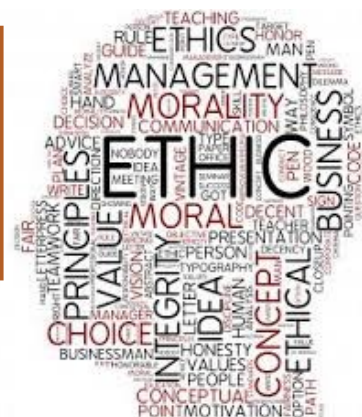


THE ADVISOR

High moral and ethical standards are essential to assure the trust, respect, and confidence of the people of Alaska.



SELECT COMMITTEE ON LEGISLATIVE ETHICS

SEPTEMBER 2021

Remember: Special Session, Special Rules

• Campaign Fundraising

Remember that AS 24.60.031(a) and (b) restrict legislators and legislative employees from campaign fundraising

...on a day when either house of the legislature is in regular or special session, solicit or accept a contribution or a promise or pledge to make a contribution...

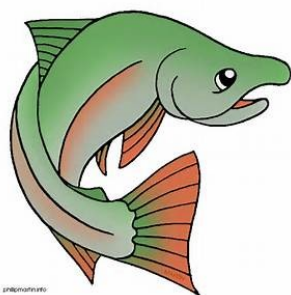
Those restrictions extend to local, state, and federal elections. Before participating in any fundraising activity for candidates for local, state, or federal office, contact the Ethics Office at Ethics.Committee@akleg.gov or 907-269-0150 for further details.

➔ And remember to check for and remove donation language and payment buttons from your own campaign websites during session.

• Endorsing Municipal and Federal Candidates

Legislators and legislative employees may support and endorse a candidate in a municipal or federal election. However, during a regular or special session, there are limits on engaging in other election campaign activities.

Before endorsing a candidate for a municipal or federal election or engaging in other election campaign activities, email Ethics.Committee@akleg.gov or call 907-269-0150 to make sure you are in compliance with the [Legislative Ethics Act](#).



Did You Participate in Kenai Classic Events?

You must file a **Sanctioned Charitable Event** disclosure for you and/or your family members who participated in any of the KRC events, and received gifts that individually had a total value of \$250 or more. The disclosure must be filed within

60 days of participation. **Be sure to use the Sanctioned Charitable Event disclosure form.** Questions? Contact the Ethics Office at 907-269-0150.

Committee Members

Deb Fancher, Chair
H. Conner Thomas
Lee Holmes
Skip Cook
Joyce M. Anderson
Sen Tom Begich
Sen David Wilson
Rep DeLena Johnson
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May I Accept Outside Employment While Working for the Legislature?

A legislator or legislative employee may generally accept outside employment without disclosure to the Ethics Office. There are, however, situations that restrict such employment or require disclosure. One restriction is that a legislator or legislative employee may not use government resources for a private use:

Sec. 24.60.030. Prohibited conduct and conflicts of interest.

(a) A legislator or legislative employee may not...

(2) use public funds, facilities, equipment, services, or another 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, legislative employee, or another person; this paragraph does not prohibit ...

A legislator or legislative employee may not disclose confidential information acquired in the course of official duties:

Sec. 24.60.060. Confidential information.

(a) A legislator, legislative employee, or public member of the committee may not knowingly make an unauthorized disclosure of information that is made confidential by law and that the person acquired in the course of official duties. ...

A legislator or legislative employee must disclose to the ethics office if a CEA is involved in the employment:

Sec. 24.60.070. Disclosure of close economic associations.

(a) A legislator or legislative employee shall disclose to the committee, which shall maintain a public record of the disclosure and forward the disclosure to the respective house for inclusion in the journal, the formation or maintenance of a close economic association involving a substantial financial matter with

(1) a supervisor who is not a member of the legislature who has responsibility or authority, either directly or indirectly, over the person's employment, including preparing or reviewing performance evaluations, or granting or approving pay raises or promotions; this paragraph does not apply to a public member of the committee;

(2) legislators;

(3) a public official as that term is defined in AS 39.50;

(4) a registered lobbyist; or

(5) a legislative employee if the person required to make the disclosure is a legislator....

(d) In this section, "close economic association" means a financial relationship that exists between a person covered by this chapter and some other person or entity, including but not limited to relationships where the person covered by this chapter serves as a consultant or advisor to, is a member or representative of, or has a financial interest in, any association, partnership, business, or corporation.

A legislator or legislative employee may not seek or accept employment that is significantly greater than the fair market value of the services:

Sec. 24.60.085. Restrictions on earned income and honoraria.

(a) A legislator or legislative employee may not (1) seek or accept compensation for personal services that is significantly greater than the value of the services rendered taking into account the higher rates generally charged by specialists in a profession; or ...

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

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

How Do I Know if I Am a Board Member and Need to File a Disclosure?

Do I have to file a board membership disclosure if I am a managing person in a limited liability corporation? What if I am on a church council? Or part of a management team of a charitable organization?

The answer is YES if you exercise one or more **managerial, supervisory, advisory, or investigatory powers**.

The Select Committee on Legislative Ethics adopted in AO 13-02 very broad definitions of “board of an organization” and “board membership.”

The complete term, "board of an organization," seems to be commonly understood as a board that has power to **manage, supervise, investigate, or advise** an administrative and functional structure, such as a business, or a group of people united by a common purpose, such as an association or society. ...

Therefore, the meaning of "board membership," necessarily combining the commonly understood meanings of "board," "member," and "membership," seems to be "an individual who is one of the individuals composing a group of persons having managerial, supervisory, investigatory, or advisory powers. ...

Examples of board memberships include serving on a condo association board or managing an LLC. Legislators and legislative employees must disclose board memberships whether the board is a for profit or a not for profit organization.

File Your Ethics Disclosures Online

1. Go to <http://intranet.akleg.gov/> and scroll down to “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.”

Gifts of Travel and Hospitality and Legislative Concern

AS 24.60.080 prohibits legislators and legislative employees from soliciting, accepting, or receiving, directly or indirectly, a gift worth \$250 or more annually from the same person, whether in the form of money, services, a loan, travel, entertainment, hospitality, promises, gifts, and so on.

AS 24.60.080(c)(4) provides an exception for gifts of travel and hospitality that are primarily for the purpose of obtaining information on matters of legislative concern. This includes travel paid for by Alaska state departments, non-profit organizations, federal agencies, and private organizations and agencies. Waiver of a registration fee by the agency or organization is also considered a gift and must be disclosed if it has \$250 or more in value.

Examples of matters that are not a legislative concern includes gatherings for the purpose of getting elected or reelected, for broadening your appeal to voters, or for promoting partisan political strategy.

If you have taken a trip for a legislative matter that was paid for with funds other than legislative funds, you must disclose the gift within 60 days of the first day of travel.

Before taking action or accepting a gift of travel, ask yourself: What is the legislative purpose of my action? Is the activity or service necessary to perform my official duties?

If not, do not take action or accept a gift of travel. For more information, contact the Ethics Office at 907-269-0150.