

place of the regular member at the proceeding, and the alternate shall participate for the duration of that proceeding unless the alternate is unable to participate.

(d) If a regular member of the committee or a subcommittee or an alternate member appointed under (a) or (b) of this section participates at the commencement of a proceeding under AS 24.60.170, the member shall participate for the duration of the proceeding unless the member is disqualified under AS 24.60.130(h) or is unable to continue participating. If the participating member is disqualified under AS 24.60.130(h) or becomes unable to participate, the chair of the committee or subcommittee that holds the proceeding shall designate the member's alternate to participate in place of the member for the duration of the proceeding unless the alternate is disqualified or is unable to participate.

(e) If both a regular legislative member and that member's alternate appointed under (a) of this section are not available to participate at the commencement of a proceeding under AS 24.60.170 because they are disqualified under AS 24.60.130(h), the presiding officer of the house in which the two members serve shall appoint from that house an alternate and designate that alternate to participate in the proceeding; however, if the two members who are not available to participate are not members of the majority organizational caucus, the leader of the minority organizational caucus with the greatest number of members shall appoint from that house an alternate and designate that alternate to participate in the proceeding.

(f) A designation under (c) — (e) of this section shall be treated as confidential to the same extent that the identity of the subject of a complaint is required to be kept confidential.

#### **History.**

(§ 14 ch 45 SLA 2012)

#### **Sec. 24.60.134. Prohibited conduct by public members and committee employees and contractors.**

(a) Except as provided in (c) of this section, in addition to complying with the other requirements of this chapter, a public member of the committee, an employee of the committee, or a person under contract to provide personal services to the committee **may not**, during the person's term of office or employment or during the life of the contract, participate in

(1) political management or in a political campaign for a candidate for election to federal, state, or local office, regardless of whether the campaign is partisan or nonpartisan, or for passage or defeat of a ballot measure of any type;

(2) the campaign of, attend campaign fund-raising events for, or **make a financial contribution to**

(A) a candidate for the legislature;

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

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

(3) a fund-raising event held on behalf of a political party or attend a political party fund-raising event; or

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

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

(c) A person under contract to provide personal services to the committee who does so as part of a sole proprietorship, corporation, partnership, or other legal entity that includes individuals who will not be participating directly in the work performed by the entity for the committee may request the committee to exclude members of the entity from some or all of the provisions of this section. The committee may grant the request if it finds that

(1) doing so will not lead to the appearance that the committee is subject to undue political influence; and

(2) there is no appearance of impropriety.

**History.**

(§ 25 ch 127 SLA 1992; am §§ 41, 42 ch 74 SLA 1998; am § 2 ch 29 SLA 2016)

**Related Advisory Opinions:** 94-10, 95-02, 96-06

**Effect of amendments. —**

The 2016 amendment, effective September 20, 2016, in (c), in the introductory language, substituted "does so as" for "is", inserted "sole proprietorship," preceding "corporation", inserted ", or other legal entity" preceding "that includes", designated parts of (c) as (1) and (2); and made related changes.

**Sec. 24.60.140. Authority of the committee and its subcommittees.**

(a) The senate subcommittee has authority over proceedings concerning conduct by a member or former member of the senate or a person employed by a member or a committee of the senate.

(b) The house subcommittee has authority over proceedings concerning the conduct by a member or former member of the house or a person employed by a member or a committee of the house.

(c) The full committee has authority

(1) over proceedings concerning the conduct by an employee of an agency of the legislature;

(2) to review any matter arising under this chapter that would result in action being required by both houses of the legislature; and

(3) to issue advisory opinions under AS 24.60.160.

**History.**

(§ 1 ch 36 SLA 1984)