



THE ADVISOR

Select Committee on Legislative Ethics

May 2018

IMPORTANT!

Content of Legislative Newsletters In Campaign Season

Legislative mailings may NOT:

- Contain campaign related statements such as:
“I filed for a new term as your state Senator/Representative.”
“I hope to be in the legislature next year and will propose the following legislation.”
“I will likely file legislation next session on that subject and work with the administration on the issue.”
- Include other legislators’ names indicating they are candidates for a particular office and their position on issues.
- Be sent to constituents outside of the legislator’s **current legislative district**, unless the person has requested to be on the mailing list.

Committee Members

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Advisory Opinion 18-02 Issued May 17, 2018

1. May a legislator, after a state-funded relocation to Juneau for a legislative session, attend and sponsor a fundraiser for a state election campaign before the start of the legislative session?

A legislator, after a state-funded relocation to Juneau for a legislative session, may attend and sponsor a fundraiser for a state election campaign before the start of the legislative session.

2. May a legislator, after a state-funded relocation to Juneau for a legislative session, attend a political forum or a fundraising dinner for a political party in Juneau during that legislative session?

A legislator, after a state-funded relocation to Juneau for a legislative session, may attend a political forum or a fundraising dinner for a political party in Juneau during that legislative session, as long as the legislator merely attends and does not directly or indirectly host, co-host, solicit participation, promote the event, or aid the fund raising.

In This Issue

- ◆ **Legislative Newsletters**
- ◆ **Disclosures Notice**
- ◆ **Campaign Issues**
- ◆ **AO 18-02**

Distributing Legislative Newsletters

What is the cut-off date for mailing or distributing a legislative newsletter (this includes those printed by the Legislative Print Shop) or sending a newsletter via e-mail prior to an election?

The Legislative Ethics Act does not stipulate a date. However, **the closer to Election Day that a legislative newsletter is mailed or emailed, the greater the appearance it has of a political “campaign mailing.”** We recommend no later than 30 days prior to an election, but it is a personal decision each legislator must make.

Primary Election—30 days prior is **July 22**

General Election—30 days prior is **October 7**

There are always exceptions to the 30-day recommendation. The bottom line rests on the content of the newsletter, the timeliness of the information, the timing of distributing the newsletter, and to whom it is being sent.

Examples:

May be appropriate: Major sewer issue in a legislator’s district. It may be timely to send information to the residents affected by the issue during the 30-day period.

Probably not appropriate: Sending a general information legislative newsletter during the 30-day period that could be sent after the election has the appearance of a “campaign mailing.”

***** A Note on Disclosures *****

Associations beginning after February 15, 2018 require a disclosure within 30 days.

Board memberships:

- *A legislator or legislative employee is elected to their Condo Association Board on August 12, 2018.*
- *A legislator or legislative employee begins a term on a non-profit, local arts advisory board on November 27, 2018.*
- *A legislator or legislative employee is appointed to a national education board of directors on July 23, 2018.*

Close economic associations: Both parties must file a disclosure.

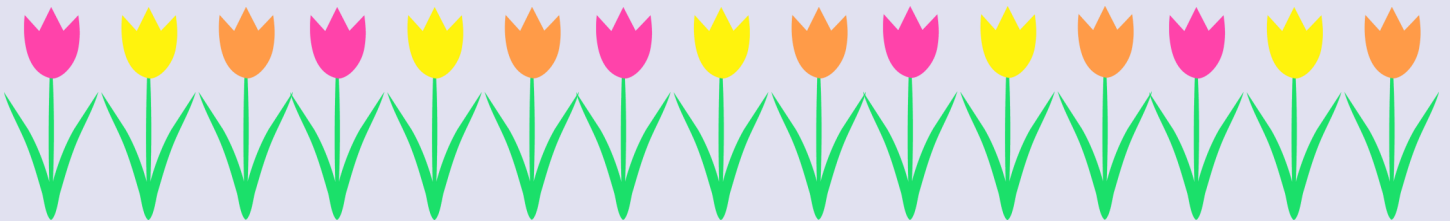
- *A legislator purchases a piece of artwork worth \$250 or more from a legislative employee on April 15, 2018.*

Disclosures must be filed within 30 days of the beginning of an association regardless of whether it’s during session or during the interim.

If you are unsure as to whether or not you need to file, please contact our office at 269-0150 or 269-8179.

Important Ethics Dates

- 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 out 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 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”



Ethics is about putting principles into action. Consistency between what we say we value and what our actions say we value is a matter of integrity.

The Josephson Institute of Ethics

Frequently Asked Questions

May a Legislator link his or her campaign website or campaign Facebook site to his or her legislative Facebook site or other legislative site to allow a person to sign up for legislative newsletters from their office?

No. See AO 12-04 for additional information and clarification. (<http://www.legis.state.ak.us/search/ethics/>)

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.***