

**ALASKA STATE LEGISLATURE  
HOUSE JUDICIARY STANDING COMMITTEE**

March 8, 2024

1:06 p.m.

**MEMBERS PRESENT**

Representative Sarah Vance, Chair  
Representative Jamie Allard, Vice Chair  
Representative Ben Carpenter  
Representative Jesse Sumner  
Representative Andrew Gray  
Representative Cliff Groh

**MEMBERS ABSENT**

Representative Craig Johnson

**COMMITTEE CALENDAR**

CONFIRMATION HEARING(S) :

Select Committee on Legislative Ethics

Joyce Anderson - Juneau  
Skip Cook - Fairbanks  
Rachel Kelly - Juneau

- CONFIRMATION(S) ADVANCED

HOUSE BILL NO. 227

"An Act relating to liability of an electric utility for contact between vegetation and the utility's facilities."

- HEARD & HELD

HOUSE BILL NO. 338

"An Act relating to physician liability for gender transition procedures performed on minors; and providing for an effective date."

- BILL HEARING CANCELED

**PREVIOUS COMMITTEE ACTION**

BILL: HB 227

SHORT TITLE: ELECTRIC UTILITY LIABILITY

SPONSOR (s) : REPRESENTATIVE (s) RAUSCHER

01/16/24 (H) PREFILE RELEASED 1/8/24  
01/16/24 (H) READ THE FIRST TIME - REFERRALS  
01/16/24 (H) ENE, JUD  
01/23/24 (H) ENE AT 10:15 AM BARNES 124  
01/23/24 (H) Heard & Held  
01/23/24 (H) MINUTE(ENE)  
01/25/24 (H) ENE AT 10:15 AM BARNES 124  
01/25/24 (H) Moved HB 227 Out of Committee  
01/25/24 (H) MINUTE(ENE)  
01/26/24 (H) ENE RPT 4DP 3AM  
01/26/24 (H) DP: BAKER, MCKAY, WRIGHT, RAUSCHER  
01/26/24 (H) AM: SCHRAGE, ARMSTRONG, PRAX  
03/06/24 (H) JUD AT 1:00 PM GRUENBERG 120  
03/06/24 (H) Heard & Held  
03/06/24 (H) MINUTE(JUD)  
03/08/24 (H) JUD AT 1:00 PM GRUENBERG 120

**WITNESS REGISTER**

JOYCE ANDERSON, Appointee  
Select Committee on Legislative Ethics  
Anchorage, Alaska

**POSITION STATEMENT:** Testified as appointee to the Select Committee on Legislative Ethics.

SKIP COOK, Appointee  
Select Committee on Legislative Ethics  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified as appointee to the Select Committee on Legislative Ethics.

RACHEL KELLY, Appointee  
Select Committee on Legislative Ethics  
Juneau, Alaska

**POSITION STATEMENT:** Testified as appointee to the Select Committee on Legislative Ethics.

CODY BENNETT, representing self  
Juneau, Alaska

**POSITION STATEMENT:** Testified on the appointees to the Select Committee on Legislative Ethics.

SHANNON GREEN, representing self  
Juneau, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointees to the Select Committee on Legislative Ethics.

ANDY CIZEK, representing self  
Soldotna, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointees to the Select Committee on Legislative Ethics.

CHARLES PERRETT, representing self  
Glenallen, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointees to the Select Committee on Legislative Ethics.

MARIANNE E BURKE, representing self  
Wasilla, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointees to the Select Committee on Legislative Ethics.

CATHY HARRIS, representing self  
Wasilla, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointees to the Select Committee on Legislative Ethics.

ARCHIBALD CAMPBELL, representing self  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointees to the Select Committee on Legislative Ethics.

PATRICK MARTIN, representing self  
Wasilla, Alaska

**POSITION STATEMENT:** Testified on the appointees to the Select Committee on Legislative Ethics.

JACOB MAGOON, representing self  
Wasilla, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointees to the Select Committee on Legislative Ethics.

CHRISTOPHER KURKA, representing self  
Wasilla, Alaska

**POSITION STATEMENT:** Testified on the appointees to the Select Committee on Legislative Ethics.

JAMES SQUYRES, representing self  
Deltana, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointees to the Select Committee on Legislative Ethics.

REBECCA HINSBERGER, representing self  
Kasilof, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointees to the Select Committee on Legislative Ethics.

KEN HUCKEBA, representing self  
Wasilla, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointees to the Select Committee on Legislative Ethics.

KEN GRIFFIN, representing self  
Wasilla, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointees to the Select Committee on Legislative Ethics.

PAM GOODE, representing self  
Deltana, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointees to the Select Committee on Legislative Ethics.

JACQUELYN GOFORTH, representing self  
Palmer, Alaska

**POSITION STATEMENT:** Testified in opposition to the appointees to the Select Committee on Legislative Ethics.

JOSH FRYFOGLE, representing self  
Mat-Su, Alaska

**POSITION STATEMENT:** Testified on the appointees to the Select Committee on Legislative Ethics.

LYNN ELLIOTT  
American Property Casualty Insurance Association  
Denver, Colorado

**POSITION STATEMENT:** Testified in opposition to HB 227.

MICHAEL ROVITO, Deputy Director  
Alaska Power Association  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 227.

CHRISTIAN RATAJ, Senior Regional Vice President  
National Association of Mutual Insurance Companies  
Fort Collins, Colorado

**POSITION STATEMENT:** Testified in opposition to HB 227.

PHILLIP WEIDNER, representing self

Anchorage, Alaska

**POSITION STATEMENT:** Testified in opposition to HB 227.

**ACTION NARRATIVE**

[1:06:14 PM](#)

**CHAIR VANCE** called the House Judiciary Standing Committee meeting to order at 1:06 p.m. Representatives Gray, Groh, Sumner, Allard, Vance were present at the call to order. Representative Carpenter arrived as the meeting was in progress.

**CONFIRMATION HEARING(S) :**  
**Select Committee on Legislative Ethics**

[1:07:09 PM](#)

CHAIR VANCE announced that the first order of business would be a confirmation hearing for the governor's appointees to the Select Committee on Legislative Ethics.

[1:07:38 PM](#)

JOYCE ANDERSON, Appointee, Select Committee on Legislative Ethics, testified as appointee to the Select Committee on Legislative Ethics ("the ethics committee"). She explained that she had been on the ethics committee since 2017 and served as the ethics administrator from 2001 to 2014. She emphasized the importance of the committee and highlighted her institutional knowledge as a strength. She shared her professional background, education, and qualifications, including government work for the city of Minneapolis, Minnesota. She shared her belief that her background and knowledge would be helpful in transitioning the new ethics administrator into the position.

[1:10:36 PM](#)

REPRESENTATIVE ALLARD asked whether Ms. Anderson is currently an officer for the League of Women Voters (LWV).

MS. ANDERSON answered yes.

REPRESENTATIVE ALLARD asked whether Ms. Anderson could remain neutral while serving on both the LWV and the ethics committee.

MS. ANDERSON answered yes, she explained that the LWV is a nonpartisan, deliberative organization that conducts a study and

requires full membership approval before taking a position on an issue.

REPRESENTATIVE ALLARD questioned the length of Ms. Anderson's most recent contract with the ethics committee.

MS. ANDERSON answered seven months.

[1:12:26 PM](#)

REPRESENTATIVE ALLARD asked whether Ms. Anderson is currently a party to any lawsuits.

MS. ANDERSON answered yes. In response to a follow up question, she explained that the lawsuit is against the Division of Elections (DOE) in relation to the rejection of absentee ballots. She explained that her absentee ballot was rejected for including the wrong identifier and she was not notified of the rejection until one month after the election. She said the lawsuit is intended to encourage the State of Alaska to notify voters of rejected ballots and to give them a chance to cure them and correct the error.

[1:14:42 PM](#)

REPRESENTATIVE ALLARD asked, "So the ACLU [American Civil Liberties Union] lawsuit League of Women Voters is you versus the State of Alaska. Is that correct?"

MS. ANDERSON answered yes, she was among the parties listed in the lawsuit.

REPRESENTATIVE ALLARD asked for Ms. Anderson's hourly rate while working for the committee.

MS. ANDERSON declined to answer.

REPRESENTATIVE ALLARD reported that Ms. Anderson was paid \$64.64 per hour. She asked who paid the hourly rate.

MS. ANDERSON deferred to the chair of the ethics committee.

REPRESENTATIVE ALLARD asked who approved the hourly rate.

MS. ANDERSON answered the full ethics committee.

[1:15:58 PM](#)

REPRESENTATIVE ALLARD asked why the terms of that contract were not included in the minutes.

MS. ANDERSON said the contract was approved during an open committee meeting, adding that she had not seen the minutes.

REPRESENTATIVE ALLARD asked whether Ms. Anderson was familiar with AS 24.60.13, which in part, provides that a committee employee, including a person who provides personal services under a contract with the committee may not be a legislator, an elected or appointed official of the state or local government entity, an officer of a political party, a candidate for public officer, or a registered lobbyist.

MS. ANDERSON acknowledged the statute.

[1:16:56 PM](#)

REPRESENTATIVE ALLARD asked whether Ms. Anderson was familiar with AS 24.60.030, which in part, provides that a legislative employee may not serve in a position that requires confirmation by the legislature.

MS. ANDERSON said, "That's correct." She explained that per the advice of outside legal counsel, she took a leave of absence. She noted that the chief justice of the Alaska Supreme Court, Peter Maassen, "okayed" the leave of absence.

CHAIR VANCE pointed out that the ethics committee minutes indicate that Ms. Anderson was under contract during the leave of absence; however, after further review, Ms. Anderson was a State of Alaska employee with full benefits, which was not disclosed. She asked why Ms. Anderson's status as a full employee was not reflected [in the minutes].

MS. ANDERSON said she does not control what is approved or discussed by the ethics committee. She deferred to the committee chair.

[1:18:41 PM](#)

CHAIR VANCE pointed out that Ms. Anderson had been a public member of the ethics committee, as well as an employee. She asked how she was not aware of these conversations and requirements.

MS. ANDERSON asked which requirements and regulations the chair was referring to.

CHAIR VANCE read AS 24.60.135(f) and AS 24.60.030(f). If Ms. Anderson was on contract getting paid as a legislative employee until February 2024, she asked how she was also sitting as a public committee member.

MS. ANDERSON said she was not a member of the committee during that time period.

CHAIR VANCE asked when her reappointment was made.

MS. ANDERSON said after session had started.

[1:20:37 PM](#)

CHAIR VANCE asked when Ms. Anderson discussed her reappointment with the chief justice.

MS. ANDERSON said, "I do not recall."

CHAIR VANCE asked whether an appointment was made to fill the vacancy on the committee when she requested a leave of absence.

MS. ANDERSON stated that no one was appointed to fill the vacancy.

[1:21:35 PM](#)

REPRESENTATIVE ALLARD asked whether the committee was supposed to believe that after 20 plus years of experience, Ms. Anderson had no idea of why the vacancy was not filled.

MS. ANDERSON restated that she does not speak for the committee. She explained that after the passing of Jerry Anderson, she was asked to step in as administrator. She reiterated that outside legal counsel said it was appropriate for her to serve in the role of acting administrator if she took a leave of absence from the committee. She opined that the proper steps were taken.

REPRESENTATIVE ALLARD asked whether it was ethical to take a leave of absence.

MS. ANDERSON said she felt it was appropriate because the position of administrator could not be easily filled. She said

the committee asked her to fill the position due to her experience.

REPRESENTATIVE ALLARD asked whether Ms. Anderson should have decided whether she wanted to be an employee or a public unpaid member.

MS. ANDERSON said she chose to be active administrator after a leave of absence, so she did make a choice.

REPRESENTATIVE ALLARD remarked, "It seems to me [that] it was being double dipped."

[1:25:11 PM](#)

REPRESENTATIVE GRAY shared his understanding that the role of acting administrator required a level of knowledge and expertise that not many people possessed.

MS. ANDERSON replied in the affirmative.

REPRESENTATIVE GRAY sought to confirm that there was a very short list of people that could fill that role of administrator when Jerry Anderson passed away.

MS. ANDERSON answered yes.

REPRESENTATIVE GRAY said he appreciated Ms. Anderson's willingness to step into that role and do the necessary work.

REPRESENTATIVE ALLARD pointed out that just because someone passes away, it doesn't mean ethics should be violated.

[1:27:30 PM](#)

REPRESENTATIVE GRAY asked whether Ms. Anderson obtained a legal opinion about stepping in as acting administrator.

MS. ANDERSON answered yes, outside legal counsel was consulted and indicated that a leave of absence would suffice.

CHAIR VANCE asked whether Ms. Anderson was ever part of the hiring committee.

MS. ANDERSON answered yes.

CHAIR VANCE asked whether Ms. Anderson was acting as a legislative employee or serving in the public position at the time.

MS. ANDERSON said she was acting administrator at the time.

CHAIR VANCE questioned Ms. Anderson's efforts in finding a replacement.

MS. ANDERSON described the committee's process, which included a job posting, reference check, interview process, and the hiring of a new ethics administrator.

[1:30:51 PM](#)

CHAIR VANCE asked whether there was any indication that Alaska Statutes allow members to take a leave of absence and retain their seat.

MS. ANDERSON deferred the question to the committee's outside legal counsel.

CHAIR VANCE asked when Ms. Anderson met with the chief justice regarding her appointment.

MS. ANDERSON said she did not recall whether it was December or early January.

CHAIR VANCE asked whether Ms. Anderson had asked the chief justice to hold off on issuing an appointment until after the session convened.

MS. ANDERSON recalled that outside legal counsel had issued an opinion regarding AS 24.60.130(g), and because the legislature had delayed the consideration of appointees to May that year, the committee was unable to meet during that time period. The legal opinion indicated that if the appointment was made after session started, that individual would serve until the appointment was approved by the legislature or a replacement was made. She offered to read the legal opinion.

[1:34:44 PM](#)

CHAIR VANCE said she found it interesting that Ms. Anderson was highly familiar with this area of statute, but not the one pertaining to payroll. She asked whether it was ethical for Ms. Anderson to exploit a loophole in statute by waiting for the

chief justice to appoint her until after the start of the legislative session.

MS. ANDERSON said this was an ongoing practice to allow the committee to handle advisory opinion requests and address complaints that were received without waiting 5 months from January to the middle of May to operate. She opined that the ethics committee did the appropriate thing.

CHAIR VANCE asked whether Ms. Anderson could see how it might look unethical for a committee member on leave, getting paid by the legislature, to lobby the chief justice for reappointment to the committee.

MS. ANDERSON clarified that she did not lobby the chief justice for reappointment.

[1:38:41 PM](#)

SKIP COOK, Appointee, Select Committee on Legislative Ethics, testified as appointee to the Select Committee on Legislative Ethics. He shared his professional background, education, and qualifications. He said he was appointed to the committee by Chief Justice Skip Matthews. He spoke to the changes in administrators over time, adding that continuity is the reason for his continued service. He opined that the ethics committee serves an excellent purpose for the state that has been demonstrated over the years. He added that when Joyce retired as administrator and Jerry was hired, the committee decided that Jerry needed help settling into the position and Joyce did that. When Jerry suddenly died last summer, they decided to hire Joyce [as acting administrator] after taking a leave of absence because she knew the position. He said the process was done in the open. In response to the prior question about Joyce's hourly pay, he said the paygrade best suited Joyce's expertise and was similar to her pay as an administrator. He added that Joyce is one of the most ethical people he had ever met.

[1:47:26 PM](#)

REPRESENTATIVE ALLARD questioned Mr. Cook's political position before he registered as nonpartisan.

MR. COOK said he had been nonpartisan for decades. He shared a personal anecdote and said he was probably registered at one time as a democrat.

REPRESENTATIVE ALLARD asked whether Mr. Cook signed the petition to recall Governor Dunleavy.

MR. COOK answered in the affirmative.

REPRESENTATIVE ALLARD asked whether he was concerned that the committee consists of one democrat, several nonpartisans who were previously democrats, and no republicans.

MR. COOK said that did not surprise him one way or another.

[1:50:48 PM](#)

REPRESENTATIVE CARPENTER recalled that Mr. Cook had stressed the importance of continuity. He asked why length of time and service is such an advantage.

MR. COOK opined that now, with a new administrator and a change in public membership, continuity is critical.

[1:53:32 PM](#)

REPRESENTATIVE ALLARD pointed out that the combined time of Mr. Cook and Ms. Anderson's service is 50 years. She spoke in favor of term limits and expressed concern about partisanship on the ethics committee. She asked how Mr. Cook could be nonpartisan to political figures with different viewpoints.

MR. COOK stated that the committee's work has never been partisan and would continue to stay that way.

CHAIR VANCE asked whether Ms. Anderson's leave of employment created a perception of ethical issues.

MR. COOK answered no, he said Ms. Anderson's employment was a contract that was configured by [Legislative Legal Services] and the [personnel office.]

CHAIR VANCE said she understood that legal standards were pursued; however, she the ethics committee must rise above legal standards and consider ethical standards. She restated the question, asking whether the situation created a concern from the public's perspective.

MR. COOK answered no, adding "I think somebody is trying to make it a public concern." He said this was no different than when Ms. Anderson first retired, and Jerry came on board, and then

Ms. Anderson was hired on a contract. He acknowledged that Ms. Anderson had not been a committee member at that time; however, she wasn't committee member when she served as acting administrator either.

[1:58:28 PM](#)

REPRESENTATIVE GRAY asked whether the committee only finds ethical violations of republicans.

MR. COOK answered no, party affiliation is never considered.

REPRESENTATIVE GRAY asked whether Mr. Cook could say with certainty that democrats have been found guilty of ethical violations by the committee.

MR. COOK answered no, not with certainty, as party affiliation is not considered. He said there have certainly been complaints made against both parties.

REPRESENTATIVE GRAY said, for the record, that his staff had worked for a former democratic legislator who was found guilty of an ethics violation.

[2:00:44 PM](#)

RACHEL KELLY, Appointee, Select Committee on Legislative Ethics, testified as appointee to the Select Committee on Legislative Ethics. She shared her professional background, education, and qualifications, noting that she worked as an IT consultant for an Alaska-based firm. She said she was volunteering to serve because she wants to support the legislative process and to take a more active role in her community. She said that she is an analytical and process-oriented person - two things that would serve her well on the ethics committee.

CHAIR VANCE sought questions from committee members.

[2:02:08 PM](#)

REPRESENTATIVE ALLARD questioned Ms. Kelly's political affiliation.

MS. KELLY said she is not registered with a party. In response to a follow up question, she explained that she registered republican when she was 18 years old and updated it several years later.

REPRESENTATIVE ALLARD asked Ms. Kelley what "nonpartisan" means to her.

MS. KELLY explained that she had registered as a republican because her parents were registered republicans. She added that it felt important for her to "make her own way."

REPRESENTATIVE ALLARD asked whether Ms. Kelly's decision to participate in the campaign to recall Governor Dunleavy was a nonpartisan decision.

MS. KELLY said she based her decision on personal reasons, not on his party affiliation.

[2:03:46 PM](#)

CHAIR VANCE asked about Ms. Kelly's approach to ethical considerations.

MS. KELLY said she had never served in an ethical role. She opined that she had a "good moral compass" and that her analytical and data driven side would allow her to balance how something feels with the information surrounding it.

CHAIR VANCE asked whether Ms. Kelly had ever filled out an ethics report.

MS. KELLY answered no.

CHAIR VANCE asked Ms. Kelly to speak to the committee's perspective in regard to fairness.

MS. KELLY expressed her hope that the committee's process is dependable and repeatable. She added that she had not considered partisanship with regard to the committee.

[2:07:34 PM](#)

REPRESENTATIVE ALLARD asked who referred Ms. Kelly to the chief justice.

MS. KELLY said Judge Amy Mead. In response to a series of follow up questions, she explained that she spoke with the chief justice over the phone and informed the committee that the only member she knew beforehand was Jerry Anderson.

[2:09:16 PM](#)

CHAIR VANCE opened public testimony on the appointees to the Select Committee on Legislative Ethics.

[2:09:46 PM](#)

CODY BENNETT, representing self, testified on the appointees to the Select Committee on Legislative Ethics. He expressed concern that the committee lacked clear representation and opined that the longevity of a particular candidate carries no merit. He said he would like to see fresher faces on the committee, because a "churning" of the group would offer new perspectives. Ultimately, he requested that the committee decline the appointments of Ms. Anderson and Mr. Cook.

REPRESENTATIVE ALLARD asked whether the ethics committee was balanced and whether that could result in distrust.

MR. BENNETT, after looking at several recent decisions, pointed out that a majority of ethics complaints had been made against conservative voices. Recent history suggests that there is an opportunity to help people feel that both sides are being considered, he concluded.

[2:15:00 PM](#)

REPRESENTATIVE GRAY asked how balance could be ensured on the ethics committee.

MR. BENNETT said balance of [party affiliation] would be a useful tool, adding that he would like to see a [republican] on the committee at some point for better optics.

[2:16:15 PM](#)

SHANNON GREEN, representing self, testified in opposition to the appointees to the Select Committee on Legislative Ethics. She said she was deeply concerned about the persecution of Christian and pro-life legislators by the ethics committee, of which there is a clear track record over the last 20 years. She opined that the ethics committee should be fair, balanced, and above reproach, adding that she objected to the confirmation of the three appointees. She pointed out that there is no republican member on the committee and said the public deserves a balance of representation. At a minimum, she urged the committee not to

confirm the two long-term appointees [Ms. Anderson and Mr. Cook].

[2:18:20 PM](#)

REPRESENTATIVE GRAY asked whether any republican member would balance the committee.

MS. GREEN said if she were hiring, she would be looking at the appointee's background. She provided several examples of optional qualifiers to consider, such as voting history, education, and party affiliation. She remarked, "When you start to lean heavy one way, you're talking into a mirror."

[2:20:15 PM](#)

ANDY CIZEK, representing self, testified in opposition to the appointees to the Select Committee on Legislative Ethics. He opined that the committee needs new, unbiased blood. He questioned a potential conflict of interest involving Senator Hoffman and SB 140.

[2:22:32 PM](#)

CHARLES PERRETT, representing self, testified in opposition to the appointees to the Select Committee on Legislative Ethics. He said there is an appearance of the ethics committee being used as an attack dog against Christian conservative republicans, citing cases involving Representative Eastman, former Representative Christopher Kurka, Representative Vance, and former Senator Lora Reinbold. He urged a "no" vote on all three appointees.

[2:24:53 PM](#)

MARIANNE E BURKE, representing self, testified in opposition to the appointees to the Select Committee on Legislative Ethics. She said she heard that Representative Eastman does not receive equal treatment in the legislature and opined that a more conservative, pro-life, heartfelt perspective is needed on the ethics committee.

[2:27:14 PM](#)

CATHY HARRIS, representing self, testified in opposition to the appointees to the Select Committee on Legislative Ethics. She pointed out that the committee lacked republican representation

and expressed concern about the "smoke and mirrors" in the appointees' answers. She reported that since 2020, the ethics complaints have targeted conservative Christians and requested that the confirmation of all three appointees be rejected.

[2:29:29 PM](#)

ARCHIBALD CAMPBELL, representing self, testified in opposition to the appointees to the Select Committee on Legislative Ethics. He challenged the idea that there is a form of honor and nobility to the idea of being "nonpartisan;" further, he characterized ideological conflict as essential. He questioned whether all legislators' social media accounts are equally monitored for polarizing opinions and suggested that the confirmation of all three appointees be rejected.

[2:31:49 PM](#)

PATRICK MARTIN, representing self, informed the committee that he was the executive director of the Alaska Right to Life and testified on the appointees to the Select Committee on Legislative Ethics. He referenced the appointees' participation in the recall effort against Governor Dunleavy and questioned their ability to be nonpartisan. He cited two ethics complaints that he was a party to and found it inappropriate for the ethics committee to have investigated a member of the public.

[2:34:04 PM](#)

JACOB MAGOON, representing self, testified in opposition to the appointees to the Select Committee on Legislative Ethics. He referenced an article from The Alaska Landmine chronicling the expulsion of a journalist from a fundraiser and urged the committee to listen to the testifiers and vote "no" on all three appointees.

[2:36:16 PM](#)

CHRISTOPHER KURKA, representing self, former state representative, testified on the appointees to the Select Committee on Legislative Ethics. He expressed deep concern over the left-wing (indisc.) of the legislative ethics committee. He stated that public service on the committee is not supposed to be platform for left wing activism and questioned whether signing the petition to recall Governor Dunleavy is a new qualification requirement for members. He shared his belief

that new blood is needed, and that the insular and circular membership of the ethics committee must end.

[2:37:28 PM](#)

JAMES SQUYRES, representing self, testified in opposition to the appointees to the Select Committee on Legislative Ethics and requested that the appointment of all three nominees be rejected. He said the partisan committee had devolved into an unethical, secret tribunal that had been weaponized into a form of lawfare and used to skim unnecessary state funds. He opined that baseless allegations force legislators to steer away from representing their constituents and financially penalize them in the form of legal fees in defense of ethics complaints that are eventually thrown out.

[2:39:19 PM](#)

REBECCA HINSBERGER, representing self, testified in opposition to the appointees to the appointees to the Select Committee on Legislative Ethics. She expressed concern about the lack of balance on the ethics committee due to the persecution of Christian legislators. She opined that signing the petition to recall Governor Dunleavy showed partisanship and opined that it was time for Mr. Cook and Ms. Anderson to concede. She requested new, conservative blood.

[2:40:50 PM](#)

KEN HUCKEBA, representing self, testified in opposition to the appointees to the Select Committee on Legislative Ethics. He opined that statements of partisanship were used as a "badge of obfuscation" to avoid scrutiny. He opined that the notion of ethics and morals comes from Christian values and yet, [Christians] are being "extorted" and the target of lawfare. He pointed out that using ethics complaints to mute a representative mutes thousands of citizens in turn. He requested that the confirmation of all three appointees be rejected.

[2:42:49 PM](#)

KEN GRIFFIN, representing self, testified in opposition to the appointees to the Select Committee on Legislative Ethics. He requested that the confirmation of all three appointees be rejected.

[2:43:53 PM](#)

PAM GOODE, representing self, testified in opposition to the appointees to the appointees to the Select Committee on Legislative Ethics and informed the committee that she is the former staff of Representative Eastman. She opined that the ethics committee is broken and does not act ethically or in the best interest of Alaskans. She pointed out that Mr. Cook and Ms. Anderson had served the committee for over 20 years and urged them to take responsibility for the degradation and weaponization of the ethics committee. Further, she shared her belief that Ms. Kelly should not be appointed due to her signing Governor Dunleavy's recall petition.

[2:45:50 PM](#)

JACQUELYN GOFORTH, representing self, testified in opposition to the appointees to the Select Committee on Legislative Ethics. She asked why the ethics committee can use lawfare against Christian, conservative legislators and urged the committee to deny the confirmation of all three appointees.

[2:47:21 PM](#)

JOSH FRYFOGLE, representing self, testified on the appointees to the Select Committee on Legislative Ethics. He opined that protecting the identity of the accuser contradicts the purpose of confidentiality and undermines the Open Meetings Act. He expressed his disappointment in the lack of clear and timely communication and said he planned to look into this issue further.

CHAIR VANCE closed public testimony on the appointees.

[2:49:23 PM](#)

CHAIR VANCE stated that the House Judiciary Standing Committee had reviewed the qualifications of the governor's appointees and recommends that the following names be forwarded to a joint session for consideration: Joyce Anderson, Skip Cook, and Rachel Kelly, Select Committee on Legislative Ethics. She said that signing the report regarding appointments to boards and commissions in no way reflects an individual member's approval or disapproval of the appointee, and the nomination is merely forwarded to the full legislature for confirmation or rejection.

**HB 227-ELECTRIC UTILITY LIABILITY**

[2:49:57 PM](#)

CHAIR VANCE announced that the final order of business would be HOUSE BILL NO. 227, "An Act relating to liability of an electric utility for contact between vegetation and the utility's facilities."

[2:50:32 PM](#)

CHAIR VANCE opened public testimony on HB 227.

[2:50:50 PM](#)

LYNN ELLIOTT, American Property Casualty Insurance Association, testified in opposition to HB 227 because the bill lacked a vegetation management plan. She opined that an improved vegetation management plan unique to each co-op and situation could re-balance the risk to the public with the cost of implementation and limit liability. In addition, she recommended adding a provision to allow utilities immunity from a trespass claim if they identify a hazard and provide notice to the landowner.

[2:52:57 PM](#)

MICHAEL ROVITO, Deputy Director, Alaska Power Association (APA), testified in support of HB 227. He highlighted the ambiguity in the law surrounding the application of liability when vegetation from outside the right of way contacts power lines. This ambiguity has led to costly lawsuits against utilities even when the tree originates outside the right of way, he said, adding that the bill would establish clear direction to the court if a lawsuit were filed following damage caused by vegetation. Importantly, he stressed that HB 227 would not prevent any party from filing a lawsuit against a utility or insulate utilities from liability. He added that electric utilities already operate under robust vegetation management plans unique to their service areas.

[2:55:24 PM](#)

CHRISTIAN RATAJ, Senior Regional Vice President, National Association of Mutual Insurance Companies, testified in opposition to HB 227. He stated that the overwhelming trend nationally is to promote wildfire prevention and mitigation, not granting legal immunity for any stakeholder. He shared his

understanding that nothing in the bill focuses on reducing wildfire risk and would merely shift responsibility in liability onto homeowners and businesses, thereby excusing the most capable professionals from doing their part in prevention. He spoke in favor of providing utilities conditional immunity.

[2:58:34 PM](#)

PHILLIP WEIDNER, representing self, testified in opposition to HB 227. He characterized the bill as a "free pass" to electric utilities and opined that the concept of immunity is a great danger to citizens. He referenced the McKinley wildfires and said if the bill were to pass, it would disenfranchise victims and grant immunity to Matanuska Electric Association (MEA). He said the legislature should not be in the business of granting immunity to wrongdoers.

[3:01:08 PM](#)

REPRESENTATIVE GRAY asked Ms. Elliott to speak to the increase in homeowners' insurance if the bill were to pass.

MS. ELLIOTT said amending liability laws to financially shield utilities would shift the burden from one entity to another, thereby shifting the associated cost of losses resulting from utility involved ignition to property owners. She stated that if HB 227 were to pass, homeowners and small business owners would face unintended consequences and adverse impacts.

[3:02:50 PM](#)

REPRESENTATIVE GRAY asked why other states had not adopted similar legislation.

MS. ELLIOTT said she was not aware of any other state that had adopted this kind of immunity. She explained that in most states, plaintiffs suing a utility for wildfire damage must show that the utility acted with recklessness or negligence.

[3:05:27 PM](#)

CHAIR VANCE closed public testimony on HB 227. She announced that the bill would be set aside.

[3:06:02 PM](#)

REPRESENTATIVE GRAY, in response the assertion that the ethics committee lacked a republican member, reported that the new ethics administrator, Tamara Maddox, is a registered republican. He listed Ms. Maddox's last five Alaska Public Offices Commission (APOC) donations. In response the complaint about the removal of Representative Eastman's staff, he further noted that Representative Eastman's staff was removed from a "pro-life, Christian, republican majority."

CHAIR VANCE clarified that Ms. Maddox is not a member [of the ethics committee] and advised members to hold additional comments on appointees until the joint session.

[3:07:59 PM](#)

#### **ADJOURNMENT**

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at [3:08] p.m.