



## Prohibited: Use of State Resources for Campaigning

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with the performance of state work, is applied infrequently and the use is considered nominal or limited, or the legislator or employee reimburses the state for cost of the use.

Incidental political campaign activities while on government time are permissible if the activities are part

of the normal legislative duties of the employee. A few examples of incidental political campaign activities include answering telephone calls and handling incoming correspondence. Employees who engage in political campaign activities other than of an incidental nature, is required to take leave for time spent campaigning.

In the past, the committee has strictly interpreted this section of the Ethics Act. Those covered by the Ethics Act should use caution when the line between campaigning and performing legislative duties becomes less than clear. *See Model Office Policy below for more details.*

## MODEL OFFICE POLICY

### Incidental Political Campaign Related Activities

Incidental political campaign activities while on government time are permissible if the activities are part of the normal legislative duties of the employee. A legislative employee who engages in political campaign activities other than of an incidental nature on government time is required to take leave time for the period of campaigning.

Legislative employees should respond to inquiries and requests in the following manner. *Note: You may provide the candidate's home or campaign contact information to prevent future contact with the legislative office.*

**If a campaign related call is received**, take the caller's name and phone number. Leave the message for the legislator. Also, politely let the caller know that in the future they should call the legislator at home or on their personal cell phone or campaign phone as campaign related discussions are not appropriate in a legislative office.

**If campaign material is received in the mail**, give the correspondence directly to the legislator. Do not respond to the correspondence as it is not legislative-related. *Note: Check with the legislator and most likely you can throw away the junk mail: e.g., fliers and materials advertising campaign buttons and other campaign items.*

**If campaign related email is received in a legislative office**, forward it to the legislator's home or campaign email address. Do not respond to the campaign-related correspondence as it is not legislative-related. To prevent future emails of a campaign nature from the same person/entity, notify the sender the campaign email was forwarded to the legislator's home or campaign email address and state that future campaign email should be sent there as well. Delete the email from the legislator's legislative email account.

**If someone drops off a campaign check for the legislator**, leave the check for the legislator and politely let the person know that in the future checks should be sent directly to the legislator's home or campaign address. Do not take any other action. It is the legislator's responsibility to take appropriate action as necessary or needed.

**If someone stops in and asks a campaign related question**, politely let the person know that campaign questions should be directed to the legislator and provide the contact information. A legislative office is not the proper forum for these types of questions.

**If someone stops in to drop off campaign material** (e.g., campaign flier or campaign fundraising notice), inform the person that a legislative office is not the proper forum for receiving campaign-related materials. Provide appropriate contact information and inform the person the campaign material should be sent directly to the legislator's home or campaign address.

Contact the Ethics Office for more information.

## Just for Fun! Test Your Knowledge of Campaign Dos and Don'ts

### True or False?

1. A legislative staffer on government time may make a reservation for a legislator to attend a partisan political event. True or false?
2. A legislator or legislative employee may endorse a candidate for the state legislature. True or false?
3. A legislator may use their constituent information database for mailings related to his/her campaign for re-election? True or false?
4. A legislator may link his/her campaign website or campaign Facebook site to a legislative Facebook site or other legislative site to allow a person to sign up for legislative newsletters from his/her office? True or false?
5. A legislator may include in a legislative newsletter a statement the legislator is running for another term or for another office. True or false?
6. During a legislative session, legislators and legislative staff may attend a candidate or political party event (i.e., fundraiser or political party district convention) EXCEPT when taking a trip on state travel funds. True or false?

### Answers

1. **False.** A political event has no legislative purpose.
2. **True.** AS 24.60.031 does not prohibit a legislator or legislative employee from endorsing a candidate for state or municipal office at any time, unless the endorsement is part of a solicitation for a contribution. AO 07-06.
3. **True.** A legislator may use constituent information gathered by a legislator using legislative resources and copy and use that information for personal or campaign use under advice given in AO 04-01. This would include email addresses.
4. **False.** Legislative Ethics Act does not permit a legislator or legislative employee to publish, as part of a political election campaign communication on the Internet or elsewhere, an address or electronic link to an Internet website created or maintained with legislative resources if the website contains the legislator's contact information.
5. **False.** Including a statement such as "I have filed for a new term as your State Representative/Senator" would be campaigning and in violation of the use of state resources for a campaign purpose in that the legislator would be expressly advocating for the legislator's re-election in addition to providing a private benefit to the legislator. Complaint Decision H 10-01.
6. **True, BUT** legislators and legislative staff may not solicit or accept contributions for a fundraising event during session for a campaign for state or municipal office.

## ***Do You Need to Brush Up on Your Campaign IQ?***

### **Join the Ethics Office for a Campaign Informational Session February 15**

Date: Thursday, February 15, 2024

Time: 9:00 AM to 11:00 AM

Location: Alaska Capitol – Butrovich/Fahrenkamp Committee Room  
(Room 203/205)

**Handouts will be available.**

**Come for all or part of the presentation.**

**For more information, contact the Ethics Office: [Ethics.Committee@akleg.gov](mailto:Ethics.Committee@akleg.gov)  
or 907-269-0150**

#### **DISCLAIMER**

*Information in this newsletter is given 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 Ethics Act AS 24.60.*

# Disclosure Notes

## File Your Annual Ethics Disclosure. Deadline February 14.

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 14 in 2024) 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. ***Do you need to file an annual disclosure?***

### **Are you an elected or appointed officer or board member of an organization?**

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. 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 24.60.030(f) for more information.

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

If yes, you must file a close economic association disclosure if the financial relationship totals \$250 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.

### **Are you a spouse or domestic partner of a registered lobbyist?**

If yes, you must file a close economic association with a lobbyist disclosure. AS 24.60.070 (c) states:

*When making a disclosure under AS 24.60.070(a) concerning a relationship with a lobbyist to whom a 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.

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

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](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.

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

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.

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

If yes, you must file a *Representation for Compensation* disclosure in 2023, even if you filed a disclosure in 2022. See AS 24.60.100 for more information.

# Disclosure Notes

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 for compassionate reasons - AS 24.60.075(c)
- Receipt of a gift of legal services related to legislative matters - AS 24.60.080(c)(8)
- 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)

## 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 16, 2023) for participation in or association with certain individuals or entities. See next page for more information.

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

## File Ethics Disclosures Online. It's Easy!

1. Go to <http://intranet.akleg.gov/> and scroll down to the "File an Ethics Disclosure" section.
2. Click on "Login."
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 detailed agenda and 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."

### Need More Help 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 more information.

## 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

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