

ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672

7734 CONFERENCE COMMITTEE / FREE CONFERENCE COMMITTEE

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1 (b) In this section, "contribution" has the meaning given in AS 15.13.130.

2 Sec. 24.60.033. RESTRICTIONS ON EMPLOYEE CANDIDACIES. A legislative  
3 employee may not file a letter of intent to become a candidate or file a declaration of candidacy  
4 for the legislature.

5 Sec. 24.60.035. PROTECTION OF WHISTLE BLOWERS. A legislator or legislative  
6 employee may not, directly or indirectly, subject a person who reports to the committee or  
7 another government entity conduct the person reasonably believes is a violation of this chapter  
8 or another state law, to reprisal, harassment, or discrimination. A legislative employee who is  
9 discharged, disciplined, involuntarily transferred, or otherwise penalized by a legislator or another  
10 legislative employee in violation of this subsection may

11 (1) bring a complaint before the committee; and

12 (2) bring a separate civil action in the courts seeking damages, payment of back  
13 wages, reinstatement, or other relief.

14 Sec. 24.60.037. OPEN MEETINGS LAW. Legislators shall abide by AS 44.62.310 -  
15 44.62.312 (open meetings law).

16 Sec. 24.60.039. DISCRIMINATION PROHIBITED. A legislator or legislative employee  
17 may not engage in acts of discrimination in violation of AS 18.80.220.

18 \* Sec. 5. AS 24.60.040(a) is amended to read:

19 (a) A legislator or legislative employee, or a member of the immediate family of a  
20 legislator or legislative employee [PERSON TO WHOM THIS CHAPTER APPLIES] may not  
21 be a party to or have an interest in a state contract or lease unless the contract or lease is let  
22 through competitive sealed bidding under AS 36.30 (State Procurement Code) or the total annual  
23 amount of the state contract or lease is \$1,000 or less, or is a standardized contract or lease that  
24 [WHICH] was developed under publicly established guidelines and is generally available to the  
25 public at large, members of a profession, occupation, or group. A person has an interest in a  
26 state contract or lease under this section if the person receives direct or indirect financial benefits.

27 \* Sec. 6. AS 24.60.050 is repealed and reenacted to read:

28 Sec. 24.60.050. STATE PROGRAMS AND LOANS. (a) A legislator or legislative  
29 employee may, without disclosure to the committee, participate in a state benefit program or  
30 receive a loan from the state if the program or loan is generally available to members of the  
31 public, is subject to fixed, objective eligibility standards, and requires minimal discretion in

1 determining qualification.

2 (b) The committee shall review state benefit programs and state loans and annually  
3 publish a list of programs and loans, designating which ones do not meet the standards of (a) of  
4 this section.

5 (c) A legislator or legislative employee who participates in a program or receives a loan  
6 that is not exempt from disclosure under (a) of this section shall file a written report with the  
7 committee by February 15 of each year stating the amounts of the loans outstanding or benefits  
8 received during the preceding calendar year from nonqualifying programs. If the committee  
9 requests additional information necessary to determine the propriety of participating in the  
10 program or receiving the loan, it shall be promptly provided. The committee shall promptly  
11 compile a list of the statements indicating the loans and programs and amounts and send it to the  
12 presiding officer of each house who shall have it published in the supplemental journals within  
13 three weeks of the filing date.

14 (d) If loan proceeds or other program benefits are received from nonqualifying programs  
15 or loans after the end of a calendar year, the legislator or legislative employee shall file a  
16 statement with the committee within 30 days after the beginning of participation in the state  
17 program or receipt of proceeds from the state loan or by February 15, whichever is later. If the  
18 committee receives the statement while the legislature is in session, it shall promptly forward the  
19 statement to the chief clerk of the house or the secretary of the senate, as appropriate, who shall  
20 cause it to be published in the supplemental journal. If the committee receives a statement while  
21 the legislature is not in session, it shall forward the statement to the chief clerk of the house or  
22 the secretary of the senate for publication when the legislature next convenes.

23 (e) If the committee determines that a legislator or legislative employee received a state  
24 benefit or loan as a result of unfair or improper influence, the committee may initiate a complaint  
25 or take other appropriate action. In addition, the committee shall refer the matter to the attorney  
26 general for action under other civil or criminal laws.

27 (f) The committee shall annually recommend to the Legislative Budget and Audit  
28 Committee the programs and loans to be audited by the division of legislative audit during the  
29 following year, including the scope of the audit. The records of the relevant state agencies shall  
30 be made available to the division of legislative audit. The division of legislative audit shall  
31 prepare a report to the Legislative Budget and Audit Committee on its findings. The report is

1 confidential until it is released by the Legislative Budget and Audit Committee.

2 \* Sec. 7. AS 24.60.060 is amended to read:

3 Sec. 24.60.060. CONFIDENTIAL INFORMATION. A legislator or legislative  
4 employee may not knowingly make an unauthorized disclosure of [IT IS A CONFLICT OF  
5 INTEREST IF A PERSON TO WHOM THIS CHAPTER APPLIES WILLFULLY DISCLOSES,  
6 OR KNOWINGLY USES, FOR PERSONAL GAIN OR FOR THE PERSONAL GAIN OF  
7 ANOTHER.] information that is made confidential by law [IS NOT AVAILABLE TO THE  
8 PUBLIC] and that the person acquired in the course of official duties. A person who violates  
9 this section is subject to a proceeding under AS 24.60.170 and may be subject to prosecution  
10 under AS 11.56.860 or another law.

11 \* Sec. 8. AS 24.60.070 is amended to read:

12 Sec. 24.60.070. DISCLOSURE OF CLOSE ECONOMIC ASSOCIATIONS  
13 [INTERESTS BETWEEN PUBLIC OFFICIALS]. A legislator or legislative employee  
14 [PERSON TO WHOM THIS CHAPTER APPLIES] shall disclose [IN THE JOURNAL OF THE  
15 APPROPRIATE BODY OR IF THE LEGISLATURE IS NOT IN SESSION] to the committee,  
16 which shall maintain a public record of the disclosure and forward the disclosure to the respective  
17 house for inclusion in the journal [BY THE FIFTH DAY OF THE SESSION], the formation or  
18 maintenance of a close economic association involving a substantial financial matter with

19 (1) a supervisor who is not a member of the legislature who has responsibility or  
20 authority, either directly or indirectly, over the person's employment, including preparing or  
21 reviewing performance evaluations, or granting or approving pay raises or promotions;

22 (2) legislators;

23 (3) a public official who is required to file a financial disclosure statement under  
24 AS 39.50 and is not an appointed municipal officer;

25 (4) a registered lobbyist; or

26 (5) a legislative employee [PERSON TO WHOM THIS CHAPTER APPLIES  
27 WHO IS EMPLOYED BY THE LEGISLATIVE BRANCH OF GOVERNMENT] if the person  
28 required to make the disclosure [CLOSE ECONOMIC ASSOCIATION] is [WITH] a legislator.

29 \* Sec. 9. AS 24.60.070 is amended by adding new subsections to read:

30 (b) A disclosure under this section must be sufficiently detailed that a reader of the  
31 disclosure can ascertain the nature of the association.

1 (c) In this section, "close economic association" means a financial relationship that exists  
2 between a person covered by this chapter and some other person or entity, including but not  
3 limited to relationships where the person covered by this chapter serves as a consultant or advisor  
4 to, is a member or representative of, or has a financial interest in, any association, partnership,  
5 business, or corporation.

6 \* Sec. 10. AS 24.60.080(a) is amended to read:

7 (a) A legislator or legislative employee [PERSON TO WHOM THIS CHAPTER  
8 APPLIES] may not solicit, accept, or receive, directly or indirectly, a gift worth \$100 or more  
9 [IF ANY AMOUNT], whether in the form of money, services, a loan, travel, entertainment,  
10 hospitality, promise, or other form, or gifts from the same person worth less than \$100 that  
11 in a calendar year aggregate to \$100 or more in value, and may not solicit, accept, or  
12 receive during a legislative session a gift with any monetary value from a lobbyist or a  
13 person acting on behalf of a lobbyist [UNDER CIRCUMSTANCES IN WHICH IT COULD  
14 REASONABLY BE INFERRED THAT THE GIFT IS INTENDED TO INFLUENCE THE  
15 PERFORMANCE OF OFFICIAL DUTIES, ACTIONS, OR JUDGMENT].

16 \* Sec. 11. AS 24.60.080(c) is amended to read:

17 (c) Notwithstanding (a) [(b)] of this section, it is not a violation of this section for a  
18 legislator or legislative employee [PERSON TO WHOM THIS CHAPTER APPLIES] to accept

19 (1) hospitality, other than hospitality described in (4) of this subsection

20 (A) with incidental transportation at the residence of a person; or

21 (B) at a social event or meal;

22 (2) discounts that are available generally to the public or to a large class of  
23 persons to which the person belongs;

24 (3) food or foodstuffs indigenous to the state that are shared generally as a  
25 cultural or social norm;

26 (4) travel and hospitality primarily for the purpose of obtaining information on  
27 matters of legislative concern;

28 (5) gifts from the immediate family of the person; or

29 (6) gifts that are not connected with the recipient's legislative status.

30 \* Sec. 12. AS 24.60.080(d) is amended to read:

31 (d) A legislator or legislative employee [PERSON TO WHOM THIS CHAPTER

1 APPLIES] who accepts a gift under (c)(4) or (6) of this section [OF TRAVEL AND  
2 HOSPITALITY PRIMARILY FOR THE PURPOSE OF OBTAINING INFORMATION ON  
3 MATTERS OF LEGISLATIVE CONCERN] shall disclose the gift if it has a value of \$100 or  
4 more. The disclosure must include the name and occupation of the person making the gift and  
5 the approximate value of the gift. Each gift required to be disclosed under this subsection shall  
6 be disclosed within 30 days of the receipt of the gift [IN THE JOURNAL OF THE APPRO-  
7 PRIATE BODY OR, IF THE LEGISLATURE IS NOT IN SESSION,] to the committee. The  
8 committee shall maintain a public record of the disclosure it receives relating to gifts under  
9 (c)(4) of this section and shall forward the disclosure to the appropriate house for inclusion in  
10 the journal. Disclosures relating to gifts under (c)(6) of this section shall be maintained, but  
11 are confidential and may only be used by the committee and its employees and contractors  
12 in the investigation of a possible violation of this section or in a proceeding under  
13 AS 24.60.170. If the disclosures become part of the record of a proceeding under  
14 AS 24.60.170, the confidentiality provisions of that section apply to the disclosures [BY THE  
15 FIFTH DAY OF THE NEXT REGULAR SESSION].

16 \* Sec. 13. AS 24.60.080 is amended by adding new subsections to read:

17 (f) Notwithstanding (a) of this section, a legislator or legislative employee may accept  
18 a gift of property worth \$100 or more, other than money, from a foreign government or from an  
19 official of a foreign government if the person accepts the gift on behalf of the legislature. The  
20 person shall, within 60 days of receiving the gift, deliver the gift to the legislative council, which  
21 shall determine the appropriate disposition of the gift.

22 (g) In this section, "immediate family" has the meaning given in AS 24.60.990(a)(5) and  
23 includes the grandparents, aunts, and uncles of a person, and also includes a person described in  
24 this subsection or AS 24.60.990(a)(5) who is related to the person by marriage.

25 \* Sec. 14. AS 24.60 is amended by adding a new section to read:

26 Sec. 24.60.085. RESTRICTIONS ON EARNED INCOME AND HONORARIA. (a) A  
27 legislator or legislative employee may not

28 (1) seek or accept compensation for personal services that involves payments that  
29 are not commensurate with the services rendered taking into account the higher rates generally  
30 charged by specialists in a profession; or

31 (2) accept a payment of anything of value, except for actual and necessarily

1 incurred travel expenses, for an appearance or speech by the legislator or legislative employee;  
2 this paragraph does not apply to the salary paid to a legislator or legislative employee for making  
3 an appearance or speech as part of the legislator's or legislative employee's normal course of  
4 employment.

5 (b) Notwithstanding (a) of this section, a legislator or legislative employee may accept  
6 a payment for an appearance or speech if the appearance or speech is not connected with the  
7 person's legislative status.

8 \* Sec. 15. AS 24.60.090(a) is amended to read:

9 (a) An [A SPOUSE OR AN] individual [OTHER THAN A SPOUSE] who is related to  
10 a member of the legislature may not be employed for compensation (1) during the legislative  
11 session in the house in which the legislator is a member, (2) by an agency of the legislature  
12 established under AS 24.20, (3) [OR] in either house during the interim between sessions, or (4),  
13 whether for compensation or not, by the committee. An individual who is related to a  
14 legislative employee [AN EMPLOYEE OF THE LEGISLATURE] may not be employed in a  
15 position over which the employee has supervisory authority. In this subsection, "an individual  
16 who is related to" means a member of the legislator's or legislative employee's immediate  
17 family or a person who is a legislator's or legislative employee's spousal equivalent living  
18 together in a conjugal relationship not a legal marriage with the legislator or legislative  
19 employee, and "interim between sessions" means the period beginning on the eighth day  
20 after the legislature adjourns from a regular session, and ending eight days before the date  
21 that the legislature shall convene under AS 24.05.090 [CHILD, STEPCHILD, HUSBAND,  
22 WIFE, MOTHER, FATHER, SISTER, OR BROTHER].

23 \* Sec. 16. AS 24.60.100 is amended to read:

24 Sec. 24.60.100. REPRESENTATION. A legislator or legislative employee [PERSON  
25 TO WHOM THIS CHAPTER APPLIES] who represents another person for compensation before  
26 an agency, board, or commission of the state shall disclose the name of the person represented,  
27 the subject matter of the representation, and the body before which the representation is to take  
28 place [IN THE JOURNAL OF THE APPROPRIATE BODY OR IF THE LEGISLATURE IS  
29 NOT IN SESSION] to the committee. The committee shall maintain a public record of the  
30 disclosure and forward the disclosure to the respective house for inclusion in the journal. A  
31 legislator or legislative employee may not represent another person for compensation before

1 an agency, committee, or other entity of the legislative branch [BY THE FIFTH DAY OF  
2 THE SESSION].

3 \* Sec. 17. AS 24.60.130(a) is amended to read:

4 (a) There is established as a permanent interim committee within the legislative branch  
5 of state government the Select Committee on Legislative Ethics.

6 \* Sec. 18. AS 24.60.130(b) is amended to read:

7 (b) The committee consists of nine members, in two subcommittees, as follows:

8 (1) the senate subcommittee, which consists of two [THREE] members of the  
9 senate, one of whom shall be a member of the minority organizational caucus, if any,  
10 appointed by the president of the senate with the concurrence by roll call vote of two-thirds of  
11 the full membership of the senate, [;] and includes the five public members appointed under  
12 (3) of this subsection;

13 (2) the house subcommittee, which consists of two [THREE] members of the  
14 house, one of whom shall be a member of the minority organizational caucus, if any,  
15 appointed by the speaker of the house with the concurrence by roll call vote of two-thirds of the  
16 full membership of the house, and includes the five public members appointed under (3) of  
17 this subsection; and

18 (3) five [THREE] public members who are selected by the Chief Justice of the  
19 Alaska Supreme Court and who are ratified by two-thirds of the full membership of the senate  
20 and two-thirds of the full membership of the house [, SHALL SERVE ON BOTH THE FULL  
21 COMMITTEE AND EACH SUBCOMMITTEE].

22 \* Sec. 19. AS 24.60.130(c) is amended to read:

23 (c) No more than one public member may be a former legislator and no [NO] more  
24 than two public [LEGISLATIVE] members of the committee [EACH SUBCOMMITTEE] may  
25 be members of the same political party [OR THE SAME ORGANIZATIONAL CAUCUS].

26 \* Sec. 20. AS 24.60.130(d) is amended to read:

27 (d) The members of each subcommittee shall elect a chair and a vice-chair, who serve  
28 a term of two years. Neither a chair nor a vice-chair may [WHO MUST] be a member of  
29 the legislature. An officer may not hold the same office for more than two consecutive  
30 terms. The vice-chair shall act as chair in the absence of the chair. The chair selected by  
31 the senate subcommittee shall chair the full committee beginning the first day of the regular

1 session in odd-numbered years and the chair selected by the house subcommittee shall chair the  
2 full committee beginning the first day of the regular session in even-numbered years.

3 \* Sec. 21. AS 24.60.130(f) is amended to read:

4 (f) The committee [OR A SUBCOMMITTEE] may contract for professional services and  
5 may employ staff as it considers necessary. A committee employee, including a person who  
6 provides personal services under a contract with the committee, may not be a legislator, an  
7 elected or appointed official of a state or local governmental entity, an officer of a political  
8 party, a candidate for public office, or a registered lobbyist. The legislative council shall  
9 provide office space, equipment, and additional staff support for the committee. The  
10 committee shall submit a budget for each fiscal year to the finance committees of the  
11 legislature and shall annually submit an estimated budget to the governor for information  
12 purposes in preparation of the state operating budget.

13 \* Sec. 22. AS 24.60.130(g) is amended to read:

14 (g) Each legislative member serves for the duration of the legislature during which the  
15 member is appointed. Each public member serves for a term that commences on the date  
16 the member is ratified and ends on the first day of the third regular session that follows the  
17 ratification. A public member whose term has expired continues in office until a successor  
18 has been appointed and ratified or until the 30th calendar day of the first legislative session  
19 that follows the successor's appointment, whichever is earlier.

20 \* Sec. 23. AS 24.60.130(i) is amended to read:

21 (i) A quorum of the [A] committee [ESTABLISHED UNDER THIS SECTION] consists  
22 of a majority of the members and must include at least two legislative members and three  
23 public members [OF THE COMMITTEE]. A quorum of a subcommittee established under this  
24 section consists of a majority of the members of the subcommittee and must include at least  
25 one legislative member and three public members. A vote of a majority of the members  
26 appointed to the committee or a subcommittee is required for official action [.  
27 NOTWITHSTANDING THE PROVISIONS OF THIS SUBSECTION, A COMMITTEE DOES

28 NOT HAVE A QUORUM UNLESS THREE LEGISLATIVE MEMBERS ARE PRESENT AND

29 A SUBCOMMITTEE DOES NOT HAVE A QUORUM UNLESS TWO LEGISLATIVE

30 MEMBERS ARE PRESENT].

31 \* Sec. 24. AS 24.60.130 is amended by adding new subsections to read:

1 (j) Except to the extent that a provision would prevent the committee from complying  
2 with the confidentiality provisions of this chapter, the committee is subject to AS 44.62.310 -  
3 44.62.312 and to the procurement provisions adopted by the legislative council under  
4 AS 36.30.020. In this subsection, "committee" includes a subcommittee.

5 (k) A member or an employee or contractor of the committee may obtain access to  
6 closed committee files containing information that is made confidential by law only if the  
7 committee determines that the person has a need to obtain access to the closed files that relates  
8 to the official duties of the committee and the person seeking access.

9 (l) The committee or a subcommittee shall meet at the call of the chair or a majority of  
10 the members. The committee or a subcommittee may meet by teleconference.

11 (m) Except as provided in (b)(1) and (2) of this section, a member may not be a  
12 legislator, a legislative employee, an elected or appointed official required to make conflict-of-  
13 interest disclosures under AS 39.50, an officer of a political party, a candidate for public office,  
14 or a registered lobbyist.

15 (n) In this section, "minority organizational caucus" means a group of legislators who  
16 have organized and elected a minority leader and constitute at least 25 percent of the total  
17 membership of the house or senate, as appropriate.

18 \* Sec. 25. AS 24.60 is amended by adding a new section to read:

19 Sec. 24.60.134. PROHIBITED CONDUCT BY PUBLIC MEMBERS AND  
20 COMMITTEE EMPLOYEES AND CONTRACTORS. (a) In addition to the requirements of  
21 this chapter, a public member of the committee, an employee of the committee, or a person under  
22 contract to provide personal services to the committee may not

23 (1) participate in political management or in a political campaign during the  
24 person's term of office, employment, or contract;

25 (2) participate in the campaign of, attend campaign fund-raising events for, or  
26 make a financial contribution to

27 (A) a candidate for the legislature;

28 (B) an incumbent legislator or legislative employee who is a candidate for  
29 another public office; or

30 (C) a person running for another office against an incumbent legislator or  
31 legislative employee; or

1 (3) participate in lobbying activities that would require the person to register as  
2 a lobbyist except as required to inform the legislature concerning legislation requested by the  
3 committee or other matters related to the committee.

4 (b) A violation or alleged violation of this section shall be treated as any other violation  
5 of this chapter and shall be dealt with by the committee accordingly. During the pendency of  
6 a complaint against a member, committee employee, or committee contractor, the person  
7 complained against may not participate in official action of the committee.

8 \* Sec. 26. AS 24.60 is amended by adding a new section to read:

9 Sec. 24.60.158. INFORMAL ADVICE. The committee shall authorize and train its staff  
10 to give oral advice and provide a written ~~informal~~ nonbinding advice letter to persons seeking  
11 guidance as to the spirit or legal requirements of this chapter, provided that the advice is given  
12 with the express stipulations that

13 (1) the opinions given are not necessarily those of the committee;

14 (2) although the advice is given in good faith, the person seeking the advice relies  
15 on it at the person's own risk; and

16 (3) the advice is not binding upon the committee.

17 \* Sec. 27. AS 24.60.160 is amended to read:

18 Sec. 24.60.160. ADVISORY OPINIONS. The committee shall issue an advisory opinion  
19 within 30 days on the request of a person to whom the chapter applies or a person elected to the  
20 legislature who at the time of election is not a member of the legislature as to whether the facts  
21 and circumstances of a particular case constitute a violation of ethical standards. The 30-day  
22 period for issuing an opinion may be extended by the committee [FOR NOT MORE THAN AN  
23 ADDITIONAL 10 DAYS] if the person requesting the opinion consents. The opinion issued is  
24 binding on the committee in any subsequent proceedings concerning the facts and circumstances  
25 of the particular case unless material facts were omitted or misstated in the request for the  
26 advisory opinion. Except as provided in this chapter an advisory opinion is confidential but shall  
27 [MAY] be made public if a written request by the person who requested the opinion is filed with  
28 the committee.

29 \* Sec. 28. AS 24.60 is amended by adding a new section to read:

30 Sec. 24.60.165. USE OF INFORMATION SUBMITTED WITH REQUEST FOR  
31 ADVICE. The committee may not bring a complaint against a person based upon information

1 voluntarily given to the committee by the person in connection with a good faith request for  
2 advice under AS 24.60.158 or 24.60.160, and may not use that information against the person  
3 in a proceeding under AS 24.60.170. This section does not preclude the committee from acting  
4 on a complaint concerning the subject of a person's request for advice if the complaint is brought  
5 by another person, or if the complaint arises out of conduct taking place after the advice is  
6 requested, and does not preclude the committee from using information or evidence obtained  
7 from an independent source, even if that information or evidence was also submitted with a  
8 request for advice.

9 \* Sec. 29. AS 24.60.170 is repealed and reenacted to read:

10 Sec. 24.60.170. PROCEEDINGS BEFORE THE COMMITTEE. (a) The committee  
11 shall consider a complaint alleging a violation of this chapter if the alleged violation occurred  
12 within five years of the date that the complaint is filed with the committee and, when the subject  
13 of the complaint is a former member of the legislature, the complaint is filed within one year of  
14 the subject's departure from the legislature. The committee may not consider a complaint filed  
15 against a person employed by the legislative branch of government after the person has  
16 terminated legislative service. The committee may also initiate complaints on its own motion,  
17 subject to the same time limitations. The time limitations of this subsection do not bar  
18 proceedings against a person who intentionally prevents discovery of a violation of this chapter.

19 (b) A complaint may be initiated by any person. The complaint must be in writing and  
20 signed under oath by the person making the complaint. The committee shall upon request  
21 provide a form for a complaint to a person wishing to file a complaint. The committee shall  
22 immediately provide a copy of the complaint to the person who is the subject of the complaint.

23 (c) When the committee receives a complaint under (a) of this section, it shall determine  
24 whether the allegations of the complaint, if true, constitute a violation of this chapter. If the  
25 committee determines that the allegations, if proven, would not give rise to a violation, or if the  
26 committee's lack of jurisdiction is apparent on the face of the complaint, the committee shall  
27 dismiss the complaint, and shall notify the complainant and the subject of the complaint of the  
28 dismissal.

29 (d) If the committee determines that some or all of the allegations of a complaint, if  
30 proven, would constitute a violation of this chapter, or if the committee has initiated a complaint,  
31 the committee shall investigate the complaint, on a confidential basis. Before beginning an

1 investigation of a complaint, the committee shall adopt a resolution defining the scope of the  
2 investigation. A copy of this resolution shall be provided to the complainant and to the subject  
3 of the complaint. As part of its investigation, the committee shall afford the subject of the  
4 complaint an opportunity to explain the conduct alleged to be a violation of this chapter.

5 (e) If during the investigation under (d) of this section, the committee discovers facts that  
6 justify an expansion of the investigation and the possibility of additional charges beyond those  
7 contained in the complaint, the resolution described in (d) of this section shall be amended  
8 accordingly and a copy of the amended resolution shall be provided to the subject of the  
9 complaint.

10 (f) If the committee determines after investigation that there is not probable cause to  
11 believe that the subject of the complaint has violated this chapter, the committee shall dismiss  
12 the complaint. The committee may also dismiss portions of a complaint if it finds no probable  
13 cause to believe that the subject of the complaint has violated this chapter as alleged in those  
14 portions. The committee shall issue a decision explaining its dismissal. A copy of the dismissal  
15 order and decision shall be sent to the complainant and to the subject of the complaint.  
16 Notwithstanding (l) of this section, a dismissal order and decision is open to inspection and  
17 copying by the public.

18 (g) If the committee investigation determines that a probable violation of this chapter  
19 exists that may be corrected by action of the subject of the complaint and that does not warrant  
20 sanctions other than correction, the committee may issue an opinion recommending corrective  
21 action. This opinion shall be provided to the complainant and to the subject of the complaint,  
22 and is open to inspection by the public. The subject of the complaint may comply with the  
23 opinion or may request a hearing before the committee under (j) of this section. After the  
24 hearing the committee may amend or affirm the opinion.

25 (h) If the subject of a complaint fails to comply with an opinion issued under (g) of this  
26 section, or if the committee determines after investigation that there is probable cause to believe  
27 that the subject of the complaint has committed a violation of this chapter that may require  
28 sanctions instead of or in addition to corrective action, the committee shall formally charge the  
29 person. The charge shall be served on the person charged, in a manner consistent with the  
30 service of summons under the rules of civil procedure, and a copy of the charge shall be sent to  
31 the complainant. The person charged may file a responsive pleading to the committee admitting

1 or denying some or all of the allegations of the charge.

2 (i) A person charged under (b) of this section may engage in discovery in a manner  
3 consistent with the Alaska Rules of Civil Procedure. The committee may impose reasonable  
4 restrictions on the time for this discovery and on the materials that may be discovered.

5 (j) If the committee has issued a formal charge under (h) of this section, and if the person  
6 charged has not admitted the allegations of the charge, the committee shall schedule a hearing  
7 on the charge. The hearing shall be scheduled for a date more than 20 days after service of the  
8 charge on the person charged, unless the person agrees to an earlier hearing date. At the hearing,  
9 the person charged shall have the right to appear personally before the committee, to subpoena  
10 witnesses and require the production of books or papers relating to the proceedings, to be  
11 represented by counsel, and to cross-examine witnesses. A witness shall testify under oath. The  
12 committee is not bound by the rules of evidence but the committee's findings must be based  
13 upon clear and convincing evidence. Testimony taken at the hearing shall be recorded and  
14 evidence shall be maintained.

15 (k) Following the hearing, the committee shall issue a decision stating whether or not the  
16 subject of the complaint violated this chapter, and explaining the reasons for the determination.  
17 The committee's decision may also indicate whether the subject cooperated with the committee  
18 in its proceedings. If the committee finds a violation, or lack of cooperation by the subject, the  
19 decision shall recommend what sanctions, if any, the committee believes are appropriate. If there  
20 has not been a hearing because the person charged admitted to the allegations of the charge, the  
21 committee shall issue a decision outlining the facts of the violation and containing a sanctions  
22 recommendation.

23 (l) Proceedings of the committee relating to complaints before it are confidential until  
24 the committee determines that there is probable cause to believe that a violation of this chapter  
25 has occurred. The complaint and all documents produced or disclosed as a result of the  
26 committee investigation are confidential and not subject to inspection by the public. If in the  
27 course of an investigation or probable cause determination the committee finds evidence of  
28 probable criminal activity, the committee shall transmit a statement and factual findings limited  
29 to that activity to the appropriate law enforcement agency. If the committee finds evidence of  
30 a probable violation of AS 15.13, the committee shall transmit a statement to that effect and  
31 factual findings limited to the probable violation to the Alaska Public Offices Commission. All

1 meetings of the committee before the determination of probable cause are closed to the public.  
2 The confidentiality provisions of this subsection may be waived by the subject of the complaint.

3 (rn) All documents issued by the committee after a determination of probable cause to  
4 believe that the subject of a complaint has violated this chapter, including an opinion  
5 recommending corrective action under (g) of this section and a formal charge under (h) of this  
6 section, are subject to public inspection. Hearings of the committee under (j) of this section are  
7 open to the public, and documents presented at a hearing, and motions filed in connection with  
8 the hearing, are subject to inspection by the public. Deliberations of the committee following  
9 a hearing, deliberations on motions filed by the subject of a charge under (h) of this section, and  
10 deliberations concerning appropriate sanctions are confidential.

11 (n) The committee shall dismiss a complaint against a person employed by the legislative  
12 branch of government if the person terminates legislative service. The committee may in its  
13 discretion dismiss a complaint against a former member of the legislature whether the complaint  
14 was filed before or after the former member departed from the legislature.

15 \* Sec. 30. AS 24.60 is amended by adding new sections to read:

16 Sec. 24.60.174. RECOMMENDATIONS TO THE LEGISLATURE WHERE VIOLATOR  
17 IS A LEGISLATOR. (a) If the person found to have violated this chapter is or was a member  
18 of the legislature, the committee's recommendations shall be forwarded by the chair of the  
19 committee to the presiding officer of the appropriate house of the legislature.

20 (b) If the legislature is in session, the appropriate house shall determine the sanctions,  
21 if any, that are to be imposed. The vote shall be taken within 10 legislative days of receipt of  
22 the committee's recommendations.

23 (c) If the legislature is not in session, the presiding officer of the appropriate house may  
24 request the legislature to consider convening itself into special session under AS 24.05.100(a)(2)  
25 to consider the committee's recommendations. If expulsion is recommended, the presiding  
26 officer shall so request. If the legislature does not convene itself into special session, the  
27 appropriate house shall consider the recommendations during the first 10 days of the next regular  
28 session.

29 (d) Except in the case of expulsion, which requires a two-thirds vote, all other sanctions  
30 shall be determined by a majority vote of the full house of which the legislator is a member.

31 Sec. 24.60.176. RECOMMENDATIONS WHERE VIOLATOR IS A LEGISLATIVE

1 EMPLOYEE. If the person found to have violated this chapter is or was a legislative employee,  
2 the committee's recommendations shall be forwarded to the appropriate appointing authority that  
3 shall, as soon as is reasonably possible, determine the sanctions, if any, to be imposed. The  
4 appointing authority may not question the committee's findings of fact. The appointing authority  
5 shall assume the validity of the committee's findings, and determine and impose the appropriate  
6 sanction.

7 Sec. 24.60.178. ACTIONS BY THE ATTORNEY GENERAL. The attorney general may  
8 independently bring civil actions relating to violations under this chapter regardless of the  
9 outcome or settlement of a charge before the committee. This section does not prohibit the  
10 attorney general from bringing an action under another civil or criminal law.

11 \* Sec. 31. AS 24.60 is amended by adding new sections to read:

12 Sec. 24.60.200. FINANCIAL DISCLOSURE BY LEGISLATORS AND LEGISLATIVE  
13 DIRECTORS. A legislator and a legislative director shall file a disclosure statement, under oath  
14 and on penalty of perjury, with the Alaska Public Offices Commission giving the following  
15 information about the income received by them, their spouses, their dependent children, and their  
16 nondependent children who are living with them:

17 (1) the information that a public official is required to report under AS 39.50.030,  
18 except that sources of income other than gifts of \$1,000 or less and loans of \$1,000 or less need  
19 not be reported;

20 (2) as to income in excess of \$1,000 received as compensation for personal  
21 services, the name and address of the source of the income, and a statement describing the nature  
22 of the services performed; if the source of income is known or reasonably should be known to  
23 have a substantial interest in legislative, administrative, or political action and the recipient of  
24 the income is a legislator or a legislative director, the amount of income received from the source  
25 shall be disclosed;

26 (3) as to each loan or loan guarantee over \$1,000 from a source with a substantial  
27 interest in legislative, administrative, or political action, the name and address of the person  
28 making the loan or guarantee, the amount of the loan, the terms and conditions under which the  
29 loan or guarantee was given, the amount outstanding at the time of filing, and whether or not a  
30 written loan agreement exists;

31 (4) the source of a gift, other than an inheritance, received during the preceding

1 calendar year by the person, the person's spouse or dependent child, or a nondependent child of  
2 the person who is living with the person, if the amount of the gift exceeds

3 (A) \$100 and is received from a person who is not a member of the  
4 recipient's family; or

5 (B) \$10,000 per year and is received from a family member of the  
6 recipient.

7 Sec. 24.60.210. DEADLINES FOR FILING OF DISCLOSURE STATEMENTS. A  
8 legislator and a legislative director shall file an annual report with the Alaska Public Offices  
9 Commission, covering the previous calendar year, containing the disclosures required by  
10 AS 24.60.200, on or before April 15 of each year.

11 Sec. 24.60.220. ADMINISTRATION OF AS 24.60.200 - 24.60.260. The Alaska Public  
12 Offices Commission shall

13 (1) adopt regulations to implement and interpret the provisions of AS 24.60.200 -  
14 24.60.260;

15 (2) prepare standardized forms on which the statements required by AS 24.60.200  
16 shall be filed; and

17 (3) examine, investigate, and compare all reports and statements required under  
18 AS 24.60.200, and report all possible violations of this chapter it discovers to the committee.

19 Sec. 24.60.230. STATEMENTS AS PUBLIC RECORDS. A statement filed with the  
20 Alaska Public Offices Commission under AS 24.60.200 is a public record. A person is not  
21 required to comply with AS 24.60.200 to the extent that a court of competent jurisdiction of the  
22 state determines that legally privileged professional relationships or constitutional privacy  
23 considerations would be violated by compliance.

24 Sec. 24.60.240. CIVIL PENALTY FOR LATE FILING. A legislator or a legislative  
25 director who fails to file a properly completed report under AS 24.60.200 is subject to a civil  
26 penalty of not more than \$10 a day for each day the delinquency continues as the Alaska Public  
27 Offices Commission determines, subject to appeal to the superior court. An affidavit stating facts  
28 in mitigation may be submitted to the Alaska Public Offices Commission by the person against  
29 whom the civil penalty is assessed. However, the imposition of the penalties prescribed in this  
30 section does not excuse the person from filing reports required by AS 24.60.200.

31 Sec. 24.60.250. EFFECT OF FAILURE TO FILE BY LEGISLATIVE CANDIDATE.

1 In addition to the sanctions described in AS 24.60.260, if the Alaska Public Offices Commission  
2 finds that a candidate for the legislature who is an incumbent legislator or a legislative director  
3 has failed or refused to file a report under AS 24.60.200 by a deadline established in  
4 AS 24.60.210, it shall notify the lieutenant governor. The candidate shall forfeit nomination to  
5 office and may not be seated in office. The lieutenant governor may not certify the person's  
6 nomination for office or election to office and nomination to the office shall be certified as  
7 provided in AS 39.50.060(b).

8 **Sec. 24.60.260. PROHIBITED CONDUCT RELATING TO DISCLOSURES.** (a) A  
9 person required to make a disclosure under this chapter may not knowingly make a false or  
10 deliberately misleading or incomplete disclosure to the committee or to the Alaska Public Offices  
11 Commission, or file a disclosure after a deadline set by this chapter or by a regulation adopted  
12 by the committee or by the Alaska Public Offices Commission.

13 (b) A person who violates this section is subject to a proceeding under AS 24.60.170,  
14 in addition to penalties that may be imposed by the Alaska Public Offices Commission under  
15 AS 24.60.240 and to the penalty set out in AS 24.60.250.

16  
17 **Sec. 24.60.990. DEFINITIONS.** (a) In this chapter,

18 (1) "administrative action" means conduct related to the development, drafting,  
19 consideration, enactment, defeat, application, or interpretation of a rule, regulation, policy, or  
20 other action in a regulatory proceeding or a proceeding involving a license, permit, franchise, or  
21 entitlement for use;

22 (2) "anything of value," "benefit," or "thing of value" includes all matters, whether  
23 tangible or intangible, that could reasonably be considered to be a material advantage, of material  
24 worth, use, or service to the person to whom it is conferred; the terms are intended to be  
25 interpreted broadly and encompass all matters that the recipient might find sufficiently desirable  
26 to do something in exchange for; "anything of value," "benefit," or "thing of value" does not  
27 include

28 (A) an item listed in AS 24.60.030(c);

29 (B) campaign contributions, pledges, political endorsements, support in a  
30 political campaign, or a promise of endorsement or support;

31 (C) contributions to a cause or organization, including a charity, made in

1 response to a direct solicitation from a legislator or a person acting at the legislator's  
2 direction; or

3 (D) grants under AS 37.05.316 to named recipients;

4 (3) "committee" means the Select Committee on Legislative Ethics and includes,  
5 when appropriate, the senate or house subcommittee;

6 (4) "compensation" means remuneration for personal services rendered, including  
7 salary, fees, commissions, bonuses, and similar payments, but does not include reimbursement  
8 for actual expenses incurred by a person;

9 (5) "immediate family" means the spouse, parents, children, including a stepchild  
10 and an adoptive child, and siblings of a person;

11 (6) "income" means assets that are received, regardless of whether they are earned  
12 or unearned; inheritances and other gifts are not income;

13 (7) "knowingly" has the meaning given in AS 11.81.900;

14 (8) "legislative action" means conduct relating to the development, drafting,  
15 consideration, sponsorship, enactment or defeat, support or opposition to or of a law, amendment,  
16 resolution, report, nomination, or other matter affected by legislative action or inaction;

17 (9) "legislative director" means the director of the legislative finance division, the  
18 legislative auditor, the director of the legislative research agency, the ombudsman, the executive  
19 director of the Legislative Affairs Agency, and the directors of the divisions within the  
20 Legislative Affairs Agency;

21 (10) "legislative employee" means a person, other than a legislator, who is  
22 compensated by the legislative branch in return for regular or substantial personal services,  
23 regardless of the person's pay level or technical status as a full-time or part-time employee,  
24 independent contractor, or consultant; it includes public members and staff of the committee; it  
25 does not include individuals who perform functions that are incidental to legislative functions,  
26 including security, messenger, maintenance, and print shop employees, and other employees  
27 designated by the committee;

28 (11) "lobbyist" means a person who is required to register under AS 24.45.041  
29 and is described under AS 24.45.171(8)(A), but does not include a volunteer lobbyist described  
30 in AS 24.45.161(a)(1) or a representational lobbyist as defined under regulations of the Alaska  
31 Public Offices Commission;

1 (12) "political action" means conduct in which public officials, including  
2 legislators or legislative employees, use their official position or political contacts to exercise  
3 influence on state and local government employees or entities; it includes but is not limited to  
4 endorsing and pledging support or actively supporting a legislative matter, a nominee, or a  
5 candidate for public office;

6 (13) "registered lobbyist" means a person who is required to register under  
7 AS 24.45.041;

8 (14) "representation" means action taken on behalf of another, whether for  
9 compensation or not, including but not limited to telephone calls and meetings and appearances  
10 at proceedings or meetings.

11 (b) A person has a substantial interest in legislative, administrative, or political action if  
12 the person (1) is not a natural person and will be directly and substantially affected financially  
13 by a legislative, administrative, or political action; (2) is a natural person and will be directly and  
14 substantially affected financially by a legislative, administrative, or political action in a way that  
15 is greater than the effect on a substantial class of persons to which the person belongs as a  
16 member of a profession, occupation, industry, or region; (3) has or seeks contracts in excess of  
17 \$10,000 annually for goods or services with the legislature or with an agency of the state; or (4)  
18 is a lobbyist. For the purpose of this subsection, the state, the federal government, and an  
19 agency, corporation, or other entity of or owned by the state or federal government do not have  
20 a substantial interest in legislative, administrative, or political action.

21 \* Sec. 32. AS 15.25.030(b) is amended to read:

22 (b) A person filing a declaration of candidacy under this section, other than a person  
23 subject to AS 24.60 who is filing a declaration for a state legislative office, shall  
24 simultaneously file with the director a statement of income sources and business interests that  
25 complies with the requirements of AS 39.50. A person who is subject to AS 24.60 and is filing  
26 a declaration of candidacy for state legislative office shall simultaneously file with the  
27 director a disclosure statement that complies with the requirements of AS 24.60.200.

28 \* Sec. 33. AS 15.25.030(c) is amended to read:

29 (c) An incumbent public official, other than a legislator, who has a current statement  
30 of income sources and business interests under AS 39.50 on file with the Alaska Public Offices  
31 Commission, or an incumbent legislator who has a current disclosure statement under

1 AS 24.60.200 on file with the Alaska Public Offices Commission, is not required to file a  
2 statement of income sources and business interests or a disclosure statement with the  
3 declaration of candidacy under (b) of this section.

4 \* Sec. 34. AS 15.25.180(b) is amended to read:

5 (b) A person filing a nominating petition under this section, other than a person subject  
6 to AS 24.60 who is filing a petition for a state legislative office, shall also file with the  
7 director a statement of income sources and business interests that complies with the requirements  
8 of AS 39.50 within 30 days of filing the petition. A person who is subject to AS 24.60 and  
9 is filing a nominating petition for state legislative office shall file with the director a  
10 disclosure statement that complies with the requirements of AS 24.60.200 within 30 days  
11 of filing the petition.

12 \* Sec. 35. AS 15.25.180(c) is amended to read:

13 (c) An incumbent public official, other than a legislator, who has a current statement  
14 of income sources and business interests under AS 39.50 on file with the Alaska Public Offices  
15 Commission, or an incumbent legislator who has a current disclosure statement under  
16 AS 24.60.200 on file with the Alaska Public Offices Commission, is not required to file a  
17 statement of income sources and business interests or a disclosure statement with the  
18 nominating petition under (b) of this section.

19 \* Sec. 36. AS 23.20.526(d)(8) is amended to read:

20 (8) in the employ of the state or a political subdivision of the state if the service  
21 is performed by an individual in the exercise of duties

22 (A) as a "public official" as defined in AS 39.50.200(a)<sub>2</sub> [OR] any other  
23 elected official, the fiscal analyst of the legislative finance division, the legislative  
24 auditor of the legislative audit division, the executive director of the Legislative  
25 Affairs Agency, and the directors of the divisions within the Legislative Affairs  
26 Agency;

27 (B) as a member of the Alaska Army National Guard or Alaska Air  
28 National Guard or Alaska Naval Militia; or

29 (C) as an employee serving on only a temporary basis in case of fire,  
30 storm, snow, earthquake, flood, or similar emergency;

31 \* Sec. 37. AS 24.45.121(a) is amended to read:

- 1 (a) A lobbyist may not
- 2 (1) engage in any activity as a lobbyist before registering under AS 24.45.041;
- 3 (2) do anything with the intent of placing a public official under personal
- 4 obligation to the lobbyist or to the lobbyist's employer;
- 5 (3) intentionally deceive or attempt to deceive any public official with regard to
- 6 any material fact pertinent to pending or proposed legislative or administrative action;
- 7 (4) cause or influence the introduction of a legislative measure solely for the
- 8 purpose of thereafter being employed to secure its passage or its defeat;
- 9 (5) cause a communication to be sent to a public official in the name of any
- 10 fictitious person or in the name of any real person, except with the consent of that person;
- 11 (6) accept or agree to accept any payment in any way contingent upon the defeat,
- 12 enactment or outcome of any proposed legislative or administrative action;
- 13 (7) serve as a member of a state board, or commission, if the lobbyist's employer
- 14 may receive direct economic benefit from a decision of that board or commission;
- 15 (8) serve as a campaign manager or director, serve as a campaign treasurer
- 16 or deputy campaign treasurer on a finance or fund-raising committee, host a fund-raising
- 17 event, or otherwise actively engage in the fund-raising activity of a legislative campaign if
- 18 the lobbyist has registered during the calendar year; this paragraph does not apply to a
- 19 representational lobbyist as defined in the regulations of the Alaska Public Offices
- 20 Commission, and does not prohibit a lobbyist from making personal contributions to or
- 21 personally advocating on behalf of a candidate;
- 22 (9) offer, solicit, initiate, facilitate, or provide to or on behalf of a person
- 23 covered by AS 24.60, during a legislative session, a gift, other than food or beverage for
- 24 immediate consumption;
- 25 (10) make or offer a gift or a campaign contribution whose acceptance by the
- 26 person to whom it is offered would violate AS 24.60.

27 \* Sec. 38. AS 24.45.121 is amended by adding a new subsection to read:

28 (c) A former member of the legislature may not engage in activity as a lobbyist before

29 the legislature for a period of one year after the former member has left the legislature. This

30 subsection does not prohibit a former member from acting as a volunteer lobbyist described in

31 AS 24.45.161(a)(1) or a representational lobbyist as defined under regulations of the commission.

1 \* Sec. 39. AS 24.45.171(12) is amended to read:

2 (12) "public official" or "public officer" means a public official as defined in  
3 AS 39.50.200(a), a member of the legislature, or a legislative director as defined in  
4 AS 24.60.990(a); however, it does not include a judicial officer or an elected or appointed  
5 municipal officer.

6 \* Sec. 40. AS 39.50.020 is amended to read:

7 Sec. 39.50.020. REPORT OF FINANCIAL AND BUSINESS INTERESTS. (a) A  
8 judicial officer, commissioner, chair [CHAIRMAN] or member of a state commission or board  
9 specified in AS 39.50.200(b), a person hired or appointed as head or deputy head of, or director  
10 of a division within, a department in the executive branch, a person appointed as assistant to the  
11 governor, and a municipal officer, shall file a statement giving income sources and business  
12 interests, under oath and on penalty of perjury, within 30 days after taking office as a public  
13 official. Candidates for state elective office other than a candidate who is subject to AS 24.60  
14 shall file such a statement with the director of elections at the time of filing a declaration of  
15 candidacy or within 30 days of the filing of a [ANY] nominating petition, or within 30 days of  
16 becoming a candidate by any other means. Candidates for elective municipal office shall file  
17 such a statement at the time of filing a nominating petition, declaration of candidacy, or other  
18 required filing for the elective municipal office. Refusal or failure to file within the time  
19 prescribed shall require that the candidate's filing fees, if any, and filing for office be refused or  
20 that a previously accepted filing fee be returned and the candidate's name removed from the  
21 filing records. A statement shall also be filed by public officials no later than April 15 or 15  
22 days after the person files a federal income tax return in each following year, whichever comes  
23 first. Persons who, on or after December 11, 1974, were members of boards or commissions not  
24 named in AS 39.50.200(b) are not required to file financial statements.

25 (b) The governor, lieutenant governor, [MEMBERS OF THE LEGISLATURE,] judicial  
26 officers, each commissioner, head or deputy head of, or director of a division within, a  
27 department in the executive branch, assistant to the governor or chair [CHAIRMAN] or member  
28 of a commission or board required to report under this chapter, shall file the statement with the  
29 Alaska Public Offices Commission. Candidates for the office of governor and [,] lieutenant  
30 governor [,] and, if the candidate is not subject to AS 24.60, the legislature, shall file the  
31 statement under AS 15.25.030 or 15.25.180. Municipal officers, and candidates for elective

1 municipal office, shall file with the municipal clerk or other municipal official designated to  
2 receive their filing for office. All statements required to be filed under this chapter are public  
3 records.

4 \* Sec. 41. AS 39.50.200(a)(8) is amended to read:

5 (8) "public official" means a judicial officer, [A MEMBER OF THE  
6 LEGISLATURE, THE FISCAL ANALYST OF THE LEGISLATIVE FINANCE DIVISION,  
7 THE LEGISLATIVE AUDITOR OF THE LEGISLATIVE AUDIT DIVISION, THE  
8 EXECUTIVE DIRECTOR OF THE LEGISLATIVE AFFAIRS AGENCY AND THE  
9 DIRECTORS OF THE DIVISIONS WITHIN THE LEGISLATIVE AFFAIRS AGENCY,] the  
10 governor, the lieutenant governor, a person hired or appointed as the head or deputy head of, or  
11 director of a division, a department in the executive branch, an assistant to the governor, chair  
12 [CHAIRMAN] or member of a state commission or board, the executive director of the Alaska  
13 Tourism Marketing Council, and each appointed or elected municipal officer;

14 \* Sec. 42. AS 24.55.310, AS 24.60.045, 24.60.080(b), 24.60.090(b), 24.60.090(c), 24.60.110,  
15 24.60.120, 24.60.190, AS 39.50.025, and 39.50.120 are repealed.

16 \* Sec. 43. COMMITTEE APPOINTMENTS. (a) Notwithstanding AS 24.60.130(g), as amended by  
17 sec. 22 of this Act, the terms of the members appointed to the Select Committee on Legislative Ethics  
18 by the Chief Justice of the Alaska Supreme Court after January 10, 1993, are as follows:

19 (1) two of the members, determined by lot, serve terms of three years;

20 (2) two of the members, determined by lot, serve terms of two years;

21 (3) the fifth member serves a term of one year.

22 (b) A member serving on the Select Committee on Legislative Ethics under AS 24.60.130 as it  
23 read before January 11, 1993, is eligible for appointment to the Select Committee on Legislative Ethics  
24 under AS 24.60.130 as amended by this Act.

25 \* Sec. 44. TRANSITIONAL PROVISIONS RELATING TO VIOLATIONS AND PROCEEDINGS.

26 Notwithstanding the amendments to AS 24.60 made by this Act, in addition to the provisions of  
27 AS 24.60, as amended by this Act, the Select Committee on Legislative Ethics may consider complaints  
28 alleging violations of AS 24.60 that occurred before January 11, 1993, and for which proceedings have  
29 not been commenced or concluded before January 11, 1993. For the purpose of this section, the Select  
30 Committee on Legislative Ethics shall follow the procedures established under AS 24.60, as amended  
31 by this Act, but may not recommend a sanction or penalty not authorized under AS 24.60 before

1 January 11, 1993.

2 \* Sec. 45. This Act takes effect January 11, 1993.