

STATE OF ALASKA DEPARTMENT OF ADMINISTRATION Policy and Procedures		DIVISION: Commissioner's Office	Page 1 of 5
SUBJECT: Legislative Contact Protocol	APPROVED BY: Becky Hultberg, Commissioner		DATED: January 1, 2013

Purpose:

To provide direction to staff regarding the protocol for a variety of contacts with the Legislature and legislative staff (Legislative Budget and Audit, Legislative Affairs, Legislative Finance)

Background:

The Department of Administration's (DOA) mission is to provide centralized administrative services to support the State of Alaska. In fulfilling this mission, communication with Legislative groups plays a significant role. The guidelines outlined herein are intended to provide uniformity and consistency to the process of communicating with legislators, legislative committees and legislative staff.

**Note when the following are used in this policy/procedure, contact is:

Deputy Commissioner/Legislative Liaison – Curtis Thayer, curtis.thayer@alaska.gov, 269-5795 or 465-5671

Special Assistant – Tina La Rose, tina.larose@alaska.gov, 269-6293

Special Assistant – Andy Mills, andy.mills@alaska.gov, 465-1176

PROCEDURE FOR RESPONDING TO LEGISLATIVE CONTACT

OVERVIEW

An important aspect of the relations between the executive and legislative branches of government is the responsibility of executive agencies to respond to requests for information about the agency's programs. Maintaining good relations with legislative staff, through a variety of contacts, is the focus of this document.

REQUESTS FOR INFORMATION AND REPORTS

Regardless of the kind of request, it is DOA policy to always respond in a prompt, courteous and thorough manner, while adhering to the following general guidelines:

- Be certain you fully understand the question or request – and know what facts you should provide. It is often helpful to ask for the context of the request to make sure that you understand what information is sought so that you can provide the legislator with the information most useful to the requestor.
- Depending on the nature of the question, it may be appropriate to funnel correspondence back through the Commissioner's Office for a coordinated response.
- If you are unsure of an answer, say you do not know and offer to get back to the requestor as soon as you find the answer. Be sure to follow through on that commitment.
- Try to be as helpful and courteous as possible.
- If the request is going to involve extensive staff time, let the requestor know.
- When in doubt, check with your Division Director and the Deputy Commissioner/Legislative Liaison.
 - ✓ The Deputy Commissioner will work with the Division Director to identify the appropriate contact. The Special Assistant will work with the Division Director and Deputy Commissioner to ensure a timely response on all requests.

LEGISLATIVE COMMUNICATION PROTOCOL

Transmission of timely and accurate information to legislative staff is crucial. Although elements in the chain of command (see attached flow chart) should generally not be skipped, timeliness of the situation may warrant certain actions. When necessary, the Division Director or designee should promptly notify the Commissioner's Office with recommended actions or steps to be taken so that it can be evaluated and reassigned.

When legislative contact is made, the following steps should be taken:

1. **Initial Notification:** Notify your supervisor.
2. **Evaluation:** Supervisor notifies Division Director and Deputy Commissioner/Legislative Liaison, who may bring the Commissioner into the loop depending on the nature of the request. Then the appropriate person is designated to gather information, and timeline is

established for completing the task. During the legislative session, a quick turnaround is essential (three days or less).

3. **Dissemination:** The Division Director or Deputy Commissioner/Legislative Liaison will deliver information to legislative staff unless otherwise determined by the Commissioner's Office.

Special Assistant will:

- Facilitate the gathering and distribution of information requested.
- Keep requestor apprised of timelines and any delays, and update SharePoint site with most current status.
- Offer to follow-up any questions that require additional information.
- Always copy the Commissioner's Office on legislative responses, and maintain a list of all legislative contacts.

Division Director will:

- Evaluate situation to determine the extent of involvement needed from other department staff and/or the Governor's Office.
- Ensure that attendance at hearings and other legislative meetings is limited only to staff assigned to testify or who otherwise need to be there. Please notify the Commissioner's Office when requested to testify at a hearing or legislative meeting.

TYPES OF CONTACT

Legislative staff/Legislative research contacts DOA directly by phone or email

- Be as helpful and forthcoming as possible while maintaining necessary confidentiality, such as with personal contact information or deliberative conversations.
 - ✓ Employees are encouraged to provide immediate replies to questions that are factual and publicly available such as a deadline or a link to data or a report.
 - ✓ If the information requested falls into the realm of policy decisions, is particularly sensitive in nature or if you do not have the answer readily available, someone will get back to them promptly with an answer or refer the matter to the Commissioner's Office.

In these cases, please contact the Deputy Commissioner/Legislative Liaison via e-mail or phone at 269-5795 or 465-5671.

- Immediately after contact, fill out a legislative contact form and return it to your supervisor, Division Director, Special Assistant and Deputy Commissioner/Legislative Liaison. Legislative contact forms are found at the home page of the DOA intranet, under the "Other" tab or directly at:
- If contact is by e-mail, please forward message promptly, without response, to your supervisor, Division Director, Deputy Commissioner/Legislative Liaison.

Legislative staff contacts DOA Legislative Liaison

- If request involves a detailed response, the Special Assistant, in consultation with the Commissioner's Office, will determine the best means of filling the request.
- If program staff is needed to gather information, the Special Assistant will work with the Division Director to identify appropriate staff to coordinate a response.

If contacted by the Legislative Liaison on behalf of a legislative office

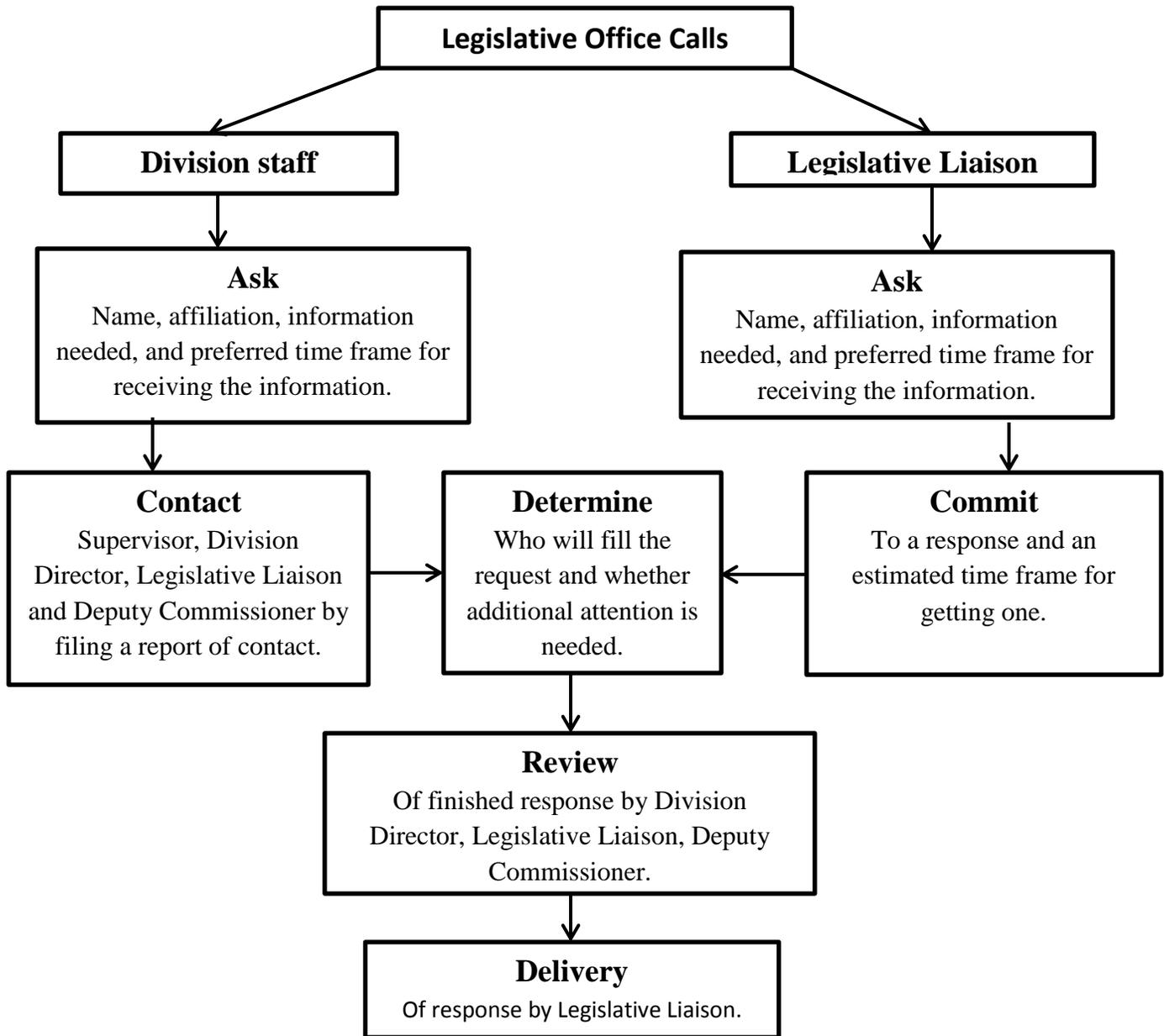
- Legislative staff frequently contacts the Deputy Commissioner/Legislative Liaison on behalf of constituents with questions regarding programs within the department. Requests can vary in scope from a formal published report to an oral question.
- The Special Assistant will work with the Division Director for the best way to contact their program staff, either directly or through the Division Director.
 - ✓ Division Directors and staff should let the Special Assistant/Deputy Commissioner know the time frame in which to expect an answer.

PUBLIC EMPLOYEE PERSONAL TESTIMONY BEFORE THE LEGISLATURE

Rights and Responsibilities

- Any employee who wishes to testify must be on their own personal time when testifying before the Legislature in a non-representative capacity, and their timesheet should reflect this.
- A public employee speaking as a representative of government should not interject personal opinion.
- An employee's speech is not protected under the First Amendment if the employee strays from and undermines the agency's position while testifying or giving an opinion on behalf of the agency.
- A public employee who testifies off duty has greater speech rights and privacy rights than an employee representing the administration in the course and scope of employment, but even those off-duty rights are not absolute.
 - ✓ Employees expressing their own opinions should always identify themselves as speaking in their capacity as a private citizen. Additionally, they should not display any clothing or identification that associates them with their public employer.

FLOW CHART FOR HANDLING LEGISLATIVE REQUESTS FOR INFORMATION



Commissioner's Office order of contact:

1. Tina La Rose, tina.larose@alaska.gov, 269-6293
2. Curtis Thayer, curtis.thayer@alaska.gov, 269-5795 or 465-5671
3. Andy Mills, andy@alaska.gov, 465-1176
4. Mike Barnhill, mike.barnhill@alaska.gov, 465-5668
5. Becky Hultberg, becky.hultberg@alaska.gov, 465-5670