

ALASKA STATE LEGISLATURE
LEGISLATIVE COUNCIL
NOVEMBER 21, 2017
10:53 AM

MEMBERS PRESENT

Representative Sam Kito, Chair
Senator Bert Stedman, Vice Chair
Representative Matt Claman
Representative Bryce Edgmon
Representative David Guttenberg
Representative Charisse Millett
Representative Dan Ortiz
Representative Harriet Drummond, Majority Alternate
Representative David Eastman, Minority Alternate
Senator John Coghill
Senator Anna MacKinnon

MEMBERS PRESENT ON TELECONFERENCE

Representative Louise Stutes
Senator Cathy Giessel
Senator Pete Kelly
Senator Peter Micciche

MEMBERS ABSENT

Senator Lyman Hoffman

OTHER MEMBERS PRESENT

Representatives LeDoux, Spohnholz, and Saddler; Senator Wilson

AGENDA

APPROVAL OF AGENDA
EXECUTIVE SESSION
OTHER COMMITTEE BUSINESS

SPEAKER REGISTER

[10:52:55 AM](#)

- I. **CHAIR SAM KITO** called the Legislative Council meeting to order at 10:53 a.m. in Room 519 (House Finance) of the State Capitol. Present at the call were Representatives Claman, Edgmon, Guttenberg, Millett, Ortiz, Drummond (alternate), Eastman (alternate), and Kito; Senators Coghill, MacKinnon, Costello (alternate), and Stedman. Present on teleconference were Representative Stutes; Senators Giessel, Kelly, and Micciche. Senator Hoffman was absent.

NOTE FOR THE RECORD: there were technical difficulties with the teleconference system. The roll call reflects members present once the difficulties were resolved.

CHAIR KITO removed two items from the agenda prior to the motion to approve: The Records Policy and the Legal Priority Policy - an ad hoc working group would be established for both with the Chair requesting any members interested in serving on either subcommittee to contact his office.

[10:55:34 AM](#)

Legislative Council took a brief at-ease to resolve teleconference issues.

[11:00:48 AM](#)

CHAIR KITO called Legislative Council back to order. Roll was called again at the Chair's request. Chair Kito repeated the removal of two agenda items as noted above: The Records Policy and the Legal Priority Policy. Ad hoc working groups will look at both policies and make recommendations to the full Council.

II. **APPROVAL OF AGENDA**

[11:02:34 AM](#)

VICE CHAIR STEDMAN moved that Legislative Council approve the agenda as amended.

A roll call vote was taken.

YEAS: Claman, Edgmon, Guttenberg, Millett, Ortiz, Stutes, Coghill, Giessel, Kelly, MacKinnon, Micciche, Costello, Stedman, Kito

NAYS: None

The motion passed 14-0.

11:03:28 AM

Legislative Council took a brief at-ease to discuss the format for the rest of the meeting.

11:14:15 AM

CHAIR KITO called Legislative Council back to order.

III. EXECUTIVE SESSION

VICE CHAIR STEDMAN moved that Legislative Council go into executive session to consider matters made confidential by the Legislative Council Records Policy under Uniform Rule 22(b)(2) and 22(b)(3); as always, Legislators not on Council were invited to remain in the room. The following staff were asked to stay in the room: Skiff Lobaugh, Human Resource Manager and Doug Gardner, Legal Services Director.

Legislative Council went into executive session.

4:30:11 PM

Legislative Council came out of executive session.

A roll call was taken. Present at the call were Representatives Claman, Edgmon, Guttenberg, Millett, Ortiz, Drummond (alternate), Eastman (alternate), and Kito; Senators Coghill, MacKinnon, Costello (alternate), and Stedman. Present on teleconference were Senators Giessel, Kelly, and Micciche. Representative Stutes and Senator Hoffman was absent.

4:32:26 PM

VICE CHAIR STEDMAN moved that Legislative Council allow access to the Legislative Affairs Agency Human Resource Manager Skiff Lobaugh to review video recordings as necessary to conduct an internal investigation. Skiff Lobaugh is authorized during the course of performing his duties as HR Manager to allow this video to be viewed in his presence as appropriate and consistent with the best human resource practices. This authorization applies through the next Legislative Council meeting.

A roll call vote was taken after a brief at-ease.

YEAS: Claman, Edgmon, Guttenberg, Millett, Ortiz,
Drummond, Coghill, Giessel, MacKinnon, Micciche,
Costello, Stedman, Kito

NAYS: None

The motion passed 14-0.

[4:34:14 PM](#)

VICE CHAIR STEDMAN moved that Legislative Council approve Senator Wilson's request for access to materials made confidential by the Legislative Council Records Policy, and that he may have counsel present if desired.

A roll call vote was taken.

YEAS: Claman, Edgmon, Guttenberg, Millett, Ortiz,
Drummond, Coghill, Giessel, Kelly, MacKinnon,
Micciche, Costello, Stedman, Kito

NAYS: None

The motion passed 14-0.

[4:35:38 PM](#)

CHAIR KITO called a brief at-ease.

[4:48:11 PM](#)

CHAIR KITO called Legislative Council back to order and asked Senator Stedman to describe the next item and make the associated motion.

VICE CHAIR STEDMAN said that the concept is to move some funds in current Fiscal Year 18 from LB&A, House Operating Budget, and House and Senate Finance to Legal and Research Services and Administrative Services.

VICE CHAIR STEDMAN moved that Legislative Council approve the transfer of funds as follows: from the Legislative Budget & Audit Committee, \$145,000; from House Operating Budget, \$189,000; from Senate Finance Committee, \$168,000; and from House Finance Committee, \$98,000; for a total of \$600,000, to be transferred to Legal and Research Services and Administrative Services in a two-thirds, one-third split: \$400,000 to Legal and Research Services and \$200,000 to Administrative Services.

[4:49:45 PM](#)

There was a brief at-ease in the middle of the motion to ensure correct language.

[4:50:29 PM](#)

CHAIR KITO called the Legislative Council back to order.

SENATOR MICCICHE asked for confirmation of his understanding that the legislative budget was not increasing by one penny, that this was simply a re-distribution of funds.

CHAIR KITO said that his understanding was that the funds were anticipated lapse, which meant it will not be a net increase, it will be a transfer.

A roll call vote was taken.

YEAS: Claman, Edgmon, Guttenberg, Millett, Ortiz, Drummond, Coghill, Giessel, Kelly, MacKinnon, Micciche, Costello, Stedman, Kito

NAYS: None

The motion passed 14-0.

CHAIR KITO said that he was in the process of establishing a Sexual Harassment and Other Harassment Policy working group. He said he proposed that this working group be made up of Legislative Council members because if travel was necessary, that travel would be provided through the Chair's office. He said he anticipated and hoped that there would be a draft policy recommendation as members come into session in January. As a subcommittee, three members will be appointed from each body. The Committee will be staffed by Human Resource Manager Skiff Lobaugh and Chair Kito's Legislative Council staff Crystal Koeneman for support. In response to a question by Representative Guttenberg, Chair Kito noted he did not need a motion to establish a Legislative Council subcommittee.

SPEAKER EDGMON said he wanted it on the record that the intent is to move forward in an expeditious manner.

[4:54:06 PM](#)

Legislative Council took a brief at-ease at Senator MacKinnon's request.

[4:54:28 PM](#)

CHAIR KITO noted that there were other members that joined the Legislative Council meeting during the executive session and they were: Representatives LeDoux, Spohnholz, and Saddler. Representative Stutes also participated in the executive session as her schedule allowed.

In response to a question by Representative Claman, Chair Kito noted that there would be three members from each body, for a total of six members on the Sexual Harassment and Other Harassment subcommittee.

CHAIR KITO noted for the record and for members that there was some confusion created by information passed around for various agenda items; as such, in order for clarification, for communication, for the ability for the public to understand what Council is doing, all the information that comes before Legislative Council members needs to come through the Chair's office. His office will make sure the information is available on BASIS and make sure it is appropriately distributed to members. If there is information they receive such that there wasn't time to post to BASIS, the Chair will have to pull those items from the agenda. In order to follow appropriate protocols and notifications, all agenda item information must go through the Chair's office.

SENATOR MICCICHE requested that, in working with the Human Resource Manager Skiff Lobaugh, the proper terminology was used with regard to the subcommittee, in order that the public would hear the correct terms. He also noted that he had received at least two texts from members of the press and bloggers to please remind every member that we are dealing with a personnel issue and that the subject of executive session is to be kept confidential.

CHAIR KITO agreed and reminded everyone that all issues discussed in executive session remain in executive session.

SENATOR MACKINNON stated that the matters Council has discussed, that they've spent hours inside of executive session, are important to the legislative body and are taken very seriously by all who participated since 10:30 this morning. She thanked the Chair and his staff for allowing Council a short break to get something to eat and come back to the table. The issues that are before Council are extremely serious and the matter that Council voted on was very serious. She wanted to put on the record that while she understands freedom of speech and the request from the press to understand everything that was happening, there are laws in place for reasons, to protect individuals and she believed that everyone agreed with that sentiment. She thanked everyone for their professionalism regarding the conversations they've had.

CHAIR KITO thanked all the members for working with his staff to find at time when they could all meet, and for a full committee representation.

There being no further business before the committee, Legislative Council adjourned at 5:00 p.m.

4:59:20 PM