

Minutes approved September 29, 2023

**ALASKA STATE LEGISLATURE
SELECT COMMITTEE ON LEGISLATIVE ETHICS
MARCH 9, 2023
11:00 AM**

FULL COMMITTEE

[11:08:43 AM](#)

1. CALL THE MEETING TO ORDER:

Skip Cook called the meeting of the full Ethics Committee to order at 11:10 a.m., and he directed Jerry Anderson to conduct roll.

Roll Call

Senator David Wilson, Alt for Senator Stevens (telephonic)
Senator Löki Tobin (telephonic)
Representative DeLena Johnson (telephonic)
Representative Sara Hannan (telephonic)
Skip Cook
Conner Thomas (telephonic)
Joyce Anderson (telephonic)
Deb Fancher
Jerry McBeath (telephonic)

All present.

Skip Cook asked if anyone was online telephonically.

Noah Klein announced that he was online.

Kenneth Kirk, counsel for Representative David Eastman announced that he was online.

Representative David Eastman announced his presence online.

Others present.

Jerry Anderson
Jacqui Yeagle

Minutes approved September 29, 2023

Skip asked that committee members and others identify themselves before speaking for the benefit of other attendees and the audience.

Skip Cook stated that he expected the full committee meeting to last about 90 minutes.

[11:10:57 AM](#)

2. APPROVAL OF AGENDA

Skip Cook directed the committee's attention to the agenda and entertained a motion for approval.

Motion made by: Deb Fancher

There were no objections.

The agenda was approved.

[11:11:57 AM](#)

3. PUBLIC COMMENT

Skip Cook invited public comment.

Antonia Leonard said that she had recently moved to the Eagle River area and was new to the legislative process. She acknowledged she was not sure of the purpose of the Ethics Committee meeting. She asked if the committee could speak to the ramifications of not following the Constitution.

Skip Cook replied that the committee could not speak to that question at this time.

Skip Cook moved to the next item on the agenda.

[11:14:10 AM](#)

4. ELECTION OF COMMITTEE CHAIRS FOR 2023-2024

Skip Cook opened nominations for House Subcommittee Chair and Vice-Chair positions.

Conner Thomas nominated Joyce Anderson to chair the House Subcommittee.

Minutes approved September 29, 2023

Skip Cook asked if there were other nominations for the position. Hearing no other nominations, Skip Cook directed Jerry Anderson to conduct a roll call vote.

Roll call vote

Skip Cook
Conner Thomas
Joyce Anderson
Deb Fancher
Jerry McBeath
Representative DeLena Johnson
Representative Sara Hannan

The vote was 7-0 in favor of Joyce Anderson chairing the House Subcommittee.

Skip Cook opened nominations for Vice Chair of the House Subcommittee.

Conner Thomas nominated Deb Fancher.

Skip Cook asked if there were other nominations for the Vice Chair position. Hearing no other nominations, Skip Cook directed Jerry Anderson to conduct a roll call vote.

Roll call vote

Conner Thomas
Joyce Anderson
Deb Fancher
Jerry McBeath
Skip Cook
Representative Sara Hannan
Representative DeLena Johnson

The vote was 7-0 in favor of Deb Fancher serving as Vice-Chair of the House Subcommittee.

[11:16:36 AM](#)

Skip Cook directed the committee to the next item on the agenda: executive session.

5. Motion to go into EXECUTIVE SESSION *to discuss matters which by law must remain confidential under AS 24.60.160,*

Minutes approved September 29, 2023

Uniform Rule 22(b) regarding executive sessions, and Rules of Procedure Section 5: Executive Sessions and discussion of matters, the immediate knowledge of would adversely affect the finances of a governmental unit, and discussion of subjects that tend to prejudice the reputation and character of a person.

Skip Cook entertained a motion to move into executive session.

Deb Fancher so moved.

There were no objections.

Skip Cook announced a short recess while preparations for executive session were complete.

[11:17:31 AM](#)

6. EXECUTIVE SESSION

[1:07:19 PM](#)

7. PUBLIC SESSION

Skip Cook announced that the committee was prepared to act on Advisory Opinion AO 23-01.

Jerry Anderson read from a brief summary of the advisory opinion:

The "immediate family" exception in AS 24.60.080(c)(5) does not allow a gift worth \$250 or more from the spouse of the legislator's sibling.

The "legal services" exception in AS 24.60.080(c)(8) does not include the purchase of future legal services, or a third party contracting to provide a legislator future legal services for a legislator or legislative employee for legal expenses on matters of legislative concern.

A gift of legal services may simultaneously be related to a legislator's legislative status and offered for a matter that is not of legislative concern.

Minutes approved September 29, 2023

The capacity in which a legislator is sued is not determinative of whether a gift related to that lawsuit is connected to the legislator's legislative status.

A specific matter may be a matter of legislative concern under the Ethics Act, despite an express decision by Legislative Council not to intervene in the matter.

A matter addressing the responsibilities and proper role of the houses of the Legislature to judge the "election and qualification" of their members under art. II, sec. 12 of the Alaska Constitution is a matter of legislative concern.

The result in a specific matter does not determine whether the matter is a matter of legislative concern.

The exception in AS 24.60.080(a)(8) does not apply to a legislator accepting cash gifts to cover the cost of legal action both while a matter of legislative concern is proceeding and after conclusion of the matter.

Skip Cook entertained a motion to concur with the draft advisory opinion as amended.

Representative Sara Hannan so moved.

Skip Cook entertained objections. Hearing no objections, Skip Cook asked Jerry Anderson to conduct a roll call vote.

Roll call vote

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

By a vote of 8-0, the committee adopted and concurred with Advisory Opinion AO 23-01.

8. OTHER BUSINESS

Minutes approved September 29, 2023

Skip Cook entertained other business.

9. ADJOURN

Hearing no other business, Skip Cook entertained a motion to adjourn the meeting.

Deb Fancher so moved.

Skip Cook entertained objections. There were no objections. The meeting adjourned.

[1:11:18 PM](#)

ADJOURN: