

Municipality of Anchorage



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BOARD OF ETHICS

May 17, 2011

To: Harriet Drummond , Anchorage Assembly

Re: Request for Advisory Opinion 2011-02

Dear Ms. Drummond:

In issuing this opinion the Board has relied on the information attached to your request and the applicable Anchorage Municipal Code. If material facts have not been disclosed or have been misrepresented this opinion is without force and effect.

The Board of Ethics considered your request for advisory opinion and finds that the applicable provision of the Ethics Code is AMC 1.15.035 C:

C. Disclosure to the elected body. Prior to comment, deliberation or decision on a matter coming before the elected body, an elected official shall disclose any financial or private interest of the member in the matter, including a financial or private interest held by a member of the elected official's household.

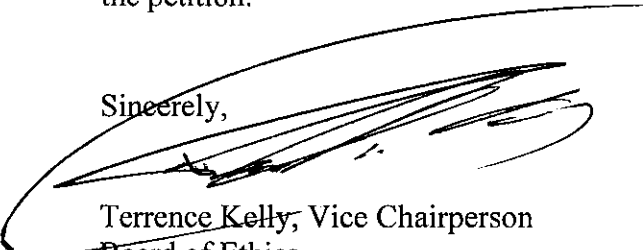
1. Full and complete disclosure of a financial or private interest is required.
2. The nature of the financial or private interest shall be disclosed in sufficient detail to permit the other members of the elected body to determine if the interest is substantial.
3. If the presiding officer exercises parliamentary authority by making an initial ruling on a disclosure of financial or private interest, or a member's request to be excused from participation, the decision of the presiding officer may be overridden by the majority vote of the elected body.
4. The member of the elected body making the disclosure shall not rule or vote on whether the financial or private interest is substantial.

5. An elected official shall not be sanctioned for acting in compliance with the determination of the elected body if the financial or private interest is fully and fairly disclosed.

6. The jurisdiction of the board to determine a violation under this chapter by an elected official for participation in a matter after disclosure of a financial or private interest is expressly limited to the sufficiency of the disclosure.

The Board advises you to make the disclosure as required by AMC 1.15.035.035, and let the Assembly decide if your interest is substantial enough to preclude you from voting on the petition.

Sincerely,



Terrence Kelly, Vice Chairperson
Board of Ethics
Municipality of Anchorage