

ALASKA STATE LEGISLATURE
SELECT COMMITTEE ON LEGISLATIVE ETHICS
NOVEMBER 29, 2023
8:30 AM

FULL COMMITTEE MEETING MINUTES

[8:38:38 AM](#)

1. CALL THE MEETING TO ORDER

Vice Chair Conner Thomas called the meeting to order on November 29, 2023, at 8:40 AM.

Conner Thomas welcomed Representative Mike Prax, House District 33, **as** the alternate for Representative DeLena Johnson.

Conner Thomas welcomed the new Ethics Committee administrator, Tamara Maddox, and asked her to introduce herself.

Tamara Maddox said her background is in regulatory affairs and compliance. She served as the regulatory and legal affairs manager for the Alaska Oil and Gas Association and as associate attorney for the Alaska Public Offices Commission. She said she looked forward to bringing all her skills to the important work of the committee and to its mission to always hold up the highest ethical standards. She said she grew up in Alaska, a proud Service Cougars girl at heart. She looks forward to serving the community in this important role, feels welcomed by the legislators, and she looks forward to working with members of the Ethics Committee.

Conner Thomas said Tamara Maddox had been in the position for about a month. Luckily Joyce Anderson, who had filled in on an interim basis as staff to the committee, has agreed to stay on as a consultant to help transition Tamara Maddox into her new role. He looks forward to working with her.

Conner Thomas directed Tamara Maddox to conduct roll call.

Roll Call

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Senator David Wilson, Alternate for Senator Gary Stevens
Senator Löki Tobin
Representative Sara Hannan
Representative Mike Prax, Alternate for Rep. DeLena Johnson
Deb Fancher
Conner Thomas, Vice Chair
Jerry McBeath

Quorum present.

Tamara Maddox noted staff Jacqui Yeagle and consultant Joyce Anderson were also present in the meeting.

Conner Thomas thanked Tamara Maddox and directed the committee to look at the agenda.

2. APPROVAL OF AGENDA (+)

Due to time constraints, Conner Thomas proposed that [Management Log - Informal Advice Staff Report] under item six be moved to the next meeting.

Jerry McBeath moved to approve the agenda as amended.

Conner Thomas entertained discussion or objections. There was no discussion or objection. The agenda was approved as amended.

3. PUBLIC COMMENT

Conner Thomas entertained public comment. There was no public comment.

[8:44:27 AM](#)

4. INTRODUCTION OF NEW ETHICS ADMINISTRATOR - Tamara Maddox

Conner Thomas noted the agenda item had already been addressed.

5. APPROVAL OF MINUTES

a. June 12, 2023, Senate Subcommittee Meeting (+)

Conner Thomas entertained a motion to either accept or revise the meetings minutes of the Senate Subcommittee meeting of June 12, 2023.

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Deb Fancher moved to accept the minutes of the Senate Subcommittee meeting on June 12, 2023.

Conner Thomas entertained discussion or objection to approving the Senate Subcommittee meeting of June 12, 2023.

There was no discussion or objection. The minutes of the Senate Subcommittee meeting of June 12, 2023, were approved.

b. September 29, 2023, Full Committee Meeting (+)

Conner Thomas entertained a motion to either accept or revise the meetings minutes of the Full Committee meeting of September 29, 2023.

Jerry McBeath moved to accept the minutes of the Full Committee meeting on September 29, 2023.

Conner Thomas entertained discussion or objection to approving the Full Committee meeting of September 29, 2023.

There was no discussion or objection. The minutes of the Full Committee meeting of September 29, 2023, were approved.

c. October 4, 2023, Full Committee Meeting (+)

Conner Thomas entertained a motion to either accept or revise the meetings minutes of the Full Committee meeting of October 4, 2023.

Jerry McBeath moved to accept the minutes of the Full Committee meeting on October 4, 2023.

Conner Thomas entertained discussion or objection to approving the Full Committee meeting of October 4, 2023.

There was no discussion or objection. The minutes of the Full Committee meeting of October 4, 2023, were approved.

[8:45:55 AM](#)

6. CHAIR/STAFF REPORT

a. Management Log - Informal Advice Staff Report (+)

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Conner Thomas advised that the committee had delayed this item to the next committee meeting in January.

b. Public Member Terms Expiring

Conner Thomas referred the discussion to Tamara Maddox.

Tamara Maddox explained the Ethics Committee is a body made up of four legislators and five public members, along with alternates. Public members are appointed by the Chief Justice of the Alaska Supreme Court, currently Honorable Peter Maasen. In January 2024, the terms of Skip Cook and Joyce Anderson expire. Both agreed to continue serving if reappointed. Joyce Anderson would be returning to the committee after assisting through the transition in the Ethic Office, likely around February 2024.

Tamara Maddox reported that she and Joyce Anderson had met the chief justice to discuss the appointment process. Tamara Maddox asked if there were questions.

Joyce Anderson shared that in the discussion with the chief justice, she had explained that she had been a member of the committee and took a leave of absence to serve as acting administrator and now as staff to the committee. The chief justice did not see a problem with that. She told him she was under contract with the committee until the end of February, at which time she would be able to serve as a member of the committee. Chief Justice Maasen had no concerns with the arrangement.

Representative Sara Hannan asked Conner Thomas to remind the committee of the public member appointment process - does the chief justice have sole authority to appoint public members or is there a confirmation process?

Joyce Anderson said the chief justice would nominate individuals to be on the Ethics Committee. Those on the committee can resubmit their names for consideration [at the end of their terms]. It is up to the chief justice to decide whether to reappoint them. [The chief justice sends] a letter of appointment to the speaker of the house and then senate president and is referred to the respective state affairs or judiciary committee. Those committee members would have the opportunity to ask questions of the nominees. The committee members do not make a recommendation; they either forward the names of the nominees to the full body or not.

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Representative Sara Hannan asked if those members have the authority under statute to act until their confirmation is complete. Some entities do and others don't. She believes the Ethics Committee has full authority to act, vote, and participate pending the confirmation vote by the legislature and asked for confirmation.

Joyce Anderson replied that Representative Sara Hannan was correct in that ethics committee members serve until there is a new appointee. If the chief justice submits the letter before the legislative session begins, those members only serve for 30 days unless they were reappointed. The chief justice is apprised of that information and submits the letter after session starts so that the renominated members of the committee would continue to serve until reappointment or someone else is appointed.

Representative Sara Hannan thanked Joyce Anderson for the explanation.

Conner Thomas said members on the committee continue to serve, which is different than someone who is not a current member of the committee.

Conner Thomas entertained other questions.

Jerry McBeath asked about the progress made in filling the alternate public member vacancy.

Tamara Maddox explained the vacancy is advertised in the Ethics Committee newsletter and the chief justice is aware the position is open.

Joyce Anderson said there is an interested individual and she and Tamara had provided the individual's information to the chief justice. The chief justice understands the need for an alternate in case of a conflict of interest, prior commitment that interferes with a member's attendance, or travel challenges. The chief justice also nominates the alternate and would do so at the same time he nominates the two regular members. Joyce Anderson reported she had talked to the interested individual twice and she and Tamara Maddox had agreed to forward the name to the chief justice, who also planned to talk with the person.

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Conner Thomas asked if only one person had expressed interest in the position or more than one person interested.

Joyce Anderson replied that only one person has expressed interest. An advertisement for the position is included in Ethics Committee newsletters. The advertisement directs anyone interested to submit a letter and resume to the chief justice. He may have received others but was not aware of any at the time that she and Tamara Maddox had visited with him.

c. COGEL Conference Update

8:53:05 AM

Conner Thomas directed the committee to the next agenda item, an update about the COGEL conference in December.

Tamara Maddox said the conference is in Kansas City from December 3 through December 6. She said she will attend the conference along with all of the public members and Noah Klein, the committee's in-house counsel.

Conner Thomas entertained questions about the conference.

Joyce Anderson said she is excited about the four public members attending and the committee's legal counsel, Noah Klein, is eager to learn about how other states operate. Generally, the attendees report to the committee their experience at the next meeting and she suggests inviting Noah Klein to comment as well.

Conner Thomas entertained other questions about the conference. There were no other questions or comments.

7. OTHER BUSINESS

Conner Thomas entertained other business.

Skip Cook thanked Conner Thomas for calling the meeting together in his absence.

Conner Thomas entertained other business.

Tamara Maddox announced there is a full committee meeting and a house subcommittee meeting scheduled for January 9,

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2024, in Anchorage. The meetings are expected to last until 12:30 PM. She asked committee members to confirm their ability to attend the meeting.

Conner Thomas asked if anyone would not be able to attend the meetings.

Deb Fancher suggested extending the meeting time to include the item from this meeting that was moved to the next.

Tamara Maddox said she believed that was possible and she could confirm that today.

Joyce Anderson said she believed that the meetings would go later than 12:30 PM given the number of items that will be on the agenda. There are a number of items that are generally part of the January meeting, and she expects the house subcommittee meeting to take considerable time. Checking the room's availability after that time is advisable.

The committee directed Jacqui Yeagle to check on the room's availability after 12:30 PM.

Conner Thomas agreed and said that normally the time a meeting will last is estimated, and most of the time it's longer than estimated. Unless there is a problem with the room, the meeting can last as long as necessary.

Senator Löki Tobin asked for a brief at-ease while awaiting the answer to the question about the room's availability.

Conner Thomas called a brief at-ease.

[At ease]

Tamara Maddox confirmed the room was available as long as it was needed on January 9, 2024. She asked the committee how long they thought it was needed.

Deb Fancher recommended 2:30, which gives the committee two extra hours, and inquired if that was acceptable to everyone.

Jerry McBeath recommended that due to travel constraints, the committee determine a schedule that works for all committee members, not just those in Anchorage.

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Conner Thomas asked if Jerry McBeath had a suggestion.

Jerry McBeath replied that an 8:30 AM start is preferable for those coming from Fairbanks but admitted he did not know how those coming from Southeast think about that.

Representative Sara Hannan said an 8:30 AM start means leaving Juneau the night before the meeting. It costs a lot more money to come up the day before and spend the night. If the weather is good and the flight is on time, a 9:30 AM start is better.

Conner Thomas confirmed with Jerry McBeath that he can work with a 9:30 AM start.

Joyce Anderson pointed out that two alternates were in attendance that day and the availability of the regular legislative members is unknown. She thinks that checking in with them after the meeting is important. It is preferable to have the regular members in attendance at the January meeting.

Conner Thomas said he understood January 9, 2024, had been vetted.

Senator David Wilson said he knows that Representative DeLena Johnson will be in town on January 9. He also reported Senator Gary Stevens should be in town close to that time period.

Tamara Maddox confirmed the date had been vetted with all of the committee members.

Joyce Anderson reported this will be the first time the January meeting will be held in Anchorage. Because this year ethics training is only required for new employees, Tamara Maddox suggested having the meeting in Anchorage. Joyce Anderson thought it was a good idea and one the committee might consider every off year if it works out.

Deb Fancher confirmed at meeting time of 9:30 AM to 2:30 PM. The meeting time was confirmed.

Conner Thomas suggested revisiting the decision to move the informal advice review to the next meeting and discussing

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it at that time. He entertained objections to that idea. Hearing none, he opened for discussion the informal advice.

Tamara Maddox said the staff report covers September 22, 2023, through November 7, 2023. Issues ranged from board memberships to social media. She said that she is happy to answer questions but explained that a part of that time Joyce Anderson was in the interim administrator role and that she had answered the majority of the questions during that time.

Conner Thomas asked if the advice in the first question was correct, if a person representing a board as legal counsel is required to file a board membership disclosure.

Joyce Anderson replied the person asking the question had a dual role: board member and legal counsel.

Conner Thomas said he read it as the person asking was acting as legal counsel for the board. It makes sense if he is actually on the board.

Joyce Anderson offered to amend the advice to include mention of the dual role.

Senator Löki Tobin said she looks forward to the U.S. Supreme Court's decision about how public officials should be using social media accounts. Guidance would be really helpful as this is an area of much concern and many related questions to the committee.

Deb Fancher asked Senator Löki Tobin if the U.S. Supreme Court had decided to hear the case. What is the process? Senator Löki Tobin replied that she understands that they heard the case in October.

Deb Fancher thanked Senator Löki Tobin.

Skip Cook reported that at last year's COGEL conference most attendees had concerns about the subject.

Joyce Anderson said she wanted to remove the word "No" from the answer to the state resources question on page 4, "May a legislator use the Legislative Library, Legislative Legal or the Legislative Research section for personal use?" because the legislative library is open to the public. The

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other two sections are agencies within the legislative arena.

Conner Thomas replied that he had noticed that too. The answer is yes to the first [library] and no to the rest.

Senator David Wilson addressed the question: "May a legislator ask his/her legislative staff to help prepare APOC reports? He said there is a difference in APOC reports. He reported that he thought that was only the case for the initial financial disclosures and for the annual Legislative Financial Disclosures but not for campaign-related activities unless state resources are not being used.

Joyce Anderson agreed with Senator David Wilson and said that she would amend the advice.

Representative Sara Hannan said she understands there is a second APOC report, POET accounts, which are allowed because they are used in the execution of duties.

Joyce Anderson replied the call was about the Legislative Financial Disclosures, but she will include information about the POET accounts as well.

Conner Thomas entertained other questions about the staff report of informal advice.

Hearing no further questions, Conner Thomas asked if there was any other business for the committee.

Representative Sara Hannan said she wanted to mention for the minutes that Representative Julie Coulombe has been on the phone during the meeting. Representative Julie Coulombe is a first-time legislator, it has been a pleasure getting to know her, and she appreciates that Representative Coulombe took time to listen to the meeting.

Conner Thomas thanked Representative Julie Coulombe and reminded her if she is looking for a committee assignment, not to forget the Ethics Committee.

Conner Thomas entertained other business.

8. ADJOURN

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Hearing no other business, Conner Thomas entertained a motion to adjourn.

Deb Fancher so moved.

Conner Thomas thanked everyone and he adjourned the meeting at 9:15 AM on November 29, 2023.

[9:13:15](#)

ADJOURN: