

ALASKA STATE LEGISLATURE
LEGISLATIVE COUNCIL
FEBRUARY 10, 2015
5:00 PM
Approved December 4, 2015

MEMBERS PRESENT

Senator Gary Stevens, Chair
Representative Bob Herron, Vice Chair
Senator John Coghill
Senator Lyman Hoffman
Senator Charlie Huggins
Senator Anna MacKinnon
Senator Kevin Meyer
Senator Peter Micciche
Representative Mike Chenault
Representative Mike Hawker
Representative Craig Johnson
Representative Sam Kito
Representative Mark Neuman
Representative Lora Reinbold
Representative Steve Thompson, Alternate

MEMBERS ABSENT

Senator Lesil McGuire, Alternate

AGENDA

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

SPEAKER REGISTER

Pam Varni, Executive Director, Legislative Affairs Agency
Tom Wright, Staff to Speaker Mike Chenault

[5:00:04 PM](#)

- I. **CHAIR GARY STEVENS** called the Legislative Council meeting to order at 5:00 p.m. in Room 532 (Senate Finance) of the State Capitol. Present at the call were Senators Meyer, Coghill, Hoffman, Huggins, MacKinnon, and Stevens; Representatives Chenault, Hawker, Kito, Neuman, Reinbold, and Herron. Representative Thompson, alternate member, joined the meeting immediately after the roll call. Senator Micciche joined the meeting after approval of the agenda. Representative Johnson joined the meeting during the discussion of the FY 16 Legislature Budget under *Item V Other Committee Business*.

Absent was alternate member Senator McGuire.

II. **APPROVAL OF AGENDA**

[5:01:03 PM](#)

VICE CHAIR HERRON moved that Legislative Council approve the agenda as presented.

The motion passed with no objections.

III. **APPROVAL OF MINUTES**

a. **January 27, 2015**

[5:01:21 PM](#)

VICE CHAIR HERRON moved that Legislative Council approve the minutes of the January 27, 2015 meeting as presented.

The motion passed with no objections.

IV. **RATIFICATION OF CHARITABLE EVENTS**

- a. **15th Annual Thanksgiving in March**
- b. **26th Annual Fahrenkamp-Kelly Classic Charity Putting Tournament**
- c. **2015 Sham Jam**
- d. **Juneau Art and Culture Center Wine Tasting**

CHAIR STEVENS said that the list of charitable events before members for ratification had been confirmed by his office as 501(c)(3) organizations and sanctioned by the Chair. There were no questions or comments, and he asked for a motion.

[5:02:18 PM](#)

VICE CHAIR HERRON moved that Legislative Council ratify the Chair's sanctioning of the following charitable events per AS 24.60.080(a)(2)(B):

- 15th Annual Thanksgiving in March
- 26th Annual Fahrenkamp-Kelly Classic Charity Putting Tournament
- 2015 Sham Jam
- Juneau Arts & Culture Center Wine Tasting

The motion passed with no objections.

V. OTHER COMMITTEE BUSINESS

a. FY 16 Legislature Budget

b. Amendment to the 2015 Manual of Legislative Drafting

CHAIR STEVENS said that before members was a maintenance level budget to be presented to the Finance Committees. This does not include all the legislative areas; the exceptions are Legislative Audit, Legislative Finance and Legislative Budget and Audit Committee expenses, which are done and submitted separately.

The FY 16 budget shows a decrease of \$93,600 from the Governor's FY 16 budget. Specifically, there is a decrease in Council and Subcommittees of \$179,400; these are funds that were deleted for the Arctic Policy Commission which completed its work and turned in its report.

The first increase is \$57,000 for the Office of Victims' Rights; this is mostly for the salary of the director as well as \$5,000 for the case management system. For several years, the budget included money to cover a Range 26A for the director; the Legislature passed legislation that changed the salary to a Range 26 J. The Office of Victims' Rights had been absorbing that underfunding for several years but had reached the point where they could no longer do that.

The second increase is \$28,800 for the Office of the Ombudsman for personal services. All positions are filled and they've absorbed increases in costs for the last several years. If flat funding continues, a position will need to be deleted. He further noted that the case load

for the Office of the Ombudsman has increased 64% since 2010.

There are also miscellaneous transfers within individual components and those are at a net zero. Chair Stevens reiterated that this is a maintenance level budget going to the Finance Committee showing a decrease of \$93,600.

SENATE PRESIDENT MEYER asked what the overall percent decrease was.

PAM VARNI, Executive Director, Legislative Affairs Agency, responded that it is a 0.1% decrease but that is just for the components that are in this Legislative Council budget, not the entire Legislature's budget.

CHAIR STEVENS again clarified that this budget does not include the budgets for Finance, LB&A and Audit Committees.

SENATOR MEYER said that he thought the Governor had reduced his budget by 10-11% and he thinks that should be a target the Legislature should try to reach. He said that, granted, this is one segment of the total legislative budget, and that it will go on to Finance where it will be worked hard, he was sure. He didn't want people to think that a 1% reduction would be satisfactory because we're all going to have to make some serious reductions in all of the budgets.

CHAIR STEVENS said it was the understanding that a very serious look would be taken by Finance and that Council was prepared to offer many options, depending on what Finance wants to consider. The main option is probably going to be staff.

Chair Stevens, responding to a question by Senator Huggins about the Office of Victims' Rights director's salary, said that the Legislature increased the director's salary from a 26A to a 26J and that it had been, up until now, only funded up to a 26A.

MS. VARNI confirmed the Chair's understanding of the OVR director salary, and said this is a proposed budget, but that the House and Senate Finance Committees will present what the final budget will be to the Legislature as a whole. This budget is subject to what the members decide.

Passing this budget on is not really setting one's approval, but it is just letting Council know what the costs will be, the rent increases, the CPI increases, as an example.

SENATOR MICCICHE asked how much of an increase it was from the FY 15 Management Plan.

MS. VARNI said that the bulk of the increase from the FY 15 Management Plan to the FY 16 Request is \$1.1 million for the 2.5% Cost of Living increase that would be effective July 1, 2015, that the Executive Branch and the Judicial Branch will be getting. It also reflects the \$179,400 decrease to Council and Subcommittees. Revenue projections have been lowered in Administrative Services and in Session Expenses because those receipts have not been realized. She reiterated the increase for OVR and Ombudsman, the detail of which is on the spreadsheets each member received; these show the \$1,287,600 and that is the FY 15 Management Plan to our Legislative Council request that's before Council.

In response to questions from Senate President Meyer about the amount of NCSL dues as well as the payment of, Ms. Varni responded that Alaska would not be kicked out of an organization for lack of payment, noting that many states sometimes don't fully pay their dues because of budget constraints. Alaska has done a very good job of paying their dues, but the Administrative Services budget has for many years absorbed these dues increases and there is an increase this year as well. She said in the last couple of years, the increases have been about \$16,000; for one of the organizations, the dues went from \$32,000 to \$50,000. She said listed on page 17 of the detailed budget, the total was about \$310,000 for dues to the following organizations: \$89,200 for Council of State Governments (CSG); \$119,700 for National Conference of State Legislators (NCSL); \$38,400 for Energy Council; \$7,500 for Pacific Fisheries Legislative Task Force; \$5,500 for Western Legislative Forestry Task Force; and \$50,000 for Pacific Northwest Economic Region (PNWER).

CHAIR STEVENS repeated for members that Council is sending this budget on to the Finance Committees with the understanding and knowledge that they will be looking very carefully at many of these issues and that there will have to be some decreases.

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VICE CHAIR HERRON moved that Legislative Council per AS 24.20.130 approve the FY 16 Legislative Council Proposed Budget and transmit it to the House and Senate Finance Committees for their review and action.

The motion passed with no objections.

B. Amendment to the 2015 Manual of Legislative Drafting

[5:14:12 PM](#)

SPEAKER CHENAULT moved that the Legislative Council Committee amend the 2015 Manual of Legislative Drafting, as proposed in Amendment No. 1, to remove the authority for legislators to prefile bills as joint prime sponsors from the date of this motion forward, and to direct the Legal Services Division to make conforming amendments to other references to joint prime sponsorship of prefiled bills contained in the 2015 Manual of Legislative Drafting prior to publication of the 2017 Manual of Legislative Drafting.

SENATOR COGHILL objected for the purpose of discussion.

TOM WRIGHT, staff to Speaker Chenault, said there are a number of issues as were noted in the memo from Doug Gardner dated February 2, 2015, about the coprime policy that was adopted by Legislative Council in 1993. A number of questions arise that haven't really been discussed thus far, which he said he would go over rather quickly and would be happy to discuss in greater detail for anyone who hadn't yet reviewed the memo.

Mr. Wright said that coprime sponsors have the same rights as a prime sponsor. He interrupted his testimony to note that he uses the term "coprime" and "joint prime" interchangeably, with "joint prime" being technically correct. Some of the rights that one has as a coprime sponsor, for instance, are that a coprime sponsor can ask for a bill withdrawal; they can request a CS (Committee Substitute); they have equal ownership of a bill or resolution. Also not addressed in the Drafting Manual are final approval by the sponsor, the 10 Bill Limitation, or the sponsor deadlines. Uniform Rule 36 is out of sync with the joint prime section of the Drafting Manual. Legislative Legal Services has adapted by interpreting

Uniform Rule 36 to include coprime sponsorships: (1) by deferring to the original sponsor for the order that coprimes are to appear on a bill or resolution; (2) also requiring permission from each joint prime sponsor for the addition of a name; (3) also requiring the approval of the original sponsor for any changes prior to prefiling, but then they have to invite all the joint prime sponsors with the draft versions of a bill and any legal memos. As the memo notes, it does take staff time to coordinate and it's not technically sanctioned by any rule. He said there is no rule in Uniform Rule 37 (a) for coprimes; there's no guidance on how a coprime is to be treated with regard to preparing a fiscal note or distribution. Again, Uniform Rule 36 doesn't address coprimes. Quite frankly, a joint prime sponsorship is really a glorified cosponsor. He said that while he was aware of some occasions where the joint sponsors have worked together on a bill and worked very closely, most of the work on most of the legislation is done by the original sponsor.

There are some concerns that have been expressed by the Chief Clerk's Office that joint prime sponsorships are a cumbersome task for their office since the additional joint prime sponsorship has been allowed after the release of prefiles, which requires the Clerk to track the number of bills a member is joint sponsoring due to the 10 Bill Limitation. It creates confusion over the differences between a joint prime and a cosponsor, especially for new representatives and staff. It increases the time to prepare bills for printing. Members have pulled a prefile bill if they met their limit and would prefer to be a joint prime on a different prefile bill and that presents a status problem for the bill history due to the fact that the bills have already been numbered and are public. It's also inferred for cosponsorship of a bill or resolution that unless the Clerk has heard otherwise from the sponsor, it's okay to be added as a cosponsor. Joint prime sponsors have to approve each additional joint prime sponsorship which can create the difficult task of locating the sponsors for their signatures in a timely manner.

Mr. Wright said these were some of the concerns that have been brought to their office and was why the Speaker was proposing that Council adopt the amendment for the Drafting Manual.

CHAIR STEVENS thanked Mr. Wright and encouraged any member to speak to the proposed amendment.

SENATOR COGHILL said he objected to hear the list of issues as there was still some question in his mind about the value of a couple of people working together as he has done in the past. He said he was satisfied with amending the Drafting Manual this way and he removed his objection.

There was no further discussion.

A roll call vote was taken.

YEAS: Meyer, Coghill, Hoffman, Huggins, MacKinnon, Micciche, Chenault, Hawker, Johnson, Kito, Neuman, Reinbold, Herron, Stevens

NAYS: None

The motion passed 14-0.

CHAIR STEVENS reminded members that his office was still looking for members of this body to serve as volunteers on the Security, the Office Allowance, and the IT Subcommittees. Should there be no volunteers, the Chair will make appointments.

There being no further business before the committee, the Legislative Council meeting was adjourned at 5:21 p.m.

[5:20:58 PM](#)