
 Department Budget Overview  
 -- Testimony <Invitation Only> --

**FINANCE SUBCOMMITTEES (continued)**

**PUBLIC SAFETY (continued)**

<b>Feb 11</b> +	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
	Status of VPSO Program and Recruitment Efforts for Them and the State Troopers -- Testimony <Invitation Only> --		
<b>Feb 25</b> +	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
	Domestic Violence & Sexual Assault Programs -- Testimony <Invitation Only> --		

**SPECIAL COMMITTEES**

**ENERGY**

<b>Feb 04</b> +	<b>Thursday</b>	<b>Butrovich 205</b>	<b>11:15 AM</b>
SB 223	ENERGY EFFICIENCY BONDS; LOANS; FUND -- Teleconferenced <Public Testimony> --		

**JOINT COMMITTEES**

**ARMED SERVICES COMMITTEE**

<b>Feb 02</b> +	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>11:30 AM</b>
	Briefings from Alaska Marines; Updates on VA Health Care, Education Benefits, Alaska Territorial Guard, Fisher House, Veterans Summit, and PTA Report Summaries. -- Testimony <Invitation Only> --		
<b>Feb 04</b> +	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>9:00 AM</b>
	-- Time and Location Change -- Briefings from Alaskan Command and Alaska Army National Guard -- Testimony <Invitation Only> --		

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LEGISLATIVE BUDGET & AUDIT

**Feb 25**      **Thursday**                      **Senate Finance 532**              **4:00 PM**  
+              RPL's  
                 Audits - Executive Session  
                 AEA Renewable Energy Project Update  
                 Other Committee Business  
                 -- Testimony <Invitation Only> --

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LEGISLATIVE COUNCIL

**Feb 04**      **Thursday**                      **Senate Finance 532**              **4:00 PM**  
                 Legislature FY09 Audit  
                 Sanctioning of Charitable Events  
                 Late Per Diem Requests  
                 Travel & Per Diem Policy Approval  
                 Presentation of State Flag Policy  
                 Fosler Law Group Contract Amendment  
                 Revisor's Bill  
                 90 Day Session Report  
                 Building Naming Policy Discussion  
                 IT Subcommittee Recommendations  
                 Personal Service Contracts/PERS Waivers  
                 RFP 505 - Public Relations  
                 Consultations - ESA  
                 Legislative Space (Executive Session)  
                 Other Business

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SELECT COMMITTEE ON LEGISLATIVE ETHICS

**Jan 29**      **Friday**                              **Fahrenkamp 203**              **12:00 PM**  
                 Update - Campaign Year Restrictions and Prohibitions

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OTHER MEETINGS

FISH CAUCUS

**Jan 29**      **Friday**                              **Capitol 106**              **12:00 PM**  
+              -- MEETING CANCELED --  
                 Brown Bag Lunch

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**OTHER MEETINGS (continued)****JOINT LEGISLATIVE HEALTH CAUCUS**

- Feb 03**      **Wednesday**                      **Butrovich 205**              **12:00 PM**  
 -- Rescheduled to 02/10/10 --  
 Health Care Commission Report and Recommendations
- Feb 05**      **Friday**                                      **Butrovich 205**              **12:00 PM**  
 "Raising the Dead: Hibernating Animals Give Scientists Clues  
 to Help Victims of Cardiac Arrest" by Dr. Kelly Drew,  
 University of Alaska-Fairbanks, Life Sciences Field of Studies  
 Bring your Lunch and Join Us
- Feb 10**      **Wednesday**                      **Butrovich 205**              **12:00 PM**  
 -- Rescheduled from 02/03/10 --  
 Commissioning Healthy, Safe Families  
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**JOINT SESSION**

- Feb 18**      **Thursday**                              **House Chamber**              **11:00 AM**  
 Annual Address by the Honorable  
 Lisa Murkowski, U.S. Senator  
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**MISCELLANEOUS MEETINGS**

- Feb 08**      **Monday**                              **Senate Finance 532**              **1:00 PM**  
 School District Legislative Fly-In  
 Informal Q&A Session Regarding Alaska's  
 Public School System
- Mar 29**      **Monday**                              **Senate Finance 532**              **1:00 PM**  
 School District Legislative Fly-In  
 Informal Q&A Session Regarding Alaska's  
 Public School System