

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

JANUARY 2024

Welcome to the 2024 Legislative Session!

Important Start of Session Reminders!

- **New employees are required to take Ethics training.** In-person classes are scheduled in Juneau and Anchorage. The Juneau session is Friday, January 12. See below for more details.
- **Annual disclosures are due by February 14.** See page 3 for more information.
- **Check for and remove donation language and payment buttons from your campaign websites prior to the start of session.** See AS 24.60.031.

Contact the Ethics Office at Ethics.Committee@akleg.gov or 907-269-0150 or for more information.

New Employees Only! Ethics Training

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

IF YOU DID NOT COMPLETE TRAINING IN 2023, you may choose to attend a class in person either in Juneau OR Anchorage.

Juneau training: Friday, January 12, 2024 from 8:30 AM-Noon

Anchorage training: Monday, January 22, 2024 from 9:00 AM-12:30 PM

1. Go to <https://outlook.office365.com/owa/calendar/G30fb77e5eb62450ab1cdda63f7c53217@akleg.gov/bookings/>.
2. Choose your training location.
3. Go to the calendar and click on the date of your chosen training. The training start time will display.
4. Click on the training start time.
5. Add your details to complete the form. Note there are required fields in order to complete registration.
6. Click "Book." You will see a confirmation notice and receive a confirmation notice in your email.

If you have questions, contact the Ethics Office at 907-269-0150.

Committee Members

Skip Cook, Chair

Deb Fancher

Conner Thomas

Jerry McBeath

Sen Gary Stevens

Sen Löki Tobin

Rep DeLena Johnson

Rep Sara Hannan

Staff

Tamara S. Maddox

Committee Administrator

Joyce M. Anderson, Consultant

Jacqui Yeagle, Assistant

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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](#).

Legislative Employees Required to Submit Timely Leave Slips



Legislative employees are required to submit a leave slip within 24 hours after return to duty when taking time off from regularly scheduled work hours. Failure to do so could be a violation under the Legislative Ethics Act AS 24.60.030(a)(2) and (b).

In the event an ethics complaint is filed alleging participation in campaign or non-legislative activities on government time, the burden of proof would be on the employee to show a pre-approved work schedule *or* show leave time had been requested.

Prevent the appearance of impropriety and a possible violation of the Legislative Ethics Act by completing and submitting leave slips on a timely basis. LAA policy requires leave slips be submitted within 24 hours after a return to duty.

If you need to complete late leave slip requests, contact the LAA Personnel Office at 465-3854. If the employee is unable to turn in a leave slip by the pay period deadline, for whatever reason, it is the responsibility of the supervisor to fill out the leave slip and submit to the Personnel Office.

See the State of Alaska Legislative Staff Employee Handbook Page 8 and the State of Alaska Legislative Affairs Agency Handbook Page 7 for more information.

May an employee work on campaign-related activities on a Wednesday afternoon?

Yes. If it is not on government time. It is important to remember that an employee who works on campaign-related activities during their normal work schedule is required to submit a leave slip when working on any campaign-related activities.

Why is it important to submit a leave slip?

If the Ethics Office receives a call that a legislative employee was seen working on campaign activities during regular work hours, the leave slip will confirm the employee was on leave during that time. No further action would be taken.

May I Accept Outside Employment While Working for the Legislature?

A legislator or legislative employee may accept outside employment on non-governmental hours without disclosure to the Ethics Office. ***There are, however, situations restricting such employment or require disclosure to the Ethics Office.***

- A legislator or legislative employee may not use government resources for a private use: *See Sec. 24.60.030. Prohibited conduct and conflicts of interest.*
- A legislator or legislative employee may not seek or accept compensation for employment that is significantly greater in value than the fair market value of the services: *See Sec. 24.60.085. Restrictions on earned income and honoraria.*

Contact the Ethics Office at 907-269-0150 for 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

FAX: 907-269-0152

Email: Ethics.Committee@akleg.gov

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

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)(8)
- 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)
- 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. 

File Your Annual Ethics Disclosure by February 14



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 as well. 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, 2024) for participation in or association with certain individuals or entities.

Commonly filed annual disclosures

- Close economic associations with a legislator, legislative employee, lobbyist, or public official who is required to file a Financial Disclosure with the Alaska Public Offices Commission
 - Close economic association with a lobbyist spouse or partner
 - Participation in state benefit and loan programs. See Appendix C in the Standards of Conduct Handbook for a list of state benefit and loan programs requiring disclosure.
 - Interest in state contracts and leases of \$5,000 or more
 - Board membership with one or more of the following powers: advisory, investigatory, managerial, or supervisory power — even if you have no voting power — in a:
 - * Non-profit
 - * For profit
 - * Religious
 - * Educational
 - * Condo Association
 - * Native Corporation
- 

Are You Terminating 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 any **new associations or interests that were not disclosed prior to leaving service.**

If you are unsure if you need to file a disclosure, contact the Ethics Office at 907-269-0150.

How Do I Submit an Ethics Disclosure? File Online

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 an 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 A 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 for more information.

Wondering Whether to Accept that Gift of Travel?

Gifts of travel are primarily for the purpose of obtaining information about matters of legislative concern. In Advisory Opinion 88-03, the Ethics Committee advises ..."Since inception, the committee adopted a conservative approach in the interpretation of the code of ethics, recognizing that avoidance of an appearance of conflict can be as important as avoiding conflicts."

Before accepting a gift of travel or hospitality, be sure that the activity has a legislative purpose.

- Do you have an agenda that demonstrates the travel and hospitality is primarily for the purpose of obtaining information on matters of legislative concern? An agenda is required.
- Will the activity help me better perform my official duties?
- Will the activity benefit the legislature as a whole?
- Does the activity have the appearance of reward or inducement for official action on my part?

If after reviewing the questions above, you are unsure whether the gift of travel or hospitality has a legislative purpose or whether it may have the appearance of a conflict, we advise contacting the Ethics Office at 907-269-0150 or Ethics.Committee@akleg.gov before accepting the gift.



How Do I Know If I Am a Board Member and Must File a Disclo-

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. If your status on the board is "ex-officio" you still may be required to file a board disclosure. Contact the Ethics Office for more details.