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Legislature set to reconvene as lawsuit challenges \$1.5 billion in federal coronavirus funding



(KTUU)

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The Alaska Legislature is set to reconvene after a lawsuit filed in Juneau Superior Court challenged the process used to disburse \$1.5 billion in federal coronavirus funding.

Senate President Cathy Giessel, R-Anchorage, said the Legislature will reconvene to get the funds out to Alaskans as soon as possible. The details of when lawmakers would meet is still under discussion.

"There are 60 of us, so, it is a wide-ranging discussion right now," Giessel said. "And, there's nothing determined yet."

House Speaker Bryce Edgmon, I-Dillingham, confirmed that those discussions are taking place among lawmakers.

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"It appears imminent that the Legislature will have to reconvene to approve the COVID-19 money. The details are still being worked on, but more will be known tomorrow," Edgmon said.

In late-March, lawmakers passed a budget in record time and recessed. The Legislature is still technically in its 121-day regular session which is set to expire on May 20.

Giessel said a decision has not been made whether lawmakers would meet before the end of the regular session.

The need to reconvene comes after a lawsuit was filed in Juneau, challenging how CARES Act funds are disbursed.

On Monday, the Legislative Budget and Audit Committee voted to approve spending nearly \$900 million in CARES Act funding. Over \$560 million would go to local communities, nearly \$300 million would go to small businesses and roughly \$50 million would go to fisheries.

The committee used the Revised Program Legislative (RPL) process to approve the funding with the intention that the full Legislature would ratify that decision when it next convened.

Eric Forrer, a Juneau resident and former University of Alaska regent, filed a suit on Wednesday, challenging that process. He claims the RPL process used by the legislative committee is unconstitutional and the Legislature cannot cede its appropriating authority.

If a temporary injunction was granted by a Juneau Superior Court judge, the CARES Act funding could feasibly be blocked for months until the Legislature meets.

The purpose of using the RPL process was to get the funds out as quickly as possible. Some lawmakers had expressed concerns that reconvening again could delay disbursing the funds during long debates over how they're allocated.

The desire now is to meet and ratify the decisions made through the RPL process to avoid a drawn-out process. "We would hope the process would be done correctly and would be done quickly," Giessel said.

Some lawmakers had expressed concerns about the constitutionality of using the RPL process.

"We've been saying for weeks that the full Legislature needs to go back in and vote on this," said Sen. Bill Wielechowski, D-Anchorage. "Even if you agree 100% with what the governor is trying to do, the constitution has requirements that have to be followed."

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