

**GOVERNOR'S COUNCIL ON DISABILITIES
AND SPECIAL EDUCATION**

**Legislative Committee
MINUTES**

Videoconference Host
Governor's Council
550 W. 7th Avenue, Suite 1230
Anchorage, Alaska

Meeting Date
January 6, 2022
2:00 p.m.

Committee Members:

Art Delaune – Chair
Don Enoch
Jeanne Gerhardt-Cyrus
Charles (Mack) McAnally
Shelly Vendetti-Vuckovich
Ric Nelson
Dean Paul

Attendees:

Jena Crafton
Malan Paquette

Staff:

Jamie Kokoszka
Jess Doherty
Ian Miner
Jackie Kim
Lanny Mommsen

Prepared by: Sheila Garrant, Peninsula Reporting

CALL TO ORDER – 2:02 p.m.
ROLL CALL – Quorum established

WELCOME FROM THE CHAIR

Art Delaune welcomed attendees to the meeting. He noted that the Legislative Committee has been meeting more often than usual, but there are legislative matters that need attention.

Introductions, Announcements, or Good News

Jamie Kokoszka shared a resource on the agenda with links to access the BASIS system. She noted that the tool allows individuals to keep up with proposed bills throughout the legislative process by receiving updated text alerts as scheduled hearings and bill statuses change.

Art Delaune noted that because of bylaw changes and the reorganization of Council committees, there has been some confusion about who the committee voting members are. Art clarified that only members of the committee are voting members. Council members are welcome to participate in meetings, but they cannot vote.

Jamie Kokoszka shared that a draft document outlining committee meeting etiquette is being finalized, and she gave a brief overview of the etiquette. Ric Nelson recommended allowing individuals who struggle to navigate the options for recognition by the chair can speak out versus traditional options.

Declarations of Conflict

No conflicts of interest were declared.

APPROVAL OF AGENDA AND APPROVAL OF PAST MINUTES

Approval of the Agenda

Jeanne Gerhardt-Cyrus **MOVED** to approve the agenda as presented, **SECONDED** by Dean Paul. Hearing no objection, the motion **PASSED**.

Approval of Meeting Minutes

Jeanne Gerhardt-Cyrus **MOVED** to approve the December 21st, 2021 meeting minutes as presented, **SECONDED** by Don Enoch. Hearing no opposition, the motion **PASSED**.

Correspondence

Jamie Kokoszka stated that there was no correspondence to report.

REPORTS

Chair's Report

Art Delaune reported that the Council is waiting to review the Executive Order when released on January 18th, 2022.

Staff Report

Jackie Kim reported that Michele Binkley tendered her resignation effective December 31st, 2021. Because of that, some of the staff assignments to committees will change.

BUSINESS

Discussion of Legislative Priorities

Executive Order (EO)

Jackie Kim reported that a copy of the proposed Executive Order will not be available for review until it is released on January 18th, 2022. The Council will be looking at the recommended language related to the Governor's Council included in the EO to determine how the Council moves forward. As of the last report from DHSS, the proposed language is going through its final review at Legislative Legal Review to make sure it is permissible under state law for incorporation into the EO.

Workforce

Jackie Kim reported that two documents are being referenced related to the workforce, and she presented two options. One is to reformat an earlier version of a workforce statement provided as part of the Shared Vision

efforts and update it with relevant state and federal law changes. Two, create an original statement that focuses on the subminimum wage regulations and statutes. She noted a recent success where regulations were repealed on subminimum wage; however, it is still permissible under state statute. Jackie noted that there is a path forward where it could be reintroduced in another format in a different situation, which would not serve the Governor's Council's constituency well.

Ric Nelson recommended developing a statement on removing the subminimum wage from the statutes. Ric noted that the Council didn't realize the subminimum wage statute was still in place. He feels it would be an easy win for the Council.

Art Delaune reported that SDS Director Lee presented the proposed plan for the APRA federal funding and outlined what they can use funds for. Art said Director Lee talked about the DSP workforce and what SDS can do for the workforce within the plan. Art Delaune asked the committee if they wanted to advocate for the changes as part of the legislative advocacy or let it take its course and react to the decisions made. Art asked staff to send a copy of the presentation to Legislative Committee members for review to help formulate what the workforce document could say. Shelly Vendetti-Vuckovich suggested waiting until a FAQ document from the Division was released, because the implementation of the new mandate will affect service providers.

Jackie Kim recommended that committee members be very cautious about adding to the Legislative Committee's scope regarding the workforce statement, because staff workload is a significant issue at the Council. Art Delaune noted that the committee had recommended using last year's workforce white paper as the basis for drafting a new document.

Self-Determination

Ric Nelson reported that he is working on a project with LEND related to self-determination waivers. The focus is to determine strategies for asking the legislature to recommend that SDS adopt the self-determination waivers, which is how other states have done it. Ric agreed to update the Legislative Committee on the project's progress when he returns from the Juneau legislative visits.

Art Delaune reported that the Council was working on self-determination waivers about a year ago and looked at California and how they address self-determination. California appeared to be strides ahead of other states and making progress. Ric Nelson noted that he found Wisconsin to have the most progressive model in his research. Ric said that he is studying how to design a self-determination waiver model.

Direct Service Workforce

No report.

Discussion and Preparation of 2022 Legislative Visits

Art Delaune reported that there is a team of five people headed to Juneau the last week of January to meet with legislators face-to-face. Jamie Kokoszka said that Ian Miner had successfully procured travel accommodations for the Council members going to Juneau.

Regarding the legislative visits, Jamie Kokoszka noted that staff is waiting for guidance on how the Council wants to structure visits with lawmakers. She said that there are two weeks set aside for in-person legislative advocacy.

Ric Nelson commented that the plan for the legislative visits is to forgo prescheduling appointments with legislators. Instead, Council members will be in the Capitol building working the halls, so to speak, identifying lawmakers and approaching them informally. He noted that appointments will be made in advance for the Council member virtual visits.

Art Delaune asked if there had been any discussion yet about what priorities would be discussed at the in-person visits. Ric Nelson shared that they will be talking about the Executive Order as the primary focus and then the subminimum wage statute. Other topics are still undecided.

Art Delaune stated that the priorities the Legislative Committee is working on won't need to be finalized until the virtual visits, which takes some pressure off the committee. Jena Crafton asked about the Council's COVID-19 precautions while traveling to Juneau for the legislative visits. Jamie Kokoszka noted that staff will explore potential issues that could arise related to COVID-19. Generally, individual protocols are in place for

airlines, the City of Juneau, the Capitol building, and the accommodations. Jackie Kim offered to send a COVID-19 protocol document for the Capitol. Art Delaune suggested contacting Council Member Senator Micciche for other information related to COVID-19.

Update on Federal Items

Art Delaune noted that the status of the federal bill watchlist remains unchanged.

DATE OF NEXT MEETING

The next Legislative Committee will be scheduled in February 2022 after the winter Council meeting.

ADJOURNMENT

Ric Nelson **MOVED** to adjourn, **SECONDED** by Jeanne Gerhardt-Cyrus. Hearing no objection, the motion **PASSED**, and the meeting adjourned at 3:09 p.m.