

The section heading of 9 AAC 52.140 is changed to read:

**9 AAC 52.140. Complaints; legal representation.**

9 AAC 52.140 is amended by adding new subsections to read:

(f) If a person brings a complaint alleging a violation under AS 39.52.110 - 39.52.190 or this chapter by the governor or the lieutenant governor, the Department of Law may provide legal representation if the attorney general certifies that the representation is in the public interest. For complaints against the attorney general, the governor may certify that representation by the Department of Law is in the public interest. For the purpose of this subsection, "public interest" includes whether the action taken is within the scope of the official's duties.

(g) Notwithstanding the certification under (f) of this section, the governor, lieutenant governor, or attorney general may decline representation by the Department of Law and hire private counsel.

(h) Information received by the Department of Law that is related to the defense of a complaint under this section is confidential and not subject to disclosure, absent a court order or a release of information. (Eff. 4/24/94, Register 130; 12/22/2010, Register 196; am