

Alaska State Legislature
Select Committee on
Legislative Ethics

1500 West Benson Blvd, Suite 220
Anchorage, AK 99503
Phone: (907) 269-0150
Ethics.Committee@akleg.gov

Mailing Address:
PO Box 90251
Anchorage, AK 99509-0251
Website: <http://ethics.akleg.gov>

Full Committee Meeting
FRIDAY, NOVEMBER 21, 2025
Noon – 2:00 PM
Denali Room, Anchorage LIO

Meeting will be teleconferenced

Anchorage Only: 563-9085 Juneau Only: 586-9085

Outside Anchorage or Juneau: 1-844-586-9085

FULL COMMITTEE: Open Session (+) indicates background material in packet.

1. CALL THE MEETING TO ORDER
2. APPROVAL OF AGENDA (+)
3. APPROVAL OF MINUTES (+)
4. PUBLIC COMMENT
5. Motion to go into **EXECUTIVE SESSION** *to discuss matters which by law must remain confidential under AS 24.60.160, Uniform Rule 22(b) regarding executive sessions, and Rules of Procedure Section 5: Executive Sessions and discussion of matters, the immediate knowledge of which would adversely affect the finances of a governmental unit, and discussion of subjects that tend to prejudice the reputation and character of a person.*
6. EXECUTIVE SESSION (+)
7. PUBLIC SESSION
8. Sealaska Corporation Internship update (presentation by Sealaska)
9. Chair/STAFF REPORT (+)
 - a. FY 2026 Budget status (+)
 - b. Staff Report of Informal Advice (+)
 - c. Harassment and Civility training
 - d. Annotation of late filing of disclosures in the journal
 - e. Benefit and Loan Update - Department of Transportation (+)

- f. COGEL conference update
- g. Staffing workload and focus areas (+)
- h. Status of Reinbold case
- i. Alan Dick corrective action update (+)

10. SUBCOMMITTEE REPORTS (+)

- a. Travel policy guidelines
- b. Rules of Procedure (+)
- c. Ethics legislation (+)

11. OTHER BUSINESS

- a. Public member vacancies
- b. New legislator training

12. ADJOURN

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

ALASKA STATE LEGISLATURE
SELECT COMMITTEE ON LEGISLATIVE ETHICS
NOVEMBER 12, 2024
12:00 PM

FULL COMMITTEE MEETING

DRAFT

12:01:35 PM

1. CALL THE MEETING TO ORDER:

Chair Deb Fancher called together the Full Committee meeting of November 12, 2024, at 12:01 PM. She directed Administrator Kevin Reeve to conduct roll call.

Roll Call

Senator David Wilson
Senator Donny Olson
Representative Mike Prax
Representative Sara Hannan
Skip Cook
Conner Thomas
Chair Deb Fancher
Jerry McBeath

With eight members present, there was a quorum to conduct business.

Others

Administrator Kevin Reeve
Jacqueline Yeagle

12:02:48 PM

2. UPDATE ON PUBLIC COMMITTEE MEMBER APPOINTMENTS

Chair Deb Fancher said public members are appointed for a three year term by the chief justice of the Alaska Supreme Court. Conner Thomas's appointment expires in 2025, and he has expressed his willingness and desire to continue as a member of the Ethics Committee. Chair Fancher added there

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

is an alternate public member vacancy, and she encouraged anyone interested to apply.

12:03:54 PM

3. APPROVAL OF AGENDA

Chair Deb Fancher entertained a motion to approve the agenda.

Conner Thomas proposed moving items from the executive session agenda to the public agenda:

- b. Legislative changes update
- c. Election of officers at January meeting
- e. Public member announcement process changes
- f. Intern in office
- g. Engagement
- h. Electronic binders
- i. 2025 Committee appointments for the elected members

Chair Deb Fancher explained that executive session is intended for only two or three types of discussion as outlined in AS 25.60.160; Uniform Rule 22(b); and the Rules of Procedure Section 5. The items Conner Thomas proposed moving to public session do not qualify for executive session.

Chair Deb Fancher entertained discussion or objections to moving the items to public session.

Representative Sara Hannan asked where in the agenda the items would move.

Chair Deb Fancher replied that the items would go after item 6d in the staff report.

There was no other discussion and no objections. The committee approved the modified agenda.

12:07:05 PM

4. APPROVAL OF MINUTES:

- a. Chair Deb Fancher entertained approval of the February 16, 2024, Full committee meeting minutes. There were no objections. The committee approved the minutes.

12:07:40 PM

5. PUBLIC COMMENT

Chair Deb Fancher opened the meeting to public comment.

After handing each of the committee members a document, Dr. Theresa Obermeyer said she is working on an initiative in support of Alaska electing the attorney general. Alaska is the only state that does not have an American Bar Association accredited law school and the only state that has no elected office holder who is required to be a member of the Alaska Bar Association. She asked the committee members to review the information she provided.

12:12:23 PM

6. CHAIR/STAFF REPORT

a. Staff Reports of Informal Advice

Administrator Kevin Reeve introduced the staff report and invited questions or comments about the report.

Committee members offered minor spelling and grammar edits.

Jerry McBeath inquired why it would not be a conflict of interest for a legislator to allow use of their government office in the filming of a documentary for a non-profit group. Jacqueline Yeagle replied using a legislative office in the manner described is not a conflict of interest. Senator David Wilson concurred. Representative Sara Hannan noted that the relevant facts were that the office was not used for campaign purposes and the film would not be released until after the election.

b. Revised Complaint Form

Administrator Kevin Reeve noted the committee had requested the changes. He asked the committee to review the changes and offer comments or questions. There was no discussion. The revised complaint form was approved.

c. COGEL Conference Update

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

Five individuals plan to attend the 2024 COGEL conference. Registration fees have been paid. All attendees should be making travel arrangements.

d. 2025 Ethics Training Update

Administrator Kevin Reeve reviewed the planned training dates, noting the date at the end of January coincides with a training opportunity for committee members. The January 17 training for continuing staff is in person only.

12:32:05 PM

7. STATE BENEFIT AND LOAN PROGRAM REVIEW

Chair Deb Fancher explained that every year the committee approves changes to the list of state benefit and loan programs that require disclosure. There are no additions or deletions proposed for 2025, however, the Department of Natural Resources moved eight of the programs from the Economic Development Division to the Division of Investments.

Conner Thomas confirmed his understanding that the programs would stay on the list, only listed under a different the division within the department. Chair Deb Fancher affirmed Conner Thomas's understanding.

Representative Sara Hannan suggested that Kevin Reeve alert legislators and staff to the division change during training to avoid copying and pasting incorrect information on disclosures.

12:35:05 PM

Chair Deb Fancher returned to the executive session agenda items that were moved to public session.

b. Legislative changes update

Senator David Wilson reported Senator Löki Tobin would take the lead on future ethics legislation changes. He predicted Dan Wayne's return to Legislative Legal will prove helpful in the legislation change process.

c. Election of officers at January meeting

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

Administrator Kevin Reeve reminded the committee that chair positions would rotate with the new session in January.

e. Public member announcement process changes

Administrator Kevin Reeve proposed changes to the public member vacancy recruitment process in order to increase interest in serving. He directed the committee to the changes to the draft vacancy announcement, including a change that emphasizes how the alternate public member duties and functions differ from those of the regular public members.

Administrator Kevin Reeve added the current chief justice is retiring on January 14, 2025, and the office has been working with his successor, Susan Carney, to arrange for a committee appointment letter to be sent during the first week of next session.

Representative Sara Hannan asked, given the timing of Chief Justice Maassen's retirement and the start of Chief Justice Carney's term, if they could end up nominating different public members. Kevin Reeve replied that he is working with both chief justices to ensure an uncomplicated nomination process.

Senator David Wilson noted it is common for the chief justice to send the letter of nomination to the speaker of the house and the senate president in the first week of session.

Jerry McBeath asked how the vacancy positions are advertised. Deb Fancher replied that the vacancy announcements were sent to all legislators and legislative staff. Legislators are asked to share the vacancy notice in their own newsletters.

Representative Sara Hannan suggested re-sending the request to legislators as they may have not sent newsletters during the campaign period. Chair Deb Fancher added that the vacancy announcement might also be included in the next Ethics Committee Advisor. In addition to the vacancy announcement, she also advised including planned training dates and updates to the state benefit and loan programs.

12:49:46 PM

f. Intern in office

Administrator Kevin Reeve addressed the backlog of work in the office. He recommended hiring an intern to help the office catch up with filing, records keeping, and other office tasks. An intern would benefit by getting exposure to the legislature and the Ethics Committee in particular.

Senator David Wilson moved to allow Kevin Reeve to explore the intern option. Chair Deb Fancher entertained discussion.

Jerry McBeath expressed concern about the nature of the work the intern would do, given the confidentiality aspects of the work, the qualifications required that would be required of the intern, and what the compensation would be in terms of [school] credit. He proposed Kevin Reeve consider the committee's questions and report his findings to the committee in January.

Representative Sara Hannan wondered if the office has capacity to teach an intern or if it would be more beneficial to temporarily hire or contract with someone.

Chair Deb Fancher asked if there were objections to the administrator's exploration for an additional person in the office. There were no objections.

1:01:45 PM

g. Engagement

Administrator Kevin Reeve noted there were a number of misconceptions about the committee. He proposed increasing public engagement to educate the public and also working with media outlets to support their journalistic integrity. He reported he had recently worked with a media outlet for that purpose and his efforts seem to have been fruitful. He asked the committee if they wanted him to continue his pursuits in this area.

Representative Sara Hannan cautioned that general public engagement may be contradictory at the same time as legislators are considering changes to the Ethics Act. Deb Fancher generally agreed and added that educating the legislators and legislative employees about the committee still has value. She added she and Joyce Anderson had

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

presented to a couple of community groups and those presentations were well received.

Representative Mike Prax advised designing the ethics webpage for a public audience.

Senator David Wilson agreed with Representative Sara Hannan that public education about the committee will happen naturally as the ethics legislation changes work their way through the legislative bodies. He noted that the Office of Victim Advocacy also struggles with public perception issues and he suggested working together with them may prove valuable.

1:08:30 PM

Jerry McBeath opined it is a civic education problem and he agrees with Representative Sara Hannan that public education about the committee needs to be focused and in a way that makes sense.

Chair Deb Fancher entertained committee discussion about offering a lunch and learn.

Conner Thomas wondered if there would be interest in a lunch and learn given time constraints in Juneau.

Representative Sara Hannan stated that lunch and learns are restricted from promoting legislation and would have to be scheduled prior to the introduction of new legislation.

Representative Mike Prax urged the committee to make the web page the priority. He argued it should be a one-stop shop for a viewer to glean what the committee is about.

Chair Deb Fancher suggested the possibility of expanding ethics training to include information from the existing lunch and learn power point along with some of the answers to questions asked about the committee.

Senator David Wilson suggested exploring options at KTOO for raising the profile of community organizations.

1:13:35 PM

h. Electronic binders

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

Administrator Kevin Reeve proposed sending preliminary meeting packets electronically to committee members and having paper copies of the documents at the meeting.

Senator David Wilson indicated he was fine with the idea but cautioned using password protection.

Deb Fancher asked if using password protection would require public members to use a legislative email address.

Administrator Kevin Reeve offered to get more information about password protection and speculated Deb Fancher's concern was surmountable.

Representative Sara Hannan asked Senator David Wilson if he proposed only password protecting executive session documents.

Jerry McBeath protested the cost of printing his own packet.

Skip Cook suggested going to the local LIO to print it out.

Representative Sara Hannan asked if some members could still receive a packet in the mail.

Administrator Kevin Reeve said he will inquire how members want to receive their packets for each meeting.

i. 2025 Committee appointments for the elected members

Administrator Kevin Reeve reminded legislators of the importance that legislative member appointments occur prior to the January 30 meeting. He reported he would be contacting the senate president and the house speaker with a reminder.

Representative Sara Hannan asked if legislators serve until a replacement is appointed. She said all committee assignments are generally done at the same time if the bodies are organized.

Administrator Kevin Reeve asked if there is anything to do to move along the process.

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

Representative Sara Hannan replied that it all depends on whether both bodies are organized. Internal dynamics have delayed organizing the house in recent past years

1:22:52 PM

8. Chair Deb Fancher entertained a motion to go into **EXECUTIVE SESSION** to discuss matters which by law must remain confidential under AS 24.60.160, Uniform Rule 22 (b) regarding executive sessions, and Rules of Procedure Section 5: Executive Sessions and discussion of matters, the immediate knowledge of which would adversely affect the finances of a governmental unit, and discussion of subjects that tend to prejudice the reputation and character of a person.

Senator David Wilson so moved. There were no objections. The committee moved into executive session.

1:23:52 PM

9. EXECUTIVE SESSION

2:22:04 PM

10. PUBLIC SESSION

Chair Deb Fancher re-opened public session and entertained a motion to draft a letter to Ombudsman Kate Burkhardt regarding a complaint.

Representative Sara Hannan so moved. Chair Deb Fancher entertained objections. There were none. The motion passed.

11. OTHER BUSINESS

12. ADJOURN

Chair Deb Fancher entertained a motion to adjourn. Skip Cook so moved. There were no objections. The meeting adjourned at 2:23 PM.

2:23:34 PM

ADJOURN:

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

ALASKA STATE LEGISLATURE
SELECT COMMITTEE ON LEGISLATIVE ETHICS
MAY 30, 2025
9:00 AM

FULL COMMITTEE MEETING MINUTES

DRAFT

9:04:22 AM

1. CALL THE MEETING TO ORDER

Chair Joyce Anderson called to order a meeting of the Select Committee on Legislative Ethics on May 30, 2025, at 9:04 AM. She directed Administrator Kevin Reeve to conduct roll call.

a. Roll Call

Senator Gary Stevens
Senator Robert Yundt
Representative Alyse Galvin
Representative Kevin McCabe
Chair Anderson
Conner Thomas
Skip Cook
Deb Fancher
Carl White

There was a quorum to conduct business.

Others

Administrator Kevin Reeve
Jacqui Yeagle

9:04:55 AM

b. Introduction of New Public Members

Administrator Kevin Reeve introduced the two new members, Public Member Carl White, a retired educator from Anchorage, and Alternate Public Member and Palmer resident Linda Cox.

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

2. APPROVAL OF AGENDA

Chair Anderson entertained a motion to approve the agenda. Deb Fancher so moved. There were no objections. The agenda was approved.

9:07:51 AM

3. APPROVAL OF MINUTES

Chair Anderson invited Administrator Kevin Reeve to initiate a discussion with committee members about the production of meeting minutes.

Administrator Kevin Reeve advised a more streamlined format rather than the in-depth format currently used, capturing only substantive and significant discussion, corrections, and decisions.

Chair Anderson added that the recording is the official records of the meeting. The format as proposed would capture all motions and the outcomes, eliminate listing all member names when a motion passes unanimously, and discontinue noting simple grammatical change in meeting materials such as the staff report.

Representative Alyse Galvin noted there is value in detailed minutes and she had concerns about loss of context in a streamlined format.

Chair Anderson and Administrator Kevin Reeve assured Representative Alyse Galvin that context would be preserved.

Conner Thomas said he supports the format change, but he is sensitive to Representative Alyse Galvin's concern.

Skip Cook asked for confirmation that it is possible to listen to the full meeting if desired. Chair Anderson responded meetings are recorded and available on BASIS.

9:17:59 AM

a. Full Committee meeting, April 4, 2024

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

Chair Anderson entertained a motion to approve the minutes. Skip Cook so moved. There were no objections. The minutes were approved.

b. House Subcommittee April 4, 2024

Chair Anderson entertained a motion to approve the minutes. Deb Fancher so moved. There were no objections. The minutes were approved.

c. Full Committee, June 10, 2024

Chair Anderson entertained a motion to approve the minutes. Deb Fancher so moved. Minor amendments were offered. There were no objections. The minutes were approved with amendments.

d. House Subcommittee, June 10, 2024

Chair Anderson entertained a motion to approve the minutes. Conner Thomas so moved. There were no objections. The minutes were approved.

e. Full Committee, August 15, 2024

Chair Anderson entertained a motion to approve the minutes. Skip Cook so moved. There were no objections. The minutes were approved.

f. Full Committee, January 31, 2025

Chair Anderson entertained a motion to approve the minutes. Deb Fancher so moved. There were no objections. The minutes were approved.

g. House Subcommittee, January 31, 2025

Chair Anderson entertained a motion to approve the minutes. Conner Thomas so moved. There were no objections. The minutes were approved.

h. Senate Subcommittee, January 31, 2025

Chair Anderson entertained a motion to approve the minutes. Skip Cook so moved. There were no objections. The minutes were approved.

9:24:47 AM

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

Administrator Kevin Reeve noted the office had used a transcription service to develop a first draft of the minutes in an attempt to save time in preparing the final minutes.

4. PUBLIC COMMENT

Chair Anderson opened public comment. There was no public comment.

9:27:13 AM

5. CHAIR/STAFF REPORT

a. Staff Informal Advice Review

Administrator Kevin Reeve solicited questions and/or revisions to the report.

Deb Fancher asked why there are limitations on legislative offices sending graduation cards outside of their legislative district. Kevin Reeve explained that past advisory opinions caution legislators to limit communications other than fact-specific communications with recipients outside of their districts.

Chair Anderson initiated a discussion about whether a contract with University of Alaska Fairbanks is a state contract. The committee made clear they consider a contract with UAF a state contract, and therefore, requires disclosure.

Chair Anderson initiated a discussion about a reference to the fundraising restriction in AS 24.60.031. She noted the restriction is on campaign fundraising, not general fundraising. She asked Kevin Reeve to remove the citation from the advice.

9:45

Representative Kevin McCabe addressed his concerns about legislator conflicts of interest, and the appearance of conflicts. He noted that legislators are prohibited from working as a registered lobbyist for a year after leaving office and he wondered whether legislators who were lobbyists before election can continue in that role and if lobbyists can run for the legislature.

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

Chair Anderson suggested Representative Kevin McCabe request an advisory opinion (AO) for clarity.

Representative Kevin McCabe reported a legislator working for and being paid by a consulting firm that is directly tied to current legislation. The legislator's office reported to Representative Kevin McCabe that the Ethics Office had given the ok.

Representative Kevin McCabe explained that legislators must declare conflicts of interest before voting and can ask to be excused, but if any member objects, they must vote. He and his constituents are unhappy with this, he acknowledged statute change was needed, and wondered if an advisory opinion would also help.

Chair Anderson agreed that a revision to statute was necessary and added that a revision to the uniform rules was also likely needed. Representative Kevin McCabe asked if a committee letter recommending rule changes would help.

Representative Kevin McCabe questioned legislators voting on a state defined benefit plan when many are in it, suggesting they should disclose this before voting. Chair Anderson noted past opinions found that questions such as those including state defined benefits affect a large class of people, not only legislators.

Skip Cook opined that if a legislator is part of a consulting firm, the firm shouldn't lobby the legislature, or the legislator should leave the firm.

Chair Anderson reiterated that an advisory opinion is the best way to address these questions.

Committee members requested more context for some staff report questions and answers. Administrator Kevin Reeve noted some inquiries seem intentionally vague, and the committee agreed the office should not answer vague questions. Chair Anderson suggested mentioning this in the next newsletter.

10:09

Representative Alyse Galvin commented that some questions seem to be asked after the fact. She emphasized the value of improving awareness of and comfort with using the Ethics Office

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

as a resource prior to acting. There was general agreement to Representative Alyse Galvin's position.

Chair Anderson shared her positive experiences visiting offices in Juneau and LIOs, emphasizing the importance of developing one-on-one relationships. Future outreach efforts are currently being discussed.

Representative Alyse Galvin reported LAA staff have been visiting offices in Juneau, in order to build relationships and give legislators and staff the opportunity to ask questions. The representative praised Kevin Reeve's ethics training as a valuable resource in helping bridge the gap between legislative offices and the Ethics Committee.

Representative Kevin McCabe suggested including a reminder in the newsletter to not rely solely on old advisory opinions for guidance, and to encourage contacting the Office for more specific advice.

Skip Cook proposed creating a short 15-minute presentation to inform legislators and the public about the committee.

10:25

The committee discussed the appropriateness of identifying information in the staff report of informal advice. They generally agreed on a preference for description and context over identifying information. The committee also advised avoiding the use of acronyms.

Committee members offered other minor edits to the staff report.

[Brief recess]

10:35:41 AM

b. Ethics Act Legislation Status Update

Chair Anderson reported ethics legislation changes had not been introduced this year. The committee convened a subcommittee to review the draft legislation.

10:41:21 AM

c. Travel

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

i. Ethics Committee Travel Policy

Administrator Kevin Reeve noted the committee does not have its own written travel policy and he recommended convening a travel subcommittee to discuss this issue and other related matters.

ii. Per Diem (Meals and incidentals) for Public Members

Administrator Kevin Reeve reported he had recently been informed by LAA that per AS 24.60.130(f), public member travel within the state should be reimbursed under the executive branch standard of \$60 a day [AS 39.20.180].

Amendment to the standard used to determine reimbursement requires a statute change. Senator Gary Stevens expressed support for a statute change to resolve the issue.

10:47:10 AM

d. Disclosure Review

Chair Anderson introduced discussion of disclosure statistics. She noted fewer close economic association disclosures filed over the years.

Administrator Kevin Reeve pointed out a 12% increase in the number of board of director disclosures already received in 2025 than were filed in all of 2024. He believes the increase is due to an increase of emphasis on board memberships in training. He also noted there is not much travel during legislative session and that is reflected in the number of gifts of travel disclosures filed in the first four months of 2025. Chair Anderson remarked that 2024 and 2022 were election years and both years show fewer gifts of travel disclosures than in 2023, a non-election year, and she ultimately anticipated a higher number of travelers in 2025.

10:52:39 AM

e. Draft Revised Board of Directors Disclosure Form

Administrator Kevin Reeve introduced the proposed changes to the board disclosure form, remarking the purpose was for administrative purposes only to streamline the disclosure review process. Fields added to the form are:

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

- Is this the first time you filed a disclosure for this association?
- Most recent date on which you began legislative service.

Representative Alyse Galvin advised a column addressing whether it is the first time filing for a given board position. The disclosure form provides for multiple board disclosures at one time. The committee agreed to adopt Representative Alyse Galvin's advice.

10:54:36 AM

f. Training Report (challenges/differences for 2027)

Administrator Kevin Reeve noted that unfortunately he did not finalize training until April, much later than required by statute. Despite significant initial resistance to in-person training sessions, all legislators and 449 staff ultimately attended, a marked increase over previous years. In his opinion, in-person training was more engaging and effective than video, and ultimately improved Ethics Act compliance. New staff will complete training via video for the rest of the year, but he emphasized the value of continued in-person engagement.

Representative Alyse Galvin proposed an optional short "brush-up" and AMA (Ask me anything) session when Ethics staff are in Juneau.

Administrator Kevin Reeve encouraged committee feedback about the training and he presented a draft overview and timeline for ethics training in 2027. He urged legislators to encourage colleagues to embrace and attend in-person training.

11:03:20 AM

g. Acceptability of using State Funds for Graduation Certificates (Online Schools-Out of Legislative District)

Administrator Kevin Reeve suggested submitting an advisory opinion request to clarify whether legislators may send various communications—such as graduation certificates, congratulatory letters, or voter registration applications—to graduates residing outside their districts. While graduation certificates may be permitted under office allowance account rules, both informal advice and existing advisory opinions caution against

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

using state resources to communicate with individuals outside a legislator's district.

Representative Alyse Galvin stressed that legislators view sending graduation cards and similar communications as an important personal way to connect with constituents and that constituents likewise appreciate them.

The committee directed Kevin Reeve to draft an advisory opinion request and send it to the committee for review.

11:12:57 AM

h. Archiving Policy dated February 13, 2025

Chair Anderson reported that Legislative Council updated their archiving policy on February 13, 2025.

Administrator Kevin Reeve assured the committee that he had no concern that the procedures currently in use by the committee were out of compliance with the policy.

Chair Anderson pointed out the recommendation that, "Each standing and special committee of the legislature should establish an electronic portal or electronic mailing address for receiving public comments and testimony." She said the Ethics Committee is a permanent interim committee and therefore, the recommendation does not apply. The committee has an email address at which the public can receive communications and it seems to be working well.

Representative Alyse Galvin asked if committee information was accessible in the easiest way possible for the public to make contact. She wondered if a portal is a better way.

Administrator Kevin Reeve said the office posts contact information prolifically. Most contact is by phone and often followed up by email.

11:18:03 AM

i. 2026 COGEL Conference Update

Chair Anderson opened discussion of the 2025 COGEL (Council on Governmental Ethics Laws) conference December 7-10, in Atlanta. Public members, legislative members, and committee legal counsel have attended the conference in past years. She asked if anyone

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

wanted to share their thoughts about the conference for the benefit of the new members on the committee.

Conner Thomas reported there are a lot of people engaged in the field of ethics and that it is interesting to see the differences in approach to it. The Alaska committee is quite unique among the states in the types of oversight involved. The information is well-presented and the informal learning is equally valuable.

Skip Cook concurred with Conner Thomas's statements and added that the COGEL conference attracts an international audience.

Administrator Kevin Reeve segued into a conversation about the travel budget, advising the committee that in order to stay within the budget they may want to determine whether it would cover legislative members or limit the funds to public members and/or determine a cap on the number of participants traveling.

Deb Fancher stated that she learned at the conference how unique the Alaska Ethics Committee is among Ethics offices, and at each conference her knowledge of the wide breadth of ethics issues that offices deal with outside Alaska. She thinks the expense is worth it.

Deb Fancher noted that at her first conference she grasped the uniqueness of the Alaska Ethics Committee among ethics offices, and with each succeeding conference, her understanding of the wide range of issues faced by other offices has grown.

Senator Gary Stevens said legislators should first consider using their office allowance accounts to attend the conference.

Chair Anderson thanked Senator Gary Stevens. She pointed out that early bird pricing ends on August 1, and she encouraged committee members to decide prior to that date whether they want to attend to take full advantage of the lower early registration costs.

11:25:54 AM

j. Status of Reinbold Alaska Supreme Court Case

Chair Anderson said the committee could address the case because the court case is a public matter. She recounted that Former Senator Lora Reinbold had appealed a lower court decision to the Alaska Supreme Court in her case against the Ethics Committee.

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

According to the Ethics Committee Outside Counsel Brent Cole, there is no movement to report and it could take as long as 24 months for a decision.

5. CHAIR/STAFF REPORT

11:26:22 AM

k. Outside Attorney Contract

Chair Anderson reported that Attorney Brent Cole's contract ends with the fiscal year, and that a new contract is needed. Mr. Cole has provided outside legal expertise to the committee since 2001, however, he may discontinue his association with the committee at the end of FY 26, so the committee needs to think about succession planning.

The current year contract was provided/reviewed. Skip Cook moved to contract with Brent Cole for outside legal services in FY 26 at \$225 per hour, up to \$20,000, which is consistent with the current contract. There were no objections. Skip Cook and Conner Thomas both advocated soliciting from Brent Cole recommendations for a new outside counsel.

11:31:14 AM

6. Chair Anderson entertained a Motion to go into **EXECUTIVE SESSION to discuss matters which by law must remain confidential under AS 24.60.160, Uniform Rule 22(b) regarding executive sessions, and Rules of Procedure Section 5: Executive Sessions and discussion of matters, the immediate knowledge of which would adversely affect the finances of a governmental unit, and discussion of subjects that tend to prejudice the reputation and character of a person.**

Deb Fancher so moved. There were no objections. The committee moved into executive session.

7. EXECUTIVE SESSION

1:02:44 PM

Chair Anderson entertained a motion to return to public session. Deb Fancher so moved.

8. BUDGET

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

a. FY 2024-2025 Budget Review

Administrator Kevin Reeve advised the committee to expect an overall significant surplus. He reported a surplus in the staff services budget, a tight travel budget, a surplus in outside services, and an overage in the office supply budget.

b. FY 2025-2026 Budget Update

Administrator Kevin Reeve reported the FY 26 budget in packets is projected rather than finalized. Final budgets are to come in June or July. He anticipates an increase of \$34,000 in the staff services budget.

9. OTHER BUSINESS

Chair Anderson reported the committee decided to remove Administrator Kevin Reeve's probationary period.

There was no other business.

10. ADJOURN

Chair Anderson entertained a motion to adjourn. Skip Cook so moved. Chair Anderson adjourned the meeting at 1:06 PM.

1:06:34 PM

ADJOURN:

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

ALASKA STATE LEGISLATURE
SELECT COMMITTEE ON LEGISLATIVE ETHICS
MAY 30, 2025
1:00 PM

SENATE SUBCOMMITTEE MEETING

DRAFT

1:31:30 PM

1. CALL THE MEETING TO ORDER

Chair Joyce Anderson called to order the May 30, 2025, meeting of the Select Committee on Legislative Ethics Senate Subcommittee at 1:31 PM.

2. APPROVAL OF THE AGENDA

The chair entertained a motion to approve the agenda.

Deb Fancher so moved. There were no objections.

3. PUBLIC COMMENT

Chair Anderson entertained public comment.

There was no public comment.

1:32:24 PM

4. Motion to go into EXECUTIVE SESSION

Chair Anderson entertained a motion to go into EXECUTIVE SESSION to discuss matters which by law must remain confidential under AS 24.60.160, Uniform Rule 22(b) regarding executive sessions, and Rules of Procedure Section 5: Executive Sessions and discussion of matters, the immediate knowledge of which would adversely affect the finances of a governmental unit, and discussion of subjects that tend to prejudice the reputation and character of a person.

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

Senator Matt Claman so moved.

5. EXECUTIVE SESSION

[2:38:59 PM](#)

6. PUBLIC SESSION

Chair Anderson entertained a motion to return to public session.

Deb Fancher so moved. There were no objections.

Chair Anderson announced the committee decided to move forward to the scope of investigation stage in Complaint S 24-01.

7. OTHER BUSINESS

There was no other business.

8. ADJOURN

Chair Anderson entertained a motion to adjourn.

Skip Cook so moved. There were no objections.

The meeting adjourned.

[2:39:47 PM](#)

ADJOURN

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

ALASKA STATE LEGISLATURE
SELECT COMMITTEE ON LEGISLATIVE ETHICS
JULY 25, 2025
8:45 AM

HOUSE SUBCOMMITTEE MEETING

DRAFT

CALL THE MEETING TO ORDER:

9:04:20 AM

1. CALL THE MEETING TO ORDER

Chair Conner Thomas called the House Subcommittee meeting to order at 9:04 AM.

Roll

Representative Alyse Galvin
Representative Jeremy Bynum
Chair Conner Thomas
Joyce Anderson
Deb Fancher
Carl White
Skip Cook

There was a quorum.

Others

Administrator Kevin Reeve
Jacqueline Yeagle

9:06:12 AM

2. APPROVAL OF AGENDA

Chair Thomas entertained a motion to approve the agenda. Deb Fancher so moved. There were no objections. The house subcommittee approved the agenda.

3. PUBLIC COMMENT

There was no public comment.

9:06:32 AM

4. INTRODUCTION OF COMPLAINT H 25-01

Chair Conner Thomas asked the administrator to address the criteria for acceptability of a complaint:

The administrator reported that Complaint H 25-01 meets the following criteria:

1. The complaint is notarized.
2. The complaint is filed against a person covered by the Legislative Ethics Act.
3. The complaint is timely.
4. The complaint has not been filed during a campaign period pursuant to AS 24.60.170.
5. The complaint references specific statutes under the Legislative Ethics Act AS 24.60.

Chair Conner Thomas summarized Complaint H 25-01:

1. Conflict of interest (AS 24.60.030(e) (3), AS 39.52.110)
 - a. Kopp's firm, Winfluence Strategies, received \$100,000-\$200,000 from the AFL-CIO in 2024 for consulting services, constituting a substantial "financial interest" (AS 24.60.030(j) (3)).
 - b. Kopp authored and voted for HB 78 (2024), which enhances public employee collective bargaining and retirement benefits, directly benefiting unions such as ASEA/AFSCME and AFL-CIO.
 - c. HB 78's passage likely strengthens AFL-CIO's position, potentially securing future contracts for Winfluence Strategies, providing a "substantial benefit" greater than that to union members generally (AS 24.60.030(j) (2)).
 - d. These actions were not required by Uniform Rules, violating AS 24.60.030(a) (3).
 - e. Violation: By authoring and voting for HB 78, Kopp used his legislative position to advance his financial interests, contravening AS 24.60.030(e) (3). This conduct also violates AS 39.52.110, which prohibits state officials from using their office for personal gain beyond authorized compensation.
2. Failure to Disclose or Recuse (AS 24.60.030(g), AS 24.60.080)

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

- a. Kopp did not disclose his AFL-CIO income or recuse himself from HB 78 authorship, voting, or related legislative actions, despite a clear conflict.
- b. As a civilian, Kopp threatened then-Rules Chair Craig Johnson: "If you do not bring this bill to the floor, I will run against you," implying union support would ensure his victory in the 34th Legislature, enabling HB 78 authorship.
- c. No evidence indicates Kopp sought Ethics Committee guidance or filed disclosures under AS 24.60.030(g).
- d. Violation: Kopp's failure to disclose or recuse violates AS 24.60.030(g), which mandates disclosure and recusal for conflicted votes, and AS 24.60.080, which requires mitigation of conflicts, including abstaining from sponsorship or coercive actions.

3. Appearance of Impropriety (AS 24.60.010, AS 39.52.010)

- a. Kopp's 2024 campaign received \$21,350.00 from 19 union PACs (62.7% of \$34,068.13 total income), including \$1,000 from the Alaska AFL-CIO Gaming Account (09/16/2024).
- b. The threat to Johnson and use of the 34th Legislature's binding caucus to secure HB 78's passage suggest a donor-driven agenda.
- c. Public distrust, evidenced by Representative Kevin McCabe's House floor objection and
- d. Must Read Alaska (May 13, 2025), reflects perceived impropriety.
- e. Violation: Kopp's actions create a significant appearance of impropriety, breaching AS 24.60.010's mandate to uphold legislative integrity and AS 39.52.010's requirement to maintain public trust.

4. Misuse of Leadership Authority (AS 24.60.050(a), AS 39.52.120)

- a. As Majority Leader, Kopp influenced the House agenda, committee assignments, and debates, prioritizing HB 78.
- b. He leveraged the 34th Legislature's binding caucus to ensure HB 78's passage, amplifying union influence.
- c. The threat to Johnson indicates coercive use of leadership to secure legislative outcomes tied to his financial interests.
- d. Violation: Kopp's actions violate AS 24.60.050(a), which requires impartial leadership, and AS

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

39.52.120, which prohibits misuse of official position to influence outcomes for personal gain.

Chair Conner Thomas reported Representative Chuck Kopp was online. His attorney, Scott Kendall, was in the room to address the committee.

9:18:17 AM

Scott Kendall stated that he is representing Representative Chuck Kopp, who has waived confidentiality of this frivolous complaint containing a variety of allegations.

Scott Kendall asserted that Representative Chuck Kopp's actions exemplify compliance with the law. Representative Chuck Kopp consulted with Ethics Committee staff and followed the advice. Ironically, the exhibits in the complaint are based on actions taken by Representative Chuck Kopp in complying with the law including his financial filings and public conflict of interest disclosures.

The allegations lack merit and substance. Some allegations pertain to breaches of other laws; one refers to actions taken by Representative Chuck Kopp before he assumed his current position as legislator, a time period for which the committee has no jurisdiction. Some complaint exhibits contradict themselves. For instance, Representative Chuck Kopp's own financial disclosures are cited as evidence of a lack of transparency in financial matters. The complainant references historical instances where Representative Chuck Kopp followed the law by declaring a conflict of interest and requesting to abstain.

The complainant is in violation of the law. Their own exhibits demonstrate this. While the complainant is entitled to their opinion of Representative Chuck Kopp, they are not entitled to misuse the process. In Scott Kendall's opinion, the complaint should be dismissed, and the committee should report it as a crime of false accusation as required by law.

Chair Conner Thomas inquired whether Representative Chuck Kopp wished to speak.

Representative Chuck Kopp said he believes the allegation is entirely untrue. The complaint also alleged he was a

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

sponsor of HB 78. That is not the case. He said he fully supports Scott Kendall's statement.

Deb Fancher disclosed she had a long time personal relationship with Representative Chuck Kopp.

Representative Alyse Galvin disclosed she was a supporter of Representative Chuck Kopp's campaign for legislature.

Chair Conner Thomas stated that although the subject has waived confidentiality, the Subcommittee's deliberations and action on the complaint remain confidential until later today or at a future meeting. Only committee members and staff are allowed in executive session.

5. Chair Thomas entertained a **MOTION TO GO INTO EXECUTIVE SESSION** to discuss matters which by law must remain confidential under AS 24.60.160, Uniform Rule 22(b) regarding executive sessions, and Rules of Procedure Section 5: Executive Sessions and discussion of matters, the immediate knowledge of which would adversely affect the finances of a governmental unit, and discussion of subjects that tend to prejudice the reputation and character of a person.

Joyce Anderson so moved. There were no objections. The house subcommittee moved into executive session.

9:36:55 AM

6. EXECUTIVE SESSION

9:36:55 AM

Recess

10:57:38 AM

7. PUBLIC SESSION

Chair Thomas reported the subcommittee dismissed, in its entirety and by majority vote, Complaint H 25-01 against Representative Chuck Kopp.

8. OTHER BUSINESS

There was no other business.

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

9. ADJOURN

10:58:32 AM

Chair Thomas entertained a motion to adjourn the meeting.
Deb Fancher so moved.

The meeting adjourned at 10:58 AM.

10:58:42 AM

DRAFT

ADJOURN:

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

ALASKA STATE LEGISLATURE
SELECT COMMITTEE ON LEGISLATIVE ETHICS
JULY 25, 2025
11:51 AM

FULL COMMITTEE MEETING

DRAFT

12:14:52 PM

1. CALL THE MEETING TO ORDER

Chair Joyce Anderson called the meeting to order at 12:15 PM.

Roll

Senator Gary Stevens
Representative Alyse Galvin
Representative Jeremy Bynum
Chair Conner Thomas
Joyce Anderson
Deb Fancher
Skip Cook
Carl White

There was a quorum.

Others

Administrator Kevin Reeve
Jacqueline Yeagle

12:14:58 PM

2. APPROVAL OF AGENDA

Chair Joyce Anderson entertained a motion to approve the agenda. Deb Fancher so moved.

Chair Anderson proposed adding discussion of a new internship approval request. Deb Fancher agreed to approve the agenda with modifications. There were no objections. The committee approved the agenda.

12:15:48 PM

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

3. PUBLIC COMMENT

There was no public comment.

[12:16:06 PM](#)

4. Internship approval

Administrator Kevin Reeve introduced the internship approval request from Representative Carolyn Hall's office for Jake Bernstein. Chair Joyce Anderson had approved the internship. Per the committee's Rules of Procedure, the committee was being notified of the internship approval.

Chair Joyce Anderson noted background information about the approval process for legislative internships as stated on the application in the committee packet.

Senator Gary Stevens asked if a salary had been approved through the rules chair.

Chair Joyce Anderson replied there is no legislative salary involved.

[12:21:10 PM](#)

5. Chair Joyce Anderson entertained a motion to **MOVE INTO EXECUTIVE SESSION to discuss matters which by law must remain confidential under AS 24.60.160, Uniform Rule 22(b) regarding executive sessions, and Rules of Procedure Section 5: Executive Sessions and discussion of matters, the immediate knowledge of which would adversely affect the finances of a governmental unit, and discussion of subjects that tend to prejudice the reputation and character of a person.**

Deb Fancher so moved. There were no objections. The committee moved into executive session.

[12:21:31 PM](#)

6. EXECUTIVE SESSION

[12:21:38 PM](#)

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

7. PUBLIC SESSION

12:51:22 PM

Chair Anderson entertained a motion to return to public session. Representative Jeremy Bynum so moved.

8. OTHER BUSINESS

Next meeting date is Tuesday, September 23, beginning at 9:00 AM.

Administrator Kevin Reeve encouraged committee members to give thought to attending the COGEL conference in December.

1:01:54 PM

9. ADJOURN

Chair Joyce Anderson entertained a motion to adjourn. Representative Jeremy Bynum so moved. There were no objections. The meeting adjourned at 1:02 PM.

1:02:08 PM

ADJOURN:

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

ALASKA STATE LEGISLATURE
SELECT COMMITTEE ON LEGISLATIVE ETHICS
SEPTEMBER 23, 2025
9:00 AM

**SENATE SUBCOMMITTEE MEETING
DRAFT**

9:01:00 AM

1. CALL THE MEETING TO ORDER

Chair Joyce Anderson called the September 2023, 2025, Senate Subcommittee meeting to order at 9:01 AM.

Roll Call

Skip Cook
Chair Joyce Anderson
Conner Thomas
Deb Fancher
Carl White
Representative Alyse Galvin
Senator Gary Stevens
Senator Robert Yundt
Representative Kevin McCabe

Others

Administrator Kevin Reeve
Jacqueline Yeagle
Jamie Benton

9:01:47 AM

2. APPROVAL OF THE AGENDA

Chair Anderson entertained a motion to approve the agenda. Skip Cook so moved. The agenda was approved.

9:02:00 AM

3. PUBLIC COMMENT

Chair Anderson entertained public comment. There was no public comment.

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

9:03:11 AM

4. Chair Anderson entertained a **Motion to go into EXECUTIVE SESSION** to discuss matters which by law must remain confidential under AS 24.60.160, Uniform Rule 22(b) regarding executive sessions, and Rules of Procedure Section 5: Executive Sessions and discussion of matters, the immediate knowledge of which would adversely affect the finances of a governmental unit, and discussion of subjects that tend to prejudice the reputation and character of a person.

Senator Gary Stevens so moved.

9:03:54 AM

5. EXECUTIVE SESSION

10:55:06 AM

6. PUBLIC SESSION

Chair Anderson announced a return of the committee to public session.

7. OTHER BUSINESS

Chair Anderson entertained other business. There was no other business.

8. ADJOURN

Chair Anderson entertained a motion to adjourn the meeting. Conner Thomas so moved. The meeting adjourned at 10:55 AM.

10:55:21 AM

ADJOURN:

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

ALASKA STATE LEGISLATURE
SELECT COMMITTEE ON LEGISLATIVE ETHICS
SEPTEMBER 23, 2025
12:00 PM

FULL COMMITTEE MEETING MINUTES

DRAFT

12:06:00 PM

Note: The meeting began at 12:06 PM. The meeting was not called to order by the chair and roll call was not taken.

Members in attendance:

Skip Cook
Deb Fancher
Conner Thomas
Joyce Anderson
Carl Symons White
Senator Gary Stevens
Senator Robert Yundt
Representative Alyse Galvin
Representative Kevin McCabe

Others present:

Administrator Kevin Reeve
Jacqueline Yeagle
Jamie Benton

12:02:07 PM

1. INTRODUCTION OF NEW STAFF

Administrator Kevin Reeve introduced Jamie Benton to the committee. Ms. Benton was hired with funds allocated from Legislative Council, \$70,000, for a temporary position to help bring the Ethics office up to date. Since the passing of Jerry Anderson, former administrator, in 2023 and the lengthy hiring process of a new administrator, the office has been in a catch-up mode.

Chair Anderson welcomed Jamie Benton. Jamie Benton introduced herself to the committee.

12:04:02 PM

Representative Alyse Galvin, Senator Gary Stevens, Skip Cook, Carl White, Conner Thomas, Deb Fancher, Senator Robert Yundt, and Representative Kevin McCabe introduced themselves and welcomed Jamie Benton to the Ethics Office.

12:06:45 PM

2. APPROVAL OF AGENDA

Chair Anderson entertained a motion to approve the agenda. Deb Fancher so moved.

12:06:51 PM

3. PUBLIC COMMENT

Chair Anderson entertained public comment. There was no public comment.

12:07:19 PM

4. Chair Anderson entertained a **motion to go into EXECUTIVE SESSION** to discuss matters which by law must remain confidential under AS 24.60.160, Uniform Rule 22(b) regarding executive sessions, and Rules of Procedure Section 5: Executive Sessions and discussion of matters, the immediate knowledge of which would adversely affect the finances of a governmental unit, and discussion of subjects that tend to prejudice the reputation and character of a person.

Representative Kevin McCabe so moved.

12:07:56 PM

5. EXECUTIVE SESSION

12:40:13 PM

6. PUBLIC SESSION

Chair Anderson returned the committee to public session.

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

12:42:01 PM

7. STATE BENEFIT AND LOAN PROGRAM ANNUAL REVIEW

Chair Anderson explained AS 24.60.050 of the Ethics Act requires the committee to annually review the state benefit and loan programs requiring disclosure and to annually publish an updated list of those programs. State benefit and loan programs are those programs that are awarded on a discretionary basis. Everyone subject to the Ethics Act must report participation in those programs. Every year, the Ethics Office contacts all state departments with a current list of state benefit and loan programs requiring disclosure. The departments are asked to review the list and reply back to the committee whether the list is accurate or if changes to the list are required.

a. Dept of Commerce, Community, and Economic Development - Division of Investments

Chair Anderson reported the Department of Commerce, Community, and Economic Development had changed the name of the division that housed their listed programs to the Division of Investments. The change request was notification of the division name change only. No action was required by the committee.

b. Department of Environmental Conservation

Chair Anderson outlined that the Department of Environmental Conservation Division of Spill Prevention and Response requested adding a new program to list because the program is not generally available to members of the public. There were no questions or comments. The program, Firefighting Substances Disposal Reimbursement Program, will be added to the list.

c. Department of Natural Resources - Division of Oil and Gas

Administrator Kevin Reeve reported the program, Oil Sale Exploration Incentive Credits, no longer exists and removal had been requested in 2022 and approved by the committee. Mistakenly, the program remained on the list. A copy of the committee minutes detailing the removal from the list was

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

included in the packet. The program will be removed from the list. No further action was required by the committee.

Representative Alyse Galvin recommended the Ethics Office annually remind legislators and legislative employees of the need to file state benefit and loan program disclosures.

d. Department of Transportation

Chair Anderson noted the Department of Transportation requested removal of all their programs from the list. They had not, however, completed an individual review form for each of the programs.

Administrator Kevin Reeve called Dom Pannone, of the Department of Transportation, and put him on speaker. Dom Pannone said the department did not believe the programs were state benefit programs. The programs are regulated, transactional in nature, and have federal regulations and guidelines, or other statutory guidelines.

Chair Anderson asked if any of the programs were awarded on a discretionary basis or if they use fixed criteria.

Dom Pannone replied there is fixed criteria for all of the programs, either in regulation [Alaska] Title 17 AAC 10, in statute, or by federal regulation.

Chair Anderson requested the department complete the review form for each of the programs, making sure to include an explanation about why it should be removed from the list. Dom Pannone agreed to return those forms within a week for committee further review.

1:01:50 PM

8. SEALASKA INTERNSHIP REQUEST

Chair Anderson presented background on internship programs. The Ethics Committee processes internship programs other than those with the University of Alaska during a legislative session. The Ethics Committee approves non-UA internship programs and those that start during the interim. The application is reviewed by the administrator to ensure adherence to specific criteria, and the

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

administrator then has discretion to approve the program and notify the committee about the approval.

Chair Anderson invited Administrator Kevin Reeve to speak to the Sealaska Corporation internship request. He reported the request is for an ongoing internship relationship during the legislative session and questioned whether it requires Ethics Committee or Legislative Council approval.

Chair Anderson noted the similarities between the Sealaska request and the ongoing internship program with First Alaskans. She recommended Sealaska Corporation come to a future meeting to speak to the committee about the particulars of the program they propose.

Skip Cook offered that the follow up with Sealaska could be outside of a meeting.

Representative Alyse Galvin asked if other already approved internship programs were ongoing and if not, perhaps checking in with Legislative Council was advisable.

Chair Anderson replied that the committee had approved other ongoing programs, for example, REACH.

Representative Alyse Galvin asked if committee approval was a blanket approval, allowing an organization to place an intern at any time in the future.

Chair Anderson replied that an organization would still need to submit a placement request for future interns.

Representative Alyse Galvin wondered if there were political organizations that legislators might be uncomfortable with. She wondered if legislators may want to have a part in the internship approval process.

Chair Anderson responded that under AS 24.60.080(h), a legislator may accept the services of a legislative intern who is participating in an educational program *approved by the committee* if the services are used for legislative purposes.

Representative Kevin McCabe stated he was comfortable with approving the Sealaska Corporation request.

Administrator Kevin Reeve asked what further information was needed to make a determination.

Chair Anderson recommended to Kevin Reeve that a review of the supporting documentation from the First Alaskans internship program request would identify the information needed.

1:18:10 PM

9. GRADUATION CERTIFICATE UPDATE

Administrator Kevin Reeve reported that the print shop had printed and distributed over 15,000 graduation certificates and letters in 2025. He directed the committee to the examples in packets of the types of communications distributed. He noted the letters are addressed to graduates as well as to parents of younger students. The letters appear to be a means of getting their names out in the public.

Administrator Kevin Reeve reminded the committee that at the May 30, 2025, committee meeting, the committee had decided to seek an advisory opinion about the practice of mailing graduation communications. He reported that Legislative Legal had questioned the value in that course of action. He asked the committee for guidance and suggested the committee may want to explore the purpose of the communications, whether they have a legislative purpose, whether the use of state funds is warranted, and if so, which state funds are acceptable to use.

Deb Fancher noted she thinks it stupendous that legislators send graduation letters to graduating high school students. However, she wonders how beneficial it is to send letters to the parents of elementary students.

Representative Kevin McCabe posited the office allowance account was the proper funding source for the letters.

Senator Gary Stevens said he had sent letters his first couple of years in office and then stopped because he did not see an overall benefit to anyone.

Representative Alyse Galvin suggested the committee give basic guidance about sending the letters to graduating

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

seniors only. She also thinks sending a letter from the legislature rather than individual legislators may be something to consider. She reported she sends birthday cards that she signs personally and pays for out of her office account. She occasionally received communications from her constituents that show the birthday cards have value to some of the recipients.

1:27

Chair Anderson entertained committee discussion about whether graduation letters are a good use of state resources.

Administrator Kevin Reeve reminded the committee the genesis of the issue was the question about sending letters to students in online schools, some of whom may not reside in a legislator's district.

Senator Gary Stevens reported he would hesitate to engage in that particular practice but was reluctant to take the opportunity away from people who think it is important.

Chair Anderson noted graduation certificates are specifically listed in the list of approved office allowance account expenses.

Representative Alyse Galvin replied that in more general terms it says, "engagement with constituents." She said she always adds a statement encouraging recipients to contact her if they need help navigating state services and provides information about how to vote.

Chair Anderson said there were two issues: use of state money and sending letters to online school students of who may be out of district.

Conner Thomas noted the question is whether there is a legislative purpose.

Administrator Kevin Reeve noted there is an advisory opinion saying that mailing outside a legislative district is not allowed. He asked if there was standard response to questions about the topic, and if so, what is that response and what is the best way to disseminate the information?

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

Chair Anderson wondered if the print shop prints the letters, does the cost of printing come from the office allowance account.

Representative Alyse Galvin replied that was not the case.

Deb Fancher replied she still thinks there is value in congratulating high school and college graduating students, but sees less value in sending letters to parents of second grade students.

Representative Alyse Galvin said she thinks there is value in legislators limiting mailings to their district.

1:36

Chair Anderson asked the committee what advice they have for Kevin Reeve when he receives inquiries about this issue.

Deb Fancher suggested limiting graduation letters to graduating seniors only.

Conner Thomas asked Deb Fancher if she thought sending a letter to a graduating high school student had a legislative purpose but sending a letter to the parent of a younger student did not.

Senator Gary Stevens said he was still reluctant to take the practice away from people who think it is important.

Administrator Kevin Reeve said he would craft a policy and he asserted no policy is better than its distribution of the information.

Deb Fancher said you can't create policy on everything.

Conner Thomas and Representative Kevin McCabe said that it matters where parents are registered to vote regardless of where the kid goes to school.

Representative Alyse Galvin said the house rules chair has been communicating to house members on the appropriate use of the print shop.

Joyce Anderson said she favored the committee advising legislators to limit mailings to parents and kids in their own districts. She asked if the committee agreed with her assessment. The committee agreed to Chair Anderson's proposal.

[1:43:48 PM](#)

10. STAFF REPORT

a. Budget

i. FY 2025 final report

[1:44:15](#)

Administrator Kevin Reeve reported a surplus of \$ 63,437.79 due to a vacancy in the administrator position and an overspend on the commodities category to cover the costs of printer cartridges. There was a small surplus in travel because no travel claim was submitted for Jerry McBeath's travel expenses in November [2024] after he died.

Joyce Anderson explained the surplus in the services budget was due to unused outside counsel funds.

ii. FY 2026 authorization/status

Administrator Kevin Reeve noted the only change in the FY 2026 budget was a \$32,000 expected increase in salaries and a one-year legislative council authorization of \$70,000 to fund a temporary position.

[1:46](#)

b. Informal Advice

Administrator Kevin Reeve referred to the note at the top of the first page of the staff report outlining concern that callers increasingly do not want to provide details about the situation prompting the inquiry, and the statement explaining how the office is responding to those questions.

Chair Anderson entertained questions about the informal advice. Hearing no questions from the committee, she

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

proceeded to ask Kevin Reeve what is the legislative concern regarding the demonstration flight referenced in the third question under the Gifts heading.

Administrator Kevin Reeve reported the disclosures explain the legislative concern is to spend the day with tourists experiencing Alaska. The Ethics Office has accepted that as a legislative concern. The flight in question was a demonstration flight for a particular type of aircraft. The inquiry was for help determining a gift value. Ultimately, they did not file a disclosure because the gift value was less than \$250.

Representative Alyse Galvin offered that the value in the type of gift travel under discussion is learning from experts the relevance of those industries to Alaska and to the economy. She thinks what is important is that disclosures are filed and would hesitate to make it more difficult to file.

Administrator Kevin Reeve agreed with Representative Alyse Galvin. To date, the Ethics Office has generally taken on face value the legislative purpose.

c. Status of Reinbold Alaska Supreme Court Case

There was no discussion.

d. COGEL conference update

Administrator Kevin Reeve reported problems with lodging arrangements at the conference. He thanked the public members for their tolerance while the issue is resolved.

e. Staffing Update Workload

Administrator Kevin Reeve reported Jamie Benton has been extremely helpful in organizing the office. She is developing a draft travel policy as well as taking on other tasks.

12. SUBCOMMITTEE REPORTS

a. Ethics legislation

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

Administrator Kevin Reeve reported progress is moving forward.

Chair Anderson said she and Conner Thomas had suggested changes to the draft legislation. She will send those suggestions to the subcommittee for review and comment and schedule a meeting.

b. Rules of Procedure

Administrator Kevin Reeve reported Representative Kevin McCabe provided insightful comments to a recent draft. The subcommittee completed a review of the first 13 sections and plans to review the remaining sections which address complaints at a later time.

Chair Anderson added she had asked Kevin Reeve to make edits and send the revision out to the subcommittee for review.

c. Travel policy guidelines

Administrator Kevin Reeve reported general topics that need addressing have been identified. Chair of the travel subcommittee, Deb Fancher, requested the Ethics Office research the travel policies of other committees with public members. Researching the question revealed there were none. Jamie Benton started writing a draft policy referencing the State of Alaska AAM 60 travel policy.

Deb Fancher remarked she planned to talk with colleagues at the COGEL conference about their travel policies.

13. OTHER BUSINESS

Administrator Kevin Reeve sought discussion about a future meeting day. He suggested a meeting between November 12-18. The committee found agreement on Tuesday, November 18, assuming nothing arises to change those plans.

Administrator Kevin Reeve proposed sending electronic copies of the meeting agenda and documents rather than sending the pre-meeting packets through the mail. Paper copies will be available at the meeting and provisions will be made if any of the members prefers a mailed copy.

Draft minutes are not the official record of committee proceedings and are for informational purposes only (ROP Sec 7(d)).

14. ADJOURN

Chair Anderson entertained a motion to adjourn.
Representative Kevin McCabe so moved. The meeting adjourned at 2:09 PM.

2:09:43 PM

ADJOURN:

DRAFT

November 21, 2025 Full Committee Meeting

FY 2026 Budget Expenditures/balance through 11/14/25 pay period

Object Type Code	Object Type Name	Expend Current Budget	Budgetary Expenditures	Available Expenditure Budget	Administrator's comments
1000	Personal Services	\$382,700	109,703.63	272,996.37	\$32,400 increase for: Step adjustment and 5% COLA Increase Health insurance/PERS/Salary increase Increase for 40 hour/week for Jacqui's position \$70,000 Leg Council authorization for nonpermanent position
2000	Travel	\$25,000	2,946.50	\$22,053.50	Unchanged. Travel expenses for the July committee meeting.
3000	Services	\$30,800	\$20,798.64	\$10,001.36	Unchanged. Spent \$486.50 for membership and postage. \$20,000 obligated for outside legal contract; \$0 spent.
4000	Commodities	\$1,800	\$171.61	\$1628.39	Unchanged. Food and supplies.
	Sum:	\$440,300	\$134,149.91	\$306,150.09	

SELECT COMMITTEE ON LEGISLATIVE ETHICS
STAFF INFORMAL ADVICE REPORT
September 12, 2025, through November 14, 2025

Staff provides informal advice, under AS 24.60.158. Those requesting advice are told the advice, while given in good faith, is not binding on the committee unless the advice has been issued through the formal advisory opinion process. Requesters are told they may seek formal, binding advice by submitting a written request. The committee is asked to review the advice given and notify staff if any committee member has questions or disagrees with the advice. This report includes advice the committee may not have reviewed in the past; it does not represent all the inquires.

Administrative Hearings AS 24.60.030(i)

Benefit and Loans AS 24.60.050(c)

Boards and Commissions AS 24.60.030(f)

Campaign Related AS 24.60.030 and .031

Close Economic Association AS 24.60.070

Constituent Services AS 24.60.030(e) AO 05-01 and AO 08-03

Contracts/Leases AS 24.60.040

Disclosures AS 24.60.105, .115, and .260

1. Numerous legislators and staff have asked for informal advice regarding proper disclosure filing procedures. Answered questions and walked the legislator or staff through the process to access and submit the proper disclosures.

Gifts AS 24.60.075 and .080

1. A former legislative staffer asked whether it would be acceptable to offer legislators and staff a free trial of an AI research software that he had developed. Informed that if the free trial was generally available to the public to promote interest in his software program that it would be acceptable for the trial period. The tool allows the user to specify the sources (records/documents) for the search. The inquirer is familiar with the resources used by legislative staff and felt that they would be a good pilot group for assessment of his software.

Fund Raising

1. **A legislator's staff inquired whether it was acceptable for the legislator to participate in a food/fundraiser for a local food bank. The event was to be held at the local bowling alley. The legislator indicated that the lane fees were waived for the event.**
Informed the staff member that legislators can participate in charity fund raising events. Further, the lane fees were nominal; no disclosure was required.
2. **A legislator's staff asked if it would be acceptable to include information, donation sites, and other information related to a food drive for the local food bank (after the federal SNAP funding had lapsed) in the legislator's newsletter.**
Informed the staff member that it was acceptable for the legislator to include charity food/fundraising information in their newsletter.
3. **A legislative staffer asked if they could solicit or accept outside funding to participate in an unfunded professional fellowship.**
Informed that a covered employee can solicit and accept funding provided:
 - The scholarship is awarded through a competitive or merit-based process open to the public or a defined professional field.
 - The scholarship or its sponsor has no connection to the employee's legislative position.
 - The funding source is not a registered lobbyist, lobbying organization, or entity with a substantial interest before the Legislature; and
 - The employee participates on personal leave and does not use legislative resources or time in connection with the fellowship or the application for funding.

Government

Interns/Volunteers AS 24.60.080(h) and .112

Legal Fees Gift AS 24.60.080(c)(8)

Legislative Communications AS 24.60.030

1. **A staff member asked if their legislator, using their legislative title, could nominate a local business for a local service award.**
Informed the staff member that use of legislative title to nominate the business for a service award was not prohibited under the Act.

Lobbyist Related (all calls referred to APOC for consideration, if needed)

Open Meetings AS 24.60.037

1. Two legislative offices asked if caucus meetings are subject to open meetings requirements.

Reviewed the general requirements for compliance with open meeting requirements in the Ethics Act and informed that a caucus meeting would not meet the requirements triggering open meetings requirements. Also directed the inquirers to the Uniform Rules in accordance with 24.60.037(e): In cases where there are conflicts between these guidelines and the Uniform Rules adopted by the Alaska State Legislature, the Uniform Rules prevail.

Press Inquiries

Training AS 24.60.150 and .155

Travel/Hospitality AS 24.60.080(c)(4)

1. A legislator's staff member asked if the Ethics Committee could provide the organizer of a conference a letter certifying that the legislator's attendance would be acceptable under the Ethics Act.

Informed the staff member that the committee's past practices would not support issuing a letter to the organizer. Provided the references in AS 24.60 listing acceptable gifts and suggested that the legislator submit those criteria as verification of acceptability. Further, discussed the need for the legislator to determine whether there was a legislative purpose to attend the conference and assess whether information/resources might be presented that would aid in the performance of legislative duties to meet the requirements of AS 24.60.080.

2. A legislative staff member asked if they could accept a two-year artist fellowship that provides a \$5000 stipend and travel expenditures, and if acceptance would require a disclosure. The staff member clarified that participation would occur when they were in a leave status, and that the fellowship was not related to their legislative status.

Informed that participating in the fellowship, which is not related to their legislative status, and while in a leave status was acceptable and would not require a disclosure.

Miscellaneous/General questions

1. An issue was raised, by a covered employee, regarding a staff member that did not appear to be working the hours that they were being compensated for during the interim. The issue was brought to the committee's attention for resolution.

The committee determined that a legislator/supervisor is responsible for ensuring that employees are working hours compensated for during the interim. Concerns about not working hours compensated for should be addressed with the supervisor of the employee in question. The committee's position that this matter is a matter for the legislator/supervisor and not a matter that can or should be addressed by the committee.

3. A legislator asked if they could list campaign events on their "official calendar."

Informed that it is permissible to include campaign appointments on a legislator's calendar. Legislative employees need visibility when scheduling appointments on the legislator's calendar; however, state resources must not be expended in the arrangement of the campaign events.

Sexual and Other Workplace Harassment Policy
Adopted by Legislative Council on April 23, 2018

It is the policy of the Alaska State Legislature to maintain a workplace that is free of all illegal discrimination. The Legislature as an employer will not tolerate, condone, or permit sexual harassment or harassment on the basis of race, religion, color, national origin, age, physical or mental disability, sex, marital status, changes in marital status, pregnancy, or parenthood.

All legislative branch employees and Legislators who knowingly instigate or participate in harassment in violation of this policy will be subject to disciplinary action as described in this policy. Supervisors and managers who knowingly permit harassment activity without taking corrective action will be subject to disciplinary action up to and including suspension or discharge.

Sexual Harassment Defined:

The Alaska State Commission for Human Rights defines sexual harassment as:

- Unwelcome sexual advances; or
- Requests for sexual favors; or
- Verbal/Physical/Visual conduct of a sexual nature when:
 1. submission to the conduct is made an explicit or implicit term or condition of employment;
 2. submission to or rejection of the conduct is used as the basis for an employment decision; or
 3. the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating or hostile work environment.

Examples of sexual harassment include, but are not limited to:

- Sexual advances or requests for sexual favors;
- Unwanted or offensive touching or physical contact of a sexual nature;
- Unwanted closeness;
- Impeding or blocking movement;
- Sexual gestures, innuendos, jokes, or sexually charged language;
- Intimate inquiry;
- Persistent unwanted courting;
- Sexist insult;
- Gender stereotype;
- Commentary about an individual's body, leering, or whistling;
- Commentary about an individual's sexual prowess or sexual deficiencies;
- Insulting or obscene comments or gestures;
- Displaying, communicating, or distributing sexually suggestive objects, pictures, or messages in the workplace; and
- Other physical, verbal, nonverbal or visual conduct of a sexual nature.

A single incident may constitute sexual harassment. Sexual harassment may involve individuals of the same or different gender. Conduct or communications that might be welcome to one person may be unwelcome to another person. Conduct or communications that might have been welcome between two individuals at one time may become unwelcome at a later time. Other conduct or communications not expressly described in the examples above may violate this policy.

Retaliation Prohibited:

It is a violation of law and this policy to retaliate against a person who has opposed practices forbidden under AS 18.80.220 – 18.80.280 or who has reported or participated in the investigation of an allegation of harassment. Examples of retaliation against a person include, but are not limited to:

- Termination;
- Suspension;
- Demotion;
- Denial of promotion;
- Refusal to hire;
- Disparaging the person to others or in the media;
- Work-related threats, warnings, or reprimands;
- Negative or lowered performance evaluations;
- Transfers to less prestigious or desirable work or work locations;
- Making false reports to government authorities or in the media;
- Filing a civil action;
- Making threats of reassignment;
- Scrutinizing work or attendance more closely than that of other employees, without justification;
- Removing supervisory responsibilities;
- Engaging in abusive verbal or physical behavior that is reasonably likely to deter a person from engaging in a protected activity, even if it is not yet "severe or pervasive," as required to be classified as a hostile work environment;
- Requiring reverification of work status, making threats of deportation, or initiating other action with immigration authorities because of protected activity; or
- Taking or threatening to take a materially adverse action against a close family member.

Hostile Work Environment Prohibited:

Discriminatory behavior sufficiently severe or pervasive to alter the conditions of the subject's employment and to create a hostile work environment violates AS 18.80.220 and is prohibited under this policy.

Workplace harassment may include unwelcome conduct that occurs outside of work during nonwork hours if it has consequences in the workplace. Workplace harassment does not include a minor annoyance or disappointment that an employee may encounter in the course of performing the employee's work.

If You Witness or Experience Harassment:

You do not have to be the person being harassed to report harassment. If you witness or experience harassment and if you feel you are able to do so, you are encouraged to speak to the person who you believe is doing the harassing, point out the offensive behavior, and tell the person to stop. By taking this action you may be able to stop the harassment immediately. If it does not stop, or if you are reluctant to confront the person, you should report the problem to a manager, a supervisor, the Legislative Affairs Agency (LAA) Human Resources Manager, or Designated Staff using one of the procedures outlined below. Managers and supervisors who witness or are aware of harassment must take action to stop the behavior and report the alleged harassment to the Legislative Affairs Agency (LAA) Human Resources Manager.

The Alaska State Legislature encourages persons to make all reports of harassment in a timely manner. You may make a report of violations of this policy under either the informal reporting procedure or formal reporting procedure outlined below. If you are unsure of which type of procedure to pursue, you are encouraged to contact the LAA Human Resources Manager for guidance. All reports will be taken seriously and investigated to determine whether there has been a violation of this policy.

False complaints of workplace harassment that are found to be intentionally or recklessly dishonest or malicious will not be tolerated and may be considered harassment.

Informal Reporting Procedure:

A person who may have experienced harassment may simply want the conduct to stop and may not be interested in pursuing a formal reporting procedure. The informal reporting procedure is intended to meet that need.

An informal report may be oral or in writing and may be made to a manager, supervisor, or the LAA Human Resources Manager. The LAA Human Resources Manager shall create a form for informal reports that requires specific documentation of the alleged harassment, including:

1. The name(s) of the person(s) involved in the alleged harassment, including witnesses;
2. The date, place, and time of the alleged harassment;
3. A description of the alleged harassment; and
4. The action taken to resolve the informal report or the action requested by the subject to address the conduct.

All managers or supervisors who receive an informal report shall submit the report on the designated form to the LAA Human Resources Manager, who shall maintain a confidential record of all reports received. The name of the subject of the alleged harassment may be kept anonymous for informal reporting purposes, as long as the person submitting the report to the LAA Human Resources Manager is identified.

The LAA Human Resources Manager retains the right to request a formal investigation if the allegation is one of severe or pervasive harassment. A subject of alleged harassment may request that an informal report be converted into a formal report at any time. A formal report supersedes and terminates an informal report regarding allegations of the same harassing conduct.

Formal Reporting Procedure:

A formal report must be made in writing to the LAA Human Resources Manager. However, if you do not feel comfortable making a report to the LAA Human Resources Manager, you may make a report to the following Designated Staff:

1. LAA Personnel Office;
2. House Chief Clerk or Senate Secretary; or
3. Speaker of the House or Senate President.

A formal report must include the following:

1. The name of the subject of the alleged harassment;
2. The name(s) of the person(s) involved in the alleged harassment, including witnesses;
3. The date, place, and time of the alleged harassment; and
4. A description of the alleged harassment.

Upon receipt of a formal report, the LAA Human Resources Manager shall immediately inform the appropriate manager or supervisor to ensure that the subject of the alleged harassment has a safe and nonhostile work environment. After informing the parties, the LAA Human Resources Manager will initiate an investigation, as described in the Investigations section below.

Reports and Investigations Involving a Legislator:

Upon receipt of a formal report involving a Legislator, the LAA Human Resources Manager shall immediately inform the parties, including the appropriate manager or supervisor, the presiding officer and, if the Legislator involved is a member of the minority caucus, the Minority Leader to ensure that the subject of the alleged harassment has a safe and nonhostile work environment. After informing the parties of the report, the LAA Human Resources Manager will initiate an investigation, except that an independent investigator may be hired at the discretion of the LAA Human Resources Manager or upon the recommendation of the presiding officer or Minority Leader at the request of either party involved. The parties involved may only make a request for retention of an independent investigator through the presiding officer or Minority Leader. The request for retention of an independent investigator must be made by the subject of the alleged harassment within three business days after making the formal report or by the alleged harasser within three business days after receipt of the formal report. If a recommendation for retention of an independent investigator is made, the investigation shall begin within seven calendar days of the recommendation. An independent investigator shall report to the LAA Human Resources Manager and shall be paid for by Legislative Council. Investigations must follow the procedure described below.

Investigations:

An investigation must begin within 10 calendar days after the receipt by the LAA Human Resources Manager of a formal report. The LAA Human Resources Manager shall investigate all reports of harassment, except that an independent investigator may be hired for incidents involving a Legislator as described above and for incidents involving, or allegations made against, the LAA Human Resources Manager under this policy. However, for incidents not involving a Legislator, the LAA Human Resources Manager retains the discretion and authority to hire an independent investigator in extenuating circumstances.

Within 30 calendar days after an investigator is assigned, the investigator shall complete a draft report and present the report to the subject of the alleged harassment, the alleged harasser(s), and, in the event of an independent investigation, the LAA Human Resources Manager. Each party has five business days to provide comments or requests for modification. Requests for modification must include the reason for the request. Modifications will be at the discretion of the investigator.

After the comment period, the investigator has 10 calendar days to finalize the report and submit it to the appropriate manager or supervisor of the subject of the alleged harassment and alleged harasser(s), and, in the event of an independent investigation, the LAA Human Resources Manager. For reports involving a Legislator, the final report must be submitted to the presiding officer and, if the Legislator is a member of the minority caucus, to the Minority Leader.

Investigatory deadlines may be extended for good cause.

Final Reports and Disciplinary Action:

Upon receipt of the final report, the appropriate manager or supervisor of the subject of the alleged harassment shall immediately present the final report to the subject of the alleged harassment, the appropriate manager or supervisor of the alleged harasser(s) shall immediately present the final report to the alleged harasser(s), and the presiding officer or Minority Leader shall immediately present the final report to the Legislator.

If the final report reveals conduct in violation of this policy, appropriate corrective or disciplinary action must be taken. An employee who is found to be in violation of this policy may be subject to disciplinary action, up to and including dismissal. A Legislator who is found to be in violation of this policy may be subject to the disciplinary action considered appropriate by the presiding officer, Minority Leader, or body. For more serious violations, a formal reprimand, censure, expulsion, or other penalty may be recommended, subject to approval by the body.

A person who is not employed by the Legislature who is found to be in violation of this policy may be subject to action, up to and including permanent or temporary removal from legislative buildings.

Appeals:

Within five business days after receiving the final report of the investigator, the subject of the alleged harassment or alleged harasser may appeal the conclusions, but not findings of fact, contained in the final report to the appropriate appointing authority.

For reports involving a Legislator, within five business days after receiving the final report of the investigator, the subject of the alleged harassment or the Legislator may request a hearing before the appropriate Rules Committee to appeal the conclusions contained in the final report.

Notwithstanding the deadline to appeal, all legislative branch employees retain the right to discuss any dissatisfaction with the outcome of a final report involving that employee with a manager, supervisor, appointing authority, or the LAA Human Resources Manager.

Confidentiality:

All reports, including informal, formal, draft, and final reports, are considered, and must be treated as confidential under the Legislative Council Records Policy, except that the appropriate Rules Committee may consider release of all or a portion of a final report involving a Legislator. A violation of this provision is a violation of this policy and may also result in an ethics violation under AS 24.60.060. The Alaska State Legislature will protect the identity of all persons involved in a report of harassment to the maximum extent possible, but to conduct an effective investigation, some information may need to be revealed.

Ethical Duties and Training:

A violation of AS 18.80.220 – 18.80.280 is also a violation of the Legislative Ethics Act, and reports or complaints may be pursued through the Select Committee on Legislative Ethics. Training that teaches the means of compliance with AS 18.80.220 - 18.80.280 and this policy is required under AS 24.60.155 as a component of the legislative ethics course.

In this policy, "appointing authority" means:

1. The LAA Executive Director for LAA employees;
2. Legislative Council for the LAA Executive Director, employees of Legislative Council, the Ombudsman, the Victims' Advocate, or employees not otherwise listed;
3. The Legislative Fiscal Analyst for employees of the Division of Legislative Finance, other than the Legislative Fiscal Analyst;
4. The Legislative Auditor for employees of the Division of Legislative Audit, other than the Legislative Auditor;
5. The Legislative Budget and Audit Committee for the Legislative Fiscal Analyst, the Legislative Auditor, and employees of the Legislative Budget and Audit Committee;
6. The appropriate Finance Committee for employees of the Senate or House Finance Committees;
7. The appropriate Rules Committee for employees of
 - (A) standing committees of the legislature, other than the Finance Committees;
 - (B) the Senate Secretary's office and the office of the Chief Clerk of the House of representatives; and
 - (C) House Records and Senate Records;
8. The legislator who made the hiring decision for employees of individual legislators; however, the legislator may request the appropriate rules committee or presiding officer to act in the legislator's stead;
9. The Ombudsman for employees of the office of the Ombudsman, other than the Ombudsman;
10. The Victims' Advocate for employees of the office of Victims' Rights, other than the Victims' Advocate;

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

January 2, 2018

SUBJECT: Inclusion of Sexual Harassment Training in Annual Mandatory Legislative Ethics Training (Work Order No. 30-LS1223)

TO: Jerry Anderson, Legislative Ethics Administrator

FROM:

Doug Gardner
Director



Question Presented

You asked whether the sexual harassment training that Human Resources Manager Skiff Lobaugh is arranging for the Alaska Human Rights Commission to present this January may be included in the mandatory annual ethics training provided to legislators and legislative employees under AS 24.60.150.

Brief Answer

The brief answer is yes.

Discussion

The Act, under AS 24.60.039(a), prohibits legislators and legislative employees from engaging in "acts of discrimination in violation of AS 18.80.220."¹ The Alaska Supreme Court has found that AS 18.80.220, the anti-discrimination provision cited in

¹ AS 18.80.220(a) provides, in part:

(a) Except as provided in (c) of this section, it is unlawful for

(1) an employer to . . . discriminate against a person in compensation or in a term, condition, or privilege of employment because of the person's race, religion, color, or national origin, or because of the person's age, physical or mental disability, sex, marital status, changes in marital status, pregnancy, or parenthood when the reasonable demands of the position do not require distinction on the basis of age, physical or mental disability, sex, marital status, changes in marital status, pregnancy, or parenthood;

...
(4) an employer, labor organization, or employment agency to discharge, expel, or otherwise discriminate against a person because the person has opposed any practices forbidden under AS 18.80.200 - 18.80.280 or because the person has filed a complaint, testified, or assisted in a proceeding under this chapter;

...

Jerry Anderson
January 2, 2018
Page 2

AS 24.60.039, is the basis for sexual harassment complaints under state law in Alaska.

A section of Alaska's anti-discrimination statute makes it unlawful for an employer "to discriminate against a person in compensation or in a term, condition, or privilege of employment because of the person's . . . sex . . . when the reasonable demands of the position do not require distinction on the basis of . . . sex. . ." AS 18.80.220(a)(1). In *French v. Jadon, Inc.*, 911 P.2d 20 (Alaska 1996), we held that this section prohibited sexual harassment.^[2]

The legislature is a workplace for legislative employees, and legislators are employers in that workplace. Absent adequate training, a legislator or legislative employee who does not understand AS 18.80.220 may be at greater risk of triggering a complaint alleging a violation of AS 24.60.039 by violating a provision of AS 18.80.220 applicable to workplaces.

Conclusion

For the reasons discussed above, training about workplace discrimination prohibited by AS 18.80.220, including workplace sexual harassment, is within the scope of the mandatory ethics course required under AS 24.60.155,³ and as a matter of risk management for the Alaska State Legislature, it is recommended that the training be included in the mandatory ethics training.

DDG:dls
18-002.dls

² *VECO, Inc. v. Rosebrock*, 970 P.2d 906, 910 (Alaska 1999)(italics added). In *VECO, Inc.*, the Alaska Supreme Court found that a male supervisor's behavior was severe and pervasive enough to alter a female employee's conditions of employment, thereby creating a hostile work environment, AS 18.80.220(a)(1) made it unlawful for an employer to discriminate against an individual regarding a condition of employment due to the person's sex when the reasonable demands of the position did not require distinction on the basis of sex, and continuing conduct of the supervisor, especially in the area of sexualized name calling, constituted a pattern of harassment that was pervasive. *See also, Norcon, Inc. v. Kotowski*, 971 P.2d 158 (Alaska 1999). In *Norcon, Inc.*, the Alaska Supreme Court found that a supervisor's conduct towards a female employee involved in the cleanup of the Exxon Valdez oil spill was sufficiently severe to create a hostile working environment, AS 18.80.220 prohibited discrimination on the basis of sex, and the employee had been subjected to unwelcome sexual advances, requests for sexual favors, and physical conduct of a sexual nature.

³ Please note that the Legislative Ethics Committee (committee) has advised that interpretation of law outside of the Act is not within its purview. *See*, for example, AO 08-01, AO 98-02, AO 11-05, AO 13-02, and AO 13-03. Therefore it is possible that the committee would have to rely on outside expertise in order to provide anti-discrimination training.

November 21, 2025, Full Committee Meeting

Agenda Item 9e

Benefit and Loan- Department of Transportation

BACKGROUND: During the September 23, 2025 committee meeting, the Department of Transportation requested delisting several programs from the Benefits and Loans requiring disclosure. During the meeting Dom Pannone provided information regarding the reasoning for the request to delist those programs. The committee accepted the information provided but requested that the Department of Transportation submit the required change forms rather than accepting the email that was previously submitted.

After the September 23, 2025 committee meeting, both the staff and Administrator made multiple attempts to contact Mr. Pannone regarding submission of the required change forms. Upon contacting Mr. Pannone, he apologized for not submitting the change forms. Mr. Pannone informed that the Department of Transportation was task saturated responding to the flooding from typhoon Halong. He stated that the Department would not have the capacity to address the change request in the foreseeable future.

The Administrator suggested that under the current situation that it might be advisable to leave the programs listed on the Benefit and Loans requiring disclosure for this year. This course of action does not preclude employees covered by AS 24.60. from requesting/receiving the benefits. This course of action will allow the Department of Transportation to address the critical work in response to typhoon Halong and allow time to properly submit their delisting of the programs in 2026.

Mr. Pannone agreed with the suggested plan, and rescinded the Department's change request.

ACTION BY COMMITTEE:

No action required. This update is provided for the committee's information, and to close the matter.

H 12-07 Former Representative Alan Dick Fine Payment Status

Current as of November 12, 2025

BACKGROUND

On August 21, 2013, the Ethics Committee found probable cause in parts of Complaint H 12-07 against Representative Alan Dick. Corrective action recommended was reimbursement of improperly received benefits and the costs associated with investigating the complaint, totaling \$17,995.03, to be paid by September 1, 2014. See Complaint H 12-07 decision for more details.

Reimbursement payments commenced prior to September 1, 2014. The reimbursement plan was later amended to allow additional time for repayment. Alan Dick continued making payments of between \$100 and \$300 every few months until June 2024. No payments have been received since that time. Total amount owed is \$1,100.

The Ethics Office does not have current contact information for Alan Dick. The contact for the repayment is Alan Dick's daughter. Emails were sent to her at least three times since June 2024, and she was notified at least twice by phone. She always responds with assurance that the situation will be addressed and yet no payments are received.

NOTES

Complaint Decision H 12-07 sets out a course of action if Alan Dick fails to comply with the decision:

If Representative Dick fails to comply with the timetable stipulated for corrective action as defined in this opinion, the committee may formally charge him as provided in AS 24.60.170(g) or may refer the matter to the House of Representatives. The House of Representatives may take action to enforce the corrective action or may decline to take action and refer the matter to the committee. In either case, the committee may formally charge Representative Dick under AS 24.60.170(h).

(Note: This course of action is only applicable if the subject of the complaint is a current legislator. See applicable statutes below.)

Sec. 24.60.170. Proceedings before the committee; limitations.

(g) If the committee investigation determines that a probable violation of this chapter exists that may be corrected by action of the subject of the complaint and that does not warrant sanctions other than correction, the committee may issue an

opinion recommending corrective action. ...If the subject of the complaint agrees to comply with the opinion but later fails to complete the corrective action in a timely manner, the committee may formally charge the person as provided in (h) of this section ...

(h) If the subject of a complaint fails to comply with an opinion and the committee decides under (g) of this section to charge the person, ... The charge shall be served on the person charged, in a manner consistent with the service of summons under the rules of civil procedure, and a copy of the charge shall be sent to the complainant. The person charged may file a responsive pleading to the committee admitting or denying some or all of the allegations of the charge

DISCUSSION

Determine a plan of action with regard to the outstanding fine amount of \$1,100.

Options to consider:

- Dismiss the remainder of the fine amount
- Refer the matter to the proper agency for collection.

ACTION BY THE COMMITTEE

Motion to approve a course of action.

November 21, 2025, Full Committee Meeting

Agenda Item 10b

Subcommittee's Rules of Procedure Update

BACKGROUND: At the May 30, 3025, Full Committee meeting, a Rules of Procedure Subcommittee comprised of Chair Joyce Anderson, Skip Cook, Representative Kevin McCabe, Kevin Reeve and Jacqui Yeagle was set up to review and update the current Rules of Procedure. (Jamie Benton was later added to the subcommittee.)

The subcommittee met on September 5, 2025, and had a robust discussion of the first twelve sections of the Rules: Scope, Administrative Policies, Guidelines, Meetings/Notice, Executive Sessions, Teleconference, Committee Materials/Correspondence, Attorney-Client Privilege, Informal Advice, Advisory Opinions, Disclosures, and Education. Chair Anderson had made suggested changes to current rules and added several new rules that were needed based on past/current issues prior to the subcommittee meeting. These suggestions were tweaked, and additional changes were made as well. The remaining sections of the Rules address complaints and will be reviewed shortly.

The subcommittee then reviewed the revised draft and is moving their recommendations for your review and approval.

DISCUSSION:

Recommend the Full Committee review each section with new draft language. Subcommittee members will provide background as needed.

ACTION BY COMMITTEE:

Approve Rules of Procedure sections with changes individually after discussion.

ALASKA STATE LEGISLATURE

SELECT COMMITTEE ON LEGISLATIVE ETHICS

RULES OF PROCEDURE

These procedures were developed to supplement the Ethics Statutes and provide a “road map” for operations.

The original procedures were adopted in 1993 and have been amended numerous times.

Revised June 10, 2024

All actions taken in open meetings.

P.O. Box 90251
Anchorage, AK 99509-0251
(907) 269-0150

E-Mail: ethics.committee@akleg.gov
Web Site: <http://ethics.akleg.gov>

ALASKA STATE LEGISLATURE

SELECT COMMITTEE ON LEGISLATIVE ETHICS

COMMITTEE RULES OF PROCEDURE

INDEX

SEC. 1	SCOPE	1
SEC. 2	ADMINISTRATIVE POLICIES	1
SEC. 3	GUIDELINES	3
SEC. 4	MEETINGS/NOTICE	4
SEC. 5	EXECUTIVE SESSION <i>Revised June 10, 2024</i>	5
SEC. 6	TELECONFERENCE or ON-LINE TECHNOLOGY	5
SEC. 7	COMMITTEE MATERIALS/CORRESPONDENCE <i>Revised June 10, 2024</i>	6
SEC. 8	ATTORNEY-CLIENT PRIVILEGE	8
SEC. 9	INFORMAL ADVICE	8
SEC. 10	ADVISORY OPINIONS	9
SEC. 11	LEGAL OPINIONS	xx
SEC. 12	DISCLOSURES	XX
SEC. 13	EDUCATION	XX
 SEC. 14	POTENTIAL COMPLAINTS	XX
SEC. 15	COMPLAINTS	XX
SEC. 16	COMPLAINTS – INVESTIGATIONS <i>Revised January 9, 2024</i>	XX
SEC. 17	SUBPOENAS	XX
SEC. 18	COMPLAINTS – DECISIONS <i>Revised January 9, 2024</i>	XX
SEC. 19	COMPLAINTS – HEARING PROCEDURES	XX
SEC. 20	COMPLAINTS – DISCOVERY	XX

ALASKA STATE LEGISLATURE SELECT COMMITTEE ON LEGISLATIVE ETHICS

COMMITTEE RULES OF PROCEDURE

SECTION 1 SCOPE

- (a) These publicly adopted rules of procedure are intended to supplement the statutory procedures set forth in AS 24.60 and must be read in conjunction with those statutory procedures.
- (b) Committee rules of procedure may be modified, amended or repealed by a majority vote of the committee.
- (c) The term 'committee' [AS 24.60.990(a)(3)] means Select Committee on Legislative Ethics and includes, when appropriate, the senate and house subcommittee.
- (d) The term 'legislative employee' includes staff to legislators, legislative support staff, LAA staff and staff to agencies under the jurisdiction of the Legislature.**

SECTION 2 ADMINISTRATIVE POLICIES

- (a) **AUTHORIZATION:** Any authority delegated to the Chair, may be re-delegated to the Vice-Chairs. The Chair may authorize or delegate authority: to approve travel/per diem for members, staff time sheets; ability to incur and be reimbursed for expenses, and purchases less than \$2,000 to negotiate with and retain professional service contractors; issue and sign subpoenas; and to approve/disapprove payment of professional contract invoices.

- (b) COMMUNICATION:**

- (1) The chair is the official spokesperson for the full committee and is responsible for communication, both verbal and written, which is shared with those covered by the Ethics Act, the public, the press, and other interested parties. The chair of the Senate Subcommittee and the chair of the House Subcommittee are responsible for communication with respect to these committees. The chairs may delegate this responsibility as necessary.
 - (2) Committee members are not precluded from talking to the public, the press, and other interested parties on matters of which they have a personal opinion unless prohibited under confidentiality provisions. Committee members are not authorized to issue informal Ethics advice or act as the official spokesperson for the committee unless delegated to do so by the chair or vice chair.
 - (3) Staff is authorized to communicate with the public, the press and other interested parties at any time on informational and procedural matters. With permission of the

chair, staff may communicate on all issues considered public relating to the committee.

(4) Staff is authorized by provisions in AS 24.60 and Rules of Procedure, Section 9 Informal Advice, to communicate with those covered by the Ethics Act at any time and provide informal advice when requested under AS 24.60.158.

(c) **CONTRACTS:** Contracts with the committee must receive approval, in a public meeting, of a majority of the members of the full committee if it is an issue under the jurisdiction of the full committee or a majority of the members of the subcommittee if it is an issue under the jurisdiction of the subcommittee. Members of the full committee and members of the subcommittees delegate authority to the chair of the appropriate committee or subcommittee to serve as Project Director for approved contracts. The chair may approve extensions of contracts until the next meeting after notification to committee members and majority approval. The extended contract shall then be placed on the appropriate committee agenda in a public meeting for a majority vote of the full committee.

(d) **PUBLIC MEMBER VACANCIES:** The nomination process for vacancies on the committee for public members is dictated by AS 24.60.130. The committee establishes the following policy for notification of vacancies on the committee:

- (1) By November 1 of the year prior to the vacancy, a notice will be placed on the committee website announcing the vacancy or vacancies.
- (2) Notices will also be sent to all legislators and Legislative Information Offices for posting.
- (3) Other means of notification may be utilized as well.

(e) **ACTING INTERIM ADMINISTRATOR:** **In the event the Administrator position becomes vacant due to unforeseen circumstances, the following procedures will be followed:**

(1) **As soon as practicable a vacancy notice will be placed on the appropriate job sites noticing the position qualifications, etc. The Ethics office will work with LAA Personnel to move the process forward as soon as possible.**

(2) **An acting interim administrator will be appointed to carry on the duties of the Ethics Office until a permanent administrator is hired. The circumstances must place the committee in immediate need of an acting interim administrator. Leadership in both houses shall be notified of the circumstances regarding the vacancy and the appointment of an acting interim administrator.**

(A) Sitting public member of the committee to serve as acting interim administrator.

(i) A public member of the committee may serve as acting interim administrator after requesting a temporary leave of absence from serving on the committee. See committee minutes from August 10, 2023, and the attorney letter of April 8, 2024.

The public member must have the knowledge necessary to serve as the acting interim administrator.

(ii) The Chief Justice of the Alaska Supreme Court shall be notified of the public member's leave of absence and the circumstances requiring the appointment.

(iii) The full committee must approve the request by a majority vote of the committee in a public meeting. The term of the appointment and accompanying compensation will be noted in the request.

(B) The Ethics Administrative Assistant may serve as acting interim administrator.

(i) The Ethics Administrative Assistant may serve as the Administrator upon approval of the full committee by a majority vote in a public meeting. The term of the appointment and accompanying compensation will be noted in the request.

(C) Qualified individual to serve as acting interim administrator.

i. A qualified individual may serve as Acting Administrator upon approval of the full committee by a majority vote of the committee in a public meeting. The term of the appointment and accompanying compensation will be noted in the request.

ii. A qualified individual must have the knowledge and experience necessary to serve as the **acting** administrator.

(f) COMMITTEE EMPLOYEES:

(1) New employees, prior to hire, are required to obtain an Alaska State Troopers background check. The report will be reviewed by the Administrator. Results will be forwarded to the Committee Chair for review as well. The content of report will be considered in the final step prior to offering the position.

(2) New employees, upon hire shall:

(A) sign a confidentiality agreement under the provisions of AS 24.60.060, Confidential Information.

(B) sign a prohibited conduct agreement applicable to committee employees under AS 24.60.134, Prohibited Conduct by Public Members and Committee Members and Contractors.

(C) complete ethics training pursuant to AS 24.60.155, Legislative Ethics Course.

(3) Current Employees: The administrator may approve an employee merit increase after consulting with the Chair.

(g) COMPASSIONATE GIFT APPROVAL: A compassionate gift may not be solicited, accepted, or received unless a written request has been received. The requirements for requesting a compassionate gift under AS 24.60.075 are outlined in Advisory Opinion 19-06.

(1) Upon receipt of the request and written approval from the chair of the legislative council, the committee chair or vice-chair shall immediately review the request to verify the requirements of AS 24.60.075(e) were met.

(2) The chair or vice-chair shall consult with the chair of the legislative council if necessary and issue a letter to the requester either approving or denying the request. An explanation of AS 24.60.075 and the reporting requirements will be included with the letter. A copy of the letter will be sent to the chair of the legislative council.

(h) INTERNSHIP PROGRAM APPROVAL: On June 26, 2009, the committee granted authority to the Administrator to approve educational and government agency internship programs under AS 24.60.080(h).

(1) The Administrator will review all documentation provided and consult with the Chair prior to approving the internship program. Committee members will be notified as soon as possible of all internship programs approved. Backup materials will be available upon request.

(2) Educational and government agency internship programs will be evaluated based on the requirements set out in AS 24.20.062(2) and/or Advisory Opinion 94-03. Application forms are available on the Ethics website.

(3) Interns will be notified of the requirement to attend Ethics training along with additional sections of AS 24.60, which apply to interns.

(4) The letter of approval to the legislative office will include a reminder to contact the appropriate leadership of the legislative body to further proceed with the internship. The Ethics Office will provide a copy of the notification letter **and completed internship application to appropriate leadership, LAA Personnel, and the agency and the legislative office. completed applications.** **(NOTE: The Ethics Office approves the internship application. Leadership must approve the hire.)**

(5) The January newsletter, "The Advisor," will include information outlining the non-University of Alaska internship process.

(i) PROCEDURE TO ADDRESS PROPOSALS FOR STATUTORY CHANGES: Pursuant to AS 24.60.150(b)(1), "The committee may recommend legislation to the legislature the committee considers desirable or necessary to promote and maintain high standards of ethical conduct in government."

(1) The committee will consider suggestions and recommendations in written format only.

(2) On at least an annual basis, the committee will review proposals for statutory changes received from committee members, committee staff, and others.

(3) After reviewing the proposals, the committee will forward recommendations for statutory changes to the speaker, senate president, and rules chairs prior to the beginning of the regular legislative session with an explanation of why the committee believes these changes would meet the provisions of AS 24.60.150(b)(1).

(j) BENEFIT AND LOAN ANNUAL REVIEW: The committee shall review all state benefit and loan programs and state loans on an annual basis pursuant to the requirements of AS 24.60.050.

(1) A letter shall be sent to all state departments in August asking for a review of programs and loans to determine if there were any changes to eligibility requirements or if any new programs and loans were introduced the previous year that meet reporting requirements or if any were removed or became inactive.

(2) A report shall be submitted to the committee for review. The committee must approve all significant changes to the list **in a public setting by a majority vote.**
State of Alaska departments making changes may be asked to explain s
changes to the benefit and loan programs.

(3) The committee shall publish a list of programs and loans requiring disclosure in the yearly Standards of Conduct Handbook distributed to all legislative offices at the beginning of the legislative session and post the list on the committee's web site.

SECTION 3 GUIDELINES

(a) **AUTHORITY:** The committee may issue guidelines other than those statutorily mandated.

(b) **DEFINITION:** Guidelines are defined as those interpretations of the Ethics Law formally made and adopted by the committee for use by covered employees and legislators in making a judgment or determining a policy or course of action under this law.

(c) **BINDING/PUBLICATION:** Guidelines, as well as any amendments or deletions of guidelines, adopted by the committee will be published on the same schedule as the Advisory Opinions and will be considered binding after publication.

SECTION 4 MEETINGS/NOTICE

(a) **SESSION:** Meetings during session will be held in Juneau unless the committee agrees to another location.

(b) **NOTICE:** Notice providing date, time, and place of the committee meeting along with an agenda will be sent to the House clerk for House subcommittee meetings, the Senate Secretary for Senate subcommittee meetings, to the clerk and secretary for full committee matters, a minimum of 5 days in advance. It is the committee's preference to provide notice as far in advance as possible. Agendas will also be posted on the committee website a minimum of 5 days in advance.

(c) **RULE 23(a):** The committee is subject to the notification requirements in Rule 23(a) of the Uniform Rules of the Alaska State Legislature during session.

(d) **MOTIONS:**

(1) Motions: Motions must be stated in the positive.

(2) Vote: A vote of a majority of the members appointed to the committee or a subcommittee is required for official action. AS 24.60.130(i)

(3) Reconsideration of a Vote:

(A) A motion for reconsideration may only be given by a member who voted on the prevailing side in the original vote.

(B) A motion for reconsideration must be made prior to adjournment on the day the vote was taken or in the case of a multi-day meeting, prior to adjournment.

(C) There may be but one reconsideration.

(D) Once the question is called for, the previous vote is suspended.

SECTION 5 EXECUTIVE SESSIONS

(a) **GENERAL GUIDELINES:** Under AS 24.60.037(b) of the Open Meetings Guidelines, the Alaska State Legislature Uniform Rules control the procedure for conducting executive sessions.

(b) **LIMITATIONS:**

(1) Attendance at executive sessions will be limited to members of the committee, legal counsel, and essential Ethics personnel as determined by the committee. Exceptions to this subsection are listed in (c).

(2) During deliberations and voting, no one other than the committee's legal counsel and essential Ethics personnel as determined by the committee will be allowed in executive session.

(c) **EXCEPTIONS** to (b)(1) Limitations:

(1) Legislators:

a. Under AS 24.60.170(l), "All [complaint] meetings of the committee before the determination of probable cause are closed to legislators who are not members of the committee.

b. Legislators requesting to be an observer in an executive session will be bound by the prohibitions and penalties outlined in AS 24.60.060, confidential information, and the Ethics Committee confidentiality standards.

(2) Witness: A legislator, legislative employee, or other individual who is a witness and is requested to be present at the executive session by the committee.

(3) Person providing clarifying information: A person requested by the committee to provide clarifying information concerning the issue before the committee.

(4) Subject of a complaint: The subject of the complaint pursuant to the requirements and stipulations outlined in AS 24.60.170(d). The subject may choose to be accompanied by legal counsel or another person who may also present arguments before the committee pursuant to AS 24.60.170(r).

(5) **Complainant:** A complainant subject to the provisions in AS 24.60.170(b) may be asked by the committee or the subject of the complaint to testify before the committee in executive session.

i. When a complainant is invited to attend an executive session pursuant to AS 24.60.170(b), the committee shall ensure that their identity is not disclosed to other attendees, unless the complainant provides a written waiver of confidentiality. Any records or notes from the executive session that include the complainant's identity shall be marked as confidential and handled in accordance with Section 7(a)(3) SECURITY.

(6) Requester of a confidential advisory opinion: A legislator, legislative employee, ethics committee public member, or a newly elected legislator may present the request to the committee and answer questions by committee members.

(d) **RECORDING OF EXECUTIVE SESSIONS:** Executive sessions will not be recorded. Action item notes only will be retained.

SECTION 6 TELECONFERENCE OR ON-LINE TECHNOLOGY

(a) **NON-CONFIDENTIAL:** Use of teleconference **or on-line technology or telephonic equipment** to communicate with off-site members or persons designated by the committee is permitted for non-confidential business.

(b) **ADVISORY OPINIONS:** During discussion of confidential advisory opinions in executive session, which may require off-site communication with a legal advisor, a committee member, essential personnel, a person providing clarifying information, or the requester of the opinion, the committee and caller must verify that no one else can listen in and the teleconference **or on-line technology** connection is secure.

(c) **COMPLAINTS:**

(1) Rules under (b) of this subsection are adhered to when a teleconference **or on-line technology meeting** occurs.

(2) **Preliminary Examination:** Use of teleconference **or on-line technology or telephonic equipment** is **only** permitted for the **preliminary examination of a complaint pursuant to AS 24.60.170(c).** The preliminary examination may result in the committee either **dismissing the complaint pursuant to AS 24.60.170(c) or developing a Scope of Investigation pursuant to AS 24.60.170(d).** **initial review of the complaint and/or discussion of the Scope of Investigation unless the subject of the complaint, in written form, waives the in-person participation requirement by committee members in advance of the meeting.**

(3) **Investigation and Decision Phase:** Committee **discussion of the investigation, deliberations and voting must be conducted in person for the decision phase of the complaint process.**

(4) **After the Decision Phase: Pursuant to AS 24.60.170(g),** within 20 days after receiving the decision, the subject of a complaint has the right to request a confidential **in-person** meeting, **either in-person or by** teleconference **or on-line technology, meeting** with the committee at which time the committee shall explain the reasons for the decision.

SECTION 7 COMMITTEE MATERIALS/CORRESPONDENCE

(a) **CONFIDENTIAL DOCUMENTS:**

(1) **IDENTIFICATION:** All confidential documents will be marked "confidential. ~~Copies of confidential documents may be conspicuously marked using notations (such as pre-assigned numbers) identifying the recipients.~~

(2) **DISTRIBUTION:** Confidential documents distributed to committee members will be contained in sealed folders or envelopes, which distinguish them from other committee materials. Confidential documents, other than those delivered to committee members, will be hand delivered and signed for, or delivered by **U.S. mail with return receipt a-receipted process. Confidential documents will not be faxed unless absolutely necessary and the sender first faxes a cover letter while on the phone with the designated recipient, who confirms that the fax is being received properly. Confidential documents may be sent via email after confirming the recipient's desired email address.**

(3) **SECURITY:**

(A) Committee staff, members and contractors will store confidential documents in locked receptacles. All outstanding copies of confidential documents must be returned to the Ethics Committee staff at the conclusion of the relevant meeting unless the committee authorizes continued possession or personal destruction by the committee member. The staff will dispose of unnecessary copies by shredding.

(B) Before anyone other than a committee member is authorized to handle confidential documents, his or her name must first be submitted to the committee. The individual must also sign a statement that he or she is aware of the laws and procedures governing access to confidential information. An exception would be if a subpoena were served on the committee (see Section 16).

(b) **RECEIPT:** If a committee member receives the original complaint or advisory opinion request, s/he will **immediately** send the original, without making any copies, to the Ethics Committee staff, who will record it in the log and **take necessary action make any necessary copies.**

(c) **CLOSURE:**

(1) **Advisory Opinions:** See Sec. **10(i) 10(j)** for closure of advisory opinion files.

(2) **Complaints:** A complaint file is considered closed upon completion of proceedings under AS **24.60.170** ~~14.60.170~~. All originals and copies of confidential information, including those of legal counsel and investigators, are to be returned to the committee office, **and** logged in ~~and scheduled for destruction~~.

(A) Copies may be destroyed at any time.

(B) **Destruction of the Originals** of closed confidential materials, **i.e. the complaint, investigation report, legal opinion(s) and the decision shall be kept on file permanently. Other documents may be destroyed. under this section will be scheduled for 5 years and 6 months from the date of final committee action.**

(3) **Informal Advice:** See Sec 9(e) for closure of informal advice files.

(4) **Legal Opinions:** Legal opinion documents shall be kept on file permanently.

(5) **Meeting Agenda, Minutes, Recordings:** Meeting agenda, minutes and recordings shall be kept on file permanently.

(6) **Disclosure Records:** See Sec **12(f)** ~~11(f)~~ for closure of disclosure records.

(d) **REQUESTS FOR COMMITTEE MATERIALS/CORRESPONDENCE:**

(1) Public decisions and advisory opinions are considered public documents per statute and are available upon request at any time.

(2) Committee meeting packets are available to the public five days prior to a committee meeting or two days after mailing to committee members if the mailing is within five days of the meeting unless staff receives a request from a committee member(s) indicating a particular item should remain confidential until the meeting. (Approved December 2, 2003, by a majority of committee members.)

(3) Publication of Committee Meeting Minutes:

- Draft Minutes: Draft committee meeting minutes will be reviewed by the committee with changes made as necessary and subsequently posted on the website with a notation *draft* superimposed on all pages. Draft minutes will also be available to the public upon request. Draft minutes will also contain the following statement: *Draft* minutes are not the official record of committee proceedings and are for informational purposes only.
- Approved Minutes: Draft minutes approved by the committee at the next regularly scheduled committee meeting are the official record of committee proceedings and will be posted on the Ethics website. ~~the following workday~~

(4) Documents determined confidential by statute or by the committee in executive session or noted in the committee's Rules of Procedure are not available for public inspection. Confidential documents may only be released upon receipt of a subpoena ~~if required by statute to be confidential~~, as noted in AS 24.60, or by a majority vote of the committee if the committee **designated has made** the document confidential.

SECTION 8 ATTORNEY-CLIENT PRIVILEGE

All communications between the committee, its members, and the committee's legal counsel are protected by the attorney-client privilege.

SECTION 9 INFORMAL ADVICE

(a) **CONFIDENTIALITY:** Informal advice, other than a summary described in (b) below, is considered confidential unless waived, in writing, by the person requesting the informal advice or compelled by statute or subpoena to release.

(b) **REVIEW BY COMMITTEE:** A brief summary of informal advice given by committee staff, whether verbally or in writing, will be provided in the Informal Advice Staff Report presented at every full committee meeting unless determined otherwise by the chair and administrator. The staff report does not represent all inquiries, i.e., inquiries of a routine nature or inquiries previously answered. The committee reviews the advice. Staff notifies the requester if advice given has changed or if the committee determines a formal binding advisory opinion is recommended. The request and advice presented in the Informal Advice Staff Report is cleansed of identifying information.

(c) **DISCLAIMER:** Those requesting informal advice are informed:

- (1) Pursuant to AS 24.60.158, informal advice, while given in good faith, is not binding on the committee unless the advice has been issued through the formal advisory opinion process pursuant to AS 24.60.160.
- (2) **If the request for informal advice is vague, lacks detail or clarity, the requester will be asked for additional information prior to issuing the advice.**
- (3) The informal advice only applies to the specific facts and activities as outlined in the communication. If the nature of the request or any facts has been misrepresented or omitted in the communication, the requester should contact committee staff immediately for amended advice.
- (4) Pursuant to AS 24.60.165, the committee may not bring a complaint against a person based upon information voluntarily given to the committee by the person in connection with a good faith request for advice under AS 24.60.158, and may not use that information against the person in a proceeding under AS 24.60.170. This section does not preclude the committee from acting on a complaint concerning the subject of a person's request for advice if the complaint is brought by another person, or if the complaint arises out of conduct taking place after the advice is requested, and does not preclude the committee from using information or evidence obtained from an independent source, even if that information or evidence was also submitted with a request for advice.

(d) **SEEKING INFORMAL ADVICE FOR SOMEONE ELSE:** **The purpose of providing ethics advice is to provide a method by which persons covered under AS 24.60 may determine if activities they have engaged in or are contemplating engaging in are appropriate.** The Ethics Administrator/staff does not provide informal advice when someone is requesting advice regarding the actions of another.

(e) **CLOSURE:** All information related to the request shall be considered closed after the informal advice is received by the requester. Staff reports, which are public documents, shall be kept on file permanently.

SECTION 10 ADVISORY OPINIONS

(a) **FORMAT:** A request for an advisory opinion by a person eligible to make a request, ~~or~~ by the Ethics Committee, ~~or and~~ the Alaska Public Offices Commission under AS 24.60.160, may be ~~filed with the committee~~ in any written form, ~~including electronic transmission~~. The committee will provide written guidelines to each person ~~or entity~~ making a request. **The completed request may be hand delivered, mailed or sent via email to the Ethics Office.**

(b) **CONFIDENTIALITY:**

(1) For the request to be heard in a public session, the requester and, if applicable, anyone else named in the request **who is covered under AS 24.60** must waive confidentiality pursuant to AS 24.60.160(b). **A “Waiver of Confidentiality” form will be provided upon request.**

(2) When confidentiality is not waived, the request will be heard in executive session under the requirements of Section 5, Executive Sessions.

(3) When ~~off-site teleconference or on-line technology~~ communication is required during an Executive Session, the communication shall be conducted under the requirements of Section 6, Teleconference **or On-line Technology**.

(c) **RESPONSE:**

(1) **The committee will acknowledge receipt of the request.** The committee's sixty-day period to respond begins upon receipt **of the request** at the committee office. The document will be dated and marked confidential unless the requester waives confidentiality in writing.

(2) If the request is clearly answerable in statute and does not require a formal opinion, a letter will be sent to the requester outlining the statutory response. The requester may either withdraw the request or maintain the request, after receipt of the statutory response letter.

(3) If the facts presented are not sufficient to allow the committee to render an opinion, a letter will be sent requesting additional information, ~~noting the timeline and, if necessary, requesting an extension for response. The sixty-day timeline will restart upon receipt of the additional information.~~

(4) A draft response will be prepared by committee staff, LAA Legal or outside legal dependent on the subject matter of the request. **The draft opinion will not contain the name of the requester or anyone else named in the request who is covered by AS 24.60 pursuant to AS 24.60.160(b).**

(d) REQUEST FOR EXTENSION:

(1) The committee will send a letter to the requester acknowledging receipt of the request, requesting an extension If the full committee is not able to meet within the sixty-day period or if the period prior to the meeting does not allow adequate time to prepare a draft opinion, **the committee will send a letter to the requester requesting an extension**. The requester will be advised when the committee is scheduled to meet to discuss the opinion.

(2) If the requester does not grant an extension, at the discretion of the committee chair, a draft advisory opinion may be prepared and provided to committee members. Committee members will be asked to concur or not concur in writing. If a quorum of members concur, the draft is adopted as a **tentative advisory opinion of the committee**. The draft advisory opinion does not bind the committee unless formally adopted at a committee meeting. A copy of the tentative advisory opinion shall be made available to the requester on a confidential basis, with an accompanying letter explaining the tentative status. If a majority committee consensus cannot be met, the committee must meet to discuss the opinion.

(e) REQUEST TO WITHDRAW: The requester may withdraw the request at any point prior to the committee's rendering of an opinion.

(f) EXTENSION DENIAL: ~~If the requester does not grant an extension, at the discretion of the committee chair, a draft advisory opinion may be prepared and provided to all members of the committee. Members will be asked to concur or not concur in writing including counterpart. If a quorum of members who acknowledged receipt of the draft concur, the draft is adopted as a tentative advisory opinion of the committee, which does not bind the committee unless formally adopted at a committee meeting. A copy of the tentative advisory opinion shall be made available to the requester, with an accompanying letter explaining the tentative status. If any member, who acknowledged receipt of the draft, objects to the adoption of the draft, the committee shall meet to discuss the opinion request.~~

(g) DELIBERATIONS/VOTING ON ADVISORY OPINIONS: ~~Unless the requester has waived confidentiality, discussion and deliberations on advisory opinions are to be conducted in executive session.~~

(1) Discussion and deliberations: Discussion and deliberations will be conducted in executive session unless the requester and anyone else named in the request who is covered under AS 24.60 has submitted a Wavier of Confidentiality form. The requester may be asked to attend the committee meeting and answer questions of committee members.

(2) Voting: Upon completion of deliberations, **whether in an open meeting or in executive session**, the committee will reconvene in open session and the chair will announce the advisory opinion number and the general topic. **The Committee members** will vote to concur or not concur with the draft advisory opinion. **The committee's final vote on the advisory opinion is a public record pursuant to AS 24.60.160(b).** Therefore, the vote of individual committee

~~members will be noted on the opinion. The published opinion will reflect the vote.~~

(h) ISSUANCE OF ADVISORY OPINIONS: Opinions are issued under guidelines set forth in AS 24.60.150(a)(2) and AS 24.60.160(b) including the requirement of not containing the name of the requestor or anyone else named in the request who is covered by AS 24.60. If the requester did not waive confidentiality prior to the issuance of the advisory opinion, the requestor may waive confidentiality at any time after the opinion is issued by completing a Waiver of Confidentiality form and sumitting the completed form to the committee administrator. The requestor may then state publicly he/she is the person that requested the advisory opinion

(i) SUMMARY/PUBLICATION:

- (1)** The committee shall ~~publish on line and~~ printed copies of advisory opinions on an annual basis as specified in AS 24.60.150(a)(2).
- (2)** ~~The~~ Advisory opinions, along with a letter of transmittal, will be sent on an annual basis at the beginning of ~~each regular~~ the legislative session to the House Clerk and Senate Secretary to be officially read into the legislative journal.
- (3)** The committee will ~~provide a summary of newly issued~~ advisory opinions in the ~~next~~ bi-monthly newsletter.
- (4)** **The advisory opinions will be posted on the Ethics Committee website.**

(j) CLOSURE: ~~The formal~~ advisory opinion, the Advisory Opinion Request and any additional information from the request if applicable, shall be designated “closed” upon ~~committee~~ adoption of the formal advisory opinion and ~~shall be kept on file permanently. Supplementary correspondence related to the advisory opinion request is~~ scheduled for destruction 5 years and 6 months thereafter. LAA Legal Services will destroy copies of any confidential documents related to the opinion in accordance with their destruction policies.

New Section -- Rerumber Subsequent Sections
SECTION 11 LEGAL OPINIONS

(a) FORMAT:

- (1)** Legal opinions may be requested by the administrator, or the chair of either full or subcommittee. The request must be in writing. The legal opinion request may be forwarded to LAA Legal or to the committee’s outside legal counsel depending upon the nature of the request.
- (2)** Prior to a request by the administrator, the chair of the appropriate committee must be notified. The legal opinion shall be forwarded to the appropriate committee chair in a timely manner.
- (3)** If the request was made by a committee, the response will be included in the next committee meeting packet.

(b) CONFIDENTIALITY: Legal opinion requests and responses are confidential. The legal opinion may only be shared with ethics office staff, the appropriate

committee chair, and committee members of the appropriate committee addressing the issue.

(c) WAIVER OF CONFIDENTIALITY: The appropriate committee may waive confidentiality of the legal opinion at a public meeting with concurrence of a majority vote. The waiver of confidentiality must be stated on the record as to whether the waiver is to release the legal opinion to the public, for only a specific purpose or an individual person.

(d) CLOSURE: Legal opinions shall be kept on file permanently.

SECTION ~~11~~¹² DISCLOSURES

(a) FORMS: The committee will provide and approve ~~paper and electronic~~ forms for each type of disclosure. The committee will accept electronic ~~forms and~~ signatures.

(b) REVIEW OF DISCLOSURES: Committee staff is authorized to request additional information for the purpose of clarification and compliance with the Ethics Act. ~~The administrator review the completed disclosures on a monthly basis.~~

(c) RECORD:

~~(1) The committee will maintain A public record and log of those disclosures that are not confidential by law will be maintained by the Ethics office for public inspection. and a Confidential disclosures record and log of those that fall under AS 24.60.080(c)(6) will be maintained in the Ethics Office in a secure location.~~

~~(2) Committee staff will mark the date of disclosure on all disclosure reports received. The date the disclosure is received of disclosure is considered the date the disclosure form is faxed, sent via email through the on-line filing system, sent as a PDF attachment to an email, postmarked for mailing, or hand delivered.~~

(d) PUBLICATION: ~~During session, A copy of public disclosures requiring publication will be sent to the clerk of the appropriate body following a schedule mutually agreed upon by the clerks of both bodies and committee staff. During the interim, the record will be kept by the committee and sent to the clerk of the appropriate body the first week of the legislative session.~~ A listing of disclosures will be posted on the committee website, which will be updated monthly during session and as needed during the interim. Committee staff will send copies of disclosures to the Alaska Public Offices Commission as required under AS 24.60.080.

(e) REVIEW OF CONFIDENTIAL DISCLOSURES AND A REQUEST TO REFRAIN FROM MAKING A DISCLOSURE: The Chair and the Ethics Administrator shall review confidential disclosures and requests to refrain from making a disclosure filed under the requirements of AS 24.60.080(c)(6) and (d) and AS 24.60.105(d) on a quarterly basis. If the chair and Ethics Administrator are unable to determine that the disclosure or

request meets statutory requirements, the matter will be referred to the Full Committee for consideration in an executive session.

(f) CLOSURE: The public disclosure files may be destroyed 5 years and 6 months after the end of the legislature in which they were filed and published. The disclosures under AS 24.60.080(c)(6) are not considered closed until 5 years and 6 months from date of receipt by the committee, at which time they will be destroyed.

(g) LATE DISCLOSURES: Committee staff will mark as “late” disclosures received more than 5 days late.

- (1) First Late Disclosure: The Ethics Administrator will send a letter notifying the discloser of receipt of the late report and alerting the discloser of a future monetary fine if any subsequent reports are late. Letter will include an offer for the discloser to explain lateness. Staff will keep a list of late disclosures including the name, type of disclosure, date disclosure received, number of days late, date of letter of notification and any other clarifying information.
- (2) Subsequent Late Disclosures: Upon receipt of a subsequent late disclosure report from an individual on the list described in subsection (g)(1), the Ethics Administrator will notify the committee chair of intent to impose a fine and send a letter notifying the discloser of the fine due pursuant to AS 24.60.260(c) and Section (h). A break in service does not invalidate a “first late disclosure.” The letter will include a statement notifying legislators and legislative employees a fine may be appealed before the Full Committee. Fines will begin on the 6th day after the due date. Letter will explain payment is to be made to LAA but sent to the Ethics Committee for recording. Staff will forward the payment to LAA Finance. Late filers will be noted in the Staff Report which is presented at committee meetings and recorded in the minutes.

(h) LATE DISCLOSURE FINES – Pursuant to AS 24.60.260(c):

- (1) Fines: The committee chair and Ethics Administrator are authorized to determine the appropriate fine for late disclosures.
 - A. Late Disclosure: A person may be fined \$2.00 a day for a maximum of \$100 per late disclosure.
 - B. Inadvertent Late Disclosure: A person may be fined a maximum of \$25 if the committee chair determines the late disclosure was inadvertent.
 - C. Willful Late Disclosure: A person may be fined \$100 a day for a maximum of \$2,500 if the committee chair determines the late disclosure was willful.
- (2) Unpaid Fines: If fines are not paid within 30 days after notification, committee staff will mail a certified letter to those individuals with unpaid fines. If the fine is not

paid within 30 days from date the certified letter is received, committee staff will notify the committee chair to determine the next step: a second certified notification or a referral to the Attorney General's office for collection. The names of those late in payment or those who refuse to make payment will be listed in the following month's Ethics Committee newsletter along with the notation the matter has been referred to the Attorney General's office for collection.

(i) REQUIREMENTS AFTER LEAVING OFFICE OR EMPLOYMENT WITH THE LEGISLATURE: Within 90 days after leaving service or employ with the Legislature (includes a public member of the committee), a final disclosure report(s) is required for the period that begins on the last day of the last period for which the person filed a report and ends on the date of the person's last day of service. AS 24.60.210(a).

- (1) Legislators: The Ethics office shall notify legislators within 30 days after leaving office of the requirement to file final disclosures. The letter will contain a listing of all disclosures filed for the current calendar year, along with a copy of the actual disclosures and instructions for accessing blank disclosure forms available on the Ethics website.
- (2) Legislative Employees: The Legislative Personnel Office or other hiring agency within the legislature shall notify legislative employees, whether terminating employment or going on lay-off status, of the requirement to file final disclosures. The Ethics office shall provide the Legislative Personnel Office, or other hiring agency within the legislature, a standardized letter that informs employees leaving legislative employment of the requirement to file final disclosures. The letter shall be updated annually by the Ethics office. The letter shall be included with the employee's last paycheck per LAA Personnel internal policies.

SECTION ~~12~~ 13 EDUCATION

(a) STANDARDS OF CONDUCT HANDBOOK:

(1) The committee will publish online and print copies of a Standards of Conduct Handbook. The handbook will include a copy of the Legislative Ethics Act; question and answer guidelines for each section of the Act, a copy of other applicable laws, a recap of the previous year's advisory opinions, example copies of disclosure forms and deadlines; and information about the complaint process and a sample complaint form.

(2) Printed copies will be available:

- (A) at all Ethics training courses to attendees by request
- (B) at the beginning of each legislative session to legislator's offices in Juneau
- (C) to LIO offices throughout the state; and
- (D) be included in the 'new hire' packet distributed by the Legislative Personnel Office or other hiring agency within the legislature; the employee

will be required to sign a form acknowledging receipt of the handbook and responsibility for complying with the Act.

(b) TRAINING: The committee administrator and/or committee members will participate in training legislators, public members of the committee and legislative **employees staff** by administering a legislative ethics course that teaches compliance with the Legislative Ethics Act and is designed to give an understanding of the Act under AS 24.60.010.

(1) The committee shall within 10 days of the first day of each regular session, and at other times determined by the committee, administer two types of legislative ethics courses as defined in AS 24.60.150(a)(4).

(A) Returning legislators, committee members, or legislative employees shall attend a refresher course which includes a review of compliance issues.

(B) First-time legislators, committee members, or legislative employees shall attend a course offering a fundamental understanding of the Act and how to comply with it.

(2) If a person takes office or begins employment after the 10th day of the first regular session, the person shall complete the course within 30 days after the person's first day of service. The committee may grant a person additional time to complete the course.

(A) The committee will provide a variety of methods to accomplish this requirement which may include a course administered by Ethics staff.

(3) **(B)**If the course is not administered by Ethics staff, the person will be required to complete the on-line course within seven days after notification by Ethics Staff. Upon completion, an internal electronic notification will be sent to Ethics staff.

(3) Legislative leadership or agency department heads, whichever is appropriate, will be notified of any person required to take training who has not completed the course within the 30-day statutory requirement.

(c) INFORMATION: ~~The committee will provide the leadership of both legislative bodies a list of requirements and deadlines, for general announcement and distribution, to all legislators and their staff at the beginning of each legislative session.~~

(d) COMMUNICATION: ~~Public decisions and advisory opinions rendered by the committee will be communicated to legislative members and legislative staff as soon as possible. Communication may be in the form of a newsletter, memo, or other informal presentation.~~

(e) NEWSLETTER: ~~The committee will issue a bi-monthly newsletter which highlights applicable sections of the Ethics Code based on current events, contains upcoming reporting deadlines and provides other information of value to legislators and legislative employees. The committee may issue additional newsletters as needed.~~

(c) COMMUNICATIONS:

- (1) Training:** The committee will provide legislators and legislative staff with training details, requirements and deadlines in the December and January newsletter prior to each regular legislative session.
- (2) Public Decisions and Advisory Opinions:** Public decisions and advisory opinions rendered by the committee will be communicated as soon as possible. Communication may be in the form of a newsletter, email or other informational presentations.
- (3) Newsletter:** The committee will issue a bi-monthly newsletter that highlights applicable sections of the Ethics Act based on current events, upcoming reporting deadlines, and other information of value to legislators and legislative employees. The committee may issue additional newsletters as needed.

SECTION 13 14 POTENTIAL COMPLAINTS

(a) ANONYMOUS INFORMATION: Anonymous information concerning potential violations received by the committee will be treated confidentially, except as provided in (c) below.

- (1) Anonymous information provided only verbally will not be considered, except as provided in (c) below. Committee staff or members will provide information on the complaint process and requirements to the caller.
- (2) If anonymous information is received concerning a potential violation and a complaint based on that information is not received within 30 days, committee staff and the appropriate committee chair will review anonymous tangible information as to credibility, seriousness and jurisdiction.
 - (A) If the information is found to be sufficient, it will be forwarded to the appropriate committee for review. Copies of the information will not be made available to the subject unless a complaint is filed.
 - (B) If the committee determines not to consider the anonymous information, the matter will be considered closed and scheduled for destruction two years and six months from the date of receipt of the information or at a later date if the committee specifically designates.

(b) INFORMATION FROM A KNOWN SOURCE: The committee will treat all material information received concerning potential violations of the Ethics Act as confidential, except as provided in (c) below.

- (1) Information provided only verbally will not be considered, except as provided in (c) below. Committee staff or members will provide information on the complaint process and requirements to the known source.
- (2) If information from a known source is received concerning a potential violation and a complaint is not received within 30 days, committee staff and the appropriate committee chair will review the tangible information as to credibility, seriousness, and jurisdiction.
 - (A) If the information is found to be sufficient, it will be forwarded to the appropriate committee.

(i) The committee will review the information and make a determination as to whether to return the information to the source, with or without a recommendation to file a complaint.

(ii) The committee may retain the information as support documentation.

(iii) The source of the information will be notified, when possible, if a complaint has otherwise been initiated. The source will not receive a copy of the complaint or any other confidential information.

(B) If the committee determines not to consider the information, it will be considered closed and scheduled for destruction two years and six months from the date of receipt of the information or at a later date if the committee specifically designates.

(3) Protection of Complainant's Identity - Upon receipt of a sworn valid complaint, the committee shall ensure that the complainant's identity is treated as confidential and not disclosed to the subject of the complaint, the public, or any other party unless:

(A) The complainant provides a written waiver of confidentiality, explicitly consenting to the disclosure of their identity.

(B) Disclosure is compelled by a court order or subpoena, in which case the committee shall notify the complainant promptly and, if possible, prior to disclosure.

(C) The committee determines, by a majority vote in a public meeting, that disclosure is necessary to protect the integrity of the investigation or to comply with statutory requirements, provided that the complainant is notified and given an opportunity to respond before such disclosure.

Committee staff shall mark all documents containing the complainant's identity as "confidential" and store them in accordance with Section 7(a3) SECURITY. Any communication with the subject of the complaint shall exclude the complainant's identity unless one of the above conditions is met.

(c) INFORMING THE SUBJECT OF INFORMATION PROVIDED UNDER (a) OR (b) ABOVE: The committee authorizes committee staff to contact the subject of the written or verbal information received under (a) or (b) above. The contact may occur at any point after receipt of the information and prior to a formal complaint being filed if the information appears to allege a possible violation of the Ethics Act.

(1) Whether the action has already occurred or whether it is for a future action, there is no confidential provision in the Act that precludes Ethics staff from taking proactive steps, if they feel it is necessary, to promote compliance with the Act.

(A) The purpose of the contact would be to inform the subject there exists a perception by an unnamed source a violation has occurred. Staff will clarify to the subject the purpose of the contact is limited to alerting the subject of the existence of the perception, that a violation of the Act may occur or has occurred, and the call itself has no effect on whether or not a complaint may be filed.

- (B) Staff has no statutory investigatory authority under this subsection and therefore information and/or documentation provided by the subject of the inquiry is voluntary.
- (C) The contact does not obligate the subject to take any action, remedial or otherwise; however, corrective action will be strongly recommended if there may be validity to the allegations.
- (2) The identity of the person providing the information, if known, will be kept confidential.
 - (A) The person making the inquiry, if known, will be notified of action taken by the subject of the inquiry, if any.
 - (B) The person has the option to file a complaint or may indicate the issue has been explained and/or resolved. Staff should neither advocate for nor against filing a complaint.
- (3) Staff is authorized to conduct a preliminary examination of the factual scenario(s) and present findings to the committee as outlined in (a) and (b) of this section.
- (4) This procedure will be called the “Heads Up Policy.” Legislators and **legislative employees** **staff** will be apprised of this policy during mandatory Ethics training classes held pursuant to AS 24.60.150 and AS 24.60.155.

SECTION **14** **15** COMPLAINTS

(a) **PROCESS:** The committee shall furnish forms to any person upon request. A complaint may be filed in any written form as long as it is signed under oath, pursuant to AS 24.60.170(b).

- (1) Complaints improperly submitted will be returned, with all accompanying materials, with instructions for proper filing, and, without reference to the specifics of the complaint. The committee will retain only the cover letter.
- (2) Invalid complaints will be returned to the complainant without action. A complaint is considered invalid if an alleged violation is not specified, if an alleged violator is not identified, if the committee lacks jurisdiction over the allegation, or if the allegation does not allow the committee to act.
- (3) Complaints dismissed for lack of jurisdiction, due to insufficient credible information that could be uncovered to warrant further investigation, as frivolous on its face or if the allegation, even if true, would not constitute a violation of the Act, that are re-filed by the same complainant containing substantially the same allegations and information, will be returned to the complainant without action.
- (4) Complaints filed, during a campaign period, against a candidate for state office will be processed as specified in AS 24.60.170(o).
- (5) Complaints against a candidate for state office which are pending at the beginning of a campaign period will be processed as specified in AS 24.60.170(p).
- (6) Committee staff will immediately, upon receipt of a complaint, notify the complainant of the provisions in AS 24.60.170(l).

(b) RECEIPT: Upon receipt of a sworn valid complaint, the committee staff will mark the document "confidential", log in the complaint, assign a control number and file the complaint with the appropriate committee chair. Staff will transmit a copy to the subject of the complaint by certified mail and restricted delivery with a return receipt to be signed by the subject. Staff will notify the complainant via letter that the complaint has been received.

(c) LEGAL REPRESENTATION:

- (1) Under AS 24.60.170(r) the subject of the complaint may choose to be represented by legal counsel or another person. The choice of counsel or another person is not subject to review and approval or disapproval by the committee. This choice does not constitute a waiver of any confidentiality provisions outlined in AS 24.60.
- (2) When the subject of the complaint is represented by legal counsel or another person, all correspondence shall be sent to both the representative and the subject of the complaint. Verbal communication shall be directed to the representative.

(d) PRELIMINARY EXAMINATION OF COMPLAINT: Before the committee considers a complaint, staff will conduct a preliminary examination of the complaint to determine and make a recommendation to the committee as to whether, based on the information and evidence on hand:

- (1) the act(s) complained of is within the jurisdiction and time limitation of the committee under AS 24.60 and,
- (2) advise the committee whether the allegations, if true, constitute a violation of AS 24.60 and a proceeding is warranted. AS 24.60.170(c) and,
- (3) there is specific and credible information to indicate that an investigation is warranted.

(e) WAIVER OF CONFIDENTIALITY BY SUBJECT OF COMPLAINT:

- (1) General Information. Under the complaint provisions outlined in AS 24.60.170, the subject of a complaint may waive confidentiality of proceedings at any point in the proceedings under AS 24.60.170 or at the close of the proceedings.
 - (A) The committee reserves discretion to determine which documents are subject to public inspection. The committee will not release investigative files, notes from deliberations held in confidential sessions or documents produced by legal counsel, protected by attorney-client privilege, unless the committee reviews the materials, removes any information that would infringe upon the constitutional right of privacy of an individual and formally adopts a motion to release the identified materials.
 - (B) The subject may not waive the committee's duty of confidentiality under AS 24.60.170. The subject of a complaint may waive confidentiality only for those materials and proceedings pertaining to him or her. The subject may not waive confidentiality for others, including those involved or assisting in the committee's investigation of the complaint.

(C) Limitation on Waiver Scope - The subject's waiver of confidentiality,

whether express or implied, shall not permit the disclosure of the complainant's identity unless the complainant has also provided a written waiver of confidentiality. The committee shall redact the complainant's identity from any documents released as a result of the subject's waiver, unless one of the conditions in Section 14(b)(3) is met.

(2) Types of Confidentiality Waivers.

- (A) Express Waiver – The subject of a complaint shall be provided with a Waiver of Confidentiality form explaining the nature and extent of the right to confidentiality of the complaint process. The form shall also include an express waiver statement indicating the subject freely and voluntarily waives the right to confidentiality proceedings and would like all further proceedings to be conducted in a public forum. If the subject chooses to expressly waive confidentiality, the waiver statement must be signed and dated.
- (B) Implied Waiver – The Waiver of Confidentiality form will contain information explaining an implied waiver of confidentiality. An implied waiver is a course of conduct which evidences an intention to waive confidentiality provisions or is inconsistent with any other intention than a waiver. To prove an implied waiver, there must be clear, direct, unequivocal conduct indicating a purpose to abandon or waive confidentiality. The committee shall investigate all occurrences of this nature to determine if the conduct supports a finding of an implied waiver.

(3) Waiver of Confidentiality Before or After a Decision by the Committee.

- (A) Confidentiality Waived Prior to a Decision by the Committee.
 - (1) The committee will treat any proceedings related to the complaint consistent with the provisions of AS 24.60.170(m) in that meetings of the committee be public, and documents presented at the meeting and motions filed in connection with the meeting are subject to public inspection.
 - (2) After deliberations and vote in executive session, pursuant to AS 24.60.170(f), the committee will reconvene in public session. The motion approved in executive session stating a probable cause violation(s) of AS 24.60 or a dismissal of the charge(s) will be read. The statement will include an affirmation indicating the decision was by a majority vote of the committee.
- (B) Confidentiality Waived After a Decision by the Committee.

The committee will release copies of all the following documents contingent upon the confidentiality conditions outlined in (e)(1)(A) and (e)(1)(B), including:

 - 1) Public documents which are part of the investigative file e.g., reports filed with the Alaska Public Offices Commission.
 - 2) Materials submitted to the committee by the subject of the complaint.

- 3) The formal complaint, with deletions if necessary, accompanying documents and correspondence from the complainant.
- 4) The resolution identifying the Scope of Investigation.
- 5) Correspondence from the committee to the subject of the complaint and/or the complainant.
- 6) The public decision previously issued by the committee.

(f) RESPONSE BY THE SUBJECT OF A COMPLAINT: The committee may invite, via written correspondence, the subject of a complaint to appear before the appropriate committee or representatives of the committee, to meet with the assigned investigator and/or to respond in writing at any time after receipt of the complaint. The administrator shall obtain acknowledgement of receipt of the correspondence by the subject, and the subject's representative if appropriate.

- (1) The committee is not limited to one response from the subject of a complaint; request for information may be on-going.
- (2) Pre-investigative contact with the subject may be made for the purposes of defining the scope of the investigation.

(g) COMPLAINT AGAINST A REHired EMPLOYEE: The committee may consider a complaint filed against a person previously employed by the legislative branch of government who has been rehired in the legislative branch, within the time limitations specified in AS 24.60.170(a).

(h) COMMITTEE RESTRICTIONS: Committee members should avoid ex parte communication with the committee's counsel, the subject of the complaint, the subject's counsel and others providing information on the merits of the matter.

SECTION 15 16 COMPLAINTS – INVESTIGATIONS

(a) SCOPE OF INVESTIGATION RESOLUTION:

- (1) The committee adopts a resolution defining the Scope of Investigation. The resolution will include steps to follow, whenever possible.

EXAMPLE: Did Senator Q accept a campaign contribution during the legislative session?

- If Senator Q did accept the contribution, was it kept or was it returned within a reasonable period of time per APOC?
- If the contribution was kept, who made the contribution, date, and amount?
- Did Senator Q take any legislative, administrative or political actions during the session on behalf of the contributor?
- Did Senator Q require an employee to assist in any part of the contribution activity?

- (2) A copy of the Scope of Investigation is sent to the subject of the complaint, and the subject's representative if applicable, and complainant pursuant to AS 24.60.170(d). The administrator shall obtain acknowledgement of receipt of

the Scope of the Investigation by the subject of the complaint, and the subject's representative if appropriate.

(b) INVESTIGATIVE PLAN: The committee will set an investigative plan to include the following:

- (1) Who will coordinate the investigation? Committee chair, vice-chair, legal services contractor, other.
- (2) Will the investigation be conducted by one firm or person or will portions be conducted by several persons, such as APOC reports reviewed by staff, interviews with Senator Q and Contributor Z conducted by attorney.
- (3) Specific identification of those involved in the investigation: Professional investigator, staff, or others
- (4) Determination as to when and whether findings are to be reported verbally, in writing or both.

(c) *Revised January 9, 2024* - INVESTIGATIVE INTERVIEWS: Pursuant to AS 24.60.170 all complaint investigations are confidential.

- (1) **CONFIDENTIALITY:** Interviews conducted during the course of an investigation shall be conducted in a confidential setting. All parties will be informed of the confidentiality provisions in statute and in the Rules of Procedure concerning complaint investigations.
- (2) **LEGAL REPRESENTATION:** All parties interviewed shall be informed that they have the right to legal counsel.
- (3) **INTERVIEWS:** Interviews shall be conducted either in-person or remotely.
 - (A) In-Person Interviews will be conducted by committee staff, committee investigator, or committee attorney at a designation agreeable to all parties. Pursuant to AS 24.60.170(r), the subject of the complaint is permitted to have legal counsel or another person representing the subject present during the interview.
 - (B) Remote interviews will be conducted by committee staff, committee investigator, or committee attorney using remote equipment such as video, audio, or other means. Pursuant to AS 24.60.170(r), the subject of the complaint is permitted to have legal counsel or another person representing the subject present during the interview. The person being interviewed shall verify for the record no one else is present other than those authorized by AS 24.60.170(r).

(d) INVESTIGATIVE MATERIALS: An investigative report and any attorney or investigator work products related to the investigation, either prepared on behalf of the committee or disclosed to it as part of the investigation are required to be kept confidential. The committee will request all original products generated by an investigator at the close of the investigation and will require the investigator to destroy all copies in his or her possession.

SECTION **16** **17** SUBPOENAS

(a) ISSUANCE OF SUBPOENAS: Under AS 24.60.150(b)(2), the committee has the authority to issue subpoenas at any point during the formal complaint process. Section 2 of Committee Procedures authorizes the chair or the vice chair to sign subpoenas. Legal

counsel will be consulted on all subpoenas for proper format. Subpoenas may be issued to appear and/or produce documents.

(b) RECEIPT OF SUBPOENAS:

- (1) When a subpoena is served on the committee administrator, committee chair, or an individual member of the committee, the chair and legal counsel will be consulted immediately.
- (2) Requirement to release documents confidential by statute has been addressed by the U.S. District Court of Alaska in *In re Grand Jury Subpoena*, 198 F. Supp. 2d 1113 (Alaska 2002). The Supremacy Clause of the U.S. Constitution requires compliance with a subpoena from a federal grand jury despite state law to the contrary. June 2005 legal counsel letter on file in the committee office.
- (3) Requests for documents must be reviewed by legal counsel prior to release. Documentation of the documents released must be kept on file for two years.
- (4) Notes between staff and committee members, notes of executive meetings and voting records and written notes by staff regarding materials are judged to be non-responsive to the request and will be so noted on the letter accompanying the documents.
- (5) Legal counsel will accompany staff and/or members of the committee if compelled to testify.

SECTION 17 18 COMPLAINTS – DECISIONS

(a) COMMITTEE MEETINGS - Subject of the Complaint:

- (1) A letter shall be sent notifying the subject of the complaint, and the subject's representative, of the committee meeting date, time, and location along with a brief outline of the committee process and a copy of the subject's interview transcript. The administrator shall obtain acknowledgment of receipt of the correspondence by the subject, and the subject's representative if appropriate.
- (2) Pursuant to the provisions of AS 24.60.170(d), the committee shall afford the subject of the complaint an opportunity to explain the conduct alleged to be a violation of AS 24.60.
 - (A) The subject may appear in person at a time set by the committee or may choose to provide a written statement.
 - (B) The subject may choose to be accompanied by legal counsel or another person who may also present arguments before the committee pursuant to AS 24.60.170(r).

(b) PUBLIC DECISIONS AND ORDERS:

- (1) After deliberations and vote in executive session, pursuant to AS 24.60.170(f), the committee will reconvene in a public session. (Exception: subsection (c) Dismissal Prior to Investigation.) The motion approved in executive session stating a probable cause violation(s) of AS 24.60 or a dismissal of the charge(s) will be read. The statement will include an affirmation indicating the decision was by a majority vote of the committee.
- (2) Decisions will include the names of committee members in attendance and state the motion was approved by a majority vote of the committee, if publicly determined.
- (3) Decisions requiring public release will be transmitted in the fastest mode possible in the order listed below. A phone call to the subject of the complaint, and the subject's representative, is recommended followed by transmittal of the written decision. The administrator shall obtain acknowledgement of receipt of the Public Decision and Order by the subject of the complaint or the subject's representative, Speaker of the House and Senate President (or designated staff) and complainant prior to informing the media:
 - (A) Subject of the complaint.
 - (B) Speaker of the House and Senate President
 - (C) Members of the committee
 - (D) Complainant
 - (E) Media request list

(4) Protection of Complainant's Identity in Public Decisions - Any public decision or order issued by the committee shall exclude the complainant's identity unless the complainant has provided a written waiver of confidentiality or disclosure is required under Section 14(b)(3)(B) or (C). The committee shall redact the complainant's identity from all public documents, including decisions, orders, and related correspondence, to prevent harmful disclosure.

(c) DISMISSAL PRIOR TO INVESTIGATION: Complaints dismissed after a preliminary investigation under AS 24.60.170(c) for lack of jurisdiction, due to insufficient credible information that could be uncovered to warrant further investigation, as frivolous on its face or if the allegation, even if true, would not constitute a violation of the Act, will not be made public. Therefore, the committee will not reconvene in public session to affirm the committee's decision. However, the subject of the complaint has the right to waive confidentiality under the provisions of Section 14(d). The committee will only notify the complainant and the subject of the complaint and the subject's representative, if applicable, of the committee's decision. The notification will only contain the determination that the complaint is dismissed based on the grounds as stated above.

(d) DISMISSAL FOR LACK OF PROBABLE CAUSE:

- (1) If the committee determines, after investigation, that there is not probable cause to believe the subject has violated the Ethics Act, the committee shall issue a dismissal order and decision dismissing the complaint for lack of

probable cause explaining the dismissal under AS 24.60.170(f). The dismissal order and decision shall identify the subject of the complaint and the allegations made against the subject.

- (2) The committee will publicly issue a dismissal order and decision for lack of probable cause under the distribution provisions outlined in (b) of this section.

(e) DETERMINATION OF PROBABLE CAUSE:

- (1) If the committee finds probable cause, the committee shall issue a written decision explaining the finding of probable cause under AS 24.60.170(g). The decision shall identify the subject of the complaint and the allegations made against the subject.
- (2) The committee will publicly issue a finding of probable cause under the distribution provisions outlined in (b) of this section.
- (3) In cases under AS 24.60.170(g) where the committee finds probable cause of a violation and recommends corrective action(s), the following information will be included with the recommendation in the public decision:
 - (A) An explanation of the subject's right to request, within 20 days after receiving the decision, a confidential in-person meeting or teleconference **or on-line technology** meeting with the committee at which the committee shall explain the reasons for the decision.
 - (B) Requirement for the subject to submit a letter to the committee, within 20 days from the date of receipt of the public decision, either accepting the corrective actions or requesting a public hearing.
 - (C) If the subject accepts the recommended corrective actions, the letter must also contain a statement acknowledging the violation.
 - (D) Each recommended corrective action must include a date by which the action must be accomplished or a statement specifying the period of time that the corrective action remains in effect. (e.g., if the action is a commitment to file timely disclosures, the decision would include a statement "for as long as the subject serves in the legislature").
 - (E) The public decision must state when and how compliance with the recommendations will be reviewed. (e.g., the committee will review the status of the recommended actions by (date) or the committee authorizes the chair to review the status by (date) and to report any non-compliance to members.)
 - (F) The public decision may also include the statement; "If the actions have not been completed as specified, the committee may issue formal charges on the complaint".

(f) SUMMARY/PUBLICATION: The committee will publish on-line and printed copies of all public decisions on an annual basis. All public decisions, along with a transmittal letter, will be sent on an annual basis at the beginning of the legislative session to the Senate Secretary and House Clerk to be officially read into the legislative journal. The committee will summarize complaint decisions in the bi-monthly newsletter.

Revised January 9, 2024 - (g) **WAIVER OF CONFIDENTIALITY:** See Section 14(e), COMPLAINTS, concerning waiver of confidentiality.

(h) REFERRAL OF COMPLAINT TO OTHER AGENCIES – AS 24.60.170(l):

- (1) Criminal Activity: If, in the course of an investigation or probable cause determination, the committee finds evidence of probable criminal activity, the committee shall transmit a statement and factual findings limited to that activity to the appropriate law enforcement agency.
- (2) Campaign Activity: If the committee finds evidence of a probable violation of AS 15.13, State Election Campaigns, the committee shall transmit a statement to that effect and factual findings limited to the probable violation to the Alaska Public Offices Commission.
- (3) Statement and Factual Findings: All materials to be forwarded shall be reviewed by the committee's legal counsel for compliance with the confidentiality provisions in AS 24.60.170.

SECTION 18 19 COMPLAINTS - HEARING PROCEDURES

(a) GENERAL:

- (1) A person, who is subject to charges under AS 24.60.170(h) or findings of probable cause with corrective action under AS 24.60.170(g), is entitled to a hearing in accordance with AS 24.60.170(j).
- (2) The intent of these procedures is to provide due process to people charged under the Ethics Law and to protect the privacy and rights of the victims, complainants and the public in the process. Every effort has been made to make these procedures consistent with and parallel to those for State Administrative Hearings pursuant to AS 44.62.330-630, Alaska Bar Rule 22 Procedure and the Commission on Judicial Conduct Rule 10 Subpoenas.
- (3) These procedures are applicable to all hearings of the Select Committee on Legislative Ethics pursuant to AS 24.60.170(g)(h)(j)(m). These procedures are adopted under AS 24.60.150(a)(1).
- (4) No waiver of confidentiality is required by the subject of the complaint at the public hearing stage of the complaint process.

(b) REPRESENTATION AT HEARING: The subject of the probable cause determination or the charge shall be entitled to be represented by counsel in all pre-hearing and hearing matters. The committee shall designate its own counsel to present the evidence supporting the violations alleged in the probable cause findings. Pursuant to AS 24.60.170(i), the committee may appoint an individual to present the case against the person charged if that individual does not provide and has not provided legal advice to the committee except in the course of presenting cases under AS 24.60.170.

(c) COMMITTEE RESTRICTIONS:

- (1) In order to assure a separation between the determination of probable cause and the hearing, committee members shall confine themselves to the evidence presented at the hearing.

(2) Following a finding of probable cause, committee members should avoid any ex parte discussions with the committee counsel, subject of the complaint, the subject's counsel and others providing information on the merits of the matter.

(d) TIMELINES:

- (1) A hearing will be scheduled no sooner than 20 days and no later than 90 days from the date of service of charges or probable cause findings on the person subject to the charges unless the committee schedules a later hearing or the conditions in Committee Procedures Sec. 4(a) apply.
- (2) If the complainant prevents the hearing from starting before the 90-day deadline passes and a quorum of the committee determines by vote of a majority of committee members the delay is not supported by a compelling reason or will result in the person charged being deprived of a fair hearing, the committee may dismiss the complaint with prejudice or enter some other order the committee determines is appropriate.
- (3) Upon summons and notice of hearing, the person subject to the charges pursuant to AS 24.60.170(h) shall have 10 days to admit to the charges or request a hearing.

(e) DISCOVERY:

- (1) The subject and/or the counsel for the subject shall have the right to reasonable discovery, under Section 19 in these Procedures.
- (2) The counsel for the committee, in a manner consistent with the Alaska Civil Rules of Procedure, shall have rights of discovery and production of documents relating to the hearing once a hearing has been requested and scheduled.

(f) PRE-HEARING PROCEDURES:

- (1) The committee may issue a pre-hearing order including such items as: time limits on opening statements, presentation of evidence and closing arguments and deadlines for submitting witness lists, exhibit lists and any motions raising issues resolvable prior to the beginning of the hearing. Pre-trial motions should be submitted to the committee at least one week prior to the hearing.
- (2) Counsel for the committee and the person subject to charges or their counsel, are encouraged to stipulate prior to hearing, as to any matters including evidentiary matters or undisputed facts.

(g) CONDUCT OF HEARING: The hearing shall be in front of the appropriate committee of the Select Committee on Legislative Ethics and presided over by the chair of that committee.

(1) Hearing Officer:

- (a) The committee may determine the need for an impartial Hearing Officer to facilitate and expedite aspects of the hearing.
- (b) The committee chair shall compile a list of Hearing Officers. The list will be provided to the committee counsel and the counsel for the person charged or the person charged. The counsels or the person charged may submit recommendations to the chair for selection or disqualification of any candidates. The committee chair selection of a Hearing Officer is final.

(c) The Hearing Officer will rule on whether a witness is to appear in person or on teleconference **or with on-line technology**; on admission and exclusion of evidence; advise the chair on matters of law; and control the conduct of participants and the time allotments to participants. Decisions on all procedural matters will be made by the Hearing Officer, subject to a right to appeal to the chair of the committee. The committee may overrule a determination by the Hearing Officer. The chair and the members may question the witnesses and the person charged or ask clarifying questions of either counsel, the person charged or the hearing officer.

(2) **Person Charged:** The person charged shall have the right to appear personally before the committee at the hearing. The hearing will proceed with or without the appearance of the person charged.

(3) **Witnesses:** Both counsel or the person charged if counsel is not used, have the right to subpoena witnesses. All witnesses shall testify under oath. In the event of problems in travel arrangements, especially for witnesses not subject to subpoena; depositions or affidavits may be used in lieu of live testimony. If agreed to by both parties, a witness may participate via teleconference **or on-line technology**. The Hearing Officer will decide the issue if agreement is not reached. The opposing party must have been offered the opportunity to participate in any deposition or to refute any affidavit which is admitted.

(4) **Order of Proceedings:** The person charged and the committee counsel will have the opportunity to make opening and closing statements. Each party will have the right to examine and cross-examine witnesses and present evidence in his or her behalf. One opportunity for redirect for each witness will be allowed. The entire proceeding will be recorded and evidence will be secured and preserved.

(5) **Decorum in the Hearing Room:** All persons will be required to conduct themselves in an orderly manner consistent with courtroom protocol. Failure to do so or disruption of the hearing may result in removal from the hearing room and charges of disturbing the peace in a public place. If the person charged is disruptive, that lack of cooperation will be considered during deliberations on any sanctions recommended. Media personnel will be provided a designated place and will not be allowed to move freely throughout the hearing room.

(6) **Teleconference or On-Line Technology:** In the interest of the public, the proceedings of the hearing shall be **conducted via teleconference or on-line technology**.

(h) POST-HEARING:

(1) At the end of the hearing and prior to committee deliberations, the Hearing Officer will provide to the chair, a summary of the rulings and issues unresolved. Only committee members will participate in the deliberations and those deliberations shall be confidential as required by AS 24.60.170(m).

(2) After deliberations and vote in executive session, pursuant to AS 24.60.170(f), the committee will reconvene in a public session. The motion approved in executive session stating a violation(s) of AS 24.60 based on clear and convincing evidence or a dismissal of the charge(s) will be read. The statement will include an affirmation indicating the decision was by a majority vote of the committee.

- (3) Decisions will include the names of committee members in attendance and state the motion was approved by a majority vote of the committee. The committee will subsequently issue a written public decision under the distribution provisions outlined in Section 17(b).
- (4) If the committee finds that a violation occurred or the subject did not cooperate, the committee will make a written recommendation of sanctions to the appropriate body of the legislature.

SECTION **19** **20** COMPLAINTS - DISCOVERY PROCESS – PUBLIC HEARING OR FORMAL CHARGES

- (a) **DISCOVERY FROM THIRD PARTIES:** A person who has been formally charged pursuant to AS 24.60.170(h) is entitled to engage in discovery in a manner consistent with the Alaska Rules of Civil Procedure, subject to reasonable restrictions imposed by the committee for the time of discovery and the materials that may be discovered. When allowing discovery, the committee will take into consideration the potential for public distribution of materials, under AS 24.60.170(i). The committee may adopt procedures that
 - (1) impose reasonable restrictions on the time for this discovery and on the materials that may be discovered;
 - (2) permit a person who is the subject of a complaint to engage in discovery at an earlier stage of the proceedings;
 - (3) impose reasonable restrictions on the release of information that the subject of a complaint acquires from the committee in the course of discovery, or on information obtained by use of the committee's authority, in order to protect the privacy of persons not under investigation to whom the information pertains; however, the committee may not impose restrictions on the release of information by the subject of the complaint unless the complainant has agreed to be bound by similar restrictions and has not made public the information contained in the complaint, information about the complaint, or the fact of filing the complaint.

(4) Protection of Complainant's Identity in Discovery - The committee shall redact the complainant's identity from all materials provided to the subject of the complaint during the discovery process, unless the complainant has provided a written waiver of confidentiality or disclosure is required under Section 14(b)(3)(B) or (C). The committee may impose additional protective orders to prevent the disclosure of the complainant's identity to third parties, consistent with AS 24.60.170(i).

(b) DISCOVERY FROM THE COMMITTEE:

- (1) **DISCOVERY FROM THE COMMITTEE PURSUANT TO AS 24.60.170 (h) AND (g):** The subject of a complaint may request discovery from the committee at any time after the subject requests a public hearing pursuant to AS 24.60.170(g) or after the committee has formally charged the subject under AS 24.60.170(h).

- (A) When the discovery request is made after the subject requests a public hearing or the committee issues formal charges, but before the committee has scheduled the public hearing, the committee shall have 30 days to respond to the discovery request. The committee shall set a date for the public hearing not fewer than 30 days after serving its responses to the discovery request.
- (B) When a discovery request is made by the subject after the committee has set the date for the public hearing, the committee shall make all reasonable efforts to respond fully to the request prior to the public hearing but is not obligated to do so and is not obligated to postpone the hearing.
- (C) Under AS 24.60.170(p), the discovery process may continue during a campaign period if the committee has formally charged the subject prior to the beginning of the campaign period. The committee's actions must remain confidential.

(2) DISCOVERY FROM THE COMMITTEE AT AN EARLIER STAGE:

- (A) The committee is authorized but not required, to allow discovery at an earlier stage of the complaint process pursuant to AS 24.60.170(g).
- (B) The subject of the complaint may request discovery after the determination of probable cause but before making a decision as to whether or not to comply with the decision or to request a public hearing. If the committee authorizes the chair to allow early discovery, the committee shall have 20 days to respond to this discovery request. The subject of the complaint remains obligated to respond to the committee under the conditions set out in the decision and order.

(3) MATERIALS OF THE COMMITTEE SUBJECT TO DISCOVERY:

- (A) The committee must produce to the subject of the complaint any materials relevant to the subject matter involved in the pending investigation that is not privileged material, in accordance with this section. Such material includes the names and addresses of persons known to have knowledge or relevant facts, their written or recorded statements, any reports or statements of experts, books, papers, documents, photographs or tangible objects relevant to the probable cause determination.
- (B) Materials or information subject to the attorney-client privilege or the work-product doctrine shall not be discoverable. This privilege shall extend to the work-product of investigators or others concerning work supervised by the committee's attorneys. Documents produced or discovered during the committee's investigation shall remain confidential and are not subject to public inspection unless produced at a public hearing. The subject of an investigation, however, may exercise his or her limited rights to waive confidentiality under AS 24.60.170(1). Unless the entire confidentiality is waived, the subject may not release the confidential documents per AS 24.60.060. See Sec. 14 COMPLAINTS, subsection (d) for additional information on waiver of confidentiality.
- (C) Materials obtained during the course of investigation that will not be used in deliberations on specific allegations may be discoverable by the subject of the

complaint. The committee may place reasonable restrictions on the material's discoverability in order to protect the privacy of individuals not under investigation or for any other reasonable, legitimate purpose. Such restrictions may include providing for "in camera" review of the materials, providing copies of the materials with the names of people mentioned therein deleted, or denying discovery altogether. The committee, or the person authorized by the committee, will review all information, prior to release for discovery by the subject. If the committee has not reviewed the irrelevant materials, production of such materials may be denied in total. The principle of fundamental fairness will be applied to discovery decisions.

(4) DUTY OF THE COMMITTEE TO SUPPLEMENT: The committee has an on-going duty to supplement produced materials.

(5) DEPOSING COMMITTEE MEMBERS/STAFF:

(A) Committee members are not subject to deposition by the subject of the complaint, or the subject's counsel, unless a member has personal, first-hand knowledge relevant to the case and is considered a potential witness. A member who has personal, first-hand knowledge relevant to the case is recused from participation in matters related to the complaint and may be subject to deposition. A member whose knowledge of information relevant to the case is based solely upon information gathered from the complainant, the complaint or the investigation of the complaint does not have "personal, firsthand knowledge" and may not be deposed on matters relating to the complaint.

(B) Committee staff is not subject to deposition by the subject of the complaint, or the subject's counsel, unless the staff person has personal first-hand knowledge relevant to the case or if the staff person is performing investigative duties related to the case. A staff person who is performing investigative duties may not be deposed until after the investigation is complete.

(C) Depositions taken under this subsection are subject to all attorney work product privileges and other applicable privileges and must be kept confidential.

(c) RESTRICTIONS: The committee is authorized to issue protective orders under AS 24.60.170(i)(1). A legislator or legislative employee who makes an unauthorized disclosure of information under a protective order is in violation, under AS 24.60.060(b).

(d) CONFIDENTIALITY: The subject is required by law to keep confidential all materials discovered in this process unless the subject who was formally charged under AS 24.60.170(h) provides written notification to the committee that he or she is not restricted under the provisions in AS 24.60.170(i) and attaches supporting evidence. The committee cannot make materials subject to public inspection unless produced at a public hearing.

November 21, 2025, Full Committee Meeting
Agenda Item 10c
Ethics Legislation

AS 24.60.150 Duties of the committee.

(b)(1) recommend legislation to the legislature the committee considers desirable or necessary to promote and maintain high standards of ethical conduct in government.

BACKGROUND: At the May 30, 2025, Full Committee meeting, a Legislation Subcommittee comprised of Joyce Anderson, Chair, Conner Thomas, Kevin Reeve, Senator Rob Yundt and Representative Alyse Galvin was set up to review draft ethics legislation prepared by Sen Tobin's office. The bill had many rewrites. (See latest draft in your packet.)

Joyce Anderson and Conner Thomas reviewed the draft legislation and made considerable suggested changes to the draft. Several new sections were added based on discussions that have occurred this year. However, the majority of the changes were to the AS 24.60.170, the complaint section.

The subcommittee met on October 31, 2025, and discussed the draft legislation and suggested changes by Anderson and Thomas. The subcommittee is moving their recommendations for Full Committee consideration. The suggested changes make the complaint section clear and address some of the issues that have been topics of discussion over these past few years.

DISCUSSION: The plan is to introduce ethics legislation at the beginning of the 2026 legislative session. Sen Tobin's office is OK with a member(s) of the Ethics Committee being the sponsor and personally recommended this course of action. Discussion by the Full Committee of the subcommittee ethics legislation draft. Subcommittee members will provide background as needed.

ACTION BY THE COMMITTEE: Approve the draft language as presented and/or amended and refer to LAA Legal immediately for final drafting. Determine who will sponsor the ethics legislation in the House and in the Senate.



Revisions to Ethics Legislation: Enhancing Ethics Oversight and Compliance

21 November 2025

Providing side-by-side comparison of current Alaska statute and proposed changes



Proposed Updates to Ethics Legislation

Alaska Statute § 24.25.010(e)	Work Draft (April 25, 2025)	Work Draft (April 25, 2025) Continued	Notes / Changes
<i>Alaska Statute § 24.25.010(e) Title 24. Legislature and lobbying / Chapter 24.25. witnesses; subpoena; contempt</i>			
<p>(e) This section does not apply to the legislative council or to the Legislative Budget and Audit Committee.</p>	<p><i>Section 1. AS 24.25.010(e) is amended to read:</i></p> <p>(e) This section does not apply to the legislative council, [OR TO] the Legislative Budget and Audit <u>Committee, or the Select Committee on Legislative Ethics.</u></p>	N/A	<i>Committee comments:</i> Adds the Select Committee on Legislative Ethics to the exemption from requiring the concurrence of the president or speaker before the issuance of subpoenas.
<i>Work Draft: page 1 lines 5-7 End</i>			



Proposed Updates to Ethics Legislation

Alaska Statute § 24.55.330(2)	Work Draft (April 25, 2025)	Work Draft (April 25, 2025) Continued	Notes / Changes
<i>Alaska Statute § 24.55.330(2) Title 24. Legislature and lobbying / Chapter 24.55. Office of the ombudsman</i>			
<p>(2) "agency" includes a department, office, institution, corporation, authority, organization, commission, committee, council, or board of a municipality or in the executive, legislative, or judicial branches of the state government, and a department, office, institution, corporation, authority, organization, commission, committee, council, or board of a municipality or of the state government independent of the executive, legislative, and judicial branches; it also includes an officer, employee, or member of an "agency" acting or purporting to act in the exercise of official duties, but does not include the governor, the lieutenant governor, a member of the legislature, the victims' advocate, the staff of the office of victims' rights, a justice of the supreme court, a judge of the court of appeals, a superior court judge, a district court judge, a magistrate, a member of a city council or borough assembly, an elected city or borough mayor, or a member of an elected school board;</p>	<p><i>Sec. 2. AS 24.55.330(2) is amended to read:</i></p> <p>(2) "agency" includes a department, office, institution, corporation, authority, organization, commission, committee, council, or board of a municipality or in the executive, legislative, or judicial branches of the state government, and a department, office, institution, corporation, authority, organization, commission, committee, council, or board of a municipality or of the state government independent of the executive, legislative, and judicial branches; it also includes an officer, employee, or member of an "agency" acting or purporting to act in the exercise of official duties, but does not include the governor, the lieutenant governor, a member of the legislature, the victims' advocate, the staff of the office of victims' rights, <u>a public member of the Select Committee on Legislative Ethics, an employee of the Select Committee on Legislative Ethics,</u> a justice of the supreme court, a judge of the court of appeals, a superior court judge, a district court judge,</p>	<p>magistrate, a member of a city council or borough assembly, an elected city or borough mayor, or a member of an elected school board;</p>	<p><i>Committee comments:</i> Adds both the public members and the employees of the Ethics Committee to the definition of those excluded from the definition of "agency" in the Ombudsman statutes. By adding public members and employees to the definition of "agency", the ombudsman does not have jurisdiction over their actions.</p>

*Work Draft: page 1 lines 9-14 page 2 lines 1-8
End*



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.030(a) (2019) <i>Alaska Statute § 24.60.030(a) (2019) Title 24.60 Legislative Ethics Act / Article 2. Standards of Conduct / AS 24.60.030 Prohibited conduct and conflicts of interest</i>	Work Draft (April 25, 2025) <i>AS 24.60.030(a) is amended to read:</i>	Work Draft (April 25, 2025) Continued	Notes / Changes
<p>(a) A legislator or legislative employee may not (2) use public funds, facilities, equipment, services, or another 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, legislative employee, or another person; this paragraph does not prohibit reimburses the state for the cost of the use...</p> <p>...or (K) full participation in a charity event approved in advance by the Alaska Legislative Council;</p>	<p><i>Sec. 3. AS 24.60.030(a) is amended to read:</i></p> <p>(a) A legislator or legislative employee may not (2) use public funds, facilities, equipment, services, or another 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, legislative employee, or another person; this paragraph does not prohibit with the performance of public duties and either the cost or value related to the use is nominal or the legislator or legislative employee reimburses the state for the cost of the use...</p> <p>...[OR] (K) full participation in a charity event approved in advance by the Alaska Legislative Council; or (L) a legislator from using the title "Senator" or "Representative," as appropriate, as long as the use does not create an appearance that the legislator may take or withhold action in exchange for a private benefit for the legislator or another person;</p>	N/A	<p><i>Committee comments:</i> Adds to the provisions permitting certain conduct. Allows a legislator to use their title as long as it does not create an appearance that the legislator may take or withhold action in exchange for a private benefit for the legislator or another person.</p> <p><i>Work Draft:</i> page 2 / lines 10-31 page 3 / 1-13 End</p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.030(c) (2019) <i>Alaska Statute § 24.60.030(c) (2019) Title 24.60 Legislative Ethics Act / Article 2. Standards of Conduct / AS 24.60.030 Prohibited conduct and conflicts of interest</i>	Work Draft (April 25, 2025) <i>AS 24.60.030(c) is amended to read:</i>	Work Draft (April 25, 2025) Continued	Notes / Changes
<p>(c) Unless approved by the committee, during a campaign period for an election in which the legislator or legislative employee is a candidate, a legislator or legislative employee may not use or permit another to use state funds, other than funds to which the legislator is entitled under AS 24.10.110, to print or distribute a political mass mailing to individuals eligible to vote for the candidate. (2) a mass mailing is considered to be political if it is from or about a legislator, legislative employee, or another person who is a candidate for election or reelection to the legislature or another federal, state, or municipal office or to the board of an electric or telephone cooperative.</p>	<p><i>Sec. 4. AS 24.60.030(c) is amended to read:</i></p> <p>(c) Unless approved by the committee, during a campaign period for an election in which <u>a</u> [THE] legislator or legislative employee is a candidate, <u>the</u> [A] legislator or legislative employee may not use or permit another to use state funds [, OTHER THAN FUNDS TO WHICH THE LEGISLATOR IS ENTITLED UNDER AS 24.10.110,] to print or distribute a political mass mailing to individuals eligible to vote for the candidate. <u>Nothing in this subsection prohibits a communication that is necessary to respond to an emergency, natural disaster, or other exigent circumstance that creates an imminent need for information to be communicated.</u> In this subsection, (1) a "campaign period" is the period that (A) begins 60 days before the date of an election to the board of an electric or telephone cooperative organized under AS 10.25, a municipal election, or a primary election, or that begins on the date of the governor's proclamation calling a special</p>	<p>election; and (B) ends the day after the cooperative election, municipal election, or general or special election; (2) a mass mailing is considered to be political if it is from or about a legislator, legislative employee, or another person who is a candidate for election or reelection to the legislature or another federal, state, or municipal office or to the board of an electric or telephone cooperative.</p>	<p><i>Committee comments:</i> Adds clarification regarding what information can be included in a mass mailing during a campaign period which is defined as 60 days before the date of an election in which a legislator or legislative employee is a candidate. Removes the exception allowed for legislators to use funds which to the legislator is entitled under AS 24.10.110 (office allowance account) for a mass mailing.</p>

*Work Draft: page 5 / lines 30
End*



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.035 (2019) <i>Alaska Statute § 24.60.035 (2019) Title 24.60 Legislative Ethics Act / Article 2. Standards of Conduct AS 24.60.035 Protection of whistle blowers</i>	Work Draft (April 25, 2025)	Work Draft (April 25, 2025) Continued	Notes / Changes
<p>A legislator or legislative employee may not, directly or indirectly, subject a person to who reports to the committee or another government entity conduct the person reasonably believes is a violation of this chapter or another state law, to reprisal, harassment, or discrimination. A legislative employee who is discharged, disciplined, involuntarily transferred, or otherwise penalized by a legislator or another legislative employee in violation of this subsection may (1) bring a complaint before the committee; and (2) bring a separate civil action in the courts seeking damages, payment of back wages, reinstatement, or other relief.</p>	<p><i>Sec. 5. AS 24.60.035 is amended to read:</i></p> <p>Protection of whistle blowers (a) A legislator or legislative employee may not, directly or indirectly, subject a person to reprisal, harassment, or discrimination for reporting [WHO REPORTS] to the committee or another government entity conduct the person reasonably believes is a violation of this chapter or another state law[, TO REPRISAL, HARASSMENT, OR DISCRIMINATION]. (b) A legislative employee who is discharged, disciplined, involuntarily transferred, or otherwise penalized by a legislator or another legislative employee in violation of this section [SUBSECTION] may (1) bring a complaint before the committee; and (2) bring a separate civil action in the courts seeking damages, payment of back wages, reinstatement, or other relief.</p>	N/A	<p><i>Committee comments:</i> Adds clarification making it clear that only legislators and legislative employees are covered under this provision.</p> <p><i>Work Draft:</i> page 6 / lines 1-11</p> <p><u>End</u></p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.060 (2019) <i>Alaska Statute § 24.60.060 Title 24.60 Legislative Ethics Act / Article 2. Standards of Conduct Chapter 24.60.060 Confidential information</i>	Work Draft (April 25, 2025)	Work Draft (April 25, 2025) Continued	Notes / Changes
N/A	<p>Sec. 6. AS 24.60.060 is amended by adding two new subsections to read:</p> <p>(c) If, in the course of an investigation or probable cause determination under AS 24.60.170, the committee finds evidence of probable criminal activity, the committee shall transmit a statement and factual findings limited to that activity to the appropriate law enforcement agency.</p> <p>(d) If a complainant under AS 24.60.170 violates a confidentiality provision under that section, the committee may immediately dismiss the complaint. After the dismissal, the committee or a person other than the complainant may file a complaint based wholly or partly on facts alleged in the dismissed complaint.</p>	N/A	<p><i>Committee comments:</i> Adds two new subsections addressing evidence of probable criminal activities and provides the committee with guidance should a complainant violate a confidentiality provision.</p> <p><i>Work Draft:</i> page 6 / lines 13-20 <u>End</u></p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.080(d) (2019)	Work Draft (April 25, 2025)	Work Draft (April 25, 2025) Continued	Notes / Changes
<i>Alaska Statute § 24.60.080(d) (2019) Title 24.60 Legislative Ethics Act / Article 2. Standards of Conduct Chapter 24.60.080 Gifts</i>			
<p>(d) A legislator or legislative employee who accepts a gift under (c)(4) of this section that has a value of \$250 or more or a ticket to a charity event or gift in connection with a charity event under (c)(10) of this section that has a value of \$250 or more shall disclose to the committee, within 60 days after receipt of the gift, the name and occupation of the donor and the approximate value of the gift. A legislator or legislative employee who accepts a gift under (c)(8) of this section that the recipient expects will have a value of \$250 or more in the calendar year shall disclose to the committee, within 30 days after receipt of the gift, 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 maintain a public record of the disclosures it receives relating to gifts under (c)(4), (c)(8), (c)(10), and (i) of this section and shall forward the disclosures to the appropriate house for...</p>	<p><i>Sec. 7. AS 24.60.080(d) is amended to read:</i></p> <p>(d) A legislator or legislative employee who accepts a gift under (c)(4) of this section that has a value of \$250 or more or a ticket to a charity event or gift in connection with a charity event under (c)(10) of this section that has a value of \$250 or more shall disclose to the committee, within 60 days after receipt of the gift, the name and occupation of the donor and the approximate value of the <u>gift and, for a gift under (c)(4) of this section, a copy of the agenda or other documentation sufficient to show that the gift was primarily for the purpose of obtaining information on a matter of legislative concern.</u> A legislator or legislative employee who accepts a gift under (c)(8) of this section that the recipient expects will have a value of \$250 or more in the calendar year shall disclose to the committee, within 30 days after receipt of the gift, 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</p>	<p>approximate value of the gift. The committee shall maintain a public record of the disclosures it receives relating to gifts under (c)(4), (c)(8), (c)(10), and (i) of this section and shall forward the disclosures to the appropriate house for inclusion in the journal. The committee shall forward to the Alaska Public Offices Commission copies of the disclosures concerning gifts under (c)(4), (c)(8), (c)(10), and (i) of this section that it receives from legislators and legislative directors. A legislator or legislative employee who accepts a gift under (c)(6) of this section that has a value of \$250 or more shall, within 30 days after receiving the gift, disclose to the committee the name and occupation of the donor and a description of the gift. The committee shall maintain disclosures relating to gifts under (c)(6) of this section as confidential records and may only use, or permit a committee employee or contractor to use, a disclosure under (c)(6) of this section in the investigation of a possible violation of this section or in a proceeding under AS 24.60.170. If the disclosure under</p>	<p><i>Committee comments:</i> Requires a legislator or legislative employee to provide documentation sufficient to prove the gift of travel or hospitality of \$250 or more was primarily for the purpose of obtaining information on a matter of legislative concern.</p> <p><i>Work Draft:</i> page 6 / lines 22-31 page 7 lines 1-13 <i>Continued Next Slide</i></p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.080(d) (2019)	Work Draft (April 25, 2025)	Work Draft (April 25, 2025) Continued	Notes / Changes
<p><i>Alaska Statute § 24.60.080(d) (2019) Title 24.60 Legislative Ethics Act / Article 2. Standards of Conduct Chapter 24.60.080 Gifts</i></p> <p>...inclusion in the journal. The committee shall forward to the Alaska Public Offices Commission copies of the disclosures concerning gifts under (c)(4), (c)(8), (c)(10), and (i) of this section that it receives from legislators and legislative directors. A legislator or legislative employee who accepts a gift under (c)(6) of this section that has a value of \$250 or more shall, within 30 days after receiving the gift, disclose to the committee the name and occupation of the donor and a description of the gift. The committee shall maintain disclosures relating to gifts under (c)(6) of this section as confidential records and may only use, or permit a committee employee or contractor to use, a disclosure under (c)(6) of this section in the investigation of a possible violation of this section or in a proceeding under AS 24.60.170. If the disclosure under (c)(6) of this section becomes part of the record of a proceeding under AS 24.60.170, the confidentiality provisions of that section apply to the disclosure.</p>	<p>...(c)(6) of this section becomes part of the record of a proceeding under AS 24.60.170, the confidentiality provisions of that section apply to the disclosure.</p>	N/A	<p><i>Work Draft: page 7 lines 14-17</i></p> <p><u>End</u></p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.130(f) (2019)	Work Draft (April 25, 2025)	Ethics Committee Redraft (October 31, 2025)	Notes / Changes
<i>Alaska Statute § 24.60.130(f) (2019) Title 24.60 Legislative Ethics Act Article 3. Legislative Ethics Committee; Opinions; Complaints AS 24.60.130 Select Committee on Legislative Ethics</i>			
<p>(f) The committee may contract for professional services and may employ staff as it considers necessary. A committee employee, including a person who provides personal services under a contract with the committee, may not be a legislator, an elected or appointed official of a state or local governmental entity, an officer of a political party, a candidate for public office, or a registered lobbyist. The legislative council shall provide office space, equipment, and additional staff support for the committee. The committee shall submit a budget for each fiscal year to the finance committees of the legislature and shall annually submit an estimated budget to the governor for information purposes in preparation of the state operating budget. Public members of the committee serve without compensation for their services, but are entitled to per diem and travel expenses authorized for boards and commissions under AS 39.20.180</p>	N/A	<p>New Section: AS 24.60.130(f) Select Committee on Legislative Ethics is amended to read:</p> <p>(f) The committee may contract for professional services and may employ staff as it considers necessary. A committee employee, including a person who provides personal services under a contract with the committee, may not be a legislator, an elected or appointed official of a state or local governmental entity, an officer of a political party, a candidate for public office, or a registered lobbyist. The legislative council shall provide office space, equipment, and additional staff support for the committee. The committee shall submit a budget for each fiscal year to the finance committees of the legislature and shall annually submit an estimated budget to the governor for information purposes in preparation of the state operating budget. Public members of the committee serve without compensation for their services, but are entitled to per diem and travel expenses authorized by the legislative council under AS 24.10.130(c) [FOR BOARDS AND COMMISSIONS UNDER AS 39.20.180].</p>	<p><i>Committee comments:</i> Allow public members of the Ethics Committee to receive per diem allowances in accordance with the policy adopted by the Legislative Council under AS 24.10.130(c). Ethics Committee staff receive per diem allowances under AS 24.10.130(c). Currently public members receive per diem prescribed by the Commission of Administration for boards and commissions which places on a cap on the amount received.</p>

End



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.150(b) (2019) <i>Alaska Statute § 24.60.150(b) (2019) Title 24.60 Legislative Ethics Act / Article 3. Legislative Ethics Committee; AS 24.60.150 Duties of the committee</i>	Work Draft (April 25, 2025)	Work Draft (April 25, 2025) Continued	Notes / Changes
<p>(b) The committee may (1) recommend legislation to the legislature the committee considers desirable or necessary to promote and maintain high standards of ethical conduct in government; (2) subpoena witnesses, administer oaths, and take testimony relating to matters before the committee, and may require the production for examination of any books or papers relating to any matter under investigation before the committee.</p>	<p><i>Sec. 9. AS 24.60.150(b) is amended to read:</i></p> <p>(b) The committee may (1) recommend legislation to the legislature the committee considers (2) <u>in a matter before the committee</u>, subpoena witnesses, administer oaths, [AND] take testimony [RELATING TO MATTERS BEFORE THE COMMITTEE], and, <u>when authorized by the chair of the committee</u>, <u>subpoena</u> [MAY REQUIRE] the production [FOR EXAMINATION] of [ANY] books or papers <u>for examination</u> [RELATING TO ANY MATTER UNDER INVESTIGATION BEFORE THE COMMITTEE].</p>	N/A	<p><i>Committee comments:</i> Clarifies and adds language clarifying the Ethics Committee subpoena power.</p> <p><i>Work Draft:</i> page 7 / lines 24-31 page 8 / lines 1-2 <u>End</u></p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.160(a) (2019)	Work Draft (April 25, 2025)	Ethics Committee Redraft (October 31, 2025)	Notes / Changes
<i>Alaska Statute § 24.60.160(a) (2019) Title 24.60 Legislative Ethics Act / Article 3. Legislative Ethics Committee; AS 24.60.160 Advisory Opinions</i>			
<p>(a) On the request of the committee, the Alaska Public Offices Commission, a person to whom this chapter applies, or a person who has been newly elected to the legislature, the committee shall issue an advisory opinion within 60 days as to whether the facts and circumstances of a particular case constitute a violation of ethical standards. If it finds that it is advisable to do so, the committee may issue an opinion under this section on the request of a person who reasonably expects to become subject to this chapter within the next 45 days. The 60-day period for issuing an opinion may be extended by the committee if the person requesting the opinion consents.</p>	N/A	<p>New Section: AS 24.60.160(a) Advisory Opinions is amended to read:</p> <p>(a) On the request of the committee, the Alaska Public Offices Commission, a person to whom this chapter applies, or a person who has been newly elected to the legislature, the committee shall issue an advisory opinion within 60 days as to whether the facts and circumstances of a particular case constitute a violation of ethical standards. If it finds that it is advisable to do so, the committee may issue an opinion under this section on the request of a person who reasonably expects to become subject to this chapter within the next 45 days. The 60-day period for issuing an opinion may be extended by the committee.</p> <p>[IF THERE ARE CIRCUMSTANCES THAT PREVENT THE COMMITTEE FROM MEETING WITHIN THE 60 DAYS OR IF THE PERIOD PRIOR TO THE 60 DAYS DOES NOT ALLOW ADEQUATE TIME TO PREPARE A DRAFT OPINION THE PERSON REQUESTING THE OPINION CONSENTS].</p>	<p><i>Committee comments from September 15:</i> Allows the Ethics Committee to extend the 60-day deadline if there are unforeseen circumstances which prevent meeting the 60-day deadline. Committee Rules of Procedure will address informing the person requesting the opinion of the extension of the 60 days. Currently an extension is only allowed if the person requesting the opinion agrees to the extension.</p>

End



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.170(b) (2019)	Work Draft (April 25, 2025)	Ethics Committee Redraft (October 31, 2025)	Notes / Changes
<i>Alaska Statute § 24.60.170(b) (2019) Title 24.60 Legislative Ethics Act / Article 3. Legislative Ethics Committee; AS 24.60.170 Proceedings before the committee; limitations.</i>			
<p>(b) A complaint may be initiated by any person. The complaint must be in writing and signed under oath by the person making the complaint and must contain a statement that the complainant has reason to believe that a violation of this chapter has occurred and describe any facts known to the complainant to support that belief. The committee shall upon request provide a form for a complaint to a person wishing to file a complaint. Upon receiving a complaint, the committee shall advise the complainant that the committee or the subject of the complaint may ask the complainant to testify at any stage of the proceeding as to the complainant's belief that the subject of the complaint has violated this chapter.</p> <p><i>(Continued next slide)</i></p>	<p>Sec. 10. AS 24.60.170(b) is amended to read:</p> <p>(b) A complaint may be initiated by any person. The complaint must be in writing and signed under oath by the complainant, state [PERSON MAKING THE COMPLAINT AND MUST CONTAIN A STATEMENT] that the complainant has reason to believe [THAT] a violation of this chapter has occurred and describe the [ANY] facts supporting [KNOWN TO THE COMPLAINANT TO SUPPORT] that belief. The committee shall make a form available for filing a complaint [UPON REQUEST PROVIDE A FORM FOR A COMPLAINT TO A PERSON WISHING TO FILE A COMPLAINT]. Upon receiving a complaint, the committee shall advise the complainant that the committee or the subject of the complaint may ask the complainant to testify at any stage of a [THE] proceeding under this section [AS TO THE COMPLAINANT'S BELIEF THAT THE SUBJECT OF THE COMPLAINT HAS VIOLATED THIS CHAPTER].</p>	<p><i>The following changes refer to AS 24.60.170 Proceedings before the Committee; Limitations, Pages 8-17 Pages 8-10, AS 24.60.170(b), (c), (d) and (e) as drafted April 25, 2025, is repealed and reenacted to read:</i></p> <p>AS 24.60.170(b) A complaint may be initiated by any person. The complaint must be in writing and signed under oath by the complainant, state that the complainant has reason to believe a violation of this chapter has occurred and describe the facts supporting that belief. The committee shall make a form available for filing a complaint. Upon receiving a complaint, committee staff will acknowledge receipt of the complaint within (5) five business days.</p>	<p><i>Committee comments:</i> Simplified the complaint process by placing current statutory language and new language into separate sections identifying a particular item/issue. Section (b) Complaint filing information.</p> <p><i>Work Draft: page 8 / lines 5-23</i></p> <p><i>Continued Next Slide</i></p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.170(b) (2019)	Work Draft (April 25, 2025)	Work Draft (April 25, 2025) Continued	Notes / Changes
<p>Alaska Statute § 24.60.170(b) (2019) Title 24.60 Legislative Ethics Act / Article 3. Legislative Ethics Committee; AS 24.60.170 Proceedings before the committee; limitations.</p> <p>(b) ...The committee shall respond to a complaint concerning the conduct of a candidate for election to state office received during the campaign period in accordance with (o) of this section. The committee shall treat a complaint concerning the conduct of a candidate for election to state office that is pending at the beginning of a campaign period in accordance with (p) of this section. The committee shall immediately provide a copy of the complaint to the person who is the subject of the complaint.</p>	<p><i>Sec. 10. AS 24.60.170(b) is amended to read: (continuation from previous page)</i></p> <p>...The committee shall respond to a complaint concerning the conduct of a candidate for election to state office received during the campaign period in accordance with <u>AS 24.60.171 (a)</u> [(o) OF THIS SECTION]. The committee shall treat a complaint concerning the conduct of a candidate for election to state office that is pending at the beginning of a campaign period in accordance with <u>AS 24.60.171(b)</u>.</p> <p><u>Within 10 days after receiving a complaint, the</u> [(p) OF THIS SECTION. THE] committee shall [IMMEDIATELY] provide a copy [OF THE COMPLAINT] to the [PERSON WHO IS THE] subject of the complaint. <u>In this section, "campaign period" has the meaning given in AS 24.60.170(e).</u></p>	N/A	<p><i>Committee comments:</i> Simplified the complaint process by placing current statutory language and new language into separate sections identifying a particular item/issue.</p> <p>Section (b) Complaint filing information.</p> <p>Committee's Rules of Procedure will define "acknowledge receipt of the complaint".</p> <p><i>Work Draft: page 8 / lines 5-23 End</i></p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.170(c) (2019)	Work Draft (April 25, 2025)	Ethics Committee Redraft (October 31, 2025)	Notes / Changes
<i>Alaska Statute § 24.60.170(c) (2019) Title 24.60 Legislative Ethics Act / Article 3. Legislative Ethics Committee; AS 24.60.170 proceedings before the committee; limitations.</i>			
<p>(c) When the committee receives a complaint under (a) of this section, it may assign the complaint to a staff person. The staff person shall conduct a preliminary examination of the complaint and advise the committee whether the allegations of the complaint, if true, constitute a violation of this chapter and whether there is credible information to indicate that a further investigation and proceeding is warranted. The staff recommendation shall be based on the information and evidence contained in the complaint as supplemented by the complainant and by the subject of the complaint, if requested to do so by the staff member. The committee shall consider the recommendation of the staff member, if any, and shall determine whether the allegations of the complaint, if true, constitute a violation of this chapter.</p> <p><i>(Continued on next slide)</i></p>	<p>Sec. 11. AS 24.60.170(c) is amended to read:</p> <p>(c) When the committee receives a complaint under (a) of this section, committee [IT MAY ASSIGN THE COMPLAINT TO A STAFF PERSON. THE] staff [PERSON] shall conduct a preliminary examination of the complaint and advise the committee whether the allegations of the complaint, if true, constitute a violation of this chapter and whether there is credible information to indicate [THAT] a further investigation and a proceeding under this subsection is warranted. The advice [STAFF RECOMMENDATION] shall be based on [THE] information and evidence that are part of [CONTAINED IN] the complaint or received from [AS SUPPLEMENTED BY] the complainant or [AND BY] the subject of the complaint after a request [COMPLAINT, IF REQUESTED TO DO SO] by committee [THE] staff [MEMBER]. The committee shall consider the advice [RECOMMENDATION OF THE STAFF MEMBER, IF ANY,] and [SHALL] determine whether the allegations of the complaint, if true, constitute a violation of this chapter.</p>	<p><i>The following changes refer to AS 24.60.170 Proceedings before the Committee; Limitations, Pages 8-17 Pages 8-10, AS 24.60.170(b), (c), (d) and (e) as drafted April 25, 2025, is repealed and reenacted to read:</i></p> <p>AS 24.60.170(c) When the committee receives a complaint under (a) of this section, committee staff shall provide a copy of the complaint to the subject of the complaint no later than 10 days after receipt of the complaint. Committee staff shall within 10 days conduct a preliminary examination of the complaint and advise the committee chair whether the allegations are within the jurisdiction of the legislative ethics act, whether the provisions under (a) of this section apply, and a recommendation whether the allegations of the complaint, if true, constitute a violation of this chapter and whether there is credible information to indicate a further investigation and a proceeding under this subsection is warranted.</p>	<p><i>Committee comments:</i> Simplified the complaint process by placing current statutory language and new language into separate sections identifying a particular item/issue. Section (c) What happens when a complaint is received.</p> <p><i>Work Draft: Page 8 lines 26-31Page 9 1-23</i></p> <p><i>Continued Next Slide</i></p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.170(c) (2019)	Work Draft (April 25, 2025)	Work Draft (April 25, 2025) Continued	Notes / Changes
<p><i>Alaska Statute § 24.60.170(c) (2019) Title 24.60 Legislative Ethics Act / Article 3. Legislative Ethics Committee; AS 24.60.170 Proceedings before the committee; limitations.</i></p> <p>(c)...If the committee determines that the allegations, if proven, would not give rise to a violation, that the complaint is frivolous on its face, that there is insufficient credible information that can be uncovered to warrant further investigation by the committee, or that the committee's lack of jurisdiction is apparent on the face of the complaint, the committee shall dismiss the complaint and shall notify the complainant and the subject of the complaint of the dismissal. The committee may ask the complainant to provide clarification or additional information before it makes a decision under this subsection and may request information concerning the matter from the subject of the complaint. Neither the complainant nor the subject of a complaint is obligated to provide the information. A proceeding conducted under this subsection, documents that are part of a proceeding, and a dismissal under this subsection are confidential as provided in (l) of this section unless the subject of the complaint waives confidentiality as provided in that subsection.</p>	<p>Sec. 11. AS 24.60.170(c) is amended to read: <i>(continuation from previous page)</i></p> <p>...If the committee determines that the allegations, if <u>true, do</u> [PROVEN, WOULD] not constitute a violation of this chapter [GIVE RISE TO A VIOLATION], that the complaint is frivolous on its face, that there is insufficient credible information available or discoverable [THAT CAN BE UNCOVERED] to support [WARRANT] further investigation by the committee, or that the committee's lack of jurisdiction is apparent on the face of the complaint, the committee shall dismiss the complaint and [SHALL] notify the complainant and the subject of the complaint of the dismissal. The committee may ask the complainant or the subject of the complaint to provide clarification or additional information before it makes a determination [DECISION] under this subsection. The [AND MAY REQUEST INFORMATION CONCERNING THE MATTER FROM THE SUBJECT OF THE COMPLAINT...</p>	<p>...NEITHER THE] complainant and [NOR] the subject of the [A] complaint are not [IS] obligated to provide the clarification or additional information. A proceeding conducted under this subsection, documents that are part of a proceeding, and a dismissal under this subsection are confidential as provided in (l) of this section if [UNLESS THE SUBJECT OF THE COMPLAINT WAIVES CONFIDENTIALITY AS PROVIDED IN THAT SUBSECTION].</p>	<p><i>Committee comments:</i> Simplified the complaint process by placing current statutory language and new language into separate sections identifying a particular item/issue. Section (c) What happens when a complaint is received.</p> <p><i>Work Draft:</i> Page 8 lines 26-31 Page 9 1-23 End</p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.170(d) (2019)	Work Draft (April 25, 2025)	<i>Ethics Committee Redraft</i> (October 31, 2025)	Notes / Changes
<i>Alaska Statute § 24.60.170(d) (2019) Title 24.60 Legislative Ethics Act / Article 3. Legislative Ethics Committee; AS 24.60.170 proceedings before the committee; limitations.</i>			
<p>(d) If the committee determines that some or all of the allegations of a complaint, if proven, would constitute a violation of this chapter, or if the committee has initiated a complaint, the committee shall investigate the complaint, on a confidential basis. Before beginning an investigation of a complaint, the committee shall adopt a resolution defining the scope of the investigation. A copy of this resolution shall be provided to the complainant and to the subject of the complaint. As part of its investigation, the committee shall afford the subject of the complaint an opportunity to explain the conduct alleged to be a violation of this chapter.</p>	<p>Sec. 12. AS 24.60.170(d) is amended to read:</p> <p>(d) If the committee determines that some or all of the allegations of a complaint, if <u>true</u>, [PROVEN, WOULD] constitute a violation of this chapter, or if the committee has initiated a complaint, the committee shall investigate the complaint [, ON A CONFIDENTIAL BASIS]. Before <u>investigating</u> [BEGINNING AN INVESTIGATION OF] a complaint, the committee shall adopt a resolution defining the scope of the investigation. A copy of <u>the</u> [THIS] resolution shall be provided to the complainant and to the subject of the complaint. As part of <u>the</u> [ITS] investigation, the committee shall <u>give</u> [AFFORD] the subject of the complaint an opportunity to explain the conduct alleged to <u>constitute</u> [BE] a violation of this chapter. <u>The investigation is subject to confidentiality requirements under (l) of this section.</u></p>	<p><i>The following changes refer to AS 24.60.170 Proceedings before the Committee; Limitations, Pages 8-17 Pages 8-10, AS 24.60.170(b), (c), (d) and (e) as drafted April 25, 2025, is repealed and reenacted to read:</i></p> <p>AS 24.60.170(d) The committee chair shall schedule a committee meeting to consider the recommendation of committee staff. The committee may ask the complainant or the subject of the complaint to provide clarification or additional information before it makes a determination under this subsection. The complainant and the subject of the complaint are not obligated to provide the clarification or additional information.</p> <p><i>(Continued next slide)</i></p>	<p>Committee comments: (d) First committee meeting.</p> <p><i>Work Draft: Page 9 lines 26-31 Page 10 1-3</i></p> <p><u>Continued Next Slide</u></p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.170(d) (2019)	Work Draft (April 25, 2025)	Ethics Committee Redraft (October 31, 2025)	Notes / Changes
<i>Alaska Statute § 24.60.170(d) (2019) Title 24.60 Legislative Ethics Act / Article 3. Legislative Ethics Committee; AS 24.60.170 proceedings before the committee; limitations.</i>			
N/A	N/A	<p><i>The following changes refer to AS 24.60.170 Proceedings before the Committee; Limitations, Pages 8-17 Pages 8-10, AS 24.60.170(b), (c), (d) and (e) as drafted April 25, 2025, is repealed and reenacted to read:</i></p> <p>AS 24.60.170(d) (1) If the committee determines the allegations, if true, do not constitute a violation of this chapter, that the complaint is frivolous on its face, that there is insufficient credible information available or discoverable to support further investigation by the committee, the committee shall dismiss the complaint and notify the complainant and the subject of the complaint of the dismissal. A proceeding under this subsection, documents that are part of a proceeding, and a dismissal under this subsection are confidential as provided in (l) of this section.</p> <p><i>(Continued next slide)</i></p>	<p>Committee comments: (d)(1) Allegations do not constitute a violation.</p> <p>Committee's Rules of Procedure will further define "no investigation."</p>

Continued Next Page



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.170(d) (2019)	Work Draft (April 25, 2025)	Ethics Committee Redraft (October 31, 2025)	Notes / Changes
<i>Alaska Statute § 24.60.170(d) (2019) Title 24.60 Legislative Ethics Act / Article 3. Legislative Ethics Committee; AS 24.60.170 proceedings before the committee; limitations.</i>			
N/A	N/A	<p><i>The following changes refer to AS 24.60.170 Proceedings before the Committee; Limitations, Pages 8-17 Pages 8-10, AS 24.60.170(b), (c), (d) and (e) as drafted April 25, 2025, is repealed and reenacted to read:</i></p> <p>AS 24.60.170(d)(2) If the committee determines that some or all of the allegations of a complaint, if true, constitute a violation of this chapter, or if the committee has initiated a complaint, the committee shall investigate the complaint. Before investigating a complaint, the committee shall adopt a resolution defining the scope of the investigation to determine whether additional facts are required. A copy of the resolution shall be provided to the subject of the complaint. As part of the investigation, the committee shall give the subject of the complaint an opportunity to explain the conduct alleged to constitute a violation of this chapter. The complainant will be notified that the allegations are being investigated. The investigation is subject to confidentiality requirements under (l) of this section. <i>(Continued next slide)</i></p>	Committee comments: Subsection (d)(2) Allegations, if true, constitute a violation; or if the committee initiates a complaint.

Continued Next Page



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.170(d) (2019)	Work Draft (April 25, 2025)	<i>Ethics Committee Redraft</i> (October 31, 2025)	Notes / Changes
<i>Alaska Statute § 24.60.170(d) (2019) Title 24.60 Legislative Ethics Act / Article 3. Legislative Ethics Committee; AS 24.60.170 proceedings before the committee; limitations.</i>			
N/A	N/A	<p>The following changes refer to AS 24.60.170 Proceedings before the Committee; Limitations, Pages 8-17 Pages 8-10, AS 24.60.170(b), (c), (d) and (e) as drafted April 25, 2025, is repealed and reenacted to read:</p> <p>AS 24.60.170(d)(3) Committee deliberations and votes regarding a complaint, at any stage of the complaint process, shall be held in executive session. The executive session is not open to the public, legislators who are not members of the committee, the complainant or the subject of the complaint. Committee decisions made in executive session that are required to be made public will be announced at a public meeting of the committee stating that a majority of the committee voted in favor of the decision. The committee shall disclose the names of committee members present at the meeting. The number of votes cast for or against a motion and the individual votes cast by committee members are confidential.</p>	<i>Committee comments:</i> Subsection (d)(3) Committee deliberations and votes are confidential regardless of the stage of the complaint process.

End



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.170(e) (2019)	Work Draft (April 25, 2025)	Ethics Committee Redraft (October 31, 2025)	Notes / Changes
<i>Alaska Statute § 24.60.170(e) (2019) Title 24.60 Legislative Ethics Act / Article 3. Legislative Ethics Committee; AS 24.60.170 proceedings before the committee; limitations.</i>			
<p>(e) If during the investigation under (d) of this section, the committee discovers facts that justify an expansion of the investigation and the possibility of additional charges beyond those contained in the complaint, the resolution described in (d) of this section shall be amended accordingly and a copy of the amended resolution shall be provided to the subject of the complaint.</p>	<p>Sec. 13. AS 24.60.170(e) is amended to read:</p> <p>(e) If, during the investigation under (d) of this section, the committee discovers facts that justify expanding [AN EXPANSION OF] the investigation and possibly adding new [THE POSSIBILITY OF ADDITIONAL] charges to [BEYOND THOSE CONTAINED IN] the complaint, the committee shall amend the resolution adopted under [DESCRIBED IN] (d) of this section [SHALL BE AMENDED ACCORDINGLY] and provide a copy of the amended resolution [SHALL BE PROVIDED] to the subject of the complaint.</p>	<p><i>The following changes refer to AS 24.60.170 Proceedings before the Committee; Limitations, Pages 8-17 Pages 8-10, AS 24.60.170(b), (c), (d) and (e) as drafted April 25, 2025, is repealed and reenacted to read:</i></p> <p>AS 24.60.170(e) Additional components, (1) If during the investigation under d(2) of this section, the committee discovers facts that justify expanding the investigation and/or possibly adding new charges to the complaint, the committee shall amend the resolution adopted under d (2) of this section and provide a copy of the amended resolution to the subject of the complaint. (2) If a complainant under AS 24.60.170 violates a confidentiality provision, the committee shall dismiss the complaint. After the dismissal, the committee or a person other than the complainant may file a complaint based wholly or partly on facts alleged in the dismissed complaint. (3) If, in the course of an investigation under AS 24.60.170, the committee finds evidence of probable criminal activity, the committee shall transmit a statement and factual findings limited to that activity to the appropriate law enforcement agency. (4) If, in the course of an investigation under AS 24.60.170, the committee finds evidence of a probable violation of AS 15.13, the committee shall transmit a statement to that effect and factual findings limited to the probable violation to the Alaska Public Offices Commission.</p>	<p><i>Committee comments:</i> Section (e) Expanding the complaint investigation and campaign timeframe considerations.</p> <p><i>Work Draft: Page 10 lines 5-11 End</i></p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.170(f) (2019)	Work Draft (April 25, 2025)	Ethics Committee Redraft (October 31, 2025)	Notes / Changes
<i>Alaska Statute § 24.60.170(f) (2019) Title 24.60 Legislative Ethics Act / Article 3. Legislative Ethics Committee; AS 24.60.170 proceedings before the committee; limitations.</i>			
<p>(f) If the committee determines after investigation that there is not probable cause to believe that the subject of the complaint has violated this chapter, the committee shall dismiss the complaint. The committee may also dismiss portions of a complaint if it finds no probable cause to believe that the subject of the complaint has violated this chapter as alleged in those portions. The committee shall issue a decision explaining its dismissal. Committee deliberations and vote on the dismissal order and decision are not open to the public or to the subject of the complaint. A copy of the dismissal order and decision shall be sent to the complainant and to the subject of the complaint. Notwithstanding (l) of this section, a dismissal order and decision is open to inspection and copying by the public.</p>	<p>Sec. 14. AS 24.60.170(f) is amended to read:</p> <p>(f) If the committee determines after investigation that there is not probable cause to believe [THAT] the subject of the complaint has violated this chapter, the committee shall dismiss the complaint. The committee may also dismiss portions of a complaint if it finds no probable cause to believe that the subject of the complaint has violated this chapter as alleged in those portions. The committee shall issue <u>an order</u> [A DECISION] explaining its dismissal. <u>A committee deliberation or vote concerning probable cause or an</u> [COMMITTEE DELIBERATIONS AND VOTE ON THE DISMISSAL] <u>order to dismiss is</u> [AND DECISION ARE] not open to the public, <u>the complainant</u>, or [TO] the subject of the complaint. <u>The committee shall provide a</u> [A] copy of the [DISMISSAL] order <u>to dismiss</u> [AND DECISION SHALL BE SENT] to the complainant and to the subject of the complaint. Notwithstanding (l) of this section, <u>the</u> [A DISMISSAL] <u>order to dismiss</u> [AND DECISION] is open to inspection and copying by the public <u>after the order is adopted</u>.</p>	<p>Page 10 of the Work Draft dated April 25, 2025, Section 14, AS 24.60.170(f) is redrafted to read,</p> <p>AS 24.60.170(f) If the committee determines after investigation</p> <p>(1) There is not probable cause to believe the subject of the complaint has violated this chapter, the committee shall dismiss the complaint. The committee shall issue an order explaining its dismissal. The committee shall provide a copy of the order to dismiss to the complainant and to the subject of the complaint. The order to dismiss is not open to inspection and copying by the public.</p> <p>(2) Portions of a complaint may be dismissed due to no finding of probable cause to believe the subject of the complaint violated this chapter as alleged in these portions. The committee will issue a public decision order stating a finding of probable cause for allegations violating AS 24.60 and dismiss allegations due to no finding of probable cause for allegations violating AS 24.60. The committee shall provide a copy of the decision order to the complainant and to the subject of the complaint. The decision order is a public document. Notwithstanding (l) of this section, the decision order is open to inspection and copying by the public.</p>	<p><i>Work Draft: Page 10 lines 13-25</i></p> <p>End</p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.170(g) (2019)	Work Draft (April 25, 2025)	Ethics Committee Redraft (October 31, 2025)	Notes / Changes
<p><i>Alaska Statute § 24.60.170(g) (2019) Title 24.60 Legislative Ethics Act / Article 3. Legislative Ethics Committee; AS 24.60.170 proceedings before the committee; limitations.</i></p>			
<p>(g) If the committee investigation determines that a probable violation of this chapter exists that maybe corrected by action of the subject of the complaint and that does not warrant sanctions other than correction, the committee may issue an opinion recommending corrective action. This opinion shall be provided to the complainant and to the subject of the complaint, and is open to inspection by the public. Within 20 days after receiving the opinion, the subject of the complaint may request a confidential meeting with the committee at which meeting the committee shall explain the reasons for its recommendations.</p> <p><i>(Continued next slide)</i></p>	<p>Sec. 15. AS 24.60.170(g) is amended to read:</p> <p>(g) If the committee [INVESTIGATION] determines that a probable violation of this chapter exists that may be corrected by action of the subject of the complaint and [THAT] does not warrant sanctions other than correction, the committee may issue <u>a written recommendation that the subject of the complaint take</u> [AN OPINION RECOMMENDING] corrective action <u>within 20 days. The recommendation</u> [THIS OPINION] shall be provided to the complainant and to the subject of the complaint [,] and is open to inspection by the public. <u>Whether the recommended corrective action is taken or not, the subject of the complaint may, within</u> [WITHIN] 20 days after receiving the <u>recommendation, [OPINION, THE SUBJECT OF THE COMPLAINT MAY]</u> request a confidential meeting with the committee. <u>The [AT WHICH MEETING THE]</u> committee shall <u>meet with the complainant within 10 days after receiving a request for a meeting or as soon as practicable, whichever is later, and</u> explain the reasons for the recommendation [ITS RECOMMENDATIONS].</p>	<p><i>Page 11 of the Work Draft dated April 25, 2025, Section 15, AS 24.60.170(g), Lines 6-9 reads as follows:</i></p> <p>Add “confidential” prior the word “meeting”. New language to read as follows: <u>The committee shall meet with the complainant within 10 days after receiving a request for a confidential meeting</u></p>	<p>Committee comments: Added “confidential” to address the fact the meeting should be a confidential meeting between the complainant and the committee.</p> <p>Provides that the Ethics Committee may issue a written recommendation for corrective action, should the committee determine a probable violation exists that can be remedied by corrective action. Requires confidentiality of complaint information.</p>

*Work Draft: Page 10 lines 27-31 Page 11 lines 1-9
Continued Next Slide*



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.170(g) (2019)	Work Draft (April 25, 2025)	Work Draft (April 25, 2025) Continued	Notes / Changes
<p>...The committee may divulge confidential information to the subject of the complaint. The information remains confidential. The subject of the complaint may comply with the opinion or may request a hearing before the committee under (j) of this section. After the hearing, the committee may amend or affirm the opinion. If the subject of the complaint agrees to comply with the opinion but later fails to complete the corrective action in a timely manner, the committee may formally charge the person as provided in (h) of this section or may refer the matter to the appropriate house of the legislature, in the case of a legislator, or, in the case of a legislative employee, to the employee's appointing authority. The appropriate house of the legislature or the appointing authority, as appropriate, may take action to enforce the corrective action or may decline to take action and refer the matter to the committee. In either case, the committee may formally charge the person under (h) of this section.</p>	<p><i>Sec. 15. AS 24.60.170(g) is amended to read:</i></p> <p>...The committee may divulge confidential information to the subject of the complaint. The information remains <u>subject to the confidentiality requirements of (I) of this section</u> [CONFIDENTIAL]. THE SUBJECT OF THE COMPLAINT MAY COMPLY WITH THE OPINION OR MAY REQUEST A HEARING BEFORE THE COMMITTEE UNDER (j) OF THIS SECTION. AFTER THE HEARING, THE COMMITTEE MAY AMEND OR AFFIRM THE OPINION]. If the subject of the complaint [AGREES TO COMPLY WITH THE OPINION BUT LATER] fails to complete the <u>recommended</u> corrective action <u>within 10 days after the confidential meeting</u> (IN A TIMELY MANNER], the committee may formally charge the <u>subject of the complaint</u> [PERSON] as provided in (h) of this section or [MAY] refer the matter to the appropriate house of the legislature, in the case of a legislator, or, in the case of a legislative employee, <u>refer the matter</u> to the employee's appointing authority.</p>	<p>... The appropriate house of the legislature or the appointing authority, as appropriate, may <u>act</u> [TAKE ACTION] to enforce the <u>committee's recommendation</u> [CORRECTIVE ACTION] or may decline to take action and refer the matter <u>back</u> to the committee. In either <u>instance</u> [CASE], the committee may formally charge the <u>subject of the complaint</u> [PERSON] under (h) of this section.</p>	<p><i>Work Draft: Page 11 lines 9-26 End</i></p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.170(h) (2019) <small>Alaska Statute § 24.60.170(h) (2019) Title 24.60 Legislative Ethics Act / Article 3. Legislative Ethics Committee; AS 24.60.170 proceedings before the committee; limitations.</small>	Work Draft (April 25, 2025)	Work Draft (April 25, 2025) Continued	Notes / Changes
<p>(h) If the subject of a complaint fails to comply with an opinion and the committee decides under (g) of this section to charge the person, or if the committee determines after investigation that there is probable cause to believe that the subject of the complaint has committed a violation of this chapter that may require sanctions instead of or in addition to corrective action, the committee shall formally charge the person. The charge shall be served on the person charged, in a manner consistent with the service of summons under the rules of civil procedure, and a copy of the charge shall be sent to the complainant. The person charged may file a responsive pleading to the committee admitting or denying some or all of the allegations of the charge.</p>	<p>Sec. 16. AS 24.60.170(h) is amended to read:</p> <p>(h) If the subject of a complaint fails to comply with a recommendation received under (g) of this section [AN OPINION] and the committee decides under (g) of this section to charge the person, or, if the committee determines after investigation under (d) of this section that there is probable cause to believe [THAT] the subject of the complaint has committed a violation of this chapter that may require sanctions instead of or in addition to corrective action, the committee shall formally charge the person as soon as practicable. The charge shall be served on the person charged, in a manner consistent with the service of summons under the rules of civil procedure, and a copy of the charge shall be sent to the complainant. The person charged may file a responsive pleading to the committee admitting or denying some or all of the allegations of the charge.</p>	N/A	<p><i>Committee comments:</i> Clarifying language stating if the subject of the complaint fails to comply with a recommendation, the Ethics Committee shall formally charge the individual as soon as practicable.</p> <p><i>Work Draft:</i> Page 11 lines 28-31 Page 12 1-7 End</p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.170(i) (2019) <small>Alaska Statute § 24.60.170(i) (2019) Title 24.60 Legislative Ethics Act / Article 3. Legislative Ethics Committee; AS 24.60.170 proceedings before the committee; limitations.</small>	Work Draft (April 25, 2025)	Work Draft (April 25, 2025) Continued	Notes / Changes
<p>(i) A person charged under (h) of this section may engage in discovery in a manner consistent with the Alaska Rules of Civil Procedure. The committee may adopt procedures that (1) impose reasonable restrictions on the time for this discovery and on the materials that may be discovered; (2) permit a person who is the subject of a complaint to engage in discovery at an earlier stage of the proceedings; (3) impose reasonable restrictions on the release of information that the subject of a complaint acquires from the committee in the course of discovery, or on information obtained by use of the committee's authority, in order to protect the privacy of persons not under investigation to whom the information pertains; however, the committee may not impose restrictions on the release of information by the subject of the complaint unless the complainant has agreed to be bound by similar restrictions and has not made public the information contained in the complaint, information about the complaint, or the fact of filing the complaint.</p>	<p>Sec. 17. AS 24.60.170(i) is amended to read:</p> <p>(i) A person charged under (h) of this section may engage in discovery in a manner consistent with the Alaska Rules of Civil Procedure. The committee may adopt procedures that</p> <p>(1) impose reasonable restrictions on the time for [THIS] discovery and [ON] the materials that may be discovered;</p> <p>(2) allow [PERMIT A PERSON WHO IS] the subject of a complaint to engage in discovery as soon as a complaint is filed [AT AN EARLIER STAGE OF THE PROCEEDINGS];</p> <p>(3) impose reasonable restrictions, in addition to restrictions imposed under m of this section, on the release of information acquired [THAT THE SUBJECT OF A COMPLAINT ACQUIRES] from the committee in the course of discovery, or acquired [ON INFORMATION OBTAINED] by use of the committee's authority, in order to protect the privacy of persons not under investigation</p>	<p>...[TO WHOM THE INFORMATION PERTAINS]; however, the committee may not impose restrictions under this subsection on the release of information by the subject of the complaint unless the complainant agrees [HAS AGREED] to be bound by similar restrictions and does [HAS] not make [MADE] public [THE] information [CONTAINED] in the complaint or [, INFORMATION] about the complaint, including [OR] the fact [OF FILING] the complaint was filed.</p>	<p><i>Committee comments:</i> Clarifies and provides consistency to the language addressing the Ethics Committee's decision and sanction issuance process following a formal hearing.</p> <p><i>Work Draft:</i> Page 12 lines 9-27</p> <p>End</p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.170(j) (2019) <i>Alaska Statute § 24.60.170(j) (2019) Title 24.60 Legislative Ethics Act / Article 3. Legislative Ethics Committee; AS 24.60.170 proceedings before the committee; limitations.</i>	Work Draft (April 25, 2025)	Work Draft (April 25, 2025) Continued	Notes / Changes
<p>(j) If the committee has issued a formal charge under (h) of this section, and if the person charged has not admitted the allegations of the charge, the committee shall schedule a hearing on the charge. The committee may appoint an individual to present the case against the person charged if that individual does not provide other legal advice to the committee except in the course of presenting cases under this subsection. The hearing shall be scheduled for a date more than 20 and less than 90 days after service of the charge on the person charged, unless the committee schedules a later hearing date. If the complainant prevents the hearing from starting before the 90-day deadline passes and a quorum of the committee determines by vote of a majority of committee members the delay is not supported by a compelling reason or will result in the person charged being deprived of a fair hearing, the committee may dismiss the complaint with prejudice or enter some other order the committee determines is appropriate. At the hearing, the person charged shall have the right to appear personally before the committee, to subpoena witnesses and require the production of books or papers relating to the proceedings, to be represented by counsel, and to cross-examine witnesses. A witness shall testify under oath. The committee is not bound by the rules of evidence, but the committee's findings must be based upon clear and convincing evidence. Testimony taken at the hearing shall be recorded, and evidence shall be maintained.</p>	<p>Sec. 18. AS 24.60.170(j) is amended to read:</p> <p>(j) If the committee has issued a formal charge under (h) of this section[,] and [IF] the person charged has not admitted the allegations of the charge, the committee shall schedule a hearing on the charge. The committee may appoint a person who does not advise the committee, except in the course of presenting cases under this section, [AN INDIVIDUAL] to present the case against the subject of the complaint [PERSON CHARGED IF THAT INDIVIDUAL DOES NOT PROVIDE OTHER LEGAL ADVICE TO THE COMMITTEE EXCEPT IN THE COURSE OF PRESENTING CASES UNDER THIS SUBSECTION]. The committee shall schedule a hearing [SHALL BE SCHEDULED FOR A] date that is more than 20 and fewer [LESS] than 90 days after service of the charge on the subject of the complaint [PERSON CHARGED], unless the committee schedules a later hearing date. If the complainant prevents the hearing from starting</p>	<p>until after the date scheduled by the committee [BEFORE THE 90-DAY DEADLINE PASSES] and a quorum of the committee determines by vote of a majority of committee members the delay is not supported by a compelling reason or will result in the person charged being deprived of a fair hearing, the committee may order [DISMISS] the complaint dismissed with prejudice or enter some other order the committee determines is appropriate. At the hearing, the subject of the complaint [PERSON CHARGED] shall have the right to appear personally before the committee, [TO] subpoena witnesses and require the production of books or papers relating to the proceedings, [TO] be represented by counsel, and [TO] cross-examine witnesses. A witness shall testify under oath. The hearing is not subject to [COMMITTEE IS NOT BOUND BY] the rules of evidence, but the committee's findings must be based upon clear and convincing evidence. The committee shall record [TESTIMONY TAKEN AT] the hearing [SHALL BE RECORDED,] and maintain evidence [SHALL BE MAINTAINED].</p>	<p><i>Committee comments:</i> Clarifies and provides consistency to the language addressing a hearing or a person formally charged by the Ethics Committee.</p> <p><i>Work Draft:</i> Page 12 lines 29-31 Page 13 lines 1-22 End</p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.170(k) (2019) <i>Alaska Statute § 24.60.170(k) (2019) Title 24.60 Legislative Ethics Act / Article 3. Legislative Ethics Committee; AS 24.60.170 proceedings before the committee; limitations.</i>	Work Draft (April 25, 2025)	Work Draft (April 25, 2025) Continued	Notes / Changes
<p>(k) Following the hearing, the committee shall issue a decision stating whether or not the subject of the complaint violated this chapter, and explaining the reasons for the determination. The committee's decision may also indicate whether the subject cooperated with the committee in its proceedings. If the committee finds a violation, or lack of cooperation by the subject, the decision shall recommend what sanctions, if any, the committee believes are appropriate. If there has not been a hearing because the person charged admitted to the allegations of the charge, the committee shall issue a decision outlining the facts of the violation and containing a sanctions recommendation.</p>	<p>Sec. 19. AS 24.60.170(k) is amended to read:</p> <p>(k) Following the hearing, the committee shall issue a decision stating whether or not the subject of the complaint violated this chapter, and explaining the reasons for <u>that</u> [THE] determination. The <u>committee</u> [COMMITTEE'S DECISION] may also indicate <u>in the decision</u> whether the subject <u>of the complaint</u> cooperated with the committee in [ITS] proceedings <u>under this section</u>. If the committee <u>finds that the subject of the complaint violated this chapter or did not cooperate with proceedings under this section, the committee shall recommend in the decision</u> [A VIOLATION, OR LACK OF COOPERATION BY THE SUBJECT, THE DECISION SHALL RECOMMEND WHAT] sanctions, if any, the committee believes are appropriate. If <u>the committee does not hold a hearing under (i) of this section</u> [THERE HAS NOT BEEN A HEARING] because the <u>subject of the complaint</u> [PERSON CHARGED] admitted [TO] the allegations of</p>	<p>the charge, the committee shall issue a decision outlining the facts of the violation and recommending sanctions, if any, the committee believes are appropriate [CONTAINING A SANCTIONS RECOMMENDATION].</p>	<p><i>Committee comments:</i> Clarifies and provides consistency to the language addressing the Ethics committee's decision and sanction issuance process following a formal hearing.</p> <p><i>Work Draft:</i> Page 13 lines 24-31 Page 14 lines 1-7 End</p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.170(l) (2019) <i>Alaska Statute § 24.60.170(l) (2019) Title 24.60 Legislative Ethics Act / Article 3. Legislative Ethics Committee; AS 24.60.170 proceedings before the committee; limitations.</i>	Work Draft (April 25, 2025)	Work Draft (April 25, 2025) Continued	Notes / Changes
<p>(l) Proceedings of the committee relating to complaints before it are confidential until the committee determines that there is probable cause to believe that a violation of this chapter has occurred. Except to the extent that the confidentiality provisions are waived by the subject of the complaint, the person filing a complaint shall keep confidential the fact that the person has filed a complaint under this section as well as the contents of the complaint filed. The complaint and all documents produced or disclosed as a result of the committee investigation are confidential and not subject to inspection by the public. If in the course of an investigation or probable cause determination the committee finds evidence of probable criminal activity, the committee shall transmit a statement and factual findings limited to that activity to the appropriate law enforcement agency.</p> <p><i>(Continued next slide)</i></p>	<p><i>Sec. 20. AS 24.60.170(l) is repealed and reenacted to read:</i></p> <p>(l) A complaint filed under this section is confidential. The complainant shall keep confidential the filing of the complaint and the information that is in the complaint. Except as otherwise provided in this section or as necessary for the committee to administer the requirements of this section, documents produced or disclosed as a result of a committee investigation under this section are confidential and not subject to inspection by the public. The confidentiality provisions of this subsection, other than those limiting disclosure of information that may be used to identify a witness other than the subject of the complaint, may be waived by the subject of the complaint.</p>	N/A	<p><i>Committee comments:</i> Repeals subsection (l) and adds language addressing that a complaint is confidential and those involved in a complaint may not disclose names or other information that may be used to identify the subject of the complaint, the complainant, or a person who may give testimony in the matter.</p> <p><i>Work Draft: Page 13 lines 9-17</i></p> <p><i>Continued Next Page</i></p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.170(l) (2019)	Work Draft (April 25, 2025)	Ethics Committee Redraft (October 31, 2025)	Notes / Changes
<p>Alaska Statute § 24.60.170(l) (2019) Title 24.60 Legislative Ethics Act / Article 3. Legislative Ethics Committee; AS 24.60.170 proceedings before the committee; limitations.</p> <p>(l) ...If the committee finds evidence of a probable violation of AS 15.13, the committee shall transmit a statement to that effect and factual findings limited to the probable violation to the Alaska Public Offices Commission. All meetings of the committee before the determination of probable cause are closed to the public and to legislators who are not members of the committee. However, the committee may permit the subject of the complaint to attend a meeting other than the deliberations on probable cause. The confidentiality provisions of this subsection may be waived by the subject of the complaint. Except to the extent that the confidentiality provisions are waived by the subject of the complaint, if the committee finds that a complainant has violated any confidentiality provision, the committee shall immediately dismiss the complaint. Dismissal of a complaint under this subsection does not affect the right of the committee or any person other than the complainant to initiate a complaint based on the same factual allegations</p>	<p><i>Sec. 20. AS 24.60.170(l) is repealed and reenacted to read:</i></p> <p>...If the subject of a complaint waives confidentiality of the complaint under this subsection, the complaint may not be made public unless information sufficient to disclose the identity of other persons identified in the complaint is redacted. A person may not disclose names or other information that may be used to identify a witness without the consent of the witness. A person who is a witness may consent to disclosure of their own name or identifying information. In this subsection, "witness" means the complainant, the subject of the complaint, or another person who may give testimony in the matter.</p>	<p><i>Page 14 of the Work Draft dated April 25, 2025, Section 20, AS 24.60.170(l) is repealed and reenacted, Lines 17-20 reads as follows:</i></p> <p><u>Change Line 17 to Line 20 to read as follows:...</u> If the subject of a complaint waives confidentiality of the complaint under this subsection, the complaint may not be made public unless information sufficient to disclose the identity of other persons identified in the complaint, including the complainant, is redacted. A person may not disclose names or other information that may be used to identify a witness without the consent of the witness. In this subsection, "witness" means the complainant, the subject of the complaint or another person who may give testimony in the matter.</p>	<p><i>Committee comments:</i> The additional language makes it clear that the complainant is also included in the requirement to redact the identity of other persons identified in the complaint before making the complaint public.</p> <p>Question: what does this mean, "A person may not disclose ...? "A person" is not defined in AS 24.60. Furthermore, "a person" must be someone covered under AS 24.60 for the requirement to not disclose names or other information to have meaning.</p> <p><i>Work Draft: Page 13 lines 17-24</i></p> <p>End</p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.170(m) (2019) <small>Alaska Statute § 24.60.170(m) (2019) Title 24.60 Legislative Ethics Act / Article 3. Legislative Ethics Committee; AS 24.60.170 proceedings before the committee; limitations.</small>	Work Draft (April 25, 2025)	Ethics Committee Redraft (October 31, 2025)	Notes / Changes
<p>(m) All documents issued by the committee after a determination of probable cause to believe that the subject of a complaint has violated this chapter, including an opinion recommending corrective action under (g) of this section and a formal charge under (h) of this section, are subject to public inspection. Hearings of the committee under (j) of this section are open to the public, and documents presented at a hearing, and motions filed in connection with the hearing, are subject to inspection by the public. Deliberations of the committee following a hearing, deliberations on motions filed by the subject of a charge under (h) of this section, and deliberations concerning appropriate sanctions are confidential.</p>	<p>Sec. 21. AS 24.60.170(m) is amended to read:</p> <p>(m) All documents issued by the committee after a determination of probable cause to believe that the subject of a complaint has violated this chapter, including <u>a recommendation</u> [AN OPINION RECOMMENDING CORRECTNE ACTION] under (g) of this section and a formal charge under (h) of this section, are subject to public inspection. Hearings of the committee under G of this section are open to the public, and documents presented at a hearing, and motions filed in connection with the hearing, are subject to inspection by the public. <u>A deliberation or vote</u> [DELIBERATIONS] of the committee following a hearing, <u>a deliberation or vote</u> [DELIBERATIONS] on <u>a motion</u> [MOTIONS] filed by a <u>person charged</u> [THE SUBJECT OF A CHARGE] under (h) of this section, and a <u>deliberation or vote</u> [DELIBERATIONS] concerning <u>an</u> appropriate <u>sanction</u> [SANCTIONS] are confidential.</p>	<p><i>Page 14 of the Work Draft dated April 25, 2025, Section 21, AS 24.60.170(m) is amended, Lines 26-31 and Page 15 Lines 1-6 reads as follows:</i></p> <p>AS 24.60.170(m) All documents issued by the committee after a determination of probable cause to believe that the subject of a complaint has violated this chapter, including a recommendation under (g) of this section and a formal charge under (h) of this section, are subject to public inspection. Hearings of the committee under (j) of this section are open to the public, and documents presented at a hearing, and motions filed in connection with the hearing are subject to inspection by the public</p>	<p>Committee comments: Removed language addressing deliberations and vote as the subject matter is covered in AS 24.60.170(d)(3).</p> <p>This section states that all documents issued by the Ethics Committee after a determination of probable cause including a recommendation to take corrective action are public.</p> <p><i>Work Draft: Page 14 lines 26-31 Page 15 lines 1-6</i></p> <p>End</p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60.170(r) (2019) <i>Alaska Statute § 24.60.170(r) (2019) Title 24.60 Legislative Ethics Act / Article 3. Legislative Ethics Committee; AS 24.60.170 proceedings before the committee; limitations.</i>	Work Draft (April 25, 2025)	Work Draft (April 25, 2025) Continued	Notes / Changes
<p>(r) At any point in the proceedings when the subject of a complaint appears before the committee, the subject of a complaint may choose to be accompanied by legal counsel or another person who may also present arguments before the committee. The choice of counsel or another person is not subject to review and approval or disapproval by the committee. The choice by the subject of a complaint to be accompanied under this subsection does not constitute a waiver of any confidentiality provision in this chapter.</p>	<p>Sec. 22. AS 24.60.170(r) is amended to read:</p> <p>(r) At any point in <u>a proceeding under this section</u> [THE PROCEEDINGS WHEN THE SUBJECT OF A COMPLAINT APPEARS BEFORE THE COMMITTEE,] the subject of <u>the</u> [A] complaint may choose to be <u>represented</u> [ACCOMPANIED] by <u>a</u> legal counsel or <u>other</u> [ANOTHER] person who may [ALSO] present arguments before the committee. The choice of <u>representation</u> [COUNSEL OR ANOTHER PERSON] is not subject to review and approval or disapproval by the committee. The [CHOICE BY THE] subject of a complaint <u>does not waive confidentiality by choosing to be represented</u> [TO BE ACCOMPANIED UNDER THIS SUBSECTION DOES NOT CONSTITUTE A WANER OF ANY CONFIDENTIALITY PROVISION IN THIS CHAPTER].</p>	N/A	<p><i>Committee comments:</i> Clarifies and provides consistency to the language addressing that the subject of a complaint may choose to be represented by legal counsel and does not waive confidentiality by choosing to be represented.</p> <p><i>Work Draft:</i> Page 15 lines 8-17</p> <p>End</p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60 (2019)	Work Draft (April 25, 2025)	Work Draft (April 25, 2025) Continued	Notes / Changes
N/A	<p><i>Sec. 23. AS 24.60.171 is amended by adding new sections to read:</i></p> <p>Committee proceedings and campaign periods. (a) If the committee receives a complaint concerning the conduct of a candidate for state office during a campaign period, the committee shall immediately notify the candidate of the complaint, the suspension of the committee's jurisdiction during the campaign period, and the candidate's right to waive the suspension of jurisdiction under this subsection. The candidate may, within 11 days after the committee mails or otherwise sends notice of the complaint to the candidate, notify the committee that the candidate waives suspension of the committee's jurisdiction and chooses to have the committee proceed with the complaint under this section. If the candidate does not act within that time or if the candidate notifies the committee that the candidate is not waiving suspension of the committee's jurisdiction, the committee shall return the complaint to the complainant with notice of the suspension of jurisdiction under this subsection</p>	<p>and notice of the complainant's right to file the complaint after the campaign period ends.</p> <p>(b) When a complaint concerning the conduct of a candidate for state office is pending before the committee at the beginning of a campaign period and the committee has not issued formal charges under AS 24.60.170(h), the committee may consider the complaint but shall treat the complaint as confidential under AS 24.60.170. The committee may not, during a campaign period, issue a dismissal order or decision under AS 24.60.170(f), issue a recommendation under AS 24.60.170(g), or formally charge a person under AS 24.60.170(h).</p> <p>(c) If the committee has formally charged a person under AS 24.60.170(h) and the charge is still pending when a campaign period begins, the committee shall, unless the person charged requests otherwise, suspend public hearing of the charge until after the campaign period ends. However, the parties to the hearing may engage in discovery under AS 24.60.170(i) during the campaign period. <i>(Continued next slide)</i></p>	<p><i>New section addressing campaign periods.</i></p> <p><i>Work Draft: Page 15 lines 19 - 31 Page 16 lines 1- 12</i></p> <p><i>Continued Next Page</i></p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60 (2019)	Work Draft (April 25, 2025)	Ethics Committee Redraft (October 31, 2025)	Notes / Changes
N/A	<p><i>Sec. 23. AS 24.60.171 is amended by adding new sections to read:</i></p> <p>(d) If a hearing under AS 24.60.170(j) has been completed before the beginning of a campaign period but the committee has not yet issued a decision under AS 24.60.170(k), the committee may not issue the decision until after the campaign period ends.</p> <p>(e) In this section, "campaign period" means a period that begins on the later of 45 days before a primary election in which a legislator or legislative employee is a candidate for state office or on the day a legislator or legislative employee files as a candidate for state office, and ends at the end of the day on the earlier of the day</p> <p>(1) that the results of the primary election are certified and made public, if the candidate does not advance to the general or special election;</p> <p>(2) of the general or special election at which the legislator or legislative employee is a candidate; or</p> <p>(3) the candidate withdraws from the election</p>	<p>Page 15 of the Work Draft dated April 25, 2025, Section 23, AS 24.60 is amended by adding a new section to read, Lines19-23: AS 24.60.171(a)</p> <p>Change language to read: If the committee receives a complaint concerning the conduct of a candidate for state office, <u>who is covered under AS 24.60</u>, during a campaign period,</p>	<p><i>Committee comments:</i> Only candidates covered under AS 24.60 are subject to the conditions outlined in AS 24.60.171(a).</p>

*Work Draft: 16 lines 13-25
End*



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60 (2019)	Work Draft (April 25, 2025)	Ethics Committee Redraft (October 31, 2025)	Notes / Changes
N/A	<p><i>Sec. 24. AS 24.60.172 is amended by adding new sections to read:</i></p> <p>Committee proceedings closed pending probable cause determination. When a complaint alleging a violation of this chapter has been filed, a meeting of the committee to discuss the complaint is closed to the public and legislators who are not members or alternate members of the committee, until after the committee has determined whether there is probable cause to believe the subject of the complaint has violated this chapter. The committee may permit the subject of the complaint to attend a meeting other than a meeting where the committee deliberates or votes whether probable cause exists. The committee shall disclose the names of members present at a meeting where the committee deliberates or votes on a motion before the committee, and whether the outcome of the motion was determined by a majority. The number of votes cast for or against a motion and the individual votes cast by committee members are confidential.</p>	<p>Page 16 of the Work Draft dated April 25, 2025, Section 23, AS 24.60 is amended by adding a new section to read: AS 24.60.172 Committee proceedings closed pending probable cause determination, Page 16, Lines 26-31 and Page 17, Lines 1-6.</p>	<p><i>Committee comments:</i> This entire section, AS 24.60.172 Committee proceedings closed pending probable cause determination, can be deleted as the subject matter is covered in AS 24.60.170(d)(3) above and includes language for confidential committee proceedings for ALL types of deliberations and vote regardless the outcome of the complaint.</p> <p><i>Work Draft:</i> Page 16 lines 26-31 Page 15 lines 1-6 <u>End</u></p>



Proposed Updates to Ethics Legislation

Alaska Statute § 24.60 (2019)	Work Draft (April 25, 2025)	Ethics Committee Redraft (October 31, 2025)	Notes / Changes
N/A	<p><i>Sec. 24. AS 24.60.975 is amended by adding a new section to read:</i></p> <p>Sec. 24.60.975. Referral to Alaska Public Offices Commission. If the committee finds evidence of a probable violation of AS 15.13 by a person who is subject to the Legislative Ethics Act, the committee shall transmit a statement to that effect and factual findings limited to the probable violation to the Alaska Public Offices Commission.</p> <p><i>Sec. 25. AS 24.60.990 (a) is amended by adding a new paragraph to read:</i></p> <p>(17) "public member" means a member or alternate member of the committee who is not a member of the legislature.</p> <p>Sec. 26. AS 24.60.170(0), 24.60.170(p), and 24.60.170(q) are repealed.</p> <p>Sec. 27. This Act takes effect immediately under AS 01.10.070(c).</p>	<p>Delete: Sec. 24.60.975. Referral to Alaska Public Offices Commission. If the committee finds evidence of a probable violation of AS 15.13 by a person who is subject to the Legislative Ethics Act, the committee shall transmit a statement to that effect and factual findings limited to the probable violation to the Alaska Public Offices Commission.</p>	<p><i>Committee comments: Section 24.60.975 Already addressed in 24.60.170(e)</i></p> <p><i>Work Draft: Page 17 Lines 7-17</i></p> <p><u>Stop</u></p>

Proposed Updates to Ethics Legislation



Questions and Comments