

## SELECT COMMITTEE ON LEGISLATIVE ETHICS

**DECEMBER 2021**

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Lee Holmes

- Skip Cook

Joyce M. Anderson

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- Sen David Wilson

Rep DeLena Johnson

Rep Sara Hannan

## Staff

Jerry D. Anderson  
Administrator  
907-269-0150

Jacqui Yeagle  
Admin Assistant  
907-269-8179



## Are You Terminating Your Legislative Service ?

## Revisiting Advisory Opinions AO 18-02 and AO 07-06

The Ethics Committee issued Advisory Opinion AO 18-02 and AO 07-06 that answer two questions frequently posed by both legislators and legislative employees.

**May a legislator or legislative employee, 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?**

YES. This comes up just before the start of a legislative session in Juneau. Generally, a legislator may attend and sponsor a fundraiser for a state election campaign before the start of a legislative session or after a legislative session is adjourned. However, AS 24.60.030(a)(2) and AS 24.60.030(a)(5) broadly prohibit a legislator from using state funds or other government assets or resources for political fundraising, campaigning, and other partisan political activity. These prohibitions extend to a legislator while traveling on legislative business if the travel is paid for with government assets or resources. This state funded relocation travel is an exception to that general rule. See AO 18-02 for a further explanation.

**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?**

YES. 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 fundraising. We concluded in AO 07-06 that "directly or indirectly hosting, co-hosting, or soliciting participation in a fundraiser for a legislative candidate during a legislative session is prohibited by AS 24.60.031, unless the fundraiser is held outside of Juneau in the 90-day period immediately preceding an election." However, neither our advice in AO 07-06 nor the prohibition in AS 24.60.031 prohibit a legislator from merely attending a political forum or fundraising dinner in Juneau.

## Using State Resources for Communicating with People Outside Your District

A legislator should not use state resources, including staff time, for communicating with people outside the boundaries of the district from which that legislator was elected. Therefore, a legislator may not use state resources to contact a person in a new district that under the redistricting plan are outside the boundaries of the old district unless that person asks to opt in to receive such communications. Communicating with persons outside the old district without the opt in by the person receiving the communication is considered campaigning under the Legislative Ethics Act, and is prohibited under AS 24.60.030(a)(2) and (5). Note that AO 15-01 has an exception for a "fact-specific communication."

**Contact the Ethics Office at 907-269-0150 or 907-269-8179 if you need more information.**

## Disclaimer

Information in this newsletter is provided as a general overview. Your circumstances may require more specific information and advice. Contact the Ethics Office if you have any questions as to whether your intended action is in compliance with the [Legislative Ethics Act AS 24.60](#).

### Contact the Select Committee on Legislative Ethics

**Mailing Address:**

PO Box 90251  
Anchorage, AK 99509-0251

**Physical Location:**

Anchorage Legislative Office Building  
1500 W Benson Blvd Suite 220  
Anchorage, AK 99503

**Phone:** 907-269-0150

**FAX:** 907-269-0152

**Email:** [Ethics.Committee@akleg.gov](mailto:Ethics.Committee@akleg.gov)

**Website:** <http://ethics.akleg.gov/>

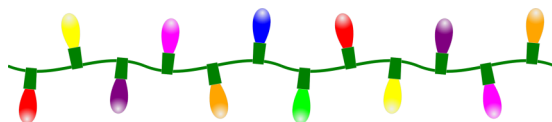
## ***Are You Terminating Your Service with the Legislature?***

Under AS 24.60.115, legislators, legislative employees, and public members of the Ethics Committee, must file — **within 90 days after leaving service** — a disclosure reporting **new associations or interests that were not disclosed prior to leaving service**.

Have you begun any of the associations listed below and not yet submitted a disclosure?

- Appointed or reappointed to a board or commission - AS 25.60.030(f)
- Obtained a state contract or lease - AS 24.60.040
- Participated in a state program or obtained a state loan - AS 24.60.050
- Formed a close economic association (financial relationship) with an individual who must file a Financial Disclosure with the Alaska Public Offices Commission - AS 24.60.070 (i.e., legislator, legislative employee, lobbyist, or public official)
- Represented a client for pay before a state agency, board or commission - AS 24.60.100
- Received a gift not connected to legislative status that is \$250 or more in value - AS 24.60.080(c)(8)
- Received a gift of travel/hospitality for legislative matters that is \$250 or more in value - AS 24.60.080(c)(4)
- Family member received a gift due to a legislative connection that is \$250 or more in value - AS 24.60.080(i)
- A new association relating to a transition to post legislative work.

**If your disclosures are up-to-date, you do not need to file a final disclosure.** Contact the Ethics Office at 269-0150 or 269-8179 for more information.



## **File Your Ethics Disclosures Online**

1. Go to <http://intranet.akleg.gov/> and scroll down to the “File an Ethics Disclosure” section.
2. Click on the line that reads “CLICK HERE TO ACCESS THE ON-LINE PROCESS.”
3. Enter your credentials (your computer log-in, not your email address).
4. Click on the type of disclosure you want to file.
5. Complete the form using drop down menus when available. (Provide complete information. Remember, gifts of travel are for the purpose of obtaining information about matters of legislative concern. Include a one or two sentence narrative that addresses how the information you obtained is a matter of legislative concern.)
6. Check your completed disclosure for accuracy and click “Proceed.”
7. Review your disclosure and if correct, press “Submit.”

**Contact the Ethics Office at 907-269-0150 or 907-269-8179 for more information.**

## **More Help in Filing Your Disclosure**

Download a four-page detailed instruction handout at <https://ethics.akleg.gov/disclosures.php> or **contact the Ethics Office at 907-269-0150 or 907-269-8179 if you need additional information.**