

SENATE RESOLUTION NO. 3

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY SENATORS WAGONER, Bunde

Introduced: 2/26/07

Referred: Health, Education and Social Services, State Affairs, Judiciary

A RESOLUTION

1 **Relating to consideration by the Senate of impeachment of James C. Hayes, University**
2 **of Alaska regent.**

3 **BE IT RESOLVED BY THE SENATE:**

4 **WHEREAS** the Alaska State Senate has been informed of serious allegations against
5 James C. Hayes involving breach of fiduciary duty and misuse of public funds resulting in a
6 multiple-count federal grand jury indictment; and

7 **WHEREAS** James C. Hayes is presumed criminally innocent until proven guilty, but
8 the standard for impeachment is by clear and convincing evidence; and

9 **WHEREAS** the allegations and indictment alone raise serious concerns about Mr.
10 Hayes' ability to fully execute his duties as a University of Alaska regent based on the time
11 and significant resources required to defend himself;

12 **WHEREAS** James C. Hayes failed to attend 44 percent of the meetings of the Board
13 of Regents in 2006 and both full board meetings held in 2007 to date;

14 **BE IT RESOLVED** that the Senate finds by clear and convincing evidence that
15 James C. Hayes has committed an impeachable offense by his unauthorized use of the
16 University of Alaska seal to secure funding for his personal benefit and use; and be it

1 **FURTHER RESOLVED** that the Senate finds by clear and convincing evidence that
2 James C. Hayes has committed an impeachable offense by being unable or unwilling to carry
3 out his duties to the University of Alaska as demonstrated by his past and continuing absences
4 from the meetings of the Board of Regents; and be it

5 **FURTHER RESOLVED** that the matter is referred to the House of Representatives
6 for a trial on impeachment for the removal of James C. Hayes from the University of Alaska
7 Board of Regents.