

Alaska State Legislature

Select Committee on Legislative Ethics

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SENATE SUBCOMMITTEE Complaint S 20-03: Senator Lyman Hoffman

DETERMINATION OF PROBABLE CAUSE

The Ethics Office received a complaint, dated August 25, 2020, alleging Senator Hoffman violated the Legislative Ethics Act. The Senate Subcommittee met on September 22, 2020, for a Preliminary Examination.

The subcommittee recognized the unique situation of the current COVID 19 pandemic and unanimously waived the requirement for a subsequent further investigation and an in-person meeting to make a determination of probable cause or dismiss the complaint. The subcommittee's decision of a violation of the Legislative Ethics Act, AS 24.60.080(a)(2), is based upon uncontroverted facts and an admission by Senator Hoffman in writing on September 4, 2020, and orally at the September 22, 2020 meeting.

The facts supporting the Committee's belief that a violation of the Act occurred:

Date(s) or time period during which alleged violation occurred and a description of the activities that are an alleged violation of the Legislative Ethics Act:

The complaint stated meals were provided to Senator Hoffman and his spouse by a registered lobbyist on either January 4th or January 6th of this year.

Part of the Ethics Act that was allegedly violated:

AS 24.60.080(a)(2) (a) Except as otherwise provided in this section, a legislator or legislative employee may not ...; (2) solicit, accept, or receive a gift with any monetary value from a lobbyist, an immediate family member of a lobbyist, or a person acting on behalf of a lobbyist, except (A) food or nonalcoholic beverage for immediate consumption (i) with a value of \$15 or less; or (ii) provided as part of an event that is open to all legislators or legislative employees;

THE INVESTIGATION

The committee determined further investigation was not necessary after reviewing the complaint and documents provided by Senator Hoffman, and in recognition of the unique circumstances.

A restaurant receipt, provided by Senator Hoffman, dated January 6, 2020, documented the meals were provided to both Senator Hoffman and his spouse by a lobbyist. The value of each of these meals was in excess of \$15 and therefore in violation of AS 24.60.080(a)(2). Senator Hoffman provided the subcommittee a copy of a check written on September 9, 2020, to cover the cost of the two meals.

DETERMINATION OF PROBABLE CAUSE ORDER AND DECISION

The Senate Subcommittee found probable cause Senator Lyman Hoffman inadvertently violated AS 24.60.080(a)(2) by accepting meals for himself and his spouse from a registered lobbyist valued in excess of \$15.

RECOMMENDATION

The committee determined that corrective action by Senator Hoffman had been taken before the subcommittee met on September 22, 2020, and soon after notification of the complaint allegation. The committee determined further corrective action was not necessary for this inadvertent violation.

Adopted September 22, 2020
by a majority of the Senate Subcommittee

/s/
Joyce M. Anderson, Chair

Members Participating

Joyce M. Anderson, Chair
Dennis “Skip” Cook
Deb Fancher
Lee Holmes
H. Conner Thomas
Senator John Coghill
Senator Tom Begich