

CLERK'S OFFICE  
**AMENDED AND APPROVED**

Date: 4-8-14

Submitted by: ASSEMBLY MEMBER DEMBOSKI

Prepared by: Assembly Counsel

For reading: January 14, 2014

**ANCHORAGE, ALASKA**

**AO NO. 2014-13**

**AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 1.15 TO ALLOW FOR DISCLOSURE AND APPROPRIATE ADJUSTMENT OF TRAVEL REIMBURSEMENT FOR MUNICIPAL EMPLOYEES AND ELECTED OFFICIALS ENGAGING IN CANDIDATE FUNDRAISING WHILE ON PAID TRAVEL STATUS FOR THE MUNICIPALITY.**

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WHEREAS, municipal elected officials are not required to resign from municipal office to run for municipal, state or federal elected office;

WHEREAS, municipal employees may seek elected office as an official candidate without resigning from current municipal employment;

WHEREAS, campaign and fundraising on private time is not prohibited;

WHEREAS, it is appropriate to provide an equitable mechanism to prorate travel expenses and allow a candidate for elected municipal, state, or federal office to engage in "off hours" campaigning and fundraising, no matter how denominated;

**WHEREAS, the time between now and the proposed effective date of January 1, 2015 will allow the Administrative to develop the policy and procedure to incorporate these changes;**

WHEREAS, disclosure by trip report and a *pro rata* adjustment to the travel expense payable under municipal travel regulation, including airfare, can be incorporated in the municipal travel policy to implement the Ethics Code; now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

**Section 1.** Anchorage Municipal Code section 1.15.020 is hereby amended to read as follows (*subsections not affected are not set out*):

**1.15.020 Prohibited conduct.**

A. These actions are in conflict with the public interest and therefore no person included within the scope of this chapter shall:

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7. Divert or permit the diversion of municipal personnel time, municipal services, vehicles, equipment, materials or other property for a purpose unrelated to municipal business. Occasional use of municipal resources, employee participation in community service events, and employee charitable fundraising are not prohibited by this subsection and are outside the jurisdiction of the ethics board if duly authorized by the assembly or in writing by the mayor or the



**MUNICIPALITY OF ANCHORAGE**  
**ASSEMBLY INFORMATION MEMORANDUM**

No. AIM 42-2014

Meeting Date: March 11, 2014

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**From:** CHAIR OF THE ASSEMBLY

**Subject:** Board of Ethics Advisory Opinion 2014-2 regarding AO 2014-13

The attached document is provided for Assembly review and consideration.

Prepared by: Lisa Schleusner, Records Coordinator  
Approved by: Barbara A. Jones, Municipal Clerk  
Respectfully submitted: Ernie Hall, Assembly Chair



Municipality of Anchorage  
**Board of Ethics**  
c/o Municipal Clerk's Office  
632 W. 6<sup>th</sup> Ave. Ste. 250 Anchorage, AK 99501

February 28, 2014

Anchorage Assembly,  
Amy Demboski, Assemblymember and Sponsor of AO 2014-13

**Re: Request for Advisory Opinion 2014-2, Comment on Proposed Ethics Code Rewrite in AO 2014-13**

Dear Anchorage Assembly and Assemblymember Demboski:

Following introduction of AO 2014-13 at the Regular Assembly Meeting of January 14, 2014, the Assembly referred AO 2014-13 to the Board of Ethics (the "Board") for comment. AO 2014-13 proposes a rewrite to the Ethics Code section addressing travel reimbursement by employees and elected officials who are candidates and who engage in non-business related activities while on travel status paid for by the Municipality. The rewrite provides:

**1.15.020 Prohibited conduct.**

- A. These actions are in conflict with the public interest and therefore no person included within the scope of this chapter shall:

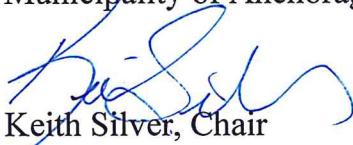
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7. Divert or permit the diversion of municipal personnel time, municipal services, vehicles, equipment, materials or other property for a purpose unrelated to municipal business. Occasional use of municipal resources, employee participation in community service events, and employee charitable fundraising are not prohibited by this subsection and are outside the jurisdiction of the ethics board if duly authorized by the assembly or in writing by the mayor or the mayor's designee. If a current municipal employee or elected official is a candidate for elected municipal, state, or federal office, any engagement in personal work, vacation, or fundraising while on paid travel status for the municipality shall be disclosed by trip

report, and the travel expense payable under municipal travel regulation, including airfare, shall be adjusted *pro rata*.

The Board has no objection to the proposed change with the following exception. The Board recommends that the phrase, "personal work, vacation, or" be deleted. Travel expense and reimbursements for personal non-business related activities are generally addressed in Municipal Policy/Procedure, 68-1. The Board finds no ethical reason to treat differently travel time for personal work and vacation by non-candidates from travel time for personal work and vacation by candidate employees and elected officials.

Municipality of Anchorage Board of Ethics:



Keith Silver, Chair

David Nesbett, Vice-Chair

Ted Carlson

Terrence Kelly

Steve Strom