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Linda Leigh,  
Support Staff  
269-8179

## ETHICS TRAINING FOR 2010

The 2010 legislative session is almost here. Many new staff come on board for the legislative session, whether it is staff who work for legislators or legislative support staff. All staff who did not complete training in 2009 are required to attend. AS 24.60.155 requires training be completed within 30 days of the beginning of the legislative session. Senior staff—please inform new staff of this requirement. Attendance will be taken at each session. It is important to be prompt and present for the entire session.

A 2009/2010 Standards of Conduct Handbook and PowerPoint presentation handout will be distributed at each session. Place these reference materials in your “ethics file” for future reference.

### Training for 2010 is scheduled as follows:

#### MARK YOUR CALENDARS

WHO: **LAA staff** (also open to new staff in the Legis Audit Div, Finance Div, Ombudsman’s office and Victims’ Rights office)

WHEN: **TUESDAY, JANUARY 12, 1:30PM—3:30PM**

WHERE: Terry Miller Building, Room # TBA

WHO: **New legislative staff** (also open to returning legislative staff )

WHEN: **FRIDAY, JANUARY 15, 8:30AM—12:00NOON**

WHERE: Terry Miller Building, Gym

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Select Committee on  
Legislative Ethics

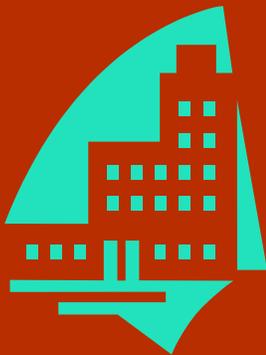
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# Advisory Opinion 2009-03

Issued on November 19, 2009

## Conflict of Interest-Use of Government Resources

### STATEMENT OF FACTS

An informal group of current legislators and legislative staff hold a weekly religious faith-based meeting during legislative sessions in a legislative committee room in the Capitol. The meetings are held at an early morning time that does not conflict with scheduled meetings of the legislature. The group notifies prospective participants in advance of each meeting but the meetings are also open to the public. Among those notified ahead of time of the meetings are current and former legislators, staff, current and former public officers of the state's executive branch and lobbyists.

### DISCUSSION

The question is whether the usage described in the facts presented fall within a narrow exception for limited personal use of public facilities operated by the legislature. AS 24.60.030(a)(2)(A) allows: ...limited use of state property and resources for personal purposes if the use does not interfere with the performance of public duties and either the cost or value related to the use is nominal or the legislator or legislative employee reimburses the state for the cost of the use.

### CONCLUSION

The meetings held by the informal group of current legislators and staff, as well as the participation of individual legislators and legislative employees in those meetings, have a personal and non-legislative purpose. As described, they do not interfere with the performance of public duties, and the cost to the legislature is nominal. The limited personal use exception in AS 24.60.030 applies. The group's use of the Capitol facility is permissible under the exception in AS 24.60.030(a)(2)(A).

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# ETHICS ACROSS THE NATION

## South Carolina Governor Sanford faces 37 charges

November 24, 2009  
*The Post and Courier*

The Ethics Commission found probable cause on eighteen counts that Sanford flew first-or business-class seats on flights for seven international trips despite state law that requires the least expensive travel accommodations possible. One of the trips was a trade mission to Brazil in 2008 that Sanford asked to be extended to include Argentina, the country where his mistress lives.

Nine counts that the governor misused state aircraft. Among the trips were flights to GOP

party events, a book-signing in Mount Pleasant in 2006, a 2006 personal weekend in Brunswick, GA, and a sporting event for his son in 2007.

Ten counts that Sanford improperly reimbursed himself from campaign funds for travel and other expenses. The reimbursements in question range from \$40 to \$865 and total less than \$3,000.

The finding of "probable cause" was released in a 17-page document that notified Sanford that he faces a private hearing during

which he can present witnesses and evidence.

A special seven-person group appointed from the House Judiciary Committee will meet to discuss Sanford's impeachment. The subcommittee will use the Ethics Commission's report as a foundation for discussion.

If the House votes to impeach Sanford, the Senate would serve as jury.

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## REMINDER: Legislative Internship Programs Must Be Approved

Legislative internship programs sponsored by educational institutions, other than those sponsored by the University of Alaska, must be approved by the Ethics office pursuant to AS 24.60.080(h).

Internship programs sponsored by government agencies or nonprofit organizations must also be approved by the Ethics office. To date, the following have been approved: Workforce Investment Act, First Alaskans Institute, Juneau JobX-The Learning Connection.

If you are anticipating hiring an intern either during the legislative session or during the interim, and the sponsorship is not associated with the University of Alaska, or thru one of the approved programs listed above, please contact the Ethics office at 269-0150 before proceeding.

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# ETHICS TRAINING FOR 2010

continued...

If you completed ethics training in 2009, you are NOT required to attend ethics training in 2010. Of course, you are welcome to attend the class as a review of what you learned last year.

For NEW staff at locations other than Juneau, a teleconference training session will be held sometime in early February. Information on the date and time will be included in the January newsletter.

If you are an hourly employee who performs functions that are incidental to legislative functions, you are not required to attend training.

If you are unsure if you fall in this category, please call the Ethics office at 269-8179.

Online training is convenient and user friendly. Go to the Ethics website <http://ethics.legis.state.ak.us/> to view the video. No separate login or password is necessary; just use your current login and password to access. It's that easy!



## ASK THE ETHICS OFFICE



**QUESTION:** Can a legislator or legislative employee accept a ride from a lobbyist?

**ANSWER:** Yes. Under the following conditions:

- 1) Share a taxi: Must pay fair share of the cost of the ride. By doing so, no gift of "service" is received.
- 2) Ride in car owned/rented by a lobbyist: Must pay a reasonable cost for the ride. *Example: Cost of gas or what it would cost to take a taxi. By doing so, no gift of "service" is received.*



# QUOTE OF THE MONTH

"Always do the right thing. It will gratify some and astonish the rest."

**Mark Twain**

## Important Facts about Campaigning, Fundraising, Partisan Political Activity



Legislators and legislative staff may attend, solicit, and accept contributions for a fundraiser before session.



“Legislators and legislative staff may **NOT** solicit or accept contributions for a fundraising event during session.”

Attending a candidate or political party fundraising event before session, including in Juneau, is permitted. Legislators and legislative staff may also solicit and accept contributions for the fundraiser. It is always permissible to personally contribute.

During a legislative session, legislators and legislative staff may attend a candidate or political party fundraising event and personally contribute to the candidate or political party. *However, legislators and legislative staff may **NOT** solicit or accept contributions for a fundraising event during session.* Soliciting includes, but is not limited to: Asking for contributions for the fundraising event; including your

name on the fundraising notice; donating items to an auction with your name listed as the donor at the auction.

During the legislative session, the prohibition on soliciting or accepting a contribution or a promise or pledge to make a contribution applies to:

- ◆ Legislators’ own campaign for state or municipal office;
- ◆ Another candidate for municipal, state, or federal office;
- ◆ Influencing a state ballot proposition or question;
- ◆ Political party



## USE OF STATE RESOURCES

### CAMPAIGNING, FUNDRAISING, PARTISAN POLITICAL ACTIVITY

Many questions have been received concerning the prohibition on the use of state resources for fund raising, campaigning, or involvement in, or support of, or opposition to partisan political activity. AS 24.60.030(a)(2) and AS 24.60.030(a)(5). Please take a moment to review the following information:

None of the exceptions in AS 24.60.030 allow political fund raising, campaigning, or partisan political activity during a legislative business trip made with the use of state resources. The Ethics Committee has recommended the legislature revisit this absolute restriction in statute in view of the vast difference between urban and rural legislative districts. AS 24.60.030(a)(2)(A) currently allows for a “personal use exemption” of state resources if there is no cost to the state or the cost is promptly reimbursed.

**STATE RESOURCE:** Money provided to cover or reimburse travel costs incurred by a legislator or legislative employee while traveling on legislative business.

#### Exemptions:

1. Travel costs incurred to and from the capital city and other locations within Alaska in order to participate in legislative sessions are not considered a “state resource” for purposes of this discussion. Example: Attending a campaign, fund raising or partisan political activity, while in Juneau for the legislative session is not a prohibited activity.
2. Legislative interim long-term per diem and legislative salary are not considered a “state resource” for purposes of this discussion. Interim long-term per diem and legislative salary are for performing state work. Example: A legislator may receive legislative interim per diem for attending a legislative meeting in their district during the day, and in the evening, attend a fund raising event. (Keep in mind, in this example state resources were not used for travel expenses in connection with the legislative meeting.)

If a legislator or legislative employee makes a trip for legislative business and “non-state resources” are used to pay for the trip, the above prohibition is not applicable.

#### NON-STATE RESOURCES include:

- ◆ Campaign Funds
- ◆ Personal Funds
- ◆ POET Account
- ◆ Office Allowance Account (a non-state resource for purposes of this discussion).

**Note:** Both the POET Account and Office Allowance Account must be used for a “legislative” purpose and cannot be used for a “campaign” purpose.

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*Happy Holidays!*



*See you in 2010!*