

Alaska State Legislature

Select Committee on Legislative Ethics

1500 West Benson Blvd, Suite 220
Anchorage, AK 99503
Phone: (907) 269-0150
FAX: (907) 269-0152

Mailing Address:
PO Box 90251
Anchorage, AK 99509-0251
Website: <http://ethics.akleg.gov>

HOUSE SUBCOMMITTEE DISMISSAL OF COMPLAINT H 23-02

The House Subcommittee hereby dismisses Complaint H 23-02 against Representative David Eastman.

On May 10, 2023, the House Subcommittee received a properly filed complaint against Representative David Eastman. The complaint alleged the following:

During the 2023 legislative session, Representative Eastman used his campaign website, daveideastman.org, to raise campaign donations, purportedly for the purpose of paying his legal bills, in violation of AS 24.60.031(b)(1)(A).

Relevant Statutes

Sec. 24.60.031. Restrictions on fund raising.

(b) A legislator may not

(1) on a day when either house of the legislature is in regular or special session, solicit or accept a contribution or a promise or pledge to make a contribution

(A) for the legislator's own campaign for state or municipal public office, unless the solicitation, acceptance, promise, or pledge occurs in a place other than the capital city or a municipality in which the legislature is convened in special session if the legislature is convened in a municipality other than the capital city during the 90 days immediately preceding the election in which the legislator is a candidate

Sec. 24.60.080. Gifts.

(a) Except as otherwise provided in this section, a legislator or legislative employee may not (1) solicit, accept, or receive directly or indirectly, a gift worth \$250 or more, whether in the form of money, services, a loan, travel, entertainment, hospitality, promise or other form, or gifts from the same person worth less than \$250 that in a calendar year aggregate to \$250 or more in value;

(c) Notwithstanding (a)(1) of this section, it is not a violation of this section for a person who is a legislator or legislative employee to accept

(8) a gift of legal services in a matter of legislative concern and a gift of other services related to the provision of legal services in a matter of legislative concern;

Representative Eastman waived confidentiality of the complaint process pursuant to AS 24.60.170(1) on May 18, 2023.

Representative Eastman retained legal counsel for this complaint.

SCOPE OF INVESTIGATION:

In considering the complaint, the subcommittee reviewed AS 24.60.031 Restrictions on fundraising, subsection (b)(1)(A), as noted in the complaint. The subcommittee also reviewed AS 24.60.080 Gifts, subsections (a)(1), relating to gifts, and (c)(8), relating to gifts for a legal defense fund. The subcommittee's investigator reviewed the website davideastman.org, interviewed Representative Eastman, and interviewed two legislative staffers for pertinent information related to the allegations.

The House Subcommittee met on June 12, 2023, November 29, 2023, January 9, 2024, February 16, 2024, and April 4, 2024. At the February 16, 2024, and April 4, 2024, meetings, Rep. Eastman and his attorney commented on the complaint.

DISMISSAL ORDER:

The House Subcommittee determined Representative Eastman violated AS 24.60.031(b)(1)(A) by engaging in solicitation of campaign contributions through his website, davideastman.org, and by accepting a contribution of \$100 during the 2023 legislative session on February 1, 2023. However, Representative Eastman took immediate corrective action by returning the campaign contribution on the same day.

Additionally, the House Subcommittee determined that Representative Eastman did not violate AS 24.60.080(a)(1). Under this statute, a legislator is permitted to accept donations for a legal defense fund, provided that such donations do not exceed \$250 per donor per calendar year.

Based on the investigator's reports and Representative Eastman's comments, the subcommittee found Representative Eastman utilizes his website, davideastman.org, for campaign fundraising purposes during the campaign season and for raising legal defense fund donations outside of the campaign season, and he provides a disclaimer regarding the donation limits for his legal defense fund. The activities, as described, do not violate AS 24.60.080(c)(8).

In light of these findings, the House Subcommittee hereby dismisses complaint H 23-02 in its entirety.

RECOMMENDATION:

It is advised that Representative Eastman undertake a thorough examination of AS 24.60.031(b)(1)(A) and ensure the deactivation of campaign donation links on his website promptly at the commencement of each legislative session. Additionally, under AS 24.60.080(c)(8), the allowance of gifts in the form of legal services related to legislative matters is exclusive to in-kind contributions in matters of a legislative concern.

Representative Eastman expressed concerns regarding the timeliness of the resolution for this complaint. Representative Eastman is urged to expedite his responses to both the subcommittee and the investigator assigned by the subcommittee. Any delay in responding not only impedes the decision-making process but also results in the unnecessary expenditure of

