

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

FEBRUARY 2022

AGENDA NOW REQUIRED for Gifts of Travel Disclosures

At the meeting on December 17, 2021, the Select Committee on Legislative Ethics voted unanimously to require that an agenda be provided when filing a disclosure under the exception in AS 24.60.080)(c)(4) for gifts of travel and hospitality primarily for obtaining information on matters of legislative concern. This is a change from previous practices where a copy of the agenda or a narrative addressing how the information obtained was a matter of legislative concern was requested but not required.

Send the agenda by email to ethics.committee@akleg.gov when you file your disclosure. If you do not provide an agenda for a travel and hospitality event, you will be required to repay to the donor organization the amount gifted for the travel and hospitality. Failure to provide an agenda or repay the gifted amount of money could be considered a violation of the Legislative Ethics Act as a prohibited gift under AS 24.60.080(a).

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

You Ask, We Answer: Outside Employment

Question: May legislators and legislative employees have outside employment? Does the outside employment require filing a disclosure?

Answer: Yes, legislators and legislative employees may have outside employment. Outside employment generally requires no disclosure to the ethics office. However, under AS 24.60.085(a)(1), legislators and legislative employees may not seek or accept compensation that is significantly greater than the value of the services rendered.

Disclosure of outside employment is required when the employment involves:

- a financial interest in a state contract or lease under AS 24.60.040 or
- a close economic association with a statutorily defined person under AS 24.60.070.

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

Ethics Training Required for New Employees Only

See page 2 for more information

File Annual Ethics Disclosures Now Through February 17

See page 4 for more information

Committee Members

Deb Fancher, Chair
H. Conner Thomas
Lee Holmes
Skip Cook
Joyce M. Anderson
Sen Tom Begich
Sen David Wilson
Rep DeLena Johnson
Rep Sara Hannan

Staff

Jerry D. Anderson
Administrator
907-269-0150

Jacqui Yeagle
907-269-8179

In This Issue

- ◆ Agenda Now Required for Gifts of Travel Disclosures
- ◆ You Ask, We Answer: Outside Employment
- ◆ New Employees Only: 2022 Legislative Ethics Training
- ◆ Using State Resources to Communicate Outside Your District
- ◆ Contact the Ethics Office
- ◆ Remember the Two Gift Rules!
- ◆ Ethics Disclosure? What is an Ethics Disclosure?
- ◆ File Annual Ethics Disclosures Through February 17

New Employees Only! 2022 Legislative Ethics Training

If you completed ethics training in 2021, you have no training requirement in 2022!

AS 24.60.155 requires that all **new** legislative employees, who will serve over a 30-day time period, complete within 30 days of beginning service, a legislative ethics course administered by the Select Committee on Legislative Ethics.

Ethics training is delivered via online video and requires a legislative email address or credentials provided by media services. There are three training segments:

- Overview of the Ethics Act;
- Harassment Prevention, and
- Ethics and Civility

If you do not have a legislative email address, email Media Services at media.services@akleg.gov for assistance.

Provide your full name and employer or department in the email to media services. Media Services can also be reached at (907) 465-6437. Be prepared to provide your full name and employer or department.

Access the training video by following these steps.

1. Visit quickhelp.com and log in with your legislative email address (*first.last@akleg.gov*) and password **or** your login credentials provided by media services.
1. Locate the three ethics training video segments and **complete all three training segments, which will take about three hours.**

Note: There are useful documents accompanying the training link.

Contact the Ethics Office at 907-269-0150 or 907-269-8179 if you have training questions or if you encounter problems with any aspect of the training.

Using State Resources to Communicate 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. 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 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/>

Remember the Two Gift Rules!

RULE #1:

May not solicit, accept or receive gifts totaling \$250 or more in a calendar year from the same person.

Exceptions to Rule #1

- Hospitality at a residence within the state or at a social event or meal (No disclosure required)
- Discounts generally available to the public or benefits the state (No disclosure required)
- Culturally shared food (No disclosure required)
- Travel and hospitality primarily for the purpose of obtaining information on matter of legislative concern (Disclosure required within 60 days)
- Gifts from an immediate family member- Wide definition (No disclosure required)
- Gifts not associated with the recipient's legislative status (Confidential disclosure required within 30 days)
- Welcome to Juneau gifts or discounts during session (No disclosure required)
- Legal services for legislative matter (Disclosure required within 30 days)
- Gift of transportation from a legislator or a legislative employee to a legislator or legislative employee (No disclosure required)
- Charitable contribution or ticket to a sanctioned charity event (Disclosure required within 60 days)

RULE #2:

May not solicit, accept or receive a gift from a lobbyist.

Exceptions to Rule #2

- Food and non-alcoholic beverage for immediate consumption with a value of \$15 or less OR if the food and beverage is provided as part of an event open to all legislators or legislative employees. (No disclosure required)
- A contribution, ticket, or ticket-related gift to a sanctioned charitable event with an annual cumulative total value of less than \$250 from an individual lobbyist. (No disclosure required)
- A gift unconnected with legislative status and is from immediate family member. (Lobbyist spouse, no disclosure required)
- A gift delivered on premises of a state facility and accepted on behalf of a recognized nonpolitical charitable organization. (No disclosure required)
- A compassionate gift (Preapproval and disclosure required within 30 days)

Revised 20220131

DISCLAIMER

Information provided is a general overview. Your circumstances may require specific information and advice.

Contact Ethics Committee Administrator Jerry Anderson (The Ethics Guy) at 907-269-0150 or 907-201-0125 to make sure your intended action complies with the Ethics Act AS 24.60.

Ethics Disclosure? What is an Ethics Disclosure?

The Ethics Act (AS 24.60) requires legislators, legislative employees, and public members of the Ethics Committee to disclose for the public certain activities and associations in which they engage.

Do I Have to File an Ethics Disclosure?

Only if you participate in any of the following activities or associations.

- Appointment or reappointment to a board or commission - AS 25.60.030(f)
- Participation in a state contract or lease - AS 24.60.040
- Participation in a state benefit program or obtained a state loan - AS 24.60.050
- Formation of a close economic association (financial relationship) with a legislator, legislative employee, lobbyist, or public official who is required to file a Financial Disclosure with the Alaska Public Offices Commission - AS 24.60.070
- Representation of a client for pay before a state agency, board, or commission - AS 24.60.100

- Receipt of a gift not connected to legislative status worth \$250 or more in value - AS 24.60.080(c)(6)
- Receipt of a gift of travel/hospitality for legislative matters worth \$250 or more in value - AS 24.60.080(c)(4)
- Receipt of a gift by a family member due to legislative connection worth \$250 or more in value - AS 24.60.080(i)
- Receipt of a gift of legal services related to legislative matters - AS 24.60.080(c)(8)
- Receipt of a gift for compassionate reasons - AS 24.60.075(c)
- Receipt of gift related to a sanctioned charity event - AS 24.60.080(d) and AS 24.60.080(c)(10).
- Receipt by a family member of a gift related to a sanctioned charity event - AS 24.60.080(i)

NOTE: You do not need to file a disclosure if you have nothing to report.

How Do I Submit Ethics Disclosures? File Online

1. Go to <http://intranet.akleg.gov/> and scroll down and click on **Login** in the **File an Ethics Disclosure** section.
2. Enter the filer's computer login (not email address) and password. NOTE: If the filer is a legislator, use the legislator's computer login and password.
3. Click on **Sign in**.
4. Click on the type of disclosure you want to file.
5. Complete the form using drop down menus when available. (Remember, **gifts of travel are for the purpose of obtaining information about matters of legislative concern**. Provide complete information about the donor, a one or two sentence narrative that addresses how the information obtained is a matter of legislative concern, and email a copy of the agenda to Ethics.Committee@akleg.gov. See page 1.
6. Check your completed disclosure and click "Proceed."
7. Review your disclosure and if correct, press "Submit."

When Do I File an Ethics Disclosure?

- Within 30 days of the beginning of the association or within 30 days of the date you became subject to the Ethics Act;
- 90 days after final day of service under AS 24.60.115 **if the matter or interest was not previously disclosed**;
- Some activities and associations require annual disclosures within 30 days after the first day of session (February 17, 2022) for participation in or association with certain individuals or entities. See next page for more information.

Need More Help?

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 more information.**

If you are unsure if you need to file a disclosure, contact the Ethics Office at 269-0150 or 269-8179.

File Annual Ethics Disclosures Through February 17

All legislators, legislative employees, and public members of the Ethics Committee are required to file annual disclosures within 30 days after the first day of session (February 17 in 2022) for participation in or association with certain individuals or entities. Below is a list of disclosures that require annual filing, along with information that may help you determine whether you need to file a disclosure.

Question: Are you an elected or appointed officer or board member of an organization?

Answer: If you are a board member of an organization and you **exercise advisory, investigatory, managerial, or supervisory power—even if you do not have voting power**—you must submit an annual disclosure for ongoing associations. Examples of types of organizations generally requiring disclosure include:

- * Non-profit organizations
- * For profit organizations
- * Religious organizations
- * Educational organizations
- * Condo Associations
- * Native Corporations
- * Governmental or National Boards.

See Advisory Opinion AO 13-02 at <http://www.legis.state.ak.us/search/ethics/> and AS 25.60.030(f) for more information.

Question: Do you have a financial relationship with a legislator, a legislative employee (if one supervises the other), a public officials who must file a Financial Disclosure with APOC, or a registered lobbyist?

Answer: If yes, you must file a close economic association disclosure if the financial relationship totals \$250.00 or more. Ongoing financial relationships must be disclosed annually. Examples include sharing housing in Juneau, participating in a business partnership, or working for pay on a legislator's campaign. The dollar amount of the financial relationship does NOT need to be disclosed; only the fact that a close economic association exists. See AS 24.60.070 for more information.

Question: Are you a spouse or domestic partner of a registered lobbyist?

Answer: If yes, you must file a disclosure for that relationship. close economic association with a lobbyist disclosure

When making a disclosure under (a) of this section concerning a relationship with a lobbyist to whom the legislative employee is married or who is the legislative employee's domestic partner, the legislative employee shall also disclose the name and address of each employer of the lobbyist and the total monetary value received by the lobbyist from the lobbyist's employer. The legislative employee shall report changes in the employer of the spouse or domestic partner within 48 hours after the change. In this subsection, "employer of the lobbyist" means the person from whom the lobbyist received amounts or things of value for engaging in lobbying on behalf of the person. See AS 24.60.070 for more information.

Question: Do you participate in one or more state benefit or loan programs administered by the State of Alaska?

Answer: Certain state benefit and loan programs require disclosure; a list of those programs are listed in Appendix C of the Standards of Conduct Handbook. Go to http://ethics.akleg.gov/documents/ETHICS_HANDBOOK.pdf to access the handbook online. File a *State Benefit and Loan Programs* disclosure. See AS 24.60.050 for more information.

Question: Do you receive direct or indirect financial benefit from a state contract, lease, or grant with an annual value of \$5,000 or more?

Answer: If you or a spouse or partner have an interest in a state contract, lease, or grant with an annual value of \$5,000 or more, you must disclose that interest. File the *State Contracts, Leases, and Grants* disclosure. See AS 24.60.040 for more information.

Question: Are you on contract/agreement to represent a client before a state agency, board or commission?

Answer: If yes, you must file a *Representation for Compensation* disclosure in 2022, even if you filed a disclosure in 2021. See AS 24.60.100 for more information.

If you need more information, contact the Ethics Office at 269-0150 or 269-8179.