

**ALASKA STATE LEGISLATURE
SELECT COMMITTEE ON LEGISLATIVE ETHICS
SEPTEMBER 22, 2020
10:00 AM**

FULL COMMITTEE

[10:02:51 AM](#)

1. CALL THE MEETING TO ORDER

Lee Holmes called the meeting to order at 10:02 a.m. on September 22, 2020, and asked Jerry Anderson to conduct roll call.

Roll call

Senator John Coghill (telephonic)
Senator Tom Begich (telephonic)
Representative DeLena Johnson (telephonic)
Representative Louise Stutes (telephonic)
Conner Thomas (telephonic)
Lee Holmes (telephonic)
Joyce Anderson
Deb Fancher (telephonic)

Skip Cook - absent

Quorum present.

Others

Senator Elvi Gray-Jackson (telephonic)
Senator David Wilson (telephonic)
Jerry Anderson
Jacqui Yeagle
Skiff Lobaugh (telephonic)

[10:05:00 AM](#)

2. APPROVAL OF THE AGENDA

Lee Holmes entertained a motion to approve the agenda.

Motion made by Senator Tom Begich

There were no objections.

The agenda was approved.

3. APPROVAL OF MINUTES

Lee Holmes entertained a motion to accept the January 21, 2020 Full Committee meeting minutes.

Motion made by Representative Louise Stutes

There were no objections.

The minutes were approved.

Lee Holmes entertained a motion to accept the May 27, 2020 Senate Subcommittee meeting minutes.

Motion made by Senator Tom Begich

There were no objections.

The minutes were approved.

[10:06:32 AM](#)

4. PUBLIC COMMENT

No public comment.

[10:07:12 AM](#)

5. CHAIR/STAFF REPORT

a. Planning for 2021 training

Lee Holmes asked Jerry Anderson if Skiff Lobaugh was planning to call in to the meeting for discussion on the agenda item.

Jerry Anderson replied that as of the day prior to the meeting, it was his understanding that Skiff Lobaugh planned to attend for discussion of the agenda item.

Skiff Lobaugh announced that he was present and available to answer questions.

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Lee Holmes thanked Skiff Lobaugh for announcing his presence.

Lee Holmes asked Jerry Anderson to open a discussion about the 2021 ethics training.

Jerry Anderson thanked Lee Holmes and directed the committee's attention to the meeting packet and the email from Stacey Householder of the National Conference of State Legislatures (NCSL). He said that Stacey Householder had assisted with ethics training in 2020 and that he had been in contact with her about potential training in 2021.

Jerry Anderson noted that because all legislators and legislative employees will need training in 2021, there will be a larger number of training sessions, including possibly a new legislator training in December 2020, which would have a different format from the other trainings.

Jerry Anderson commented that under committee consideration is the components of the training. Committee members were provided for reference the links to NCSL's 2020 training, which included two segments: one being the sexual harassment and others forms of discrimination training and the other training related to civility.

Jerry Anderson asked for committee input about the components of the training, the time to devote to each component, and the training format - virtual or in person. He assured the committee that NCSL can accommodate both training format types.

Lee Holmes asked committee members if there were comments.

Representative Louise Stutes said that she heard from other legislators that the sexual harassment training was too long.

Lee Holmes thanked Representative Louise Stutes and asked for other comments or discussion.

Joyce Anderson asked Jerry Anderson to remind the committee how long the sexual harassment training that Representative Louise Stutes referred to had been.

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Jerry Anderson replied that in 2020, it was less than 1½ hours long and in 2019, it was three hours long.

Representative Louise Stutes made it clear she was referring to the 2019 training.

Jerry Anderson thanked Representative Louise Stutes for her clarification.

Lee Holmes asked Jerry Anderson how much time would be devoted to each of the topics in the 2021 training.

Jerry Anderson said that feedback he had gotten was that 1½ hours of sexual harassment training was still too long and that is one of the reasons he is asking for committee input. He emphasized that the more time devoted to sexual harassment training, the less time available for ethics training given the direction that the entire training should not last longer than three hours.

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Representative Louise Stutes remarked that it seemed there was more participation in the portion of the training delivered by Jerry Anderson and questions were left unanswered. She recommends allocating more time to ethics training.

Jerry Anderson agreed it was unfortunate that he did not have time to fully address the questions.

Lee Holmes asked if three hours is too short to cover both subjects adequately.

Jerry Anderson said three hours is a practical good maximum amount of time for training - at least for returning employees, but he granted that perhaps new employees may benefit from a longer training. He said NCSL is willing to accommodate whatever allocation of time the committee directs.

Joyce Anderson asked if Skiff Lobaugh had gotten any feedback about the length of training and the topics covered.

Skiff Lobaugh reported he had heard a lot of feedback about both the length of training and the topics covered. There

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are individuals who due to their workload want minimal training time. He elaborated that NCSL seemed to do a good job in covering topics pertinent to the legislative branch both on EEOC/sexual harassment and the ethics side but acknowledged the need for local knowledge in the area of ethics. He also reported he had not heard any negative comments about the NCSL training so he thinks the time allotted to the training was just right.

Joyce Anderson expressed to the Chair Lee Holmes that she wanted to pitch a discussion topic.

Lee Holmes directed to Joyce Anderson to continue.

Joyce Anderson stated she thinks statute requires more detailed ethics training than does the sexual harassment training. She questioned if ethics training should be delivered first while the attendees were fresh.

Lee Holmes expressed his opinion that the sexual harassment training be delivered first because it is more easily time-constrained and leave the ethics training free to run long if needed. He entertained other opinions.

Senator John Coghill said that he preferred the sexual harassment training first because many attendees need only a refresher where ethics training can leave attendees with lingering questions to ponder. He suggested leaving two hours for ethics training if possible. He echoed Skiff Lobaugh in stating that he thinks NCSL did a great job in delivering their training.

Joyce Anderson agreed with Senator John Coghill's comments.

Lee Holmes thanked Joyce Anderson and asked for other comments.

Lee Holmes summarized what he understood about the training: the training will total three hours, one hour for sexual harassment training to be followed with two hours of ethics training. He asked Jerry Anderson if that was also his understanding.

Jerry Anderson replied that it was his understanding.

Lee Holmes asked if a motion was needed.

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Jerry Anderson replied that he did not believe a motion was necessary because the training is still in the planning stages and historically the committee has left it to the administrator to handle the training arrangement details. He said that Skiff Lobaugh has always been helpful in setting up the sexual harassment portion of the training and making sure that the training is relevant and meets local requirements.

Representative DeLena Johnson commented that in her opinion the effectiveness of the sexual harassment training is more important than length of time devoted to it. She encouraged a more effective training that is relevant to the legislature.

Deb Fancher recommended good teaching practice would include developing an evaluation to use in planning future trainings.

Lee Holmes thanked Deb Fancher for her comment. He asked Jerry Anderson if he could work with Skiff Lobaugh to put together a training evaluation.

Jerry Anderson replied that he could.

Lee Holmes entertained further comments. There were no further comments.

b. State benefit and loan program review

Lee Holmes directed attention to a review of state benefit and loan programs requiring disclosure. He asked Jerry Anderson to provide background information to the committee.

Jerry Anderson explained the review is one of the committee's statutory duties, under AS.24.60.050(b):

(b) The committee shall review state benefit programs and state loans and annually publish a list of programs and loans, designating which ones do not meet the standards of (a) of this section.

Jerry Anderson elaborated that the committee's directive is to review and annually publish a list of the state benefit and loan programs that do not meet the standards in AS.24.60.050(a) and therefore require an ethics disclosure

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by legislators or legislative employees who participate in any of the programs.

Jerry Anderson added that staff annually send letters to all departments asking that they review the current list in Appendix C of the Standards of Conduct Handbook to make sure it accurately identifies the programs that do not meet the standards. Jerry Anderson said that the proposed 2021 list, titled Appendix C in the packet, is a compilation of those programs as reported by the departments.

Jerry Anderson reported that only one program change had been reported: a deletion of the Alaska Capstone Avionics Revolving Fund by the Department of Commerce, Community, and Economic Development. He noted that a copy of the completed review form with the deletion was included in the packet.

Jerry Anderson asked the committee to review and adopt the list as Appendix C of the handbook, which will be handed out at training and available online.

Jerry Anderson asked the committee if there were questions.

Lee Holmes entertained questions. Hearing none, he entertained a motion to adopt the proposed list for the 2021 Standards of Conduct Handbook.

Deb Fancher moved.

Lee Holmes asked if there were objections. There were no objections. The motion was approved.

6. OTHER BUSINESS

Lee Holmes moved to other business. He stated that the next committee meeting is set for the week of January 18. He asked Jerry Anderson his opinion about whether the meeting would be earlier or later in that week.

Jerry Anderson said the meeting format is still unknown. He said that are only some committee activities can be handled telephonically. He added that committee members also need training in 2021.

Joyce Anderson said that in planning a meeting date, there is also a need to check statute about legislative

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appointments to the committee and to consider the timing of those appointments.

Lee Holmes asked for comments.

Senator Tom Begich said he had been going to bring up the same point. Does the committee have to meet at a certain time? Who attends the first meeting? The current legislative members or the new members?

Jerry Anderson responded that changes are expected in legislative membership and the new members will attend the first meeting. He added that the terms of three of the public members also expire. All have agreed to continue on the committee, subject to nomination by the chief justice of the Alaska Supreme Court.

Senator Tom Begich asked again if the committee was required to meet within a certain number of days of the start of session on January 19, and if so, what is that number of days. If not, he recommends waiting until the following week.

Jerry Anderson replied that the committee is not required to meet that week but it has traditionally done so.

Senator Tom Begich recommended meeting on January 25 or 26 for two reasons: committee legislative membership would be identified and because there is a possibility that some legislative members may be at the presidential inauguration during the week of January 18. He recommended a motion establishing the week of January 25 for the newly reconstituted committee.

Lee Holmes thanked Senator Tom Begich. He said that the decision about a meeting date would be delayed. He asked everyone to keep the week of January 25 in mind while calendaring their personal lives.

Lee Holmes asked Jerry Anderson if there was anything more to discuss.

Jerry Anderson thanked Senator Tom Begich for his input.

Lee Holmes asked for other comments and/or other business.

Hearing none, Lee Holmes entertained a motion to adjourn.

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Joyce Anderson moved.

There were no objections.

Lee Holmes adjourned the meeting at 10:42 a.m.

ADJOURN:

[10:42:11 AM](#)