

LEGISLATIVE COUNCIL
June 24, 2002

1. ROLL CALL

The Legislative Council meeting was called to order at 5:06 p.m. by Representative Joe Green, Legislative Council Chair, via-teleconference in the Terry Miller Legislative Office Building Conference Room 104.

The roll was taken. In attendance were Council members Green (via-teleconference), Kott, Murkowski, Ogan, Porter, Rokeberg, Cowdery, Donley, Halford, Stevens, Torgerson and Elton. Members absent: Berkowitz and Kelly. Staff present were: Varni, Cook, Clothier, Ford, Ibesate, Lobaugh, Price, and Schofield. Others present were: Greg Erickson.

2. APPROVAL OF APRIL 29, 2002 MINUTES

Senator Cowdery moved the minutes of the April 29, 2002 meeting be approved.

YEAS: Green, Kott, Murkowski, Ogan, Porter, Rokeberg, Cowdery, Halford, Stevens and Elton

NAYS: None

ABSENT: Berkowitz, Donley, Kelly and Torgerson

The motion passed 10 - 0.

3. DHL CONTRACT APPROVAL

Pam Varni, Executive Director, Legislative Affairs Agency informed Legislative Council about the renewal of the DHL Airways Inc., contract. DHL provides parcel pickup and delivery services for the Legislature. The Agency currently has a one-year contract with three (3) additional one (1) year renewals. These services are budgeted in the Administrative Services budget component. Ms. Varni is requesting approval for the second one-year renewal starting July 1, 2002 and ending June 30, 2003 not to exceed \$35,000.

Senator Cowdery moved that Legislative Council approve the one-year renewal option with DHL Airways, Inc., for parcel pickup and delivery services not to exceed \$35,000.

Discussion followed.

YEAS: Green, Kott, Murkowski, Ogan, Porter, Rokeberg, Cowdery, Halford, Stevens and Elton

NAYS: None

ABSENT: Berkowitz, Donley, Kelly and Torgerson

The motion passed 10 - 0.

4. OFFICE OF VICTIMS' RIGHTS OFFICE SPACE APPROVAL

Pam Varni, Executive Director, Legislative Affairs Agency informed Legislative Council on the Office of Victims' Rights Office space. Ms. Varni, stated, Stephen Branchflower has the option of several locations to choose from and will be selecting office space when he returns to Anchorage from vacation. Mr. Branchflower will be placed on the payroll effective July 8, 2002. Ms. Varni requested approval not to exceed \$43,000 per year for office space rental.

Discussion followed.

Senator Halford moved that Legislative Council approve the solicitation, award and expenditure not to exceed \$43,000 per year for office space rental for the Office of Victims' Rights.

YEAS: Green, Kott, Murkowski, Ogan, Porter, Rokeberg, Cowdery, Halford, Stevens and Elton

NAYS: None

ABSENT: Berkowitz, Donley, Kelly and Torgerson

The motion passed 10 - 0.

5. FY 03 LEGISLATURE UNALLOCATED REDUCTION OF \$200,000

Pam Varni, Executive Director, Legislative Affairs Agency updated the Legislative Council on the FY 03 operating budget for the Legislature which had a reduction of \$1,902,509 from FY 02 authorized. The monies were spread with the exception of the \$200,000 agency-wide general funds unallocated reduction. Ms. Varni requested direction in determining where the reductions were to be taken.

Discussion followed.

Senator Halford made a motion to allocate the \$200,000 reduction from the Council and Subcommittees.

Representative Porter made an amendment to Senator Halford's motion for a reduction of \$145,000 from the Council and Subcommittees and \$55,000 from the Immigrations Assistance program.

YEAS: Green, Murkowski, Ogan, Porter and Rokeberg

NAYS: Kott, Cowdery, Donley, Halford, Stevens, Torgerson and Elton

ABSENT: Berkowitz and Kelly

Motion failed 7 to 5.

Senator Elton moved Item #5 be moved to the next Legislative Council meeting.

YEAS: Green, Kott, Murkowski, Ogan, Porter, Rokeberg, Cowdery, Donley, Halford, Stevens, Torgerson and Elton

NAYS: None

ABSENT: Berkowitz and Kelly

Motion passed 12 to 0.

6. ANCHORAGE OFFICE SPACE APPROVAL - RFP #380

Senator Cowdery, Chair, Anchorage Office Space Subcommittee briefed the Council on the subcommittee's activities.

Discussion followed. Speaker Porter requested prices of the offered space.

Representative Rokeberg stated for the public record that he participated with the Subcommittee in determining the selection criteria. Representative Rokeberg further stated that he excused/removed himself from those deliberations after the proposals were received.

Senator Halford made a motion that Legislative Council go into Executive Session to discuss Anchorage office space.

Senator Torgerson objected.

Discussion followed.

Senator Torgerson withdrew his objection.

Council Chair Green moved the Executive Session on Anchorage office space to a later time in the Agenda.

7. REPRESENTATIVE CHENAULT LATE PER DIEM REQUEST

Senator Cowdery made a motion to approve the late per diem request for Representative Chenault.

YEAS: Green, Kott, Porter, Rokeberg, Cowdery, Donley, Halford, Stevens, Torgerson and Elton

NAYS: Murkowski

ABSENT: Kelly, Ogan and Berkowitz

Motion passed 10 - 1.

8. LEGISLATIVE AFFAIRS AGENCY RECORDS POLICY REVISION

Pam Varni, Executive Director, Legislative Affairs Agency resubmitted two Amendments to the Legislative Affairs Agency Records Policy. Ms. Varni informed Legislative Council that if Amendment #1 passes it would afford the same level of confidentiality that the employees and applicants of the Executive Branch have under AS 39.25.080. While Amendment #2 allows flexibility for the Selection Committee to determine the appropriate level of confidentiality by exempting them from Section II, 2(a).

Representative Porter moved that Amendment #1 be approved.

Discussion followed.

YEAS: Green, Kott, Murkowski, Ogan, Porter, Rokeberg, Cowdery, Donley, Halford and Stevens

NAYS: Torgerson and Elton

ABSENT: Kelly and Berkowitz

Motion passed 10 - 2.

Discussion followed.

Public testimony was heard from Greg Erickson, Editor of the Alaska Budget Report regarding the adoption of Amendment #2.

Senator Cowdery requested that further discussion regarding Amendment #2 be heard after Executive Session.

9. ANCHORAGE OFFICE SPACE - EXECUTIVE SESSION

Council Chair Green moved that Legislative Council go into Executive Session to consider proposals concerning the Anchorage office space.

Legislative Council came out of Executive Session at 7:05 pm.

10. OTHER BUSINESS

Representative Ogan informed Legislative Council that the state parks did not follow the regulations required for closure under 11 AAC 12.335. Representative Ogan further stated the parks were hanging their hat on an Emergency Order. The parks printed two sets of signs that read “Closed Due To Pending Budget Cuts” and “Closed Due To Legislative Budget Cuts”.

Representative Ogan would like Legislative Council to think about taking legal action against the Administration to provide proper public notice with regards to the closure of state parks.

11. LEGISLATIVE AFFAIRS AGENCY RECORDS POLICY REVISION - Continued

Tam Cook, Director, Legal and Research Services, Legislative Affairs Agency provided testimony on Amendment #2 regarding confidentiality of a Selection Committee with regards to the Records Policy.

Representative Porter recommended that the Administrator, Pam Varni, Executive Director, Legislative Affairs Agency rework Amendment #2 of the Records Policy and resubmit at a future Legislative Council Meeting.

The meeting was adjourned at 7:11 pm.