

**ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE**

January 12, 2001

1:05 p.m.

MEMBERS PRESENT

Representative Norman Rokeberg, Chairman
Representative Scott Ogan, Vice Chairman
Representative Jeannette James
Representative John Coghill
Representative Kevin Meyer
Representative Ethan Berkowitz

MEMBERS ABSENT

Representative Albert Kookesh

OTHER LEGISLATORS PRESENT

Representative Joe Green

COMMITTEE CALENDAR

CONFIRMATION HEARINGS

Select Committee on Legislative Ethics

Thomas P. Owens, Jr. - Anchorage
Dennis E. "Skip" Cook - Fairbanks

- CONFIRMATIONS ADVANCED

PREVIOUS ACTION

No previous action to record

WITNESS REGISTER

THOMAS P. OWENS, JR., Appointee
Select Committee on Legislative Ethics
1500 West. 33rd Avenue, Suite 200
Anchorage, Alaska 99503

POSITION STATEMENT: Testified as appointee to the Select

Committee on Legislative Ethics.

DENNIS E. "SKIP" COOK, Appointee
Select Committee on Legislative Ethics
PO Box 70810
Fairbanks, Alaska 99707

POSITION STATEMENT: Testified as appointee to the Select
Committee on Legislative Ethics.

ACTION NARRATIVE

TAPE 01-3, SIDE A
Number 0014

CHAIRMAN NORMAN ROKEBERG called the House Judiciary Standing
Committee meeting to order at 1:05 p.m. Members present at the
call to order were Representatives Rokeberg, Ogan, Coghill,
Meyer, and Berkowitz. Representatives James and Green joined
the meeting while in progress. Representative Kookesh was
excused.

[Minutes for the overviews by the Court System and Office of
Public Advocacy, heard during the second portion of the meeting,
are found in the 1:35 p.m. minutes for this same date.]

CONFIRMATION HEARINGS

Select Committee on Legislative Ethics

Number 0069

CHAIRMAN ROKEBERG announced the committee would consider two
nominees for the Select Committee on Legislative Ethics.
Acknowledging that Mr. Owens was available via teleconference
from Anchorage and Mr. Cook from Fairbanks, he asked that Mr.
Owens speak first.

THOMAS P. OWENS, JR., Appointee, Select Committee on Legislative
Ethics, testified via teleconference, saying he had been
nominated by Chief Justice Dana Fabe to serve a two-year term on
the Select Committee on Legislative Ethics. While he looked
forward to this appointment, he felt his role was one of
assistant to the legislature as they comply with enacted laws
pertaining to legislative conduct. Confirming that the members
had received his resume, he went on to say he was born in North

Carolina and raised in rural North Carolina. He came to Alaska with the Air Force and was a member of the Judge Advocate General's Corp, then became Chief of Military Justice, and served as the head of legal procurement operations. He has served as trial lawyer with the military and is currently senior partner with the law firm of Owens & Turner, which specializes in labor employment relations matters.

MR. OWENS went on to say he attended secondary school in Washington, North Carolina, graduated from the United States Air Force Academy class of 1961 as a Rated Navigator, Second Lieutenant, graduated from Duke Law School with a juris doctor, and obtained a master's degree in counseling psychology from Alaska Pacific University. He has a certificate in neurolinguistic programming and as an executive and organizational coach.

Number 0450

CHAIRMAN ROKEBERG recognized that the legislature was fortunate to have Mr. Owens serve on the Select Committee on Legislative Ethics. For the record, he noted that Representative James had joined the meeting.

Number 0520

REPRESENTATIVE OGAN noted that Mr. Owens seemed overqualified and wondered if there were minimum requirements for serving on the committee [Select Committee on Legislative Ethics], which was an arduous and thankless job. He asked of Mr. Owens why he wished to undertake these responsibilities.

MR. OWENS responded that it was his way to give back to the community and he felt that he would benefit from the experience. In response to questions by Representative Ogan, he expressed the view that the Select Committee on Legislative Ethics functioned as an assistant to the legislature and legislators, rather than as a "watchdog", because of the complexity of the statutes that govern the legislature. He felt he would be up to the task and stated that he would be relying on the procedures already established by the committee for handling accusations directed at legislators by members of the public. In the case where someone comes to him directly, he said he would refer the complainant to Susie Barnett, staff to the Select Committee on Legislative Ethics, so that she could initiate the informal

complaint process. He noted he would then become re-involved only if the investigation process brought the matter back before the full committee.

Number 0794

CHAIRMAN ROKEBERG informed members that the membership on the Select Committee on Legislative Ethics was composed of two members from the Senate, one of whom is a minority member; and two members from the House, again, one being a minority member; and five public members selected by the Chief Justice of the Alaska Supreme Court. The public members' selection must be ratified by two-thirds membership of both bodies. No more than one public member may be a former legislator, and no more than two public members may belong to the same political party.

Number 0840

MR. OWENS responded to questions by Chairman Rokeberg by stating that he was non-partisan and that he tended to follow a strict constructionist interpretation of AS 24.60, regarding legislative conduct. He felt, however, that his training as an engineer, lawyer, and psychologist would be of value; his full-spectrum outlook would allow more leeway when passing judgment on a legislator's conduct.

REPRESENTATIVE JAMES and CHAIRMAN ROKEBERG thanked Mr. Owens for his willingness to come forward to do the job.

Number 1065

CHAIRMAN ROKEBERG, in response to Representative Berkowitz's offer of a motion to forward the confirmation, suggested the committee wait until both appointees had an opportunity to testify before signing the documents to forward the confirmations.

Number 1093

DENNIS E. "SKIP" COOK, Appointee, Select Committee on Legislative Ethics, testified via teleconference. He stated he was born and raised in Fairbanks and that his large family included 7 children and 16 grandchildren. He attended grade school and high school in Fairbanks and went on to the Massachusetts Institute of Technology, where he graduated with a

bachelor's degree in economics, politics and engineering. From Northwestern University he received a master's degree in political science, and a juris doctor degree from Willamette University. Right after graduation from Northwestern University he was hired to run the mandatory borough election in Fairbanks during the implementation of the Mandatory Borough Act in 1963.

MR. COOK explained that after graduating from law school in 1970, he began working for the law firm that eventually became Cook Schuhmann & Groseclose, where he has been a partner since 1972. Other interests include Rotary, church, the Tanana Valley State Fair, and Boy Scouts of America. He has served on the Select Committee on Legislative Ethics for last two years, and during the past year has held the position of chairman. Although he has found serving on the Select Committee on Legislative Ethics challenging in terms of getting familiar with the statutes and procedures, he has enjoyed working with the committee and is willing to continue.

MR. COOK turned to the aforementioned question regarding a strict constructionist interpretation of the statute. He related his belief that in spite of the details of the statute, there are still areas that are ambiguous. He envisioned situations arising that would call for a lot of discussion, consideration, and deliberation in order to determine where they fall within the statute. He hopes to remedy these ambiguous areas so that the application of the statute will be easier. He feels that all members [of the Select Committee on Legislative Ethics] have exercised a combination of strict construction and compassion. In conclusion, he expressed willingness to accept another appointment.

Number 1435

MR. COOK answered a question on procedures from Representative Ogan, saying that they [Select Committee on Legislative Ethics] often rely on a body of both formal and informal decisions that they have been developing over the years to guide them in interpreting some of the statutes. He recognizes that they [Select Committee on Legislative Ethics] are an advisory body and informal opinions are given as guidelines to legislators when they have questions about actions they wish to take. When formal decisions are arrived at, it is through careful deliberation based on prior decisions, the law, investigation results, testimony, and input from legislative members on the

committee [Select Committee on Legislative Ethics.] All through the process there is ample opportunity for input from both the public and the legislature.

Number 1535

CHAIRMAN ROKEBERG recognized that Representative Green, a member of the Select Committee on Legislative Ethics, had joined the meeting.

Number 1542

REPRESENTATIVE COGHILL thanked both appointees and expressed great appreciation of The Advisor, the newsletter produced by the Select Committee on Legislative Ethics, which is made available via e-mail to all legislators and legislative staff.

MR. COOK concluded his testimony by saying a primary motivation in continuing to serve on the Select Committee on Legislative Ethics was to provide continuity during the next year, since Susie Barnett is resigning.

ADJOURNMENT

Number 1625

CHAIRMAN ROKEBERG concluded the House Judiciary Standing Committee meeting regarding the confirmation to the Select Committee on Legislative Ethics at 1:30 p.m. [The motion to forward the nominees for the Select Committee on Legislative Ethics occurred during the overview portion of the meeting, which can be found in the 1:35 p.m. minutes for this date.]