

ALASKA STATE LEGISLATURE
LEGISLATIVE COUNCIL
JUNE 18, 2020
1:00 PM

MEMBERS PARTICIPATING BY TELECONFERENCE

Senator Gary Stevens, Chair
Representative Louise Stutes, Vice Chair
Senator Tom Begich
Senator Cathy Giessel
Senator Bert Stedman
Senator Natasha von Imhof
Representative Bryce Edgmon
Representative Neal Foster
Representative Jennifer Johnston
Representative Steve Thompson

MEMBERS ABSENT

Senator John Coghill
Senator Lyman Hoffman
Representative DeLena Johnson
Representative Chuck Kopp

OTHER MEMBERS PRESENT

Representative Merrick

AGENDA

APPROVAL OF AGENDA
APPROVAL OF MINUTES
RATIFICATION OF CHARITY EVENTS
COMMITTEE BUSINESS
CONTRACT APPROVALS
OTHER COMMITTEE BUSINESS

SPEAKER REGISTER

Jessica Geary, Executive Director, Legislative Affairs Agency
(LAA)
Tim Banaszak, Information Technology (IT) Manager, LAA
JC Kestel, Procurement Officer, LAA

1:05:08 PM

I. CALL TO ORDER

CHAIR STEVENS called the Legislative Council meeting to order at 1:05pm from the Kodiak Legislative Information Office (LIO) via teleconference. Present at the call were: Senators Begich, Giessel, Stedman, Stevens, von Imhof; Representatives Edgmon, Foster, Johnston, Thompson, Stutes.

Members absent were: Senators Coghill, Hoffman; Representatives Johnson, Kopp.

10 members present.

II. APPROVAL OF AGENDA

1:07:18 PM

VICE-CHAIR STUTES moved and asked unanimous consent that Legislative Council approve the agenda as presented.

CHAIR STEVENS asked if there were corrections or additions to the agenda. Hearing none, the agenda was approved.

III. APPROVAL OF MINUTES

- A. February 12, 2020**
- B. February 25, 2020**
- C. March 10, 2020**

1:07:40 PM

VICE-CHAIR STUTES moved and asked unanimous consent that Legislative Council approve the minutes dated: February 12, 2020; February 25, 2020; and March 10, 2020 as presented.

CHAIR STEVENS asked if there were corrections or additions to those minutes. Seeing none, the minutes were approved.

IV. RATIFICATION OF CHARITY EVENTS

- A. 20th Annual Thanksgiving in March**
- B. 28th Annual Coal Classic Golf Tournament**

1:08:05 PM

VICE-CHAIR STUTES moved and asked unanimous consent that Legislative Council ratify the Chair's sanctioning of the following charitable events per AS 24.60.080 (a)(2)(B): 20th Annual Thanksgiving in March, and 28th Annual Coal Classic Golf Tournament.

CHAIR STEVENS objected for purpose of discussion. He has sanctioned these events and verified they are 501(c)(3) organizations. He asked if there was any discussion. Seeing none, he removed his objection and stated that the events have been ratified.

V. COMMITTEE BUSINESS

A. FY21 Hardware Refresh

[1:09:02 PM](#)

VICE-CHAIR STUTES moved that Legislative Council approve the FY21 Hardware Refresh expenditure in the amount of \$150,342.

CHAIR STEVENS objected for purpose of discussion and asked Tim Banaszak, IT Manager, to explain and answer questions.

TIM BANASZAK, IT Manager, Legislative Affairs Agency, said this is a request for the FY21 hardware refresh recommendations for the Council's consideration. We have thirty-five laptop workstations, seventeen tiny workstations, twenty laser printers, and thirty-three monitors for a total cost of \$150,342.

The list is based on a five-year computer refresh cycle, age of equipment, upkeep costs, performance, and obsolescence. The recommendations are also consistent with the Three-Year Technology Plan that standardizes a single, color laser printer for each office, reducing toner replacement costs, and increases the number of laptops to work remotely during and after COVID-19. It is cost efficient, leveraging government contract volume discount pricing. He said he was happy to answer any questions.

CHAIR STEVENS asked the result if this were not approved.

MR. BANASZAK responded that the many employees now working remotely would no longer be able to do so and would not have access to basic things like email. Also, with budget

reductions, equipment life has been extended up to a decade, so there would be equipment failures.

CHAIR STEVENS asked if there were comments or discussion.

REPRESENTATIVE JOHNSTON asked how many desktops are being moved between session and district offices.

MR. BANASZAK replied that half of those computers are desktop/tiny workstations and half are laptops; LAA moves approximately 120 per year.

REPRESENTATIVE JOHNSTON asked, regarding this purchase, if the Legislature is transitioning to all laptops to eliminate moving tiny workstations.

MR. BANASZAK responded that COVID-19 raised the issue of remote work. IT reached out to offices scheduled for refresh and saw the trend toward laptops versus desktops. While a laptop is slightly more expensive than a desktop, it is certainly the most efficient. IT would support moving toward laptops.

REPRESENTATIVE JOHNSTON asked if these seventeen tiny workstations are for offices that prefer a workstation versus a laptop.

MR. BANASZAK replied that is correct. There are some computers that do not move back and forth each year. Where possible, and remote workstations are not needed, the desktop is certainly the cheaper alternative. Historically, there has been approximately fifty to seventy-five percent desktops and fifty to twenty-five percent laptops, which is now changing. That is why there are still tiny workstations listed.

REPRESENTATIVE JOHNSTON asked how many tiny workstations remain permanently in one place.

MR. BANASZAK replied that he did not have the exact count, however the majority of those seventeen are permanent.

REPRESENTATIVE JOHNSTON said she hoped that continues to be encouraged because it seems a rather large and unnecessary annual cost.

CHAIR STEVENS thanked Representative Johnston for her good point and noted it is something Council has watched over the years. He asked if there were additional comments or discussion. Hearing none, he removed his objection and requested a roll call vote.

[1:15:11 PM](#)

A roll call vote was taken.

YEAS: Senators Begich, Giessel, Stevens, von Imhof; Representatives Edgmon, Foster, Johnston, Thompson, Stutes.

NAYS: None

The motion passed 9-0.

VI. CONTRACT APPROVALS

A. FY21 Microsoft Enterprise Software Renewal Agreement

[1:16:16 PM](#)

VICE-CHAIR STUTES moved that the Legislative Council authorize the Microsoft FY21 licensing payment to Software House International in the amount of \$144,402.52.

CHAIR STEVENS objected for purpose of discussion and asked Tim Banaszak, IT Manager, to explain and answer questions.

TIM BANASZAK, IT Manager, Legislative Affairs Agency, said this is the FY21 Microsoft Enterprise Software Renewal Agreement for \$144,402.52.

In 2018, Legislative Council approved the first installment of the State of Alaska's three-year contract with Software House International. This contract provides Microsoft products, including Windows 10, Windows server operating systems, and the Office software suite including: Word; Excel; Outlook; PowerPoint; Skype for Business; OneNote; Publisher; and Access database.

This agreement also provides licensing to operate the critical infrastructure and systems, including: Windows 10 PC/OS; Windows Server; SQL databases including BASIS; network storage (N drives); SharePoint; and web servers including www.akleg.gov and the Intranet. Part of the contract includes secure email, archiving, and protected

OneDrive file sharing, software licensing, and collaboration for mobile devices. The agreement also provides video and audio conferencing between legislative employees and others using the Microsoft Teams application. Finally, it includes software assurance which safeguards the applications, operating systems, and databases by providing the most current security updates and software versioning.

This third renewal, which begins July 1, 2020, provides the benefits of reduced-volume pricing, enhanced technical support, regular software upgrades, and training for technical and non-technical staff.

The Legislature's portion of the agreement for FY21 is \$144,402.52, which is budgeted under the Administrative Services allocation and requires Legislative Council's approval. If this request were not approved, the Legislature would no longer have access to email, Microsoft Office software, and leave critical infrastructure systems exposed to internet exploits. He said he was happy to answer any questions.

CHAIR STEVENS thanked Mr. Banaszak for anticipating his question and noted it would be quite damaging to the Legislature should Council not approve this.

REPRESENTATIVE STUTES asked if this had anything to do with why Zoom cannot be downloaded on legislative computers. She understood from IT that she could attend a meeting but not download Zoom, a venue that many people use. She tried Webex and found it difficult.

MR. BANASZAK replied the two issues are not connected. However, that raises the other question about using third party software. Part of the way IT manages the security and integrity of our IT infrastructure is by certifying all software and applications on our systems. What we have that is certified is Microsoft Teams, which has been vetted and works. The issue with Zoom is there are vulnerabilities so when we download it and do not control it, there have been security issues that resulted from that. He said he has been on weekly briefings with Zoom to look at that because Zoom's ease of use ranks at the top, from a Security standpoint it ranks lower. IT is looking at other options and software that becomes available, but right now we

really want to maintain the integrity of the legislature's equipment, enterprise, and information assets.

CHAIR STEVENS asked if there were further comments or questions. Hearing none, he removed his objection and requested a roll call vote.

1:22:01 PM

A roll call vote was taken.

YEAS: Senators Begich, Giessel, Stedman, Stevens, von Imhof; Representatives Edgmon, Foster, Johnston, Thompson, Stutes.

NAYS: None

The motion passed 10-0.

B. Bethel LIO Lease Renewal

1:22:53 PM

VICE-CHAIR STUTES moved that Legislative Council approve renewal No. 3 of the lease for Bethel Office Space in the amount of \$80,450.16.

CHAIR STEVENS objected for purpose of discussion and asked JC KESTEL, Procurement Officer, to explain and answer questions.

JC KESTEL, Procurement Officer, Legislative Affairs Agency, said LAA and Tunista, Inc. have a lease agreement for office space in Bethel, Alaska, that began July 1, 2015, and is currently on renewal two of the lease agreement.

Renewal No. 2 of the lease expires June 30, 2020. LAA would like approval to proceed with Renewal No. 3 for the period July 1, 2020, through June 30, 2021.

If Legislative Council approves Renewal No. 3, this will leave no more renewal options of the lease available and we must issue a bid or do a lease extension before Renewal No. 3 expires.

This lease exceeds \$35,000 in one fiscal year; therefore, Legislative Council's approval is required. He said he was happy to answer any questions.

-DRAFT-

CHAIR STEVENS asked if there were further comments or questions.

REPRESENTATIVE THOMPSON asked if the contract increased annually.

MR. KESTEL responded that this lease is subject to an annual CPI increase, which between FY20 and FY21 is approximately \$403.

REPRESENTATIVE THOMPSON asked if that was monthly or annual.

MR. KESTEL confirmed it is an annual increase.

SENATOR VON IMHOF asked if there had been a statewide comparison of all leased LIOs for cost per square foot, recognizing regional differences.

She noted the Bethel office space is approximately 2,070 square feet and asked how many employees work there.

MR. KESTEL responded there are four individuals who work in that space: Senator Hoffman; Representative Zulkosky; one staff for Representative Zulkosky; and one LIO Officer.

He said in response to the question regarding LIO lease comparisons, there was a comparison done several years ago at Legislative Council's request and he would have to research that outcome.

He continued that he could provide some examples of what other State facilities in the Bethel area pay per square foot for comparison. For example, the Department of Administration has leased space in the Bethel area at \$3.25 per square foot, Department of Law has leased space in the Bethel area at \$3.05 per square foot, and the Department of Administration has another leased space at the Bethel City Hall for approximately \$3.91 per square foot. The \$3.25 seems in line with other State facilities leasing in the Bethel area. He said, upon request, he could perform a statewide lease comparison report for Council.

CHAIR STEVENS said he thought it would be a good idea and appreciated Senator von Imhof's question. While it will be difficult to compare in some cases, for example the Legislature owns the Anchorage LIO, it would be valuable

information for Council to have if you would do that for us Mr. Kestel.

MR. KESTEL replied yes of course.

CHAIR STEVENS asked if there were further comments or questions. Hearing none, he removed his objection and requested a roll call vote.

1:28:55 PM

A roll call vote was taken.

YEAS: Senators Begich, Giessel, Stedman, Stevens, von Imhof; Representatives Edgmon, Foster, Johnston, Thompson, Stutes.

NAYS: None

The motion passed 10-0.

VII. OTHER COMMITTEE BUSINESS

A. COVID-19 Building/Office Closure Update

JESSICA GEARY, Executive Director, Legislative Affairs Agency stated she took a slightly different approach in sharing some of the protocols that LAA has adopted. As members may recall, at the beginning of the crisis there was not much time and we had to quickly come up with protocols, which have since been adjusted as new information has come out.

LAA management held weekly meetings to discuss, among other things, how staff were feeling related to workplace safety. She said something very helpful was a survey that she and Megan Wallace created and distributed to 138 LAA staff, 99 of whom responded. The overwhelming concern expressed was that even though she could implement a policy for LAA staff to follow protocol, the same was not true for partisan staff and legislators. Employees who can work from home continue to do so, but those employees who cannot do not always have control over their environment. LAA staff who consistently follow safety protocols do not necessarily want to interact with those who do not.

Ms. Geary said consistent protocols are needed because seventy-three percent of respondents are concerned with getting exposed to coronavirus while at work; forty-three percent are concerned with potentially spreading coronavirus to coworkers and family members.

There was a wide array of responses from staff across Alaska and some comments that stood out included, "The stress of worrying about getting infected was awful when working at the office. I was being very proactive, but what about the others in the building?" and, "Jumping the coronavirus's timeline and being exposed to someone who is not being held to LAA policy is a big concern to me." These are just two examples of several similar comments received.

If there were consistent protocols followed Legislature-wide it would alleviate many concerns. Also recognizing and appreciating that every person has a different circumstance; some people are low risk and may not be concerned, but we must be respectful to those who are extremely concerned. Alaska is fortunate to have low numbers, but this survey made it clear there are wide-ranging thoughts on this topic. In general, LAA employees felt very supported by management, who they thought were proactive and responsive, but many LAA staff work with non-LAA individuals in the LIO or in the Capitol (the Terry Miller Building is an exception as it is strictly LAA).

Ms. Geary said she wanted to provide that background. She noted that the memo members received in their meeting packet explains common sense actions that everyone has been practicing. She said she wanted to open that up for discussion and questions.

CHAIR STEVENS thanked Ms. Geary and appreciated her concern for staff and legislators having consistent practices. Being respectful of others is crucial. Yet, in the Senate's last session a member refused to wear a mask. He asked what we do with staff or legislators who do not wear a mask.

MS. GEARY asked if that is a question for her.

CHAIR STEVENS said yes and perhaps the Presiding Officers have comments as well.

MS. GEARY replied that LAA's approach is mutual respect for comfort levels, exhibited by Agency staff and partisan

staff and legislators. There are varying reasons why some people cannot wear a mask. In those cases, staying six feet apart and communicating that a mask will not be worn, so the other person can choose to maintain distance, is the best we can do. Our job is to support the Legislature.

CHAIR STEVENS thanked Ms. Geary and said he appreciated that. He realized this is a very difficult situation for everyone and that the best answer seems to be keep a distance if you cannot wear a mask for health reasons. He asked if there were any further comments.

SENATOR BEGICH said he had a couple comments. First, there were two Senators on the floor who did not wear masks and caused a member of his caucus to move their seating, as he believed Chair Stevens did. He said he is hopeful that Council will do something. The US Congress has said people cannot attend meetings without a mask. Alaska has been opening its economy and COVID-19 rates have spiked and will continue to spike because safety protocols are not being followed. He said he is hopeful a decision will be made today to support these protocols in as firm a way as possible with the duly elected members who choose to abrogate them placing all people at risk. Lastly, there was a comment made from the Executive Director that he disagreed with that some people might not be as susceptible; whether they are or are not, they may be a passive carrier of the virus. The reason masks are worn is to protect others.

CHAIR STEVENS asked if there were further comments. He stated that Council's goal was not necessarily to approve this, but to begin the discussion and receive an update from Ms. Geary. Further comments or thoughts on how to deal with these issues would certainly be appreciated.

B. Establish Continuity of Government Operations Subcommittee

CHAIR STEVENS said members have a memo from Ms. Geary establishing a Continuity of Government Operations Subcommittee and he asked for her thoughts or comments.

MS. GEARY replied that the Legislature had to respond very quickly with how to approach this. She said LAA worked with leadership and believes good, safe, and smart decisions were made. But going forward, not only for this pandemic,

but anything that might come at us in the future—whether it is a natural disaster or otherwise—it would be good to have this codified in a document. Many other state legislatures already have a Continuity of Government Operations plan. She noted she had an extensive discussion with her counterpart in Oregon and that this is an exhaustive process that cannot be done overnight, but she has software recommendations that could be helpful. This is a very good idea and having a subcommittee, especially if it were able to meet quickly and start making decisions, would be very helpful to the Legislature in the long run.

CHAIR STEVENS said he received from Ms. Geary a 140 page document from the State of Oregon's Legislature and the actual Continuity of Government Operations they established. Due to the document size, he did not send to members but is pleased to share upon request and will certainly provide to those who serve on the subcommittee. The Alaska Municipal League has done something similar on a smaller scale for recommendations to Alaskan cities and boroughs. He said he will share that as well and anything else that comes up that may be helpful.

He continued that the goal is to appoint this subcommittee and he hoped members are interested in serving on it. The subcommittee will meet quickly to resolve this matter soon. Those interested in serving, should contact him or Ms. Matheny who will schedule that meeting as soon as possible.

He asked if there were any further comments on the Continuity of Government Operations.

VIII. ADJOURN

CHAIR STEVENS thanked members for their time and said if there is nothing further to come before us, this committee is adjourned.

[1:41:06 PM](#)