

LEGISLATIVE COUNCIL  
January 28, 2003

**1. ROLL CALL**

The Legislative Council meeting was called to order at 12:10 p.m. by Pam Varni, Executive Director, Legislative Affairs Agency, in the Senate Finance Room at the Alaska State Capitol.

The roll was taken. In attendance were Council members: Taylor, Austerman, Cowdery, Dyson, Ogan, Therriault, Coghill, Masek, Rokeberg, Stoltze, Weyhrauch and Berkowitz. Absent members were: Lincoln and Kott. Staff present were: Varni, Clothier, Collins, Cook, Craver, Crawford, Finley, Gullufsen, Huber, Price and Schofield.

**2. ELECTION OF LEGISLATIVE COUNCIL CHAIRMAN AND VICE-CHAIRMAN**

Executive Director, Pamela Varni called for nominations of Legislative Council Chairman. Senator Therriault moved to elect Senator Robin Taylor as Chairman of Legislative Council. No other nominations were put forward. The motion was approved unanimously.

Pamela Varni handed the meeting over to Senator Robin Taylor who called for nominations of Vice Chairman.

Representative Stoltze moved to elect Representative Beverly Masek Vice Chairman of Legislative Council. No other nominations were put forward. The motion was approved unanimously.

**3. APPROVAL OF THE NOVEMBER 20, 2002 MEETING MINUTES**

Senator Cowdery moved the minutes of the November 20, 2002 meeting be approved.

With no objection the motion was approved.

**4. APPROVAL OF LATE PER DIEM REQUESTS – SENATOR DONLEY AND REPRESENTATIVE KOHRING**

Senator Cowdery moved to approve Senator Donley and Representative Kohring late per diem requests.

With no objection the motion was approved.

**5. APPROVAL OF 2003 LEGISLATIVE DRAFTING MANUAL CHANGES**

Senator Cowdery moved to approve the changes to the Manual of Legislative Drafting.

Representative Berkowitz objected for discussion purposes.

Pam Finley, Revisor of Statutes, Legal and Research Services gave a brief discussion on the measures taken in compiling, formatting, and language changes in the Manual of Legislative Drafting.

Senator Austerman questioned item number 3, asking if all future bonds would be at .5 percent without coming back to the Legislature. Ms. Finley stated “no, it means that when we draft a state bond bill we will put that number in, and use that number as a default for figuring future bond costs”.

Discussion followed.

Senator Therriault asked that the Manual of Legislative Drafting be moved to the bottom of the agenda so that staff or Ms. Finley could obtain an answer in regard to why the standard cost of administering the bond sale went up from .35 percent to .5 percent of the principal amount of the bonds.

With no objection it was moved to the bottom of the Agenda.

**6. APPROVAL OF INTRODUCTION OF 2003 REVISOR’S BILLS**

Senator Cowdery moved that the Introduction of 2003 Revisor’s Bill be moved through Legislative Council to the Rules Committee.

Senator Berkowitz had questions about Section 2, regarding the changes made in Statutes.

Discussion followed.

With no objection the motion was approved.

**7 & 8. APPOINTMENT OF IT SUBCOMMITTEE MEMBERS AND ANCHORAGE OFFICE SPACE SUBCOMMITTEE**

Senator Robin Taylor, Chairman, Legislative Council requested anyone interested in being members of the IT Subcommittee or the Anchorage Office Space Subcommittee submit their name in writing to his office before Monday afternoon.

## **9. LEGAL CONTRACT REGARDING ETHICAL COMPLAINT**

Senator Torgerson has joined the meeting via teleconference.

Senator Taylor, Chairman, Legislative Council would entertain a motion to concerns of Ethics Complaint S O2-02.

Senator Therriault moved that Ethics Complaint S O2-02 be brought before the committee for discussion.

With no objection Ethics Complaint S O2-02 was before the committee for discussion.

Discussion followed.

Senator Torgerson, member of the Ethics Committee, stated that the opinion of the committee is not debatable by Legislative Council or at least that's his understanding. It's for Legislative Council to mainly adopt the sanctions that were suggested by the committee or do some other type of sanctions, and to recognize to the Ethics Committee that they have received the opinion, or do no type of action.

Senator Torgerson gave a brief history of the complaint filed with the committee. A complaint was filed against Mr. Ronald Irwin, Senate Majority Press Secretary on September 10, 2002. The complaint stated that Mr. Irwin prepared and distributed press releases of September 4<sup>th</sup> and 5<sup>th</sup>, announcing that a press conference in response to the Ulmer Fiscal Plan would be held at the Anchorage LIO. The subcommittee found that the only public resource utilized by Mr. Irwin on September 5<sup>th</sup> was a State of Alaska computer to issue the email press release. The Subcommittee determined no further corrective action was required. The subcommittee recommended there be no sanctions imposed by the appointing authority under AS 24.60.176 and AS 24.60.178.

Discussion followed.

Representative Weyhrauch moved that Legislative Council take no position on the finding of facts.

Representative Berkowitz objected.

YEAS: Taylor, Austerman, Cowdery, Dyson, Ogan, Therriault, Coghill, Masek, Stoltze and Weyhrauch

NAYS: Rokeberg and Berkowitz

ABSENT: Lincoln and Kott

Motion passed 10 to 2.

Representative Weyhrauch moved that the committee adopt the recommendation for no sanction.

With no objection the motion passed.

Mr. Irwin, Majority Press Secretary gave a brief description of the history of his Ethics Complaint in regards to acquiring Legal Council and expenses incurred. Mr. Irwin would like to request reimbursement for professional legal expense incurred in the amount of \$6,913.35.

Representative Rokeberg moved that Legislative Council approve up to \$7,000.00 for legal fees incurred.

Representative Berkowitz objected.

Discussion followed.

YEAS: Taylor, Austerman, Cowdery, Dyson, Ogan, Therriault, Coghill, Masek, Stoltze, Rokeberg and Weyhrauch

NAYS: Berkowitz

ABSENT: Lincoln and Kott

Motion passed 11 to 1.

## **10. OTHER BUSINESS**

Senator Taylor, Chairman, Legislative Council, moved to extend memberships to the Governor and Lt. Governor only for the use of the Legislative Wellness Center.

With no objection the motion was approved.

## **11. (MOVED TO END OF AGENDA) APPROVAL OF INTRODUCTION OF 2003 REVISOR'S BILLS**

Ms. Finley, Revisor of Statutes stated that she had spoken with Mr. Deven Michell, Treasury Division with the Department of Revenue and that there was at one time money in the budget for the Treasury to provide administrative support for the bond committee, but that money has been cut out of the state budget. So to provide the same services, but to get the money from somewhere else, they increased the amount that is taken out of the

bond. So in a sense, the costs are not any different than they use to be, they are being transferred from the state budget to the specific bonds.

Discussion followed.

YEAS: Taylor, Austerman, Cowdery, Dyson, Ogan, Therriault, Coghill, Masek, Stoltze, Rokeberg and Weyhrauch

NAYS: None

ABSENT: Lincoln, Berkowitz and Kott

Motion passed 11 to 0.

The meeting was adjourned 1:45 pm.