

LEGISLATIVE EMPLOYEES
ITEMS TO CONSIDER
IF YOU ARE CONTEMPLATING RUNNING FOR A LEGISLATIVE SEAT

IMPORTANT INFORMATION

1. The Alaska Public Offices Commission is the oversight authority regarding campaigns. All **potential** candidates should contact APOC for information on what is required if you intend to run for a legislative seat or wish to begin your campaign. Be sure to ask specific questions about the activity you wish to pursue. For example:
 - a. APOC determined campaign expenditures include sending email press releases announcing a candidacy. A person may not make such an “expenditure” or other expenditures prior to filing a Letter of Intent or a Declaration of Candidacy.
 - b. Expenditures for personal travel expenses, conducting opinion surveys or polls prior to filing are an exception. Certain restrictions and conditions apply.
 - c. Campaign contributions cannot be accepted prior to filing a Letter of Intent or a Declaration of Candidacy. Other candidate forms may be required.

2. The intent of AS 24.60.033, restrictions on employee candidacies, is to prevent a conflict of interest or even the appearance of a conflict of interest when legislative employees begin a campaign for a legislative seat. A fair and open government requires legislative employees to conduct the public’s business in a manner that preserves the integrity of the legislative process. High moral and ethical standards among public servants in the legislative branch of government are essential to assure the trust, respect, and confidence of the people of Alaska. AS 24.60.010

3. Legislative employees must terminate employment prior to filing a Letter of Intent or a Declaration of Candidacy to run for the legislature. (Note: Legislative employees have two options when they leave legislative employment: “lay-off” status or terminate employment. For purposes of AS 24.60.033 an employee must terminate employment.)

4. Keep in mind state resources cannot be used for any aspect of a campaign, including the use of legislative contact information on any candidate materials; i.e., candidate registration, letter of intent, affidavit of candidacy, etc. AS 24.60.030(a)(2) and (a)(5).

Legislative Ethics and APOC are available to answer any questions you may have. It is better to ask the question than to proceed and find out you were in violation of either or both the Legislative Ethics Act and State Election Campaign provisions.

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APPLICABLE STATUTES

Legislative Ethics Act

AS 24.60.033, Restrictions on Employee Candidacies

A legislative employee may not file a letter of intent to become a candidate or file a declaration of candidacy for the legislature.

Alaska Administrative Code

2 AAC 50.274. Early Campaigning

(a) An individual intending to campaign for office shall file for nomination for the office as required under [AS 15.13.100](#) either by submitting a letter of intent to the commission, or by filing a declaration of candidacy (1) with the municipal clerk's office for a municipal office, or (2) with the lieutenant governor's office for a state office.

(b) An individual intending to seek state or municipal office may file a letter of intent, on a form prescribed by the commission, no earlier than 18 months before the election in which the individual intends to run. A letter of intent must state whether the individual will seek state or municipal office, but need not identify the specific seat for which the individual may file. A letter of intent must include a statement certifying that the individual will comply with the requirements of AS 15.13. A letter of intent is valid until the election identified on the form, unless the individual filing the letter of intent withdraws it before the election.

(c) An individual may not accept a campaign contribution before filing a letter of intent or declaration of candidacy, and may not make a campaign expenditure except for personal travel expenses, opinion surveys, or polls. A person, group, or nongroup entity may not make an expenditure on behalf of an individual who is a prospective candidate before that individual files a letter of intent.

(d) An individual who has submitted a letter of intent must also file a declaration of candidacy as provided in (a) of this section before the applicable state or municipal filing deadline.

State Election Campaigns

AS 15.13.100, Expenditures Before Filing

A political campaign expenditure may not be made or incurred by a person in an election or by a person or group with the person's knowledge and on the person's behalf before the date upon which the person files for nomination for the office which the person seeks, except for personal travel expenses or for opinion surveys or polls. These expenditures must be included in the first report under this chapter after filing for office.