

# THE ADVISOR



## SELECT COMMITTEE ON LEGISLATIVE ETHICS

JUNE 2018

### Moratorium on Ethics Complaints during a Campaign Period

Complaints received concerning the conduct of a **candidate for state** office during a campaign period shall be returned to the complainant unless the subject of the complaint permits the committee to proceed. AS 24.60.170(o) & (p)

The **campaign period** begins 45 days before a Primary Election and ends at the close of General Election Day, November 6, or the day the candidate withdraws or the day the results of the Primary Election are certified, whichever is earlier. AS 24.60.170(q)

### 2018 Campaign Period Begins Saturday, July 7

### Campaign FAQ

#### Who may submit required candidate campaign reports?

**Legislators** serve 24/7 and, therefore, may submit required candidate reports at any time using a state computer.

**Legislative employees**, however, may only perform this activity on a state computer when in “off work” status.

Legislators may not require a legislative employee to perform this activity.

*See more campaign FAQs beginning on page 3.*

### Next Select Committee on Legislative Ethics House Subcommittee Meeting

July 17 at 8:30 a.m. in the Anchorage LIO Large Conference Room.

### Committee Members

Skip Cook, Chair  
H Conner Thomas  
Joyce Anderson  
Deb Fancher  
Lee Holmes  
Sen John Coghill  
Sen Dennis Egan  
Rep Chris Tuck  
Rep Colleen Sullivan-Leonard

### Staff

Jerry Anderson, Administrator  
269-0150  
  
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# Disclosure Notes

**The following types of associations must be filed within 30 days of the beginning of the association — even during the interim!**

- Membership on a Board
- Close Economic Association
- State Contracts, Leases, & Grants \$5,000+
- State Benefit & Loan Program
- Representation for Compensation
- Travel/Hospitality Disclosures

**A little more description, please, when filing travel and/or hospitality disclosures!**

- Spell out acronyms such as NCSL.
- Provide complete information about the donor.
- Give a description of the topics discussed, forums attended, or other pertinent agenda items. Simply entering “Annual Summit,” for example, does not provide enough information for the public.

**File your disclosure online. It’s easy!**

Go to <http://intranet.akleg.gov> and click on “File an Ethics Disclosure”. Enter your credentials (same as computer log-in). Click on the type of disclosure you want to file, fill out using drop down menus when appropriate, check for accuracy and submit. Easy!



**Thank you!**

## Important Ethics Dates Timeline

- June 21** ..... Last day to use “state resources,” for example, using the print shop or legislative office printers for mass mailings
- June 22** ..... 60 days before the Primary Election
- July 22**..... Suggested last day to send general information newsletters prior to the Primary Election, whether paper or electronic, without utilizing “state resources”
- August 21** ..... Primary Election Day
- August 22** ..... OK to send newsletters again, but not utilizing “state resources”
- October 7** ..... Suggested last day to send general information newsletters prior to the General Election, whether paper or electronic, without utilizing “state resources”
- November 6** ..... General Election Day
- November 7** ..... OK to send out newsletters including those utilizing “state resources”

# Election Campaign FAQs

## **May a legislator conduct collateral campaign activities (political fundraising or involvement in or support of or opposition to a partisan political activity) while on a state-paid trip?**

Activity that is location dependent, i.e., an activity that can be performed only because you are on the state-paid trip, is prohibited by AS 24.60.030(a)(2) and AS 24.60.030(a)(5).

**Examples of prohibited activities** include campaign door knocking and attending campaign fundraisers.

**Examples of permitted activities** include responding to a call from the media or returning calls, faxes, emails from a campaign worker.

## **May a legislative office place legislative newsletters on a campaign website?**

Yes, if legislative contact information is removed. See Advisory Opinion 07-07 at

<http://www.legis.state.ak.us/search/ethics/> for more information. **Removing contact information from a legislative newsletter must not be performed on state time or with the use of state resources.**

Other types of printed material must be evaluated on a case-by-case basis. Contact the Legislative Ethics Office at 907-269-0150 for assistance.

## **May a legislator verbally give the legislative phone number to a constituent while campaigning if the constituent does not ask for it?**

No. Absent facts clearly demonstrating that the phone number was actually given for a legislative purpose, and not a political campaign purpose, the committee might find a violation of AS 24.60.030(a)(5).

Listing a legislative office phone number on campaign advertising fliers, whether preprinted or handwritten, violates AS 24.60.030(a)(5), which prohibits the authorization of legislative resources, including office staff, for a political fundraising or campaign purpose.

## **May a legislator link his or her campaign website or campaign Facebook site to a legislative Facebook or other legislative site to allow a person to sign up for legislative newsletters from the legislator's office?**

No. See Advisory Opinion 12-04 at <http://www.legis.state.ak.us/search/ethics/> for more information.

## **May legislative offices combine for campaign use a political campaign or other database with a legislative constituent database that was created in the legislative office?**

Yes, legislative offices may add constituent information only for those individuals who reside in the legislator's district if:

- The database is one that is publicly available
- The database is purchased (There may be copyright issues if a person copies a database rather than purchasing another license for separate use.) See Advisory Opinion 04-01 at <http://www.legis.state.ak.us/search/ethics/> for more information

## **May a legislator use the Juneau Print Shop to print a constituent newsletter during a campaign period if the Print Shop charges the legislator for the cost of the printing?**

No. State resources cannot be used during a campaign period for constituent newsletters. State resources include not only the cost of the paper for printing the newsletter **but also staff time and equipment.**

# More Election Campaign FAQs

## **May a legislative employee wear a campaign button or other campaign-related item while at work?**

No, campaign buttons may be worn outside of legislative work hours only – up to and including while traveling to and from work.

## **May legislators and legislative employees give money or in-kind contributions to a campaign or to a political party fundraiser?**

Yes. Legislators and legislative employees may contribute to campaigns or to political party fundraisers. However, LAA agency staff may not contribute more than \$100 to a candidate in a partisan election or to a political party or partisan political club per LAA policy.

## **May legislative employees work in their regular capacity and work for a political campaign?**

Yes, legislative employees may work in their regular capacity and work for a political campaign. However, they may not work on a political campaign while on government time and they may not use government resources to do so.

If a legislative employee works for a political campaign during their regular legislative work hours, they must submit a leave slip in a timely matter to prevent the appearance of impropriety and a possible violation of the Legislative Ethics Act. Leave slips must be submitted within 24 hours after return to duty. Note that AS 24.60.030(b) prohibits a legislator from requiring a legislative employee to perform campaign activity on government time.

## **May a legislative employee use an interim legislative office to conduct campaign activities?**

The answer is absolutely no. State resources cannot be used for campaign related activities pursuant to AS 24.60.030(a)(2) and AS 24.60.030(a)(5).

## **May a legislative employee answer campaign-related questions while conducting their regular work activities?**

If the campaign-related question occurs in the course of performing their normal legislative duties, answering the phone or mail for example, they may refer inquiries to campaign headquarters or forward inquiries to the legislator. If they receive campaign-related materials (whether by phone, email, domestic mail, or in person), they may forward materials to campaign headquarters or to the legislator.

## **What may I do if I have a question not covered in the FAQ?**

Contact the Legislative Ethics Office at 907-269-0150.

### **Select Committee on Legislative Ethics**

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Anchorage, AK 99509-0251

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