



Alaska State Legislature Legislative Council Minutes

LEGISLATIVE COUNCIL MINUTES

NOVEMBER 14, 2008

The Legislative Council meeting was called to order at 11:05 a.m. by Senator Kim Elton, Chair, in the Anchorage LIO 5th Floor Conference room and via teleconference.

1. ROLL CALL

The roll was taken. In attendance were Council members: Senators Elton, Cowdery (via teleconference), Green (via teleconference), Hoffman, Stevens, and Wilken (via teleconference); Representatives Coghill (via teleconference), Harris, Stoltze, Wilson (via teleconference), and Guttenberg (via teleconference). Absent members were Senator Davis; Representatives Dahlstrom and Samuels.

Other Legislators present: Representative Mary Nelson (via teleconference).

Staff present: Varni (Anchorage LIO), Bressette (Anchorage LIO), (Clothier (via teleconference), Finley (via teleconference), Gullufsen (via teleconference), Ibesate (via teleconference), Johnston (Anchorage LIO), Schofield (Anchorage LIO) and Strong (via teleconference).

2. APPROVAL OF MINUTES

Representative Harris moved that Legislative Council approve the August 11, 2008; October 10, 2008; and October 16, 2008 meeting minutes as presented.

YEAS: Elton, Cowdery, Green, Stevens, Wilken, Coghill, Harris, Stoltze, and Guttenberg

NAYS: None

The motion passed 9-0.

Representative Stoltze stated that he believed the July 28, 2008 meeting minutes as approved were deficient. He wanted a complete record for public consideration.

Senator Elton pointed out that a recording of the entire meeting was publically available. He added that a verbatim transcript was also available which could be attached to the existing minutes.

Senator Stevens noted that Legislative Council minutes are not meant to be a transcript of the meeting but rather, as described in Mason's Manual, a record of actions taken. He suggested the minutes are fine as approved and that the verbatim transcript should be attached.

Representative Harris stated that it was important to show the intent of the members present at the meeting should there be any questions in the future regarding this subject.



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Senator Elton agreed that the verbatim transcript would be attached to the existing minutes and requested that a copy of the verbatim transcript be sent to each Council member. No motion was required to do so.

Representative Wilson joined the meeting.

3. RFP 464 APPROVAL – CHILD CARE PROVIDER/ADMINISTRATOR

Representative Harris moved that Legislative Council go into Executive Session per Uniform Rule 22(b)(3) discussion of a matter that may, by law, be required to be confidential and ask that the following people remain in the room or via teleconference:

Rep. Mary Nelson
Joy Lyon
Lisa Kirsch
Pam Varni
Tam Cook
Tina Strong
Kristen Bressette

The Council went into Executive Session.

The Council came out of Executive Session at 12:05pm.

Roll was taken. In attendance were Council members: Senators Elton, Cowdery (via teleconference), Green (via teleconference), Hoffman, and Wilken (via teleconference); Representatives Harris, Stoltze, Wilson (via teleconference), and Guttenberg (via teleconference). Absent members were Senators Davis and Stevens; Representatives Dahlstrom, Coghill, and Samuels.

Representative Harris moved that Legislative Council award RFP 464 for Child Care Provider/Administrator in the Capitol Annex to Discovery Preschool LLC for a three year contract.

Senator Wilken asked that the record reflect his observation that the State of Alaska is entering this contract knowing full well that the State of Alaska is subsidizing this day care operation; specifically he stated that the State of Alaska is subsidizing the space, the heat, the lights, custodial service and security as well as any other services of which he may not be aware.

The roll was taken.

YEAS: Elton, Cowdery, Green, Hoffman, Harris, Wilson, and Guttenberg

NAYS: Wilken and Stoltze



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The motion failed 7-2.

Senator Wilken questioned why the motion failed.

Senator Elton advised Senator Wilken that for a motion to pass it is necessary to have eight votes - a majority of the total number of Council members, not just those present.

Senator Wilken asked to change his vote.

Senator Elton agreed.

YEAS: Elton, Cowdery, Green, Hoffman, Wilken, Harris, Wilson, and Guttenberg

NAYS: Stoltze

The motion passed 8-1.

4. RATIFICATION OF CHARITABLE EVENT – GOVERNOR’S LEGACY DINNER

Representative Harris moved that Legislative Council ratify the Council Chair’s sanctioning of the Governor’s Legacy Dinner charitable event per AS 24.60.080 (c)(10).

YEAS: Elton, Cowdery, Green, Hoffman, Wilken, Harris, Stoltze, and Guttenberg

NAYS: None

The motion passed 8-0.

5. LEGISLATIVE COUNCIL MOVING/TRAVEL POLICY CHANGES

Senator Elton stated that there is money in the existing budget and this motion will not require any additional monies to implement. The new policy provides that staff members who do not reside in the capital city will be reimbursed for travel expenses and receive travel per diem for lodging and meal expenses for travel to and from a regular legislative session.

Discussion followed.

Representative Harris moved that Legislative Council update their two moving, travel and per diem policies to include legislative staff travel and per diem expenses to and from the Capital for a regular legislative session.



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Representative Harris objected to the motion for the purposes of further discussion. Specifically, Representative Harris asked Executive Director Pam Varni about the per diem aspect of the new policy.

Executive Director Pam Varni clarified that the per diem available to staff is simply for the period of travel and is to offset lodging and meals, which is different from the daily session per diem that Legislators receive. The per diem rate used for calculation is set by the federal government.

Discussion followed.

Senator Wilken offered the following amendment to the motion:

The Legislative Council Moving and Travel Policy adopted in the November 7, 2008 memo will expire on June 30, 2011.

The roll was taken on Senator Wilken's amendment.

YEAS: Elton, Cowdery, Green, Hoffman, Wilken, Harris, Stoltze, and Guttenberg

NAYS: None

The amendment passed 8-0.

Senator Hoffman questioned whether this policy would apply during special sessions.

Discussion followed.

Senator Elton called for a vote on the motion with the approved amendment, which states:

that Legislative Council update their two moving, travel and per diem policies to include legislative staff travel and per diem expenses to and from the Capital for a regular legislative session. The Legislative Council Moving and Travel Policy adopted in the November 7, 2008 memo will expire on June 30, 2011.

The roll was taken.

YEAS: Elton, Cowdery, Green, Hoffman, Wilken, Harris, Stoltze, and Guttenberg

NAYS: None

The motion passed 8-0.

6. PROCUREMENT PROCEDURES/CHANGE ORDER AMENDMENT



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Representative Harris moved that Legislative Council approve an amendment to section 150(f) of the Legislative Procurement Procedures concerning construction contract change orders requiring committee authorization if they exceed \$25,000 or 10% of the construction contract, whichever is more.

YEAS: Elton, Cowdery, Green, Hoffman, Wilken, Harris, Stoltze and Guttenberg

NAYS: None

The motion passed 8-0.

7. CAPITOL BOILER PLATE REPAIR APPROVAL

Representative Harris moved that Legislative Council approve a contract with Jaffa Construction Repair in the amount of \$27,411 to repair one of the Capitol boilers.

YEAS: Elton, Cowdery, Green, Hoffman, Wilken, Harris, Stoltze and Guttenberg

NAYS: None

The motion passed 8-0.

8. FOSLER LAW GROUP CONTRACT AMENDMENT

Representative Harris moved that Legislative Council amend the Fosler Law Group contract by extending the dates of performance to December 21, 2009.

YEAS: Elton, Cowdery, Green, Hoffman, Wilken, Harris, Stoltze and Guttenberg

NAYS: None

The motion passed 8-0.

9. OTHER BUSINESS

There was no other business.

Legislative Council adjourned at 2:15 p.m.