

Alaska State Legislature

Select Committee on Legislative Ethics

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HOUSE SUBCOMMITTEE COMPLAINT H 16-01

DETERMINATION OF PROBABLE CAUSE

H. Conner Thomas, Chair of the House Subcommittee on Legislative Ethics, filed a complaint in this matter on behalf of the House Subcommittee. The House Subcommittee met on January 26, 2016, and determined there was reason to believe that a violation of the Ethics Law had occurred, and that Representative Tammie Wilson committed such violation.

Date(s) or time period during which alleged violation occurred: January, 2014

Part of the Ethics Act that was allegedly violated:

AS 24.60.030(a)(2) Prohibitions related to conflicts of interest and unethical conduct

A legislator ... may not use ... government asset or resource for a nonlegislative purpose, for involvement in or support of or opposition to partisan political activity, or for the private benefit of the legislator ...

AS 24.60.030(a)(5) Prohibitions related to conflicts of interest and unethical conduct

A legislator ... may not use or authorize the use of ... government asset or resource for the purpose of political fund raising or campaigning.

Description of the activities that are an alleged violation of Legislative Ethics Act:

Representative Tammie Wilson produced and sent an air quality notecard mailing to people outside her legislative district using state resources. The air quality notecard included a legislative return address. This provided a private benefit to the legislator or another person. This activity also could be construed as a campaigning effort targeted to people outside the existing district of Representative Wilson.

THE INVESTIGATION

A contract private investigator was used to conduct interviews with Representative Wilson regarding the allegations in the complaint. The investigator report to the committee was reviewed at the House Subcommittee meetings on January 26, 2016, and August 18, 2016.

DETERMINATION OF PROBABLE CAUSE ORDER AND DECISION

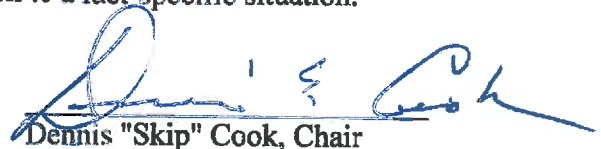
The House Subcommittee on August 18, 2016, found probable cause to believe that Representative Tammie Wilson violated AS 24.60.030(a)(2) and AS 24.60.030(a)(5) by producing and sending air quality notecards that used state resources and which included a legislative return address.

RECOMMENDATION:

Regardless of intent, the committee recognizes the fact that state resources were used to produce and distribute an air quality postcard to individuals not in Representative Wilson's current legislative district. The committee cautions Representative Wilson that in the future she should be mindful that state resources used for a general distribution of a communication such as the air quality postcard, which includes individuals not within her legislative district or to those who have not asked to be on her distribution list, is prohibited under AS 24.60.030(a)(2) and AS 24.60.030(a)(5).

The committee determined no corrective action was warranted. However, to prevent possible future violations, the committee strongly recommends Representative Wilson read the ethics newsletter more judiciously and contact the Ethics Office for clarification or additional information if necessary when applying the information to a fact-specific situation.

Adopted this 16th day of August 2017
by a majority of the House Subcommittee


Dennis "Skip" Cook, Chair

Members Participating

Dennis "Skip" Cook, Chair
Deborah Fancher
Lee F. Holmes
Representative Chris Tuck
Representative David Eastman
H. Conner Thomas