

Approved September 29, 2023

**ALASKA STATE LEGISLATURE
SELECT COMMITTEE ON LEGISLATIVE ETHICS**

JULY 14, 2023

10:00 AM

FULL COMMITTEE MEETING

[10:05:26 AM](#)

1. CALL THE MEETING TO ORDER

Skip Cook welcomed everyone and called the meeting of the Ethics Committee to order at 10:04 AM. He asked Jacqui Yeagle to take roll.

Roll Call

Senator Gary Stevens (telephonic)
Senator Loki Tobin
Representative DeLena Johnson (telephonic)
Representative Sara Hannan (telephonic)
Deborah Fancher (telephonic)
Gerald McBeath (telephonic)
H. Conner Thomas (telephonic)
Dennis "Skip" Cook (telephonic)
Joyce M. Anderson

Quorum present.

Skip Cook asked if there was anyone else in attendance telephonically. There was no response.

Skip Cook asked committee members and others who speak to identify themselves for the benefit of others.

Skip Cook said he expected the committee meeting to last no more than one hour.

[10:08:00 AM](#)

2. APPROVAL OF AGENDA

Skip Cook entertained a motion to approve the agenda. Motion made by Joyce Anderson. There were no objections.

[10:08:10 AM](#)

3. PUBLIC COMMENT

Skip Cook entertained public comment. There was no public comment.

[10:08:16 AM](#)

4. HIRING PROCESS FOR ETHICS COMMITTEE ADMINISTRATOR

POSITION

Skip Cook offered his condolences to the family of Jerry Anderson and he invited everyone to attend a reception in his honor following the meeting.

Skip Cook said that Jerry Anderson's death was unexpected though it was known that he was in considerable discomfort with back pain. He had back surgery out of state in mid-June and returned after a short period of recuperation. Because Jerry Anderson had not fully recuperated, home health care was arranged, but upon arrival on July 4, it was found that Jerry had died.

Skip Cook thanked Jacqui Yeagle for her assistance to Jerry Anderson and to the committee.

Skip Cook also thanked Joyce Anderson for her assistance in the committee office and in arranging for the committee meeting.

Skip Cook said that along with the agenda, committee members had received a copy of a suggested hiring process for a new administrator. The suggestions are based on past hiring practices. The committee is fortunate to have Joyce Anderson involved due to her experience in both being the administrator and in having been involved in the hiring process.

Skip Cook addressed a concern of Senator Gary Stevens that the proposed hiring process does not include a legislator on the hiring subcommittee. He said that traditionally there has not been a legislator on that subcommittee for two reasons. The committee is nonpartisan in its overall makeup and if one legislator representing one political party is on the subcommittee it may appear the subcommittee is partisan. Another reason is a concern about the amount

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of time legislators have available to serve on the subcommittee.

Skip Cook invited Conner Thomas to speak to concerns he had about the hiring process.

Conner Thomas said the job description overall was fine, but he had comments to make about it. He said he did not understand the difference between the general and functional sections of the job description. He thinks the informal advice function of the position should be listed at the top of the job description because that is one of the most important things the administrator would do.

Also, Conner Thomas does not understand why a bachelor's degree, preferably in a business related discipline, is preferred. He does not see the position as business related. He also wondered if requiring Alaska residency would limit the committee in its hiring decisions.

Conner Thomas also commented on where the job would be advertised. He wondered why the committee would not use COGEL, for example, in addition to local advertising venues. He also expressed his opinion that the full committee should be a bit more involved in or be kept more informed during the hiring process. He said the last time the committee hired an administrator the rest of the committee was unaware of the proceedings until the very end of the process.

Skip Cook agreed with Conner Thomas that the full committee should be more involved in the hiring process. He asked Joyce Anderson how many people applied last time there was need to hire an administrator.

Joyce Anderson said there had been 29 applicants total, 14 were eliminated for not meeting the job or application requirements.

Skip Cook expressed concern that there may be fewer applicants this time but there would still be a lot of work in reviewing and evaluating applications. He suggested that the hiring subcommittee circulate the top three applications to the full committee and to convene a meeting to discuss the top candidates before the interview process, then invite the full committee to participate in the

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interview process. Skip Cook entertained comments to his suggestion.

Jerry McBeath said that he concurred with the comments made by Conner Thomas about the preference for a business degree. He suggested the preference should be for a liberal arts degree to better respond to the need for administrator flexibility. Secondly, he expressed his thoughts that the larger the subcommittee gets, the more time the process will require.

Skip Cook referred to the Alaska resident requirement. He noted that Joyce had been hired out of Minneapolis. Certainly, he said, the administrator should intend to be in Alaska to serve.

Deb Fancher asked if Alaska residency could be prioritized because an Alaska resident brings history and there is a lot of historical information needed to do the job. For example, if a question comes up about the Alaska Permanent Fund or the Alaska Native Claims Settlement Act, knowledge of Alaska history would be valuable. While recognizing that recruitment might be more challenging at this time, she would still recommend a preference for an Alaska resident with roots and history here.

Skip Cook agreed with Deb Fancher and he wondered if a requirement for Alaska residency was permitted.

Deb Fancher asked if the committee could start the process with the requirement and see the response before opening the position up to a larger pool.

Joyce Anderson reminded the committee that Cynthia Ireland from Personnel was on the phone and available to answer questions. She noted that she had a question as well about the Alaska residency requirement and she asked Cynthia to speak to the residency question. She also mentioned to Skip Cook that she was an Alaska resident when she was hired, though she had moved here from Minneapolis. She also pointed out that Senator Löki Tobin had a comment to make.

Skip Cook recommended the committee removed the Alaska residency requirement and to see what response is gotten.

Senator Gary Stevens agreed, saying it is not an important issue to him. He thought the issues Conner Thomas brought

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forward about more legal experience rather than business and more committee involvement in the hiring process were more crucial.

Skip Cook directed the committee to first finish the conversation about the Alaska residency requirement. He asked Cynthia Ireland to comment.

Cynthia Ireland said that traditionally state of Alaska job recruitments are open to Alaska residents first, then opened more broadly. However, that is not a requirement. The administrator position is not one in which a lot of people can just step into, and as recruitment is getting more complicated, the committee can choose to make residency a preference but not a requirement. She also mentioned that Personnel is seeing a lot of spam job listing responses.

Skip Cook asked if the spam responses were received when there was an Alaska residency requirement.

Cynthia Ireland replied that they get spam responses on any of the job postings. She added that they also get a lot of response from out of state that do not meet the minimum qualifications.

Skip Cook asked Cynthia if the job description says that preference will be given to Alaska residents, would that sort it out a bit?

Cynthia Ireland replied that if plenty of qualified Alaska residents responded, they would have preference over equally qualified applicants from other states.

Skip Cook said he could see both sides of the question. If residency is an absolute requirement and didn't get much response, then there might be a need to advertise again to open it up to others. He stated his choice would be to include an Alaska residency preference but not requirement.

Skip Cook said that Conner Thomas has suggested posting the job description with COGEL, Council on [Governmental] Ethics Laws.

Cynthia Ireland stated she would recommend that as well.

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Skip Cook continued, saying [advertising with COGEL) would tend to bring in applications from outside of Alaska but they would likely be from people who have had some government experience.

Skip Cook asked Deb Fancher her opinion of saying that preference will be given to Alaska residents.

Deb Fancher agreed that [using] preference was good. She added that she thought advertising with COGEL was appropriate if knowledge of the Alaska legislative process was prioritized over ethics experience.

Skip Cook said that Alaska residency could be considered without stating that it is an absolute requirement.

Deb Fancher added that if there are two equally qualified candidates, her preference would be the position go to a person who has made Alaska their home.

Skip Cook entertained objections to including an Alaska residency preference to the job description. There were no objections.

Skip Cook invited Senator Löki Tobin to comment.

Senator Löki Tobin commented about the reference requirement: what types of references are required, how many are required, and how would applicants submit the references. She also noted that a background check was not listed under the minimum requirements. Robust background checks are done by the State of Alaska prior to appointments to boards and commissions.

Joyce Anderson said that a background check was conducted in the last hiring process and agreed it should be included in the minimum requirements.

Skip Cook wondered whether the required references would be added to the minimum requirements.

Cynthia Ireland said there are numerous ways to approach the reference question. One is to ask applicants to provide a list of professional references or personal references from the last few years or from your current employer in order to avoid getting old references. In regard to recruitment, applicants don't need to apply through

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Workplace Alaska. They can submit a resume and references instead.

Skip Cook suggested the hiring subcommittee work with Cynthia to include both references and a background check in the application requirements.

Skip Cook invited Senator Gary Stevens to share his comment.

Senator Gary Stevens said Jerry Anderson was so responsive, he had so much common sense, and he was just terrific to work with. He said that he had been on and off the Ethics Committee for 23 years, and though the public members have been great, he thinks he has seen a misunderstanding of the legislative process and a misunderstanding of what it means to be an elected legislator so legislators should be included in the hiring process, though he himself is not interested in that role. He does not see it so much as a partisanship issue, he thinks legislators are no more partisan than the public members. Including a legislator in the hiring committee would bring a perspective as an elected public official. He recommended that be the case.

Skip Cook responded, asking Senator Gary Stevens if he recommended a three-person hiring committee, with one member being a legislator.

Senator Gary Stevens agreed that was his recommendation.

Skip Cook asked Representative Sara Hannan to share her comments.

Representative Sara Hannan advised the committee to depend on LAA Personnel for guidance in wordsmithing the job description. She expressed her concern that in addition to standard background checks, APOC and federal records be checked to ensure that applicants have not contributed or participated in campaigns. If that is what the committee wants, it should be part of the hiring process and Personnel should be relied on to guide the committee in how to do that kind of check.

Additionally, Representative Sara Hannan recommended advertising the position as widely as possible, including using social media, and she addressed her concern that the position only requires a bachelor's degree and does not

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require a background in law. She is curious whether Jerry Anderson was considered an attorney in the legislative pay schedule.

Skip Cook thanked Representative Sara Hannan.

Joyce Anderson pointed out that she did not have a law degree; she has a master's in Public Administration. Her background as director of elections and voter registration for the City of Minneapolis, was an apolitical job. She had experience interpreting statutes, testifying before the legislature, and so on. Jerry Anderson was not hired specifically because of his law degree, so she would not want to only consider applicants with a law degree. There are resources to consult if knowledge of the law is needed.

Skip Cook agreed it should not be a requirement. He directed discussion back to the makeup of the hiring subcommittee. He asked the legislators if any would be interested in serving on the subcommittee. Senator Gary Stevens suggested that legislators other than those on the committee may also have an interest in serving.

Joyce Anderson said she was concerned about too much partisanship if there is only one party represented on the subcommittee and asked for the opinion of others.

Skip Cook said the subcommittee could be expanded to five members - three public members and two legislators but that might be cumbersome.

Deb Fancher said appearance matters and she understands legislators want a voice, and a subcommittee of five allows that.

Jerry McBeath agreed with Deb Fancher. Jerry Anderson stressed the importance of the appearance of impropriety on the part of the committee. There is no way to get around that individual committee members have their own political preferences. A public member/legislator split balances the subcommittee.

Skip Cook returned to the question of whether legislative members were available to serve on the subcommittee. Skip Cook commented that perhaps legislators might get involved at a later stage in the process. If subcommittee expansion is desired, legislators need to be available.

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Representative DeLena Johnson said that she would be willing to serve. She agrees with the need for two [legislative] members and with Senator Gary Stevens that the legislative members do not need to be committee members. She also indicated she thinks legislators coming into the process later is ok, though she has no strong opinion about that.

Representative Sara Hannan said she has plans for a very busy fall and would not anticipate being available. She said that her concerns for the committee makeup would be met by the whole committee having a discussion before final interviews were complete. She indicated she would be happy to see Representative DeLena Johnson on the committee.

Senator Löki Tobin also said that she has a busy fall planned and does not feel confident she would be able to serve timely and efficiently.

Joyce Anderson suggested the subcommittee could identify the candidates that meet the minimum qualifications - it involves basically ruling out [candidates]. They could then bring a list of qualified candidates to the legislative members of the subcommittee.

Skip Cook agreed that it would be a good idea - narrowing down the list of candidates and then bringing legislators into the process.

Senator Gary Stevens agreed that was a reasonable solution.

Skip Cook agreed it would work well. It also would allow legislators to consider their availability while also getting the process started. He wondered how many candidates the subcommittee would identify before legislators were involved.

Senator Gary Stevens said that should be left up to the subcommittee.

Skip Cook asked if there were objections to starting with a subcommittee of three public members soliciting, receiving, and reviewing applications and then include two legislators when interviews begin.

Skip Cook asked again if there was any objection.

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Conner Thomas wondered if the full committee would be involved when the top two or three candidates were identified.

Representative DeLena Johnson advised including the two legislators after the first cut, then bringing in the full committee when the last few candidates are identified.

Skip Cook confirmed with Representative DeLena Johnson that her suggestion was to bring in two legislators when the list is narrowed down to qualified candidates, and then circulate the last few to the full committee.

Representative DeLena Johnson said she thought that sounded good.

Joyce Anderson added more about how the process was handled the last time. There were 29 applicants and 15 were qualified. The subcommittee selected 10 applicants for a phone interview, then chose the top three to five applicants for an in person interview. She suggested the legislators get involved for phone interviews and then refer the top three to five to the whole committee.

Skip Cook said he thought that was what had been suggested. He asked if there were objections to that plan.

Joyce Anderson added that the hiring committee administered a writing test to the top three to five candidates as well. They emailed the candidates a question and directed them to return a writing sample meeting certain criteria, including an analysis and conclusion, within 30 minutes. Those were evaluated also.

Skip Cook reiterated the plan: a three member committee winnowing down the applicants to perhaps ten, then bring in the two legislators for phone interviews, and selecting the top three to five candidates for an in person interview, at which time the full committee would be included.

Skip Cook asked if there were any objections.

Jerry McBeath wondered if the subcommittee would be conducting phone interviews with the candidates or with their references, and he expressed curiosity about the hierarchy of usefulness between phone interviews with the

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candidates, phone interviews with their references, and the writing samples.

Skip Cook responded that phone interviews would include both the candidates and their references. He asked Joyce Anderson for confirmation.

Joyce Anderson replied that was correct.

Skip Cook asked for other comments.

Cynthia Ireland asked if the subcommittee would conduct all of the phone interviews including the reference checks.

Skip Cook replied yes, the subcommittee would conduct those interviews after narrowing down the search from the whole group of applicants to a smaller number of candidates they want to consider further. From there, the subcommittee would identify which candidates should go forward and at that time bring in the legislative members of the subcommittee for in person interviews.

Joyce Anderson commented that the writing test is only for the top three to five candidates, not for all of the candidates with whom the committee conducts phone interviews. A writing test with all of the phone interview candidates is possible but last time only the final candidates were asked to do that.

Skip Cook said that the subcommittee could decide how they want to conduct that part of the process. Personal interviews would be before the full committee.

Skip Cook entertained further comments. There were no further comments.

Skip Cook appointed Joyce Anderson, Deb Fancher, and Jerry McBeath to the subcommittee. He himself, would act as ex officio member. He asked if there were objections to the subcommittee beginning with the three named members and appoint two legislative members further in the process.

Senator Gary Stevens thanked Skip Cook for addressing all of his concerns.

Skip Cook entertained other comments or questions.

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Representative Sara Hannan asked the expected timeline for the job announcement.

Skip Cook asked Joyce Anderson to respond.

Joyce Anderson responded the job announcement should be ready the following week and based on her conversation with Personnel, the ad should run for a minimum of the 10 day but suggested it run for a month. She asked Cynthia Ireland if she had a comment about that.

Cynthia Ireland said she recommends a month of advertising for section heads, with an extension to 60 days if needed. She agreed with Joyce Anderson that the job announcement should be ready next week. She added that the subcommittee could review the job announcement prior to publication and that ideas for other places to advertise were welcome.

Skip Cook commented that 10 days is too short and 30 days is preferable.

Deb Fancher asked if social media searches would be conducted.

Cynthia replied that Personnel generally reviews social media as part of their unofficial reference checks.

Skip Cook stated that thoroughness in screening candidates was as important a part of the process as thoroughness in reaching out.

Representative DeLena Johnson agreed a month of recruitment makes sense and she wondered if during the process, as major milestones passed, the subcommittee would update the full committee.

Skip Cook agreed to Representative DeLena Johnson's request and directed the subcommittee to keep updated the full committee.

Joyce Anderson replied that the subcommittee would provide a periodic update to the full committee.

Representative Sara Hannan stated campaign donations should also be considered in choosing candidates given the restrictions in the position, perhaps an APOC review of candidates and campaign donations, including federal

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donations. Representative Sara Hannan suggested advertising with national ethics organizations as well as NCSL and CSG. She also agreed that a month of advertising is the minimum needed given it is summer in Alaska.

Skip Cook agreed with Representative Sara Hannan's remarks, and he asked for motion to adjourn.

5. PLAN OF ACTION PENDING HIRE OF COMMITTEE ADMINISTRATOR

Joyce Anderson replied there was an additional item of business to discuss, the plan of action pending the hire of the new administrator. She and Skip Cook would provide assistance to the Ethics Office in responding to questions as needed. She asked Skip Cook if he had anything to add.

Skip Cook said the messaging from the Ethics Office would be that because the office is between administrators, complex questions will be forwarded and a response will be given as soon as possible. The administrative assistant will continue to work as usual and is authorized to work additional hours as needed up to 40 hours.

5. PUBLIC SESSION

7. OTHER BUSINESS

Skip Cook asked if there was other business. There was no response.

8. ADJOURN

Joyce Anderson moved to adjourn the meeting.

Skip Cook adjourned the meeting at 11:15 AM.

[11:15:44 AM](#)

ADJOURN: