

**SELECT COMMITTEE ON LEGISLATIVE ETHICS
Alaska State Legislature**

THE ADVISOR

March 2005

Committee Members: Acting Chair H. Conner Thomas, Senator Ben Stevens, Senator Hollis French, Representative Max Gruenberg, Representative Bruce Weyhrauch, and Ann Rabinowitz. As of this date, three public member seats are vacant.

Staff: Joyce Anderson **Office Hours:** Monday through Thursday

QUOTE OF THE MONTH: “The purpose of ethics laws, first and foremost, lies in promoting both the reality and perceptions of integrity in government.”

Mark Davies quoted in *Government Ethics and Law Enforcement: Toward Global Guidelines (2000)*.

***** DISCLOSURE DEADLINES *****

REMINDER
DISCLOSURES DUE TUESDAY, MARCH 15th

- **Membership on a Board of Directors** - AS 24.60.030(f) – Are you an officer or board member of an organization that may have substantial interest in legislative matters?
- **Participation in Certain State Benefit and Loan Programs** - AS 24.60.050(c)(d) - Do you presently or did you during the interim have an outstanding benefit or loan amount administered through the state? Disclosure depends on award criteria. Call the ethics office to determine if you must disclose.
- **Representation Before a State Agency** - AS 24.60.100 - Are you on contract/agreement to represent a client before a State agency, board or commission?
- **Interests in State Contracts and Leases (including certain family members)** - AS 24.60.040 – Do you or any immediate family members have a contract or lease through the State with an annual value of \$5000 or more?

- **Close Economic Associations - AS 24.60.070** – Is there a financial relationship between you and a person covered by the Legislative Ethics Code (i.e., legislators, legislative employees if one supervises the other, public officials who must file a Financial Disclosure with APOC, and registered lobbyists)? Examples: share housing expenses, business partners, or a paid consultant on a legislator’s campaign.

The following disclosure is due annually by **Tuesday, March 15** which covers the previous calendar year.

- **Gifts Not Connected with Legislative Status - AS 24.60.080(c)(6)** – Have you received a gift(s) worth more than \$250 in a calendar year from the same person/entity other than an immediate family member?

The following disclosures are always due **within 30 days of receipt** of the gift.

- **Gift of Travel/Hospitality for Legislative Matters - AS 24.60.080(c)(4)** – Have you taken a trip for legislative matters which was paid with funds other than legislative funds?
- **Gift Received by Family Member Because of Legislative Connection – AS 24.60.080(i)** - Did an immediate family receive a gift worth \$250 or more because of your legislative connection?
- **Gift of Legal Services Related to Legislative Matters - AS 24.60.080(c)(8)** – Did you receive a gift of legal services related to legislative matters worth \$250 or more?

Must be delivered to Legislative Council within 60 days.

- **Gift from Another Government – AS 24.60.080(f)** – Have you received a gift from another government or official from another government worth \$250 or more?

IMPORTANT: Fines are levied for late disclosures. The fine is \$2.00 per day up to a maximum of \$100. Committee policy has been to allow for one late disclosure before levying fines. A late disclosure is a “one time only” waiver.

The forms for all disclosures are located in the 2005 Standards of Conduct Handbook as well as the ethics website (www.legis.state.ak.us and then click on Ethics). Please give the Ethics Office a call if you have questions about what to disclose or when the disclosure is due.

QUESTION AND ANSWER – GIFTS

AS 24.60.080 Except as otherwise provided in this section, a legislator or legislative employee may not solicit, accept, or receive, directly or indirectly, a gift worth \$250 or more, whether in the form of money, services, a loan, travel, entertainment, hospitality, promise, or other form, or gifts from the same person worth less than \$250 that in a calendar year aggregate to \$250 or more in value. Except for food and beverage for immediate consumption (or a ticket to a charity event pursuant to (a)(10)), a legislator or legislative employee may not solicit, accept, or receive during a legislative session a gift with any monetary value from a lobbyist or a person acting on behalf of a lobbyist.

May a legislator or legislative employee receive gifts that have a value over \$250?

No, the ethics code prohibits receiving a gift(s) from the same person in a calendar year that exceeds \$250. For example, if two gifts were received from the same person and the value of first gift was \$100 and the value of second gift was \$180, the second gift would have to be returned because the aggregate value of both gifts exceeded \$250.

FYI: The ethics office suggests legislators and legislative employees keep a log of gifts received including the date of receipt, a description of the item, the value or approximate market value of the item and the name of the person giving the gift.

May a legislator or legislative employee receive a gift worth less than \$250 from a lobbyist during session?

No, gifts from lobbyists during session are prohibited except for food and beverage for immediate consumption or tickets to a pre-approved charity event.

May a legislator or legislative employee accept a gift of a ticket from a lobbyist to a charity event during session?

Yes, as long as the charity event has been pre-approved by Legislative Council as a 501(c)(3) organization. Legislative Council notifies legislative offices when a charity event has been approved. The aggregate value of tickets received from the same lobbyist during session must not exceed \$250.

May a legislator or legislative employee accept a waiver of conference fees, when the purpose of attending the conference is to obtain information on matters of legislative concern?

Yes, the gift of “waived fees” may be accepted but, if over \$250, it must be reported to the Ethics Committee on a disclosure form within 30 days of the date of the travel.

May a legislator or legislative employee accept airfare to a meeting paid for by another branch of government?

Yes, but if over \$250, the gift must be reported on a disclosure form within 30 days of the date of the travel.

May a person covered by the ethics code accept a loan exceeding \$250 from a personal friend who is not connected with the loan recipient's legislative status?

Loans are gifts. The loan may be accepted because the friendship is not related to legislative status but the gift must be reported under a confidential disclosure to the committee. Advisory Opinion 03-02 describes this situation in more detail.

Are volunteers in a legislative office subject to the ethics code?

Volunteers are generally required to comply with the ethics code, with the exception of the sections addressing: contracts and leases, state program and loans, close economic associations, nepotism, and representation before state agencies.

May a legislator's spouse (or other family member) accept travel and hospitality to a conference the legislator is also attending?

Yes, but the acceptance of the gift must be disclosed to the ethics committee.

Does receipt of a prize in a raffle require disclosure of a gift to the ethics committee?

No, assuming the raffle was open to the public and the chance to win the prize was purchased.

Call the ethics office anytime you have a question concerning ethics. The office is staffed Monday through Thursday.

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