



# Alaska State Legislature Legislative Council Minutes

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**MARCH 20, 2008**

The Legislative Council was called to order at 5:00pm by Senator Cowdery, Chairman, in the Senate Finance Committee Room and via teleconference.

## **1. ROLL CALL**

The roll was taken. In attendance were Council members: Senators Cowdery, Elton, Green, Hoffman, and Stevens; Representatives Coghill, Dahlstrom, Harris, Stoltze, Wilson (via teleconference), and Guttenberg. Absent members: Representative Samuels and Senator Wilken. Additional Legislator present: Representative Gruenberg. Staff present: Varni, Makinster, Cook, Johnston, Lesh, Schofield, and Strong.

## **2. APPROVAL OF JANUARY 31, 2008 MINUTES**

Representative Dahlstrom moved that Legislative Council approve the minutes of the January 31, 2008 Legislative Council meeting as presented.

YEAS: Cowdery, Elton, Green, Hoffman, Stevens, Dahlstrom, Harris, Stoltze, Wilson, Guttenberg

NAYS: None

The motion passed 10-0.

Representative Coghill joined the meeting at this time.

## **3. RATIFICATION OF A CHARITABLE EVENT**

Senator Cowdery explained that AS 24.60.080(c)(10) allows lobbyists to give tickets to a charitable event to Legislators and legislative staff. The charity must be a 501(c)(3) corporation and the Legislative Council must give it approval in advance of the gift giving. The value of the ticket counts against the annual limit on lobbyists (\$250).

Representative Dahlstrom moved that Legislative Council ratify the Chair's sanctioning of the Alaska Youth Choir Touring Dinner/Fundraiser per AS 24.60.080(c)(10).

YEAS: Cowdery, Elton, Green, Hoffman, Stevens, Coghill, Dahlstrom, Harris, Stoltze, Wilson, Guttenberg

NAYS: None

The motion passed 11-0.

#### **4. FY 07 LEGISLATURE AUDIT**

Executive Director Pam Varni gave a brief overview of the audit, highlighting that there were no audit exceptions. She did note that the Agency entered into a contract with KPMG LLP for \$19,000 for the Agency's FY 07 audit; the Agency will be issuing a Request for Proposals for the FY 08 audit since the contract with KPMG LLP expired with the FY 07 audit. If the lowest bid exceeds \$25,000, this item will be on a future Legislative Council agenda for members' approval.

There was no action needed on this item.

#### **5. CUTTING EDGE DEVELOPMENT, INC. CONTRACT AMENDMENT**

Senator Davis and Representative Gruenberg joined the meeting at this time.

Senator Cowdery stated that the Agency's current contract for snow plowing with Cutting Edge Development, Inc., is for \$25,000. The costs for snow plowing have been more than expected. An additional \$10,000 will be needed to cover costs and ensure the continuance of snow removal for the remainder of the winter.

Discussion followed.

Representative Dahlstrom moved that Legislative Council approve an amendment to the Cutting Edge Development, Inc., contract increasing the contract by \$10,000.

YEAS: Cowdery, Davis, Elton, Green, Hoffman, Stevens, Coghill, Dahlstrom, Harris, Stoltze, Wilson, Guttenberg

NAYS: None

The motion passed 12-0.

#### **6. COLDFOOT ENVIRONMENTAL SERVICES, INC. CONTRACT APPROVAL**

Senator Cowdery stated that this item related to the necessary performance of asbestos removal in the Capitol Annex. He explained that, out of six bidders, Coldfoot Environmental Services, Inc. offered the lowest bid, at \$48,461, for the asbestos removal.

Discussion followed.

Representative Dahlstrom moved that Legislative Council approve ITB 456 to Coldfoot Environmental Services, Inc., in the amount of \$48,461.

YEAS: Cowdery, Davis, Elton, Green, Hoffman, Stevens, Coghill, Dahlstrom, Harris, Stoltze, Wilson, Guttenberg

NAYS: None

The motion passed 12-0.

## **7. GOLDSTEIN IMPROVEMENT COMPANY LEASE RENEWAL APPROVAL**

Senator Cowdery noted that the Juneau storage lease is up for renewal. The lease exceeds the \$25,000 yearly threshold requiring Legislative Council approval. The current lease amount is \$33,733.80.

Discussion followed.

Representative Dahlstrom moved that Legislative Council approve the one-year renewal option for existing lease space in Juneau with the Goldstein Improvement Company in the amount of \$33,733.80.

YEAS: Cowdery, Davis, Elton, Green, Hoffman, Stevens, Coghill, Dahlstrom, Harris, Stoltze, Wilson, Guttenberg

NAYS: None

The motion passed 12-0.

## **8. CHILD CARE SUBCOMMITTEE APPROVAL**

Executive Director Pam Varni stated that Legislative Council, at the direction of the Chair, shall establish a subcommittee responsible for the administration of the Legislature's Child Care Program. The subcommittee will establish guidelines and provide oversight of the Child Care Program. The Executive Director of the Legislative Affairs Agency shall assist the subcommittee by acting as the main contact between the child care provider and the subcommittee.

The following members are appointed by Senator Cowdery to serve on a Legislative Council subcommittee for the Capitol Annex Child Care Center. There are two Legislative members, Senator Lesil McGuire and Representative Mary Nelson; a member of the Legislative Affairs Legal Division, Lisa Kirsch; two professionals with the Association for the Education of Young Children, Executive Director Joy Lyon and trainer Sheila Ray; CPA Max Mertz, who previously served on the board of the Gold Creek Child Care facility in the Federal Building; and two auditors with Legislative Audit, Stephanie Allison and Tania Wink.

The subcommittee met March 14, 2008 to outline the responsibilities of the members. The subcommittee will create facility guidelines, as well as review bids solicited through the RFP process to select a private contractor to run the child care facility. It will not be operated by state employees.

Discussion followed.

Senator Cowdery agreed to appoint a leader for this subcommittee this week some time.

There was no further action needed on this item.

## **9. 90-DAY SESSION SUBCOMMITTEE**

Senator Cowdery informed the members that he is establishing a “90 Day Session” subcommittee. He asked the Presiding Officers to appoint 3 members from each House to serve on the subcommittee.

Discussion followed.

The Presiding Officers agreed to appoint three members from each House to the “90 Day Session” subcommittee.

There was no further action needed on this item.

## **10. LITIGATION UPDATE BY JIM FOSLER**

Representative Dahlstrom moved that Legislative Council go into Executive Session under Uniform Rule 22(b) and that the following people remain in attendance during the executive session: Jim Fosler, Legislative Council Attorney, Pam Varni, Executive Director, Tam Cook, Director of Legal & Research Services, and Ryan Makinster, Council Staff.

Legislative Council went into Executive Session.

Legislative Council came out of Executive Session.

Senator Hoffman was absent after Executive Session.

Representative Dahlstrom moved that Legislative Council amend the Fosler Law Group Inc. contract for legal services related to Holman et al. v. Sean Parnell case. This amendment will increase the contract by \$25,000 and expand the statement of work clause to include filing an amicus in an appeal of this case.

YEAS: Cowdery, Davis, Elton, Green, Stevens, Coghill, Dahlstrom, Harris, Stoltze, Wilson, Guttenberg

NAYS: None

The motion passed 11-0.

The meeting was adjourned at 6:00pm.