

**ALASKA STATE LEGISLATURE
LEGISLATIVE BUDGET AND AUDIT COMMITTEE**

May 18, 2023

8:36 a.m.

MEMBERS PRESENT

Representative Ben Carpenter, Chair
Senator Bert Stedman, Vice Chair
Representative Sarah Vance
Representative Frank Tomaszewski
Representative Andy Josephson
Senator Bill Wielechowski
Senator James Kaufman
Senator Scott Kawasaki (via teleconference)
Senator Click Bishop (alternate)

MEMBERS ABSENT

Representative DeLena Johnson
Senator Lyman Hoffman
Representative Mike Cronk (alternate)

COMMITTEE CALENDAR

APPROVAL OF MINUTES
EXECUTIVE SESSION
LB&A V. DUNLEAVY LEGAL CONTRACT
PRELIMINARY AUDIT RELEASE
40-HOUR WORK WEEK

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

ACTION NARRATIVE

[8:36:39 AM](#)

CHAIR BEN CARPENTER called the Legislative Budget and Audit Committee meeting to order at 8:36 a.m. Senators Stedman, Wielechowski, Kaufman, Kawasaki (via teleconference), and Bishop (alternate) and Representatives Carpenter, Vance, Tomaszewski, and Josephson were present at the call to order.

Approval of Minutes

[8:38:12 AM](#)

CHAIR CARPENTER announced that the first order of business would be the approval of minutes.

[8:38:19 AM](#)

SENATOR STEDMAN moved that the Legislative Budget and Audit Committee approve the minutes for the December 14, 2022, January 24, 2023, and May 7, 2023, meetings as presented. There being no objection, the minutes were approved.

[8:38:51 AM](#)

The committee took an at-ease from 8:38 a.m. to 8:42 a.m.

[8:42:10 AM](#)

REPRESENTATIVE CARPENTER stated that the at-ease was taken to clarify the required voting membership of the committee. He explained that alternate members were considered non-voting members as long as quorum was maintained. Additionally, he highlighted an error in the previous motion regarding the date of the minutes and asked Senator Stedman to restate it.

[8:42:52 AM](#)

SENATOR STEDMAN withdrew the previous motion to adopt the minutes. He moved that the Legislative Budget and Audit Committee approve the minutes for the December 14, 2022, January 24, 2023, and March 7, 2023, meetings as presented. There being no objection, the minutes were approved.

Executive Session

[8:43:30 AM](#)

REPRESENTATIVE CARPENTER announced that the next order of business would be executive session.

[8:44:01 AM](#)

SENATOR STEDMAN moved that the Legislative Budget and Audit Committee go into Executive Session under Uniform Rule 22(b)(3),

for discussion of matters that may, by law, be required to be confidential. He asked that the following persons remain in the room or on the phone lines: Emily Nauman, director of Legislative Legal Services, and necessary staff; Megan Wallace, legislative legal counsel, and necessary staff; Kevin Cuddy, attorney at Stoel Rives LLP; the legislative auditor and necessary staff; legislative budget director and necessary staff; any legislators not on the committee; staff for legislators who are members of the committee; and House Finance staff in Juneau. There being no objection, it was so ordered.

[8:45:04 AM](#)

The committee took an at-ease from 8:45 a.m. to 11:08 a.m. for the purpose of executive session.

[11:08:21 AM](#)

CHAIR CARPENTER called the Legislative Budget and Audit Committee meeting back to order at 11:08 a.m. Senators Wielechowski, Kaufman, Kawasaki (via teleconference), and Representatives Carpenter, Vance, Tomaszewski, and Josephson were present at the call to order.

LB&A V. Dunleavy Legal Contract

[11:09:02 AM](#)

CHAIR CARPENTER announced that the next order of business would be the approval of an amendment and increased amount for outside counsel for the Legislative Budget and Audit Committee v. Dunleavy, et al.

[11:09:40 AM](#)

REPRESENTATIVE VANCE moved that the Legislative Budget and Audit Committee approve an amendment to the existing contract with Stoel Rives LLP, dated January 12, 2023, to increase the contract amount by \$100,000 for a total amount not to exceed \$200,000 for legal services and litigation and appeal cost in the ongoing matter Legislative Budget and Audit Committee v. Dunleavy et. al, Case No. 3AN-22-0967 CI, relating to the deposit of certain state taxes and royalties resulting from Federal Energy Regulatory Commission (FERC) decisions into the general fund. There being no objection, it was so ordered.

Preliminary Audit Release

[11:10:29 AM](#)

CHAIR CARPENTER announced that the next order of business would be the release of preliminary audits to the agencies for their formal commitment.

[11:10:38 AM](#)

REPRESENTATIVE VANCE moved that the Legislative Budget and Audit Committee release the following preliminary audits to the agencies for response: FY 22 - single audit. There being no objection, the audits were released.

40-Hour Work Week

[11:10:52 AM](#)

CHAIR CARPENTER announced that the final order of business would be the consideration of policy pertaining to the 40-hour work week for the Legislative Finance Division and the Legislative Budget and Audit Committee staff.

[11:11:12 AM](#)

REPRESENTATIVE VANCE moved that the Legislative Budget and Audit Committee approve a 40-hour work week for the Legislative Finance Division and the Legislative Budget and Audit Committee staff. There being no objection, it was so ordered.

[11:11:34 AM](#)

ADJOURNMENT

There being no further business before the committee, the Legislative Budget and Audit Committee meeting was adjourned at 11:11 a.m.