

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

**Juneau, Alaska**

**Wednesday**

**March 9, 2016**

**Fifty-first Day**

Pursuant to adjournment the Senate was called to order by President Meyer at 11:05 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Reverend Dr. Phil Campbell, Northern Light United Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

As I have learned and as you know, as we were assembling on Monday, a citizen of our state took her own life. My thoughts are with all those who knew and loved her. In addition to whatever specifically will be learned about her death and the focused attention it might bring to the scourge of suicide, it also serves for me as a general reminder of how little I often know of what others are dealing with. I return here today with deepened appreciation both for the gift of life and for its fragility. In this spirit, I ask that as I pray, you use this time in a way appropriate for your own practice.

Creative Spirit, may you give to those gathered here and to all of us who reside in this great state, the gifts of appreciation and awareness - appreciation for life itself, and awareness of the many challenges that our fellow citizens face as they seek to navigate the day they have been given. Now help those in this

chamber to be aware of each other, so that together they will make valuable use of the day they have each been given. May its use result in wise and compassionate action for the betterment of all. Amen.

Senator Stedman led the Senate in the Pledge of Allegiance.

### **Certification**

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

### **Messages from the House**

Message dated March 7 was read stating the House passed and transmitted for consideration:

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

#### **HCR 22**

HOUSE CONCURRENT RESOLUTION NO. 22 BY THE HOUSE  
HEALTH AND SOCIAL SERVICES COMMITTEE,

Suspending Rules 24(c), 35, 41(b), and 42(e),  
Uniform Rules of the Alaska State Legislature,  
concerning Senate Bill No. 23, relating to  
opioid overdose drugs and to immunity for  
prescribing, providing, or administering opioid  
overdose drugs.

was read the first time and held on the Secretary's desk.

**Concur Messages****SB 23**

Message dated March 7 was read stating the House passed and returned for consideration CS FOR SENATE BILL NO. 23(JUD) "An Act relating to opioid overdose drugs and to immunity for prescribing, providing, or administering opioid overdose drugs" with the following amendment:

HOUSE CS FOR CS FOR SENATE BILL  
NO. 23(JUD) "An Act relating to the practice of  
pharmacy; relating to the dispensing of opioid  
overdose drugs by a pharmacist; relating to opioid  
overdose drugs and to immunity for prescribing,  
providing, or administering opioid overdose drugs;  
and providing for an effective date."  
(Title Change HCR 22)

Senator Coghill moved that the Senate concur in the House amendment. Senator Gardner objected, then withdrew her objection.

The question being: "Shall the Senate concur in the House amendment?" The roll was taken with the following result:

HCS CSSB 23(JUD)  
Shall the Senate Concur in the House  
Amendment to CSSB 23(JUD)?  
Effective Date

**YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0**

Yeas: Bishop, Coghill, Costello, Dunleavy, Egan, Ellis, Gardner, Giessel, Hoffman, Huggins, Kelly, MacKinnon, McGuire, Meyer, Micciche, Olson, Stedman, Stevens, Stoltze, Wielechowski

and so, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 23(JUD) "An Act relating to the practice of pharmacy; relating to the dispensing of opioid overdose drugs by a pharmacist; relating to opioid overdose drugs and to immunity for prescribing, providing, or administering opioid overdose drugs; and providing for an effective date."

Senator Coghill moved and asked unanimous consent that the vote on concurrence be considered the vote on the effective date clause. Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

#### **HCR 22**

Senator Coghill moved and asked unanimous consent to take up HOUSE CONCURRENT RESOLUTION NO. 22, which had been held on the Secretary's desk (page 2062). Without objection, the resolution was before the Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 22 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 23, relating to opioid overdose drugs and to immunity for prescribing, providing, or administering opioid overdose drugs, pass the Senate?" The roll was taken with the following result:

#### HCR 22

Final Passage

**YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0**

Yeas: Bishop, Coghill, Costello, Dunleavy, Egan, Ellis, Gardner, Giessel, Hoffman, Huggins, Kelly, MacKinnon, McGuire, Meyer, Micciche, Olson, Stedman, Stevens, Stoltze, Wielechowski

and so, HOUSE CONCURRENT RESOLUTION NO. 22 passed the Senate, was signed by the President and Secretary and returned to the House.

### **Standing Committee Reports**

#### **SB 74**

Forthcoming fiscal information (page 2049) for the Finance Committee Substitute for SENATE BILL NO. 74 "An Act relating to permanent fund dividends; relating to a medical assistance reform

program; establishing a personal health savings account program for medical assistance recipients; relating to the duties of the Department of Health and Social Services; establishing medical assistance demonstration projects; and relating to a study by the Department of Health and Social Services" was published today:

Fiscal Note No. 29, Department of Administration

Fiscal Note No. 30, Department of Commerce, Community and Economic Development

Fiscal Note No. 31, Department of Health and Social Services

Fiscal Note No. 32, Department of Health and Social Services

Fiscal Note No. 33, Department of Health and Social Services

Fiscal Note No. 34, Department of Health and Social Services

Fiscal Note No. 35, Department of Health and Social Services

Fiscal Note No. 36, Department of Health and Social Services

Fiscal Note No. 37, Department of Health and Social Services

Fiscal Note No. 38, Department of Health and Social Services

Fiscal Note No. 39, Department of Health and Social Services

Fiscal Note No. 40, Department of Health and Social Services

Fiscal Note No. 41, Department of Health and Social Services

Fiscal Note No. 42, Department of Health and Social Services

Fiscal Note No. 43, Department of Law

Fiscal Note No. 44, Department of Health and Social Services

#### **SB 91**

The State Affairs Committee considered SPONSOR SUBSTITUTE FOR SENATE BILL NO. 91 "An Act relating to criminal law and procedure; relating to controlled substances; relating to probation; relating to sentencing; establishing a pretrial services program with pretrial services officers in the Department of Corrections; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violations of municipal ordinances; relating to parole; relating to correctional restitution centers; relating to community work service; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to the disqualification of persons convicted of certain felony drug offenses from participation in the food stamp and temporary assistance programs; relating to the duties of the commissioner of corrections; amending Rules 6, 32, 32.1, 38, 41, and 43, Alaska Rules of Criminal Procedure, and repealing Rules 41(d) and (e), Alaska Rules of Criminal Procedure; and providing for an effective date" and recommended it be replaced with

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 91(STA) "An Act relating to criminal law and procedure; relating to controlled substances; relating to probation; relating to sentencing; establishing a pretrial services program with pretrial services officers in the Department of Corrections; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violations of municipal ordinances; relating to parole; relating to correctional restitution centers; relating to community work service; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to the disqualification of persons convicted of certain felony drug offenses from participation in the food stamp and temporary assistance programs; relating to the disqualification of persons convicted of specified drug offenses from receiving public assistance; relating to the duties of the commissioner of corrections; amending Rules 6, 32, 32.1, 38, 41, and 43, Alaska Rules of Criminal Procedure, and repealing Rules 41(d) and (e), Alaska Rules of Criminal Procedure; and providing for an effective date."

Signing do not pass: Senator Stoltze, Chair. Signing do pass: Senators Coghil, McGuire. Signing no recommendation: Senator Huggins. Signing amend: Senator Wielechowski.

The following fiscal information was published today:

- Fiscal Note No. 1, zero, Alaska Judiciary System
- Fiscal Note No. 2, Department of Health and Social Services
- Fiscal Note No. 3, Department of Health and Social Services
- Fiscal Note No. 4, Department of Health and Social Services
- Fiscal Note No. 5, Department of Health and Social Services
- Fiscal Note No. 6, Department of Health and Social Services
- Fiscal Note No. 7, Department of Health and Social Services
- Fiscal Note No. 8, zero, Department of Health and Social Services
- Fiscal Note No. 9, zero, Department of Administration
- Fiscal Note No. 10, zero, Department of Administration
- Fiscal Note No. 11, zero, Department of Administration

Fiscal Note No. 12, Department of Corrections  
Fiscal Note No. 13, zero, Department of Public Safety  
Fiscal Note No. 14, zero, Alaska Judiciary System  
Fiscal Note No. 15, indeterminate, Department of Law

The bill was referred to the Judiciary Committee.

**SB 165**

The Labor and Commerce Committee considered SENATE BILL NO. 165 "An Act relating to the presence of minors in the licensed premises of manufacturers, wholesalers, and retailers of alcoholic beverages; relating to the Alcoholic Beverage Control Board; relating to the offense of minor consuming; relating to revocation of a driver's license for a minor consuming offense; relating to the effect of the revocation of a driver's license for a minor consuming offense on a motor vehicle liability insurance policy; and amending Rule 17, Alaska Rules of Minor Offense Procedure" and recommended it be replaced with

CS FOR SENATE BILL NO. 165(L&C)

Signing do pass: Senator Costello, Chair; Senators Giessel, Meyer, Stevens, Ellis.

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.

**SB 174**

The Judiciary Committee considered SENATE BILL NO. 174 "An Act relating to the regulation of firearms and knives by the University of Alaska" and recommended the adoption of the Education Committee Substitute offered on page 1963. Signing do pass: Senator McGuire, Chair; Senator Coghill. Signing no recommendation: Senators Micciche, Wielechowski.

The following previously published fiscal information applies:

Fiscal Note No. 1, University of Alaska

The bill was referred to the Finance Committee.

**Consideration of the Calendar****Second Reading of Senate Bills****SB 74**

SENATE BILL NO. 74 "An Act relating to permanent fund dividends; relating to a medical assistance reform program; establishing a personal health savings account program for medical assistance recipients; relating to the duties of the Department of Health and Social Services; establishing medical assistance demonstration projects; and relating to a study by the Department of Health and Social Services" was read the second time.

Senator MacKinnon, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 2048. Senator Gardner objected, then withdrew her objection. There being no further objection, CS FOR SENATE BILL NO. 74(FIN) "An Act relating to diagnosis, treatment, and prescription of drugs without a physical examination by a physician; relating to the delivery of services by a licensed professional counselor, marriage and family therapist, psychologist, psychological associate, and social worker by audio, video, or data communications; relating to the duties of the State Medical Board; relating to limitations of actions; establishing the Alaska Medical Assistance False Claim and Reporting Act; relating to medical assistance programs administered by the Department of Health and Social Services; relating to the controlled substance prescription database; relating to the duties of the Board of Pharmacy; relating to the duties of the Department of Commerce, Community, and Economic Development; relating to accounting for program receipts; relating to public record status of records related to the Alaska Medical Assistance False Claim and Reporting Act; establishing a telemedicine business registry; relating to competitive bidding for medical assistance products and services; relating to verification of eligibility for public assistance programs administered by the Department of Health and Social Services; relating to annual audits of state medical assistance providers; relating to reporting overpayments of medical assistance payments; establishing authority to assess civil penalties for violations of medical assistance program requirements; relating to seizure and forfeiture of property for medical assistance fraud; relating to the duties of the Department of Health and



Social Services; establishing medical assistance demonstration projects; relating to Alaska Pioneers' Homes and Alaska Veterans' Homes; relating to the duties of the Department of Administration; relating to the Alaska Mental Health Trust Authority; relating to feasibility studies for the provision of specified state services; amending Rules 4, 5, 7, 12, 24, 26, 27, 41, 77, 79, 82, and 89, Alaska Rules of Civil Procedure, and Rule 37, Alaska Rules of Criminal Procedure; and providing for an effective date" was adopted.

President Meyer stated CS FOR SENATE BILL NO. 74(FIN) will advance to third reading on the March 11 calendar.

### **Third Reading of Senate Bills**

#### **SB 127**

SENATE BILL NO. 127 "An Act relating to actions by insurers based on credit history or insurance score; and providing for an exception to consideration by an insurer of credit history or insurance score" was read the third time.

The question being: "Shall SENATE BILL NO. 127 "An Act relating to actions by insurers based on credit history or insurance score; and providing for an exception to consideration by an insurer of credit history or insurance score" pass the Senate?" The roll was taken with the following result:

#### **SB 127**

Third Reading - Final Passage

**YEAS: 15 NAYS: 5 EXCUSED: 0 ABSENT: 0**

Yeas: Bishop, Coghill, Costello, Dunleavy, Egan, Giessel, Hoffman, Huggins, MacKinnon, McGuire, Meyer, Micciche, Stedman, Stevens, Stoltze

Nays: Ellis, Gardner, Kelly, Olson, Wielechowski

and so, SENATE BILL NO. 127 passed the Senate.

Senator Gardner gave notice of reconsideration.

**Citations**

Honoring - Dennis Sorenson

Senator(s) Costello, Stoltze, Meyer, Bishop, Coghill, Dunleavy, Egan, Ellis, Gardner, Giessel, Hoffman, Huggins, Kelly, MacKinnon, McGuire, Micciche, Olson, Stedman, Stevens, Wielechowski

Honoring - West High School Eagles 2016 4A Hockey State Champions

Senator(s) Costello, Stoltze, Meyer, Bishop, Coghill, Dunleavy, Egan, Ellis, Gardner, Giessel, Hoffman, Huggins, Kelly, MacKinnon, McGuire, Micciche, Olson, Stedman, Stevens, Wielechowski

Senator Coghill 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****SB 192**

Senator Olson moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 192 "An Act authorizing the Alaska Industrial Development and Export Authority to issue bonds to finance the infrastructure and construction costs of the Sweetheart Lake hydroelectric project; and relating to legislative approval for a loan from the power project fund to the Lynn Canal Transmission Corporation." Without objection, it was so ordered.

**SB 193**

Senator Olson moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 193 "An Act extending the exemption from regulation by the Regulatory Commission of Alaska for certain facilities or plants generating energy from renewable energy resources." Without objection, it was so ordered.

Senator Ellis moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, March 10 through evening plane time, March 12. Without objection, Senator Ellis was excused.

**SB 18**

The reconsideration on SENATE BILL NO. 18 "An Act exempting a health care sharing ministry from regulation as an insurer" was not taken up this legislative day and the bill was referred to the Secretary for engrossment.

**Announcements****SB 91**

Senator McGuire, Chair, moved and asked unanimous consent that Uniform Rule 23 be waived on SPONSOR SUBSTITUTE FOR SENATE BILL NO. 91 "An Act relating to criminal law and procedure; relating to controlled substances; relating to probation; relating to sentencing; establishing a pretrial services program with pretrial services officers in the Department of Corrections; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violations of municipal ordinances; relating to parole; relating to correctional restitution centers; relating to community work service; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to the disqualification of persons convicted of certain felony drug offenses from participation in the food stamp and temporary assistance programs; relating to the duties of the commissioner of corrections; amending Rules 6, 32, 32.1, 38, 41, and 43, Alaska Rules of Criminal Procedure, and repealing Rules 41(d) and (e), Alaska Rules of Criminal Procedure; and providing for an effective date" for a Judiciary Committee meeting on March 11. Without objection, it was so ordered.

Announcements are at the end of the journal.

**Engrossment****SB 18**

SENATE BILL NO. 18 "An Act exempting a health care sharing ministry from regulation as an insurer" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**Adjournment**

Senator Coghill moved and asked unanimous consent that the Senate stand in adjournment until 10:00 a.m., March 11, 2016. Without objection, the Senate adjourned at 12:18 p.m.

Liz Clark  
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 10 Thursday Beltz 105 (tsbldg) 3:30 PM**  
 No Meeting Scheduled

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**EDUCATION**

**Mar 10 Thursday Butrovich 205 3:30 PM**  
 + Bills Previously Heard/Scheduled:  
 += HB 76 GOV COUNCIL ON DISABILITIES/SPECIAL ED  
 -- Public Testimony --  
 += SB 190 EXEMPTION FROM POST-SECONDARY ED REGS  
 -- Public Testimony --  
 += SB 191 LIMIT ABORTION SERV. PROVIDERS IN SCHOOLS  
 -- Public Testimony --

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**FINANCE**

**Mar 09 Wednesday Senate Finance 532 9:00 AM**  
 += SB 139 APPROP: OPERATING BUDGET/LOANS/FUNDS  
 -- Public Testimony <Limited to 2 Minutes> --  
 += SB 140 APPROP: MENTAL HEALTH BUDGET  
 -- Public Testimony <Limited to 2 Minutes> --  
 + Bills Previously Heard/Scheduled  
 Statewide Public Testimony: Please Arrive  
 15 Minutes Prior to End of Allotted Time Period  
 or Testimony Will Close Early.  
**(meeting continued on the next page)**

**FINANCE (continued)****(meeting continued from the previous page)**

Please Select a Spokesperson to Testify if You  
 Are a Member of a Group with the Same Message.  
 If You are Unable to Access Your Local LIO,  
 Written Testimony May be Submitted to the Senate  
 Finance Committee via Email:  
 Finance.committee@akleg.gov  
 9:00 - 10:45 Anchorage  
 1:00 - 1:45 Glennallen, Seward, Homer  
 3:00 - 4:30 Fairbanks, Mat-Su  
 4:45 - 5:45 Kenai, Kodiak, Dillingham

**Mar 10 Thursday Senate Finance 532 9:00 AM**

+ SB 139 APPROP: OPERATING BUDGET/LOANS/FUNDS  
 + SB 140 APPROP: MENTAL HEALTH BUDGET  
 + HB 256 APPROP: OPERATING BUDGET/LOANS/FUNDS  
 <Pending Referral>  
 + HB 257 APPROP: MENTAL HEALTH BUDGET  
 <Pending Referral>  
 + Bills Previously Heard/Scheduled

**Mar 11 Friday Senate Finance 532 9:00 AM**

+ SB 139 APPROP: OPERATING BUDGET/LOANS/FUNDS  
 + SB 140 APPROP: MENTAL HEALTH BUDGET  
 + HB 256 APPROP: OPERATING BUDGET/LOANS/FUNDS  
 <Pending Referral>  
 + HB 257 APPROP: MENTAL HEALTH BUDGET  
 <Pending Referral>  
 + Bills Previously Heard/Scheduled

**HEALTH & SOCIAL SERVICES**

**Mar 09 Wednesday Butrovich 205 1:30 PM**  
 No Meeting Scheduled

**Mar 11 Friday Butrovich 205 1:30 PM**  
 No Meeting Scheduled

**JUDICIARY**

**Mar 09      Wednesday                      Beltz 105 (tsbldg)              1:30 PM**  
 + SB 182 DNA TESTING EXEMPTION FOR GENEALOGY  
 + SB 91 OMNIBUS CRIM LAW & PROCEDURE; CORRECTIONS  
 + Bills Previously Heard/Scheduled  
 -- Public Testimony --

**Mar 11      Friday                                      Beltz 105 (tsbldg)              1:30 PM**  
 No Meeting Scheduled

**Mar 11      Friday                                      Beltz 105 (tsbldg)              2:00 PM**  
 Uniform Rule 23 Waived  
 += SB 91 OMNIBUS CRIM LAW & PROCEDURE; CORRECTIONS  
 -- Public Testimony --

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**LABOR & COMMERCE**

**Mar 10      Thursday                                  Beltz 105 (tsbldg)              1:30 PM**  
 + SB 55 OPTOMETRY & OPTOMETRISTS  
 + SB 197 MOTOR VEHICLE DEALER FRANCHISES  
 -- Testimony <Invitation Only> --  
 + Bills Previously Heard/Scheduled  
 -- Public Testimony --

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**RESOURCES**

**Mar 09      Wednesday                                  Butrovich 205                  3:30 PM**  
 + Confirmation on Governor's Appointees:  
 Board of Fisheries: Al Cain, Robert Ruffner  
 -- Public Testimony on Appointees --  
 + Bills Previously Heard/Scheduled

**Mar 11      Friday    Butrovich 205                  3:30 PM**  
 + Confirmation on Governor's Appointees Continued:  
 Board of Fisheries: Al Cain, Robert Ruffner  
 -- Public Testimony on Appointees --  
 + Bills Previously Heard/Scheduled

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**STATE AFFAIRS**

**Mar 10 Thursday Butrovich 205 8:30 AM**  
 + Confirmation on Governor's Appointees:  
 -- Public Testimony on Appointees --  
 Regulatory Commission of Alaska:  
 Rebecca Pauli  
 += SB 114 PERM FUND: EARNINGS, DEPOSITS, ACCOUNTS  
 += SB 128 PERM. FUND:DEPOSITS;DIVIDEND;EARNINGS  
 + Bills Previously Heard/Scheduled

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**TRANSPORTATION**

**Mar 10 Thursday Butrovich 205 1:00 PM**  
 No Meeting Scheduled

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**FINANCE SUBCOMMITTEES****COMMERCE, COMMUNITY & ECONOMIC DEV**

**Mar 10 Thursday Beltz 105 (tsbldg) 8:00 AM**  
 -- MEETING CANCELED --  
 Budget Closeout

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**PUBLIC SAFETY**

**Mar 09 Wednesday Beltz 105 (tsbldg) 8:00 AM**  
 -- MEETING CANCELED --  
 Budget Closeout

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**JOINT COMMITTEES****LEGISLATIVE BUDGET & AUDIT**

**Mar 18 Friday House Finance 519 7:30 AM**  
 -- Testimony <Invitation Only> --  
 Audits - Executive Session:  
 Statewide Single Audit FY15 - Preliminary  
 Commercial Passenger Vessel Tax Special  
 Audit - Preliminary  
 Other Committee Business



**OTHER MEETINGS**

**MISCELLANEOUS MEETING**

<b>Mar 10</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>12:00 PM</b>
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Lunch and Learn:  
Tax and Fiscal Policy Task Force Presentation  
by the American Legislative Exchange Council  
Sponsored by Senator Dunleavy