



THE ADVISOR

Select Committee on Legislative Ethics

AUGUST 2016

ADVISORY OPINION 15-01

This newsletter provides excerpts only. Please click this link to access the full text.

<http://www.legis.state.ak.us/search/ethics/>

STATEMENT OF FACTS

You propose that a legislator use state government resources, including the legislator's legislative office resources, to

- (1) maintain a database of all persons who are registered with the Division of Elections as voters;
- (2) update the database, and add to it personal information stored on state lists or in state databases regarding permanent fund applicants, business license applicants, and other persons throughout the state who provide personal information to the state, and information from other sources that may not be available to the general public; and
- (3) communicate electronically with persons who reside in the legislator's election district and persons who do not reside in the legislator's election district, through e-mail messages, issue alerts, surveys, polling, e-blasts, e-newsletters, and other ways, in order to inform them about issues that are before the legislature and solicit their input on those issues.

CONCLUSION

1. Statewide Legislative Communications

We recognize legislative purpose in distributing fact-specific communications electronically to persons in the state who reside outside of the legislator's district, except as limited in the period beginning 60 days prior to an election and ending the day after the election as under AS 24.60.030(c)(1) (A).

The committee defines "fact-specific communication" as a one or two page informational communication, other than a legislative newsletter distributed to constituents, in which the legislator is asking for public input about a matter of statewide interest either to gather information on a particular issue because the issue is before the legislature or because gathering public input on the issue has a legislative purpose. It is a communication that is strictly informational, does not indicate a legislator's personal, political, or

(Cont. on next page)

Committee Members

H Conner Thomas, Chair
Skip Cook
Gary J Turner
Sen Gary Stevens
Sen Dennis Egan
Rep Chris Tuck
Rep Charisse Millett

Staff:

Jerry Anderson,
Administrator
269-0150

Janice Stewart
Admin. Assistant
269-8179

In This Issue

- ♦ **Advisory Opinion 15-01**
- ♦ **Constituent Services**
- ♦ **Public Member Vacancy**
- ♦ **KRC Disclosures**
- ♦ **Other Disclosure Issues**

official position on a matter of statewide interest and is issue driven, primarily addresses only one subject, is not used for self-promotion, does not contain statements like those typically found in a constituent newsletter about a legislator's accomplishments or political or policy goals.

The number of fact specific communications transmitted electronically between the legislator's office and persons in the state who reside outside of the legislator's district is likely to be very large; however, the use of state resources would be nominal. For that reason, and based on the foregoing advice, we find that the Act permits this use of state resources.

2. Create and Maintain a Statewide Email Database

We also advise that the Act does not prohibit a legislator or legislative employee from copying the state's voter registration database and maintaining, augmenting and updating that copy with

(A) information from other publicly available databases, as defined in this opinion, that contain information about persons in the state regardless of whether they reside inside or outside of the legislator's election district;

(B) a person's personal information, if that person expressly allows that personal information to be used for that purpose.

The purpose of the type of legislative database allowed by this opinion is to communicate with persons who reside in the state about statewide matters of legislative concern. Information may be gathered and added to the database by a legislator as described in this opinion.

Certain information available to legislators may be confidential by law, and its use or publication may be restricted by state or federal law outside of the Legislative Ethics Act. You are responsible for being in compliance with those laws.

We will decide on each matter that comes before us on its own particular facts.

*****Thought for the Day*****

“What is law? Is it what is on the books, or what is actually enacted and obeyed in a society? Or is law what must be enacted and obeyed, whether or not it is on the books, if things are to go right?”

— [Bernhard Schlink](#), [The Reader](#)

CONSTITUENT SERVICES

It is an established legislative practice for legislative aides to perform constituent services, such as:

- ◇ **PFD Issues**
- ◇ **Child Support/Custody Issues**
- ◇ **DMV Issues**
- ◇ **Student Loan Issues**

EXAMPLES OF PROHIBITED ACTIVITIES:

- * serve as a personal representative
- * negotiate a settlement with a state agency
- * pursue an appeal for a constituent
- * convince a state department to repeal a denial or drop a case
- * perform activities related to picking up legal/medical records, preparing or transcribing documents for the constituent

AO 08-03 provides information concerning constituent services.

- Assist constituents in navigating state bureaucracy and fully accessing their options
- Develop a communication line between the state agency and the constituent

Legislative intent:

- Move the constituent's concerns forward
- Make sure everyone involved knows what they need to know
- Urge the government agency to take timely action

Recognize the difference between performing constituent services, versus advocating for a constituent's private interest.

Click the link to access AO 08-03: <http://www.legis.state.ak.us/search/ethics/>

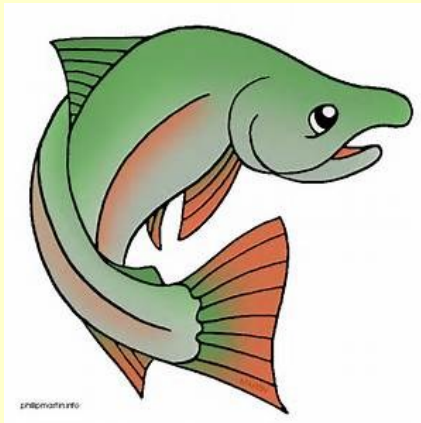




REMINDER!

You can now file your ethics disclosures directly from the Alaska State Legislature Intranet Home page. Click the “File an Ethics Disclosure” link and you will be directed to the login page. Enter the same Username and Password you use to log on to your state office computer. Try it here!

<http://intranet.akleg.gov/>



KENAI RIVER CLASSIC **(KRC)**

If you attended this Sanctioned Charitable Event and received \$250 or more in travel/hospitality/gifts associated with the KRC, you need to file a disclosure.

Please use the Sanctioned Charitable Event disclosure form NOT the Gift of Travel/Hospitality form.

Travel/Hospitality Disclosures

A little more description, please!

When entering the purpose of travel and/or hospitality, please provide a description of topics discussed, forums attended, or other pertinent agenda items. Simply entering “Annual Summit,” for example, does not provide enough information for the public. Spelling out acronyms such as NCSL is also helpful.

Thank you!