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KENAI RIVER CLASSIC DISCLOSURES



The Kenai River Classic that occurred last week was designated as an event with a "legislative purpose" in 2007. Legislators, legislative staff, and immediate family members must disclose participation if the individual value of the gifts received by each person totaled \$250 or more. A disclosure must be filed within 60 days of participation.

Realizing that participation varies from person to person, please use the itemized breakdown of the value of the gifts, to be provided by Kenai River Sportfishing Association, to calculate the total value of gifts received; (fishing, lodging, meals, etc.) If you do not receive the itemized breakdown by September 5, please contact Linda Leigh at 269-8179 or linda.leigh@akleg.gov.

If you need to file a disclosure for participation from a previous year for you or an immediate family member, please do so immediately. The Ethics Committee will review late disclosures under the requirements of AS 24.60.260(c). Late disclosure fines: \$2 per day up to \$100 unless the late filing was inadvertent or willful; inadvertent late filing fines up to \$25; and a willful late filing fine of \$100 per day up to \$2,500.

INSIDE THIS ISSUE:

Kenai River Classic Disclosures	Cover
Pre-election Pledges	2

**SELECT COMMITTEE ON
LEGISLATIVE ETHICS**Website: <http://ethics.akleg.gov>**Physical Address:**
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Anchorage, AK 99501**Mailing Address:**
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Incumbent Legislator Pre-Election Pledges

A0 12-03

The Legislative Ethics Act does not put limits on a legislator's right to express a point of view on a questionnaire. The committee, however, determined that a pledge is more than an expression of a view.

Signing of a Pre-election pledge by an incumbent legislator in a quid pro quo exchange:

- ◆ For a campaign contribution or a promise of a campaign contribution, is in violation of AS 24.60.030(e)(1), or
- ◆ For a donation to a cause favored by the legislator is in violation of AS 24.60.030(e)(1).

A legislator who pledges to take or withhold legislative, administrative, or political action in exchange for the decision of an organization or person to contribute to the campaign is entering a quid pro quo agreement with the organization or person. In addition, a person or organization that donates to a cause favored by the legislator is agreeing, stating, or implying that the legislator is entering a quid pro quo agreement with the organization or person in exchange for money.

The pledge also violates AS 24.60.030(a)(1), which prohibits soliciting or accepting a benefit other than official compensation for the performance of public duties.

If the pledge is signed in exchange only for an endorsement or a promise of an endorsement it does not violate the Act. AS 24.60.030(e)(1) expressly prohibits the solicitation of campaign contributions, donations to certain causes, and "thing(s) of value." The definition of "thing of value" under AS 24.60.990(2), excludes political endorsements, support in a political campaign, or a promise of endorsement or support.

In determining whether or not a violation has occurred, the committee would first determine whether the member made the pledge with an understanding that the contribution or donation would be made in exchange for it. However, it is possible circumstances may create the strong appearance of a quid pro quo agreement. In those circumstances, the legislator whose campaign receives the contribution should consider returning the contribution. (State election law may require that, among other things, the contribution and its return both be recorded by the campaign and reported to the Alaska Public Offices Commission).

Political interest [can] never be separated in the long run from moral right. — Thomas Jefferson, American Founding Father and U.S. president (1743-1826)