

Minutes approved August 15, 2024

ALASKA STATE LEGISLATURE
SELECT COMMITTEE ON LEGISLATIVE ETHICS
JANUARY 9, 2024
8:30 AM

FULL COMMITTEE

[8:32:33 AM](#)

CALL THE MEETING TO ORDER

CHAIR SKIP COOK called together the full committee meeting on January 9, 2024, at 8:34 a.m. He directed MS. MADDOX to conduct roll call.

Roll Call

Senator David Wilson
Senator Löki Tobin
Representative Sara Hannan
Chair Skip Cook
Deb Fancher
Conner Thomas
Jerry McBeath

Quorum present.

1. APPROVAL OF THE AGENDA

CHAIR COOK entertained a motion to approve the agenda.

REPRESENTATIVE HANNAN so moved.

CHAIR COOK entertained objections. Hearing none, the agenda was approved.

2. PUBLIC COMMENT

CHAIR COOK opened public comment. There was no public comment.

3. ELECTION OF HOUSE SUBCOMMITTEE VICE CHAIR 2024-2025

a. Article 3 Ethics Committee Election Procedure
CHAIR COOK announced the need to elect a house committee vice chair for 2024/2025. He read, "Under AS 24.60.130, members of each subcommittee shall elect a chair and a vice-chair, who will serve a two-year term. The statute

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also stipules that the chair and vice-chair must be public members, and an officer may not serve more than two consecutive terms."

CHAIR COOK explained that currently the house subcommittee is without a vice chair. The chairs change next week when the legislature is in the session. DEB FANCHER will be the full committee chair at that time.

MR. THOMAS added the committee only needed to fill House subcommittee vice chair position. The only member without a position is MR. McBEATH, so he is the obvious choice to fill the position.

CHAIR COOK asked MR. THOMAS if he was nominating MR. McBEATH for the position.

MR. THOMAS affirmed that it was a nomination.

CHAIR COOK entertained other nominations. Hearing none and hearing no objection, MR. McBEATH was selected to fill the House Subcommittee vice-chair position.

4. CHAIR/STAFF REPORTS (+)

CHAIR COOK directed MS. MADDOX to address the chair/staff report.

a. Public Committee Appointment Update

MS. MADDOX announced two of the public members expressed interest in reappointment when their terms expire. Supreme Court Chief Justice Peter Maassen appoints the public members and he is aware that the members would like reappointment. There is also a vacant alternate position, and the Chief Justice is considering applications for that position. Chief Justice Maassen is expected to make a decision by the beginning of the legislative session. He will send a letter with his selections to the Senate President and Speaker of the House. The House and Senate will vote on the appointments. With two-thirds vote of each body, the appointments will be ratified.

MR. THOMAS asked how many people applied to assume the alternate public member position.

MS. MADDOX replied there was one applicant when she had contact with the Chief Justice. The applicant is from

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Southeast Alaska. MS. MADDOX mentioned there was also possibly a former legislator interested.

REPRESENTATIVE HANNAN noted the deadline for the ratification of the members needs to be done prior to the March meeting, adding that sometimes the need to be ratified might mean sometime in the future and she thinks it would behoove the committee to make sure the explicit timeline for the work product is delineated to the people along the way, not just the Chief Justice but the presiding officers of each body.

CHAIR COOK thanked REPRESENTATIVE HANNAN for her suggestion and asked for clarification of the process involved.

MS. ANDERSON replied that the nominees usually appear before the State Affairs committee of each body, at which time there is a hearing and the committees either move the names forward or not.

REPRESENTATIVE HANNAN added there are a number of new house members chairing committees and scheduling the meetings can be complicated, and they may not be aware of the timeframe in which the ratifications must happen.

CHAIR COOK directed MS. MADDOX to ensure that happens.

b. Staff Report - Informal Advice

MS. MADDOX addressed the staff reports, the first being a standard report and the second, which circles back to informal advice that was provided at the November 29, 2023, meeting. She added the dates on the first report would be amended to November 29, 2023, to December 31, 2023. She entertained questions about the first report.

REPRESENTATIVE JOHNSON joined the meeting.

MR. McBEATH addressed the question of whether a legislator may send a newsletter to constituents via Every Door Direct Mail (EDDM), a U.S.P.S program with reduced mailing fees, if the newsletter would also reach individuals outside of the legislator's district. The answer said that it was permissible to send a limited number of newsletters to people outside the legislative district. It was estimated about 8,000 constituents living in the legislative district would receive the newsletter as well as about 1,000 people

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living outside of the district, which to MR. McBEATH seemed to be more than a limited number.

MS. MADDOX asked MS. ANDERSON to respond to the question posed by MR. McBEATH.

MS. ANDERSON replied that Advisory Opinion AO 13-03 addresses EDDM. The committee did not define a limited number in the opinion because it would be situation specific. In this case, about 9,000 mailers would be sent. Looking at that as a percentage seemed to be a limited number. EDDM reduces the cost of mailing. She asked the committee for their feedback.

SENATOR TOBIN said EDDM is based on zip code, and it is not possible to mail only people in the district. Her district includes people in two zip code areas and she would not be able to use the more affordable option if she was limited to mailing within her district.

MR. THOMAS recalled a similar question involving reapportionment. The answer at that time was no because some of the recipients would be in the new district.

MS. ANDERSON responded this situation does not involve redistricting. That, she remembers, is why the committee decided not to define a limited number and keep it fact specific. During redistricting, 1,000 may be seen as considerable because the legislator could be campaigning in the area.

MR. THOMAS offered the answer should include the exception [during redistricting]. MS. ANDERSON agreed.

CHAIR COOK recalled discussion of how the legislative districts did not match up to zip code areas and there was something about it in the advisory opinion.

MS. ANDERSON agreed to check the advisory opinion to see if it refers to redistricting.

REPRESENTATIVE HANNAN said delivery routes also have impact. Prior to redistricting, she had fewer than 100 people on a delivery route that intersected her district, so de minimis use. After redistricting, she has to mail first class to almost half of her district, thereby, almost doubling her cost to mail newsletters.

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REPRESENTATIVE JOHNSON [muted]... said the hardest part about mailing is when it accidentally goes outside the boundaries of her district. There has to be a bit of leeway, otherwise, communication is hobbled.

MS. ANDERSON said she believes that is the reason the committee did not define "limited;" it really is fact specific. In the case under discussion, she felt the number of newsletters was limited.

MS. MADDOX asked if there were other questions about the informal advice. Hearing none, she addressed the amended advice from the meeting on November 29, 2023. She asked MS. ANDERSON if she wanted to speak to the advice.

MS. ANDERSON replied that a question from REPRESENTATIVE HANNAN prompted the reconsideration. In response to the question, MS. ANDERSON contacted Representative Andy Josephson's office, the legislative office that posed the original question. She was told the office receives multiple emails daily from the same person. In a 12-week period, the office received about 750 emails from the person under three different email addresses. They asked whether directing an email address to the junk folder is considered blocking a user. Emails are still accessible. They are not deleted. The sender still has unencumbered access. LAA IT verified they recommend the use of the junk folder in a case such as this.

SENATOR WILSON referred to the last sentence on page 1, saying that legislative emails are not available by FOIA requests.

MS. ANDERSON thanked SENATOR WILSON for the information.

MS. MADDOX said she had spoken to Tim Banaszak, who also said legislative emails are not covered under FOIA. In addition, legislators have immunity. Their emails may become subject to FOIA if a legislator sends an email to a person subject to FOIA. She added there is no LAA IT policy restricting legislative offices from blocking emails. The emails are not deleted and the public still has multiple options for contacting their legislators.

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DEB FANCHER asked if there are any limitations to using the junk folder as a solution to the problem of receiving unwanted emails.

REPRESENTATIVE JOHNSON responded that putting an email into the junk folder is taking action. The spam filter requires similar effort to allow emails to go into the inbox.

DEB FANCHER asked for confirmation that when an email address is directed to the junk folder, it stays that way.

MS. MADDOX responded that it is possible to allow "unjunk" emails after the fact.

DEB FANCHER pointed out that even legitimate emails from those addressed automatically directed to the junk folder would go to the junk folder.

SENATOR TOBIN stated that legislators are in elected positions. Constituents can choose not to vote for a legislator who does not respond to their requests for information. She recounted there were 187 recipients in the scenario under discussion. She asked at what point does an email become part of a listserv. Recipients then have the ability to unsubscribe or block the email address because they did not sign up for it. She believes Alaska is a double opt-in state, which means you have to request to be part of a listserv, and you should have the ability to unsubscribe yourself.

MS. ANDERSON said she is not familiar with listservs. She reported staff in Representative Andy Josephson's office periodically go through the junk mail. They also go through the list of emails caught by the filter

CHAIR COOK asked if Representative Andy Josephson's office needs to respond to the emails if the person sending them is not one of his constituents.

MS. ANDERSON said neither Representative Andy Josephson nor his staff know whether the sender is one of his constituents.

CHAIR COOK questioned whether a legislator has an obligation to respond to a non-constituent in the same way they would a constituent.

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REPRESENTATIVE HANNAN said she brought forward her concern about the advice because she had received advice not to block emails. Some people think of a constituent as a person residing in a particular district but legally, anyone in Alaska is a constituent in that the legislature makes laws for everyone present in the state. She was concerned about the possibility of the advice leading to problems for the legislator. On the other hand, legislators have no legal obligation to look at their email. Some have staff look at them. Representative Andy Josephson asks his staff to look at every email every day. She directs her staff to delete irrelevant emails. The amended advice to sequester irrelevant emails in a junk folder better addresses her concern that the advice may have set a legislator up for a legal challenge.

MS. ANDERSON agreed the word "constituent" has multiple meanings and provided some history. She worked with a former legislator on legislation that would define the word but ultimately decided to abandon the effort because it was too complicated. The Ethics Committee considered the question and decided it was fact specific.

CHAIR COOK directed MS. MADDOX to address the next agenda item.

c. Ethics Disclosures

MS. MADDOX addressed the report of disclosures filed in 2023 and the report showing a comparison of disclosures filed from 2020-2023.

DEB FANCHER wondered about the decrease in the number of close economic association disclosures from 2022 to 2023. SENATOR WILSON said in 2023 there were a number of new legislators and opined they may not have had many associations to report.

MS. ANDERSON responded if you look down at the gifts of travel and hospitality, you can definitely see the difference between the beginning of COVID, which was in 2020, where there were only 24 gifts of travel, and then there were 39 in 2021. And then in 2022, it increased and then increased again in 2023.

6. PUBLICATIONS

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CHAIR COOK said Jacqui updated the 2023 Public Decisions booklet, the 2023 Advisory Opinions booklet, and the 2024 Standards of Conduct book. She will either update each member's committee binder or give them to the member to put into their own binder. He asked if there were any questions about those materials. Hearing none, he moved to the next agenda item.

7. ETHICS TRAINING

CHAIR COOK directed MS. MADDOX to talk about plans for ethics training.

MS. MADDOX said she would deliver an in person training in Juneau to new employees on January 12. Information about the training was distributed. Training will include an overview of the Ethics Act, Sexual and other workplace harassment, and workplace civility. There will also be an Anchorage training on January 22 in the LIO. The PowerPoint is complete and available to view by any interested committee member.

CHAIR COOK entertained questions about ethics training. There were no questions.

8. RULES OF PROCEDURE

- a. Section 15 Complaints - Investigations: (c)
Investigative Interviews

MS. MADDOX stated the proposed change to Section 15 Complaints is an update allowing for remote interviews with interviewees, with the stipulation the interviewee shall verify for the record that no one other than a person representing the interviewee else is present in the room or on a conference call line.

There was no discussion.

- b. Section 17 Complaints - Decisions: (g) Waiver of Confidentiality

MS. MADDOX explained the change to Section 17 Complaints - Decisions only fixes an incorrect reference in (g) from Section 14(d) to Section 14(e).

CHAIR COOK asked if there were questions about the proposed correction. There were none. CHAIR COOK entertained a

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motion to adopt the changes.

MR. McBEATH so moved.

CHAIR COOK entertained objections. There were none.

9. GIFT DISCLOSURES FOR TRAVEL

MS. MADDIX explained the committee, on December 17, 2021, had voted to require legislators and legislative employees who are receiving gifts of travel and hospitality to provide agendas for those events to show the legislative purpose for the travel. Filers have begun to submit screenshots of the agendas because event planners are now putting their agendas in an app instead of in the form of a document. The result is a bunch of screenshots being submitted that are inadequate for verifying legislative purpose. They are usually hard to read and understand and even to determine whether it is a complete agenda. Staff has to print it off and piece it together and try to make one document. It's not a good use of time and it's not effective, it's not efficient. Staff recommends prohibiting the use of [individual] screenshots and instead requesting that legislators and legislative employees submit a regular single document agenda.

MS. FANCHER reported she was in the Ethics Office and had seen the situation firsthand and understood why it was an issue.

MR. THOMAS noted in the packet he read that increasingly conference attendees are reporting the printed agendas or links to a download are not available. He asked how to overcome that? What's the alternative?

MS. MADDIX suggested requiring filers to reach out to event planners before attending the event and letting them know that our Ethics [Committee] requires a printed copy of the agenda. If there's truly not an agenda they can access that way, then they can combine the individual screenshots themselves. The preference is, though to just have a regular agenda.

MR. THOMAS asked if there was anything else in terms of submitting the information other than a screenshot or an agenda?

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MS. MADDUX replied not to her knowledge. She suggested that filers could combine all of the screenshots into a single PDF document, correctly ordered, and submit it along with disclosures.

MR. THOMAS responded that makes sense to him and that suggestion was different than prohibiting screenshots.

CHAIR COOK clarified the PDF is what is important.

MS. MADDUX: Correct. The singular PDF formats, yes.

SENATOR WILSON said he apologizes because it may have been his staff who had done that. He said they app-based agendas on their phones at the conference and they can't be printed. He reported it is hard to get the event planners to provide the itemized cost of these events, and they have to hound them and hound them. If it's a normal trade association like NCSL, CSG, they know the routine for legislators, others don't. He recommended changing the requirement to a summary of the agenda. It is hard to show those agenda items sometimes because they are not in hard copies or books and pamphlets anymore, it's all app-based, and it's hard to provide a copy of an app-based agenda.

REPRESENTATIVE HANNAN said the dilemma and the stress for the elected is always, oh, I'm day 58 and I need to submit this. And then you're trying to put together what happened two months ago. She suggests adding to ethics training the advice to make sure to understand what is needed before you decide to take the gift of travel. Something on the agenda has piqued your interest but by the time you go to the event, the agenda is now electronic. Personally, she is electronically impaired and does not know how to make a PDF. So, there is this double panic of it being day 58 or 59 with a 60- day reporting deadline and yet having to comply with the agenda requirement.

SENATOR WILSON explained there is only one license subscription for Adobe Acrobat per office, which is another complication.

CHAIR COOK suggested the Ethics Office could provide written instruction to the legislative staff about creating PDFs.

MS. MADDUX said the instructions could be included in the

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newsletter.

SENATOR WILSON said he grew up with desktop publishing and things of that nature, but he knows legislators who don't even have a computer in their office. After the conference is over, a lot of these sites just immediately take down their conference materials. and that's it. Instructions would be helpful but something may need to be worked out with IT or Legislative Council because not every office has multiple versions of Adobe Acrobat in their offices. Help us help you.

MR. McBEATH added he was sure the Ethics Office would be able to have one-on-one with staff to learn how to create a PDF. ,

MS. FANCHER said she thinks staff are young enough, they are computer savvy enough. It's an accountability piece that we determined two years ago was necessary. And to have Jacqui read through stuff like this is not okay.

SENATOR WILSON said it is easy to convert JPEGs to PDFs and could easily do that. Is that sufficient?

REPRESENTATIVE JOHNSON said her understanding is that legislators can receive gifts of travel as long as it's not for the purpose of elections and learning about elections. Is the agenda requirement to try to catch people doing something not allowed? Is it enough to sign a statement the travel was not election-related?

MS. FANCHER replied to Representative Johnson that the committee doesn't want to be the curriculum police. She reported she had shared this very statement with Jacqui and with Tamara. On the other hand, she continued, we want our representatives, our senators, going to the legitimate stuff. What we don't want is the administrative assistant bogged down with pages that look like that screenshot.

MR. THOMAS said the concern was not only about campaigning. The focus of the travel should be a matter of legislative concern. The purpose for requiring the agenda is to be able to show, if asked, whether the gift of travel was for a matter of legislative concern.

CHAIR COOK added the requirement is like the disclosure requirement. It's documentation. It's there if anybody

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wants to question what actually happened.

MR. THOMAS offered there may be other ways to provide the documentation besides the agenda. But the purpose isn't limited to campaigning issues.

REPRESENTATIVE HANNAN offered an example of an event that was not a conference. The Miner's Association of Alaska offered field trips to visit their mines. The trips originated in Fairbanks. There was no gift of travel to get to Fairbanks; that cost had to come out of the office account. It was an all-day trip to Usibelli Mine and a trip to Fort Knox the next day. There was no published agenda, it was a learning opportunity. They did provide an itinerary but there wasn't an agenda in the traditional sense. She thinks legislators need to think about the agenda requirement before making the decision of to go to an event and how they will prove they're not on a junket - that they weren't going to Palm Springs to learn about Usibelli Coal Mine.

MR. McBEATH said he is a member of the Alaska Mining Association and he's at the other end of this issue. The objective [of the travel] was to educate legislators about the mining industry, which is what any good special interest group would want to do, so legislators are aware in advance of what is going on and when matters come before the legislature, they will have additional knowledge they previously wouldn't have had in mining, and to harden the attitudes of those who pro-mining and soften the attitudes of those who are anti-mining.

SENATOR TOBIN offered an alternative. She reported that staff goes through annual training, particularly at the start of a legislative cycle, at which time they meet with different senior legislative aides, learn more about the building, learn more about their service to their legislator, learn about confidentiality. Newer employees could partner with senior legislative aides and learn how to make PDFs and how to ensure that they have collected all the materials before and after an event.

10. INTERNS - UPDATED FORMS, INSTRUCTIONS, AND WEBSITE

MS. MADDOX said the Ethics Office had updated the internship forms. This effort originated in August 2023, when there was confusion as to who had the final approval

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on internship programs. The internship requests were discussed in the September 29, 2023, meeting, and the committee asked staff to revise the forms and instructions to better explain the entire internship process. The office worked with the house speaker, the senate president's office staff, and LAA Executive Director Jessica Geary, to update the Ethics Committee's internship forms and instructions to simplify and clarify the process. In the September 2023 full committee meeting, the committee agreed to update the rules of procedures section 2, which is the administration procedure subsection 4. The committee wanted to include in the notification process to legislators a statement to contact the appropriate leadership of the legislative body to further proceed with the internship. And a copy of that notification is also provided to leadership. The forms are updated. From 2007 to 2014, there were 18 internship programs. In 2021, there was one internship program, and that was an out-of-state approved internship program. And then in 2023, there was one internship program. The forms are available for future internship programs. The office also updated the hiring process and the internship responsibility sections as well. She asked if there were comments or questions.

MR. McBEATH commented the results were much clearer but he was curious about [unintelligible].

MS. MADDIX replied that she would have to look further into exactly where it would be, but that yes, the internships that are listed are the internships that are available.

MR. McBEATH offered maybe because it was about United Nations or something.

MS. MADDIX said it may be that [unintelligible]. She will clarify that.

REPRESENTATIVE HANNAN said she had questions about the University of Alaska interim-only programs listed on page 3, meaning they are not available during session and they're not listed as being available during the session. She is curious because the largest internship program is the Ted Stevens UA fellows' program, and those interns are there for the full session. The way the list is structured it looks like those are not during session that those are interim only.

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MS. ANDERSON asked CHAIR COOK if she could respond.

CHAIR COOK: Yes.

MS. ANDERSON responded to Representative Hannan that the Ethics committee is not involved with the Senator Ted Stevens Legislative internship program, it is handled through the university, and those are session-only internships. The University of Alaska internships listed are interim only. The Ethics Committee approves all internships other than those through Ted Stevens. The programs on the list include only those the committee has approved. The non-University of Alaska internship programs are under committee purview.

REPRESENTATIVE HANNAN thanked Ms. Anderson.

CHAIR COOK asked if there should be note to that effect in case others have that question.

MS. ANDERSON said she would leave that up to Tamara and asked MS. MADDUX if she cared to comment.

MS. MADDUX declined.

MS. ANDERSON continued that she agreed adding a statement that the Senator Ted Stevens Legislative internship program is not under the jurisdiction the committee would be a good clarification.

REPRESENTATIVE HANNAN said her caution is saying those internship programs are not under the jurisdiction of Ethics almost sounds like there's no Ethics [training requirement]. All interns through the Ted Stevens programs go through ethics training as if they were staff. They're treated as staff. So, they're under the jurisdiction of the Ethics Act. The programs are not authorized under the Ethics Act; the Ted Stevens program being authorized by statute. Others have to be authorized by the Ethics committee. But everybody's under the jurisdiction of the Ethics Act.

MS. ANDERSON replied that the office will work on that. [Unintelligible].

CHAIR COOK suggested saying authorized and administered because it's administered outside department. He asked if

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there any objections to the documents as provided. Hearing none, the documents were approved.

CHAIR COOK continued saying that concludes the open full meeting and the committee would move on to discussion of matters in executive session.

CHAIR COOK entertained a motion to go into executive session to discuss matters which by law must remain confidential under AS 24.60.160, Uniform Rule 22(b) regarding executive sessions, and Rules of Procedure Section 5: Executive Sessions and discussion of matters, the immediate knowledge of which would adversely affect the finances of a governmental unit, and discussion of subjects that tend to prejudice the reputation and character of a person.

MS. FANCHER so moved.

CHAIR COOK asked if there was an objection. There were no objections. He addressed the question of staff attendance in executive session.

MS. FANCHER said she had concerns because the committee would be talking about staff issues and she suggested closing executive session to staff.

CHAIR COOK asked if there were other thoughts.

SENATOR WILSON asked if it would be possible to bring staff back in if there are questions for them.

CHAIR COOK responded they could go into executive session with just committee members and then call staff in if they are needed. He asked if that sounds reasonable.

MR. THOMAS and MS. FANCHER replied, yes.

CHAIR COOK directed the room be set up for executive session.

11. EXECUTIVE SESSION

12. PUBLIC SESSION

CHAIR COOK announced the committee had two matters discussed in executive session that need to be addressed.

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He entertained a motion regarding Jacqui Yeagle's position.

MR. THOMAS moved to increase Jacqui's work hours to 30 hours per week effective immediately.

REPRESENTATIVE HANNAN seconded the motion.

CHAIR COOK asked if there were objections to the motion to increase Jacqui's work week to 30 hours per week to start immediately. He asked MS. MADDOX to conduct a roll call vote.

Roll call vote

Senator David Wilson
Senator Löki Tobin
Representative Sara Hannan
Representative DeLena Johnson
Chair Skip Cook
Deb Fancher
Conner Thomas
Jerry McBeath

The vote was unanimous. The motion carried.

CHAIR COOK reported the committee had one other housekeeping item. During the transition, the committee authorized Jacqui be paid for extra hours over the 22.5 for 30 days after Tamara was hired. That time period has expired, and she has been paid that to-date. He said the committee needs to authorize those extra hours until the 30 hour week goes into effect.

REPRESENTATIVE JOHNSON moved to remove the conditional transitional language [for the approval of Jacqui's extra hours beyond the original 30-day limit].

CHAIR COOK asked MS. MADDOX the date she started working.

MS. MADDOX replied it was October 30th.

CHAIR COOK explained the motion would approve Jacqui's compensation for hours over 22.5 per week beginning November 30. He directed MS. MADDOX to conduct a roll call vote on the question.

Roll call vote

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Senator David Wilson
Senator Löki Tobin
Representative Sara Hannan
Representative DeLena Johnson
Chair Skip Cook
Deb Fancher
Conner Thomas
Jerry McBeath

The vote was unanimous. The motion carried.

13. BUDGET

CHAIR COOK addressed the budget. He noted the committee has the budget summaries and entertained discussion. There was no discussion

14. CONTRACT REPORT

CHAIR COOK directed MS. MADDUX to address the contract reports.

MS. MADDUX said the current contract with Attorney Brent Cole started on June 10, 2022, and it runs through June 30, 2024. The contract amount was \$15,000 and there is a little over \$5,000 remaining and available through the end of his contract. Investigator Monique Rapuzzi's contract began July 1, 2022, through June 30, 2024. Her contract amount was \$10,000, \$3,900 remaining. Ms. Anderson is on contract as well through the end of February [2024]. The question for the committee is whether to continue the contracts.

CHAIR COOK said there was time left on all the contracts and there's funds, so no action is needed.

MS. MADDUX said there was also a letter of interest from Mr. Andy Klamser, an investigator who lives in Homer. He was referred to the committee by Ms. Rapuzzi because she has a lot of cases on her books right now, and she expressed that the committee may want to look into having someone who can assist with investigations when she is not available. Andy Klamser submitted his cover letter references.

MR. THOMAS said back when he was practicing law regularly, he had occasion to use him as an investigator regularly and

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with good results.

REPRESENTATIVE HANNAN replied she would be concerned if a new investigator worked on something already under investigation.

CHAIR COOK responded the committee was only talking about a backup at this time.

REPRESENTATIVE HANNAN acknowledged CHAIR COOK's response, then said it may be premature to evaluate the need to contract with a second investigator, may be on a case by case basis, but she would also want more information, including his rate of pay, to make that decision.

CHAIR COOK directed MS. MADDOX to check Andy Klamser's references.

MS. FANCHER noted Monique Rapuzzi's contract still had almost \$4,000 in it so there was no need to act yet.

MS. ANDERSON mentioned Andy Klamser had worked with the committee on the Representative Dick complaint.

REPRESENTATIVE JOHNSON said she would like to see a report on contracts that are out, that need to be paid, and anticipated future expenses to see how the budget is squaring up.

MS. ANDERSON said she conducted quite a few less complicated investigations when she was administrator. She reported she spoke to MS. MADDOX about the National Certified Investigator Training, NCIT, and Tamara is interested in the training. The cost to attend the training is between \$400 or \$500 plus travel expenses. There are two types of training. The first one goes into how to conduct an investigation and the second one is more advanced training. Having the administrator do some investigations would save money.

REPRESENTATIVE JOHNSON recommended putting the investigator training into the FY 25 budget.

MS. ANDERSON said the meeting packet contains the proposed FY 25 budget and it is similar to FY 24 except for personal services. And MS. MADDOX may have suggestions for consideration. The committee has not asked for an increase

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in years. She confirmed with REPRESENTATIVE JOHNSON the proposals should be submitted to the House Finance Subcommittee.

REPRESENTATIVE JOHNSON indicated MS. ANDERSON was correct.

CHAIR COOK asked if there was more discussion about contracts or the budget.

MS. ANDERSON asked if it would be appropriate for Tamara to let Andy Klamser know the committee does not need another investigator but would like to keep him in mind for the future. He was told the committee would get back to him after the committee meeting.

CHAIR COOK agreed.

REPRESENTATIVE HANNAN asked if an additional investigator were to be hired, would it require an RFP. Did Mr. Klamser reach out to the committee, did he respond to an inquiry, or did he hear it through the grapevine. She wondered if procurement procedures require three soliciting [proposals].

CHAIR COOK said he did not think the committee has gone through the RFP process.

MS. ANDERSON responded the committee has never hired a contractor with an RFP. If a contractor was needed, they found one. MS. MADDOX said Monique is the one that recommended him and that is how his name was obtained.

MS. FANCHER asked how much more is Andy Klamser per hour than Monique Rapuzzi.

MS. ANDERSON replied \$65 an hour more - \$185 per hour

MS. MADDOX added that Andy Klamser also charges for travel and other expenses.

MS. FANCHER said that was a bit and the committee might want to consider that.

CHAIR COOK said no commitment but to keep him in mind.

15. COGEL CONFERENCE RECAP

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CHAIR COOK directed the committee to a discussion of the COGEL conference. He invited Deb Fancher to start.

DEB FANCHER noted Alaska was admirably represented at the COGEL Conference in Kansas City. She said she was most impressed - most horrified by - AI, artificial intelligence. The conference was very professional, the presenters were well versed in what they do. It was worth attending.

MR. THOMAS mentioned he had been to a number of COGEL conferences and they are all good. At this one, he tried to focus on something other than substantive ethics matters and to take a look at how offices operate, specifically what they use for software. There is a lot [of software] out there that are more than a small office like the committee would need, but it is something worth thinking about. One thing in particular that occurred to him is to make advisory opinions and other information a little more accessible.

MS. FANCHER noted a number of groups reported they visit community organizations to educate the public about what their ethics committee does. She suggested once a month members of the committee could join our administrator or our administrative assistant and visit community councils and let them know there is an Ethics Committee, this is what we do, and this is what your tax dollars, state dollars, PFD dollars, what they are doing for you. She thinks that that would be helpful in getting the word out. She and Joyce presented to a senior citizens group and they had no idea of the committee's existence, and she would bet that most people do not know that an Ethics Committee exists.

MS. ANDERSON added that one year, an off-election year, she visited the LIOs in Kenai, Wasilla, and Fairbanks and gave a little presentation. She found it beneficial. It is similar to what Deb is talking about. Some questions were amazing. We have LIOs throughout the state. Some of them are not open during the summer months, they are only open during sessions. That is another example.

MS. MADDOX said it was awesome to have the opportunity to attend [the conference] so early in her tenure. Piggybacking off what Deb said, the greatest takeaway, even though our jurisdictions are vastly different than other

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states, is educating people and keeping them informed as to what the committee does and why the Ethics Committee is here is the greatest deterrence from people violating Ethics Act. She found that to be the key takeaway, stay engaged with people, keep reaching out to people, let them know that the committee is here, welcome them in, welcome them to talk to you. She also made great connections. She looks forward to watching other jurisdictions and seeing how they handle this election year and other interesting cases that come across as well.

MR. McBEATH reported it was his first time at a COGEL Conference. He said COGEL has collected an enormous data set and other resources to draw on to improve the committee to the extent interested in improving capacity. Second, COGEL careerists, people who had been associated with COGEL for up to almost 50 years, go back every year. They helped put him in touch with people with shared interests. Third, he was surprised at the consortium of consultants at the COGEL Conference, consultants to commissions throughout the United States. These are private consultants making money providing these services to commissioners.

CHAIR COOK said he thought the other committee members had described the experience well. He thinks it is beneficial to attend.

16. OTHER BUSINESS

CHAIR COOK moved to other business. He asked legislators if the committee should expect any bills related to Ethics or that may impact the committee this year.

REPRESENTATIVE HANNAN replied that the question as posed was impossible to answer. She is not introducing any legislation nor has she seen any pre-filed bills affecting the Ethics statutes, but there are 59 other legislators who could see the world in a completely different way than myself.

SENATOR WILSON said he thinks that with the increased number of complaints over the past year and a half, that legislators may have amendments to current statutes, but has only seen the first batch of pre-filed bills. He assumes there will be legislation to fix issues that have come out this past year and a half.

CHAIR COOK said the other thing to keep in mind is the

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Ethics Committee can initiate legislation. If the committee sees areas in the act that need clarification or cleaned up, the committee can suggest [unintelligible]. He does not know of that is [unintelligible] thus far.

17. ADJOURN

CHAIR COOK entertained a motion to adjourn.

MS. FANCHER so moved.

CHAIR COOK entertained objections. Hearing none, the meeting adjourned at 12:45 PM.

[12:44:57 PM](#)

ADJOURN: