

**SELECT COMMITTEE ON LEGISLATIVE ETHICS
Alaska State Legislature**

THE ADVISOR

September 2006

Committee Members: Chair H. Conner Thomas, Senator Ben Stevens, Senator Hollis French, Representative Max Gruenberg, Representative Bruce Weyhrauch, Dennis “Skip” Cook, Ann Rabinowitz, Gary J. Turner and Herman G. Walker Jr.

Staff: Joyce Anderson **Office Hours:** Monday through Thursday

NEW PUBLIC MEMBER APPOINTED TO THE ETHICS COMMITTEE

Pursuant to AS 24.60.130(b)(3) and (e), Chief Justice Dana Fabe appointed Gary J. Turner as an interim public member to the Ethics Committee on August 17, 2006. He was appointed to fill the vacancy of Lindsey Holmes who resigned in June. Mr. Turner is the Director of the Kenai Peninsula College, a campus of the University of Alaska, and is also a retired Air Force officer.

IMPORTANT INFORMATION

The Ethics Committee felt it best to advise legislators and legislative staff on the parameters concerning “gift of legal services connected to legislative status” in light of the FBI investigation.

GIFT OF LEGAL SERVICES – AS 24.60.080(c)(8)

Notwithstanding (a) of this section, it is not a violation of this section for a legislator or legislative employee to accept a gift of legal services in a matter of legislative concern and a gift of other services related to the provision of legal services in a matter of legislative concern.

AS 24.60.080(c)(8) has not been the subject of any previous advisory opinions.

AS 24.60.080(c)(8) was added by sec. 28, ch. 74, SLA 1998.

If a legislator or legislative employee is offered free or below cost legal services connected to their legislative status, and the value of the service exceeds \$250 in a calendar year, an ethics disclosure is required within 30 days of receipt of the service. (Note: Disclosure form attached.)

Pursuant to AS 24.60.080(d), the recipient shall disclose to the ethics committee the name and occupation of the donor, a general description of the matter of legislative concern with respect to which the gift is made, and the approximate value of the gift. The committee shall forward to the Alaska Public Offices Commission copies of disclosures under this section.

The gift exception provided in AS 24.60.080(c)(8) is limited to a direct gift of legal services in-kind. “In-kind” means consisting of something (as good or commodities) other than money. An in-kind gift of legal services would be a gift of free or below market cost representation of or legal advice to a legislator or legislative employee by an attorney, or the gift of providing other services such as expert witness services provided by the expert witness concerning the issue connected to legislative status for free or for below market value.

A gift of funds connected to legislative status is subject to the limitations found in AS 24.60.080(a), which prohibits a legislator or legislative employee from accepting \$250 or more from a single person/entity per year.

PLEASE GIVE THE ETHICS OFFICE A CALL IF YOU QUESTIONS.

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