

APPOINT- MENTS



Alaska State Legislature

Senate

Office of the Secretary

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

M E M O R A N D U M

TO: Senator Vic Fischer
Chairman
State Affairs Committee

FROM: Peggy Mulligan *P. Mulligan*
Secretary of the Senate

DATE: January 20, 1981

The President has referred the following Governor's appointments to your committee for your recommendation in accordance with AS 39.05.080:

STATE BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS AND LAND SURVEYORS

Gerald Myers, Fairbanks, term expiring 7/1/86
Odin Strandberg, Anchorage, term expiring 7/1/81

ATHLETIC COMMISSION

Don Dennis, Fairbanks, term expiring 5/14/82
Reginald Joulz, Kotzebue, term expiring 5/14/82

STATE COMMISSION FOR HUMAN RIGHTS

*James Chase, Anchorage, term expiring 1/31/86

PERSONNEL BOARD

*Morgan Reed, Skagway, term expiring 6/20/86

ALASKA PUBLIC UTILITIES COMMISSION

*Gordon Zerbetz, Anchorage, term expiring 10/31/86

*reappointments

RESUME'

RECEIVED
JUN 27 1980

GOVERNOR'S OFFICE

NAME: Gerald D. Myers

Martial Status: Married in 1955, No children

Occupation: Practicing Architecture in Alaska 12 years.

Overview: University of Idaho: Bachelor of Architecture
Registered Architect in Alaska, No. 1848-A
Registered Architect in California No. 5704
Registered Architect in Idaho, No. AR-505

Professional
Affiliations: Past Commissioner, Fairbanks Historical Preservation Commission
Chairman Fairbanks Urban Beautification Commission
Past Chairman, Fairbanks Overall Development Program
Guest Lecturer, University of Alaska, School of Engineering
Past Commissioner North Star Borough Library Commission
Member American Institute of Architects
A.I.A. Representative to Alaska Professional Design Council

Previous
Firm Affiliation: Partner in Fairbanks Architectural/Engineering firm
of Gray, Rogers, Myers & Morgan; 1968 - 1973

Current
Firm Affiliation: Architects: GDM & Associates, Inc. formed in 1974 with
offices in Fairbanks and Anchorage.

TO: State of Alaska
Office of the Governor
ATTENTION: Vicki A. Clayman

RESUME

Name: E. Odin Strandberg
Address: 6502 Lakeway Drive, Anchorage, Alaska 99502 243-1122
Birthplace: Flat, Alaska May 16, 1915

Fifth of six children of David and Jenny Strandberg, Pioneers of Klondike,
Fairbanks and Iditarod.

Alaska Residency: 65+ years

Professional Education:

University of Washington - 3 years
University of Alaska - 2 years

Professional Degree:

Bachelor of Science in Mining Engineering
University of Alaska - 1959

Registration:

State of Alaska:

Mining Engineer - License No. EM0834
Land Surveyor - License No. LS3971

Career History:

Thirty-two years active experience in exploration, evaluation and operation of
placer and lode mining properties in Alaska. (Twenty years as a consulting
engineer) Specific areas - Iditarod, Innoko, McGrath, Koyukuk, Fairbanks,
Taiketna, Prince William Sound, Kenai Peninsula, Kachemak Bay.

Ten years experience in electrical power generation, including design, installation
and operation.

Ten years Municipal Engineering work in Soldotna and Anchorage, including eight
years as Anchorage Building Official.

Professional Organizations:

American Institute of Mining, Metallurgical and Petroleum Engineers (AIME)
National Society of Professional Engineers
Alaska Miners Association

Other:

Current Private Pilots' License No. 1500219

Immediate Family:

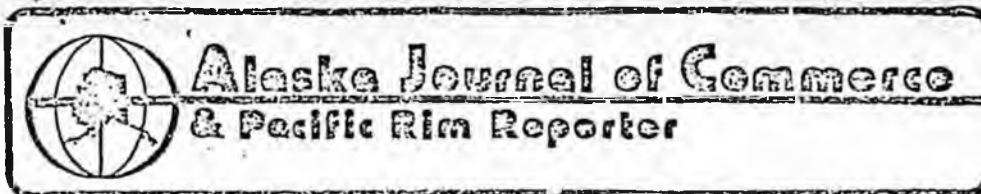
Married - Marie O. Nordstrand, August 10, 1939

Four Sons:

E. Odin Strandberg, Jr., P.E., Sonoma, CA
Sigvald John Strandberg, Realtor, Anchorage, AK
James Stephen Strandberg, P.E., Fairbanks, AK
Coerent Rudolph Strandberg, student, University of Alaska

Avocations:

Inland Boating
Boat Building
Flying
Skiing



Alaska Journal of Commerce & Pacific Rim Reporter

715 L Street, Suite 5 • Anchorage, Alaska 99501 • (907) 278-3723

DONALD A. DENNIS

3011 Westgate Place
Fairbanks, Ak. 99701
Phone: (907) 456-6429
Age: 39
Birth: 9/8/39
Height: 6'4"
Weight: 240
Health: Excellent

Marital Status: Married, 4 Children
Scott 17, Steve 15, Teena 13, Todd 7
Education: Southern Colorado St. (B.S. '66)
Pueblo College (A.A. '59)
Occupation: Writer/Management Consultant
Religion: Presbyterian

PROFESSIONAL:

November 1959-August 1961
August 1961-August 1964
August 1964-November 1967
November 1967-August 1968
September 1968-April 1976

The Chieftain, Pueblo, Colo. Sports Writer
The Sentinel, Grand Jct., Colo. Sports Editor
The Chieftain, Pueblo, Colo. Asst. Sports Editor
Jessen's Daily, Fairbanks, Ak. Sports Editor
Daily News-Miner, Fairbanks, Ak. News Editor (1968-70)

October 1968-March 1971
January 1962-August 1964
March 1965-November 1967
February 1968-Present
November 1975-Present
September 1978-Present
November 1979-Present

University of Alaska Sports Information Director
Grand Junction Baseball Inc. Business Manager
Pueblo Baseball Club Inc. President/General Manager
Ak. Goldpanners Baseball Inc. General Manager/Secretary
Valley Giants Baseball Inc. General Manager/Treasurer
Pacific Rim Publishing Co. President
Tundra Tours Inc. General Manager

ORGANIZATIONS (Partial Listing Only)

Salvation Army
Boys Club of Fairbanks
Quarterback Club
U of A Blue & Gold Club
AAU Basketball
Sigma Delta Chi
Parks & Recreation Commission
National Parks and Recreation Association (CBM)
Arctic Winter Games Corp.
Alaska Winter Games Inc.
American Association of College Baseball Coaches
National Association of Summer Baseball Leagues
United States Baseball Federation
Fairbanks Youth Sports Inc.
Little Dribblers Basketball
American Legion Baseball
North of the Range League
Stadium Expansion Committee
Runyon Field Committee
Colorado All-State Games

Fairbanks, Ak.
Fairbanks, Ak.
Fairbanks, Ak.
College, Ak.
Fairbanks, Ak.
Chicago, Ill.
Fairbanks, Ak.
Arlington, Va.
Whitehorse, Y.T.
Anchorage, Ak.
Chicago, Ill.
New York, N.Y.
Greenville, Ill.
Fairbanks, Ak.
Fairbanks, Ak.
Fairbanks, Ak.
Fairbanks, Ak.
Pueblo, Colo.
Pueblo, Colo.
Denver, Colo.

Advisory Board of Directors
Executive Director
Board of Directors
Founder/Member
Chief Operating Officer
Member
Commissioner
National Board of Directors
President/Board of Directors
Board of Directors
Member
Past President/Vice President
Delegate
Board of Directors
Board of Directors
Advisor
Chief Operating Officer
Member
Member
Member

HONORS (Most Cherished Only)

Executive of the Year, National Baseball Congress, Wichita, Kan.
Sportsman of the Year, Fairbanks Quarterback Club, Fairbanks, Ak

RESUME

Phone: Home 442-3452
Work 442-3411

Reginald L. Joule

October 14, 1980

Box 673
Kotzebue, Alaska 99752

PERSONAL DATA

Date of Birth: July 14, 1952, in Nome
Social Security Number: 574-24-6194
Registered Voter in: Kotzebue
Married: Linda Joule; one daughter

EDUCATION

Copper Valley High School Graduated in 1970
University of Alaska Fairbanks, Alaska 1970-73:
Classes in Political Science

EMPLOYMENT

1974 to Present Wien Air Alaska
Ground Service Member
Relief Operations Agent

1973 to 1974 NANA Regional Corporation
I worked as an Assistant Planner for the NANA Regional Corporation, under an Economic Development grant. The purpose of my job was to plan and promote economic development and growth for this region. A few of the main emphases was on tourism, fisheries and the reindeer industry. Many of the ideas and proposals we put together at that time are now to this day a reality in this region. I did alot of traveling to the villages in this region and know some of the villagers' needs, working with NANA helped my understanding in this area. I served on the State JOM board during that year.

January 1973 to May 1973 Wien Air Alaska
Bethel

1970 to 1973 Alaska Airlines
Tour Guide

PERSONAL INTERESTS AND MEMBERSHIPS

For the past eleven years, I have been involved with the World Eskimo-Indian Olympics as a competitor and most recently (presently) as Vice President of the Board of Directors. I have also been involved in the Arctic Winter Games and since 1972 have done the selecting of the competitors for the Native Sports. I have served as Coach for that particular group. The selection is state-wide and I also have served as competitor. I have also worked with the Anchorage Fur Rendevous Committee in setting up demonstrations in the Eskimo blanket toss and high kicking for the past four years.

I served one year on the Kotzebue City Council in an appointed position.

February 1, 1980

Name: James H. Chase
Address: 3023 Madison Way
Anchorage, Alaska 99504

Education

1967 Master of Science, Industrial Management, University of North Dakota, Grand Forks, North Dakota,
1954 Bachelor of Science, Biology, Morgan State College, Baltimore, Maryland.

Present Position

1979/80 -Affirmative Action Officer for Anchorage Community College and University of Alaska, Anchorage. Address: 3211 Providence Drive, Anchorage, Alaska 99504. Telephone: (907) 263-1434.

Duties: Responsible for implementation, coordinating and monitoring the University's Affirmative Action Program for Anchorage Community College and the University of Alaska, Anchorage in compliance with current federal and state legislation, Presidential Executive Orders and court decisions. Insures that all educational services are delivered without regard to race, color, religion, national origin, sex, age, physical disability or veteran status. Trains management, first-line supervisors and other employees with regard to their affirmative action duties and responsibilities. Prepares and submits reports as required.

Develop and carry out two-way communications with local minority and women's organizations and other community groups to inform them of the University's EEO/AA policies and plans. Develop an accurate database in order to provide meaningful goals and timetables for the Affirmative Action Plan.

Represent the units served at Federal and State agency hearings, grievance procedures, and court proceedings. Advise student, employees, and applicants of their rights including mechanisms both internal and external which may help the individual obtain relief from a complaint.

Positions Held

8/1977 to 10/1978 -Senior Associate, Center for Equality of Opportunity in Schooling, Alaska Native Foundation, 411 West 4th Avenue, Anchorage, Alaska 99501 Telephone: (907) 274-2541.

Specialization: Title IX and Human Relations

Primary Duties: Organizes and conducts workshops related especially to sex desegregation; provides technical assistance on race/sex desegregation issues to urban and rural school districts in developing needs assessment statements, program plans, affirmative action plans, grievance procedures, and compliance record keeping procedures. Provides follow-up services via written evaluations and reports and furnishing of resource materials. Analyzes race/sex desegregation problems and aids in planning for remedies.

Ancillary Duties: Planning and co-facilitating workshops, seminars, and conferences on multi-cultural, multi-lingual, values clarification, effective communication, team building, assertiveness and other human relations subjects.

2/1977 -Acting Director, Anchorage Equal Rights Commission, Municipality of Anchorage, Anchorage Alaska.

to

6/1977

Duties: Directs the Commission's program involving all administrative and fiscal responsibilities; trains and supervises all staff employees; recommends the establishment of ordinances dealing with equal opportunity; represents the Commission in a wide variety of contracts; makes public appearances as required before groups and the general public; holds workshops/seminars; counsels employers, investigates complaints and develops solutions; maintains direct liaison with news media; sits as principal administrative officer at Commission meetings; prepares annual and supplemental budget; prepares newsletters and brochures outlining purposes of the Commission.

2/1975 -Director, Human Relations Commission, City of Anchorage, Alaska

to

2/1977

Duties: Directs the Commission's program involving all administrative and fiscal responsibilities; trains and supervises all staff employees; recommends the establishment of ordinances dealing with equal opportunity; represents the Commission in a wide variety of contacts; makes public appearances as required before groups and the general public; hold workshops/seminars; counsels employers, investigates complaints and develops solutions; maintains direct liaison with news media; sits as principal administrative officer at Commission meetings; prepares annual and supplemental budget; prepares newsletters and brochures outlining purposes of the Commission.

7/ 972 -Chief, Social Actions Office, 21st Composite Wing, Elmendorf Air Force Base, Alaska

to

11/1974

Duties: Developed and administered Drug and Alcohol Abuse Education and Rehabilitation, Race Relations Education, Dissident and Protest, Domestic Actions, Equal Opportunity and

Affirmative Action programs. Served a population of more than 11,000 persons. Maintained liaison with civilian counterpart agencies. Established Elmendorf Human Relations Council and Drug Abuse Control Committee. Author of the Elmendorf AFB Affirmative Action Plan.

3/1970 - Chief, Management Engineering Division, Manpower and Organization,
Alaskan Air Command, Elmendorf Air Force Base, Alaska.

to

6/1972

Duties: Developed and administered the Alaskan Air Command Management Engineering Program. Provided technical guidance and insured coordination of manpower determinants with staff agencies. Continuously reviewed and analyzed the Commands' manpower resources to assure credible and defensible utilization of authorizations. Utilized techniques of systems analysis, statistical analysis, time and motion studies and layout process flow analysis. Quantified reduction of 124 manpower spaces equating to a savings of more than \$2 million.

4/1969

- Commander, Cape Newenham Air Force Station, Cape Newenham, Alaska.

to

3/1970

Responsible for the remote arctic radar station to include the Air Defense mission and the supporting housekeeping functions on a 24-hour-a-day basis. Responsible for the health, welfare and morale of more than one hundred officers, enlisted persons and Department of the Air Force civilians on isolated duty in an arctic environment.

Current Community and Professional Activities

Member -Joint Committee for International Human Rights

Member -National Association of Human Rights Workers

Board
Member -Alaska Black Caucus

Member -Anchorage, NAACP

Board
Member -Chugach Council of Camp Fire

Member -Alaska Vocational Rehabilitation Advisory Board

Member -Anchorage Community Chorus

Member -Editorial Board - The Journal of Intergroup Relations

Past Community and Professional Activities

- 1978/79 Western Regional Vice-President
National Association of Human Rights Workers
- 1975/79 Board Member
National Association of Human Rights Workers
- 1976/78 President, Black Arts Association
- 1976/77 U.S. Commission on Civil Rights Conference Planning Committee
- 1975/77 International Association of Official Human Rights Agencies
- 1972/77 Anchorage Community Chorus
Board Member
- 1973/77 Anchorage Mayors' Charity Rose Ball Committee
- 1975/77 Anchorage Intergroup Relations Association
- 1970/76 Alaska Industrial Management Society
- 1973/75 City of Anchorage Budget Advisory Committee
- 1972/75 Anchorage Equal Rights Association
- 1973/76 Anchorage Roundtable

Honors and Awards

- 1979 Volunteer of the Year, Chugach Council of Campfire, Inc.
- 1979 Outstanding Volunteer, Alaska Black Caucus
- 1978 Maharishi Award, Transcendental Meditation Society
- 1978 Farnsworth Award, Chugach Council of Campfire, Inc.
- 1976 Golden Spike Award, Alaska Railroad
- 1974 Meritorious Service Medal, United States Air Force
- 1973 Presidential Award, Anchorage NAACP
- 1973 Presidential Award, Black Arts Association
- 1971 Outstanding Member of the Year Award, Alaska Industrial Management Society
- 1970 Commendation Medal with Oak Leaf Cluster, U.S.A.F.
- 1969 Commendation Medal, U.S.A.F.
- 1967 Combat Readiness Award, U.S.A.F.

MEMORANDUM

State of Alaska

TO: The Honorable Vic Fisher
Senator

DATE: January 28, 1981

FILE NO:

TELEPHONE NO: 465-3500

FROM: Vicki A. Clayman
Special Assistant
to the Governor

SUBJECT: Resumes for
Legislative
Confirmation

Attached as you requested in your memo of January 21, 1981, are the resumes of Janis Williams, Alaska Pipeline Commission; Don Dennis, Athletic Commission; and Gordon Zerbetz, Alaska Public Utilities Commission.

The resume for ~~Morgan Reed~~ is not available in this office. An update was requested from him when he was reappointed in June of 1980, however, we have not received a response.

Brief information on Mr. Reed is as follows:

~~Businessman, State House of Representatives, 1959-65,
and 1971-73.~~

Please advise if I can be of further assistance.

Thank you.

Attachment

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LEGIBLY BECAUSE OF POOR QUALITY OF THE
ORIGINAL.

GORDON J. ZERBETZ
1100 MacKay Building
338 Denali Street
Anchorage, Alaska 99501

Business Phone: 276-6222
Home Phone: 279-9971

Birthplace:

Ketchikan, Alaska

Education:

Ketchikan High School
Whitman College (BA Economics and
Business Administration
Alaska Pacific University/Southern
Methodist University (Master of
Liberal Arts Candidate)
University of Alaska, Anchorage,
Accounting Studies
National College of the Judiciary/Uni-
versity of Nevada, Administrative Law
Judge Course
Hidder-Peabody Seminar Studies - Invest-
ment Finance
General Telephone and Electronics Corporation-
Telephone Revenue Separations School.

Present Position:

Commissioner, Chairman, Alaska Public
Utilities Commission

Business Experience:

1950 - 1950 Alaska Bottling Company, Inc.
General Manager, Co-owner
1950 - 1965 Alaska Meat Company, Partner
1952 - 1953 Southeast Alaska Marine Transportation,
Inc., Co-Founder - Officer
1953 - 1973 Stegman Hotel Company, Inc.
General Manager, President
1963 - 1980 Zerbetz Pine Apartment, Partner
1963 - 1980 Alaska Sea Ranch, Inc., Co-owner
Director and
1976 - 1980 Rarities Unlimited, Owner
1975 - 1980 MC Productions, Inc., Director and
Vice President

Military Experience:

Alaska Territorial Guard; U.S. Army
Signal Corps; U.S. Coast Guard
Reserve (Retired, Commander)

Public Service:

City of Ketchikan

Charter Commission; City Council;
Centennial Committee; Rescue Squad;
Civil Defense Director

Municipality of
Anchorage

Civil Defense and Disaster Advisory
Commission

Work Experience:

Fisheries Development

Oysters -- First successful large-scale
oyster farm - new Alaskan industry;
developing techniques for adapting
various species for Alaskan waters;
innovative oyster hatchery - experience
with family-owned long-line halibut
schooner; also, in Washington State
I have participated in the development
of innovative shellfish hatchery and
ocean salmon ranching.

Alaska Meat Company -- market develop-
ment of local sea food products.

Stedman Hotel Company, Inc. -- unique
menus of Alaskan sea foods-
fish and smokehouse operation.

Agriculture-Forestry
Experience:

Personal experience in small scale hand-
logging and beach logging;

As supplier and provider of credit to
numerous logging companies, I have
acquired considerable knowledge of logging
and re-forestation techniques.

Orchard work, Washington State -
research and practical work in vegetable
growing .
presently experimenting with test plots
of wild rice in Alaska.

Business Management:

Property development and management of
commercial and residential properties.

Owned and operated two hotels;
restaurant and fast food service.

Tourism -- Active in development and
sponsorship of Ketchikan's tourist
melodrama, "The Fish Pirate's Daughter";
Promoted tourist-oriented technique
for taking sea food home;
built 30 ft Indian war canoe as
tourist attraction;
Promotion of motor coach transportation
via Marine Highway System.

Business Management:
(continued)

Manufacturers representative for inflatable boats;

Marketing Ketchikan oysters;

Wholesale and retail meat operation;

Advisory Board for Commercial Loans,
National Bank of Alaska;

Marine Transportation -- assisted in planning and operation of small-vessel freight system from Pacific Northwest to Southeastern Alaska;
Pioneered in containerized shipping.

Alaska Centennial Committee -- Chairman for Ketchikan area; totem restoral; promoted native art and dancing; major urban renewal project including construction of library - museum complex; reconstruction of Fort Tongass; instrumental in establishing the Fort Tongass Drum and Bugle Corps.

Utility Regulation:

Because the role of a Public Utilities Commissioner extends beyond the statutory responsibilities, I have had the opportunity to participate from the outset in the satellite communications program.

Active in rural energy alternatives including biomass, wind, river, tidal power, small hydro, hydrogen energy and low BTU gas producer.

Member of NAREC Engineering (Appreciation and valuation) Committee.

My position on the Commission and previous assignments in the military and private sector have required travel to all parts of Alaska. Current position requires working knowledge of business conditions throughout the State.

70. DIRECT CRAYMEN

RESUME

George W. McCoy

Alaskan Resident since February 1964

Residence: Mile 1.4 DeArman Road
Anchorage, Alaska

Mailing Address: P.O. Box 2592
Anchorage, Alaska 99510

Telephone: (907) 549-6631

Presently: General Manager
Newbery Alaska, Inc.
6800 Arctic Boulevard
Anchorage, Alaska 99502
Tel: (907) 549-6631

Business Experience:

Electrical Contracting Industry since 1954

Alaskan Experience -

1954 - Chief Estimator & Assistant Manager
Gustav Hirsch Organization, Inc.
1705 Ship Avenue
Anchorage, Alaska

1968 - Executive Vice President
Rogers Electric Corporation
719 East 11th Avenue
Anchorage, Alaska

Present - Newbery Alaska, Inc.

Alaska Electrical Contractors License No. 241 for Inside Wiring and Outside
Line work

Education:

Point Pleasant, W. Virginia High School 1951
West Virginia University 1951-1952

General Engineering
Marshall University 1950

Electronics Extension Course
National Electrical Contractors Association Workshops:
National Electrical Code
Operation Codes to Better Management
Marketing Strategies for Increased Profits
Cash Flow Management
Executive Management Seminar

Education: (continued)

Associated Management Research Seminars:
 Finance and Accounting for Managers
 Managing By Transactional Analysis
 Olympic Engineering Corporation
 Value Engineering Seminar
 Estimate Corporation
 Electrical Estimating

Activities:

Member - National Electrical Contractors Association
 Member - Associated General Contractors of America
 Member - International Association of Electrical Inspectors

Past Member - National Electrical Contractors Association, Alaska Chapter:
 Code Committee 10 Years
 Negotiating Committee 2 Years
 Board of Directors 2 Years

Past Member - Construction Advisory Committee to The Anchorage School District

Past Member - Alaska Joint Electrical Apprenticeship Training (State)
 Committee - 10 Years

Received Meritorious Service Award for Apprenticeship Training
 Activities from U.S. Department of Labor, January 1977.

Statistics:

Born - September 7, 1934, Gallipolis, Ohio
 Live with wife Peggy at Idaroua residence - since 1966

Hobbies:

Photography, sailing, hunting, fishing, skiing, snowmobiling

THE PRECEDING DOCUMENT(S) MAY NOT FILM
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ORIGINAL.

RESUME

KAREN W. CORY
Pouch A
Juneau, Alaska 99811
(907) 364-3452

PROFESSIONAL GOAL: Management position responsible for the interests of the State of Alaska with emphasis on facilitating the coordination of human and natural resources.

BUSINESS EXPERIENCE:

March 1979 to Present Special Assistant to Governor Jay S. Hammond, State of Alaska, Juneau. Advisory function to the Governor in areas of human resources, primarily with Departments of Health and Social Services, Education, Labor, Law, Administration and the University of Alaska. Major responsibilities: Assist Governor, Commissioners and the Legislative Assistant in developing policy for the Governor's legislative package, and legislation generated by the Senate and the House; Consult with agencies in developing specific programs supporting Governor's philosophy; Negotiate budget reviews with specific recommendations for the Governor's Budget Review Committee; Mediate and resolve inter-agency problems among departments and between state and federal entities; Represent and communicate policies and their fiscal implications to diverse groups - boards and commissions, general public; Investigate and resolve individual issues with appropriate State officials.

June 1978 through March 1979 Director, Division of Equal Employment Opportunity Juneau. Major responsibilities: Coordinated all State agency activities relating to equal employment opportunity; Managed statewide E.E.O. budget, supervised staff in Juneau and Anchorage; Formulated policies, Conducted worksessions; Maintained close communication with women and minority organizations statewide; Informed departments of federal, state, local legislation pertaining to civil rights. Recommended action to Commissioner which contributed to equal employment opportunities through changes in regulations and procedures; Determined guidelines, implementation mechanism, monitor systems and methods to measure program effectiveness; Represented the State at various conferences.

August 1976
through
May 1978

Human Rights Field Representative, Alaska State Commission for Human Rights, State of Alaska, Anchorage. Major responsibilities: Researched and interpreted federal and state legislation regarding Civil Rights; Interviewed complainants and respondents, prepared investigative strategies, conducted resolution conferences between parties to analyze evidence, negotiated legal settlements, wrote findings, and served as a witness at public hearings. Several cases concerned pipeline construction and employment practices of private industries; Demonstrated ability to interpret and communicate laws to general public. Special accomplishments: Rated outstanding in the percentage of case closures attributable to resolution skills. Completed a proposal to inform the Native community (rural Alaska) of the laws. This proposal was unanimously approved by Commissioners.

March 1976
through
August 1976

Human Relations, Anchorage School District, Anchorage. Major responsibilities: Facilitated human relations among various groups within the school community to alleviate prejudice/stereotyping on basis of a person's race, sex or similar characteristics. Assisted in organizing workshops for certified staff and students; Implemented Title IX of the Education Amendment Act of 1972 (sex discrimination); Interviewed, investigated, and resolved allegations of discrimination; Researched cross-cultural experiences of minority groups (Natives, Blacks, Hispanics, Asians, Filipinos and others). Special emphasis on issues of assimilation and acculturation facing rural communities.

1975

Partsperson, Teamsters Local 959, Associated Green Construction Company, Fairbanks. Assigned: Prospect Camp, TransAlaska Pipeline. Major responsibilities: Inventoried and delivered parts for heavy and light duty construction vehicles. Worked along various pipeline sites.

1973

Assistant Personnel Manager, The First National Bank of Anchorage, Anchorage. Major responsibilities Completed management Trainee Program. Extensive training in overall bank operations - accounting and finance. Promoted to Assistant Personnel Manager. Interviewed applicants, explained employee benefit package, participated in public relations activities. Special accomplishment: Surveyed methods to reduce turnover in transient and urban community.

February 1973 through September 1973 Production Assistant, Television, Radio, and Film Communications, (TRAFECO), Incorporated, Nashville, Tennessee. Major responsibilities: Interviewed actors for media; Assisted with cameras, props, set design, scripts; Reconciled expenses. Experienced in use of media as related to marketing ideas.

SUMMERS:
1966 through 1971 Teletype Assistant, Meter Reader, Secretary, Receptionist, Knoxville, Tennessee.

EDUCATION:

Present Pursuing Masters Degree, Public Administration. University of Alaska, Anchorage.

April 1978 Equal Employment Opportunity Training Session, Washington, D.C., Federal E.E.O.C.

June 1977 Communication Techniques, Emma Walker, Title II/Tacoma, Washington; Frank Battissee and Phyllis Lee, Human Relations/General Assistance Center of Portland, Oregon.

April 1977 Human Rights Technical Workshop, Alaska State Commission for Human Rights.

1977 American Institute of Banking, Anchorage, Alaska.

1972 University of Tennessee, 100 Alumni Hall, Knoxville, Tennessee 37916. Bachelor of Science: Political Science. Minor: Economics.

PERSONAL INFORMATION:
Born April 13, 1950. Major interests include: Politics, reading, economics, poetry and skiing. Extensive travel throughout Alaska.

REFERENCES: Personal references may be obtained upon request.

JANIS C. WILLIAMS

4034 Reka Drive #2
Anchorage, Alaska 99504
Phone 337-6073

Born: November 12, 1948
Marital Status: Single
Health: Excellent

Admitted to Alaska Bar: May 29, 1975

EDUCATION

- Legal: University of Denver College of Law, Denver, Colorado.
Juris Doctor Degree, December 1974.
Class Standing: Top 20%.
Honors and Activities: American Jurisprudence Award.
for excellence in Estate Planning, Vice-chairman,
Student Faculty Committee on Sub-Professional/
Paralegal Education.
Internships:
Trusts, United Bank of Denver, Denver, Colorado.
In-depth orientation to all aspects of the trust department
of a large commercial bank including the investment, tax,
sales and account management areas of both personal and
corporate trusts.
Legal Aid, Arapahoe County Legal Aid, Englewood, Colorado.
Legal work in domestic relations and general civil
practice including representation of clients in
court.
- Paralegal: The Institute for Paralegal Training, Philadelphia,
Pennsylvania. Certificate in Corporate and Securities
Law, December 1970.
- Undergraduate: Mount Holyoke College, South Hadley, Massachusetts.
Bachelor of Arts Degree in Economics, June 1970.
Study Abroad: Junior year spent in Brussels, Belgium
studying the European Economic Community.
- Other: Northwestern University, Chicago, Illinois. Accounting
courses.

EMPLOYMENT

Assistant Attorney General, Department of Law, Juneau, Alaska.

Governmental Affairs Section, May 1978 to April 1979.

Duties: Legal advisor to various divisions of the Departments of Administration, Community and Regional Affairs, Military Affairs, Commerce and Economic Development and the Division of Elections.

Also represented these departments in civil litigation.

Oil and Gas Special Projects Section, May 1979 to November 1980.

Duties: Legal advisor to various state agencies concerned with oil and gas matters, primarily the Departments of Natural Resources and Revenue. Handled a variety of oil and gas issues including sales of royalty oil and gas and oil and gas royalty and tax litigation.

City Attorney, City of Kenai, Alaska. June 1975 to February 1978.

Duties: Chief legal advisor to City Council and all City departments, prosecuting attorney for city, attorney for city in all civil litigation.

Special Assistant on Paralegal Affairs and Co-ordinator of Paralegal Program,

University of Denver College of Law. January to December 1974.

Duties: Planning, administration and teaching of paralegal courses given by the Program of Advanced Professional Development of the law school and Continuing Legal Education in Colorado, Inc., attending meetings of interested organizations, speaking to school and community groups, and doing special projects on paralegals.

Paralegal in Corporate and Securities Area, Sidley & Austin, Chicago, Illinois. January 1971 to September 1972.

Duties: Drafting documents and agreements concerning incorporations, mergers, acquisitions and public stock and bond offerings of corporations represented by the firm, preparation of reports to state agencies and the Securities and Exchange Commission, and aiding in discovery in complex corporate litigation.



Official Business

Alaska State Legislature

Senate

Office of the Secretary

Pouch V
State Capitol
Juneau, Alaska 99811

M E M O R A N D U M

TO: Senator Fischer
Chairman
State Affairs Committee

FROM: Peggy Mulligan *Peggy*
Secretary of the Senate

DATE: January 20, 1981

The President has referred jointly to your committee and the Resources Committee the following Governor's appointments for your recommendation in accordance with AS 39.05.080:

ALASKA PIPELINE COMMISSION

Karen Cory, Anchorage, term expiring 4/4/86
Janis Williams, Juneau, term expiring 4/4/82



Alaska State Legislature

Senate

Office of the Secretary

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

M E M O R A N D U M

TO: Senator Vic Fischer
Chairman
State Affairs Committee

FROM: Peggy Mulligan *Peggy*
Secretary of the Senate

DATE: January 20, 1981

The President has referred the following Governor's appointments jointly to your committee and the Community and Regional Affairs Committee for your recommendation in accordance with AS 39.05.080:

BOARD OF ELECTRICAL EXAMINERS

George McCoy, Anchorage, term expiring 7/10/82
Terence Duszynski, Fairbanks, term expiring 7/10/83

Terence L. Duszynski
Star Route Box 10356
Fairbanks, Alaska

Personal Data

AGE - 33

MARRIED * 2 Children

HOMEOWNER
 $\frac{1}{4}$ Mile Rosie Creek Rd.

7 Year Resident of Fairbanks

Educational Data

B.S. Business Management 1973

California State University at San Diego

Associate Arts 1970

Antelope Valley College, Lancaster California

Business History

Licensed Home Inspector 1977 - Present

Duszynski & Associates Inc.
Fairbanks, Alaska

Licensed By INTERIOR ALASKA DWELLING INSPECTION COUNCIL INC.

Cabinet & Furniture Maker 1977 - Present

Rosie Creek Woodworks
Fairbanks, Alaska

Vice President, General Manager 1976 - 1977

Durrite Construction Systems Inc.
Fairbanks, Alaska

General Manager, Co-owner 1974 - 1976

Durrite Drywall Systems
Fairbanks, Alaska

Business History Cont.

General Foreman	X & W Drywall Fairbanks, Alaska	1973 - 1974
General Foreman	French Drywall Escondido, California	1970 - 1973
Journeyman Carpenter	Various Companies in Lancaster & Los Angeles Ca.	1968 - 1970
Journeyman Drywall Hanger & Finisher	Various Companies in Florida	1965 - 1967
Apprentice Drywall Hanger & Finisher	Modern Drywall Co. Orlando, Florida	Summers from 1960

Memberships

Carpenters Local 1506 - Los Angeles, California	1968 - 1970
Carpenters Local 1300 - San Diego, California	1970 - 1973
Carpenters Local 1243 - Fairbanks, Alaska	1973 - 1978
Full Gospel Businessmans Fellowship International	1977 - Present
Qualified Foster Parent for State of Alaska	1976 - Present



Official Business

Alaska State Legislature

Senate

Office of the Secretary

Pouch V
State Capitol
Juneau, Alaska 99811

M E M O R A N D U M

February 25, 1981

TO: Senator Fischer
Chairman
State Affairs Committee

FROM: *Peggy* Peggy Mulligan
Secretary of the Senate

The following Governor's appointee for legislative confirmation of appointment to the position noted has been referred to your committee:

ALASKA PUBLIC OFFICES COMMISSION

Mildred A. Opland, Anchorage, term expiring 2/1/86

A resume on the above individual is attached.

Applicant: Mildred A. Opland

Born in Grand Forks, North Dakota in 1931

Graduated with Bachelor of Science in Chemistry
University of North Dakota, 1952

Married Robert Opland in 1952

First came to Alaska in 1952.

Mother of four Alaskans ages 19, 22, 24 and 26

Community involvement:

- Active church member involved in choir, Sunday School and currently serving as President to our church women's organization
- Past area chairman for Heart Fund Drive
- Six years member of PTA board
- Area representative for HALO (homeowners) board
- Republican Women's Club past Vice President '77-'79
- Republican Party Precinct Committee Woman '58-'81
 - Delegate to District Conventions, '58, '64-'80;
 - Delegate to State Conventions, '68-'80;
 - Area Coordinator, '58-'72
 - District 10 Chairman, '72-'74
 - District 11 Bonus Vote, '75-'80
- Alaska Division of Elections
 - Registrar since election registration began
 - Precinct election board judge since '75
 - Southcentral Canvass Board, '74, '76, '78, '80

Favorite pastimes include sailing, hiking and reading.

MSG 81-00001580 PRTY 1 01/21/81 12:43:18 ORIG: LW00 IN= 0006 OUT= 0024
FROM: MARTIE/ MAT SU TO: SEN KERTTULA, REP CARNEY
TARGET: LJH2 SUBJ: POM PAGE 0001

TO: SEN KERTTULA AND REP CARNEY
FROM: FITA CAMPBELL, P.O. BOX 269, PALMER, AK 99645
RE: DON DENNIS AS CHAIRMAN OF COMMISSION ON ATHLETICS
I WOULD NOT LIKE TO SEE DON DENNIS AS CHAIRMAN OF THIS COMMISSION.
HIS RECORD WITH THE ALASKA LEAGUE INDICATES SOMETHING LESS THAN
HE IS SEEKING THE BEST INTERESTS OF ALL INVOLVED. HE HAS BEEN INVOLVED
WITH TOO MANY OF THE OTHER CLUBS WHILE OSTENSIBLY ONLY MANAGING ONE
OF THEM. HE SEEMS TO BE GIVEN TO MAKING PROMISES WITHOUT INTENDING
TO FULFILL THEM, AND THEN IS RELUCTANT EVEN REFUSING TO RELEASE
ANY RECORDS OR OTHER DOCUMENTATION OF ACTS AND CHARGES.

JAN 21 1981

MSG 81-00001377 PRTY 1 01/20/81 13:01:17 ORIG: LW00 IN= 0003 OUT= 0029
FROM: MARTIE/MATSU TO: SEN. KERTTULA AND REP CARNEY
TARGET: LJH2 SUBJ: P.O.M. PAGE 0001

TO: SEN. KERTTULA
REP CARNEY
FROM CAROL WHITE, SRD BOX 9820, PALMER, 745-4516
RE: DON DENNIS AS CHAIRMAN OF ATHLETIC COMMISSION.
I DON'T FEEL DON DENNIS WOULD MAKE A VERY GOOD CHAIRMAN OF
SPORTS COMMISSION. HE'S NOT QUALIFIED!!!

JAN 19 1981

TELEGRAM

ALASKA
FEB 1981

02017 KL ANCHORAGE ALASKA 50 01-31 1710 AST

PMS SENATOR JALMAR KERTTULA
158
JUNEAU AK

THE ALASKA INDEPENDENT BASEBALL LEAGUE GENERAL MANAGERS AND
OFFICERS OPPOSE THE CONFIRMATION OF MR DON DENNIS AS STATE
ATHLETIC COMMISSIONER. FOR REASONS ARE PAST PERFORMANCES. THEY
BELIEVE DETRIMENTAL TO ALASKA BASEBALL.

VINCE ORILEY COMMISSIONER

JAN 19 1991

MSG 81-00001383 PRTY 1 01/20/91 13:08:14 ORIG: LW00 IN= 0004 OUT= 0030
FROM: MARTIE/MATSU TO: P.O.M.
TARGET: LSH2 SUBJ: PAGE 0001

P.O.M.
TO: SEN KERTTULA
FROM: KENNETH SOULE, BOX 36, PALMER, AK. 745 3722
CONFIRMING DON DENNIS AS CHAIRMAN OF THE COMMISSION ON
ATHLETICS.
MR. DENNIS DOES NOT HAVE GOOD RAPPORT WITH MANY PEOPLE IN
OUR AREA. IT WOULD NOT BE WISE TO HAVE HIM IN THIS POSITION.

TELEGRAM

FEB 3 1991

181 FEB 3 PM 1 42

02018 POM ANCHORAGE ALASKA 15 02-03 1124A AST
PMS SENATOR JALMAR KERTTULA
JUNEAU AK
I AM VEHEMENTLY AGAINST THE CONFIRMATION OF DON DENNIS
AS STATE ATHLETIC COMMISSIONER
JOE S ARMSTRONG 836 M ST ANCHORAGE 99501

MSG 81-00001415 PRTY 1 02/04/91 12:03:59 ORIG: LM00 IN= 0003 OUT= 0021
FROM: MARTIE/MAT SU TO: SEN KERTTULA
TARGET: LSH2 SUBJ: POM PAGE 0003

TO: SENATOR KERTTULA
FROM: R. JELL E. MCKECHNIE, P.O. BOX 21, PALMER, AK.
RE: DON DENNIS, COMMISSION ON ATHLETICS
SENATOR KERTTULA, PLEASE NOTE MY OPPOSITION TO THE CONFIRMATION OF DON
DENNIS AS COMMISSIONER OF ATHLETICS. I OPPOSE HIM BECAUSE OF THE
ARROGANCE AND DECEIT WITH WHICH HE TREATS THE BASEBALL SUPPORTERS
IN THIS AREA.

FEB 5 1991

TARGET: LHM SUBJ: POK

FEB 5 1981

TO: SEN JALMER KERTTULA
 FROM: JOHN S. HARRIS, PERM 440, PALMER,
 150 DENNIS, COMMISSIONER OF ATHLETICS
 MAY, I WOULD LIKE TO REQUEST THE NOMINATION OF MR. DON DENNIS FOR
 MEMBER OF THE BOARD FOR THE STATE OF ALASKA, DUE TO HIS TRYING TO
 LEAVE THE BASEBALL LEAGUE IN ALASKA, JUST BECAUSE HE COULD NOT GET
 SOMETHING FOR DON WAY.
 VERY IMPORTANT, AND NOT ALWAYS TRUTHFUL AND VERY HARD TO TALK TO UNLESS HE
 EVERYTHING HE WANTS.
 REPRESENTING THE STATE OF ALASKA.
 Sincerely,
 J. HARRIS

FEB 5 1981

BT 01-00002 JIS PRTY : 02/04/81 12:03:58 ORIG: LHM0 IN= 0003 OUT= 0024
 FROM: HARRIS, JOHN S
 TO: SEN KERTTULA
 TARGET: LHM SUBJ: POK PAGE 0005

TO: SEN KERTTULA
 FROM: JOHN S. HARRIS, PERM 440, PALMER,
 150 DENNIS, COMMISSIONER OF ATHLETICS
 DEAR SEN,
 I WOULD LIKE TO TAKE THIS OPPORTUNITY TO ASK YOU NOT TO CONFIRM THE
 NOMINATION OF DON DENNIS, COMMISSIONER OF ATHLETICS. THE EXPERIENCE OF THE
 LAST SEVERAL YEARS HAS CONVINCED ME HE
 WOULD BE TOTALLY UNACCEPTABLE FOR THE JOB. I FEEL THAT HIS UNCOOPERATIVENESS
 HAS BEEN RESPONSIBLE FOR THE DIVISION OF THE ALASKA LEAGUE. I ALSO FEEL
 THAT IF ANYBODY IS CHANGING THROUGH HIS POSITION AS MANAGER IN FACT OR
 PRO TIP OF THREE YEARS WOULD CONSTITUTE A HOPELESS CONFLICT OF INTEREST.
 THANK YOU FOR WHATEVER YOU CAN DO.

BT 01-00002 JIS PRTY : 02/04/81 12:03:58 ORIG: LHM0 IN= 0003 OUT= 0024
 FROM: HARRIS, JOHN S
 TO: SEN KERTTULA
 TARGET: LHM SUBJ: POK PAGE 0004

FEB 5 1981

TO: SEN KERTTULA
 FROM: KENNETH SOULS, PERM 381, PALMER,
 150 DENNIS, COMMISSIONER OF ATHLETICS
 MAY, PLEASE NOTE THE NOMINATION OF DON DENNIS AS COMMISSIONER
 OF ATHLETICS. HIS PUBE AND UNWILLING AND UNCOOPERATIVE ATTITUDE HAS TURNED
 IT BY MANY FRIENDS AND WIFE AGAINST HIS REPOINTING.
 TRULY YOURS,
 KENNETH SOULS

FEB 3 1981

TO: SEN. JAY KERTTULA, P.O. BOX 270, JUNEAU, AK 99801
FROM: ANN BROWN, ANNES CREATIVE CACHE, 4011 ARCTIC BLVD, ANCHORAGE, AK 99503
SUBJECT: STATE ATHLETIC COMMISSIONER

TO: SEN. JAY KERTTULA
FROM: CHARLES R. CRUTCHER, P.O. BOX 270, JUNEAU, AK 99801
RE: DON DENNIS, COMMISSIONER OF ATHLETICS
I AM SENDING THIS TO YOU TO PROMPTLY ADVISE YOU OF A STATE
ATHLETIC COMMISSIONER APPOINTMENT OF DON DENNIS TO THE STATE OF ALASKA.
DON DENNIS HAS BEEN INVOLVED IN SEVERAL SPORTS ACTIVITIES IN ALASKA. I AM
ESPECIALLY OBJECT TO HIS APPOINTMENT TO A STATE WIDE POSITION IN THAT HE ALSO IS
RESPONSIBLE FOR THE CONTINUING SPLIT IN JUNEAU AMATEUR BASKETBALL. HIS INABILITY
OR UNWILLINGNESS TO DEAL FAIRLY WITH OTHERS WOULD BE AN UNSATISFACTORY SITUATION
FOR THIS POSITION.
I WOULD LIKE SOME SPECIFICS REGARDING MR. DENNIS, PLEASE DO NOT HESITATE
IN CONTACTING ME FOR PARTICULARS.
IN THE MEANTIME I URGE YOU TO OPPOSE HIS APPOINTMENT. ESPECIALLY IN THE STATE OF
ALASKA WHERE WE HAVE SOME CONCERNS AND NEEDS OF SUCH
APPOINTMENT.
ANN BROWN, ANNES CREATIVE CACHE, 4011 ARCTIC BLVD, ANCHORAGE, AK 99503

TELEGRAM

#

FEB 3 1981

02051 POM ANCHORAGE ALASKA 15 02-04 1121A AST

PMS SENATOR JAY KERTTULA

JUNEAU AK

I WOULD LIKE TO OPPOSE THE APPOINTMENT OF DON DENNIS AS
STATE ATHLETIC COMMISSIONER.

ANN BROWN, ANNES CREATIVE CACHE

4011 ARCTIC BLVD ANCHORAGE AK 99503

FEB 5 1981

2-3-81

Dear Senator Kerttula:

I request that you vote Against confirmation of Don Dennis as commissioner of Athletics for the State of Alaska because of his very negative and destructive actions with the Valley entree in the Alaska Baseball League. He has been deceitful, and extremely rude in dealing with the Valley people. To a person, the 102 owners of the Mat-Su Miners are strongly opposed to his appointment. Certainly the State of Alaska can come up with more decent people than this for such a position.



John Hopkins
Box 467
Wasilla

TELEGRAM
ANCHORAGE, ALASKA
FEBRUARY 5, 1981

02002 POM ANCHORAGE ALASKA 15 02-04 1121A AST

PMS SENATOR JAY KERTTULA

BUREAU AK

PLEASE DO NOT CONFIRM DON DENNIS AS STATE ATHLETIC
COMMISSIONER.

JOHN YOUNGBOOD, DISTRICT DIRECTOR OF LITTLE LEAGUE BASEBALL

7501 HENNINGS WAY ANCHORAGE AK 99504

FEB 9 1981

Senator Jay Kertulla
Senate President
Alaska State Senate
Juneau, Alaska

Feb 3, 1981

Dear Jay:

One is always more comfortable in requesting a yes vote for conformation than he is in requesting a NO vote.

However, I feel it would be a grave injustice to the many people involved in Alaskan baseball to have the one individual who has almost single handedly destroyed the former Alaska League appointed as the commissioner of athletics for Alaska. It would be almost impossible to find one person in the sports arena in the Mat Su Borough who has a good word for Don Dennis. Comments from the League (Anchorage, Kenai and Mat-Su) personnel are also unanimous in their opposition to this appointment. When Dennis is discussed the words Dishonest, Arrogance, Deceit and dis-courtesy are prevalent.

I urge you to do all you can to stop this appointment.

Sincerely

Clude Smith

February 4, 1981

FEB 11 1981

The Honorable Jay Kertulla
Senate President
Pouch V
Juneau, Alaska 99811

Dear Mr. Kertulla:

It is my understanding that Don Dennis of Fairbanks is being considered for the new position of State Athletic Commissioner. I would, as a person interested in sports on the Kenai Peninsula, like to express my opposition to such an appointment.

I know that Don Dennis is very much opposed to the Peninsula Oilers Baseball Club and suspect that he would act against most sporting needs on the Peninsula.

I would appreciate any help you may be able to give on this matter.

Yours truly,



Burma Kernal
P. O. Box 4037
Kenai, Alaska 99611



Official Business

Alaska State Legislature

Senate

Office of the President

Pouch V
State Capitol
Juneau, Alaska 99811

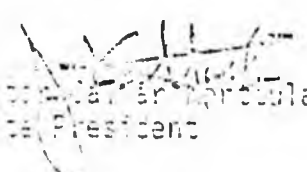
February 12, 1961

Luoma Kernal
P.O. Box 4037
Karat, Ak 99811

Dear Mr. Kernal:

I received your message concerning Don Dennis. I have received many such messages and you can be assured I will strongly consider your request. I am forwarding your letter on to the appropriate committee for their consideration.

Sincerely,


Senator Walter J. Markula
Senate President

Senator Walter J. Markula
Chairman
State Affairs



*Alaska
Independent
Baseball
League, Inc.*

FEB 6 1981

February 3, 1981

Honorable Jay Kerttula
State Senator
Pouch V
Juneau, AK.

Dear Jay:

In using criteria such as overall balance, receptiveness and an attitude of co-operation, I regret that I can not support the confirmation of Mr. Don Dennis of Fairbanks to the position of Athletic Commissioner for this State.

Sincerely,

Vince O'Reilly
Commissioner

VOR:jr

A PERFORMANCE REVIEW
OF THE
ALASKA CODE REVISION COMMISSION

conducted by
R. W. Pavitt and Associates, Inc.

Members of the Alaska
Code Revision Commission

John W. Abbott, Chairman

Sen. Patrick M. Rodey

Rep. Charles G. Anderson

L.S. (Jerry) Kurtz, Jr., Esq.

James L. Baldwin

Hon. Thomas B. Stewart

Billy G. Berrier, Executive Secretary

STATE OF ALASKA

AUDIT DIVISION
POUCH W—ALASKA OFFICE BUILDING

THE LEGISLATURE

FINANCE DIVISION
POUCH WF—STATE CAPITOL

BUDGET AND AUDIT COMMITTEE

JUNEAU, ALASKA 99811

November 6, 1981

Members of the
Legislative Budget and Audit Committee:

In accordance with the intent of Title 24 and Title 44 of the Alaska Statutes, the Division of Legislative Audit was mandated to perform a "Sunset" review of the Alaska Code Revision Commission.

Since this Division is part of the Legislative Branch as is the Commission, we lack the apparent independence necessary to perform the review.

The Division contracted with Mr. R. W. Pavitt of R.W. Pavitt and Associates, Inc. to perform this review. This firm is a reputable planning and management consultant business that has been in operation for several years and is located in Juneau.

We feel this report discharges our responsibility, mandated under Title 24 and Title 44. The report is submitted for your review.



Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit

R. W. PAVITT AND ASSOCIATES, INC.
PLANNING CONSULTANTS

October 28, 1981

Legislative Audit Division
State of Alaska
Pouch W
Juneau, Alaska 99811

Att. Merle R. Jenson, Deputy Legislative Auditor

Dear Mr. Jenson:

In accordance with the Contract for Services between the Legislative Audit Division and our firm, we have completed a performance review of the Alaska Code Revision Commission using guidelines and standards established in Alaska Statutes for such "sunset" reviews.

The report, entitled PERFORMANCE REVIEW OF THE ALASKA CODE REVISION COMMISSION, is hereby submitted.

Respectfully,



R. W. Pavitt, AICP
President

RWP/bp

A PERFORMANCE REVIEW OF THE ALASKA CODE REVISION COMMISSION

Table of Contents

PURPOSE AND SCOPE OF THE REVIEW	- 1-
ORGANIZATION AND FUNCTION	- 3-
REPORT CONCLUSION	- 6-
FINDINGS AND RECOMMENDATIONS	- 9-
ANALYSIS OF PUBLIC NEED	-11-

Appendices

APPENDIX A - Table summarizing subject matter studied by the Commission, 1975 - 1981	-13-
APPENDIX B - Alaska Statutes regarding law revision	-17-
APPENDIX C - Table indicating how other states deal with code revision	-20-
APPENDIX D - Alaska Code Revision Commission Budgets, FY 77 - FY 82	-22-

Responses

• Letter from Alaska Code Revision Commission; 11/30/81	-24-
• Letter transmitting response from ACRC; 1/25/82	-25-
• <u>Response to Performance Review of Alaska Code Revision Commission; 1/25/82</u>	-26-
• Letter from R. W. Pavitt and Associates, Inc; 2/5/82	-32-
• <u>Rebuttal to Response to Performance Review of Alaska Code Revision Commission; 2/5/82</u>	-33-

PURPOSE AND SCOPE OF THE REVIEW

Purpose

In accordance with AS 24.20.271(1) and AS 44.66 (Sunset Legislation), a review of the Alaska Code Revision Commission was conducted to examine the commission's activities, operation, policies and accomplishments. The purpose of the review is to determine if the commission has operated in a fair, effective, efficient and economical manner in the performance of its statutory functions, duties and responsibilities.

As required by AS 44.66.050, this report shall be considered during the legislative oversight procedure in determining whether the Alaska Code Revision Commission should be continued or reestablished. AS 44.66.010(a) currently specifies that this commission will terminate on June 30, 1982, but will continue until June 30, 1983 for the purpose of concluding its affairs.

Scope

The major areas studied were the commission's operations, policies, administration, procedures; and the effectiveness of its recommendations in accomplishing its mandated objective of bringing "the law into harmony with current needs and conditions" (AS 24.20.075(c)(4)). The review consisted of examination, research, analysis and evaluation of the following:

- (1) Applicable Alaska Statutes and amendments thereto;
- (2) Minutes of the commission from its inception to the present;
- (3) Annual Reports of the Alaska Code Revision Commission dated February 1979, February 1980, February 1981;
- (4) Records and documents of the commission;
- (5) Contracts with consultants;
- (6) Commission budgets for FY 77, 78, 79, 80, 81 and 82;
- (7) Code revision procedures in other states;
- (8) Interviews conducted with:
 - ° an Alaskan representative to the National Conference of Commissioners on Uniform State Laws (NCCUSL)

- Legislative Affairs Agency personnel:
 - . Co-Revisors of Statutes
 - . Director of Legal Services
 - . Director of Administrative Services
 - Legislative Finance Division personnel
 - present members of the commission
 - former members of the commission
 - a consultant to the commission
 - the secretary to the commission
- (9) Observation of the Alaska Code Revision Commission during its October 12, 1981 meeting in Juneau.

*

ORGANIZATION AND FUNCTION

The Code Revision Commission was established as a permanent commission of the legislature by an act of that body (ch 114 SLA 1976). The act creating the commission established its membership as consisting of two legislators (one from each house appointed by the presiding officer); a public member appointed by the governor; a designee of the chief justice of the supreme court, and a designee of the board of governors of the Alaska Bar Association. The director of legal services for the Legislative Affairs Agency or his designee serves as executive secretary for the commission.

The commission was created to:

- (1) examine the statutes of the state and judicial decisions to discover defects and anachronisms in the law;
- (2) review and consider proposed changes in the law recommended by the National Law Institute, the National Conference of Commissioners on Uniform State Laws, the Alaska Judicial Council, the Supreme Court, the state or local bar associations, principal departments, agencies, boards and commissions of the executive or judicial branch, and committees of the legislative branch;
- (3) receive and consider suggestions from the Alaska bench and bar, public officials, organizations and individuals as to areas of the law needing revision and remedy;
- (4) recommend changes in law needed to eliminate antiquated and inadequate rules of law and to bring the law into harmony with current needs and conditions.

The commission was empowered to:

- (1) hold public hearings and other meetings as necessary throughout the state, and to determine an appropriate quorum for conducting business;
- (2) establish one or more subcommissions to assist it in the performance of its duties.

The staff of the Legislative Affairs Agency serves as staff for the commission, and (subject to appropriations for the purpose) contracts with other agencies or persons for the performance of necessary services for the commission.

Funds considered necessary for the commission (per diem, travel, contract expenses) are to be sought in a formal budget request to the legislative council. (Appropriated funds are dispersed and accounted for under procedures required by the Legislative Affairs Agency).

All branches of state government are directed to provide information and documents required by the commission necessary to the accomplishment of its work.

The commission is directed to submit its reports and recommendations, and draft legislation as to revision of law, to the Legislative Council, and shall distribute them to the governor, members of the legislature, and the chief justice of the supreme court.

In 1977, membership on the commission was broadened to include a "designee of the governor who is an attorney employed by the executive branch of the state government." (ch 57 SLA 1977).

The enabling legislation was further amended in 1980 to:

- (1) clarify the name of the commission as the Alaska Code Revision Commission;
- (2) establish 6 year terms for the public member and the designee of the Alaska Bar Association board of governors, and prescribe the manner in which vacancies are filled;
- (3) clarify the per diem and travel allowances provided members of the commission; and,
- (4) prescribe the manner in which the public member and the designee of the board of governors shall determine the length of their respective terms of office.

The amending act (ch 44 SLA 1980) also brings the Alaska Code Revision Commission (AS 24.20.075) within the purview of the sunset law, (AS 44.66.010), and adds the name of the commission to the list of boards and commissions scheduled to expire on June 30, 1982.

*

*

REPORT CONCLUSION

Policy Issues

This review discusses issues raised as a result of our analysis and evaluation of the commission's responsibilities, structure, operations and procedures. Resolution of these policy matters will require legislative action. In debating these issues, the legislative oversight committees should consider the findings and alternatives presented in this report in reaching their decision.

Report Conclusion

In our opinion, the Alaska Code Revision Commission should not be continued in its present form.

That conclusion is supported by the following rationale:

- In the 5 years since its establishment, the commission has met 45 times. In terms of substantive revisions adopted into law by the Alaska Legislature, the results of the commission's work have not been commensurate with the thousands of hours devoted to the effort (see Appendix A)
- The duties and responsibilities assigned to the commission by the enabling act (AS 24.20.075) are substantially similar to those mandated to the Legislative Council, the Legislative Affairs Agency and the Co-revisors of Statutes (AS 01.05.036; 24.20.060(4); 24.20.065(a); and 24.20.070(b)). Such duplication of responsibilities tends to create tensions and conflict among legislative agencies which is not in the best interests of state government (see Appendix B)
- The subject matter considered by the commission is frequently not consistent with legislative needs and priorities.

The creation of the code revision commission resulted from a bill (SB 665) submitted by Senators Rodey and Rader in 1976. The commission envisioned

in the bill was to be "within the Legislative Affairs Agency" and "staffed by the agency". Membership was to include four legislators, four public members, a designee of the Alaska Bar Association and a designee of the chief justice of the supreme court. Substantive changes were made to the Rodey-Rader bill, and when it emerged from the legislative process as chapter 114 SLA 1976, the new commission had a different lineup of membership, and quasi-independent status as a "permanent commission of the legislature." Although the "Director of Legal Services for the Legislative Affairs Agency serves as executive secretary for the commission", the relationship between the commission and the agency is not sharply defined; and the responsibilities assigned to the commission are, in part, duplicative of revision tasks already required of the Legislative Council, the Legislative Affairs Agency and the Revisors of Statutes.

A major difference between Alaska's code revision commission and the prestigious California Law Revision Commission (after which it was intended to be patterned) is the manner in which subjects come before the commission for consideration. In the California model, topics for commission study are restricted to those approved by concurrent resolution of the Legislature. This system assures legislative concern and interest in the recommendations of the commission, and provides certainty that the subjects considered are consistent with the Legislature's desires and priorities.

Of 35 states answering a 1979 inquiry by the commission as regarding code revision procedures, 10 responded that the legislature itself (through its judiciary committees, legislative council or special committees) accomplished needed revisions. Revisors of Statutes and legislative affairs agencies accomplished revision work in 14 other jurisdictions. 11 states reported permanent law revision commissions, but of these, four are empowered to deal only with non-substantive revisions (see Appendix C).

Substantive revision of politically-sensitive law in Alaska has been successfully accomplished in the past by legislatively-appointed special commissions (as in the case of the major Criminal Code revision), or by a special committee of the legislature such as the committee that revised Title 4 (Alcoholic Beverages). A special committee is currently working on a major overhaul of Title 29 (Municipal Government).

Despite perceived conflicts resulting from the present statutory structure of the code revision commission, its broad-based membership of legislative, executive and judicial branch representatives, as well as the public and Alaska Bar members, provide a breadth of legal knowledge, perception and experience that has much potential value as an advisory function to the lawmaking process. Particularly in areas of generally low legislative interest such as probate law, security law, real property conveyancing, bankruptcy law and the like, the commission has shown that it can provide necessary expertise in recommending statutory revision that "will bring the law into harmony with current needs and conditions." (AS 24.20.075(c)(4)).

While this report concludes that the Alaska Code Revision Commission should not be continued in its present form, we believe that if the legislature desires to continue the commission after June 30, 1982, AS 24.20.075 should be substantively amended to eliminate the perceived conflicts with other legislative agencies, as well as to clarify the duties and responsibilities of the commission and its relationship to the Legislative Council. The Findings and Recommendations section of this report is thus divided into two parts. If the oversight committee considering this performance review opts to recommend termination of the commission, Part 1 includes the recommended procedure. Part 2 recommends statutory changes that should be considered if the committee wishes to recommend continuation of the Alaska Code Revision Commission.

*

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FINDINGS AND RECOMMENDATIONS

PART 1

[TO TERMINATE THE ALASKA CODE REVISION COMMISSION - AS 44.66.010(a)(8)]

Recommendation No. 1

Repeal AS 24.20.075 effective June 30, 1983.

If the decision is made to terminate the commission, it will continue in existence until June 30 of 1983 for the purpose of concluding its affairs (AS 44.66.010(b)).

The FY 83 budget of the commission should contain sufficient funds for concluding its contractual obligations, submitting its final report, and transferring its records, files and office equipment to the Legislative Affairs Agency.

PART 2

[TO CONTINUE OR REESTABLISH THE ALASKA CODE REVISION COMMISSION -
AS 44.66.010(c)]

Recommendation No. 1

Amend AS 24.20.075 to require that the commission annually file a report to the Legislative Council which shall contain a calendar of topics selected for study, including a list of the studies in progress and a list of topics intended for future consideration. After the filing of the final report, the commission shall confine its studies to those topics set forth in the calendar contained in its last preceding report which are thereafter approved for its study by resolution of the Legislative Council. The commission shall also study any topic which the legislature, by concurrent resolution, refers to it for such study.

The purpose of this recommended amendment is two-fold:

- (1) to improve communication and understanding between the legislative council and the commission; and,
- (2) to avoid conflict between special committees of the legislature and the commission with regard to study topics.

Recommendation No. 2

Amend AS 24.20.075 to clarify the role of the commission as an advisory body.

Conflict has arisen from time to time with respect to the actual drafting of legislation by the commission...a task that is clearly assigned to the Legislative Affairs Agency division of legal services by the legislative council.

Recommendation No. 3

Amend AS 24.20.075 to delete (c)(1).

AS 24.20.075(c)(1) states that the commission shall examine the statutes of the state and judicial decisions to discover defects and anachronisms in the law. This duty is assigned to other legislative agencies in AS 01.05.036 and AS 24.20.065.

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*

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*

ANALYSIS OF PUBLIC NEED

The following analysis of Commission activities relates to the public need factors defined in AS 44.66.050(c). Inasmuch as the Alaska Code Revision Commission is not a regulatory body, a number of the factors are not applicable to the performance review of the commission.

- I. The extent to which the board, commission or agency has operated in the public interest.
 1. The commission has recommended revisions to Alaska law which in its judgement were in the general public interest.

- II. The extent to which the operation of the board, commission or agency program has been impeded or enhanced by existing statutes, procedures and practices which it has adopted, and any other matter, including budgetary, resource and personnel matters.
 1. Lack of its own staff and the inability of the legal services division of the legislative affairs agency to provide continuing services to the commission (because of its own heavy work load) tended to impede the commission's work in its early years. More recently, consultants have been engaged to keep up with the continuing work of the commission.

- III. The extent to which the board, commission or agency has recommended statutory changes which are generally of benefit to the public interest.

See response to I.

- IV. The extent to which the board, commission or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service which it has provided.

Not applicable to this commission.

V. The extent to which the board, commission or agency has encouraged public participation in the making of its regulations and decisions.

1. The commission has consistently notified parties of interest in topics that it was studying and encouraged their participation in its meetings.
2. The commission has held meetings in a number of locations in Alaska for the purpose of encouraging public participation on specific topics under consideration.

VI. The efficiency with which public inquiries or complaints regarding the activities of the board, commission or agency filed with it, with the department to which the board or commission is administratively assigned, or with the office of the ombudsman have been processed and resolved.

1. This review has not identified any record of complaints with respect to commission activities with either the Legislative Affairs Agency or the Office of the Ombudsman.

VII. The extent to which a board or commission which regulates entry into an occupation or profession has presented qualified applicants to serve the public.

Not applicable to this commission.

VIII. The extent to which state personnel practices, including affirmative action requirements, have been complied with by the board, commission or agency to its own activities and the area of activity or interest.

Not applicable to this commission.

IX. The extent to which statutory, regulatory, budgeting or other changes are necessary to enable the agency, board or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection.

Please refer to the previous section, Findings and Recommendations, Part 2.

* * * * *

APPENDIX A

TABLE SUMMARIZING SUBJECT MATTER
STUDIED BY THE COMMISSION 1976-1981

LEGISLATION CONSIDERED	Referred by	Consultant	date first considered	ACRC ACTION	date of action	LEGISLATIVE ACTION
1. ALCOHOLIC BEVERAGES (Title 4)	Individual Legislator	Machyowsky	7/15/76	materials forwarded to Leg. Council for Leg. Committee use.	7/17/79	some materials used in ch 131 SLA 1980
2. INSURANCE (Title 21)	Individual Legislator	-----	-----	See No. 26	-----	-----
3. CLASS ACTION ACT	NCCUSL	-	9/1/76	postponed pending Court action	12/10/76	
4. UNIFORM LAND TRANSACTIONS ACT	NCCUSL	MacMurtray	9/1/76	divided into sections, see Nos. 11, 16, 17 and 22		
5. UNIFORM EXEMPTIONS ACT	NCCUSL	LAA staff Jim Baldwin	9/1/76	approved for submission to Leg. Council	9/21/79	HB 74 ('81) HB 56 ('79)
6. UNIFORM COMPARATIVE FAULT ACT	NCCUSL	-	3/17/78	-	-	
7. CORPORATIONS (Title 10)	-	Fessler	6/22/78	to Leg. Affairs for drafting bill	11/17/80	
8. UNIFORM COMMERCIAL CODE (Articles 8 and 9)	NCCUSL	LAA staff Ken Vassar	6/22/78	approved for submission to Leg. Council	1978 1980	HB 55 ('79) HB 77 ('81)
9. UNIFORM PROBATE CODE (Homicide)	NCCUSL	-	6/22/78	considered	10/26/78	SB 56 ('79) ch 36 SLA 1979

LEGISLATION CONSIDERED	Referred by	Consultant	date first considered	ACRC action	date of action	LEGISLATIVE ACTION
10. INTERNATIONAL WILLS (Probate Code)	NCCUSL	-	3/16/78	approved for submission to Leg. Council	10/26/78	SB 54 ('79)
11. REAL PROPERTY CONVEYANCING	see No. 4	Peterson Regan	2/9/79			
12. UNIFORM MARRIAGE & DIVORCE ACT	NCCUSL	-	4/18/79	no further action	11/10/80	
13. UNIFORM FEDERAL TAX LIEN REGISTRATION ACT	NCCUSL	LAA staff Ken Vassar	10/18/79	modified and approved for submission to Leg. Council	11/18/79	included in SB 78 ('81)
14. UNIFORM BRAIN DEATH ACT	NCCUSL	-	10/18/79	no further action	10/18/79	
15. UNIFORM LIMITED PARTNERSHIP ACT	NCCUSL	LAA staff Jack Chenoweth	10/18/79			
16. OATHS, AFFIRMATIONS, ACKNOWLEDGEMENTS, NOTARIZATION AND VERIFICATION	see No.4 (includes Unif. Recog. of Acknowl. Act - NCCUSL)	Regan	2/9/79	approved for submission to Leg. Council	2/21/80	SB 80 ('81) ch 37 SLA 1981
17. RECORDING AND RECORDED DOCUMENTS	see No.4 and No. 13	Regan	2/9/79	approved for submission to Leg. Council	10/18/79	SB 78 ('81)
18. GUARDIANS AND CONSERVATORS	Individual Legislator	-	2/21/80	no further action	5/8/80	

LEGISLATION CONSIDERED	Referred by	Consultant	date first considered	ACRC action	date of action	LEGISLATIVE ACTION
19. MODEL PRODUCT LIABILITY ACT	Individual Legislator	-	2/22/80	no further action	4/10/80	
20. ALASKA HIRE	Several Legislators		2/22/80			
21. ADMINISTRATIVE PROCEDURES ACT	NCCUSL		4/10/80			
22. REAL ESTATE PROPERTY SECURITY INTERESTS	see No. 4	Regan	2/9/79	approved for submission to Leg. Council	2/23/81	HB 403 ('81)
23. DOMESTIC VIOLENCE	Several Legislators	-	2/22/80	no further action	5/8/80	
24. SMALL LOANS		Regan	5/8/80	bill drafted no further action	12/12/80	
25. VITAL STATISTICS		Regan	5/8/80	bill drafted no further action	8/18/80	
26. INSURANCE CODE			5/8/80			
27. ALASKA SECURITIES ACT			5/8/80			
28. OCCUPATIONS AND PROFESSIONS		Regan	7/2/80			
29. UNIFORM DISPOSITION OF COMMUNITY PROPERTY RIGHTS AT DEATH ACT	NCCUSL			no record of action		SB 79 ('81) SB 58 ('79)
30. NON-PROFIT CORPORATIONS		Fessler	11/17/80			

APPENDIX B

ALASKA STATUTES REGARDING LAW REVISION

APPENDIX B
ALASKA STATUTES REGARDING LAW REVISION

Sec. 01.05.036. Improvement of statutes. The Legislative Affairs Agency, working in cooperation with the revisor shall make recommendations to the legislative council concerning deficiencies, conflicts or obsolete provisions in and the need for reorganization or revision of the statutes, and, at the direction of the legislative council, shall prepare for submission to the legislature legislation for the correction or removal of the deficiencies, conflicts or obsolete provisions, or to otherwise improve the form or substance of any portion of the statute law of this state. - - - -

(emphasis added)

Sec. 24.20.060. The legislative council has the following powers:

- - - - -

- (4)(B) conduct a continuing program for the revision and publication of the acts of the legislature.
- (C) execute a program for the oversight of the administration and construction of laws by state agencies and the courts through regulations, opinions and rulings.

(emphasis added)

Section 24.20.065. Examination of Regulations and opinions. (a) The legislative council shall annually examine administrative regulations, published opinions of state and federal courts and of the Department of Law that rely on state statutes, and the final decisions adopted under the Administrative Procedure Act (AS 44.62) to determine whether or not

- (1) the courts and agencies are properly implementing legislative purposes;
- (2) there are court or agency expressions of dissatisfaction with state statutes;
- (3) the opinions or regulations indicate unclear or ambiguous statutes.

(emphasis added)

Sec.24.20.070. Revision of Statutes. - - - - -

- (b) Statute revision is a continuing responsibility of the council.

- - - - -

(emphasis added)

Section 24.20.075. Code Revision Commission. - - - - -

(c) The commission shall:

- (1) examine the statutes of the state and judicial decisions to discover defects and anachronisms in the law.
- (2) review and consider proposed changes in the law recommended by the National Law Institute, the National Conference of Commissioners on Uniform State Laws, the Alaska Judicial Council, the supreme court, the state or local bar associations, principal departments, agencies, boards and commissions of the executive or judicial branch, and committees of the legislative branch.
- (3) receive and consider suggestions from the Alaska bench and bar, public officials, organizations and individuals as to areas of law needing review and remedy;
- (4) recommend changes in law needed to eliminate antiquated and inadequate rules of law and to bring the law into harmony with current needs and conditions.

- - - - -
(emphasis added)

APPENDIX C

TABLE INDICATING HOW OTHER STATES
DEAL WITH CODE REVISION

APPENDIX C
HOW OTHER STATES DEAL WITH CODE REVISION

In 1979, the commission directed inquiries to 45 states seeking information on how those states accomplished code revision. 35 states responded to the survey. Following is a summary of those responses.

States that accomplish code revision through their legislative committee system, and/or the equivalent of Alaska's Legislative Council.

ARIZONA	NEW HAMPSHIRE
MAINE	NORTH DAKOTA
MISSOURI	OHIO
NEBRASKA	WEST VIRGINIA
NEVADA	WISCONSIN

States that accomplish code revision through their revisors of statutes, or through the equivalent of Alaska's Legislative Affairs Agency.

ALABAMA	NEW MEXICO
DELAWARE	OKLAHOMA
HAWAII	RHODE ISLAND
KANSAS	SOUTH DAKOTA
KENTUCKY	TENNESSEE
MINNESOTA	TEXAS
MONTANA	WYOMING

States that accomplish code revision through code revision commissions

CALIFORNIA	MARYLAND (n-s)
COLORADO	MICHIGAN
GEORGIA	NEW YORK
INDIANA (n-s)	NORTH CAROLINA
LOUISIANA	VERMONT (n-s)
VIRGINIA (n-s)	

(n-s) = commissions empowered to consider only non-substantive revisions

APPENDIX D

ALASKA CODE REVISION COMMISSION
BUDGETS FY 77 - FY 82

APPENDIX D
BUDGETS OF THE ALASKA CODE REVISION COMMISSION, FY 77 - FY 82

The following information was obtained from the Authorizations and Expenditures documents of the Legislative Affairs Agency, and from the records of the Alaska Code Revision Commission.

Budget for Fiscal year 1977	-	\$ 57,000
Budget for Fiscal year 1978	-	53,000
Budget for Fiscal year 1979	-	100,000
Budget for Fiscal year 1980	-	119,000
Budget for Fiscal year 1981	-	175,000
Budget for Fiscal year 1982	-	219,000
		<hr/>
TOTAL AUTHORIZED SINCE INCEPTION . . .		\$ 723,000

ALASKA CODE REVISION COMMISSION



COMMISSIONERS
JOHN W. ABBOTT - CHAIRMAN
WM. GRANT CALLOW - VICE CHAIRMAN
PATRICK M. RODEY
FRED E. BROWN
L. S. KURTZ, JR.
JAMES L. BALDWIN

ALASKA STATE LEGISLATURE
POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
(907) 465-4878

EXECUTIVE SECRETARY
BILLY G. BERRIER

November 30, 1981

RECEIVED

DEC 01 1981

LEGISLATIVE
AUDIT

Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit
Pouch W, State Capitol
Juneau, Alaska 99811

Re: Performance review of the Alaska Code
Revision Commission, October 28, 1981

Dear Mr. Wilkerson:

The Alaska Code Revision Commission acknowledges receipt of the preliminary performance review. Copies were distributed to members for review at the November 23-24, 1981 meeting in Anchorage. We are currently in the process of drafting a response as requested in your November 10, 1981 letter. However, because of further telecommunications between commissioners necessary for a thorough response, there will be a slight delay in submitting it to you within the allotted twenty-day time period. We sincerely regret the delay.

Please call if this creates any problems for you.
Thank you for your consideration.

Very truly yours,

John W. Abbott
by: chw

John W. Abbott, Chairman
Alaska Code Revision Commission

JWA:chw

ALASKA CODE REVISION COMMISSION



COMMISSIONERS
JOHN W. ABBOTT - CHAIRMAN
JAMES L. BALDWIN - VICE CHAIRMAN
PATRICK M. RODEY
CHARLES G. ANDERSON
L. S. KURTZ, JR.
JUDGE (RET.) THOMAS B. STEWART

ALASKA STATE LEGISLATURE
POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
(907) 465-4878

EXECUTIVE SECRETARY
BILLY G. BERRIER

January 25, 1982

RECEIVED

JAN 27 1982

LEGISLATIVE
AUDIT

Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit
Pouch WF, State Capitol
Juneau, Alaska 99811

Re: Response to Preliminary Performance Review
of the Alaska Code Revision Commission

Dear Mr. Wilkerson:

Enclosed please find the report as referenced above
as our response to the audit conducted by Mr. R. W. Pavitt
and Associates, Inc.

Please contact me if you require further information
by way of response.

Very truly yours,

John W. Abbott
by: chw

John W. Abbott, Chairman
Alaska Code Revision Commission

JWA:chw

Enclosure

RESPONSE TO PERFORMANCE REVIEW
OF ALASKA CODE REVISION COMMISSION

This response, in addition to addressing matters specifically requested to be addressed, will respond to both information and recommendations contained in the audit review of R. W. Pavitt and Associates, Inc.

Purpose and Scope of Review

Although the scope of review as set forth in the audit report was very broad, in fact little or no attention was paid to many factors in evaluating the commission. While the legislative mandate creating this commission is given lip service, in fact the thrust of the audit makes clear some significant misconceptions of commission functions and responsibilities by the auditor.

Little if any attention appears to have been given to Items (2) through (8). Only one present member of the Alaska Code Revision Commission was interviewed. Approximately one-half day of the October 12, 1981 meeting was observed by the auditor. A misconception concerning the work to be performed by the commission pursuant to its statutory mandate and the actual workings of this commission is apparent throughout the audit report and is further reflected in the recommendations contained in the report.

Organization and Function

The commission agrees with the auditor's statement of the organization and function of the commission.

Report Conclusion

The commission does not agree with the recommendation that it should not be continued in its present form. While it agrees with some of the recommendations set out in the report (as indicated below), it does not feel that legislative action is necessary at this time to restructure the commission.

The report conclusion is supported by the following reasons:

1. That in spite of the many hours devoted to producing proposed legislation, few of the commission bills have been adopted.

This rationale is incorrect in two respects:

- (a) It assumes that the function of the commission is to get bills passed. The legislature, not the commission is responsible for the passage of legislation. The commission's work product has been used in many ways other than enactment of

commission proposed bills. The commission's work product has been used by the legislature in a research context; has been used to effect major revisions in existing law (Title 4); has been used as a research tool by Legislative Affairs and the Attorney General's Office; and language drafted by the commission has been used where appropriate in the drafting of many bills by other state agencies.

(b) At the present time there are five major bills proposed by the commission under consideration by this legislature. These include:

- (1) Exemptions Act
- (2) Amendments to Chapters 8 and 9 of the Uniform Commercial Code
- (3) A Revised Recording Act
- (4) A Security Interests Bill
- (5) The Alaska Business Corporations Code

2. That the duties and responsibilities of the commission are substantially similar to those mandated to the Legislative Council, Legislative Affairs, and the Co-Revisors of Statutes.

This rationale is incorrect in the following respects:

(a) The commission, even where the mandate would permit, does not perform certain functions performed by the aforementioned bodies, including:

(i) Revisor duties of a strictly technical nature (e.g., adherence to the legislative drafting style, use of legislative format).

(ii) Review of draft legislation for the legislature or the executive branch of government or drafting.

(iii) Introduction of personal bills or special interest legislation.

(b) The commission reviews model act legislation, statutory changes amending or updating uniform laws, introduction of uniform laws recommended for adoption by the NCCUSL, legislation encompassing an entire title as opposed to amendments of existing laws.

3. That the enabling legislation for the commission has created problems concerning the duplication of legislative-type tasks.

Although the commission's mandate is extremely broad and would allow duplication of functions, in fact there is little or no duplication. The relationships and jurisdiction of the legislative bodies have been worked out through the cooperation of these bodies, and each now performs its own

functions in cooperation with the other legislative bodies.

4. The commission finds no significance in the fact or belief that it originally was patterned after the California Law Revision Commission. The commission's authority results from legislative enactment, and it is irrelevant what California does or does not do.

5. It is also irrelevant what other states have done. In Alaska, the legislature has created by statute the scope of the commission's authority. The statement contained in this paragraph of the audit report that substantive law revisions in Alaska have been successfully handled in the past is entirely incorrect. The success of the Criminal Code Commission provided the impetus for creation of a permanent code revision commission. The Title 4 revision was begun after the commission had half completed its revision of Title 4, and the legislature used all of the commission's factual data and draft legislation. No other major projects like those of the commission have been undertaken by any other body or group.

6. This paragraph is correct insofar as it goes. It fails to mention, however, that the extremely technical nature of the legislation considered by the commission renders it particularly suitable to blue-ribbon panel treatment. Moreover, technical statutory revision as accomplished by the commission has traditionally been deferred by the legislature to select committees, a fact which lead to the creation of both the criminal code and the Acode revision commissions.

7. The commission believes that it can continue to provide valuable assistance to the legislature in its present form without any changes in the present law, but is not opposed to legislation to make more clearly known to the commission the desires of the legislature so that the commission may better perform its functions.

Findings and Recommendations

Part I

If the commission is terminated, funds should be provided to allow it to fulfill its existing obligations and cease activities on June 30, 1983.

Part II

The commission now complies (and has in the past complied) with the below-listed recommendations:

- (a) Filing of annual reports.
- (b) Notification to the Legislative Council of the matters to be considered by the commission.

(c) Complete information, including minutes of all commission meetings, to apprise the Legislative Council of its activities.

(d) Consideration of any topics referred to it by the legislature, by formal or informal request; the formality of a concurrent resolution is not necessary, as the commission has on numerous occasions solicited projects from the legislature and its individual members.

(e) The commission has always maintained a calendar of topics to be considered and has to the extent practicable adhered to it.

The commission agrees that communications between it and the Legislative Council could be improved and has made repeated efforts for the past several years to do so.

The commission also agrees that a better mechanism should be developed to avoid conflicts between it and special legislative committees.

Recommendation No. 2

The commission now sees its mandate as providing advice and assistance to the legislature. All draft legislation is subject to review by the Legislative Council and is actually introduced through the council. Thereafter, it is subject to the same treatment as every bill introduced in the legislature. The commission acts in an advisory role.

Recommendation No. 3

The commission presently examines statutes of the state and judicial decisions as a part of its overall mandate to revise, in toto, anachronistic state laws.

Analysis of Public Need

The commission agrees with all of the paragraphs of this section except:

(a) IX which is responded to in the commission's response to Findings and Recommendations, Part II.

Conclusion

The commission performs a task that is not now performed by any other body in the state government: the substantial revision-updating of entire bodies of technical laws. Legislatures in Alaska have never undertaken these projects, and in fact they would normally be beyond its scope. These projects are logically and practically performed by a special commission similar to the Alaska Code Revision Commission.

APPENDIX

Appendix "A" to the Preliminary Audit incorrectly states commission action in a number of instances where column "ACRC action" of the exhibit says "no further action." The commission actively considered the Uniform Brain Death Act (Item 14) and the Uniform Marriage and Divorce Act (Item 12) and decided they were inappropriate for Alaska.

The appendix incorrectly states that a legislator referred the insurance code (Items 2 and 26) to the commission. Actually, in 1980 the Department of Commerce and Economic Development asked the commission to review AS 21. The commission realized revision of the insurance code would be a major project, and concluded that it could absorb no more major projects at that time. Later, the commission was informed that the Department of Commerce was working on the project so considered it no further.

The class action problem (Item 3) was solved by court rules. Real property conveyancing (Item 11) was dealt with under Item 22, which resulted in HB 403. The commission decided the matters covered by the Uniform Comparative Fault Act (Item 6) were best left for court resolution, some of which had occurred when that decision was made.

The Uniform Limited Partnership Act (Item 15) was renewed and redrafted by the Legislative Affairs Agency at the request of the commission. It then became apparent that it was a poor uniform act, and the commission decided to table it. This and the Uniform Marriage and Divorce Act are good examples of considerable effort devoted by the commission to reviewing and sometimes hearing testimony on uniform acts. "No further action" is a poor description of the time required for that review.

The commission's work on guardians and conservators was started by legislative request and stopped by legislative request, again not disclosed by the "no further action" in the appendix. The introduction of a bill on the subject by the administration also encouraged the commission to abandon the field.

Alaska Hire (Item 20) still is under active consideration by the commission after having been tabled pending completion of litigation. The commission now is seeking a constitutional law expert to explore the feasibility of new approaches to that legal thicket. Similarly, the commission has repeatedly discussed the Administrative Procedure Act (Item 2). We still are waiting for a statement of the administration's position and legislative action on SB 594 (Senator Rodey's Judiciary Committee bill). If neither the administration nor the legislature pushes the bill, the commission may. However, the commission now is being discouraged by both branches from moving ahead on this bill.

The commission is unaware of legislative direction to work on domestic violence (Item 23). While several legislators may have suggested that, others informed the commission to stay away from the area because bills were being actively considered by the legislature. One passed last year.

The commission started work on a revision of the Small Loans Act (Item 24). After hearing testimony and learning of the activity of the Special Senate Committee on Banking, the commission refrained from taking action on that subject. The commission has not worked on the Alaska Securities Act (Item 27), although the Department of Commerce has asked that the commission look at limited portions of it on several occasions.

R. W. PAVITT AND ASSOCIATES, INC.

PLANNING CONSULTANTS

February 5, 1982

Legislative Audit Division
State of Alaska
Pouch W
Juneau, Alaska 99811

Attention: Merle R. Jenson, Deputy Legislative Auditor

Dear Mr. Jenson:

I have completed close scrutiny of the 6-page document entitled RESPONSE TO PERFORMANCE REVIEW OF ALASKA CODE REVISION COMMISSION.

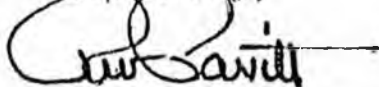
The thrust of the document (hereafter referred to as the Response) appears to hold that the PERFORMANCE REVIEW OF THE ALASKA CODE REVISION COMMISSION (hereafter referred to as the Review) incorrectly assesses the duties and responsibilities assigned to the commission by the Legislature; and, as a result of such misconception, erroneously recommends that the body be restructured or terminated.

I submit that the research accomplished in preparing the Review was thorough and adequate; that the factors considered in the Review are proper and consistent with the "sunset review" process, and that the conclusion and recommendations were arrived at logically and objectively from the evidence and material available.

With the exception of a minor amendment to the title of Appendix A (page - 13 -; change DETAILING to SUMMARIZING), I recommend that the report entitled A PERFORMANCE REVIEW OF THE ALASKA CODE REVISION COMMISSION, as submitted by the contractor, be forwarded to the appropriate legislative committee along with the responses received by the Legislative Audit Division.

As agreed, I will be available for testimony at such time as the committee considers the matter.

Respectfully,



R. W. Pavitt, AICP
President

RWP/bp

REBUTTAL

TO

RESPONSE TO PERFORMANCE REVIEW OF ALASKA CODE REVISION COMMISSION

Purpose and Scope of Review

The Response constitutes an unsupported attack on the methodology and the thoroughness of the performance audit.

- Contrary to the contention of the Response, great weight was given to items (2) through (8).
- In addition to the formal interview of one present member, the auditor, during the October 12, 1981 meeting, spent well over an hour in a direct question and answer session with all members (in attendance) of the commission, and informally discussed the matter of the sunset review further for 15 - 20 minutes during a coffee break with two of the commissioners. Two extensive interviews were also conducted with the Executive Secretary.
- The Response fails to document its contention that "a misconception" is apparent in the Review with respect to the mandate and the workings of the commission.

Organization and Function

The Response agrees with the Review.

Report Conclusion

The Response contends that the results of the commission's efforts in terms of substantive revisions adopted into law by the Alaska Legislature is not a valid measure of the overall effectiveness of the commission; and goes on to disagree with statements in the Review regarding duplication of code revision responsibility, and the conflicts that result from such redundancy of effort.

- Inasmuch as the responsibilities of the commission (AS 24.20.075) boil down to the charge to "recommend changes in law needed to eliminate

antiquated and inadequate rules of law and to bring the law into harmony with current needs and conditions", the acceptance of these recommendations by the Legislature, as reflected in substantive enactments, would appear to be the ultimate test of the commission's effectiveness.

- Interviews conducted with staff attorneys connected with the Legislative Affairs Agency and the Department of Law did not support the contention in the Response that the commission's work product has been an important research tool.
- The fact that the "duties and responsibilities of the commission are substantially similar to those mandated to the Legislative Council, Legislative Affairs and the Co-Revisors of Statutes" is clearly documented in the summary of Alaska Statutes regarding law revision contained in Appendix B to the Review.
- The Response states that "The commission, even where the mandate would permit, does not perform certain functions performed by the aforesaid bodies...." (emphasis added); and acknowledges that the "commission's mandate is extremely broad and would allow duplication of functions",.... (emphasis added). Although the Response holds that duplication and conflicts do not exist, interviews conducted during the Review with Legislative Affairs attorneys and a careful reading of the commission's minutes indicates that they in fact do.

Findings and Recommendations

Part I

The Response agrees with the statement in the Review that if the commission is terminated, sufficient funds should be provided to fulfill its existing obligations and cease activities on June 30, 1983.

Part II

The Response sets forth the parts of Recommendation No. 1 with which the commission feels it is now complying, and agrees that communications with the Legislative Council need improving, and that a mechanism for avoiding conflict with special legislative committees should be developed.

- Recommendation No. 1, as written, attempts to address these matters.

With respect to Recommendation No. 2, the Response indicates that the commission understands its advisory role in the lawmaking process.

- Recommendation No. 2, as written, seeks to statutorily clarify the relationship of legislative advisors.

Regarding Recommendation No. 3, the Response states that the commission presently sees the review of anachronistic state laws as part of its mandate.

- Recommendation No. 3, as written, seeks to leave this responsibility with the Co-Revisors of Statutes and the Legislative Affairs Agency where it presently is placed (AS 01.05.036)

Appendix

The Response takes umbrage at the use of the term "no further action", and suggests that in a number of instances, that term does not tell the whole story of the commission's consideration with respect to the item of legislation.

- Appendix "A" to the Review summarizes, in brief tabular form, the work of the commission on 30 items. The table was constructed from the minutes of the commission (7/15/76 - 8/5/81). In its preliminary form, it was independently checked for accuracy by a consultant to the commission and by a former member. Both suggested minor additions and corrections which were incorporated into the table.
- The auditor agrees that a 3-page table cannot totally detail 5+ years of commission effort. The table does, however, accurately summarize the actions of the commission and of the legislature. The suggestion is therefore made that the title of the appendix in question be changed to: "TABLE SUMMARIZING SUBJECT MATTER STUDIED BY THE COMMISSION 1976 - 1981"

The Response, in discussing the commission's consideration of the Administrative Procedure Act makes the statement: "If neither the administration nor the legislature pushes the bill, the commission may." (emphasis added)

- While the enthusiasm of the commission for exploring the difficult problems of the Administrative Procedure Act is commendable, the stridency of the statement quoted above appears to be in marked contrast to the claims in the Response that the commission fully perceives its duties and responsibilities vis-a-vis the legislative process.

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February 5, 1982

TO: SENATOR FISCHER
CHAIRMAN STATE AFFAIRS

FROM: SENATOR JALMAR KERTTOLA
SENATE PRESIDENT

DATE: FEBRUARY 9, 1981

RE: CONFIRMATION OF DON DENNIS

Enclosed are copies of telegrams and letters that I have received concerning the confirmation of Don Dennis as Athletic Commissioner. I am forwarding them on to you for committee review.

Incidentally, I have no prejudice on the matter.

SENATE STATE AFFAIRS

CONFIRMATION OF THE FOLLOWING GUBERNATORIAL APPOINTMENTS TO VARIOUS
BOARDS AND COMMISSIONS TO BE TAKEN UP THURSDAY, MARCH 12, 1981, 1:30

STATE BOARD OF REGISTRATION FOR
ARCHITECTS, ENGINEERS AND LAND SURVEYORS

Gerald Myers, Fairbanks, term expiring 7/1/86
Odin Strandberg, Anchorage, term expiring 7/1/81

ATHLETIC COMMISSION

Dennis Dennis, Fairbanks, term expiring 5/14/82
Reginald Joule, Kotzebue, term expiring 5/14/82

STATE COMMISSION FOR HUMAN RIGHTS

*James Chase, Anchorage, term expiring 1/31/86

PERSONNEL BOARD

*Morgan Reed, Skagway, term expiring 6/20/86

ALASKA PUBLIC UTILITIES COMMISSION

another
~~*Gordon Zerbetz, Anchorage, term expiring 10/31/86~~

*reappointments

ALASKA PIPELINE COMMISSION

Karen Cory, Anchorage, term expiring 4/4/86
Janis Williams, Juneau, term expiring 4/4/82

BOARD OF ELECTRICAL EXAMINERS

George McCoy, Anchorage, term expiring 7/10/82
Terence Duszynski, Fairbanks, term expiring 7/10/83

ALASKA PUBLIC OFFICES COMMISSION

Mildred A. Opland, Anchorage, term expiring 2/1/86

*further
information*

*Energy
Center*



Alaska State Legislature

Senate

Official Business

Pouch V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

March 27, 1981

TO: Senator Fischer, Chairman
State Affairs Committee

FROM: *PM* Peggy Mulligan
Secretary of the Senate

RE: Governor's appointments

Please remove from your list of confirmation and appointments
the following:

ALASKA PUBLIC UTILITIES COMMISSION

*Gordon Zerbetz .



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

March 20, 1981

The Honorable Jalmar Kerttula
President of the Senate
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear President Kerttula:

Please add to your list of Alaskans to be confirmed for appointment to boards and commissions the following:

BOARD OF PHARMACY

Margaret D. Soden, R.Ph., term expires March 31, 1986

Enclosed is Ms. Soden's resumé.

Also, please remove from your list the following two names as they have resigned.

BOARD OF FISHERIES

*Gordon Jensen

ALASKA PUBLIC UTILITIES COMMISSION

*Gordon Zerbetz

Thank you.

Sincerely,

A large, stylized handwritten signature of Jay S. Hammond in black ink.

Jay S. Hammond
Governor

*Reappointed

Enclosure

Mike BRADNER, Speaker of the House, Alaska State Legislature, et al., Appellants,

v.

Jay S. HAMMOND, Governor of the State of Alaska, Appellee.

No. 2802.

Supreme Court of Alaska.

Aug. 2, 1976.

Speaker of the House, President of the Senate and State Legislature brought action against Governor for declaratory judgment of constitutionality of statute which provided that appointment of deputy heads of each principal executive department and 19 specified directors of divisions were subject to confirmation by legislature and which prescribed procedures pertaining to confirmation process. The Superior Court, First Judicial District, Juneau, Thomas E. Schulz, J., granted Governor's motion for summary judgment and declared statute unconstitutional, and plaintiffs appealed. The Supreme Court, Rabinowitz, J., held that state constitutional provisions delineate full extent of legislature's authority to confirm Governor's appointment of subordinate executive officers and that such statute was violative of separation of powers requirements of State Constitution.

Judgment affirmed.

1. Constitutional Law C=30

"Separation of powers doctrine" prohibits one branch of state government from encroaching upon and exercising powers of another branch.

See publication Words and Phrases for other judicial constructions and definitions.

2. States C=46

Appointment of executive officers of state government is an "executive func-

533 P.2d-1

tion" rather than a legislative one. Const. art. 3, §§ 1, 16.

See publication Words and Phrases for other judicial constructions and definitions.

3. States C=46

Confirmation of appointment of executive officers of state government is an attribute of appointive power of Governor rather than a distinct legislative power. Const. art. 2, § 1; art. 3, §§ 1 et seq., 16.

4. States C=46, 52

State constitutional provisions, which empower Governor to appoint and dismiss head of each principal executive department and subjects such appointments to confirmation by legislature and which, with regard to related offices, vests power of appointment in Governor and power to confirm in legislature and provides for removal of such officers as provided by law, delineate full extent of legislature's authority to confirm Governor's appointment of subordinate executive officers. Const. art. 3, §§ 25, 26.

5. Constitutional Law C=58
States C=46

Statute, which provided that appointment of deputy heads of each principal executive department and 19 specified directors of divisions were subject to confirmation by legislature and which prescribed procedures pertaining to confirmation process, was violative of separation of powers requirements of State Constitution. AS 39.05.020; Const. art. 2, § 1; art. 3, §§ 1, 16, 25, 26; art. 4, § 1.

6. Constitutional Law C=50

"Separation of powers doctrine" requires that the blending of governmental powers will not be inferred in the absence of an express constitutional provision.

Terrance Sandalow, Ann Arbor, Mich., Billy G. Berrier, Juneau, for appellants.

Robert M. Johnson, Rodger W. Pegues, Asst. Attys. Gen., and Avrum M. Gross, Atty. Gen., Juneau, for appellee.

Before BOOCHEVER, C. J., RABINOWITZ and ERWIN, JJ., DIMOND, Justice Pro Tem., and TAYLOR, Superior Court Judge sitting as Justice Pro Tem.

OPINION

RABINOWITZ, Justice.

This appeal arises from a declaratory judgment suit which appellants instituted in superior court seeking a declaration that Section 1 of Chapter 82, SLA 1975 is constitutional. This legislative measure effected significant changes in the procedures for appointment and removal of sub-cabinet officials, including deputy commis-

sioners and division heads of the executive branch of Alaska's government.¹ Specifically, it removed certain division directors from the classified service and placed them in the partially exempt service, provided that the appointment of deputy heads of each principal executive department and 19 specified directors of divisions were subject to confirmation by the legislature in joint session, and it prescribed procedures pertaining to the confirmation process.

The legislative history of Chapter 82 discloses that on April 28, 1975, Alaska's Ninth State Legislature enacted Fre Conference Committee Substitute to Senate

1. Chapter 82, SLA 1975 provides:

Section 1. AS 39.05.020 is amended to read:

Sec. 39.05.020. Appointment of department heads and other executive officers. The governor shall appoint the head of each principal executive department in the state government. Each appointment is subject to confirmation by a majority of the members of the legislature in joint session. The following executive appointments are also subject to confirmation by a majority of the members of the legislature in joint session:

- (1) The deputy head of each principal executive department of the state;
- (2) director, division of banking;
- (3) director, division of insurance;
- (4) director, division of family and children's services;
- (5) director, division of corrections;
- (6) director, division of oil and gas;
- (7) director, division of elections;
- (8) director, division of policy planning and research;
- (9) director, division of personnel;
- (10) director, division of budget and management;
- (11) director, division of medical assistance;
- (12) director, division of mental health;
- (13) director, division of public health;
- (14) director, office of telecommunications;
- (15) director, division of marine transportation;
- (16) director, division of waters and harbors;
- (17) director, division of lands;
- (18) state geologist, division of geological and geophysical surveys;
- (19) director, division of agriculture;
- (20) director, division of aviation.

Section 2. AS 39.05.050(2) is amended to read:

(2) When appointments are presented to the legislature for confirmation,

(A) the presiding officer of each house shall assign the name of each appointee to a standing committee of that house for a hearing, report and recommendation; standing committees of the two houses assigned the same person's name for consideration may meet jointly to consider the qualifications of the person appointed and may issue either a separate or a joint report and recommendation concerning that person; then

(B) the legislature shall, before the end of the session in which the appointments are presented, in joint session assembled, act on the appointments by confirming or declining to confirm by a majority vote of all of the members the appointments presented.

Sec. 3. AS 39.25.040 is amended to read:

Sec. 39.25.040. Director of personnel. The head of the division of personnel is the director of personnel appointed by the commissioner of administration and responsible to the commissioner of administration for the execution of the duties and responsibilities imposed by this chapter and the rules adopted under this chapter. The director of personnel must have at least three years practical working experience in the field of personnel administration.

Sec. 4. AS 39.25.120(2) is amended to read:

(2) the directors, division of personnel, division of mental health, division of public health, division of medical assistance, and those other directors of the major divisions of the principal departments of the executive branch as are specifically designated by the governor; . . .

Bill 98. After Governor Hammond vetoed that Section 1 the executive power of 21, 1975, the legislature overrode the veto law the following 1975 Session Law Chapter 82).

Subsequent to Governor Hammond's veto posts affected by Under AS 39.05.08 of Chapter 82 obliged to present confirmation the governor refused then commenced the declaratory judgment of Chapter 82. The Governor Hammond judgment, declaring unconstitutional. This appeal

The controlling issue we are called on to determine is contained in Article I, Section 1 and concern the powers of the governor.³ Article provides:

The executive power is vested in the governor. Article III, Section 1 that:

The head of each executive department shall be a single person, as provided by law, and appointed by the governor, subject to confirmation by a majority of the legislature.

2. AS 22.10.020(b) provides: In case of an emergency, the supreme court, the state, the superior court, or an appropriate party seeking the relief may be granted, and the declaration shall be a final judgment of the court as such. Further relief may be granted, and a hearing, against the

Bill 98. After initial passage, Governor Hammond vetoed the bill on the ground that Section 1 thereof impinged upon the executive power of appointment. On May 21, 1975, the legislature, in joint session, overrode the veto. The act then became law the following day as Chapter 82 of the 1975 Session Laws of Alaska (hereinafter Chapter 82).

Subsequent to enactment of Chapter 82, Governor Hammond appointed persons to posts affected by the Act's provisions. Under AS 39.05.080(1), part of the codification of Chapter 82, the governor was obliged to present to the legislature for confirmation the names of these persons. The governor refused to do so. Appellants then commenced this action for a declaratory judgment² of the constitutionality of Chapter 82. The superior court granted Governor Hammond's motion for summary judgment, declaring Section 1 unconstitutional. This appeal followed.

The controlling constitutional provisions we are called on to interpret here are contained in Article III of Alaska's constitution and concern the appointive powers of the governor.³ Article III, Section 1 provides:

The executive power of the State is vested in the governor.

Article III, Section 25 further provides that:

The head of each principal department shall be a single executive unless otherwise provided by law. He shall be appointed by the governor, subject to confirmation by a majority of the members

of the legislature in joint session, and shall serve at the pleasure of the governor, except as otherwise provided in this article with respect to the secretary of State. The heads of all principal departments shall be citizens of the United States.

This provision explicitly empowers the governor to appoint and dismiss the head of each principal department. It subjects these executive appointments to confirmation by a majority of the members of the legislature in joint session. Article III, Section 26 treats related offices and provides:

When a board or commission is at the head of a principal department or a regulatory or quasi-judicial agency, its members shall be appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session, and may be removed as provided by law. They shall be citizens of the United States. The board or commission may appoint a principal executive officer when authorized by law, but the appointment shall be subject to the approval of the governor.

As with Section 25, Section 26 vests the power of appointment in the governor and the power to confirm in the legislature in joint session. Removal of Section 26 board or commission members is as provided by law and, therefore, not necessarily at the governor's pleasure.

As analyzed by appellants, the sole question in this appeal is whether Sections 25 and 26 of Article III describe the outer

2. AS 22.10.020(b) provides:

In case of an actual controversy within the state, the superior court, upon the filing of an appropriate pleading, may declare the rights and legal relations of an interested party seeking the declaration, whether or not further relief is or could be sought. The declaration has the force and effect of a final judgment or decree and is reviewable as such. Further necessary or proper relief based on a declaratory judgment or decree may be granted, after reasonable notice and hearing, against an adverse party whose

rights have been determined by the judgment.

3. There is no dispute that our constitution was designed with a strong executive in mind. Executive Committee Chairman Victor Rivers reported to the floor that "[w]e are all strongly agreed on the principle of the strong executive." Alaska Constitutional Convention Proceedings at 1981 (hereinafter ACCP). *Accord*, ACCP at 1102, 1741, 1980-88, 2038, 3103.

limits of the legislature's confirmation authority, or whether the legislature may by statute require confirmation of other high-level, policy-making officials within the executive branch. In arguing that Sections 25 and 26 only establish a constitutional minimum requiring that certain appointments within the executive branch must be legislatively confirmed, appellants emphasize that neither Section 25 nor 26 prohibits the legislature from requiring confirmation of other executive appointments. Admitting that the power to enact legislative confirmation requirements in addition to those provided for in Sections 25 and 26 is not explicitly conferred on the legislature by Alaska's constitution, appellants advance the contention that the validity of Chapter 82 turns on whether such enactments are within the ambit of the constitution's general grant of legislative power to the legislative branch of Alaska's government.⁴

In opposition, appellee Hammond primarily argues that the power to confirm

executive officers is an executive power which may be lawfully exercised by the legislature only to the extent granted by the Alaska Constitution. Viewed in this manner, appellee analyzes the power to confirm executive officers as part of the appointment process, incapable of existence independent of the power of appointment, and characterizes this confirmation authority as a power "super-added" to the legislature's general legislative powers. Thus, appellee would find that Sections 25 and 26 set the maximum rather than the minimum parameters of the legislature's power to confirm appointments of executive officers. This follows, according to appellee, from the fact that legislative confirmation is a delegated function taken from an executive function, and thus the breadth of this delegated authority must be strictly construed.⁵ Applying this strict interpretative criterion, appellee concludes that Chapter 82 is violative of the separation of

powers doctrine implication.

After study of the oral arguments of re March 25, 1976, this court affirming the superior that Section 1, Chapter unconstitutional. In t indicated that a full c sued in due course.⁶

[1] In *Alaska State System v. Mueller*, 536 Alaska 1975), we observed wrote our constitutional framework of ment. The government State of Alaska was d three branches, the ex tive and the judicial." partite form of gover Alaska, this court conc *Public Defender Agency v. State Judicial District*, 534 F 1975), that ". . . . plied that this state do

4. Article II, Section 1 of the Alaska Constitution provides in part that "[t]he legislative power of the State is vested in a legislature"

In support of their thesis that the confirmation power is within the legislative power grant of Article II, Section 1, appellants contend that the record of the constitutional convention demonstrates that the delegates "clearly understood that the legislature would have authority to enact statutory confirmation requirements." Additionally, appellants point to the circumstance that since the inception of statehood both the executive and legislative branches "have consistently acted upon the understanding that the legislature has such authority" and this longstanding interpretation should be accorded significant weight by the judiciary in matters of constitutional interpretation. *Okanogan Indians v. United States* (The Pocket Veto Case) 270 U.S. 655, 49 S.Ct. 363, 73 L.Ed. 894 (1929); *Hampton v. United States*, 276 U.S. 394, 48 S.Ct. 345, 72 L.Ed. 624 (1928); *Downes v. Bidwell*, 182 U.S. 244, 21 S.Ct. 770, 45 L.Ed. 1088 (1901); see generally 16 Am.Jur.2d Constitutional Law § 83 (1964); 16 C.J.S. Constitutional Law §§ 32-34 (1956).

In addition appellants emphasize that this interpretation dates back to the first years of statehood. Contemporaneous interpretation of fundamental law by those partici-

pating in its drafting has traditionally been viewed as especially weighty evidence of the framers' intent. *Myers v. United States*, 272 U.S. 52, 47 S.Ct. 21, 71 L.Ed. 100 (1926); *Cooper Mfg. Co. v. Ferguson*, 113 U.S. 727, 5 S.Ct. 730, 28 L.Ed. 1137 (1885); *Norfolk & W. Ry. Co. v. Board of Public Works*, 124 W.Va. 562, 21 S.E.2d 143 (1942); *Jones v. Williams*, 121 Tex. 94, 45 S.W.2d 130 (1931).

5. Countering appellants' contention, appellee's reading of Alaska's constitutional history demonstrates "an intent by the constitutional framers to restrict legislative confirmation of those officers set forth in Art. III, §§ 25 and 26."

The attorney general candidly admitted at oral argument that examination of practice between the legislative and executive branches since statehood indicates that the executive has at least acquiesced to legislative confirmation of certain subcabinet officials. However, he argued that the political reality of a legislature dominated by the same party as that of the governor, as well as the minor interference such intervention created, indicates that the executive stance in the past should not be read as a "constitutional interpretation by a coordinate branch of government," but rather as a product of a realistic ordering of executive goals at the time.

6. At oral argument I advised that if a decision in the immediate future without prejudice to appeal, intended to various subcabinet appointments in order to hearings. Our March to these disclosed time

7. In *Public Defender Court, Third Judicial* 950 (Alaska 1975), we though the Alaska expressly address the separation of powers, v what is implied is a constitution as what Nolan, 414 P.2d 689.

In reaching this doctrine of separation of the Alaska Constitution *Billings*, 196 Kan. 7 (1966), where the K nekknowledged that t from the existence of t tional provisions calli government.

8. *Continental* dealt in contempt powers of There we observed th

powers doctrine implied in Alaska's constitution.

After study of the excellent briefs and oral arguments of respective counsel, on March 25, 1976, this court issued an order affirming the superior court's declaration that Section 1, Chapter 82, SLA 1975 is unconstitutional. In this order we further indicated that a full opinion would be issued in due course.⁶

[1] In *Alaska State-Operated School System v. Mueller*, 536 P.2d 99, 103 (Alaska 1975), we observed that "[t]hose who wrote our constitution followed the traditional framework of American government. The governmental authority of the State of Alaska was distributed among the three branches, the executive, the legislative and the judicial." Analyzing this tripartite form of government provided for Alaska, this court concluded, in *Public Defender Agency v. Superior Court, Third Judicial District*, 534 P.2d 947, 950 (Alaska 1975), that ". . . it can be fairly implied that this state does recognize the sep-

aration of powers doctrine."⁷ Our recent opinion in *Continental Insurance Cos. v. Bayless & Roberts, Inc.*, 548 P.2d 398, 410-11 (Alaska 1976), acknowledges that the underlying rationale of the doctrine of separation of powers is the avoidance of tyrannical aggrandizement of power by a single branch of government through the mechanism of diffusion of governmental powers.⁸ It is clear that the doctrine is not a common law concept; it is, however, a brooding omnipresence by virtue of its conceptually central role in the structure of American constitutional government.

A problem inherent in applying the doctrine of "separation of powers" stems from the fact that the doctrine is descriptive of only one facet of American government. The complementary doctrine of checks and balances must of necessity be considered in determining the scope of the doctrine of separation of powers.⁹ Both doctrines address and are designed to resolve the problem of efficient government versus tyrannical government¹⁰ and have as their goal

6. At oral argument respective counsel advised that if a decision was not forthcoming in the immediate future, Governor Hammond, without prejudice to his position in this appeal, intended to submit the names of various subcabinet appointments to the legislature in order to facilitate confirmation hearings. Our March order was in response to these disclosed time constraints.

7. In *Public Defender Agency v. Superior Court, Third Judicial District*, 534 P.2d 947, 950 (Alaska 1975), we also said that "[a]lthough the Alaska Constitution does not expressly address itself to the doctrine of separation of powers, we have noted that often what is implied is as much a part of the constitution as what is expressed. *Wade v. Nolan*, 414 P.2d 689, 698 (Alaska 1966)."

In reaching this conclusion that the doctrine of separation of powers is implicit in the Alaska Constitution, we cited *Lira v. Billings*, 196 Kan. 726, 414 P.2d 13, 16 (1966), where the Kansas Supreme Court acknowledged that the doctrine is implied from the existence of three separate constitutional provisions calling for three branches of government.

8. *Continental* dealt in part with the inherent contempt powers of the courts of Alaska. There we observed that the inherent power

to punish for contempt exists independently of statute and that although the legislature may regulate the procedure and enlarge the power, it cannot ". . . without trenching upon the constitutional powers of the court, and destroying the autonomy of that system of checks and balances which is one of the chief features of our triple-department form of government, fetter the power itself." *Continental Ins. Cos. v. Bayless & Roberts, Inc.*, 548 P.2d 398, 410 (Alaska 1976), quoting *In re Shartridge*, 90 Cal. 526, 528, 34 P. 227, 229 (1893).

The doctrine prohibits one branch from encroaching upon and exercising the powers of another branch. *Myers v. United States*, 272 U.S. 52, 47 S.Ct. 21, 71 L.Ed. 160 (1926); *Giss v. Jordan*, 82 Ariz. 152, 309 P.2d 770 (1957).

9. ". . . a dynamic relationship of cooperation and conflict. . . ." R. Tresolini & M. Shapiro, *American Constitutional Law* 9 (3d ed. 1970) [hereinafter Tresolini].

10. Tresolini, *supra* note 9, at 11. Compare *O'Donoghue v. United States*, 289 U.S. 510, 530, 53 S.Ct. 740, 77 L.Ed. 1350, 1360 (1933) and *United Public Workers of America v. Mitchell*, 330 U.S. 75, 91, 67 S.Ct. 550, 565, 91 L.Ed. 754, 765 (1947).

the protection of the electorate from tyranny.¹¹ In the instant appeal, the parties, in recognition of the controlling nature of the issue, dispute the meaning of the doctrine of separation of powers, and its implications for the determination as to whether Chapter 82 is violative of Alaska's constitution. In our view, the doctrine is of importance to the resolution of the merits of this appeal, for if the doctrine clearly precludes legislative intervention (by confirmation) in the appointment of executive officials, or requires "strict departmental" action, then Chapter 82, which purports to authorize legislative "meddling" in the exercise of an executive power, is unconstitutional because it would be violative of separation of powers requirements.

[2] In determining if Chapter 82 violates the doctrine of separation of powers, which is implicit in Alaska's constitution, it is necessary to answer the threshold question whether the appointment of executive officers is a legislative or executive function. Under the structure envisaged by

11. Justice Brandeis wrote, dissenting in *Myers v. United States*, 272 U.S. 52, 203-95, 47 S.Ct. 21, 85, 71 L.Ed. 160, 242-43 (1926):

The doctrine of the separation of powers was adopted by the Convention of 1787 not to promote efficiency but to preclude the exercise of arbitrary power. The purpose was not to avoid friction, but, by means of the inevitable friction incident to the distribution of the governmental powers among three departments, to save the people from autocracy. . . . In America, as in England, the conviction prevailed then that the people must look to representation assemblies for the protection of their liberties. And protection of the individual, even if he be an official, from the arbitrary or capricious exercise of power was then believed to be an essential of free government.

Compare C. Anticam, 2 Modern Constitutional Law § 11:13, at 200 (1st ed. 1969):

The doctrine of separation of powers was deemed necessary by the framers of the Constitution for two principal purposes: first, to protect the liberty of the citizen; and second, to safeguard the independence

of Alaska's fundamental charter, the legislative power of the state is vested in the legislature,¹² the executive power in the governor,¹³ and the judicial power in a supreme court, a superior court and such additional courts as established by the legislature.¹⁴

Appellee contends that the appointment of executive officers is an executive function.¹⁵ We find appellee's contention most persuasive. In addition to vesting the executive power of the state in the governor, Section 16 of Article III provides that "[t]he governor shall be responsible for the faithful execution of the laws." In view of the responsibilities imposed by Section 16, and the authority granted by Section 1, the governor is necessarily clothed with the power to appoint subordinate executive officers to aid him in carrying out the laws of Alaska.¹⁶ Thus, we conclude that the appointment of executive officers is an executive function;¹⁷ for without such a power, the responsibility for executing executive duties would be diffused and the goal of separation of branches of government, avoiding too

of each branch of the government and protect it from domination and interference by the others.

Cf. *Warren v. Boucher*, 543 P.2d 731, 734, 737 (Alaska 1975).

12. Art. II, § 1, Alaska Const.

13. Art. III, § 1, Alaska Const.

14. Art. IV, § 1, Alaska Const.

15. There is no dispute here that the appointees subjected to legislative confirmation by Chapter 82 are executive officers.

16. *Alcain v. Bailey*, 104 Ariz. 250, 451 P.2d 30 (1969).

17. In *Springer v. Philippine Islands*, 277 U.S. 189, 202, 48 S.Ct. 480, 482, 72 L.Ed. 845, 849 (1927), the Supreme Court said:

Legislative power, as distinguished from executive power, is the authority to make laws, but not to enforce them or appoint the agents charged with the duty of such enforcement. The latter are executive functions.

See also *Myers v. United States*, 272 U.S. 50, 115-16, 47 S.Ct. 21, 24-25, 71 L.Ed. 160, 165-66 (1926).

great a concentration of power in one branch, would be defeated.

[3] Given our construction of Alaska's constitution, the subordinate executive officers of the governor is an executive function necessary to determine the legislature's confirmation. We are in agreement with the majority's analysis that under Alaska's constitution, the confirmation is a specific attribute of the executive power of the governor, which have been called "executive" functions. The issue have been unanimous in holding that confirmation is an exercise of legislative power, but that the executive power of appointment in turn been delegated to the subordinate branches by constitutional provisions. In light of the nature of the power of confirmation, under Sections 25 and 26 of the constitution, to describe the outer limits of the confirmation authority.

18. In *Myers v. United States*, 272 U.S. 50, 47 S.Ct. 21, 43 (1926), the Supreme Court held that the power "superiorly possessed by the legislature

19. *Myers v. United States*, 272 U.S. 50, 47 S.Ct. 21, 32-33 (1926); *Wittler v. Boucher*, 543 P.2d 731, 734, 737 (Alaska 1975); *Davis*, 398 S.W.2d 922 (Tex. 1963); *State v. DeLoach*, 503 P.2d 303 (1973); *State v. DeLoach*, 503 P.2d 303 (1973).

20. Compare *Warwick v. State*, 543 P.2d 384, 391-92 (Alaska 1975).

21. In *O'Donoghue v. United States*, 315 U.S. 516, 530, 53 S.Ct. 74 (1933) (emphasis added):

The Constitution vests the executive power in the President, and separate departments of the executive, and the separation is not merely a matter of governmental organization, but of basic and vital importance. *Myers v. United States*, 272 U.S. 50, 115-16, 47 S.Ct. 21, 24-25, 71 L.Ed. 160, 165-66 (1926).

great a concentration of power in one branch, would be defeated.

[3] Given our conclusion that under Alaska's constitution the appointment of subordinate executive officers by the governor is an executive function, it is then necessary to determine the nature of the legislature's confirmation powers. Here we are in agreement with appellee's analysis that under Alaska's constitution confirmation is a specific attribute of the appointive power of the executive.¹⁸ Other courts which have been called upon to resolve this issue have been unanimous in their holdings that confirmation is not a distinct legislative power, but rather a part of the executive power of appointment which has in turn been delegated in some specific instances by constitution to the legislative branch of government.¹⁹

In light of the nature of the legislature's power of confirmation, the question whether Sections 25 and 26 of Article III describe the outer limits of the legislature's confirmation authority, or whether the leg-

islature may by statute require confirmation of other high-level, policy making officials within the executive branch, admits of but one resolution. As to this issue, we think the provisions of Sections 25 and 26 of Article III are clear and unambiguous.²⁰ Thus, we conclude that Sections 25 and 26 mark the full reach of the delegated, or shared, appointive function to Alaska's legislative branch of government.²¹

[4-5] The lack of ambiguity in Sections 25 and 26 of Article III of the Alaska Constitution mandate that this court interpret these express provisions as embodying not only the maximum parameters of the delegation of the executive appointive authority through the legislative confirmation function but, further, that they delineate the full extent of the constitution's express grant to the legislative branch of checks on the governor's power to appoint subordinate executive officers. In our view, the separation of powers doctrine requires that the blending of governmental powers will not be inferred in the absence of an express constitutional provision.²²

18. In *Myers v. United States*, 272 U.S. 56, 169, 47 S.Ct. 21, 43, 71 L.Ed. 160, 187 (1926), the Supreme Court termed confirmation a power "super added" to those possessed by the legislature.

19. *Myers v. United States*, 272 U.S. 56, 135-39, 47 S.Ct. 21, 32-33, 71 L.Ed. 160, 174-75 (1926); *Wittler v. Baumgartner*, 180 Neb. 446, 144 N.W.2d 62, 67 (1966); *Spears v. Davis*, 398 S.W.2d 921 (Tex. 1966); *Waller v. Baker*, 145 Tex. 121, 196 S.W.2d 324 (1946); *State v. Dowling*, 167 La. 907, 120 So. 593 (1928); *People v. Shaverer*, 30 Wyo. 366, 222 P. 11 (1924).

20. Compare *Warwick v. State ex rel. Chance*, 548 P.2d 384, 391-96 (Alaska 1976).

21. In *O'Donoghue v. United States*, 289 U.S. 516, 530, 53 S.Ct. 740, 743, 77 L.Ed. 1356 (1933) (emphasis added), the Supreme court said:

The Constitution, in distributing the powers of government, creates three distinct and separate departments—the legislative, the executive, and the judicial. This separation is not merely a matter of convenience or of governmental mechanism. Its object is basic and vital, *Springer v. Philippine Islands*, 277 U.S. 189, 201, 48 S.Ct. 477, 72 L.Ed. 845; namely, to preclude a com-

mingling of these essentially different powers of government in the same hands. And this object is none the less apparent and controlling because there is to be found in the Constitution an occasional specific provision conferring upon a given department certain functions, which, by their nature, would otherwise fall within the general scope of the powers of another. Such exceptions serve rather to emphasize the generally inviolate character of the plan.

22. Compare *Lege v. Martin*, 379 P.2d 447, 450 (Alaska 1963). See also *State v. Campbell*, 536 P.2d 105, 110-11 (Alaska 1975), where we said (footnotes omitted):

This court is admittedly under a duty to reconcile, whenever possible, challenged legislation with the constitution by rendering a construction that would harmonize the statutory language with specific constitutional provisions. However, in fulfilling that duty, the extent to which the express language of the provision can be altered and departed from and the extent to which the infirmities can be rectified by the use of implied terms is limited by the constitutionally decreed separation of powers which prohibits this court from enacting legislation or redrafting defective statutes.

To hold otherwise would emasculate the restraints engendered by the doctrine of separation of powers and result in potentially serious encroachments upon the executive by the legislative branch, because there would be no logical termination point to the legislature's confirmation of executive appointments.²³

The superior court's judgment is affirmed.

CONNOR and BURKE, JJ., not participating.



Kenneth D. MOORE et al., Appellants,
v.
STATE of Alaska et al., Appellees.

STANDARD OIL COMPANY OF CALIFORNIA, Cross-Appellant,
v.
Kenneth D. MOORE et al., Cross-Appellees.
Nos. 2551, 2587.
Supreme Court of Alaska,
July 8, 1976.

Fishermen and owner of lodge on Kachemak Bay brought action challenging legality of sale of certain offshore oil and gas leases in the Bay. The Superior Court, Third Judicial District, Anchorage, Thomas E. Schulz, J., granted defendants' motion for summary judgment and fishermen and lodge owner appealed. The Supreme Court, in separate opinions by Connor and Rabinowitz, JJ., held that the action was not barred by laches; that legal requirements concerning publication of notice of sale were met; that determination that the sale was in the best interests of the State was required to be made prior to

the sale; that contention that no such decision had been made was subject to judicial review; that the director of the division of lands had not made such a determination; that remand was required for determination of whether commissioner of natural resources had relieved the director of the division of lands of the responsibility for making that decision; that director of division of lands was required to consult with planning agencies in two cities and one borough in the vicinity of Kachemak Bay prior to entering into the sale; but that rule requiring the director to enter into such consultation would be applied prospectively only.

Remanded.

Dimond, J. pro tem., dissented in part and filed an opinion in which Rabinowitz, J., concurred.

Connor, J., filed a statement dissenting in part.

1. Appeal and Error ⇨949
Equity ⇨84

Decision to sustain a defense based on laches is properly addressed to the discretion of the trial court and will not be overturned unless the Supreme Court feels a definite and firm conviction that a mistake has been committed.

2. Appeal and Error ⇨1169(8)

Although clear error in a trial court ruling cannot be demonstrated by merely showing a conflict in evidence and Supreme Court will reverse on high conflicting evidence, existence of conflicts in evidence which give rise to genuine issues of material fact provides an adequate ground for reversal of a grant of summary judgment.

3. Equity ⇨72(1)

Before the equitable doctrine of laches can be applied, defendant must show that the plaintiff was guilty of inexcusable delay and that the delay resulted in undue prejudice to the defendant.

23. Our holding makes it unnecessary to discuss any of the other arguments advanced in this appeal.

4. Equity ⇨71(2)

Element of undue laches is shown to establish laches if diligence and neglect are shown and unexplained length of time and circumstance permitting delay.

5. Mines and Minerals ⇨

Where press release by governor's office announcing offshore oil and gas lease sale in 1972, where call for lease was issued on July 13, 1973, and sale was granted on August 1, 1973, where formal notices of lease were issued in November of 1973, and where lease was issued in December of 1973, where lease was issued in January of 1974, where permit authorizing lessee to explore for oil and gas was issued on November 12, 1974, challenging the sale three weeks later, where leases were not guilty of laches as to bar them from asserting laches, from asserting

6. Equity ⇨71(2)

In applying the doctrine of laches, the court is not so much concerned with the alleged wrong of the plaintiff as with the determining whether the delay is resulting prejudice to the plaintiff is reasonable to expect the plaintiff to assert the wrong.

7. Equity ⇨71(2)

One of the factors in measuring plaintiff's claim of laches with certain actions having been taken when, under the circumstances, no longer reasonable to expect that defendant would assert the law.

8. Appeal and Error

Although Supreme Court by the trial court's judgment and error is not reversible if the ultimate justice of the record, errors are reversible if the judge's overall assessment of the

January 26, 1981

Nancy Carlson, Director
Alaska Public Offices Comm.
610 C Street
Anchorage, Ak. 99501

Dear Nancy:

As per the telephone call my office placed to you last week, I am requesting copies of conflict of interest statements (statements of financial disclosure) for the following persons. Your assistance in providing this information will be appreciated.

James Chase, Anchorage	Human Rights Commission
Morgan Reed, Skagway	Personnel Board
Gordon Zerbertz, Anchorage	Public Utilities Comm.
Karen Cory, Anchorage	Pipeline Commission
Janis Williams, Juneau	Pipeline Commission

The first three names are of reappointed persons. The last two are new appointments. We understand that the statements are for the 1980 calendar year, and for 1980 if available. Thank you.

Sincerely,

Sen. V. Fischer
Chairman, Senate State Affairs Committee

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Alaska State Legislature

Senate Committee on State Affairs

Vic Fischer, Chairman • Pouch V • Juneau, Alaska 99811 • (907) 465-4954

Official Business

M E M O R A N D U M

TO: Senator Jalmar Kerttula, President
Alaska State Senate

FROM: Senate State Affairs Committee

DATE: April 6, 1981

RE: Governor's appointment to the Alaska Public
Offices Commission

Pursuant to your instructions the Senate State Affairs Committee has had under consideration the Governor's appointment to the Alaska Public Offices Commission and reports back with the following recommendation:

Mildred A. Opland, Anchorage, term expiring 2/1/86

<u>Member</u>	<u>Recommendation</u>
Senator Fischer, Chair	<i>V. Fischer approved</i>
Senator Colletta, Vice-Chair	<i>Mike Colletta " "</i>
Senator Bradley	<i>Brad Bradley approved</i>
Senator Eliason	<i>Bill Eliason " "</i>
Senator Stimson	<i>J. Stimson approved</i>



Alaska State Legislature

Senate Committee on State Affairs

Vic Fischer, Chairman • Pouch V • Juneau, Alaska 99811 • (907) 465-4954

Official Business

M E M O R A N D U M

TO: Senator Jalmar Kerttula, President
Alaska State Senate

FROM: Senate State Affairs Committee

DATE: April 6, 1981

RE: Governor's appointments to the Board of Electrical
Examirers

Pursuant to your instructions and in accordance with AS 39.05.080, the Senate State Affairs Committee has had under consideration the Governor's appointments to the Board of Electrical Examiners and reports back with the following recommendations:

George McCoy, Anchorage, term expiring 7/10/82
Terence Duszynski, Fairbanks, term expiring 7/10/83

<u>Member</u>	<u>Recommendation</u>
Senator Fischer, Chair	<i>Vic Fischer approved</i>
Senator Colletta, Vice-Chair	<i>Mike Colletta " "</i>
Senator Bradley	<i>Brad Bradley approved</i>
Senator Eliason	<i>Al Eliason " "</i>
Senator Stimson	<i>T Stimson approved</i>



Alaska State Legislature

Senate Committee on State Affairs

Vic Fischer, Chairman • Pouch V • Juneau, Alaska 99811 • (907) 465-4954

Official Business

M E M O R A N D U M

TO: Senator Jalmar Kerttula, President
Alaska State Senate

FROM: Senate State Affairs Committee

DATE: April 6, 1981

RE: Governor's appointments to the State Board of
Registration for Architects, Engineers and Land
Surveyors

Pursuant to your instructions and in accordance with AS 39.05.080, the Senate State Affairs Committee has had under consideration the Governor's appointments to the State Board of Registration for Architects, Engineers and Land Surveyors and reports back with the following recommendations:

Gerald Myers, Fairbanks, term expiring 7/1/86
Odin Strandberg, Anchorage, term expiring 7/1/81

<u>Member</u>	<u>Recommendation</u>
Senator Fischer, Chair	<u>Vic Fischer approved</u>
Senator Colletta, Vice-Chair	<u>Wade Colletta " "</u>
Senator Bradley	<u>Bradley approved</u>
Senator Eliason	<u>Eliason " "</u>
Senator Stimson	<u>Stimson approved</u>



Alaska State Legislature

Senate Committee on State Affairs

Vic Fischer, Chairman • Pouch V • Juneau, Alaska 99811 • (907) 465-4954

Official Business

M E M O R A N D U M

TO: Senator Jalmar Kerttula, President
Alaska State Senate

FROM: Senate State Affairs Committee

DATE: April 6, 1981

RE: Governor's appointment to the State Commission for
Human Rights

Pursuant to your instructions and in accordance with AS 39.05.080, the Senate State Affairs Committee has had under consideration the Governor's appointment to the State Commission for Human Rights and reports back with the following recommendation:

James Chase, Anchorage, term expiring 1/31/86

<u>Member</u>	<u>Recommendation</u>
Senator Fischer, Chair	<i>V. Fischer approved</i>
Senator Colletta, Vice-Chair	<i>Luigi Colletta " "</i>
Senator Bradley	<i>Bradley Bradley approved</i>
Senator Eliason	<i>R. Eliason " "</i>
Senator Stimson	<i>J. Stimson approved</i>

Alaska State Legislature

Senate Committee on State Affairs

Vic Fischer, Chairman • Pouch V • Juneau, Alaska 99811 • (907) 465-4954

Official Business

M E M O R A N D U M

TO: Senator Jalmar Kerttula, President
Alaska State Senate

FROM: Senate State Affairs Committee

DATE: April 6, 1981

RE: Governor's appointment to the Personnel Board

Pursuant to your instructions and in accordance with AS 39.05.080, the Senate State Affairs Committee has had under consideration the Governor's appointment to the Personnel Board and reports back with the following recommendation:

Morgan Reed, Skagway, term expiring 6/20/86

Member

Recommendation

Senator Fischer, Chair

V. Fischer approved

Senator Colletta, Vice-Chair

Mike Colletta " "

Senator Bradley

Brad Bradley approved

Senator Eliason

Sh. Eliason " "

Senator Stinson

J. Stinson approved



Alaska State Legislature

Senate Committee on State Affairs

Vic Fischer, Chairman • Pouch V • Juneau, Alaska 99811 • (907) 465-4954

Official Business

M E M O R A N D U M

TO: Senator Jalmar Kerrettula, President

FROM: Senate State Affairs Committee

DATE: April 6, 1981

RE: Governor's appointments to the Athletic Commission

Pursuant to your instructions and in accordance with AS 39.05.080, the Senate State Affairs Committee has had under consideration the Governor's appointments to the Athletic Commission and reports back with the following recommendations:

Don Dennis, Fairbanks, term expiring 5/14/82
 Reginald Joule, Kotzebue, term expiring 5/14/82

<u>Member</u>	<u>Recommendation</u>
Senator Fischer, Chair	<i>V. Fischer</i> approved
Senator Colletta, Vice-Chair	<i>Vic Colletta</i> "
Senator Bradley	<i>Bradley</i> approved
Senator Eliason	<i>Eliason</i> "
Senator Stimson	<i>Stimson</i> approved



Alaska State Legislature

Senate Committee on State Affairs

Vic Fischer, Chairman • Pouch V • Juneau, Alaska 99811 • (907) 465-4954

Official Business

MEMORANDUM

TO: Senator Jalmar Kerttula, President
Alaska State Senate

FROM: Senate State Affairs Committee

DATE: April 6, 1981

RE: Governor's appointments to the Alaska Pipeline
Commission

Pursuant to your instructions and in accordance with AS 39.05.080, the Senate State Affairs Committee has had under consideration the Governor's appointments to the Alaska Pipeline Commission and reports back with the following recommendations:

Karen Cory, Anchorage, term expiring 4/4/86
Janis Williams, Juneau, term expiring 4/4/82

<u>Member</u>	<u>Recommendation</u>
Senator Fischer, Chair	<u>Vic Fischer</u> approved
Senator Colletta, Vice-Chair	<u>Mike Colletta</u> " "
Senator Bradley	<u>Brad Bradley</u> approved
Senator Eliason	<u>Mike Eliason</u> " "
Senator Stimson	<u>T Stimson</u> approved



Alaska
Independent
Baseball
League, Inc.

FEB 6 1981

February 3, 1981

Honorable Jay Kerttula
State Senator
Pouch V
Juneau, AK.

Dear Jay:

In using criteria such as overall balance, receptiveness and an attitude of co-operation, I regret that I can not support the confirmation of Mr. Don Dennis of Fairbanks to the position of Athletic Commissioner for this State.

Sincerely,

Vince O'Reilly
Commissioner

VOR:jr

RECEIVED
has certified
MAY 5 1980

CONFLICT OF INTEREST STATEMENT FOR PUBLIC OFFICIAL OR CANDIDATE
COMMISSION

PART 1. GENERAL INFORMATION

REPORTING PERIOD: January 1, 19 79 to December 31, 19 79 (Preceding Calendar year)

REPORTING OFFICIAL: Name: James H. Chase

Resident Address: 3023 Madison Way Mailing Address: same

City: Anchorage State: ALASKA Zip Code: 99504

APPLICABLE OFFICE (Mark one or more, as appropriate, and complete blanks):

A. State Public Official:

Legislative _____ Judicial: _____
(Senator or Representative) (title)

Executive _____
(title of position) (name of department)

Board or Commission Commission for Human Rights
(name of Board or Commission)

B. Municipal Public Official:

Mayor School Board Member
 Borough or City Manager Utility Board Member
 Assembly or Council Person Planning and Zoning Commission Member

TERM OF OFFICE: Begin _____ End _____

If Candidate, Date Declaration of Candidacy Filed: _____

If Appointed or Hired, Date of Appointment: April 9, 1980

MEMBERS OF FAMILY OF REPORTING OFFICIAL: (Please list names)

Spouse: Marlene G. Chase Dependent Children: Joyce N Chase
Donna L. Chase

Non-dependent Children Living with Reporting Official: none

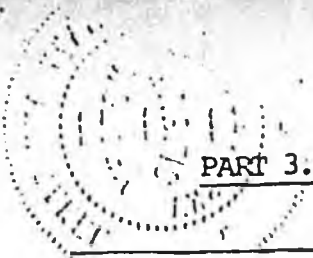
PART 2. CERTIFICATION

I, the undersigned, declare under oath and on penalty of perjury that the statements contained in this conflict of interest statement are, to the best of my knowledge, true, correct, and complete.

DATED: May 5 1980 SIGNED: James H. Chase

SUBSCRIBED AND SWORN to before me this 5 day of May, 1980.

Notary Public: May Ann Baker
My commission expires: April 26, 1983



PART 3. SOURCES OF INCOME AND CAPITAL GAINS OVER \$100
 (see Manual of Instructions, page 7)

<u>NAME</u> (of reporting official, spouse, etc.)	<u>SOURCE OF INCOME</u>
1) Salary: James H. Chase James H. Chase	University of Alaska, Anchorage United States Air Force Pension
Marlene G. Chase	Anchorage School District
Joyce N. Chase	Three Sisters Fabric
Donna L. Chase	DOF State of Alaska
Donna L. Chase	Jeans West
2) Rentals:	
None	
3) Dividends and Interest:	
None	
4) Self employment (business name, clients, customers):	
Polychrome Consultants	Anchorage School District
5) Other:	

(Use continuation sheet if necessary)

PART 4. BUSINESS INVOLVEMENT OR OWNERSHIP INTERESTS AS A STOCKHOLDER,
OWNER, OFFICER, DIRECTOR, PARTNER, PROPRIETOR, OR EMPLOYEE
(see Manual of Instructions, page 9)

<u>NAME (reporting official, spouse, etc.)</u>	<u>NATURE OF INVOLVEMENT OR INTEREST</u>	<u>NAME AND ADDRESS OF BUSINESS</u>
James H. Chase	Owner	Polychrome Consultants P.O. Box 1394 Anchorage, AK 99510

(continue on blank sheet if necessary)

PART 5. REAL PROPERTY INTERESTS OWNED, INCLUDING OPTIONS TO BUY
(see Manual of Instructions, page 10)

<u>NAME (of reporting official, spouse, etc.)</u>	<u>IDENTITY OF PROPERTY, INCLUDING LOCATION AND CURRENT USE</u>	<u>NATURE OF INTEREST</u>
James H. Chase	Lot 15 - Block 5 College Village s/d Addition #5	Owned Residence

(continue on blank sheet if necessary)

PART 6. BENEFICIAL INTEREST IN TRUSTS OR OTHER FIDUCIARY RELATION
(see Manual of Instructions, page 11)

<u>NAME (reporting official, spouse, etc.)</u>	<u>TRUSTOR</u>	<u>PROPERTY</u>	<u>EXTEN. OF INTEREST</u>
None			

(continue on blank sheet if necessary)

PART 7. LOANS, LOAN GUARANTEES OR OTHER FINANCIAL OBLIGATIONS OF \$500 OR MORE
(see Manual of Instructions, page 12)

<u>NAME (reporting/official spouse, etc.)</u>	<u>IDENTITY OF MAKER OF LOAN, LOAN GUARANTOR, OR CREDITOR</u>
Joyce N. Chase	State School Loan

(continue on blank sheet if necessary)

PART 8. CONTRACTS AND OFFERS TO CONTRACT WITH THE STATE OR AN INSTRUMENTALITY OF THE STATE
(see Manual of Instructions, page 13)

<u>NAME AND RELATIONSHIP (John Doe, reporting off.; Jan Doe, spouse)</u>	<u>STATE CONTRACTING DEPT. OR INSTRUMENTALITY</u>	<u>IDENTITY OF CONTRACT</u>	<u>INDICATE: BID, HELD, OFFERED</u>
None			

(continue on blank sheet if necessary)

PART 9. LEASES OR OFFERS TO LEASE MINERAL, TIMBER, OIL, OR OTHER NATURAL RESOURCES
(see Manual of Instructions, page 15)

<u>NAME AND RELATIONSHIP (John Doe, reporting off.; Mary Doe, mother)</u>	<u>NATURE OF LEASE</u>	<u>IDENTITY OF LEASE</u>	<u>INDICATE: HELD OR OFFERED</u>
None			

(continue on blank sheet if necessary)

APR 17 1980

PUBLIC OFFICERS

CONFLICT OF INTEREST STATEMENT FOR PUBLIC OFFICIAL OR CANDIDATE

PART 1. GENERAL INFORMATION

REPORTING PERIOD: January 1, 19 79 to December 31, 19 79 (Preceding Calendar year)

REPORTING OFFICIAL: Name: Thomas H. Reed

Resident Address: _____ Mailing Address: Bonita

City: Wasilla State: ALASKA Zip Code: 99840

APPLICABLE OFFICE (Mark one or more, as appropriate, and complete blanks):

A. State Public Official:

Legislative _____ Judicial: _____
(Senator or Representative) (title)

Executive _____
(title of position) (name of department)

Board or Commission Salmon Fisheries Retirement Personnel
(name of Board or Commission)

B. Municipal Public Official:

Mayor School Board Member

Borough or City Manager Utility Board Member

Assembly or Council Person Planning and Zoning Commission Member

TERM OF OFFICE: Begin _____ End _____

If Candidate, Date Declaration of Candidacy Filed: _____

If Appointed or Hired, Date of Appointment: _____

MEMBERS OF FAMILY OF REPORTING OFFICIAL: (Please list names)

Spouse: Bladen Dependent Children: _____

Non-dependent Children Living with Reporting Official: _____

PART 2. CERTIFICATION

I, the undersigned, declare under oath and on penalty of perjury that the statements contained in this conflict of interest statement are, to the best of my knowledge, true, correct, and complete.

DATED: 4-14-80 SIGNED: Thomas H. Reed

SUBSCRIBED AND SWORN to before me this 14 day of April, 19 80.

Notary Public: Wanda Warner
My commission expires: _____



PART 3. SOURCES OF INCOME AND CAPITAL GAINS OVER \$100
 (see Manual of Instructions, page 7)

<u>NAME</u> (of reporting official, spouse, etc.)	<u>SOURCE OF INCOME</u>
1) Salary:	
<i>Morris H. Freed</i>	<i>Nat. Postal Assoc.</i>
2) Rentals:	
<i>R. Birelli</i>	<i>E. LaForce</i>
<i>J. Elwood</i>	
<i>J. Reynolds</i>	<i>D. Brucina</i>
<i>B. Hobbes</i>	<i>G. Herman</i>
<i>S. Thayer</i>	<i>M. Scroggs</i>
3) Dividends and Interest:	
<i>Haines Steel</i>	<i>Brunswick</i>
<i>Realty Sabatino</i>	
<i>Yonkers</i>	
4) Self employment (business name, clients, customers):	
5) Other:	

(Use continuation sheet if necessary)

PART 4. BUSINESS INVOLVEMENT OR OWNERSHIP INTEREST ; A STOCKHOLDER, OWNER, OFFICER, DIRECTOR, PARTNER, PROPRIETOR, OR EMPLOYEE
 (see Manual of Instructions, page 9)

<u>NAME</u> (reporting official, spouse, etc.)	<u>NATURE OF INVOLVEMENT OR INTEREST</u>	<u>NAME AND ADDRESS OF BUSINESS</u>
<u>Margaret H. Reed</u>	<u>Stockholder</u>	<u>Union Steel Corp</u>
		<u>Relitech Laboratories</u>
		<u>Microwave</u>
		<u>Summit</u>
		<u>Simplicity Pattern</u>

(continue on blank sheet if necessary)

PART 5. REAL PROPERTY INTERESTS OWNED, INCLUDING OPTIONS TO BUY
 (see Manual of Instructions, page 10)

<u>NAME</u> (of reporting official, spouse, etc.)	<u>IDENTITY OF PROPERTY INCLUDING LOCATION AND CURRENT USE</u>	<u>NATURE OF INTEREST</u>
<u>Margaret H. Reed</u>	<u>City of Springfield</u> <u>L. 748 Block 27 Rental</u> <u>L. 4 " 28 "</u> <u>L. 5+6 " 23 "</u> <u>L. 1-2-3-4 " 112 "</u>	<u>own</u>
	<u>3 1/2 Acre Homestead Located Near Day Runover Residence</u>	

(continue on blank sheet if necessary)

PART 6. BENEFICIAL INTEREST IN TRUSTS OR OTHER FIDUCIARY RELATION
 (see Manual of Instructions, page 11)

<u>NAME</u> (reporting official, spouse, etc.)	<u>TRUSTOR</u>	<u>PROPERTY</u>	<u>EXTENT OF INTEREST</u>

(continue on blank sheet if necessary)

PART 7. LOANS, LOAN GUARANTEES OR OTHER FINANCIAL OBLIGATIONS OF \$500 OR MORE
(see Manual of Instructions, page 12)

<u>NAME</u> (reporting official spouse, etc.)	<u>IDENTITY OF MAKER OF LOAN, LOAN GUARANTOR, OR CREDITOR</u>
<u>Morgan H. Reed</u>	<u>National Bank Alaska</u>

(continue on blank sheet if necessary)

PART 8. CONTRACTS AND OFFERS TO CONTRACT WITH THE STATE OR AN INSTRUMENTALITY OF THE STATE
(see Manual of Instructions, page 13)

<u>NAME AND RELATIONSHIP</u> (John Doe, reporting off.; Jan Doe, spouse)	<u>STATE CONTRACTING DEPT. OR INSTRUMENTALITY</u>	<u>IDENTITY OF CONTRACT</u>	<u>INDICATE: BID, HELD, OFFERED</u>
<u>None</u>			

(continue on blank sheet if necessary)

PART 9. LEASES OR OFFERS TO LEASE MINERAL, TIMBER, OIL, OR OTHER NATURAL RESOURCES
(see Manual of Instructions, page 15)

<u>NAME AND RELATIONSHIP</u> (John Doe, reporting off.; Mary Doe, mother)	<u>NATURE OF LEASE</u>	<u>IDENTITY OF LEASE</u>	<u>INDICATE: HELD OR OFFERED</u>
	<u>None</u>		

(continue on blank sheet if necessary)

PART 3. SOURCES OF INCOME AND CAPITAL GAINS OVER \$100
(see Manual of Instructions, page 7)

NAME (of reporting official,
spouse, etc.)

SOURCE OF INCOME

1) Salary:

Gordon J. Zerbetz

State of Alaska

2) Rentals:

Gordon J. Zerbetz

Leo Barlow

3) Dividends and Interest:

Gordon J. Zerbetz

David Val

Gordon J. Zerbetz

The Islanders

Gordon J. Zerbetz

Dean Witter

Gordon J. Zerbetz

Merrill, Lynch

4) Self employment (business name,
clients, customers):

Gordon J. Zerbetz

Rarities Unlimited

5) Other:

N/A

(Use continuation sheet if necessary)

PART 4. BUSINESS INVOLVEMENT OR OWNERSHIP INTEREST (A STOCKHOLDER, OWNER, OFFICER, DIRECTOR, PARTNER, PROPRIETOR, OR EMPLOYEE)
(see Manual of Instructions, page 9)

<u>NAME (reporting official, spouse, etc.)</u>	<u>NATURE OF INVOLVEMENT OR INTEREST</u>	<u>NAME AND ADDRESS OF BUSINESS</u>
Gordon J. Zerbetz	Stockholder	Stedman Hotel Co. c/o Self Ketchikan, Alaska
Gordon J. Zerbetz	Stockholder	Amstar Corporation NYSE
Gordon J. Zerbetz	Stockholder	National Bank of Alaska Anchorage, Alaska
Gordon J. Zerbetz	Stockholder	First National Bank of Ketchikan

(continue on blank sheet if necessary) (see continuation sheets)

PART 5. REAL PROPERTY INTERESTS OWNED, INCLUDING OPTIONS TO BUY
(see Manual of Instructions, page 10)

<u>NAME (of reporting official, spouse, etc.)</u>	<u>IDENTITY OF PROPERTY INCLUDING LOCATION AND CURRENT USE</u>	<u>NATURE OF INTEREST</u>
Gordon J. Zerbetz	Zerbetz Pine Apartments Co.	Co-owner
Gordon J. Zerbetz	Lot 3, Blk. 2, Gravina Island S/D	Owner
Gordon J. Zerbetz	Lot 172 USS 3156	Owner

(continue on blank sheet if necessary) (see continuation sheet)

PART 6. BENEFICIAL INTEREST IN TRUSTS OR OTHER FIDUCIARY RELATION
(see Manual of Instructions, page 11)

<u>NAME (reporting official, spouse, etc.)</u>	<u>TRUSTOR</u>	<u>PROPERTY</u>	<u>EXTENT OF INTEREST</u>
	N/A		

(continue on blank sheet if necessary)

PART 7. LOANS, LOAN GUARANTEES OR OTHER FINANCIAL OBLIGATIONS OF \$500 OR MORE
(see Manual of Instructions, page 12)

<u>NAME (reporting official spouse, etc.)</u>	<u>IDENTITY OF MAKER OF LOAN, LOAN GUARANTOR, OR CREDITOR</u>
Gordon J. Zerbetz	State of Alaska Division of Veterans Affairs, Alaska

(continue on blank sheet if necessary)

PART 8. CONTRACTS AND OFFERS TO CONTRACT WITH THE STATE OR AN INSTRUMENTALITY OF THE STATE
(see Manual of Instructions, page 13)

<u>NAME AND RELATIONSHIP</u> (John Doe, reporting off.; Jan Doe, spouse)	<u>STATE CONTRACTING DEPT. OR INSTRUMENTALITY</u>	<u>IDENTITY OF CONTRACT</u>	<u>INDICATE: BID, HELD, OFFERED</u>
	N/A		

(continue on blank sheet if necessary)

PART 9. LEASES OR OFFERS TO LEASE MINERAL, TIMBER, OIL, OR OTHER NATURAL RESOURCES
(see Manual of Instructions, page 15)

<u>NAME AND RELATIONSHIP</u> (John Doe, reporting off.; Mary Doe, mother)	<u>NATURE OF LEASE</u>	<u>IDENTITY OF LEASE</u>	<u>INDICATE: HELD OR OFFERED</u>
Gregory (Son)	Aquaculture	Duke Island, AK	Held

(continue on blank sheet if necessary)

CONTINUATION SHEET

PART 4. BUSINESS INVOLVEMENT OR OWNERSHIP INTEREST AS A STOCKHOLDER,
OWNER, OFFICER, DIRECTOR, PARTNER, PROPRIETOR, OR EMPLOYEE

<u>NAME</u>	<u>NATURE OF INVOLVEMENT OR INTEREST</u>	<u>NAME AND ADDRESS OF BUSINESS</u>
Gordon J. Zerbetz	Stockholder	Alaska Bank of Commerce Anchorage, AK.
Gordon J. Zerbetz		Celanese Corporation NYSE
Gordon J. Zerbetz		Pan-American Airline NYSE
Gordon J. Zerbetz		Pay Less Drugs NYSE
Gordon J. Zerbetz		Hyatt Corp. OTC Dean Witter Co.
Gordon J. Zerbetz		Perma-Bilt Ind. NYSE
Gordon J. Zerbetz		Computer Automation NYSE
Gordon J. Zerbetz	Partner, Officer & Stockholder	Alaska Sea Ranch, Inc. Duke Island, Alaska
Gordon J. Zerbetz	Partner	Rarities Unlimited 900 West 54th St. Anchorage, Alaska
Gordon J. Zerbetz	Officer & Stockholder	MC Productions, Inc. Anchorage, Alaska
Gordon J. Zerbetz	Stockholder	Bay Center Mariculture Bay Center, Washington
Gordon J. Zerbetz	Stockholder	Tongass Trading Co., Inc. Ketchikan, Alaska
Gordon J. Zerbetz	Stockholder	Rustenberg Platinum LOND. EX.
Gordon J. Zerbetz	Stockholder	Instrument Systems c/o Dean Witter
Gordon J. Zerbetz	Stockholder	East Met c/o Dean Witter
Gordon J. Zerbetz	Stockholder	RMIC Corporation c/o Dean Witter

CONTINUATION SHEET

PART 4. BUSINESS INVOLVEMENT OR OWNERSHIP INTEREST AS A STOCKHOLDER,
OWNER, OFFICER, DIRECTOR, PARTNER, PROPRIETOR, OR EMPLOYEE

<u>NAME</u>	<u>NATURE OF INVOLVEMENT OR INTEREST</u>	<u>NAME AND ADDRESS OF BUSINESS</u>
Gordon J. Zerbetz	Stockholder	Alaska International Industries c/o Dean Witter
Gordon J. Zerbetz	Stockholder c/o Dean Witter	W. A. Kreuger
Gordon J. Zerbetz	Stockholder	Nordstrom c/o Dean witter
Gordon J. Zerbetz	Stockholder	Liberty Homes c/o Dean Witter

PART 5. REAL PROPERTY INTEREST OWNED, INCLUDING OPTIONS TO BUY

<u>NAME</u>	<u>IDENTITY OF PROPERTY INCLUDING LOCATION AND CURRENT USE</u>	<u>NATURE OF INTEREST</u>
Gordon J. Zerbetz	Turnagain Arms Condo Anchorage	Owner
Gordon J. Zerbetz	Lot 12, Sperstad S/D Anchorage	Owner
Gordon J. Zerbetz	Lots 1 and 2, Block 1 Pennock Island S/D	Owner

STATE OF ALASKA
ALASKA PUBLIC OFFICERS COMMISSION
610 C Street, Suite 209
Anchorage, Alaska 99501

RECEIVED

JAN 15 1981

CONFLICT OF INTEREST STATEMENT FOR PUBLIC OFFICIAL OR CANDIDATE OFFICES COMMISSION

PART 1. GENERAL INFORMATION

REPORTING PERIOD: January 1, 19 ~~80~~ 79 to December 31, 19 ~~80~~ 79 (Preceding Calendar year)

REPORTING OFFICIAL: Name: Janis C. Williams

Resident Address: 4034 Reka Drive #2 Mailing Address: SAME

City: Anchorage State: ALASKA Zip Code: 99504

APPLICABLE OFFICE (Mark one or more, as appropriate, and complete blanks):

A. State Public Official:

Legislative _____ Judicial: _____
(Senator or Representative) (title)

Executive _____
(title of position) (name of department)

Board or Commission Alaska Pipeline Commission
(name of Board or Commission)

B. Municipal Public Official:

Mayor School Board Member
 Borough or City Manager Utility Board Member
 Assembly or Council Person Planning and Zoning Commission Member

TERM OF OFFICE: Begin _____ End _____

If Candidate, Date Declaration of Candidacy Filed: _____

If Appointed or Hired, Date of Appointment: November 12, 1980

MEMBERS OF FAMILY OF REPORTING OFFICIAL: (Please list names)

Spouse: NONE Dependent Children: NONE

Non-dependent Children Living with Reporting Official: NONE

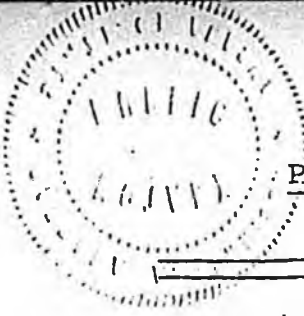
PART 2. CERTIFICATION

I, the undersigned, declare under oath and on penalty of perjury that the statements contained in this conflict of interest statement are, to the best of my knowledge, true, correct, and complete.

DATED: January 15, 1981 SIGNED: Janis C. Williams

SUBSCRIBED AND SWORN to before me this 15 day of January, 19 81.

Notary Public: Barbara A. Tennison
My commission expires: 1-19-83



PART 3. SOURCES OF INCOME AND CAPITAL GAINS OVER \$100
(see Manual of Instructions, page 7)

<u>NAME</u> (of reporting official, spouse, etc.)	<u>SOURCE OF INCOME</u>
1) Salary:	
Janis C. Williams	STATE OF ALASKA
2) Rentals:	
N/A	
3) Dividends and Interest:	
N/A	
4) Self employment (business name, clients, customers):	
N/A	
5) Other:	
N/A	

(Use continuation sheet if necessary)

ALASKA DEPARTMENT OF FINANCE

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PART 4. BUSINESS INVOLVEMENT OR OWNERSHIP INTERESTS AS A STOCKHOLDER, OWNER, OFFICER, DIRECTOR, PARTNER, PROPRIETOR, OR EMPLOYEE
(see Manual of Instructions, page 9)

<u>NAME</u> (reporting official, spouse, etc.)	<u>NATURE OF INVOLVEMENT OR INTEREST</u>	<u>NAME AND ADDRESS OF BUSINESS</u>
Janis C. Williams	Director and Officer	WILLIAMS THEATRES, INC. 101 S. Main Street Union, Missouri 63084

(continue on blank sheet if necessary)

PART 5. REAL PROPERTY INTERESTS OWNED, INCLUDING OPTIONS TO BUY
(see Manual of Instructions, page 10)

<u>NAME</u> (of reporting official, spouse, etc.)	<u>IDENTITY OF PROPERTY INCLUDING LOCATION AND CURRENT USE</u>	<u>NATURE OF INTEREST</u>
Janis C. Williams	Lot 3, Block 1, KAKNU KORNERS SUBDIVISION, located on Kaknu Road, Kenai Alaska, house unoccupied	OWNER

(continue on blank sheet if necessary)

PART 6. BENEFICIAL INTEREST IN TRUSTS OR OTHER FIDUCIARY RELATION
(see Manual of Instructions, page 11)

<u>NAME</u> (reporting official, spouse, etc.)	<u>TRUSTOR</u>	<u>PROPERTY</u>	<u>EXTENT OF INTEREST</u>
N/A			

(continue on blank sheet if necessary)

PART 7. LOANS, LOAN GUARANTEES OR OTHER FINANCIAL OBLIGATIONS OF \$500 OR MORE
(see Manual of Instructions, page 12)

<u>NAME (reporting official spouse, etc.)</u>	<u>IDENTITY OF MAKER OF LOAN, LOAN GUARANTOR, OR CREDITOR</u>
Janis C. Williams	Irving Trust Company, 480 Madison Avenue, New York, NY
	10017

(continue on blank sheet if necessary)

PART 8. CONTRACTS AND OFFERS TO CONTRACT WITH THE STATE OR AN INSTRUMENTALITY OF THE STATE
(see Manual of Instructions, page 13)

<u>NAME AND RELATIONSHIP</u> (John Doe, reporting off.; Jan Doe, spouse)	<u>STATE CONTRACTING DEPT. OR INSTRUMENTALITY</u>	<u>IDENTITY OF CONTRACT</u>	<u>INDICATE: BID, HELD, OFFERED</u>
N/A			

(continue on blank sheet if necessary)

PART 9. LEASES OR OFFERS TO LEASE MINERAL, TIMBER, OIL, OR OTHER NATURAL RESOURCES
(see Manual of Instructions, page 15)

<u>NAME AND RELATIONSHIP</u> (John Doe, reporting off.; Mary Doe, mother)	<u>NATURE OF LEASE</u>	<u>IDENTITY OF LEASE</u>	<u>INDICATE: HELD OR OFFERED</u>
N/A			

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STATE OF ALASKA
ALASKA PUBLIC OFFICES COMMISSION
610 C Street, Suite 209
Anchorage, Alaska 99501

RECEIVED
JAN 15 1981

CONFLICT OF INTEREST STATEMENT FOR PUBLIC OFFICIAL OR CANDIDATE

PART 1. GENERAL INFORMATION

REPORTING PERIOD: January 1, 19 80 to December 31, 19 80 (Preceding Calendar year)

REPORTING OFFICIAL: Name: Janis C. Williams

Resident Address: 4034 Reka Drive #2 Mailing Address: SAME

City: Anchorage State: ALASKA Zip Code: 99504

APPLICABLE OFFICE (Mark one or more, as appropriate, and complete blanks):

A. State Public Official:

Legislative _____ Judicial: _____
(Senator or Representative) (title)

Executive _____
(title of position) (name of department)

Board or Commission Alaska Pipeline Commission
(name of Board or Commission)

B. Municipal Public Official:

Mayor School Board Member
 Borough or City Manager Utility Board Member
 Assembly or Council Person Planning and Zoning Commission Member

TERM OF OFFICE: Begin _____ End _____

If Candidate, Date Declaration of Candidacy Filed: _____

If Appointed or Hired, Date of Appointment: November 12, 1980

MEMBERS OF FAMILY OF REPORTING OFFICIAL: (Please list names)

Spouse: NONE Dependent Children: NONE

Non-dependent Children Living with Reporting Official: NONE

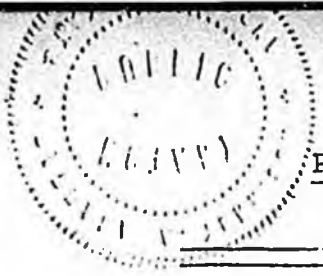
PART 2. CERTIFICATION

I, the undersigned, declare under oath and on penalty of perjury that the statements contained in this conflict of interest statement are, to the best of my knowledge, true, correct, and complete.

DATED: January 15, 1981 SIGNED: Janis C. Williams

SUBSCRIBED AND SWORN to before me this 15 day of January, 1981.

Notary Public: Barbara A. Tennison
My commission expires: 1-19-83



PART 3. SOURCES OF INCOME AND CAPITAL GAINS OVER \$100
(see Manual of Instructions, page 7)

<u>NAME</u> (of reporting official, spouse, etc.)	<u>SOURCE OF INCOME</u>
1) Salary:	
Janis C. Williams	STATE OF ALASKA
2) Rentals:	
N/A	
3) Dividends and Interest:	
N/A	
4) Self employment (business name, clients, customers):	
N/A	
5) Other:	
N/A	

(Use continuation sheet if necessary)

PART 4. BUSINESS INVOLVEMENT OR OWNERSHIP INTERESTS AS A STOCKHOLDER, OWNER, OFFICER, DIRECTOR, PARTNER, PROPRIETOR, OR EMPLOYEE
(see Manual of Instructions, page 9)

<u>NAME</u> (reporting official, spouse, etc.)	<u>NATURE OF INVOLVEMENT OR INTEREST</u>	<u>NAME AND ADDRESS OF BUSINESS</u>
Janis C. Williams	Director and Officer	WILLIAMS THEATRES, INC. 101 S. Main Street Union, N. J. 07084

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PART 5. REAL PROPERTY INTERESTS OWNED, INCLUDING OPTIONS TO BUY
(see Manual of Instructions, page 10)

<u>NAME</u> (of reporting official, spouse, etc.)	<u>IDENTITY OF PROPERTY INCLUDING LOCATION AND CURRENT USE</u>	<u>NATURE OF INTEREST</u>
Janis C. Williams	Lot 3, Block 1, KAKJU KORNERS SUBDIVISION, located on Kaknu Road, Kenai, Alaska, house unoccupied	OWNER

(continue on blank sheet if necessary)

PART 6. BENEFICIAL INTEREST IN TRUSTS OR OTHER FIDUCIARY RELATION
(see Manual of Instructions, page 11)

<u>NAME</u> (reporting official, spouse, etc.)	<u>TRUSTOR</u>	<u>PROPERTY</u>	<u>EXTENT OF INTEREST</u>
N/A			

(continue on blank sheet if necessary)

PART 7. LOANS, LOAN GUARANTEES OR OTHER FINANCIAL OBLIGATIONS OF \$500 OR MORE
(see Manual of Instructions, page 12)

<u>NAME (reporting official spouse, etc.)</u>	<u>IDENTITY OF MAKER OF LOAN, LOAN GUARANTOR, OR CREDITOR</u>
Janis C. Williams	Irving Trust Company, 480 Madison Avenue, New York, NY
	10017

(continue on blank sheet if necessary)

PART 8. CONTRACTS AND OFFERS TO CONTRACT WITH THE STATE OR AN INSTRUMENTALITY OF THE STATE
(see Manual of Instructions, page 13)

<u>NAME AND RELATIONSHIP</u> (John Doe, reporting off.; Jan Doe, spouse)	<u>STATE CONTRACTING DEPT. OR INSTRUMENTALITY</u>	<u>IDENTITY OF CONTRACT</u>	<u>INDICATE: BID, HELD, OFFERED</u>
N/A			

(continue on blank sheet if necessary)

PART 9. LEASES OR OFFERS TO LEASE MINERAL, TIMBER, OIL, OR OTHER NATURAL RESOURCES
(see Manual of Instructions, page 15)

N/A

<u>NAME AND RELATIONSHIP</u> (John Doe, reporting off.; Mary Doe, mother)	<u>NATURE OF LEASE</u>	<u>IDENTITY OF LEASE</u>	<u>INDICATE: HELD OR OFFERED</u>
N/A			

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CONFLICT OF INTEREST STATEMENT FOR PUBLIC OFFICIAL OR CANDIDATE

PART 1. GENERAL INFORMATION

REPORTING PERIOD: January 1, 19 79 to December 31, 19 79 (Preceding Calendar year)

REPORTING OFFICIAL: Name: Karen W. Cory

Resident Address: Cliff House Arts Mailing Address: Pouch A

City: Juneau #1 Juneau, AK. State: ALASKA Zip Code: 99811

APPLICABLE OFFICE (Mark one or more, as appropriate, and complete blanks):

A. State Public Official:

Legislative _____ (Senator or Representative) Judicial: _____ (title)

Executive Special Assistant Governor's office
(title of position) (name of department)

Board or Commission _____ (name of Board or Commission)

B. Municipal Public Official: N/A

Mayor School Board Member
 Borough or City Manager Utility Board Member
 Assembly or Council Person Planning and Zoning Commission Member

TERM OF OFFICE: Begin NA End _____

If Candidate, Date Declaration of Candidacy Filed: _____

If Appointed or Hired, Date of Appointment: _____

MEMBERS OF FAMILY OF REPORTING OFFICIAL: (Please list names)

Spouse: _____ Dependent Children: _____

Non-dependent Children Living with Reporting Official: _____

PART 2. CERTIFICATION

I, the undersigned, declare under oath and on penalty of perjury that the statements contained in this conflict of interest statement are, to the best of my knowledge, true, correct, and complete.

DATED: April 14, 1980 SIGNED: Karen W. Cory

SUBSCRIBED AND SWORN to before me this 16 day of April, 19 80

Notary Public: Jean Boone
My commission expires: _____

My Commission Expires January 21, 1982

105

PART 3. SOURCES OF INCOME AND CAPITAL GAINS OVER \$100
(see Manual of Instructions, page 7)

<u>NAME</u> (of reporting official, spouse, etc.)	<u>SOURCE OF INCOME</u>
1) Salary: Karen W. Cory	State of AK.
2) Rentals:	
3) Dividends and Interest: Karen W. Cory	AK Teamsters Fed. Credit Union (account presently closed)
4) Self employment (business name, clients, customers): N/A	
5) Other: N/A	

(Use continuation sheet if necessary)

768 1-1-79

PART 4. BUSINESS INVOLVEMENT OR OWNERSHIP INTEREST OF A STOCKHOLDER, OWNER, OFFICER, DIRECTOR, PARTNER, PROPRIETOR, OR EMPLOYEE
(see Manual of Instructions, page 9)

<u>NAME</u> (reporting official, spouse, etc.)	<u>NATURE OF INVOLVEMENT OR INTEREST</u>	<u>NAME AND ADDRESS OF BUSINESS</u>

(continue on blank sheet if necessary)

PART 5. REAL PROPERTY INTERESTS OWNED, INCLUDING OPTIONS TO BUY
(see Manual of Instructions, page 10)

<u>NAME</u> (of reporting official, spouse, etc.)	<u>IDENTITY OF PROPERTY, INCLUDING LOCATION AND CURRENT USE</u>	<u>NATURE OF INTEREST</u>
NONE		

(continue on blank sheet if necessary)

PART 6. BENEFICIAL INTEREST IN TRUSTS OR OTHER FIDUCIARY RELATION
(see Manual of Instructions, page 11)

<u>NAME</u> (reporting official, spouse, etc.)	<u>TRUSTOR</u>	<u>PROPERTY</u>	<u>EXTENT OF INTEREST</u>
NONE			

(continue on blank sheet if necessary)

PART 7. LOANS, LOAN GUARANTEES OR OTHER FINANCIAL OBLIGATIONS OF \$500 OR MORE
(see Manual of Instructions, page 12)

<u>NAME (reporting/official spouse, etc.)</u>	<u>IDENTITY OF MAKER OF LOAN, LOAN GUARANTOR, OR CREDITOR</u>
NONE	

(continue on blank sheet if necessary)

PART 8. CONTRACTS AND OFFERS TO CONTRACT WITH THE STATE OR AN INSTRUMENTALITY OF THE STATE
(see Manual of Instructions, page 13)

<u>NAME AND RELATIONSHIP</u> (John Doe, reporting off.; Jan Doe, spouse)	<u>STATE CONTRACTING DEPT. OR INSTRUMENTALITY</u>	<u>IDENTITY OF CONTRACT</u>	<u>INDICATE: BID, HELD, OFFERED</u>
NONE			

(continue on blank sheet if necessary)

PART 9. LEASES OR OFFERS TO LEASE MINERAL, TIMBER, OIL, OR OTHER NATURAL RESOURCES
(see Manual of Instructions, page 15)

<u>NAME AND RELATIONSHIP</u> (John Doe, reporting off.; Mary Doe, mother)	<u>NATURE OF LEASE</u>	<u>IDENTITY OF LEASE</u>	<u>INDICATE: HELD OR OFFERED</u>
NONE			

(continue on blank sheet if necessary)

January 26, 1981

Nancy Carlson, Director
Alaska Public Offices Comm.
610 C Street
Anchorage, Ak. 99501

Dear Nancy:

As per the telephone call my office placed to you last week, I am requesting copies of conflict of interest statements (statements of financial disclosure) for the following persons. Your assistance in providing this information will be appreciated.

James Chase, Anchorage	Human Rights Commission
Morgan Reed, Skagway	Personnel Board
Gordon Zerbertz, Anchorage	Public Utilities Comm.
Karen Cory, Anchorage	Pipeline Commission
Janis Williams, Juneau	Pipeline Commission

The first three names are of reappointed persons. The last two are new appointments. We understand that the statements are for the 1980 calendar year, and for 1980 if available. Thank you.

Sincerely,

Sen. Vic Fischer
Chairman, Senate State Affairs Committee

/lf