

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

**THE ADVISOR**

**November 2007**

**Committee Members:** Chair Dennis “Skip” Cook, Senator Gary Stevens, Senator Con Bunde, Representative Bob Roses, Representative Berta Gardner, H. Conner Thomas, Ann Rabinowitz, Gary J. Turner and Herman G. Walker Jr.

**Alternate Legislative Members:** Senator Hollis French, Senator Gary Wilken, Representative Carl Gatto and Representative Lindsey Holmes.

**Staff:** Joyce Anderson, Administrator; and Donna Grenier, committee staff.

**QUOTE OF THE MONTH: “The individual legislator and those in authority in the legislator’s office have a special opportunity to be a positive role model for constituents, colleagues, and subordinate staff. As elected lawmakers and trustees of public authority, legislators have a special duty to lead by example.”** Reprinted from the Josephson Institute for the Advancement of Ethics, Summer 1988 newsletter.

**IMPORTANT: 2008 ETHICS TRAINING**

Ethics training sessions for January 2008 have been scheduled. Remember, ethics training is mandatory for all those covered by the Legislative Ethics Act. Attendance will be taken at all training classes. It is important that you be prompt and attend the entire session. AS 24.60.150(a)(4) requires the mandatory training be conducted within 10 days of the first day of session.

PLEASE NOTE: The training will be customized to the individual needs of those attending each of the sessions. Please attend the session that corresponds to your duties. Some sessions are repeated. You only need to attend one session. Bring your 2007 Standards of Conduct Handbook. Additional copies will be available at the training as well.

## **MARK YOUR CALENDARS**

- \* LAA Admin, Finance, Budget & Audit      Wed, Jan 9 from 9 a.m. to 11 a.m. – Terry Miller Bldg, Gym  
Wed, Jan 9 from 2 p.m. to 4 p.m. – Terry Miller Bldg, Gym
- \* New Legislative Staff      Thurs, Jan 10 from 1 p.m. to 4 p.m. – Terry Miller Bldg, Gym
- \* Legislators      Tues, Jan 15 from 8 a.m. to 10:30 a.m. – Butrovich Room, #205  
Wed, Jan 16 from 8 a.m. to 10:30 a.m. – Butrovich Room, #205
- \* Returning Legislative Staff in Juneau      Thurs, Jan 17 from 1 p.m. to 4 p.m. – Terry Miller Bldg, Gym  
Fri, Jan 18 from 8 a.m. to 11 a.m. – Terry Miller Bldg, Gym
- \* LIO Staff, Ombudsman, Office of Victims Rights, other Staff not in Juneau      Anchorage LIO via teleconference – 2<sup>nd</sup> week of session  
(date yet to be determined)

### **\*\*\* DISCLOSURES \*\*\***

AS 24.60.105 and AS 24.60.115

The requirement to file a disclosure applies to legislators, staff to legislators, LAA staff, other legislative staff, employees of the Office of the Ombudsman, Office of Victims' Rights and Ethics Committee public members.

### **Remember, all disclosures are now due within 30 days of the association, matter or receipt of the certain gifts.**

Keep a copy of your completed disclosure in your ethics folder in your office.

NEW: Disclosures received by fax will be acknowledged via a phone call or email within 2-5 days of receipt of the fax.

Additionally, Final Day of Service disclosures are due within 90 days after final day of service. LAA Personnel will include a letter with your final paycheck as a reminder explaining disclosure requirements.

Ethics disclosure forms are available on the ethics web site which can be accessed through the Legislature's home page or at <http://ethics.legis.state.ak.us>. Please discard all old forms.

### **LATE DISCLOSURES:**

*Former Representative Jim Holm failed to file his final day of service ethics disclosures in a timely manner. Disclosures were due on March 15, 2007 for outgoing legislators. He filed his disclosures on August 2, 2007. The committee, at the June 11, 2007 committee meeting, fined Mr. Holm \$200. The fine has not been paid and the matter has been referred to the Attorney General's office for collection.*

## **FOUR REQUESTS FOR ADVISORY OPINIONS**

Four requests for a formal, binding advisory opinion have been received by the Ethics Committee. The committee will consider these requests at their December 12, 2007 meeting. The December newsletter will provide a recap of the opinions.

**Advisory Opinion 07-04:** Requested by Rynnieva Moss, staff to Representative John Coghill – Parameters and guidelines when responding to constituent service issues

**Advisory Opinion 07-05:** Requested by Representative Reggie Joule – May a legislator pay a portion of the cell phone cost of the Blackberry thereby allowing the use of the Blackberry cell phone for campaign and partisan political activity?

**Advisory Opinion 07-06:** Requested by the Ethics Committee – May a legislator or legislative employee host or co-host a non-incumbent legislative candidate campaign fundraiser during session or endorse a non-incumbent legislative candidate if the endorsement is connected to a campaign fundraiser?

**Advisory Opinion 07-07:** Requested by Representative Max Gruenberg – Questions concerning the use of a legislative phone number and legislative business card for campaigning.

## **FREQUENTLY ASKED QUESTIONS**

**A legislator asked for clarification as to whether there was a conflict of interest in serving on a legislative committee if the legislator owned stock in a company that dealt with the same issued the committee was discussing?**

Determined the legislator owned .006% of stock in the company. The company operated in a Canadian province and two U.S. states including the state of Alaska. The amount of stock owned was insignificant and did not create a conflict of interest at this time. Advised the legislator if the company would directly benefit from legislation or if there was a change in the amount of stock owned to call for additional advice. AS 24.60.0309(g)

**May a legislator or legislative employee help a constituent who was denied a PFD?**

First determine whether the matter has progressed to a hearing. This means the constituent has filed an appeal and the process has moved to the hearing stage. At the time of your contact with the PFD office, the appeal may have been filed, but the appeal may not have been assigned to a decision maker. The restrictions in AS 24.60.031(i) would then apply to all potential administrative makers until the case is assigned. Once the matter has progressed to a hearing, the legislator or legislative employee may only request case status information and

procedural matter information from the PFD office and should not contact the administrative decision maker in the matter. AS 24.60.030(i)

**May a legislator send out seasonal greeting cards to constituents and others who have contacted the office regarding legislative issues?**

Yes. A legislator is permitted to send out seasonal greeting cards with the use of state resources. Legislative staff may address the cards and sign the cards for you. Legislative funds may be used to purchase the cards and mail the cards. Seasonal greeting cards mailed to constituents in your district have a legislative purpose. It is also permissible to send seasonal greeting cards to individuals who are not your constituents and to organizations that may have contacted you or your legislative office concerning an issue or worked with you regarding a matter of legislative concern. Seasonal greeting card mailings outside of these parameters, for example to constituents of one political party only or to family members and personal friends, would be prohibited. AS 24.60.030(a)(2)(E)



**HAPPY THANKSGIVING**

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