

AGENDA ITEM 11.) Procedure to Address Suggestions for Statutory Changes to the Act

ISSUE: Periodically legislators, legislative employees, the public, and committee members suggest changes to the Legislative Ethics Act. What procedure should be followed when this occurs? The committee does not have an internal procedure or a formal policy in place. Staff suggests the committee develop a formal policy to be included in Section 2, Administrative Policies, of the Committee's Rules of Procedure.

Relevant Statute: *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."*

Recently at ethics training, several legislators offered suggestions for changes to the Act. They specifically asked if the Ethics Committee would forward their recommendations to the Legislature. No commitment was made by Ethics staff. (The recommendations were: increase the \$250 gift limit, clarify the use of state resources and secondary campaign activity, report gifts of travel/hospitality only when received from other than a state department, and remove the confidential gift disclosure requirement.)

DISCUSSION:

Questions to consider:

- Should the Ethics Committee be the vehicle to move recommendations for statutory change if the recommendation comes from other than the committee?
- What criteria should be used to evaluate recommendations that are submitted to the committee for consideration? For instance, AS 24.60.150(b)(1) uses the terms "desirable or necessary to promote and maintain high standards of ethical conduct in government."
- Should the recommendation be forwarded to the chair of the committee or the entire committee for consideration?
- Should recommendations be placed on the next committee agenda for consideration, if timely?
- Suggest recommendations always be in written form and state who is making the recommendation and why. If a person verbally suggests a change and does not follow through with a written request, suggest that no action be taken by the committee.
- What type of response should be sent to the person making the recommendation? For example a response stating no action taken because – and list the reasons or a response stating your recommendation was forwarded to the committee for consideration.

ACTION:

Options: Develop a formal policy, develop an internal procedure, or take no action.