

**Alaska State Legislature
Select Committee on
Legislative Ethics**

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**HOUSE SUBCOMMITTEE
COMPLAINT H 14-01**

DISMISSAL ORDER AND DECISION

Gary J. Turner, Chair of the House Subcommittee on Legislative Ethics, filed a complaint on behalf of the House Subcommittee. The House Subcommittee met on May 29, 2014, and determined there was reason to believe that a violation of the Ethics Law had occurred, and that Representative Tammie Wilson committed such violation.

The facts supporting the Committee's belief that a violation of the Act occurred:

Date(s) or time period during which alleged violation occurred: May 2014

Part of the Ethics Act that was allegedly violated:

AS 24.60.030(a)(2) Prohibitions related to conflicts of interest and unethical conduct

A legislator ... may not use ... government asset or resource for a nonlegislative purpose, for involvement in or support of or opposition to partisan political activity, or for the private benefit of the legislator ...

AS 24.60.030(a)(5) Prohibitions related to conflicts of interest and unethical conduct

A legislator ... may not use or authorize the use of ... government asset or resource for the purpose of political fund raising or campaigning.

Description of the activities that are an alleged violation of Legislative Ethics Act:

Representative Tammie Wilson sent a notecard mailing to the new legislative District 3 residents using campaign funds. On the top of one side of the notecard in large, bold letters were the words "Alaska State Legislature". Below these words was a picture of a mountain and "Representative Tammie Wilson". A handwritten note stated: Dear xyz, I would like to welcome you to the new District 3. Please feel free to call me anytime. Tammie, 590-7602." The reverse side of the card contained, "Paid for by Tammie Wilson State House, 571 Canoro, N.P. 99705." The use of "Alaska State Legislature" implies that the mailing was an official legislative mailing versus a campaign mailing.

**HOUSE SUBCOMMITTEE
RESOLUTION DEFINING SCOPE OF INVESTIGATION
COMPLAINT H 14-01**

1. The House Subcommittee of the Select Committee on Legislative Ethics initiated a complaint dated May 29, 2014, against Representative Tammie Wilson. The complaint has been designated H 14-01.

2. The complaint appears to be in proper form and contains allegations which, if true, would constitute a violation of the Ethics Act, AS 24.60. Therefore, the House Subcommittee must undertake an investigation of the complaint.

3. The complaint alleges Representative Wilson sent a campaign notecard mailing to the new legislative District 3 residents which contained on one side of the card in large, bold letters the words "Alaska State Legislature". Due to 2013 redistricting of legislative districts effective for the 2014 elections, Representative Wilson's district number changed as well the boundaries of her district. The same side of the notecard also contained a picture of a mountain and "Representative Tammie Wilson" along with the following handwritten note: Dear xyz, I would like to welcome you to the new District 3. Please feel free to call me anytime. Tammie, 590-7602." The reverse side of the card contained, "Paid for by Tammie Wilson State House, 571 Canoro, N.P. 99705" and the mailing address of the recipient. The use of "Alaska State Legislature" as printed on the notecard implied that the mailing was an official legislative mailing as opposed to a campaign mailing.

4. The allegations are defined as follows:

a. Did Representative Wilson violate AS 24.60.030(a)(2) of the Act:

A legislator ... may not use ... government ... resource for a nonlegislative purpose, for involvement in or support of or opposition to partisan political activity, for the private benefit of the legislator, ...

AS 24.60.990(a)(2) "benefit" includes all matters, whether tangible or intangible, that could reasonably be considered to be a material advantage, or material worth, use or service to the person to whom it is conferred; the terms are intended to be interpreted broadly and encompass all matters that the recipient might find sufficiently desirable to do something in exchange for.

in that Representative Wilson used a state resource, "Alaska State Legislature" (a term that conveys an official mailing from the Alaska legislature) in large, bold letters, on a campaign notecard mailed to her new District 3 residents which resulted in receiving a private benefit. The state resource was also used for a nonlegislative purpose and for partisan political activity.

b. Did Representative Wilson violate AS 24.60.030(a)(5) of the Act:

A legislator ... may not use or authorize the use of state funds, facilities, equipment, services, or another government asset or resource for the purpose of political fund raising or campaigning.

in that Representative Wilson used or authorized the use of a state resource for the purpose of campaigning when she placed the words "Alaska State Legislature" (a term that conveys an official mailing from the Alaska legislature) in large, bold letters on a campaign notecard mailed to her new District 3 residents.

Representative Wilson will be interviewed and asked about the use of "Alaska State Legislature" on campaign material. Other individuals will be interviewed as appropriate. Written documentation will be obtained when applicable.

5. If during the course of the investigation of the complaint the committee discovers facts which justify an expansion of the investigation or the possibility of additional allegations, this resolution may be amended.

THE INVESTIGATION

A contract private investigator was used to conduct interviews with Representative Wilson and Joyce Anderson regarding the allegations in the complaint. The investigative report to the committee was reviewed at the House Subcommittee meeting on January 26, 2016.

DISMISSAL ORDER AND DECISION

On January 26, 2016, the House Subcommittee dismissed allegations of a violation under either AS 24.60.030(a)(2) or AS 24.60.030(a)(5) related to a campaign notecard communication sent by Representative Wilson.

Representative Wilson sought informal advice under AS 24.60.158 from Joyce Anderson, Administrator of the Select Committee on Legislative Ethics regarding the contents of the notecard. The advice was sought prior to mailing of the notecard. The subcommittee was unable to determine the specific advice that Representative Wilson received with respect to the use of the notecard heading "Alaska State Legislature." However, the subcommittee did determine that Representative Wilson made a good faith effort to follow the informal advice she received and therefore elected to dismiss this complaint. The committee notes, however, that such usage on a private or campaign mailing constitutes a use of a state resource for a private benefit and is therefore prohibited.


The complaint allegations are dismissed against Representative Wilson.

GENERAL STATEMENT

The subcommittee points out that Representative Wilson and her attorney cooperated with the

investigation and provided documentation when requested.

Adopted this 26th day of January 2016
by a majority of the House Subcommittee



H. Conner Thomas, Chair

Members Participating

Dennis "Skip" Cook

Representative Chris Tuck

Representative Liz Vazquez

Gary J. Turner

H. Conner Thomas, Chair