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What a wonderful summer we have had so far in Anchorage! Warm temps and sun, sun, and more sun! Flowers are in full bloom and beautiful. It's almost too nice to be in an office every day.

Oh, well, work goes on. Please take a few minutes to look over the July newsletter. Two subjects of current interest to legislators and legislative employees are highlighted in the newsletter. The information is general in nature and a beginning point when considering whether a specific action should be taken in these areas.

- Use of state resources to perform constituent outreach in the newly created district boundaries.
- Legislative involvement in supporting or opposing a referendum.

Give the Ethics Office a call if you need additional clarification or have questions about a specific action you are contemplating.

Enjoy the rest of the summer!

Joyce & Linda

On July 14, 2013, the Alaska Redistricting Board adopted its 2013 Proclamation Plan

Q: When is it permissible to use state resources for constituent outreach in the newly created district boundaries which become effective for the 2014 elections?

A: The Ethics Committee determined at the June 14, 2012, meeting that legislators may not use state resources for legislative outreach within the NEW districts until after the November election results are certified which in this case would be the 2014 General Election.

Legislators were elected in 2012 to represent their current districts. The use of state resources to communicate with residents not currently in their district or those who have not requested to be on their mailing list would be considered campaigning and a violation of **AS 24.60.030(a)(2) and (a)(5)**.

Some examples of prohibited activity in the new area include but are not limited to:

Legislative e-newsletters, attending community council meetings, contact with municipalities/boroughs regarding capital requests, attending community events.

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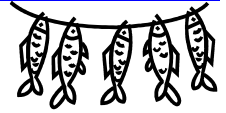
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Legislative Involvement in Supporting or Opposing a Referendum

On Monday, July 29, the Division of Elections verified the oil tax referendum group collected enough signatures to meet statutory requirements to put the referendum on the 2014 ballot. Even though there are a few more steps in the process before the referendum is certified, it is important to remind legislators and staff what activities are permitted and those that are prohibited with the use of state resources in supporting or opposing the referendum.

In [Advisory Opinion 97-02](#), the committee determined that action to support or oppose an initiative using state resources is related to duties of the Legislature, with limitations. The same parameters apply to a referendum. The referendum is a process undertaken by private citizens rather than the institutions of government but is an adjunct to the legislative process.

- ◆ Legislators are frequently called on to comment on public issues and to take stands on issues.
- ◆ Legislators need to hear from their constituents and others concerning public issues.

In carrying out this dialogue, a legislator may use state resources, including state paid staff time, state facilities and equipment, and reimbursement for travel expenses.

Permitted activities include:

- ◆ Preparing communications outlining the legislator's position.
 - Letters, mailings, brochures, or handouts
 - Any other written or electronic communication
- ◆ Presenting information to the public concerning the referendum.
 - Attending public functions or directing staff to attend.
 - Personal appearances in the media and at events and gatherings.
- ◆ Directing staff to research issues raised by the referendum.
 - The results of the research may be made available to others, including individuals supporting or opposing the proposition.

Prohibited activities:

- ◆ Legislators and legislative staff may not use state resources for activities related to the campaign aspect of the referendum, i.e., fundraising, rallies, marches, printed and electronic communications, etc.
- ◆ State resources may not be used by groups organized "in support of or in opposition to" a referendum.

The use of state resources would confer a "private benefit" to the group and allow state resources to be used for "campaigning"; both of which are prohibited under AS 24.60.030(a)(2) and AS 24.60.030(a)(5).

REMEMBER: The Legislative Ethics Act does not prohibit legislators or legislative employees from engaging in political activity on their own time and without the use of public resources.