

HR COMM...

HEARING

RECOMM...

J. SANDERS

1/27-2/4/97

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Copies of minutes listed below were originally included in this file. The minutes are available on the legislative computer database. In order to save space copies of minutes have not been left in the files.

Mary Pagenkopf

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|-------------|---------|
| HOUSE RULES | 1-29-97 |
| HOUSE RULES | 1-30-97 |
| HOUSE RULES | 1-31-97 |

MEMO FOR STATE HOUSE RULES COMMITTEE HEARING
ON RECOMMENDATIONS REGARDING REPRESENTATIVE JERRY SANDERS
1997

STATEMENT OF FACTS

On April 19, 1996, Mike Miller¹ filed a complaint with the House Ethics Committee, alleging that Rep. Sanders used State resources for private gain by writing a letter congratulating his constituents for voting in a straw poll. The Committee sat on these allegations for months until the approach of the 1996 election season, and finally issued formal charges which were served on Rep. Sanders on September 26, 1996. The Committee also refused formal requests for information from Rep. Sanders as allowed under AS 24.60.170(i). Ex. 1.

This was not the first time the Ethics Committee refused to cooperate in the discovery process. For example, in a prior matter, the Committee decided on its own that Rep. Sanders had misrepresented the Committee's findings. Without warning to him, or providing an opportunity to be heard, the Committee sent Rep. Sanders a letter demanding that he send a mailer to his constituents, at his expense, to "correct" his alleged misrepresentation.

Paradoxically, the Committee simultaneously cross-copied the Anchorage Daily News with its letter to Rep. Sanders, because it too wanted to "correct" Rep. Sanders'

¹ In 1994, Mike Miller ran unsuccessfully as a Democrat against Rep. Sanders for the House District Seat for District 19.

alleged misrepresentation. Rep. Sanders was puzzled why he was not given a chance to respond before the Committee took adverse action against him. Likewise he was puzzled as to why it wanted him to take curative action when it had already contacted the media for the same purpose.

For this reason, Rep. Sanders sent formal requests for information to the Committee, asking it to explain why he was not given an opportunity to respond before the Committee took action, and why it required him to send a letter to his constituents to "correct" their understanding, when the Committee had already gone to the media for the same purpose. Ex. 2.

The Committee refused to respond, claiming that it had closed the matter long ago. Yet if the case was closed, why did the Committee take action against Rep. Sanders and demand that he mail out a retraction? Ex. 3.

Besides the Committee, Mike Miller, the original complainant in this matter, also failed to cooperate in the discovery process. He and his roommate, Ernest Woods, (who claimed to have received the allegedly improper letter from Rep. Sanders), refused to answer discovery requests. Ex. 4.

Besides its failure to cooperate, the Committee engaged in irregular behavior which violated Rep. Sanders' civil rights.

In the first place, the Committee not only filed charges against him, but also ruled on the merits of those charges. Next, after receiving the 1996 complaint from Rep.

Sanders' unsuccessful opponent in the 1994 campaign, the Committee issued formal charges and a summons which required Rep. Sanders to file an answer within 10 days, whereas AS 24.60.170(h) is clearly *permissive*, and requires that the summons be served in manner consistent with the rules of civil procedure. Ex. 5. This means that Rep. Sanders, a State Employee, had at least 40 days to answer the complaint, if he chooses to do so. In this manner, the Committee completely disregarded Rep. Sanders' civil rights, and abused legal process by serving him with a summons that overstepped the Committee's authority.

As part of its irregular behavior, the Committee began an expedited course which gave Rep. Sanders no time to respond. On October 8, 1996, the Committee *faxed* a letter to Rep. Sanders' attorney announcing that it would choose a discovery master from a list of eleven names, and giving Rep. Sanders less than three days to provide input. Rep. Sanders requested a few more days to respond, which the Committee disregarded and which was futile in any event, since the Committee gave itself final say in the choice of a discovery master.

Michael White was named as an available discovery master on the list the Committee presented to Rep. Sanders. Unknown to Rep. Sanders at the time was the fact that Mr. White's law firm had been donating large sums of money to the Democratic party, and to Democratic candidates, and would continue to do so even after the Committee represented

that he was available to act as discovery master. Ex. 6. This arguably constitutes an ethics violation under AS 24.60.134.

Although the Committee's own attorney submitted two names, on October 11, 1996, the Committee chose instead someone else (Michael White) as discovery master, subject to the Committee's self appointed power to overrule any of his decisions.

Things then began to pick up even greater speed, without any showing that expedited consideration was warranted. On October 14, 1996, the discovery master, Mr. White, faxed a letter to the parties, which, without the courtesy of a phone call, announced a "status hearing" on October 16, (or if that was inconvenient, October 17). The letter also gave the parties barely four hours to advise as to a more convenient time, and indicated that it would be ruling on a number of substantive issues without briefing from the parties.

By close of business that day, Rep. Sanders' attorney filed a notice of change of judge and letter advising the discovery master, Michael White, that the week of October 14 was impossibly crowded for a status conference. The letter also advised of grounds for recusal for the discovery master, since the discovery master's firm recently received a substantial and adverse verdict from a judge who employed (as a clerk) the fiancee of Rep. Sander's attorney. Finally, the letter objected to the discovery master ruling

on substantive issues without affording the parties time to brief them.

Still unknown to Rep. Sanders at the time was the fact that Michael White, the Committee's hand-picked discovery and hearing master, had been contributing to democratic candidates up to the day before he signed his law firm's contract to work for the Committee. In addition, members of his firm continued to donate to Ethan Berkowitz, a democratic candidate, after the firm was employed with the Committee. Id. This arguably constitutes an ethics violation under AS 24.60.134. Moreover, if the very law firm assigned to act as discovery master and hearing officer is arguably committing ethical violations, then all of his rulings are tainted. At the very least, the discovery master, like the Committee, should have been above reproach and avoided even the appearance of impropriety.

These apparent ethical violations by the discovery and hearing master did not stop him from conducting an unwarranted expedited discovery schedule, (even though the Committee delayed for months to act on Mr. Miller's complaint). On October 15, 1996, the discovery master by fax deferred "ruling on the 'Notice of Change of Judge' to the Committee," and also deferred ruling on the issue of recusal for cause. That very same day the Committee, also by fax, denied the peremptory and "for cause" challenge, while at the same time noting that the Committee's role is fact finder, and the discovery master was to decide

procedural issues. (If the Committee was to decide factual matters, why did it have final say over the procedure for preempting the discovery master?)

Still that same day (October 15, 1996), and with no showing that expediting was necessary, the discovery master issued an order setting a status conference *after close of business* the next day. Rep. Sanders' attorney was barely able to inform the discovery master in time for the unilaterally set status conference that the week of October 14 was still just as crowded as it was when he previously asked for the professional courtesy of an extension the day before.

Disregarding professional courtesy of granting an extension, the discovery master forged ahead and early the next day (October 16) issued an order on a number of issues without affording the parties the opportunity to brief them.

Rep. Sanders had no choice but to file a Petition for Review to the Superior Court to decide whether Rep. Sanders did in fact have a right to preempt the discovery master as allowed by the Rules of Civil Procedure. The Superior Court set the matter on for a hearing to decide these issues, and on its own, raised the issue of whether the Committee had acted in accordance with the law in its treatment of Rep. Sanders. Ex. 7.

Yet the hearing never occurred, ironically because the Committee, which objected to Rep. Sanders use of a peremptory challenge, nevertheless availed itself of that

very right in the Superior Court, and requested a different judge once it learned that the Court wanted to know whether it broke the law. The matter was reassigned to a new judge, who declined to review the matter because he believed he lacked jurisdiction.

The Committee went on to hold a hearing and decide whether its allegations against Rep. Sanders were true. As is the case when anyone decides his own case,² the Committee concluded that it was right all along, and that Rep. Sanders was guilty, even though all of the evidence it relied on was hearsay and not based on personal knowledge. Mike Miller, the disgruntled and unsuccessful opponent of Rep. Sanders in the 1994 campaign, did not even testify, yet he was the one who filed the original complaint. Perhaps he did not testify because he could not explain why he refused to respond to Rep. Sanders' discovery requests.

During the hearing, the Committee's irregular behavior continued. The Committee's attorney revealed that the Committee's investigator had conducted an *ex parte* interview with Patricia Perez, even though the investigator knew she was represented by an attorney. See ex. 8, signed by Ms. Barnett before her *ex parte* interview with Ms. Perez, and which lists her address "c/o Lester Syren" in answer to interrogatory number 3. (Note also that in the same answer, the Committee listed Mr. Woods and Mr. Miller as witnesses

² Cf. Legal proceedings in the former Soviet Union and mock trials of dissidents in Communist China.

it intended to call at the hearing. The Committee never did call them to testify.)

By the end of a two day hearing, the Committee spent over \$24,000.00 to decide that Rep. Sanders should reimburse the State of Alaska for \$72.00. Ex. 9. This, despite an exception in the Statute for "nominal value."

Meanwhile, in June, 1996, Gov. Knowles sent a partisan message to longevity bonus check recipients. Ex. 10. The latest Permanent Fund Dividend applications contain yet another partisan message. Id. The Committee knew about the longevity bonus remarks by Gov. Knowles, but ignored them.

The hearing process was doomed from the start since the Committee was both accuser and judge of its accusations. This is not the fault of the Committee, but rather the fault of the Statute. Besides the inherently unreliable process, the discovery and hearing master arguably committed ethical violations in the form of contributions to democratic candidates while his law firm held itself out for employment with the Committee. The Committee itself trampled on Rep. Sanders' civil rights, and engaged in unethical *ex parte* communication with witnesses known to be represented by an attorney. Before considering the inherently unreliable recommendations of the Committee, the Rules Committee holds its own hearing so that the full House of Representatives can make an informed decision.

AREAS OF INQUIRY:

1. WHETHER THE ETHICS COMMITTEE PROCESS IS INHERENTLY UNFAIR AND DENIES DEFENDANTS DUE PROCESS AND EQUAL PROTECTION UNDER THE LAW.

WITNESSES: COMMITTEE MEMBERS
REP. SANDERS

2. WHETHER THE ETHICS COMMITTEE VIOLATED THE LAW BY ISSUING A SUMMONS WHICH REQUIRED AN ANSWER INSTEAD OF PERMITTED AN ANSWER BY AN ACCUSED.

WITNESSES: MARGIE MACNEILLE
OTHER COMMITTEE MEMBERS
REP. SANDERS

3. WHETHER THE ALLEGED VIOLATION IN THIS CASE WAS IN FACT NOMINAL WHEN COMPARED TO THE AMOUNT SPENT BY THE COMMITTEE TO PROSECUTE THIS MATTER.

WITNESSES: COMMITTEE MEMBERS
REP. SANDERS

4. WHETHER THE TIMING OF THE COMMITTEE'S PROCESS IS SUSPECT.

WITNESSES: COMMITTEE MEMBERS
REP. SANDERS

5. WHETHER THE PUBLIC COMMITTEE MEMBERS, ITS EMPLOYEES OR CONTRACTORS HAVE VIOLATED AS 24.60.134 BY CONTRIBUTING TO THE CAMPAIGN OF A CANDIDATE WHILE SERVING THE ETHICS PANEL.

SUBPOENA: BILLING RECORDS OF MICHAEL WHITE
CONTRIBUTION RECORDS OF DEMOCRATIC PARTY

CONTRIBUTION RECORDS OF REP. ETHAN BERKOWITZ

CONTRIBUTION RECORDS OF PAT ABNEY

WITNESSES: MICHAEL WHITE

LES GARA

REP. ETHAN BERKOWITZ

PAT ABNEY

DEBORA BONITO

MARGIE MAC NEILLE

6. WHETHER THE COMMITTEE VIOLATED THE LAW IN ITS TREATMENT OF REP. SANDERS. (SUMMONS, EX PARTE CONTACT WITH PERSON KNOWN TO BE REPRESENTED BY AN ATTORNEY)

WITNESSES: COMMITTEE MEMBERS

REP. SANDERS

7. WHETHER THE COMMITTEE FAILED TO COOPERATE IN THE DISCOVERY PROCESS IN THIS AND OTHER ETHICS INVESTIGATIONS.

SEE ATTACHED DISCOVERY

RECOMMENDATIONS:

1. SEPARATE ACCUSER AND JUDGE OF MERITS OF ACCUSATIONS.
2. MORATORIUM ON ANY ACTIVITY BY ETHICS COMMITTEE WITHIN 90 DAYS OF AN ELECTION.
3. RULES OF EVIDENCE AND CIVIL PROCEDURE APPLY OVER COMMITTEE'S OWN PROCEDURES.
4. STANDARD OF PROOF: BEYOND A REASONABLE DOUBT.
5. ALL DECISIONS APPEALABLE TO SUPERIOR COURT.
6. IN LIGHT OF INHERENTLY UNRELIABLE COMMITTEE PROCESS, DISREGARD RECOMMENDATIONS OF COMMITTEE.

SELECT COMMITTEE ON LEGISLATIVE ETHICS

ANCHORAGE, ALASKA

The House Subcommittee of the)
Select Committee on Legislative)
Ethics,)
)
Charger,)
)
v.)
)
Representative Jerry Sanders,)
)
Respondent.)

Case No. H96-02

RESPONSES TO REPRESENTATIVE SANDERS SECOND REQUEST
FOR PRODUCTION PROPOUNDED TO MARGIE MAC NEILLE

COMES NOW Jerry Sanders, by and through his attorney,
Lester K. Syren, and propounds the following Requests for
Production to Margie Mac Neille. Pursuant to Rules 26 and 34 of
the Alaska Civil Rules and Procedure, AS 24.60.170(I), AS
36.30.530, AS 44.62.310 and .312, you shall answer each of the
following request for production, in writing, separately, in the
fullest detail possible, and in accordance with the definitions
and instructions as set forth in ARCP 26 and 34. A copy of the
answers together with your objections, if any, shall be served no
later than 30 days after the service upon you.

Your are under a duty to amend a prior response if you
obtain information on the basis of which you know or have reason

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to know that the response was incorrect or misleading when made, or that the response, though correct when made, is no longer true, and the circumstances are such that failure to amend the response is, in substance, knowing concealment.

DEFINITIONS

The following definitions shall be controlling for the purposes of these requests for productions.

As used herein, the terms "you", "your", or "yourself" refer to Margie Mac Neille, and each of her agents, executors, representatives, and attorneys, and each person acting or purporting to act on her behalf.

As used herein, the term "document" means any medium upon which intelligence or information can be recorded or from which it may be retrieved.

As used herein, the term "communication" means any oral or written utterance, notation, or statement of any nature whatsoever, by and to whomsoever including, but not limited to, correspondence, conversations, dialogues, discussions, interviews, consultations, agreements, and other understandings between or among two or more persons.

INSTRUCTION

With respect to each request for production, in addition to supplying the information requested, you are to identify all documents that support, refer to, or evidence the subject matter of each request for production and your answer thereto.

If any documents identified herein are no longer in your possession, custody or control because of destruction, loss, or any other reason, then do the following with respect to each and every document: a) describe the nature of the document (e.g., letter or memorandum), b) state the date of the document, c) identify the persons who sent and received the original and a copy of the document, d) state in as much detail as possible the contents of the document, and e) state the manner and date of the disposition of the document.

If you claim objection to any document or to any request for production on the grounds that it is privileged, please state a) the basis for your contention that the information is privileged, b) a means of identification of the document, c) the date of the document, d) the name, address, and relationship of the person who prepared the document, e) the name, address, and relationship to you of all persons to whom the document was addressed, given, or sent, and f) the name, address, and phone number, place of employment, occupation, and current whereabouts in relation to of every person having possession, custody, or control of the document.

GENERAL OBJECTIONS

The House Subcommittee of the Select Committee on Legislative Ethics objects to these requests for production propounded herein if respondent intended to propound them to one member of the subcommittee. These requests for production will therefore be treated as though propounded to the whole subcommittee. The Subcommittee further objects and does not answer these requests for production because they are irrelevant to the subject complaint, burdensome, immaterial, and not likely to lead to the discovery of admissible evidence. In other words these requests for production have nothing to do with the charges against Representative Sanders.

REQUEST FOR PRODUCTION NO. 1: Please produce any item identified in the interrogatories served herewith, and in your answers thereto. This request includes but is not limited to document as defined above, as well as phone logs, journals, diaries, e-mail, faxes, and any other memoranda.

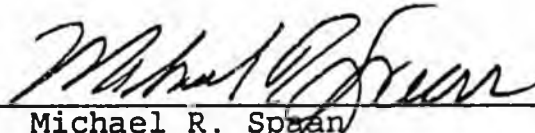
RESPONSE: See general objections.

REQUEST FOR PRODUCTION NO. 2: Please produce any item related to this matter.

RESPONSE: See general objections.

DATED this 11th day of October, 1996, at Anchorage, Alaska.

BOGLE & GATES, P.L.L.C.
Attorneys for the House Subcommittee of the
Select Committee on Legislative Ethics

By: 
Michael R. Span

This is to certify that on the
11 of October, 1996, a true
and correct copy of this document
was hand delivered/mailed/faxed
to:

Lester K. Syren, Esq.
Law Offices of Lester K. Syren
1351 Huffman Road, Suite 2A
Anchorage, Alaska 99501



SELECT COMMITTEE ON LEGISLATIVE ETHICS

ANCHORAGE, ALASKA

RECEIVED

OCT 11 1996

LAW OFFICE OF
LESTER K. SYREN

Margie MacNeille, on behalf of)
the House Subcommittee of the)
Select Committee on Legis-)
lative Ethics,)

Complainant,)

vs.)

Representative Jerry Sanders,)

Respondent.)

Complaint No.: H96-02

RESPONSES TO REPRESENTATIVE SANDERS SECOND SET OF
INTERROGATORIES PROPOUNDED TO MARGIE MAC NEILLE

COMES NOW Jerry Sanders, by and through his attorney, Lester K. Syren, and propounds the following Interrogatories to Margie Mac Neille. Pursuant to Rules 26 and 34 of the Alaska Civil Rules and Procedure, AS 24.60.170(I), AS 39.35.080, AS 36.30.530, AS 44.62.310 and .312, you shall answer each of the following interrogatories under oath, in writing, separately, in the fullest detail possible, and in accordance with the definitions and instructions as set forth in ARCP 26 and 34. The answers shall be signed by Margie Mac Neille, and a copy of the answers together with your objections, if any, shall be served no later than 30 days after the service upon you.

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EXHIBIT 1

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You are further under a duty to reasonably supplement your responses with respect to any interrogatory directly addressed to (1) the identity and location of persons having knowledge of discoverable matters, and (2) the identity of each person expected to be called as an expert witness at trial, the subject matter on which he or she is expected to testify, and the substance of his or her testimony. In addition, you are under a duty to amend a prior response if you obtain information on the basis of which you know or have reason to know that the response was incorrect or misleading when made, or that the response, though correct when made, is no longer true, and the circumstances are such that failure to amend the response is, in substance, knowing concealment.

DEFINITIONS

The following definitions shall be controlling for the purposes of these interrogatories.

As used herein, the term "document" means any medium upon which intelligence or information can be recorded or from which it may be retrieved.

As used herein, the term "communication" means any oral or written utterance, notation, or statement of any nature whatsoever, by and to whomsoever including, but not limited to, correspondence, conversations, dialogues, discussions, interviews, consultants, agreement, and other understandings between or among two or more persons.

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RESPONSES TO REPRESENTATIVE SANDERS
SECOND SET OF INTERROGATORIES
PROPOUNDED TO MARGIE MAC NEILLE
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EXHIBIT 1
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INSTRUCTION

With respect to each interrogatory, in addition to supplying the information requested, you are to identify all documents that support, refer to, or evidence the subject matter of each interrogatory and your answer thereto.

If any documents identified herein are no longer in your possession, custody or control because of destruction, loss, or any other reason, then do the following with respect to each and every document: a) describe the nature of the document (e.g., letter or memorandum), b) state the date of the document, c) identify the persons who sent and received the original and a copy of the document, d) state in as much detail as possible the contents of the document, and e) state the manner and date of the disposition of the document.

If you claim objections to any document or to any interrogatory on the grounds that it is privileged, please state a) the basis for your contention that the information is privileged, b) a means of identification of the document, c) the date of the document, d) the name, address, and relationship of the person who prepared the document, e) the name, address, and relationship to you of all persons to whom the document was addressed, given, or sent, and f) the name, address, and phone number, place of employment, occupation, and current whereabouts in relation to of every person having possession, custody, or control of the document.

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RESPONSES TO REPRESENTATIVE SANDERS
SECOND SET OF INTERROGATORIES
PROPOUNDED TO MARGIE MAC NEILLE
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EXHIBIT 1
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GENERAL OBJECTIONS

The House Subcommittee of the Select Committee on Legislative Ethics objects to each and every interrogatory propounded herein if respondent intended to propound interrogatories on one member of the subcommittee. These interrogatories will therefore be treated as though propounded to the whole subcommittee. The Subcommittee further objects and does not answer these interrogatories because they are irrelevant to the subject complaint, burdensome, immaterial, and not likely to lead to the discovery of admissible evidence. In other words, these interrogatories have nothing to do with the charges against Representative Sanders.

INTERROGATORY NO. 1: Please identify by name, address, and phone number each and every person who assisted in any way with the letter dated September 28, 1995 (hereinafter Letter), addressed to Representative Jerry Sanders, and signed by Ms. Margie Mac Neille.

RESPONSE: See general objections.

INTERROGATORY NO. 2: Please identify by place, time, and persons present each and every meeting and/or conversation of two or more people in which the Letter and/or Representative Sanders were discussed in any way since February 1, 1995. This interrogatory includes but is not limited to any and all phone conversations or other communication between two or more persons.

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RESPONSES TO REPRESENTATIVE SANDERS
SECOND SET OF INTERROGATORIES
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For each meeting and/or conversation, please identify:

- a) whether and to what extent any notice was provided, including but not limited to by whom, to whom, and in what manner the notice was provided;
- b) the authority under which the meeting/conversation was held;
- c) whether and to what extent notes, diaries, minutes, or other memoranda were made at any meeting/conversation;
- d) the person(s) in possession of said notes, diaries, minutes, or other memoranda identified in Interrogatory 2(c).

RESPONSE: See general objections.

INTERROGATORY NO. 3: Please explain why you sent the Letter to the media without providing Representative Sanders an opportunity to be heard beforehand.

RESPONSE: See general objections.

INTERROGATORY NO. 4: Please identify under what policies, and/or authority the Letter was drafted, finalized, and publicized to the media.

RESPONSE: See general objections.

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RESPONSES TO REPRESENTATIVE SANDERS
SECOND SET OF INTERROGATORIES
PROPOUNDED TO MARGIE MAC NEILLE
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INTERROGATORY NO. 5: Please explain why you did not provide Representative Sanders an opportunity to be heard before you sent the Letter to him.

RESPONSE: See general objections.

INTERROGATORY NO. 6: Please state whether you acted alone or in conjunction with others in writing and issuing the Letter.

If you acted with others, please identify each and every person by name, address, and phone number, and describe in detail each and every contact with those person(s), the content of your conversations, whether notes or other memoranda were kept, who kept them, and who possesses them now.

RESPONSE: See general objections.

INTERROGATORY NO. 7: Please explain how you learned that "the members of the subcommittee...[were] offended," and that "the subcommittee feels very strongly that [Representative Sanders] should correct or retract" certain items in his newsletter. Letter at page 1 and 2.

Please describe in detail exactly how you obtained this information, identifying by name, address, and phone number each and every person contacted.

RESPONSE: See general objections.

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RESPONSES TO REPRESENTATIVE SANDERS
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INTERROGATORY NO. 8: Please explain why you sent the Letter to "assist [you] in correcting the public's understanding of [Representative Sander's] case" but also directed Representative Sanders to "correct or retract [alleged misstatements of fact] in [Representative Sander's] next newsletter." Letter at page 2.

In particular, please state:

a) whether at the time you sent the Letter to the media, you believed it would be successful in "correcting the public's understanding" and how that success would be measured.

b) why, if you believed the Letter would be successful, you directed Representative Sanders to "correct or retract" as well.

c) why, if you believed the Letter would not be successful or did not know whether it would be successful in correcting the public's understanding, the Letter was sent to the media.

d) whether the Letter was successful in correcting the public's understanding, and how that success was measured.

RESPONSE: See general objections.

INTERROGATORY NO. 9: Please state whether you intend to take further action without providing Representative Sanders an opportunity to be heard.

RESPONSE: See general objections.

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RESPONSES TO REPRESENTATIVE SANDERS
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INTERROGATORY NO. 10: Please describe in detail the "options available to [you]" referenced on page 2 of the Letter.

RESPONSE: See general objections.

INTERROGATORY NO. 11: Please describe in detail the entire contents of your conversations with Shelia Toomey since November 1994.

a) in particular please state whether you told Shelia Toomey that "the panel could decide to reopen the case against Sanders," or words to that effect. If you did say words to that effect, please explain why you did not tell Representative Sanders this in the Letter.

b) whether you told Shelia Toomey that your options "start with talking to a lawyer," or words to that effect. If so, please explain why you did not tell Representative Sanders this in the Letter.

RESPONSE: See general objections.

INTERROGATORY NO. 12: Please describe in detail the entire contents of your conversation(s) with Shelia Toomey since November 1, 1994. In particular, please state whether you said:

(1) Representative Sander's apology was "minimal," and what you meant by the use of that term, and the facts and circumstances on which you based your statement.

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RESPONSES TO REPRESENTATIVE SANDERS
SECOND SET OF INTERROGATORIES
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(2) "I think some committee member were irritated at the tone of his apology," and identified by name, address, and phone number who was irritated and why, and the facts and circumstances on which you based your statement.

(3) "it was a unanimous feeling from the committee that he had not lived up to his responsibility," and describe in detail how and when you obtained this information, and the facts and circumstances giving rise to your opinion.

(4) "the committee felt it was slapped in the face," and if so, whether you believe Representative Sanders has committed any ethics violations since February 1, 1995. Also please include a description of all facts and circumstances upon which you relief for your opinion.

RESPONSE: See general objections.

INTERROGATORY NO. 13: Please describe in detail the contents of any and all conversations you had with Shelia Toomey since November 1, 1994, including but not limited to where, when, and for how long the conversation occurred, whether you or anyone else took notes, and whether anyone else was present.

RESPONSE: See general objections.

INTERROGATORY NO. 14: Please state whether you told Shelia Toomey "I think it was an insult," or words to that effect, and if

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RESPONSES TO REPRESENTATIVE SANDERS
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so, please describe in detail the facts or circumstances which gave rise to your opinion.

RESPONSE: See general objections.

INTERROGATORY NO. 15: Please identify by name, address, and phone number the identity of the person or persons who brought the March issue of Representative Sander's legislative newsletter to the attention of the subcommittee. Please describe in detail in what manner it was reported, i.e., whether informally or as a properly sworn complaint.


RESPONSE: See general objections.

INTERROGATORY NO. 16: Please identify any ethics charges brought by anyone, including the Ethics Committee or subcommittees against Representative Sanders prior to taking curative action by mailing the Letter to the media.

RESPONSE: See general objections.

DATED this 11th day of October, 1996, at Anchorage, Alaska.

BOGLE & GATES, P.L.L.C.
Attorneys for the House Subcommittee of the
Select Committee on Legislative Ethics

By: 
Michael R. Spain

BOGLE & GATES
P.L.L.C.
A Professional Limited
Company

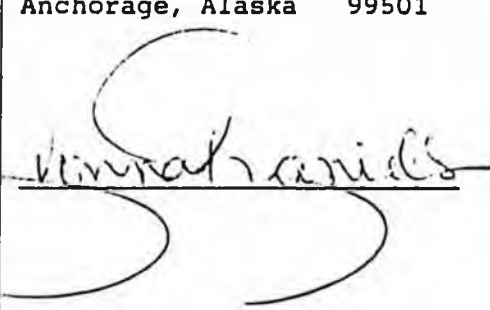
St. J
1031 West 4th Avenue
Anchorage, AK 99501
(907) 276-1557

RESPONSES TO REPRESENTATIVE SANDERS
SECOND SET OF INTERROGATORIES
PROPOUNDED TO MARGIE MAC NEILLE
PAGE - 10 -

15¹ 16

This is to certify that on the
11 of October, 1996, a true
and correct copy of this document
was hand delivered/mailed/faxed
to:

Lester K. Syren, Esq.
Law Offices of Lester K. Syren
1351 Huffman Road, Suite 2A
Anchorage, Alaska 99501


Kenneth Sanders

BOGLE & GATES
PLLC.

A Professional Limited
Company

St. J
1031 West 4th Avenue
Anchorage, AK 99501
(907) 276-4557

RESPONSES TO REPRESENTATIVE SANDERS
SECOND SET OF INTERROGATORIES
PROPOUNDED TO MARGIE MAC NEILLE
PAGE - 11 -

11e - 11e

**ALASKA STATE LEGISLATURE
SELECT COMMITTEE ON LEGISLATIVE ETHICS**

COMPLAINT H 94-03

REPRESENTATIVE SANDERS FIRST SET OF INTERROGATORIES

COMES NOW Jerry Sanders, by and through his attorney, Lester K. Syren, and propounds the following Interrogatories to Margie Mac Neille, Jim Donahue, Representative Cynthia Toohey, Representative Jerry Mackie, Senator Jim Duncan, Senator Drue Pearce, Shirley McCoy, Ed Granger, and Edith Vorderstrasse. Pursuant to Rules 26, 33, and 34 of the Alaska Civil Rules and Procedure and AS 24.60.170(I), you shall answer each of the following interrogatories under oath, in writing, separately, in the fullest detail possible, and in accordance with the definitions and instructions as forth in ARCP 26 and 34. The answers shall be signed by Margie Mac Neille, Representative Cynthia Toohey, and Representative Jerry Mackie, and a copy of the answers together with your objections, if any, shall be served no later than 30 days after the service upon you.

You are further under a duty to reasonably supplement your responses with respect to any interrogatory directly addressed to (1) the identity and location of persons having knowledge of discoverable matters, and (2) the identity of each person expected to be called as an expert witness at trial, the subject matter on which he or she is expected to testify, and the substance of his or her testimony. In addition, you are under a duty to amend a prior response if you obtain information on the basis of which you know or have reason to know that the response was incorrect or misleading when made, or that the response, though correct when made, is no

longer true, and the circumstances are such that failure to amend the response is, in substance, knowing concealment.

DEFINITIONS

The following definitions shall be controlling for the purposes of these interrogatories.

As used herein, the terms "you", "your", or "yourself" refer to Plaintiff and each of your agents, executors, representatives, and attorneys, and each person acting or purporting to act on your behalf.

As used herein, the term "document" means any medium upon which intelligence or information can be recorded or from which it may be retrieved.

As used herein, the term "communication" means any oral or written utterance, notation, or statement of any nature whatsoever, by and to whomsoever including, but not limited to, correspondence, conversations, dialogues, discussions, interviews, consultations, agreements, and other understandings between or among two or more persons

INSTRUCTION

With respect to each interrogatory, in addition to supplying the information requested, you are to identify all documents that support, refer to, or evidence the subject matter of each interrogatory and your answer thereto.

If any documents identified herein are no longer in your possession, custody or control because of destruction, loss, or any other reason, then do the following with respect to each and every document: a) describe the nature of the document (e.g., letter or memorandum), b) state the date of the document, c) identify the persons who sent and received the original and a copy of the document, d) state in as much detail as possible the contents of the document, and e) state the

manner and date of the disposition of the document.

If you claim objections to any document or to any interrogatory on the grounds that it is privileged, please state a) the basis for your contention that the information is privileged, b) a means of identification of the document, c) the date of the document, d) the name, address, and relationship of the person who prepared the document, e) the name, address, and relationship to you of all persons to whom the document was addressed, given, or sent, and f) the name, address, and phone number, place of employment, occupation, and current whereabouts in relation to of every person having possession, custody, or control of the document.

Interrogatory No. 1: Please identify by name, address, and phone number each and every person who assisted in any way with the letter dated September 28, 1995 (hereinafter Letter), addressed to Representative Jerry Sanders, and signed by Ms. Margie Mac Neille.

Interrogatory No. 2: Please identify by place, time, and persons present each and every meeting and/or conversation of two or more people in which the Letter and/or Representative Sanders were discussed in any way since February 1, 1995. This interrogatory includes but is not limited to any and all phone conversations or other communication between two or more persons.

For each meeting and/or conversation, please identify:

- a) whether and to what extent any notice was provided, including but not limited to by whom, to whom, and in what manner the notice was provided;
- b) the authority under which the meeting/conversation was held;
- c) whether and to what extent notes, diaries, minutes, or other memoranda were made at any meeting/conversation;
- d) the person(s) in possession of said notes, diaries, minutes, or other memoranda

identified in Interrogatory 2(c).

Interrogatory No. 3: Please explain why you sent the Letter to the media without providing Representative Sanders an opportunity to be heard beforehand.

Interrogatory No. 4: Please identify under what policies, procedures, and/or authority the Letter was drafted, finalized, and publicized to the media.

Interrogatory No. 5: Please explain why you did not provide Representative Sanders an opportunity to be heard before you sent the Letter to him.

Interrogatory No. 6: Please state whether you acted alone or in conjunction with others in writing and issuing the Letter.

If you acted with others, please identify each and every person by name, address, and phone number, and describe in detail each and every contact with those person(s), the content of your conversations, whether notes or other memoranda were kept, who kept them, and who possesses them now.

Interrogatory No. 7: Please explain how you learned that "the members of the subcommittee...[were] offended," and that "the subcommittee feels very strongly that [Representative Sanders] should correct or retract" certain items in his next newsletter. Letter at page 1 and 2.

Please describe in detail exactly how you obtained this information, identifying by name, address, and phone number each and every person contacted.

Interrogatory No. 8: Please explain why you sent the Letter to the media to "assist [you] in correcting the public's understanding of [Representative Sander's] case" but also directed Representative Sanders to "correct or retract [alleged misstatements of fact] in [Representative

Sander's] next newsletter." Letter at page 2.

In particular, please state:

- a) whether at the time you sent the Letter to the media, you believed it would be successful in "correcting the public's understanding" and how that success would be measured.
- b) why, if you believed the Letter would be successful, you directed Representative Sanders to "correct or retract" as well.
- c) why, if you believed the Letter would not be successful or did not know whether it would be successful in correcting the public's understanding, the Letter was sent to the media.
- d) whether the Letter was successful in correcting the public's understanding, and how that success was measured.

Interrogatory No. 9: Please state whether you intend to take further action without providing Representative Sanders an opportunity to be heard.

Interrogatory No. 10: Please describe in detail the "options available to [you]" referenced on page 2 of the Letter.

Interrogatory No. 11: Please describe in detail the entire contents of your conversations with Sheila Toomey since November 1994.

- a) in particular please state whether you told Sheila Toomey that "the panel could decide to reopen the case against Sanders," or words to that effect. If you did say words to that effect, please explain why you did not tell Representative Sanders this in the Letter.

b) whether you told Sheila Toomey that your options "start with talking to a lawyer," or words to that effect. If so, please explain why you did not tell Representative Sanders this in the Letter.

Interrogatory No. 12: Please describe in detail the entire contents of your conversation(s) with Sheila Toomey since November 1, 1994. In particular, please state whether you said:

(1) Representative Sander's apology was "minimal," and what you meant by the use of that term, and the facts and circumstances on which you based your statement.

(2) "I think some committee members were irritated at the tone of his apology." and identify by name, address, and phone number who was irritated and why, and the facts and circumstances on which you based your statement.

(3) "it was a unanimous feeling from the committee that he had not lived up to his responsibility," and describe in detail how and when you obtained this information, and the facts and circumstances giving rise to your opinion.

(4) "the committee felt it was slapped in the face," and if so, whether you believe Representative Sanders has committed any ethics violations since February 1, 1995. Also please include a description of all facts and circumstances upon which you relied for your opinion.

Interrogatory No. 13: Please describe in detail the contents of any and all conversations you had with Sheila Toomey since November 1, 1994, including but not limited to where, when, and for how long the conversation occurred, whether you or anyone else took notes, and whether anyone else was present.

Interrogatory No. 14: Please state whether you told Sheila Toomey "I think it was an insult," or words to that effect, and if so, please describe in detail the facts or circumstances which gave rise to your opinion.

Interrogatory No. 15: Please state whether you participated in political management and/or in a political campaign by attending and speaking to candidates at the Campaign Candidates Seminar held on November 11 and 12, 1995, at the Holiday Inn of Anchorage.

Interrogatory No. 16: Please identify by name, address, and phone number the identity of the person or persons who brought the March issue of Representative Sanders's legislative newsletter to the attention of the subcommittee. Please describe in detail in what manner it was reported, i.e., whether informally or as a properly sworn complaint.

Interrogatory No. 17: Please identify any ethics charges brought by anyone, including the Ethics Committee or subcommittees against Representative Sanders prior to taking curative action by mailing the Letter to the media.

DATED November 16, 1995, at Anchorage, Alaska.

Lester K. Syren, Attorney for Representative Sanders

VERIFICATION

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

I, _____, being first duly sworn, deposes and says:
1. I am the person above named.

2. I have read the foregoing and understand the contents thereof;
3. I have answered the Interrogatories and have signed said Interrogatories freely and voluntarily for the purposes set forth therein;
4. I verify that the information provided in response to these discovery requests are true and complete to the best of my knowledge and belief;
5. I verify that I have produced all the information known to me at this time and that I am under an obligation to update and supplement my responses in the future if any answer is found to be incorrect or I gain additional information which would change the answer.

DATED this ____ day of November, 1995.

_____*

SUBSCRIBED AND SWORN TO before me, this __th day of _____, 1995.

 Notary for the State of Alaska
 My Commission Expires:

CERTIFICATION OF SERVICE

This is to certify that on November 16, 1995 a true and correct copy of this document was sent by messenger to

Margie Mac Neille, Chair of House Subcommittee
 c/o Select Committee on Legislative Ethics
 PO Box 101468
 Anchorage, AK 99510

Shirley McCoy

Representative Cynthia Toohy
 Select Committee on Legislative Ethics
 PO Box 101468
 Anchorage, AK 99510

Ed Granger

Representative Jerry Mackie
 Select Committee on Legislative Ethics
 PO Box 101468
 Anchorage, AK 99510

Edith Vorderstrasse

Joe Donahue, Chair of House Subcommittee
 Select Committee on Legislative Ethics
 PO Box 101468
 Anchorage, AK 99510

Senator Jim Duncan

Senator Drue Pearce

8² 12

By _____
LAW OFFICES OF LESTER K. SYREN

CUSANDERS SR INTER GEN

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**ALASKA STATE LEGISLATURE
SELECT COMMITTEE ON LEGISLATIVE ETHICS**

COMPLAINT H 94-03

**REPRESENTATIVE SANDERS FIRST REQUEST FOR PRODUCTION
PROPOUNDED TO MARGIE MAC NEILLE, JIM DONAHUE, REPRESENTATIVE
JERRY MACKIE, SENATOR JIM DUNCAN, SENATOR DRUE PEARCE, SHIRLEY
MCCOY, ED GRANGER, AND EDITH VORDERSTRASSE**

COMES NOW Jerry Sanders, by and through his attorney, Lester K. Syren, and propounds the following Request for Production to Margie Mac Neille, Jim Donahue, Representative Jerry Mackie, Senator Jim Duncan, Senator Drue Pearce, Shirley McCoy, Ed Granger, and Edith Vorderstrasse. Pursuant to Rules 26 and 34 of the Alaska Civil Rules and Procedure, AS 24.60.170(I), AS 39.25.080, AS 36.30.530, AS 44.62.310 and 312, you shall answer each of the following requests for production, in writing, separately, in the fullest detail possible, and in accordance with the definitions and instructions as set forth in ARCP 26 and 34. A copy of the answers together with your objections, if any, shall be served no later than 30 days after the service upon you.

You are under a duty to amend a prior response if you obtain information on the basis of which you know or have reason to know that the response was incorrect or misleading when made, or that the response, though correct when made, is no longer true, and the circumstances are such that failure to amend the response is, in substance, knowing concealment.

DEFINITIONS

The following definitions shall be controlling for the purposes of these requests for productions.

As used herein, the terms "you", "your", or "yourself" refer to Margie Mac Neille, Jim Donahue, Representative Jerry Mackie, Senator Jim Duncan, Senator Drue Pearce, Shirley McCoy, Ed Granger, And Edith Vorderstrasse, and each of their agents, executors, representatives, and attorneys, and each person acting or purporting to act on their behalf.

As used herein, the term "document" means any medium upon which intelligence or information can be recorded or from which it may be retrieved.

As used herein, the term "communication" means any oral or written utterance, notation, or statement of any nature whatsoever, by and to whomsoever including, but not limited to, correspondence, conversations, dialogues, discussions, interviews, consultations, agreements, and other understandings between or among two or more persons

INSTRUCTION

With respect to each request for production, in addition to supplying the information requested, you are to identify all documents that support, refer to, or evidence the subject matter of each request for production and your answer thereto.

If any documents identified herein are no longer in your possession, custody or control because of destruction, loss, or any other reason, then do the following with respect to each and every document: a) describe the nature of the document (e.g., letter or memorandum), b) state the date of the document, c) identify the persons who sent and received the original and a copy of the document, d) state in as much detail as possible the contents of the document, and e) state the manner and date of the disposition of the document.

If you claim objection to any document or to any request for production on the grounds that it is privileged, please state a) the basis for your contention that the information is privileged,

b) a means of identification of the document, c) the date of the document, d) the name, address, and relationship of the person who prepared the document, e) the name, address, and relationship to you of all persons to whom the document was addressed, given, or sent, and f) the name, address, and phone number, place of employment, occupation, and current whereabouts in relation to of every person having possession, custody, or control of the document.

Request for Production No. 1: Please produce any item identified in the interrogatories served herewith, and in your answers thereto. This request includes but is not limited to documents as defined above, as well as phone logs, journals, diaries, e-mail, faxes, and any other memoranda.

Request for Production No. 2: Please produce any item related to this matter.

DATED November 22, 1995, at Anchorage, Alaska.

Lester K. Syren, Attorney for Representative Sanders

CERTIFICATION OF SERVICE

This is to certify that on November 22, 1995 a true and correct copy of this document was sent by messenger to

Margie Mac Neille, Chair of House Subcommittee
Select Committee on Legislative Ethics
PO Box 101468
Anchorage, AK 99510

Representative Cynthia Toohey
Select Committee on Legislative Ethics
PO Box 101468
Anchorage, AK 99510

Representative Jerry Mackie
Select Committee on Legislative Ethics
PO Box 101468
Anchorage, AK 99510

Joe Donahue, Chair of House Subcommittee
Select Committee on Legislative Ethics
PO Box 101468
Anchorage, AK 99510

Senator Druce Pearce
Select Committee on Legislative Ethics
PO Box 101468
Anchorage, AK 99510

Shirley McCoy
Select Committee on Legislative Ethics
PO Box 101468
Anchorage, AK 99510

Ed Granger
Select Committee on Legislative Ethics
PO Box 101468
Anchorage, AK 99510

Edith Vorderstrasse
Select Committee on Legislative Ethics
PO Box 101468
Anchorage, AK 99510

Senator Jim Duncan
Select Committee on Legislative Ethics
PO Box 101468
Anchorage, AK 99510

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12 12

Law offices of

Lester K. Syren

National Bank of Alaska Building
Huffman Road at Seward Highway

1361 Huffman Road, Suite 2A

Anchorage, Alaska 99515

Tel: (907) 345-3111

Fax: (907) 345-3459

January 2, 1995 ^{1/2/96 4:40pm}

Mr. Michael R. Spaan
Bogle and Gates
1031 West 4th Avenue
Anchorage, Alaska 99501

VIA FAX: 276-4152

Dear Mr. Spaan:

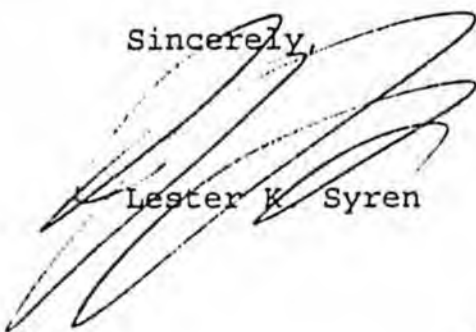
Thank you for your letter dated December 22, 1995, and received in our office on December 26, 1995.

Your letter represents that the investigation is closed, but that the subject of my client's voluntary compliance is on the public agenda for the Committee's next meeting on January 9, 1996. I also note that you welcomed my client to attend, but did not give a specific time or place.

My client needs complete responses to the discovery requests, not only to prepare for the meeting, but also to defend against the continued investigation, which must be ongoing. Otherwise, the Committee would not have scheduled a meeting.

If I do not receive complete responses to all of the discovery requests by close of business, January 5, 1996, I will be forced to file a motion to compel. I will also request an award of attorney's fees. Thank you for passing this information on to your client.

Sincerely,


Lester K. Syren

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L. K. S.

12 sent 10-17

FILED

The House Subcommittee of)
 the Select Committee on)
 Legislative Ethics)
 Complainant)
 vs.)
 Representative Jerry Sanders)
 Respondent)

Case No. H 96-02

REPRESENTATIVE SANDERS FIRST SET OF INTERROGATORIES AND REQUEST FOR ADMISSIONS

COMES NOW Jerry Sanders, by and through his attorney, Lester K. Syren, and propounds the following Interrogatories to Mike Miller. Pursuant to Rules 26, 33, and 34 of the Alaska Civil Rules and Procedure and AS 24.60.170(I), you shall answer each of the following interrogatories under oath, in writing, separately, in the fullest detail possible, and in accordance with the definitions and instructions as set forth in ARCP 26 and 34. The answers shall be signed by Mike Miller, and a copy of the answers together with your objections, if any, shall be served no later than 30 days after the service upon you.

You are further under a duty to reasonably supplement your responses with respect to any interrogatory directly addressed to (1) the identity and location of persons having knowledge of discoverable matters, and (2) the identity of each person expected to be called as an expert witness at trial, the subject matter on which he or she is expected to testify, and the substance of his or her testimony. In addition, you are under a duty to amend a prior response if you obtain information on the basis of which you know or have reason to know that the response was incorrect or misleading when made, or that the response, though correct when

Law Offices of Lester K. Syren, is no longer true, and the circumstances are such that failure to amend the response is, in
 1351 Hoffman Road, Suite 2A
 Anchorage, Alaska 99515
 (907) 833-8333
 Fax (907) 345-3459

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1 of 23

substance, knowing concealment.

DEFINITIONS

The following definitions shall be controlling for the purposes of these interrogatories.

As used herein, the terms "you" refer to Mike Miller and each of his agents, executors, representatives, and attorneys, and each person acting or purporting to act on his behalf.

As used herein, the term "document" means any medium upon which intelligence or information can be recorded or from which it may be retrieved.

As used herein, the term "communication" means any oral or written utterance, notation, or statement of any nature whatsoever, by and to whomsoever including, but not limited to, correspondence, conversations, dialogues, discussions, interviews, consultations, agreements, and other understandings between or among two or more persons

INSTRUCTION

With respect to each interrogatory, in addition to supplying the information requested, you are to identify all documents that support, refer to, or evidence the subject matter of each interrogatory and your answer thereto.

If any documents identified herein are no longer in your possession, custody or control because of destruction, loss, or any other reason, then do the following with respect to each and every document: a) describe the nature of the document (e.g., letter or memorandum), b) state the date of the document, c) identify the persons who sent and received the original and a copy of the document, d) state in as much detail as possible the contents of the document, and e) state the manner and date of the disposition of the document.

Law Offices of Lester K. Syren
11 Hoffman Road, Suite 2A
Anchorage, Alaska 99515
Tel: (907) 345-8333
Fax: (907) 345-3459

If you claim objections to any document or to any interrogatory on the grounds that it is

privileged, please state a) the basis for your contention that the information is privileged, b) a means of identification of the document, c) the date of the document, d) the name, address, and relationship of the person who prepared the document, e) the name, address, and relationship to you of all persons to whom the document was addressed, given, or sent, and f) the name, address, and phone number, place of employment, occupation, and current whereabouts in relation to of every person having possession, custody, or control of the document.

Interrogatory No. 1: Please identify by name, address, and phone number each and every person who assisted in any way with your letter which forms the basis for your complaint. This request includes but is not limited to the identity of the person or persons who assisted you in preparing the complaint.

Interrogatory No. 2: Please identify by place, time, and persons present each and every meeting and/or conversation of two or more people in which the letter from Representative Sanders (which allegedly constitutes a violation) and/or Representative Sanders were discussed in any way since January 1, 1996. This interrogatory includes but is not limited to any and all phone conversations or other communication between two or more persons.

For each meeting and/or conversation, please identify:

a) whether and to what extent any notice was provided, including but not limited to by whom, to whom, and in what manner the notice was

Law Offices of Lester K. Syren
Hoffman Road, Suite 2-A
Anchorage, Alaska 99515
(907)345-8333
Fax: (907)345-3459

provided;

b) the authority under which the meeting/conversation was held;

c) whether and to what extent notes, diaries, minutes, or other memoranda were made at any meeting/conversation;

d) the person(s) in possession of said notes, diaries, minutes, or other memoranda identified in Interrogatory 2(c).

Interrogatory #3: Please provide the name, telephone number and address of each and every person who has relevant knowledge regarding the letter.

Interrogatory #4: Please identify those witnesses whose knowledge will relate to factual issues and provide details of their expected testimony.

Interrogatory #5: Identify those witnesses whose knowledge will relate to the issues of damages and give the details of their expected testimony.

Interrogatory #6: Please provide the name, address, and telephone number of each and every expert witness who has relevant knowledge regarding the letter. (a) For each expert witness identified in the proceeding interrogatory, state the subject matter in which the expert is expected to testify. (b) the substance of the facts and opinions to

Law Offices of Lester K. Smith which the expert is expected to testify, (c) the evidence on which the expert will rely.

51 Hoffman Road, Suite 2A
Anchorage, Alaska 99515
Tel. (907) 345-8333
Fax. (907) 345-3459

Interrogatory #7: Please provide each expert's educational background and experience background. A copy of the expert's curriculum vita will be responsive to this response.

Interrogatory #8: For each allegation in your complaint state:

- (a) the factual basis for such allegation;
- (b) the evidence on which you intend to rely to prove each allegation, and list the witnesses will testify as to each allegation.

Interrogatory #9: Please state in detail your views on the following issues:

- 1) abortion
- 2) homosexuality
- 3) gun control
- 4) welfare
- 5) Democratic party
- 6) Republican party

Please include in your answer whether you are affiliated in any way with the Democratic Party either nationally, state wide, or locally.

Interrogatory #10: Please provide the name, address, and telephone number of your friends.

Law Office of Lester K. Syren
1351 Hoffman Road, Suite 2A
Anchorage, Alaska 99515
Phone: 8333
Fax: (907)345-3459

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Interrogatory #11: Please identify your employers for the past ten years.

Interrogatory #12: Please describe the nature and extent of your volunteer work during the past ten years.

Interrogatory #13: Please describe any and all clubs or other organizations that you belong to.

Interrogatory #14: Please state how long you have been a roommate of Earnest Woods, III.

Request for Admissions #1: Please admit that you lost the last election for House of Representatives, District 19, to Representative Jerry Sanders.

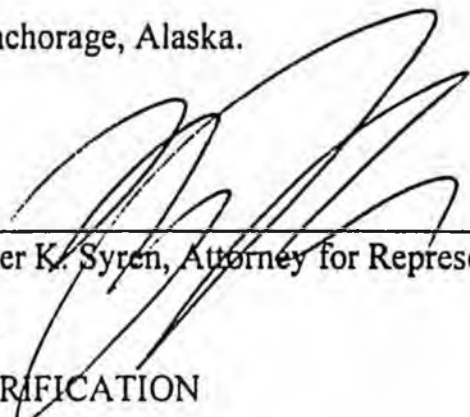
Request for Admissions #2: Please admit that you conceived and promoted the bumper sticker with the words "Annoy Prevo, think for yourself."

Request for Admissions #3: Please admit that you are a Democrat.

Request for Admissions #4: Please admit that you have allowed numerous junked vehicles to remain on your property for many months without removing them from

view.

DATED August 26, 1996, at Anchorage, Alaska.



Lester K. Syren, Attorney for Representative Sanders

VERIFICATION

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

I, _____, being first duly sworn, deposes and says:

1. I am the person above named.
2. I have read the foregoing and understand the contents thereof;
3. I have answered the Interrogatories and have signed said Interrogatories freely and voluntarily for the purposes set forth therein;
4. I verify that the information provided in response to these discovery requests are true and complete to the best of my knowledge and belief;
5. I verify that I have produced all the information known to me at this time and that I am under an obligation to update and supplement my responses in the future if any answer is found to be incorrect or I gain additional information which would change the answer.

DATED this ____ day of August 1996.

Mike Miller

SUBSCRIBED AND SWORN TO before me, this __th day of _____,
1996.

Law Office of Lester K. Syren
41 Hoffman Road, Suite 2A
Anchorage, Alaska 99515
Tel: (907) 345-8335
Fax: (907) 345-3457

7 4 23

Notary for the State of Alaska
My Commission Expires:

CERTIFICATION OF SERVICE

This is to certify that on August 26, 1996
a true and correct copy of this document was
sent by messenger to :

Michael Spaan
Bogle & Gates
1031 W. 4th Ave., Suite 600
Anchorage, AK 99501

Mike Miller
3457 East 67th Avenue
Anchorage, AK 99507-2333

By: *Lester K. Syren*
LAW OFFICES OF LESTER K. SYREN

ll sent 10-17

The House Subcommittee of)
 the Select Committee on)
 Legislative Ethics)
 Complainant)
 vs.)
 Representative Jerry Sanders)
 Respondent)

FILED

Case No. H 96-02

**REPRESENTATIVE SANDERS FIRST REQUEST FOR PRODUCTION
 PROPOUNDED TO MIKE MILLER**

COMES NOW Jerry Sanders, by and through his attorney, Lester K. Syren, and
 propounds the following Request for Production to Mike Miller. Pursuant to Rules 26 and 34 of
 the Alaska Civil Rules and Procedure, AS 24.60.170(I), AS 39.25.080, AS 36.30.530, AS
 44.62.310 and 312, you shall answer each of the following requests for production, in writing,
 separately, in the fullest detail possible, and in accordance with the definitions and instructions as
 set forth in ARCP 26 and 34. A copy of the answers together with your objections, if any, shall
 be served no later than 30 days after the service upon you.

You are under a duty to amend a prior response if you obtain information on the basis of
 which you know or have reason to know that the response was incorrect or misleading when
 made, or that the response, though correct when made, is no longer true, and the circumstances
 are such that failure to amend the response is, in substance, knowing concealment.

DEFINITIONS

The following definitions shall be controlling for the purposes of these requests for
 productions.

Law Office of Lester K. Syren
 71 Hoffman Road, Suite 2-A
 Anchorage, Alaska 99515
 (907)345-8333
 Fax (907)345-3459

9 4 23

As used herein, the terms "you" refer to Mike Miller and each of his agents, executors, representatives, and attorneys, and each person acting or purporting to act on his behalf.

As used herein, the term "document" means any medium upon which intelligence or information can be recorded or from which it may be retrieved.

As used herein, the term "communication" means any oral or written utterance, notation, or statement of any nature whatsoever, by and to whomsoever including, but not limited to, correspondence, conversations, dialogues, discussions, interviews, consultations, agreements, and other understandings between or among two or more persons

INSTRUCTION

With respect to each request for production, in addition to supplying the information requested, you are to identify all documents that support, refer to, or evidence the subject matter of each request for production and your answer thereto.

If any documents identified herein are no longer in your possession, custody or control because of destruction, loss, or any other reason, then do the following with respect to each and every document: a) describe the nature of the document (e.g., letter or memorandum), b) state the date of the document, c) identify the persons who sent and received the original and a copy of the document, d) state in as much detail as possible the contents of the document, and e) state the manner and date of the disposition of the document.

If you claim objection to any document or to any request for production on the grounds that it is privileged, please state a) the basis for your contention that the information is privileged, b) a means of identification of the document, c) the date of the document, d) the name, address, and relationship of the person who prepared the document, e) the name, address, and relationship

to you of all persons to whom the document was addressed, given, or sent, and f) the name, address, and phone number, place of employment, occupation, and current whereabouts in relation to of every person having possession, custody, or control of the document.

Request for Production No. 1: Please produce any item identified in your responses to interrogatories included herewith.

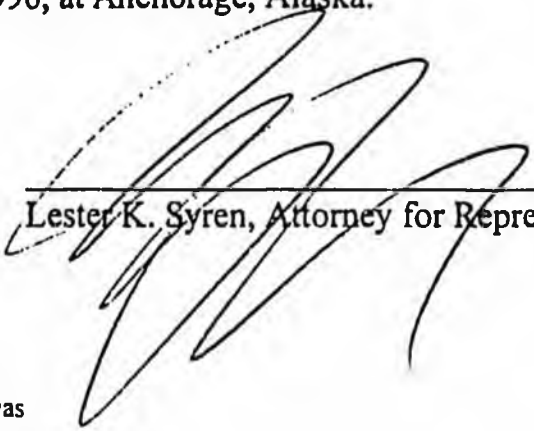
Request for Production No. 2: Please produce any item which is relevant in this matter.

Request for Production No. 3: Please produce any item you intend to utilize at the trial/hearing of this matter.

Request for Production No. 4: Please produce a copy of any and all items in any way related to the letter dated April 19, 1996, addressed to the Select Committee on Legislative Ethics, and signed by Mike Miller.

Request for Production No. 5: Please produce any and all items in any way related to your failed bid for election to the Alaska State House of Representatives, District 19.

DATED on August 26, 1996, at Anchorage, Alaska.



Lester K. Syren, Attorney for Representative Sanders

CERTIFICATION OF SERVICE

This is to certify that on August 27, 1996
a true and correct copy of this document was
hand delivered to :

Michael Spaan
Bogle & Gates
1031 W. 4th Ave., Suite 600
Anchorage, AK 99501

Mike Miller
3457 East 67th Avenue
Anchorage, AK 99507-2333

By: *Kim Ambrecht*
Law Offices of Lester K. Syren

c:\3\sanders.sr\prod2.mil

*Law Offices of Lester K. Syren
11 Hoffman Road, Suite 2-A
Anchorage, Alaska 99515
(907)345-8333
Fax (907)345-3859*

PAGE 4 OF 4

12⁴ 23

The House Subcommittee of)
the Select Committee on)
Legislative Ethics)
Complainant)
vs.)
Representative Jerry Sanders)
Respondent)

ORIGINAL COPY

Case No. H 96-02

**REPRESENTATIVE SANDERS FIRST REQUEST FOR PRODUCTION
PROPOUNDED TO EARNEST WOODS, III.**

COMES NOW Jerry Sanders, by and through his attorney, Lester K. Syren, and propounds the following Request for Production to Earnest Woods, III. Pursuant to Rules 26 and 34 of the Alaska Civil Rules and Procedure, AS 24.60.170(I), AS 39.25.080, AS 36.30.530, AS 44.62.310 and 312, you shall answer each of the following requests for production, in writing, separately, in the fullest detail possible, and in accordance with the definitions and instructions as set forth in ARCP 26 and 34. A copy of the answers together with your objections, if any, shall be served no later than 30 days after the service upon you.

You are under a duty to amend a prior response if you obtain information on the basis of which you know or have reason to know that the response was incorrect or misleading when made, or that the response, though correct when made, is no longer true, and the circumstances are such that failure to amend the response is, in substance, knowing concealment.

DEFINITIONS

The following definitions shall be controlling for the purposes of these requests for productions.

Law Office of Lester K. Syren
11 Hoffman Road, Suite 2-A
Anchorage, Alaska 99515
(907)345-8333
Fax (907)345-3457

13 4 23

As used herein, the terms "you" refer to Earnest Woods, III., and each of his agents, executors, representatives, and attorneys, and each person acting or purporting to act on his behalf.

As used herein, the term "document" means any medium upon which intelligence or information can be recorded or from which it may be retrieved.

As used herein, the term "communication" means any oral or written utterance, notation, or statement of any nature whatsoever, by and to whomsoever including, but not limited to, correspondence, conversations, dialogues, discussions, interviews, consultations, agreements, and other understandings between or among two or more persons

INSTRUCTION

With respect to each request for production, in addition to supplying the information requested, you are to identify all documents that support, refer to, or evidence the subject matter of each request for production and your answer thereto.

If any documents identified herein are no longer in your possession, custody or control because of destruction, loss, or any other reason, then do the following with respect to each and every document: a) describe the nature of the document (e.g., letter or memorandum), b) state the date of the document, c) identify the persons who sent and received the original and a copy of the document, d) state in as much detail as possible the contents of the document, and e) state the manner and date of the disposition of the document.

If you claim objection to any document or to any request for production on the grounds that it is privileged, please state a) the basis for your contention that the information is privileged, b) a means of identification of the document, c) the date of the document, d) the name, address,

and relationship of the person who prepared the document, e) the name, address, and relationship to you of all persons to whom the document was addressed, given, or sent, and f) the name, address, and phone number, place of employment, occupation, and current whereabouts in relation to of every person having possession, custody, or control of the document.

Request for Production No. 1: Please produce any item identified in your responses to interrogatories included herewith.

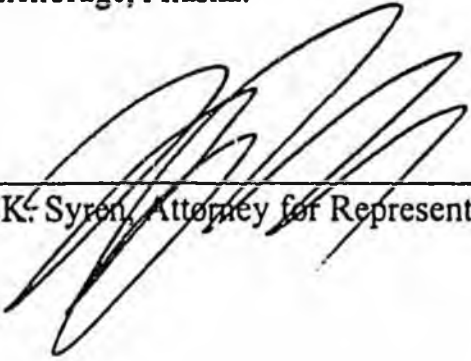
Request for Production No. 2: Please produce any item which is relevant in this matter.

Request for Production No. 3: Please produce any item you intend to utilize at the trial/hearing of this matter.

Request for Production No. 4: Please produce a copy of any and all items in any way related to the letter dated April 19, 1996, addressed to the Select Committee on Legislative Ethics, and signed by Mike Miller.

*Law Offices of Lester K. Syron
1 Huffman Road, Suite 2A
Kenai, Alaska 99515
(907)345-8333
Fax (907)345-3459*

DATED on August 26, 1996, at Anchorage, Alaska.



Lester K. Syren, Attorney for Representative Sanders

CERTIFICATION OF SERVICE

This is to certify that on August 26, 1996
a true and correct copy of this document was
hand delivered to :

Michael Spaan
Bogle & Gates
1031 W. 4th Ave., Suite 600
Anchorage, AK 99501

Earnest Woods, III
3457 East 67th Avenue
Anchorage, AK 99507-2333

By: *Lester K. Syren*
Law Offices of Lester K. Syren

c:\3\sanders.sr\prod2.woo

Law Offices of Lester K. Syren
51 Hoffman Road, Suite 2-A
Anchorage, Alaska 99515
Tel (907)345-8333
Fax (907)345-3459

PAGE 4 OF 4

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16 23

The House Subcommittee of)
the Select Committee on)
Legislative Ethics)
Complainant)
vs.)
Representative Jerry Sanders)
Respondent)

FILE COPY

Case No. H 96-02

REPRESENTATIVE SANDERS FIRST SET OF INTERROGATORIES

COMES NOW Jerry Sanders, by and through his attorney, Lester K. Syren, and propounds the following Interrogatories to Earnest Woods, III. Pursuant to Rules 26, 33, and 34 of the Alaska Civil Rules and Procedure and AS 24.60.170(I), you shall answer each of the following interrogatories under oath, in writing, separately, in the fullest detail possible, and in accordance with the definitions and instructions as set forth in ARCP 26 and 34. The answers shall be signed by Earnest Woods, III, and a copy of the answers together with your objections, if any, shall be served no later than 30 days after the service upon you.

You are further under a duty to reasonably supplement your responses with respect to any interrogatory directly addressed to (1) the identity and location of persons having knowledge of discoverable matters, and (2) the identity of each person expected to be called as an expert witness at trial, the subject matter on which he or she is expected to testify, and the substance of his or her testimony. In addition, you are under a duty to amend a prior response if you obtain information on the basis of which you know or have reason to know that the response was incorrect or misleading when made, or that the response, though correct when made, is no longer true, and the circumstances are such that failure to amend the response is, in

Law Office of Lester K. Syren
241 Hoffman Road, Suite 201
Anchorage, Alaska 99515
Tel (907) 345-8333
Fax (907) 345-3459

DEFINITIONS

The following definitions shall be controlling for the purposes of these interrogatories.

As used herein, the terms "you" refer to Earnest Woods, III, and each of his agents, executors, representatives, and attorneys, and each person acting or purporting to act on his behalf.

As used herein, the term "document" means any medium upon which intelligence or information can be recorded or from which it may be retrieved.

As used herein, the term "communication" means any oral or written utterance, notation, or statement of any nature whatsoever, by and to whomsoever including, but not limited to, correspondence, conversations, dialogues, discussions, interviews, consultations, agreements, and other understandings between or among two or more persons

INSTRUCTION

With respect to each interrogatory, in addition to supplying the information requested, you are to identify all documents that support, refer to, or evidence the subject matter of each interrogatory and your answer thereto.

If any documents identified herein are no longer in your possession, custody or control because of destruction, loss, or any other reason, then do the following with respect to each and every document: a) describe the nature of the document (e.g., letter or memorandum), b) state the date of the document, c) identify the persons who sent and received the original and a copy of the document, d) state in as much detail as possible the contents of the document, and e) state the manner and date of the disposition of the document.

If you claim objections to any document or to any interrogatory on the grounds that it is

Law Offices of Lester K. Syron

Hoffman Road, Suite 201

Orange, Alaska 99513

(907)345-8333

Fax (907)345-3857

means of identification of the document, c) the date of the document, d) the name, address, and relationship of the person who prepared the document, e) the name, address, and relationship to you of all persons to whom the document was addressed, given, or sent, and f) the name, address, and phone number, place of employment, occupation, and current whereabouts in relation to of every person having possession, custody, or control of the document.

Interrogatory No. 1: Please identify by name, address, and phone number each and every person who assisted in any way with Mike Miller's letter which forms the basis of his complaint. This request includes but is not limited to the identity of the person or persons who assisted Mr. Miller in preparing the complaint.

Interrogatory No. 2: Please identify by place and time, any persons present at each and every meeting and/or conversation of two or more people in which the letter from Representative Sanders (which allegedly constitutes a violation) and/or Representative Sanders were discussed in any way since January 1, 1996. This interrogatory includes but is not limited to any and all phone conversations or other communication between two or more persons.

For each meeting and/or conversation, please identify:

a) whether and to what extent any notice was provided, including but not limited to by whom, to whom, and in what manner the notice was provided;

- b) the authority under which the meeting/conversation was held;
- c) whether and to what extent notes, diaries, minutes, or other memoranda were made at any meeting/conversation;
- d) the person(s) in possession of said notes, diaries, minutes, or other memoranda identified in Interrogatory 2(c).

Interrogatory #3: Please provide the name, telephone number and address of each and every person who has relevant knowledge regarding the letter.

Interrogatory #4: Please identify those witnesses whose knowledge will relate to factual issues and provide details of their expected testimony.

Interrogatory #5: Identify those witnesses whose knowledge will relate to the issues of damages and give the details of their expected testimony.

Interrogatory #6: Please provide the name, address, and telephone number of each and every expert witness who has relevant knowledge regarding the letter which allegedly constitutes a violation. (a) For each expert witness identified in the proceeding interrogatory, state the subject matter in which the expert is expected to testify. (b) the substance of the facts and opinions to which the expert is expected to testify, (c) the

Interrogatory #7: Please provide each expert's educational background and experience background. A copy of the expert's curriculum vita will be responsive to this response.

Interrogatory #8: Please state in detail your views on the following issues:

- 1) abortion
- 2) homosexuality
- 3) gun control
- 4) welfare
- 5) Democratic Party (including whether you are in any way affiliated with it)
- 6) Republican Party

Interrogatory #9: Please provide the name, address, and telephone number of your friends.

Interrogatory #10: Please identify your employers for the past ten years.

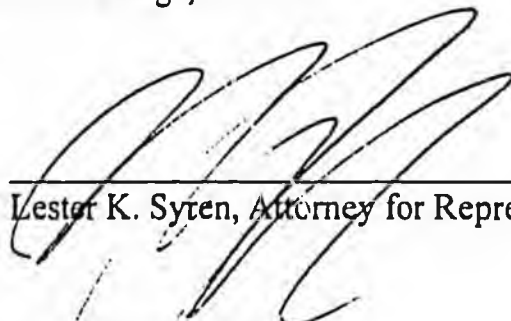
Interrogatory #11: Please describe the nature and extent of your volunteer work during the past ten years.

Interrogatory #12: Please describe any and all clubs or other organizations that you

Law Offices of Lester K. Betong to.
1111 Hoffman Road, Suite 2A
Anchorage, Alaska 99515
Tel: (907) 345-8333
Fax: (907) 345-3459

Interrogatory #13: Please state how long you have been a roommate of Mike Miller.

DATED August 26, 1996, at Anchorage, Alaska.



Lester K. Syren, Attorney for Representative Sanders
VERIFICATION

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

I, _____, being first duly sworn, deposes and says:
1. I am the person above named.
2. I have read the foregoing and understand the contents thereof;
3. I have answered the Interrogatories and have signed said Interrogatories freely and voluntarily for the purposes set forth therein;
4. I verify that the information provided in response to these discovery requests are true and complete to the best of my knowledge and belief;
5. I verify that I have produced all the information known to me at this time and that I am under an obligation to update and supplement my responses in the future if any answer is found to be incorrect or I gain additional information which would change the answer.

DATED this ____ day of August 1996.

Earnest Woods

Law Office of Lester K. Syren
1 Hoffman Road, Suite 2A
Anchorage, Alaska 99515
(907)345-8333
Fax (907)345-3459

SUBSCRIBED AND SWORN TO before me, this ___th day of _____,
1996.

Notary for the State of Alaska
My Commission Expires:

CERTIFICATION OF SERVICE

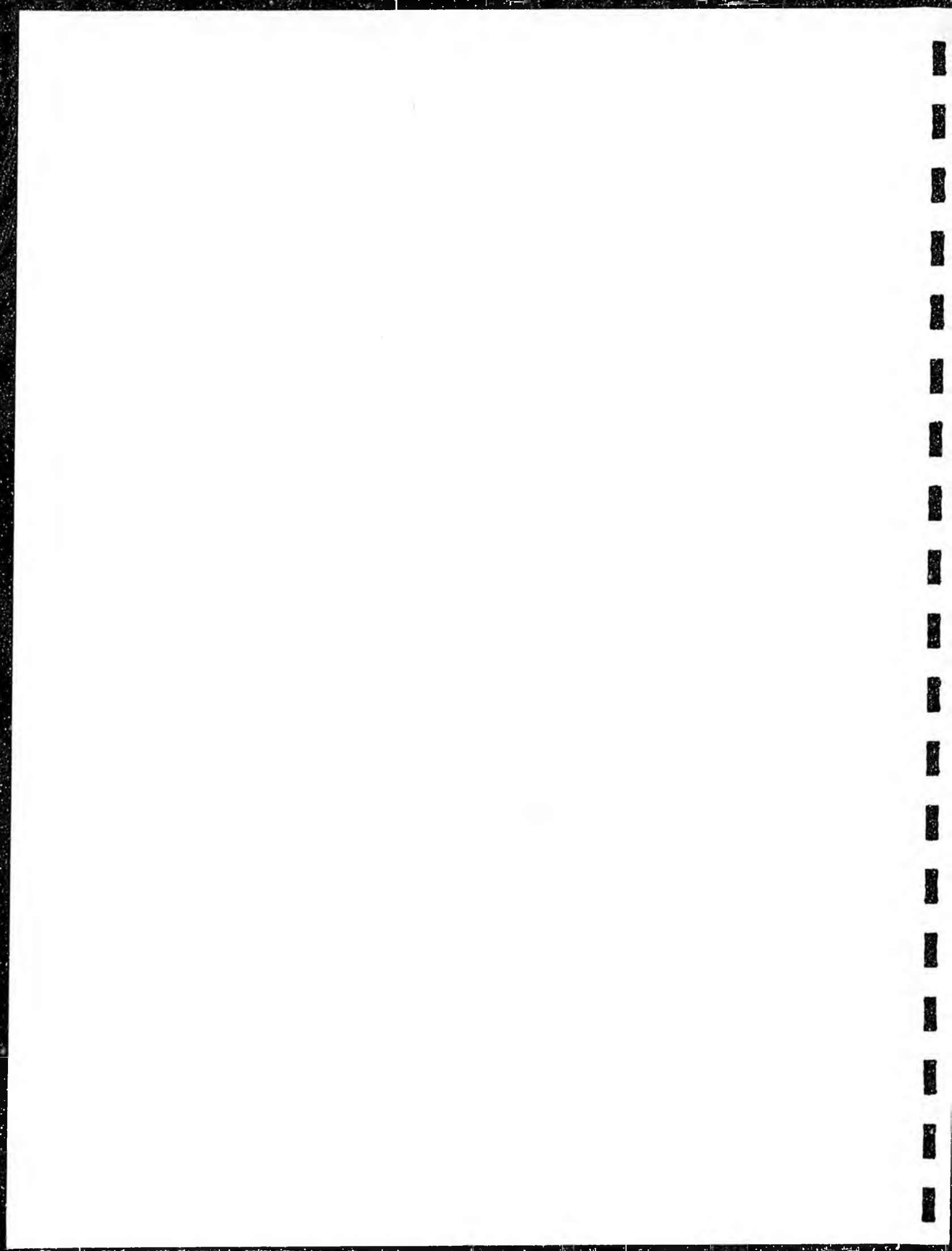
This is to certify that on August 27, 1996
a true and correct copy of this document was
sent by messenger to :

Michael Spaan
Bogle & Gates
1031 W. 4th Ave., Suite 600
Anchorage, AK 99501

Earnest Woods, III
3457 East 67th Avenue
Anchorage, AK 99507-2333

By: *Lester K. Syren*
LAW OFFICES OF LESTER K. SYREN

Law Offices of Lester K. Syren
1351 Hoffman Road, Suite 2-A
Anchorage, Alaska 99515
345-8333
Fax (907) 345-3457



RECEIVED

SEP 26 1996

LAW OFFICE OF
LESTER K. SYREN

Alaska State Legislature

Select Committee on Legislative Ethics

716 W. 4th, Suite 230
Anchorage AK
(907) 258-8172
FAX: 258-2106

Mailing Address:
P.O.Box 101468
Anchorage, AK
99510 - 1468

HOUSE SUBCOMMITTEE of the SELECT COMMITTEE ON LEGISLATIVE ETHICS

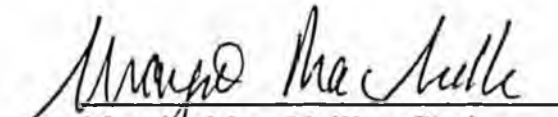
IN RE: REPRESENTATIVE JERRY SANDERS

SUMMONS
H 96-02

TO: Representative Jerry Sanders
c/o Lester K. Syren, Esq.
1351 Huffman Road
Suite 2A
Anchorage, AK 99515

You are hereby summoned and required to file, with the House Subcommittee of the Select Committee on Legislative Ethics, a written answer to the Formal Charges which accompanies this summons. Your answer must be filed with the House Subcommittee of the Select Committee on Legislative Ethics at Post Office Box 101468, Anchorage, AK 99510-1468 within ten (10) days after the day you receive this summons. In addition, a copy of your answer must be sent to the counsel for the Select Committee on Legislative Ethics, Michael R. Spaan of Bogle and Gates, 1031 West Fourth Avenue, Suite 600, Anchorage, AK 99501. If you fail to file your answer within the required time, you will be deemed to have denied the allegations contained in the accompanying Formal Charge and a hearing will be held.

DATED: September 24, 1996
Anchorage, Alaska


Margie Mac Neille, Chair
House Subcommittee

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| Date #1 | Bank CK #1 | Business Name | Occupation | First Cont | Second Cont | thlrd cont | Cumulative |
|----------|------------|---|------------|------------|-------------|------------|------------|
| Date #2 | Bank CK #2 | Address | | | | | |
| Date #3 | Bank CK #3 | | | | | | |
| 10/23/90 | 244 | ACCF-PAC 2533 Providence Dr Anchorage AK 99508 | PAC | 750.00 | | | 750 |
| 10/21/90 | 1135 | Alaska Women's Political Caucus P.O. Box 201374 Anchorage AK 99520-1374 | PAC | 200.00 | | | 700 |
| 09/26/90 | 3628 | Anchorage Central Labor Council | PAC | 500.00 | 250.00 | | 750 |
| 10/15/96 | 3639 | PO Box 91136 Anchorage AK 99509 | | | | | |
| 10/21/90 | 198 | Anchorage Fire Fighters P.A.C. 1200 E. 76th Ave., Anchorage AK 99518 | P.A. C. | 500.00 | | | 500 |
| 09/16/90 | 300672 | Anchorage Refuse, Inc. | refuse | 500.00 | 500.00 | | 1000 |
| 10/03/96 | 300851 | 6301 Rosewood St. Anchorage AK 99518 | | | | | |
| 10/09/90 | 1018 | ATU Telecom PAC 3427 Wentworth Anchorage AK 99508 | PAC | 400.00 | | | 400 |
| 10/14/90 | 374 | Carpenters C.I.L.C. Bingo 407 Denali Anchorage AK 99501 | PAC | 400.00 | | | 400 |
| 08/15/90 | 2607 | Dan K. Coffey, Atty. | attorney | 250.00 | 250.00 | | 500 |
| 10/02/96 | 3887 | 207 E. No. Lights Blvd., Anchorage AK 99503 | | | | | |
| 10/02/90 | 11210 | Friedman, Rubin & White 1227 West 9th Ave. Anchorage AK 99501 | attorneys | 1000.00 | | | 1000 |
| 10/16/90 | 167 | Greater Juneau Democratic Precinct P O Box 961 Douglas AK 99824 | PAC | 150.00 | | | 150 |
| 10/07/90 | 7355 | International Union of Operating Western & Clay Seattle WA 98121 | PAC | 1000.00 | | | 1000 |
| 10/10/90 | 12357 | Jadon, Inc. DBA Chilkoot Charlies 2435 Spenard Road Anchorage AK 99503 | bar | 250.00 | | | 250 |
| 10-11-96 | 1221 | Senate Democratic Campaign | Dem. | 5000.00 | 10000.00 | 12000.00 | 42000 |
| 10-15-96 | 1224 | P. O. Box 92552 | | 4000.00 | 6000.00 | 18000.00 | |
| 10-24-96 | 1231 | Anchorage AK 99509 | | | | | |
| 10/20/90 | 3096 | Short Gulch Mining Co. P.O. Box 310 Girdwood AK 99587 | mining | 150.00 | | | 150 |
| 09/05/90 | 1637 | Teamster ALIVE PO Box 102092 Anchorage AK 99510 | PAC | 1000.00 | | | 1000 |

Neighbors for Pat Abney

OCT 29 1996

6
1
10
2 of 5

Check one: 30 Day 7 Day 10 Day Year - end
 Check One: Primary General Municipal 19 96

PART 1. OVER \$100.00 : Contributions received during this reporting period which have put the contributors over the \$100 Disclosure threshold are itemized below.

| Item | Check No. | Name and Address of Contributor | Occupation/ Employer | Amount this period. | Cume. Amt. each Contrib. |
|------------------|-----------|---|--|---------------------|--------------------------|
| 1/22/96 | 1949 | John Bernitz 1435 M Street Anchorage, AK 99501 | Attorney / Self Law Offices of ... Anchorage, AK | \$30.00 | \$299.98 |
| 1/22/96 | 8099 | Carol Bryner 626 N Street Anchorage, AK 99501 | Artist / Self | 100.00 | 150.00 |
| 1/28/96 | 6812 | Charles W. Coe 805 W. 3rd Ave, Ste 100 Anchorage, AK 99501 | Self / ... Attorney at Law | 500.00 | 1,000.00 |
| 3/0/96 | 8540 | Nancy Groszek 2512 St. Elias Anchorage, AK 99517 | Attorney Public Defender's Office Anchorage, AK | 200.00 | 317.55 |
| 1/15/96 | 1825 | Les Gara 1242 W. 10th Ave. Anchorage, AK | Attorney Friedman, Rubin, & White Anchorage, AK | 50.00 | 170.00 |
| 1/25/96 | 165 | Greater Juneau Democratic Precinct P O Box 961 Douglas, AK 99824 | PAC | 150.00 | 150.00 |
| 1/8/96 | 503 | House Democratic Campaign Committee P O Box 100352 Anchorage, AK 99510 | Political party subdivision. | 7,000.00 | 16,000.00 |
| 1/15/96 | 518 | House Democratic Campaign Committee P O Bcx 100352 Anchorage, AK 99510 | Political party subdivision. | 10,000.00 | 26 |
| 1/22/96 | 1017 | Laborers Int'l Union of NA 2501 Commercial Dr. Anchorage, AK 99501 | Union / PAC | 250.00 | |
| Part 1 SUB-TOTAL | | | | \$18,280.00 | |

Candidate: Ethan Berkowitz

Schedule C, Page 2 of 3

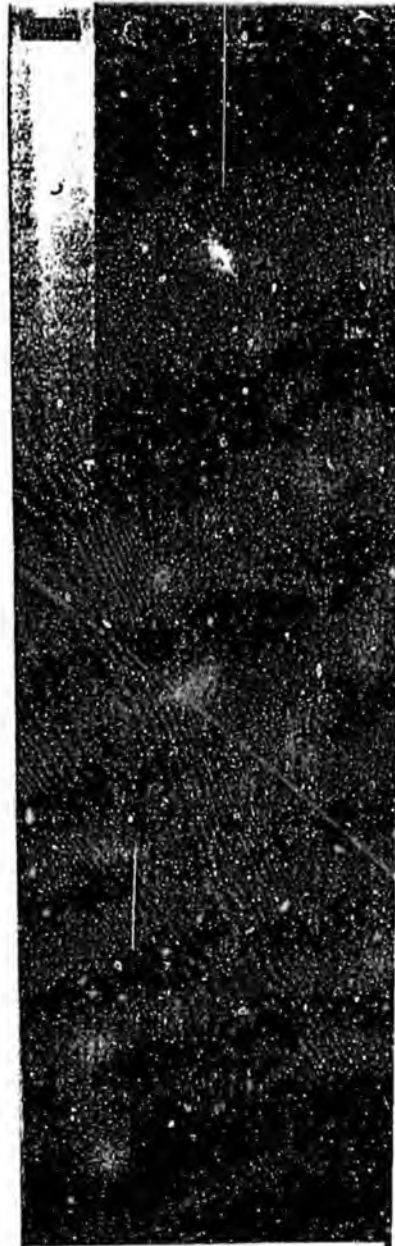
OCT 30 1996

26
2 10

| Date | Check No. | Name and Address of Contributor | Occupation/ Employer | Amount this period. | Cume. Amt. each Contrib. |
|----------|-----------|---|--|---------------------|--------------------------|
| 10/22/96 | 1949 | John Bernitz 1435 M Street Anchorage, AK 99501 | Attorney / Self Law Offices of ... Anchorage, AK | \$30.00 | \$299.98 |
| 10/22/96 | 8099 | Carol Bryner 626 N Street Anchorage, AK 99501 | Artist / Self | 100.00 | 150.00 |
| 10/28/96 | 6812 | Charles W. Coe 805 W. 3rd Ave, Ste 100 Anchorage, AK 99501 | Self / ... Attorney at Law | 500.00 | 1,000.00 |
| 5/30/96 | 8540 | Nancy Groszek 2512 St. Elias Anchorage, AK 99517 | Attorney Public Defender's Office Anchorage, AK | 200.00 | 317.55 |
| 10/15/96 | 1825 | Les Gara 1242 W. 10th Ave. Anchorage, AK | Attorney Friedman, Rubin, & White Anchorage, AK | 50.00 | 170.00 |
| 10/25/96 | 165 | Greater Juneau Democratic Precinct P O Box 961 Douglas, AK 99824 | PAC | 150.00 | 150.00 |
| 10/8/96 | 503 | House Democratic Campaign Committee P O Box 100352 Anchorage, AK 99510 | Political party subdivision. | 7,000.00 | 16,000.00 |
| 10/15/96 | 518 | House Democratic Campaign Committee P O Box 100352 Anchorage, AK 99510 | Political party subdivision. | 10,000.00 | 21 |
| 10/22/96 | 1017 | Laborers Int'l Union of NA 2501 Commercial Dr. Anchorage, AK 99501 | Union / PAC | 250.00 | |

Part 1 SUB-TOTAL \$18,280.00

01-5-96



Check one: 30 Day 7 Day 10 Day Year - end
 Check One: Primary General Municipal 19 96

PART 1. OVER \$100.00 : Contributions received during this reporting period which have put the contributors over the \$100 Disclosure threshold are itemized below.

| Date | Check No. | Name and Address of Contributor | Occupation/ Employer | Amount this period. | Cume. Amt. each Contrib. |
|---------|-----------|--|--|---------------------|--------------------------|
| 10/2/96 | 11207 | Friedman, Rubin & White 1227 W 9th Ave., Ste. 201 Anchorage, AK 99501 | Law Offices Anchorage, AK | \$1,000.00 | \$1,000.00 |
| 10/3/96 | 661 | Gordon Martin Glaser 1029 Potlatch Circle Anchorage, AK 99503 | Businessman | 800.00 | 830.00 |
| 9/15/96 | 2168 | David R. Gottstein P.O. Box 112729 Anchorage, AK 99511 | Businessman | 250.00 | 250.00 |
| 9/3/96 | 1552 | Rachel L. Gottstein 1400 E Street Anchorage, AK 99501 | Businessperson | 1,000.00 | 1,000.00 |
| 10/3/96 | 2475 | Robert R. Gottstein 1433 W 9th Anchorage, AK 99501 | Businessman | 500.00 | 500.00 |
| 9/30/96 | 4440 | Clifford John Groh 1133 N St. Anchorage, AK 99501 | Attorney Anchorage Municipal Attorney's Office | 25.00 | 125.00 |
| 9/20/96 | 1016 | Laborers Int'l Union of NA - PAC 2501 Commercial Dr. Anchorage, AK 99501 | Union / PAC | 250.00 | 250.00 |
| 9/3/96 | 1775 | Evans McMillion Box 99889 Durham, NC 27708 | Attorney / Waitress | 200.00 | 200.00 |
| 9/15/96 | 2252 | Richard D. Madden P.O. Box 1514 Sausalito, CA 94966 | Stock Broker San Francisco, CA | 100.00 | 150.00 |

Part 1 SUB-TOTAL this page. \$4,125.00

MONETARY CONTRIBUTIONS SCHEDULE C

Check one: Primary General Municipal
 Check one: 30 Day 7 Day 10 Day Yearend

Part 1

| Date | Check Number | Name and Address of Contributor | Occupation/Employer | Amount this Period | Cum. Each Contrib. |
|-----------|--------------|---|---------------------|--------------------|--------------------|
| 9/8/96 | 2220 | Russell Winner 2470 Belmont Dr. Anchorage, AK 99517 | Attorney | \$2,500.00 | \$2,500.00 |
| 9/30/96 | 2398 | Jay Nelson 3705 Arctic #145 Anchorage, AK 99503 | State of Alaska | \$200.00 | \$200.00 |
| 9/26/96 | 7124 | IBEW Educational Comm. 1125 15th St. NW Washington, DC 20005 | Labor PAC | \$10,000.00 | \$10,000.00 |
| 9/10/96 | 1079 | Kelley & Kelley 821 N St. #206 Anchorage, AK 99501 | Law Firm | \$500.00 | \$500.00 |
| 9/10/96 | 5080 | Angstman Law Office PO Box 758 Bethel, AK 99559 | Law Firm | \$5,000.00 | \$5,000.00 |
| 9/18/96 | 9354 | Phillip Paul Weidner & Assoc 330 L St. #200 Anchorage, AK 99501 | Law Firm | \$5,000.00 | \$5,000.00 |
| 9/19/96 | 5321 | Dillon & Findley 350 N. Franklin Juneau, AK 99801 | Law Firm | \$2,500.00 | \$2,500.00 |
| 9/10/96 | 1242 | Jeff Feldman 1014 H St. Anchorage, AK 99501 | Attorney | \$2,500.00 | \$2,500.00 |
| 9/23/96 | 1660 | Teamster ALIVE PO Box 102092 Anchorage, AK 99510 | Labor PAC | \$5,000.00 | \$5,000.00 |
| 9/18/96 | 1006 | Governor's Fund PO Box 92552 Anchorage, AK 99509 | Political adjunct | \$40,000.00 | \$40,000.00 |
| 9/20/96 | 5689 | NEA Alaska PACE 114 Second St. Juneau, AK 99801 | PAC | \$10,000.00 | \$10,000.00 |
| * 10/3/96 | 11211 | Law Office of Friedman, Rubin & White 1227 W. Ninth #201 Anchorage, AK 99501 | Law Firm | \$2,000.00 | \$2,000.00 |

SUB-TOTAL \$85,200.00

1. CANDIDATE'S OWN MONEY/INTEREST

\$0.00

2. \$100 OR LESS

\$120.00 + 23,000.00 in

2 # OF CONTRIBUTORS

gaming

3. OVER \$100

\$92,700.00

4. TOTAL MONETARY CONTRIBUTIONS THIS PERIOD

OCT 8 1996

\$92,820.00 + 23,000.00 =

Senate Democratic Campaign Committee

Schedule C, Page 1

115,820

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MONETARY CONTRIBUTIONS - Schedule C

7 DAY REPORT

GENERAL

| Date | Check | | NAME AND ADDRESS CONTRIBUTOR | | | Occupation | Employer | Amt. this Period | Amt. Ea. Contrib |
|------------------|---------|-------------------------------|-------------------------------|-------------------------|------------------------|----------------------|------------------|------------------|------------------|
| | Number | Name | Street Address | City State Zip | | | | | |
| 10/5/96 | 5406 | Babcock, Nancy | 939 P. Street | Anchorage, AK 99501 | Prosecutor | U.S. Defender | \$ 250 | \$ 250 | |
| 10/5/96 | 2753 | Branson, Kevin | 3313 Cottonwood | Anchorage, AK 99508 | Accountant | Thomas, Head & Griss | \$ 200 | \$ 200 | |
| 10/5/96 | 2467 | Gottstein, Robert | 1443 W. 9th | Anchorage, AK 99501 | President | 4th Avenue Theater | \$ 250 | \$ 750 | |
| 10/5/96 | 15211 | Ieicle Seafoods, Inc | 4019 21st Ave., W. 4th Flr | Seattle, WA 98199 | Seafood producer | n a | \$ 250 | \$ 250 | |
| 10/6/96 | 17055 | Gilmore, James D. | 1555 H. Street | Anchorage, AK 99501 | Attorney | Gilmore & Doherty | \$ 200 | \$ 200 | |
| 10/7/96 | 502 | House Demo. Campaign | P.O. Box 100352 | Anchorage, AK 99510 | Democratic Party | n a | \$ 2,000 | \$ 8,000 | |
| 10/7/96 | 7354 | Int'l Union of Oper. Engineer | Western and Clay | Seattle, WA 98121 | Labor Union PAC | n a | \$ 1,000 | \$ 1,000 | |
| 10/8/96 | 1174 | AK Ironworkers PAC | 650 W. Int'l Airport #101 | Anchorage, AK 99518 | Labor Union PAC | n a | \$ 150 | \$ 400 | |
| 10/8/96 | 1215 | United Union of Roofers, etc. | 1660 L. Street, N.W., Ste 800 | Washington, D.C. 20036 | Labor Union PAC | n a | \$ 300 | \$ 300 | |
| 10/9/96 | 11214 | Friedman, Rubin & White | 1227 W. 9th Ave. Ste 201 | Anchorage, AK 99501 | Legal Firm | n a | \$ 750 | \$ 1,000 | |
| 10/11/96 | 3179 | Transport Political Education | 14600 Detroit Avenue | Cleveland, OH 44107 | PAC | n a | \$ 150 | \$ 150 | |
| 10/14/96 | 3092450 | Anchorage Cold Storage Co | P.O. Box 100039 | Anchorage, AK 99510 | Storage Company | n a | \$ 250 | \$ 250 | |
| 10/14/96 | 1036 | ATU Telecom PAC | 3427 Wentworth | Anchorage, AK 99508 | Telecommunications PAC | | \$ 300 | \$ 300 | |
| 10/14/96 | 2867 | Rader, John | 4118 Caravelle Drive | Anchorage, AK 99502 | Retired | n a | \$ 225 | \$ 425 | |
| 10/14/96 | 558 | Todd, Alden | P.O. Box 105055 | Anchorage, AK 99510 | Retired | n a | \$ 50 | \$ 150 | |
| 10/14/96 | 633 | Wingfield, J.C. Admin. | 3568 Geraghty Street | Fairbanks, AK 99709 | Plumbers PAC | n a | \$ 250 | \$ 250 | |
| 10/15/96 | 3634 | Anchorage Central Labor Cor | P.O. Box 91136 | Anchorage, AK 99509 | Labor PAC | n a | \$ 250 | \$ 250 | |
| 10/16/96 | 520 | House Demo. Campaign | P.O. Box 100352 | Anchorage, AK 99510 | Democratic Party | n a | \$ 6,500 | \$ 14,500 | |
| 10/16/96 | 5391 | Barnard, Bailey S. | 1875 School Street | Moraga, CA 94556 | Banker | self | \$ 250 | \$ 250 | |
| 10/17/96 | 3231 | AK Laborers Union 341 | 2501 Commercial Drive | Anchorage, AK 99501 | Labor Union PAC | n a | \$ 250 | \$ 750 | |
| 10/21/96 | 197 | Anchorage Fire Fighters 126- | 1200 E. 76th Ave., Suite 1227 | Anchorage, AK 99518 | Union PAC | n a | \$ 500 | \$ 500 | |
| 10/21/96 | 108 | Dahl, Cynthia L. | 111 Hancock St. | San Francisco, CA 94111 | Student | n a | \$ 1,000 | \$ 1,000 | |
| 10/21/96 | 8629 | Montoya, Kay | 1560 Primrose | Anchorage, AK 99508 | Manager | Montoya Construction | \$ 200 | \$ 500 | |
| SUB-TOTAL | | | | | | | \$ 15,525 | | |

EXEMPT FUND-RAISER

OCT 30 1996
Day Report

PROFESSIONAL SERVICES CONTRACT BETWEEN

FRIEDMAN, RUBIN AND WHITE
1227 WEST 9TH, SUITE 201
ANCHORAGE, ALASKA 99501

RECEIVED
NOV 20 1996
LAW OFFICE OF
LESTER K. SYREN

AND

SELECT COMMITTEE ON LEGISLATIVE ETHICS
HOUSE SUBCOMMITTEE

CONTRACT AMOUNT: \$10,000

The parties to this contract, made and entered into the date the Legislative Affairs Agency Executive Director or her designee signs the contract, are the Select Committee on Legislative Ethics House Subcommittee, whose address is P.O. Box 101468, Anchorage, Alaska 99510-1468, hereinafter referred to as the "Subcommittee" or "Agency", and Friedman, Rubin and White, a partnership whose address is 1227 West 9th, Suite 201, Anchorage, Alaska 99501, hereinafter referred to as the "Consultant".

THE PURPOSE OF THIS CONTRACT IS TO PROVIDE an independent legal counsel to the Select Committee on Legislative Ethics House Subcommittee.

IT IS THEREFORE MUTUALLY AGREED THAT:

CLAUSE I - STATEMENT OF WORK

- (A) The Consultant shall provide to the Subcommittee legal services as a master to handle matters related to a case before the Subcommittee. These duties include, but are not limited to, resolving issues presented by the parties in the matter. If a public hearing is scheduled, the Consultant shall perform hearing officer services. Michael White will perform the Consultant's services under this contract.
- (B) The Consultant, including but not limited to, Michael White and any other partner or employee of Consultant who performs work under this contract, shall keep all work, and records and other materials, performed or produced under this contract strictly confidential, except as directed otherwise by the Project Director.

CLAUSE II - PERIOD AND DATES OF PERFORMANCE AND TERMINATION

- (A) The work under this contract shall begin October 11, 1996 and terminate February 1, 1997.

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- (B) This contract may be terminated by the Agency upon delivery of written notice to the Consultant. If this contract is so terminated and the termination is not based on a breach by the Consultant, the Consultant shall be compensated for services provided under the terms of this contract to the date of termination if the Consultant provides the Agency with a written report containing a description of the services performed, a statement of the results or conclusions formed based upon the research or analysis performed, and a copy of the written material produced during the contract.

CLAUSE III - COMPENSATION AND METHOD OF PAYMENT

- (A) For the work specified in this contract the Consultant shall be compensated at \$150 an hour.
- (B) Payment shall be based on proper billing provided by the Consultant. All references to the matter upon which the Consultant has provided services shall be by case number and not case name in order to protect the confidentiality of the identity of the matter. The description of services shall otherwise be prepared to protect the confidentiality and the identity of the individual and the subject matter.
- (C) The Project Director must approve a billing before it may be paid.
- (D) If a payment is not made within 90 days after the Agency has received a proper billing, the Agency shall pay interest on the unpaid balance of the billing at the rate of 1.5 percent per month from, and including, the 91st day through the date payment is made. A payment is considered made on the date it is mailed or personally delivered to the Consultant.
- (E) Total payments under this contract may not exceed Ten Thousand and No/100 Dollars (\$10,000).

CLAUSE IV - PROJECT DIRECTOR

The Project Director is Margie MacNeille, Chair of the Select Committee on Legislative Ethics.

CLAUSE V - COVERAGE UNDER THE ETHICS LAW

The Consultant and its partners and employees who perform work under this contract may be subject to the provisions of AS 24.60 (Legislative Ethics) as legislative employees unless excluded from the definition of "legislative employee" under AS 24.60.990(10).

CLAUSE VI - EXPENSES AND DUPLICATION

- (A) Except as may be otherwise provided by Clause III, the office space, equipment, supplies, clerical support and other expenses that are necessary for the Consultant to carry out the Consultant's obligations under this contract shall be supplied and paid

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by the Consultant at no cost to the Agency.

- (B) Duplicates of any material or other item produced under this contract may be produced by the Agency, the office space, equipment, supplies, clerical support and other expenses required for the duplication shall be supplied by the Agency.

CLAUSE VII - RECORDS, DOCUMENTS, AUDIT

The Consultant shall accurately maintain those records, including detailed time records, that are required by the Project Director. The records are subject to inspection by the Agency or the Project Director at all reasonable times. All documents, reports, material, and other items generated as a consequence of work done under this contract shall become the property of the Agency, and the Agency shall own all rights included in any copyright rights for the items. Upon completion of the work or the termination of this contract, the items shall be delivered to the Project Director.

CLAUSE VIII - INDEMNIFICATION

The Consultant shall indemnify, save harmless, and defend the Agency, and the Agency's officers, agents and employees from liability for any claim, including costs and attorney fees arising from the claim, arising from Consultant's negligence in the performance of Consultant's obligations under this contract.

CLAUSE IX - VENUE

In the event that the parties to this contract find it necessary to litigate the terms of the contract, venue shall be the State of Alaska, First Judicial District, at Juneau, and the contract shall be interpreted according to the laws of Alaska.

CLAUSE X - ASSIGNMENT

This contract may not be assigned to another party unless approved in writing by the Project Director.

CLAUSE XI - WORKERS' COMPENSATION

During the life of this contract, the Consultant shall, in accordance with AS 23.30.045(d), provide and maintain workers' compensation insurance. The Consultant shall require any subcontractor to provide and maintain workers' compensation insurance for the subcontractor's employees. Consultant shall provide the Agency, upon request, with written proof of the coverage required by this clause.

CLAUSE XII - CERTIFICATION

Execution of this contract by the Legislative Affairs Agency Executive Director or her designee hereby constitutes a certification that funds are available in an appropriation to pay for work

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performed through February 1, 1997.

CLAUSE XIII - MODIFICATION AND PREVIOUS AGREEMENTS

This document contains all terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this contract shall be deemed to exist or to bind either of the parties to this contract.

This contract may not be modified unless in writing and signed by the parties to this contract.

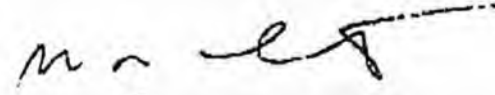
IN WITNESS WHEREOF, the parties have executed this contract on the dates indicated below:

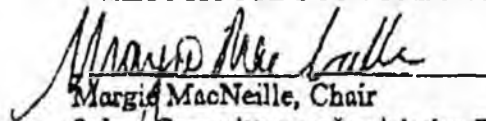
CONSULTANT

AGENCY

FRIEDMAN, RUBIN AND WHITE

SELECT COMMITTEE ON LEGISLATIVE ETHICS HOUSE SUBCOMMITTEE





Michael White
Partner
E.I.N. #92-0137537

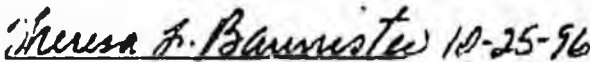
Date

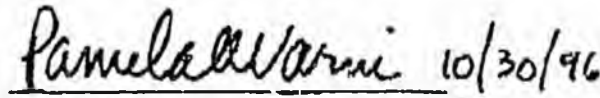
Margie MacNeille, Chair
Select Committee on Legislative Ethics
House Subcommittees

Date 10-29-96

APPROVED AS TO FORM:

CERTIFYING AUTHORITY:


Theresa F. Bannister 10-25-96
Legal Counsel Date


Pamela A. Varni 10/30/96
Executive Director Date
Legislative Affairs Agency

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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT

REPRESENTATIVE JERRY SANDERS)
)
 Petitioner)
)
 vs.)
)
 THE HOUSE SUBCOMMITTEE)
 OF THE SELECT COMMITTEE)
 ON LEGISLATIVE ETHICS)
)
 Respondent)
)

RECEIVED
JUL 24 1996
CLERK OF SUPERIOR COURT
SYREN

Case No. JAN-96-7911CI

ORDER OF STAY

The petitioner, Sanders, has filed an "EMERGENCY PETITION FOR REVIEW AND REQUEST FOR STAY OF PROCEEDINGS." The Superior Court finds good reason to grant "EMERGENCY PETITION" and to allow expedited review for the following:

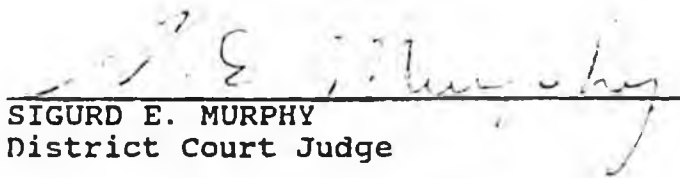
1. Whether or not the petitioner has exhausted his administrative remedies.
2. Whether or not the Superior Court for the State of Alaska has jurisdiction of this matter at the present time.
3. Whether or not the petitioner's challenge of the discovery master should have been granted either as a preemptory challenge or for cause.
4. Whether or not the respondent acted in accordance with the law with regard to the petitioner.

In "Order No. 2" issued by the hearing master, Paragraph 8 required the parties to file a motion relative to the public dissemination of filed documents. The motion was to be filed by October 18, 1996 which was a State holiday. The respondent, is

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ordered by the court, to refrain from disseminating any such documents as referenced in Paragraph 8 of Order No. 2. The petitioner shall have until the close of business on October 28th to file such motions. A hearing on the issues raised in "THE EMERGENCY PETITION" will take place on October 29, 1996 at 1:30, in courtroom 302. The petitioner is ordered to expedite all appropriate action required by the Rules of Appellate Procedure.

DATED at Anchorage, Alaska this 21st day of October, 1996.



SIGURD E. MURPHY
District Court Judge

I certify that on 10/22/96
a copy of the above was mailed to each
of the following at their addresses of
record. Syner/Span

M. L.
Deputy Clerk

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RECEIVED

OCT 7 1996

LAW OFFICE OF
LESTER K. SYREN

The House Subcommittee of the)
 Select Committee on Legislative)
 Ethics,)
)
 Complainant,)
)
 v.)
)
 Representative Jerry Sanders.)
)
 Respondent.)
 _____)

Case No. H96-02

RESPONSES TO REPRESENTATIVE SANDERS FIRST
SET OF INTERROGATORIES

COMES NOW Jerry Sanders, by and through his attorney,
 Lester K. Syren, and propounds the following Interrogatories to
 The Selection Committee on Legislative Ethics. Pursuant to Rules
 26, 33 and 34 of the Alaska Civil Rules and Procedure, AS
 24.60.170(I), you shall answer each of the following
 interrogatories under oath, in writing, separately, in the fullest
 detail possible, and in accordance with the definitions and
 instructions as set forth in ARCP 26 and 34. The answers shall be
 signed by Margie Mac Neille, and a copy of the answers together
 with your objections, if any, shall be served no later than 30
 days after the service upon you.

Your are further under a duty to reasonably supplement your
 responses with respect to any interrogatory directly addressed to
 (1) the identity and location of persons having knowledge of
 discoverable matters, and (2) the identity of each person expected

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to be called as an expert witness at trial, the subject matter on which he or she is expected to testify, and the substance of his or her testimony. In addition, you are under a duty to amend a prior response if you obtain information on the basis of which you know or have reason to know that the response was incorrect or misleading when made, or that the response, though correct when made, is no longer true, and the circumstances are such that failure to amend the response is, in substance, knowing concealment.

DEFINITIONS

The following definitions shall be controlling for the purposes of these interrogatories.

As used herein, the terms the Select Committee on Legislative Ethics refer to Plaintiff and each of your agents, executors, representatives, and attorneys, and each person acting or purporting to act on your behalf.

As used herein, the term "document" means any medium upon which intelligence or information can be recorded or from which it may be retrieved.

As used herein, the term "communication" means any oral or written utterance, notation, or statement of any nature whatsoever, by and to whomsoever including, but not limited to, correspondence, conversations, dialogues, discussions, interviews,

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consultations, agreements, and other understandings between or among two or more persons.

INSTRUCTION

With respect to each interrogatory, in addition to supplying the information requested, you are to identify all documents that support, refer to, or evidence the subject matter of each interrogatory and your answer thereto.

If any documents identified herein are no longer in your possession, custody or control because of destruction, loss, or any other reason, then do the following with respect to each and every document: a) describe the nature of the document (e.g., letter or memorandum), b) state the date of the document, c) identify the persons who sent and received the original and a copy of the document, d) state in as much detail as possible the contents of the document, and e) state the manner and date of the disposition of the document.

If you claim objection to any document or to any interrogatory on the grounds that it is privileged, please state a) the basis for your contention that the information is privileged, b) a means of identification of the document, c) the date of the document, d) the name, address, and relationship of the person who prepared the document, e) the name, address, and relationship to you of all persons to whom the document was addressed, given, or sent, and f) the name, address, and phone

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number, place of employment, occupation, and current whereabouts in relation to of every person having possession, custody, or control of the document.

INTERROGATORY NO. 1: Please identify by name, address, and phone number each and every person who assisted in any way with the Complaint entitled H96-02 (hereinafter Complaint). This request includes but is not limited to the identity of the person or persons who signed the Complaint.

RESPONSE: The person identified as responsive to Interrogatory No. 1 is Michael E. Miller, 3457 E. 67th Ave., Anchorage, AK 99507, ph. 265-8791.

INTERROGATORY NO. 2: Please identify by place, time, and persons present each and every meeting and/or conversation of two or more people in which the Letter (which allegedly constitutes a violation) and/or Representative Sanders were discussed in any way since January 1, 1996. This interrogatory included but is not limited to any and all phone conversations or other communication between two or more persons.

For each meeting and/or conversation, please identify:

a) whether and to what extent any notice was provided, including but not limited to by whom, to whom, and in what manner the notice was provided;

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b) the authority under which the meeting/conversation was held;

c) whether and to what extent notes, diaries, minutes, or other memoranda were made at any meeting/conversation;

d) the person(s) in possession of said notes, diaries, minutes, or other memoranda identified in Interrogatory 2(c).

RESPONSE: Complainant objects to this request as it calls for material protected by attorney/client privilege and the work product doctrine. Notwithstanding said objections, complainant responds that on 3/11/96, Michael Miller brought to the office of the Select Committee on Legislative Ethics, the 3/4/96 letter from Representative Sanders to Ernest Woods, and spoke with Susan Barnett.

As is the Committee's policy when possible complaints are brought to its attention, Ms. Barnett gave Miller a form. She neither encouraged him nor discouraged him from bringing a complaint.

On 7/24/96, a House Subcommittee meeting was held concerning Mr. Miller's complaint. The members present were Margie Mac Neille, Shirley McCoy, Ed Granger, Joseph Donahue, and Cynthia Toohey. On 9/23/96, the House Subcommittee held another meeting to consider the complaint. In attendance were Margie Mac Neille, Ed Granger, Joseph Donahue, Edith Vorderstrasse and

Cynthia Toohey. The following information about these meetings is responsive to respondent's requests:

a) Public notice requirements were met. The notices of the meetings were faxed to the house clerk and senate secretary.

b) The Ethics Code covers all conversations and meetings held concerning this complaint.

c) The deliberations regarding the complaint were held in executive session and these sessions are not taped, nor are minutes kept.

d) N/A

INTERROGATORY NO. 3: Please provide the name, telephone number of each and every witness you intend to call at the trial in this matter.

RESPONSE: The witnesses identified to date are as follows:

a) Michael E. Miller
3457 E. 67th Ave.
Anchorage, AK 99507
ph. 265-8791

b) Carla Schofield
Legislative Affairs Agency
130 Seward Street, Ste. 313
Juneau, AK 99801-2197
ph. (907) 465-3852

c) Ernest Woods
3457 E. 67th Ave.
Anchorage, AK 99507-2333
ph. 344-5583

- d) Linda McKay
Office Manager
Republican Party
Ph. 276-4467
- e) Representative Sanders
c/o Lester Syren
- f) Jeanne Lovell
c/o Lester Syren
- g) Jerry Ward
c/o Lester Syren
- h) Patricia Perez
c/o Lester Syren
- i) Lester Syren
c/o Lester Syren
- j) Other staff members of Representative Sanders as their
identity becomes known.
- k) Complainant reserves the right to supplement this list
as additional witnesses become known through further
discovery.

INTERROGATORY NO. 4: Please identify those witnesses whose
testimony will relate to factual issues and provide details of
their expected testimony.

RESPONSE: In response to Interrogatory No. 4, the expected
testimony, in general, of fact witnesses is as follows:

- a) Michael E. Miller:
Testimony concerning his complaint.
- b) Carla Schofield:

Testimony concerning the postage meter used to mail Representative Sander's subject 3/4/96 letter to Ernest Woods and possibly other constituents.

c) Ernest Woods:

Testimony concerning the subject 3/4/96 letter from Representative Sanders to him.

d) Linda McKay

Testimony concerning the straw poll held on 1/29/96.

e) Representative Sanders

Testimony concerning the subject 3/4/96 letter that he wrote to Ernest Woods and possibly other constituents.

f) Jeanne Lovell

Testimony concerning the subject 3/4/96 letter.

g) Jerry Ward

Testimony concerning the subject 3/4/96 letter.

h) Patricia Perez

Testimony concerning the subject 3/4/96 letter.

i) Lester Syren

Testimony concerning his involvement with the Republican Party as it relates to the instant complaint.

j) As additional witnesses are identified, the subject matter of their testimony will be disclosed in supplemental answer to Representative Sander's discovery.

INTERROGATORY NO. 5: Identify those witnesses whose testimony will relate to the issues of damages and give the details of their expected testimony.

RESPONSE: See response to Interrogatory No. 4 above. Witnesses Jeanne Lovell, Carla Schofield, and possibly other staff members of Representative Sanders, are believed to have knowledge concerning the State government resources used, and the cost to the State, in preparing and mailing the subject letter to constituents. Until complainant is able to interview Representative Sanders and his staff members, the total cost to the State is unknown.

INTERROGATORY NO. 6: Please provide the name, address and telephone number of each and every expert witness you intend to call at trial. (a) For each expert witness identified in the proceeding interrogatory, state the subject matter in which the expert is expected to testify. (b) The substance of the facts and opinions to which the expert is expected to testify, and (c) the evidence on which the expert will reply.

RESPONSE: No experts are expected to be called.

INTERROGATORY NO. 7: Please provide each expert's educational background and experience background. A copy of the expert's curriculum vita will be responsive to this response.

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RESPONSE: Not applicable.

INTERROGATORY NO. 8: For each allegation in your complaint state:

- (a) The factual basis for such allegation;
- (b) The evidence on which you intend to rely at trial to prove each allegation, and list the witnesses who will testify as to each allegation.

RESPONSE: The following is responsive to Interrogatory No. 8:

a) See 4/19/96 complaint letter from Michael Miller to the Select Committee with attached 3/4/96 letter from Representative Sanders to Ernest Woods. Susan Barnett also interviewed witnesses Mike Miller, Ernest Woods, Linda McKay, and Carla Schofield.

b) See response to Interrogatory No. 8 a) above, and response to Interrogatory No. 4 above concerning the general subject matter of the witnesses' testimony.

DATED this 7th day of October, 1996, at Anchorage, Alaska.

BOGLE & GATES, P.L.L.C.
Attorneys for the Select Committee
on Legislative Ethics

By: 

Michael R. Spaan

VERIFICATION

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)
_____)

I, Susan Burnett, being first duly sworn,
deposes and says:

1. I am the person above named.
2. I have read the foregoing and understand the contents thereof;
3. I have answered the Interrogatories and have signed said Interrogatories freely and voluntarily for the purposes set forth therein;
4. I verify that the information provided in response to these discovery requests are true and complete to the best of my knowledge and belief;
5. I verify that I have produced all the information known to me at this time and that I am under an obligation to update and supplement my responses in the future if any answer is found to be incorrect or I gain additional information which would change the answer.

DATED this 7th day of October, 1996, at Anchorage, Alaska.

By: [Signature]
Susie Burnett

SUBSCRIBED and sworn to before me this 7 day of October, 1996, at Anchorage, Alaska.

[Signature]
Notary Public in and for Alaska
My Commission Expires: 7/10/99

This is to certify that on the
____ of October, 1996, a true
and correct copy of this document
was hand delivered/mailed/faxed
to:

Lester K. Syren, Esq.
Law Offices of Lester K. Syren
1351 Huffman Road, Suite 2A
Anchorage, Alaska 99501

14-36

HOUSE SUBCOMMITTEE OF THE SELECT COMMITTEE ON
LEGISLATIVE ETHICS

ESTIMATED HEARING COSTS
November 14-15, 1996

RECEIVED
DEC 5 1996
LAW OFFICE OF
LESTER K. SYREN

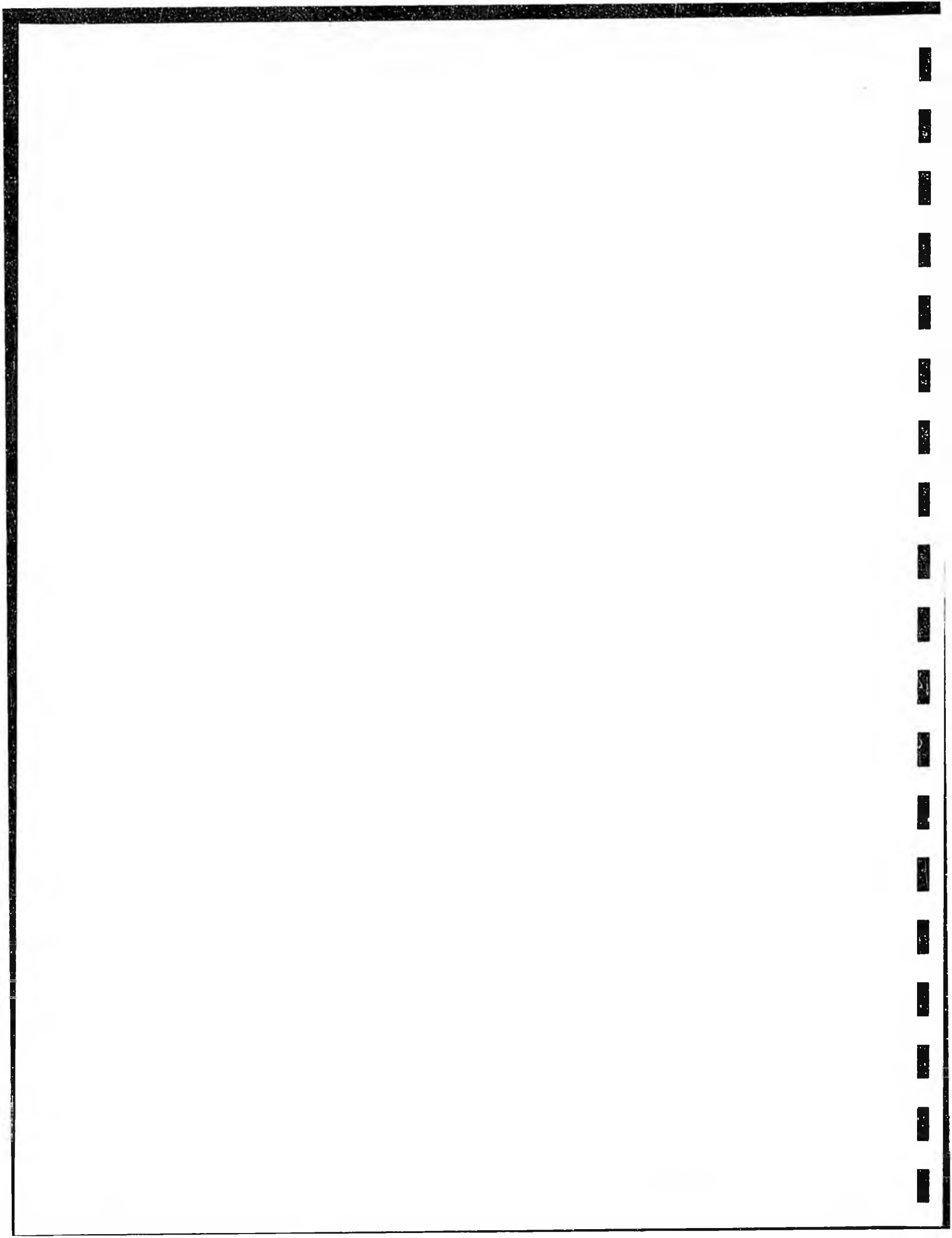
| | |
|--|--------------------|
| COURT REPORTER: Transcripts, PA system, recording | \$1193.00 |
| HEARING OFFICER | \$4118.00 |
| LEGAL COUNSEL: from point of probable cause related to public hearing | \$12,487.00 |
| STAFF TIME from point of probable cause (above normal 50-35 hour weeks) | \$200.00 |
| <u>ESTIMATED TOTAL</u> | <u>\$17,998.00</u> |

COMMITTEE: Per Diem

*Travel not included as subcommittee needed
to meet on other matters. 3 members submitted Per Diem requests. Total
unknown at this time.*

*Legal Counsel Costs related to petition filed in Superior Court by Rep.
Sanders: \$6364.00*

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This warrant will be deemed paid unless received within
two years after the date of issue for AS 37.25.700

No. 33000448

STATE OF ALASKA
LONGEVITY BONUS WARRANT

DATE OF ISSUE 08/01/88

88-52/1282
NOT TO EXCEED \$792.00

| | |
|------------|-------|
| DOLLARS | CENTS |
| [REDACTED] | |

PAY

TO THE ORDER OF

|||||

[REDACTED]

NOT NEGOTIABLE

Please carefully detach at perforation

33000448

Dear Longevity Bonus Recipient;

Legislators left Juneau without performing their most basic responsibility—passing a balanced state budget. The result is a gaping \$400 million hole in the budget and cuts to vital programs, including such medical services for the elderly as eyeglasses, hearing aids and acute dental care.

Alaskans deserve better. I am urging your lawmakers to adopt my Safe Landing Budget Plan that balances the budget in 3 years and also protects your basic services.

Sincerely,
Tony Knowles
Governor

10
1 2

Your Permanent Fund Dividend Program 1997 Household Application Booklet



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

P.O. Box 110071
Juneau, Alaska 99811-0071
(907) 486-3400
Fax (907) 486-3433

Dear Alaskan,

One of the best things about being Governor is this chance to send you your application for the Permanent Fund Dividend. It's a unique program that lets all of us share the benefits of our publicly owned resources. I'm especially pleased this year to join other Alaskans in celebrating the 20th anniversary of the Permanent Fund. We should all be proud of the \$19 billion we've set aside so far to help keep our economy stable in the days of declining state revenues.

I have asked the folks at the Dividend Division to find better ways to serve you in the years ahead. They are exploring taking applications by computer or telephone, and are considering other streamlining ideas. It's my commitment to make the process easier, more efficient and understandable for everyone. Please note that this booklet also contains a voter registration application. If you need to register or update your voter registration address, please take this opportunity to do so. If you have questions about any part of this booklet, contact the dividend information office nearest you (see Page 2 for telephone numbers).

Our Permanent Fund is one of the most successful public policy programs in the world today. As we mark this special anniversary, let us also reaffirm the commitment of all Alaskans to protect the Fund for future generations.

Sincerely,

Tony Knowles
Governor

15 YEARS OF PERMANENT FUND DIVIDENDS

| Year | Amount | Year | Amount |
|------|------------|------|----------|
| 1982 | \$1,000.00 | 1990 | .952.63 |
| 1983 | .386.15 | 1991 | .931.34 |
| 1984 | .331.29 | 1992 | .915.84 |
| 1985 | .404.00 | 1993 | .949.46 |
| 1986 | .556.26 | 1994 | .983.90 |
| 1987 | .708.19 | 1995 | .990.30 |
| 1988 | .826.93 | 1996 | 1,130.68 |
| 1989 | .873.16 | | |

Application Deadline March 31, 1997

Think about how it looks to the public when legislative employees participate in campaigns, especially the campaign of the person for whom they work.

May a legislative employee design a campaign flyer either at work or in a private location while on government time?

No.

May a legislative employee participate in gathering signatures for a ballot initiative while on government time?

No, initiatives and referendums are not legislative duties. They are considered political activities and fall within the prohibition.

If a legislator sets a schedule that, for example, allows an employee to work for five hours, be on personal time in the afternoon and return to work for three hours in the evening, may a legislative employee participate in campaign activities on the designated personal time?

Yes, so long as the employee is not in a state building while doing campaign work.

May a legislative employee assist a legislator in completing APOC campaign disclosure statements while on government time or in a state building?

No.

MASS MAILING: USE OF STATE FUNDS

AS 24.60.030(c)

State money may not be used to print or distribute a mass mailing from or about a legislator who is a candidate for state office, during the period beginning 90 days before the primary and ending the day after the general or special election. However, a legislator's personal office allowance may be used for these mass mailings at any time. The Ethics Committee may grant exceptions to this prohibition in specific cases.

JUNEAU EMPIRE

JOHN WINTERS
Publisher

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A new demagoguery?

The censure this week of U.S. House Speaker Newt Gingrich of Georgia and the ethics charges against State Rep. Jerry Sanders brought before the House Wednesday are indicative of how badly politics in this country, and in Alaska, has deteriorated. Paul E. Begala, an adviser to President Clinton from 1991 to 1995, recently wrote he believes we have begun to make criminals of those whose politics differ from ours.

Politics has always been a rough-and-tumble affair in America. Angry speeches, accusations, scandalous innuendo and other dirty tricks have been a part of the political landscape since the Revolution. That same unbridled political spirit has marked Alaska's politics since long before statehood. Although politicians across the decades have engaged in some bloody battles (literal as well as figurative) and often crossed the boundaries of good taste, seldom have opponents stooped so low as to make political differences a crime.

Since Watergate, Congress and various legislatures have tried to keep a little honesty in politics by creating ethics committees and writing rules to govern politicians' ethical conduct. Unfortunately, these new rules and committees apparently have become but another weapon in the politicians' bags of dirty tricks.

Newt Gingrich charged into Washington in 1992 at the head of what was called a new breed of politicians who claimed they had a Contract with America to change the way things are done in the nation's capital. Needless to say, they shook up Washington's power structure, Democrats and Republicans alike.

Gingrich stumbled along the way and now establishment politicians are extracting their revenge. He is the first Speaker of the House ever to be sanctioned for "serious ethical violations." Gingrich admits he made some errors in judgment, and yet using campaign funds to underwrite a college course he taught was once called academic freedom; now it's a serious violation of ethics.

Here in Alaska, Rep. Jerry Sanders is accused of violating legislative ethics for using state funds to send letters to his constituents, thanking them for voting in the GOP straw poll. This is a gray area in the rules; legislators have routinely used state funds in the past for similar purposes, Sanders says. If lawmakers don't believe funds should be used in this manner, they should write rules that more specifically prohibit such constituent service - and without a grandfather clause. Changing the rules in the middle of the game still is not sportsmanlike.

Sanders did make a mistake by cavalierly refusing to answer questions of the ethics committee. He should have. However, Sanders plans to tell his side of the story Monday during a hearing in the Rules Committee. We hope he is candid.

Meanwhile, one can't help but wonder if Sanders' ethics were questioned not because of any improper behavior on his part, but because he was running hard for office and, like Gingrich, making things difficult for his opponent. Have we created a new form of demagoguery where politicians are branded criminals because they dare to disagree?

1/12/97

STATE WARRANTS 07/92-12/96 BY VENDOR
VENDORS ARE LISTED ONLY IF THEY RECEIVED \$500 OR MORE IN 95 OR 96

PAGE 54

| 7/92-12/92 | 1993 | 1994 | 1995 | 1996 | | |
|------------|--------|--------|--------|--------|-------------------------------------|---|
| | | | 1000 | 200 | ARTSWIRE | NEW YORK FOUNDATION FOR THE ARTS NEW YORK NY |
| | | 1000 | 1000 | | ARTSWIRE | 824 SOUTH MILL AVE TEMPE AZ |
| | | 226 | 733 | | ARTURO FRIZZERA | |
| | | 1176 | 2074 | 1559 | ARTWIN E SCHMIDT | |
| | | | | 797 | ARTWORK CONVERSION, INC | 1320 MISSION ST, SUITE 5 |
| | | | | 737 | ARVIDS WOODS | 2820 RUCKER AVENUE |
| | 115 | 396 | 610 | 147 | ARVIO, INC | P O BOX 9 |
| | | | | 5262 | ARVISTA | |
| | | | 800 | | ASA L GARL AND CATHY J ERLAND | 951 CHENA HOT SPRINGS ROAD |
| | | 350 | 1900 | 2220 | ASA, ALASKA CHAPTER | ALLEN E BINGHAM, TREASURER |
| | | | 7878 | 39769 | ASACARSAMIUT TRIBAL COUNCIL | P O BOX 32249 |
| | | | 1012 | 353 | ASAP TECHNOLOGIES INC | |
| | | | 2976 | | ASAY TRUCKING, INC | P O BOX 112089 |
| | 2800 | 866 | 4864 | 11720 | ASBESTOS REMOVAL SPECIALISTS OF AK | 1189 VAN HORN ROAD |
| 307 | 1427 | 1232 | 60 | 10978 | ASCENT SOLUTIONS INC | 10460 MIAMISBURG-SPRINGBORO PIK MIAMI OH |
| | | | 10393 | | ASCG, INC | 213 3RD STREET, STE 101 |
| 195716 | 425898 | 92832 | 138559 | 56574 | ASCG, INCORPORATED | 301 ARCTIC SLOPE AVENUE, SUITE 2 ANCHORAGE AK |
| 259350 | 574217 | 186595 | | 5070 | ASCHENBRENNER LAW OFFICES INC | |
| | | | 1000 | 1000 | ASCOM HASLER MAILING SYSTEMS INC | DBA AMS-TMS |
| | | 2486 | 4477 | 3727 | ASCOM HASLER MAILING SYSTEMS INC | P O BOX 895 |
| | | 8050 | 700 | 8100 | ASDWA - ASSOCIATION OF STATE | DRINKING WATER ADMINISTRATORS |
| 401405 | 799022 | 796392 | 794116 | 866580 | ASEA LEGAL SERVICES TRUST FUND | 3111 "C" STREET, SUITE 410 |
| 2525 | 6025 | 7064 | 10785 | 7419 | ASEPSIS AIR CONTROL | P.O. BOX 17261 |
| | 258 | 95214 | 289603 | 300395 | ASHBURN & MASON | A PROFESSIONAL CORPORATION |
| | | | | 681 | ASHGATE PUBLISHING | OLD POST ROAD |
| | | | | 4735 | ASHLAND CHEMICAL INC | DBA DREW AMERIOD MARINE |
| | | | | 229658 | ASHLAND CHEMICAL, INC | P O BOX 101189 |
| | | | | | ASHLAND CHEMICAL, INC | PO BOX 2219 |
| | | | | 4915 | ASHLAND INC | DREW MARINE DIVISION |
| | | | | 1587 | ASHMORE TRAVEL | |
| | | | | 672 | ASHRAE INC | |
| | | | 28516 | 1089 | ASIAN ALASKAN CULTURAL CENTER | 1791 TULLIE CIRCLE NW |
| | | | 74016 | 93342 | ASIST, INC | P O BOX 243032 |
| | | | 2550 | | ASKINUK CORPORATION | 2900 BONIFACE PARKWAY, SUITE 100 ANCHORAGE AK |
| 660 | 1881 | 1584 | 184 | 1954 | ASKSAM SYSTEMS | P O BOX 89 |
| | 281 | 1022 | | 700 | ASPA, AK CHAPTER | P O BOX 1428 |
| | | | | 1150 | ASPEN AERIALS, INC | P O BOX 100176 |
| | | | | 7576 | ASPEN LAND SERVICES | 4303 W. 1ST STREET |
| | | | | | ASPEN LAWN SERVICE AND LANDSCAPING | 3605 ARCTIC BLVD. #201 |
| | | | | 1668 | ASPEN PUBLISHERS INC | 12700 KILLEY STREET |
| | | | | 6852 | ASPEN PUBLISHERS, INC | P O BOX 64829 |
| | | | | 690 | ASPEN PUBLISHERS, INC | ACCOUNTS RECEIVABLE DEPT |
| | | | | 2771 | ASPEN PUBLISHERS, INC | P O BOX 64141 |
| | | | | 828 | ASPHALT INSTITUTE | 200 ORCHARD RIDGE DRIVE |
| | | | | 25650 | ASPLUND SUPPLY INC | P O BOX 14052 RESEARCH PARK DRIVE WASHINGTON DC |
| | | | | 230724 | ASPLUND SUPPLY, INC | 4005 SPENARD RD |
| | | | | 816 | ASCO COMMUNICATIONS, INC | P O BOX 2006 |
| | | | | | ASSCO OF SCIENCE-TECHNOLOGY CENTERS | DBA BARROW CABLE T.V |
| | | | | 60003 | ASSEMBLIES OF GOD | 1025 VERMONT AVE, NW |
| | | | | 2393 | ASSESSMENT SYSTEMS, INC | ALASKA DISTRICT COUNCIL |
| | | | | 1190 | ASSET ALTERNATIVES, INC | P O BOX 8588 |
| | | | | | | 180 LINDEN STREET, SUITE THREE WELLESLE MA |

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1/15/97

STATE WARRANTS 07/92-10/96
DETAIL LISTING IN VENDOR - DATE ORDER

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| WARRANT# | DATE | AMOUNT | NAME/ADDRESS | DEPT/ACCOUNT |
|----------|----------|-----------|---|--|
| 24085608 | 94/08/19 | 25.00 | ASHBURN & MASON | 08 DEPT OF COMMERCE & ECONOMIC DEVELOPMENT 58735 LICENSES, FEES, PERMIT RECEIPTS - GENERAL FEES RECEIVE |
| 24501403 | 95/08/11 | 100.00 | ASHBURN & MASON | 08 DEPT OF COMMERCE & ECONOMIC DEVELOPMENT 58735 LICENSES, FEES, PERMIT RECEIPTS - GENERAL FEES RECEIVE |
| 23735374 | 93/10/26 | 258.00 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 04 DEPT OF REVENUE 73209 SPECIAL LEGAL / |
| 23980505 | 94/05/25 | 1,300.00 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS / |
| 24038509 | 94/07/14 | 11,295.04 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS / |
| 24063604 | 94/08/03 | 785.00 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS / |
| 24116380 | 94/09/15 | 60,605.34 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 24 DEPT OF TRANSPORTATION & PUBLIC FACILITIES 75150 EASEMENTS/RT OF WAY / |
| 24150754 | 94/10/13 | 9,203.99 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS / |
| 24160187 | 94/10/21 | 475.08 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 05 DEPT OF EDUCATION 73270 OTHER PROF SERVICES / |
| 24166884 | 94/10/27 | 2,415.97 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS / |
| 24191518 | 94/11/17 | 145.56 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 05 DEPT OF EDUCATION 73270 OTHER PROF SERVICES / |

1/15/97

STATE WARRANTS - 07/92-10/96 -
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| WARRANT# | DATE | AMOUNT | NAME/ADDRESS | DEPT/ACCOUNT | |
|----------|----------|-----------|---|--|---|
| 24192364 | 94/11/17 | 2,104 63 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS | / |
| 24225422 | 94/12/15 | 6,884 20 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS | / |
| 24267591 | 95/01/24 | 177 92 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 05 DEPT OF EDUCATION 73270 OTHER PROF SERVICES | / |
| 24285680 | 95/02/09 | 1,962 97 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS | / |
| 24446264 | 95/06/26 | 6,548 20 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS | / |
| 24490315 | 95/08/01 | 26,930 73 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS | / |
| 24541207 | 95/09/13 | 69 27 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS | / |
| 24541207 | 95/09/13 | 8,081 03 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS | / |
| 24603718 | 95/11/02 | 24,918 97 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS | / |
| 24603718 | 95/11/02 | 25,000 00 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS | / |
| 24620043 | 95/11/17 | 41 52 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 06 DEPT OF HEALTH & SOCIAL SERVICES 73213 CONTRACTED LEGAL SVCS | / |
| 24655636 | 95/12/21 | 24,133 53 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS | / |

1/15/97

STATE WARRANTS 07/92 10/96
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| WARRANT# | DATE | AMOUNT | NAME/ADDRESS | DEPT/ACCOUNT |
|----------|----------|------------|---|--|
| 24656361 | 95/12/22 | 52,504 99 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS / |
| 24656361 | 95/12/22 | 11,526 08 | | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS / |
| 24656361 | 95/12/22 | 107,466 82 | | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS / |
| 24656932 | 95/12/22 | 239 96 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 06 DEPT OF HEALTH & SOCIAL SERVICES 73213 CONTRACTED LEGAL SVCS / |
| 24669967 | 96/01/05 | 6,453 00 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS / |
| 24699138 | 96/01/11 | 136 80 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 06 DEPT OF HEALTH & SOCIAL SERVICES 73213 CONTRACTED LEGAL SVCS / |
| 24714676 | 96/02/14 | 353 36 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 06 DEPT OF HEALTH & SOCIAL SERVICES 73213 CONTRACTED LEGAL SVCS / |
| 24723950 | 96/02/22 | 1,697 40 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS / |
| 24747050 | 96/03/14 | 302 67 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 06 DEPT OF HEALTH & SOCIAL SERVICES 73213 CONTRACTED LEGAL SVCS / |
| 24748077 | 96/03/14 | 598 68 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 06 DEPT OF HEALTH & SOCIAL SERVICES 73213 CONTRACTED LEGAL SVCS / |
| 24757062 | 96/03/22 | 7,110 20 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS / |
| 24762359 | 96/03/28 | 15,864 49 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS / |

1/15/97

STATE WARRANTS - 07/92-10/96 -
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| WARRANT# | DATE | AMOUNT | NAME/ADDRESS | DEPT/ACCOUNT |
|----------|----------|-----------|---|--|
| 24762359 | 96/03/28 | 28,199 04 | | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS |
| 24768636 | 96/04/03 | 26,755 04 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS |
| 24777924 | 96/04/10 | 413 37 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 06 DEPT OF HEALTH & SOCIAL SERVICES 73213 CONTRACTED LEGAL SVCS |
| 24802583 | 96/05/01 | 20,605 87 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS |
| 24814403 | 96/05/13 | 14,625 93 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS |
| 24846133 | 96/06/10 | 24,955 99 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS |
| 24862125 | 96/06/21 | 4,976 64 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS |
| 24871389 | 96/06/27 | 8,051 33 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS |
| 24897882 | 96/07/22 | 7,095 00 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS |
| 24897951 | 96/07/22 | 7,899 42 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 W SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS |
| 24914399 | 96/08/03 | 3,674 98 | ASHBURN & MASON A PROFESSIONAL CORPORATION 601 W 5TH ST #505 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS |

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STATE WARRANTS 07/92 10/96
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PAGE 21

| WARRANT# | DATE | AMOUNT | NAME/ADDRESS | DEPT/ACCOUNT |
|----------|----------|-----------|--|--|
| 24914399 | 96/08/03 | 3,674.98 | | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS |
| 24945175 | 96/08/26 | 52.35 | ASHBURN & MASON A PROFESSIONAL CORPORATION 601 W. 5TH STE #505 ANCHORAGE AK 99501 | 06 DEPT OF HEALTH & SOCIAL SERVICES 73213 CONTRACTED LEGAL SVCS |
| 24945175 | 96/08/26 | 52.35 | | 06 DEPT OF HEALTH & SOCIAL SERVICES 73213 CONTRACTED LEGAL SVCS |
| 24954395 | 96/09/04 | 3,836.75 | ASHBURN & MASON A PROFESSIONAL CORPORATION 601 W. 5TH STE #505 ANCHORAGE AK 99501 | 06 DEPT OF HEALTH & SOCIAL SERVICES 73213 CONTRACTED LEGAL SVCS |
| 24969549 | 96/09/16 | 135.29 | ASHBURN & MASON A PROFESSIONAL CORPORATION 601 W. 5TH STE #505 ANCHORAGE AK 99501 | 06 DEPT OF HEALTH & SOCIAL SERVICES 73213 CONTRACTED LEGAL SVCS |
| 24977250 | 96/09/21 | 49.12 | ASHBURN & MASON A PROFESSIONAL CORPORATION 601 W. 5TH STE #505 ANCHORAGE AK 99501 | 06 DEPT OF HEALTH & SOCIAL SERVICES 73213 CONTRACTED LEGAL SVCS |
| 25002508 | 96/10/11 | 15.25 | ASHBURN & MASON A PROFESSIONAL CORPORATION 601 W. 5TH STE #505 ANCHORAGE AK 99501 | 06 DEPT OF HEALTH & SOCIAL SERVICES 73213 CONTRACTED LEGAL SVCS |
| 25003968 | 96/10/14 | 42,602.91 | ASHBURN & MASON A PROFESSIONAL CORPORATION 601 W. 5TH STE #505 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS |
| 25003979 | 96/10/14 | 59.44 | ASHBURN & MASON A PROFESSIONAL CORPORATION 601 W. 5TH STE #505 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS |
| 25064432 | 96/12/03 | 42.79 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 WEST SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS |
| 25073853 | 96/12/11 | 259.96 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 WEST SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 06 DEPT OF HEALTH & SOCIAL SERVICES 73213 CONTRACTED LEGAL SVCS |
| 25084498 | 96/12/19 | 17,294.77 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 WEST SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS |

1/15/97

STATE WARRANTS 07/92-10/96 -
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| WARRANT# | DATE | AMOUNT | NAME/ADDRESS | DEPT/ACCOUNT |
|----------|----------|-----------|--|---|
| 25090349 | 96/12/24 | 52,550 33 | ASHBURN & MASON A PROFESSIONAL CORPORATION 1130 WEST SIXTH AVENUE, SUITE 100 ANCHORAGE AK 99501 | 03 DEPT OF LAW 73213 CONTRACTED LEGAL SVCS |

TOTAL WARRANTS PRINTED - 59

1/19/97

STATE WARRANTS 07/92 10/96
DETAIL LISTING IN VENDOR - DATE ORDER

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| WARRANT# | DATE | AMOUNT | NAME/ADDRESS | DEPT/ACCOUNT |
|----------|----------|--------|---------------------|---|
| 23826790 | 94/01/13 | 9 00 | ASHBURN & MASON INC | 10 DEPT OF NATURAL RESOURCES 55135 PROCESSING FEE / |
| 23846755 | 94/02/01 | 6 00 | ASHBURN & MASON INC | 10 DEPT OF NATURAL RESOURCES 55135 PROCESSING FEE / |
| 24829025 | 96/05/27 | 100 00 | ASHBURN & MASON INC | 08 DEPT OF COMMERCE & ECONOMIC DEVELOPMENT 58735 LICENSES, FEES, PERMIT RECEIPTS - GENERAL FILES RECEIVE |

TOTAL WARRANTS PRINTED = 3

1/30/97
S. Barnett for
The Select Committee on Legislative Ethics
House Subcommittee

CASE REVIEW H 96-02

April 19, 1996: The House subcommittee received complaint H 96-02, filed by Mike Miller against Rep. Sanders, on April 19, 1996. A copy was mailed to Rep. Sanders in Juneau and a copy sent to his attorney, Lester Syren, same day.

May 7, 1996: Last day of the regular legislative session.

May 8- June 6, 1996: Legislature under special session call.

May 20, 1996: Notice of June 7 House Subcommittee meeting on H 96-02. sent to Lester Syren by Michael Spaan, counsel to the subcommittee.

June 7, 1996: The subcommittee was scheduled to meet to review the complaint on June 7, 1996. The meeting was rescheduled, due to special session, to July 24, 1996.

July 24, 1996: Subcommittee adopted a Scope of Investigation/H 96-02.

July 25, 1996: A copy of the resolution was sent to Rep. Sanders and the complainant, Mike Miller.

August 5, 1996: Letter to Syren from Spaan, requesting a conversation about proceedings related to H 96-02.

August 7, 1996: Attempt by Bogle and Gates law firm to set up interviews related to investigation.

August 8, 1996: A letter was sent from Bogle and Gates to Syren related to investigation.

August 12, 1996: Syren sent a letter to subcommittee.

August 13, 1996: Syren sent the committee a discovery request.

August 15, 1996: Spaan sent letters to Syren.

August 27, 1996: Letter to subcommittee from Syren.

August 30, 1996: Spaan sent a letter to Syren.

Ex. "E"

September 4, 1996: Syren sent letter to subcommittee.

September 9, 1996: Subcommittee issued Public Notice of House Subcommittee Meeting scheduled for September 23, 1996.

September 10, 1996: Spaan sent a letter to Syren.

September 23, 1996: House Subcommittee meeting, Syren attended the open session portion. Committee went into executive session.

September 24, 1996: A copy of the formal charges faxed to Syren's office.

September 25, 1996: The formal charges with accompanying documents were sent via certified mail to Lester Syren.

September 26, 1996: US Postal Service Return Receipt shows charges were delivered on September 26, 1996.

October 1, 1996: Subcommittee sent out request to members to submit calendar information for the months of October, November and December, indicating when they would not be available for meetings.

October 7, 1996: Syren letter to subcommittee, stating objections to the formal charges and summons.

October 8, 1996: Subcommittee sent letter to Spaan and Syren indicating subcommittee's intention to seek independent counsel to serve as master on discovery and hearing officer with a list of 11 potential masters/hearing officers. Letter requested that recommendations, whether for retention or disqualification or additional names, be submitted to the office no later than noon on Friday October 11, 1996. Copy of Oct. 7 Syren letter and Oct. 8 letter and list to Syren and Spaan sent to House Subcommittee members.

October 10, 1996: Letter from Subcommittee mailed and faxed to Syren and Spaan stating that "if Representative Sanders requests a public hearing, it is the intention of the House Subcommittee of the Select Committee on Legislative Ethics to hold the public hearing on November 14 and 15, 1996 in Anchorage, Alaska. This is subject, of course, to a pre-hearing order issued by the committee master."

October 11, 1996: Syren sent letter to subcommittee at noon posing procedural questions concerning hearing officer and requesting that he be given until October 25 to respond to the list of names. Spaan sent letter recommending two people. Chair of the subcommittee reviewed the letters and the list and appointed Michael White. Letter and back up materials were given

to White with request for resolution on summons, response issue, hearing date, public documents, pre-hearing order and procedural matters. Copy of letter to White was faxed to Syren and Spaan on 10/11/96.

October 14, 1996: White sent a letter Syren and Spaan, requesting a status hearing on October 16 and requesting that both attorneys contact him to discuss scheduling. Syren sent letter to Spaan and White stating he would be unable to attend status conference, that he had not been allowed to participate in the hearing officer/master selection process and that he felt White had a conflict in the case. Syren submitted a change of judge request on Oct. 14. White forwarded the letter and request for change of judge to the subcommittee, deferring the ruling and requesting direction from the subcommittee.

October 15, 1996: Syren sent letter adding information to the conflict issue. After review of issue, Subcommittee sent letter later the same day to White clarifying that White would not be replaced as master. White issued Order #1 on this date, relating to decision not recuse hearing officer and setting a status conference. Subcommittee issued subpoena to LAA via fax and US certified mail.

October 16, 1996: White held status conference at 5:00 p.m. Syren faxed letter to White, after 5:00 p.m. but prior to status conference, commenting on various aspects of the case. White issued Order #2, post status conference, setting hearing date of November 14 and 15, addressing discovery procedures and the public documents issue. Subcommittee filed public notice with the Chief House Clerk of October 22, 1996 teleconference meeting on procedural matters related to H 96-02. Copy faxed to Syren and Spaan on October 17.

October 17, 1996: Spaan sent request Syren for scheduling depositions for Rep. Sanders and key witness.

October 18, 1996: Syren sent letter to White, objecting to aspects of Order #2. White sent letter to Syren in response and set schedule for briefs to be filed on the public documents issue. White issued Order #3, relating to extended time to file a brief on the public documents issue and Order #4, relating time to respond to discovery requests. Syren filed objection to subpoena issued by subcommittee to LAA to produce computer back up information.

October 21, 1996: White issued Order #5, setting schedule for response on subpoena issue. Syren filed Emergency Petition for Review and Request for Stay of Proceedings with the Superior Court.

October 22, 1996: House Subcommittee meeting, public session. Subcommittee reaffirmed appointment of White as Hearing Officer, and affirmed orders 1-5. Syren attended and was provided copy of tape recording of session. Judge Murphy issued an Order of Stay. No communication requested

or received by Judge Murphy from the subcomm. prior to issuing Order to Stay.

October 23, 1996: Subcommittee filed Change of Judge in Superior Court.

October 24, 1996: Syren filed opposition to Change of Judge. Subcommittee filed motion to vacate Judge Murphy's order and to Dismiss Emergency Petition.

October 28, 1996: Subcommittee receives notice that Judge Eric Sanders is appointed to case in Superior Court. Judge sets 4:30 p.m. hearing. Judge determines that Court does not have jurisdiction over Legislature in this matter.

RULES

*Pres Primary
on books from
180 to 184*

HB0298
HB 298
4/24/91

Referred: State Affairs, Judiciary, Finance
BY REPRESENTATIVES ULMER, Brown, Parnell, G.Phillips

"An Act establishing a presidential primary election; and providing for an effective date."
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 15.13 is amended by adding a new section to read:

Sec. 15.13.012. INAPPLICABILITY TO PRESIDENTIAL PRIMARY. The provisions of this chapter do not apply to a presidential primary election under AS 15.25.221 - 15.25.261.

* Sec. 2. AS 15.25.010 is amended to read:

Sec. 15.25.010. PROVISION FOR PRIMARY ELECTION. Candidates for the elective state executive and state and national legislative offices shall be nominated in a primary election by direct vote of the people in the manner prescribed by AS 15.25.010 - 15.25.200 THIS CHAPTER .

* Sec. 3. AS 15.25 is amended by adding new sections to read:
ARTICLE 2. PRESIDENTIAL PRIMARY ELECTION.

Sec. 15.25.221. PRESIDENTIAL PRIMARY ELECTION. (a) The lieutenant governor shall call a presidential primary election on the third Tuesday in April of a year in which the President of the United States is elected.

(b) The lieutenant governor may conduct the presidential primary election on a date other than the date set in (a) of this section if the lieutenant governor sets the different date in a proclamation issued by September 1 of the year preceding the presidential election. (c) The lieutenant governor shall prepare and distribute the ballot for the presidential primary election in the manner prescribed by AS 15.25.060.

Sec. 15.25.231. PLACEMENT OF NAMES ON THE PRESIDENTIAL PRIMARY ELECTION BALLOT. The lieutenant governor shall place on the presidential primary election ballot the name of each candidate for President of the United States who, as of the date five weeks before the election, has been certified by the Federal Election Commission under 26 U.S.C. 9036(a), and has not withdrawn the candidate's candidacy.

Sec. 15.25.241. ACCESS TO THE PRESIDENTIAL PRIMARY ELECTION BALLOT BY PETITION. (a) The name of a person who does not qualify for placement on the ballot under AS 15.25.231 may be placed on the ballot if a petition is filed on the person's behalf that contains the signatures of a number of registered voters equal to one percent of the votes cast for governor in the most recent gubernatorial election. A petition under this subsection shall be filed with the lieutenant governor no later than seven weeks before the date of the election and must

(1) contain the person's full name, the name of the political party, if any, to which the person belongs, a statement that the subscribers to the petition are qualified voters, and a statement that the subscribers request that the person's name be placed on the presidential primary election ballot; and

(2) contain the printed name and the residence address of each subscriber to the petition next to the subscriber's signature.

(b) The lieutenant governor shall immediately notify a person on whose behalf a valid petition under this section has been filed of the filing, and shall advise the person that the person may withdraw the person's name from the presidential primary ballot no later than five weeks before the date of the election. A request to withdraw under this subsection must be in writing, and may be transmitted to the lieutenant governor by facsimile transmission.

EXHIBIT F

Sec. 15.25.251. PRESIDENTIAL PRIMARY ELECTION NONBINDING. The results of the presidential primary election are not binding on the delegates selected by a political party to the national convention of that party.

Sec. 15.25.261. PROCEDURES FOR CONDUCT OF ELECTION. The provisions of this title regarding the conduct of a general election govern the conduct of the presidential primary election, except to the extent that the provisions of AS 15.25.221 - 15.25.261 are inconsistent with those provisions.

* Sec. 4. This Act takes effect July 1, 1991.

HB0298

CSHB 298(JUD)

5/15/91

Referred: Finance

Sponsor(s): REPRESENTATIVES ULMER, Brown, Parnell, G.Phillips

BY THE HOUSE JUDICIARY COMMITTEE

"An Act establishing a presidential primary election for 1992; and providing for an effective date."
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. PRESIDENTIAL PRIMARY ELECTION TO BE HELD IN 1992. (a) The lieutenant governor shall call a presidential primary election on the third Tuesday in May in 1992. (b) The lieutenant governor may conduct the presidential primary election on a date other than the date set in (a) of this section if the lieutenant governor sets the different date in a proclamation issued by September 1, 1991. (c) The lieutenant governor shall prepare and distribute the ballot for the presidential primary election in the manner prescribed by AS 15.25.060.

* Sec. 2. PLACEMENT OF NAMES ON THE PRESIDENTIAL PRIMARY ELECTION BALLOT. The lieutenant governor shall place on the ballot for the 1992 presidential primary election established in sec. 1 of this Act the name of each candidate for President of the United States who, as of the date five weeks before the election, has been certified by the Federal Election Commission under 26 U.S.C. 9036(a), and has not withdrawn the candidate's candidacy.

* Sec. 3. ACCESS TO THE PRESIDENTIAL PRIMARY ELECTION BALLOT BY PETITION. (a) The name of a person who does not qualify for placement on the ballot under sec. 2 of this Act may be placed on the ballot if a petition is filed on the person's behalf that contains the signatures of a number of registered voters equal to one percent of the votes cast for governor in the most recent gubernatorial election. A petition under this subsection shall be filed with the lieutenant governor no later than seven weeks before the date of the election and must

(1) contain the person's full name, the name of the political party, if any, to which the person belongs, a statement that the subscribers to the petition are qualified voters, and a statement that the subscribers request that the person's name be placed on the presidential primary election ballot; and
(2) contain the printed name and the residence address of each subscriber to the petition next to the subscriber's signature.

(b) The lieutenant governor shall immediately notify a person on whose behalf a valid petition under this section has been filed of the filing, and shall advise the person that the person may withdraw the person's name from the presidential primary ballot no later than five weeks before the date of the election. A request to withdraw under this subsection must be in writing, and may be transmitted to the lieutenant governor by facsimile transmission.

* Sec. 4. PRESIDENTIAL PRIMARY ELECTION NONBINDING. The results of the presidential primary election established in sec. 1 of this Act are not binding on the delegates selected by a political party to the national convention of that party.

* Sec. 5. PROCEDURES FOR CONDUCT OF ELECTION. The provisions of AS 15 regarding the conduct of a general election govern the conduct of the presidential primary election established in sec. 1 of this Act, except to the extent that the provisions of this Act are inconsistent with those provisions.

* Sec. 6. This Act takes effect July 1, 1991.

04/22/91 962 (S) ADVANCED TO THIRD READING UNAN
 CONSENT
 04/22/91 962 (S) READ THE THIRD TIME CSSB
 191(JUD)
 04/22/91 962 (S) PASSED Y18 N- E2
 04/22/91 962 (S) EFFECTIVE DATE SAME AS PASSAGE
 04/22/91 966 (S) TRANSMITTED TO (H)
 04/24/91 923 (H) READ THE FIRST TIME -
 REFERRAL(S)
 04/24/91 924 (H) RESOURCES, JUDICIARY
 05/10/91 (H) RES AT 03:00 PM CAPITOL RM 124
 05/10/91 (H) MINUTE(RES)
 05/13/91 1313 (H) RES RPT 7DP
 05/13/91 1313 (H) (DP: DAVIDSON, FINKELSTEIN,
 LINCOLN,
 05/13/91 1313 (H) ..LEMAN, CARNEY, HUDSON, MOYER)
 05/13/91 1313 (H) -PREV SEN ZERO FN (DNR)
 4/15/91
 05/14/91 (H) JUD AT 03:30 PM CAPITOL RM 120

BILL: HB 298
 SHORT TITLE: PRESIDENTIAL PRIMARY ELECTION
 BILL VERSION:

SPONSOR(S): REPRESENTATIVE(S) ULMER, Brown, Parnell,
 G. Phillips

| JRN-DATE | JRN-PG | ACTION |
|----------|--------|--|
| 04/24/91 | 931 | (H) READ THE FIRST TIME - REFERRAL(S) |
| 04/24/91 | 931 | (H) STATE AFFAIRS, JUDICIARY, FINANCE |
| 05/01/91 | | (H) STA AT 08:30 AM CAPITOL RM 102 |
| 05/01/91 | | (H) MINUTE(STA) |
| 05/02/91 | 1074 | (H) STA RPT 2DP 3NR |
| 05/02/91 | 1074 | (H) (DF: KUBINA, MOYER) |
| 05/02/91 | 1074 | (H) (NR: BRUCKMAN, BAKER, CHOQUETTE) |
| 05/02/91 | 1074 | (H) -FISCAL NOTE (ELECT) 5/2/91 |
| 05/13/91 | | (H) JUD AT 01:30 PM CAPITOL RM 120 |
| 05/13/91 | | (H) MINUTE(JUD) |

BILL: SB 219
 SHORT TITLE: WORKERS' COMPENSATION: MISC. CHANGES
 SPONSOR(S): LABOR & COMMERCE BY REQUEST

| JRN-DATE | JRN-PG | ACTION |
|----------|--------|---|
| 03/20/91 | 604 | (S) READ THE FIRST TIME - REFERRAL(S) |
| 03/20/91 | 604 | (S) LABOR AND COMMERCE, THEN JUDICIARY |
| 03/21/91 | 621 | (S) JUD REFERRAL REMOVED |
| 04/05/91 | | (S) L&C AT 03:30 PM BELTZ ROOM 211 |

H Comm.

5/1/91

The House State Affairs Committee meeting was called to order by Chairman Kubina at 8:49 a.m. Members present were Representatives (Reps.) Kubina, Moyer, Bruckman, and Baker.

Chairman Kubina announced that the committee would first hear HB 298 that morning. He asked REPRESENTATIVE FRAN ULMER, prime sponsor of HB 298, to join the committee at the table.

Rep. Ulmer told the committee that HB 298 would create an early April presidential primary in Alaska. It would be a "beauty contest" primary which would give the people of Alaska the opportunity to examine and consider the candidates.

Rep. Ulmer stated that this primary would be held in coordination with the States of Washington and Oregon and that it would be a regional primary. It would bring attention to the Pacific Northwest and give the candidates an opportunity to become familiar with Northwest issues.

Rep. Ulmer stated that a bill establishing a presidential primary was passed by the legislature years ago and that bill had been repealed.

Number 080

Rep. Baker asked why the previous law was repealed.

Rep. Ulmer stated that the bill called for Alaska to hold a primary by itself and that it was not practical.

Rep. Bruckman noted that Anchorage would begin holding its municipal elections on the third Tuesday of April of 1992.

Chairman Kubina asked if this might reduce the fiscal note.

Rep. Ulmer responded that if over half the voters were already going to the polls, that it would likely reduce the fiscal note. She added that the Division of Elections personnel could speak to that issue.

Rep. Choquette arrived at 8:54 a.m.

Number 125

Rep. Moyer asked if the date of the third Tuesday in April had been mutually agreed upon by all the states involved.

Rep. Ulmer stated that the Secretaries of State of Washington and Oregon had negotiated this date and that it may be open to further negotiation.

Exhibit "F"

Rep. Moyer stated that the primary being held at the same time as the Anchorage Municipal election may reduce the cost of the primary. However, it could skew the results of the primary because of an increase in the number of voters from the Anchorage area, according to Rep. Moyer.

Number 160

Rep. Baker said that he thought that a municipal election could not take place at the same time as a statewide election. He explained what had happened in previous efforts to hold simultaneous elections.

Number 200

ELIZABETH ZIEGLER, Deputy Director, Division of Elections, stated that the Division had no position on HB 298. She added that HB 298 did have a fiscal impact. She stated that she did not know if the state elections could be held at the same time as municipal elections, but she did know that the state loaned their elections equipment to the municipalities and this might cause a problem.

Rep. Ulmer asked Ms. Ziegler to find out that answer and suggested that the Municipality of Anchorage could run the presidential primary.

Ms. Ziegler stated that the efforts could be coordinated but that the Division of Elections must run a statewide election.

Chairman Kubina asked Ms. Ziegler to explain the fiscal note.

Ms. Ziegler stated that the cost of a presidential primary would be the same as any other primary.

Number 250

Rep. Bruckman asked if there would be propositions on this ballot.

Chairman Kubina asked if constitutional amendments could be placed on the ballot at the same time.

Ms. Ziegler stated that there was very little in the statutes relating to the primary elections and that these issues could be added to the bill and the title be broadened.

Number 300

Rep. Ulmer asked Ms. Ziegler how much start up time was

needed by the Division of Elections to run the presidential primary.

Ms. Ziegler stated that the Division would need at least six months in order to have the forms ordered and printed and to educate the election workers.

JOHN GAGUINE, Attorney, Legislative Legal Counsel, stated that the presidential primary proposed by HB 298 was a "beauty contest" primary. He noted that the results were not binding on the political parties and that the primary would be purely advisory of the feelings of the people of Alaska.

Mr. Gagaine added that the candidate or supporters of the candidate must take the steps necessary to place that person on the ballot.

Number 351

Chairman Kubina asked Mr. Gagaine if it would be possible to put other issues before the people at the same time.

Mr. Gagaine stated that the answer would probably be no.

Chairman Kubina stated that there were some questions raised regarding HB 298.

Rep. Ulmer suggested that those questions spoke to the fiscal note and might be better addressed by the Finance Committee.

Rep. Moyer made a motion that HB 298 be passed from committee with individual recommendations. There were no objections and it was so moved.

Number 393

HJUD 5/19/91

HB 298 - "An Act establishing a presidential primary election; and providing for an effective date."

REPRESENTATIVE FRAN ULMER advised members that the proposed legislation would establish a presidential primary election in the state of Alaska. She pointed out that Washington and Oregon had been working together to develop a Northwest primary election and had invited Alaska to join in that effort. Representative Ulmer advised members that HB 298 would authorize a "beauty contest" presidential primary in Alaska. She explained that it would not change the party process for selecting delegates, but would allow the public to express its opinion on the subject of presidential candidates.

Representative Ulmer pointed out that the bill was straight forward and simple; however, the question was whether it would make sense for Alaska to spend the money in order to participate in a regional presidential primary election.

She felt that when Alaska had considered the idea in the past, the proposal was for Alaska to hold a primary on its own, which did not make a lot of sense because it was unlikely that Alaska could attract the candidates to the state, given its small population. Representative Ulmer stated that if Alaska would join the states of Washington and Oregon in a presidential primary election, it would be possible to focus presidential candidates on Alaskan issues and get candidates to visit the region.

Representative Hanley expressed his concern about the high costs of the bill.

Representative Ulmer pointed out that someone was available from the Division of Elections to address that concern.

She stated that it was her hope that the fiscal note could be reduced, and pointed out that Alaska could participate one time to see what kind of response there would be to the primary and incur only a one time cost rather than a continuing cost.

Representative Ulmer stated that Washington and Oregon had selected May 19 as the date of the primary, and suggested that the date in the bill be changed to coincide with the date specified by Washington and Oregon.

(Chairman Donley turned the Chair over to Vice Chairman Max Gruenberg.)

Representative Parnell expressed his concern about the high fiscal note submitted by the Division of Elections.

Exhibit "F"

Vice Chairman Gruenberg pointed out that a presidential primary election would occur every four years and questioned the high cost projected for 1995.

Representative Martin MOVED to Amend HB 298, page 1, line 14, to delete the word "APRIL" and insert the word May.

There being NO OBJECTION, Amendment 1 was ADOPTED.

Vice Chairman Gruenberg asked Representative Ulmer if it was her wish that the legislation be a temporary act.

Representative Ulmer expressed that was her desire.

Representative Martin MOVED to Amend HB 298 to be a temporary act for 1992 only. There being NO OBJECTION, Amendment 2 was ADOPTED.

Vice Chairman Gruenberg pointed out that the amendment would change the fiscal note since there would only be a one time expenditure.

ELIZABETH ZIEGLER, Deputy Director, Division of Elections, advised members that they did not take a pro or con position on the proposed legislation. She expressed the division's opinion that it was up to the legislature whether a presidential primary election should be conducted in the state.

Ms. Ziegler pointed out that the numbers reflected in the division's fiscal note were based on the cost of running the 1990 primary election, inflated by 10 percent to cover other expenses. She explained that to run a presidential primary election the division would have to travel to 438 precincts around the state to conduct education for election workers and registrars and to produce election pamphlets and ballots. Ms. Ziegler noted that primary election costs the previous year for printing ballots amounted to \$170 thousand.

Vice Chairman Gruenberg requested that the Division of Elections prepare a new fiscal note with an attached analysis.

Ms. Ziegler stated that she would prepare a new fiscal note for the committee.

Vice Chairman Gruenberg advised members that HB 298 would be brought back before the committee the following day, at which time a new committee substitute and fiscal note would be available.

H S U D 5/14/91

Chairman Donley advised members they would next consider HB 298, sponsored by Representative Fran Ulmer.

HB 298 - "An Act establishing a presidential primary election; and providing for an effective date."

Chairman Donley informed members that a Judiciary committee substitute had been prepared incorporating the suggested language changes discussed during the previous meeting.

Representative Gruenberg MOVED to ADOPT CSHB 298 (JUD).

There being NO OBJECTION, CSHB 298 (JUD) was ADOPTED.

LAURIE OTTO, staff counsel, House Judiciary Committee, noted that the director of the Division of Elections, Elizabeth Ziegler, had planned to attend the hearing;

however, she had a child care problem and was not able to make the late meeting.

Ms. Otto advised members that Ms. Ziegler provided a new fiscal note, as requested by the committee, along with a position paper attached to it. Ms. Otto advised members that Ms. Ziegler did leave a phone number if the committee wished to reach her.

Ms. Otto advised members that the Judiciary committee substitute changed the date of the primary election from April to May and also made it a temporary act, so it would only be in effect in 1992.

Representative Gruenberg referenced Section 4, page 2, advising members it was his understanding that primary elections were binding, and questioned the reason for a nonbinding presidential primary election.

Chairman Donley explained that the bill provided for what is termed a "Beauty Contest" election, and pointed out that some presidential primaries were binding and others were not.

Representative Pat Parnell MOVED to Report Out of Committee CSHB 298 (JUD) with Individual Recommendations. There being NO OBJECTION, it was so ordered.

TO: HONORABLE PETE KOTT
CHAIR, HOUSE RULES COMMITTEE
FR: LESTER SYREN
ATTORNEY FOR REP. JERRY SANDERS
RE: COOPERATION ISSUE
DA: 2/4/97

I WANTED TO BRING TO YOUR ATTENTION CERTAIN FACTS WHICH ARE RELEVANT TO THE COOPERATION ISSUE AND WHICH I BELIEVE I AM IN THE BEST POSITION TO SHARE FROM MY PERSPECTIVE.

PLEASE KNOW THAT REP. SANDERS HIRED ME IMMEDIATELY UPON RECEIVING THE COMPLAINT IN APRIL, 1996, FILED BY HIS FORMER OPPONENT, MIKE MILLER. I ADVISED REP. SANDERS CONTINUALLY FROM THAT MOMENT FORWARD. FOR A LONG TIME, UNTIL THE ELECTION DREW NEAR, I HAD LITTLE OR NO ADVICE FOR JERRY SINCE THE COMMITTEE TOOK NO ACTION.

ONCE THE COMMITTEE BEGAN ITS INVESTIGATION IN EARNEST AND ON AN UNPRECEDENTED EXPEDITED SCHEDULE JUST BEFORE THE ELECTION, I HAD PLENTY OF ADVICE FOR JERRY, AND LIKE ANYONE FACING A BRIAR PATCH OF LEGAL PROCEDURES, HE FOLLOWED MY RECOMMENDATIONS. EVERYTHING HE DID BEFORE THE COMMITTEE WAS AT MY DIRECTION.

UNDER THE ALASKA RULES OF PROFESSIONAL CONDUCT, I HAVE A DUTY TO "ZEALOUSLY ASSERT THE CLIENT'S POSITION UNDER THE RULES OF THE ADVERSARY SYSTEM." ALASKA RULES OF PROFESSIONAL CONDUCT, PREAMBLE. THUS, I WAS OBLIGATED UNDER THE BAR'S ETHICAL CODE TO MAKE SURE THAT REP. SANDERS RECEIVED FAIR TREATMENT. IT BECAME VERY CLEAR TO ME THAT REP. SANDERS WAS NOT BEING TREATED FAIRLY AT ALL.

IN THE FIRST PLACE, DUTY TO COOPERATE IS A EUPHEMISM FOR "PROVE THAT YOU ARE INNOCENT." THIS SORT OF TACTIC AMOUNTS TO MACARTHYISM, AND SHOULD NOT BE CONDONED. WHATEVER YOU DO, PLEASE DO NOT SHIFT THE BURDEN OF PROOF TO JERRY. THIS SHOULD ALWAYS REMAIN WITH THE ACCUSER, ESPECIALLY IN THIS CASE WHERE THE ACCUSER IS A FORMER POLITICAL OPPONENT.

SECOND, AS SHOWN IN THE TRANSCRIPT OF THE HEARING, THE COMMITTEE ITSELF WAS NOT COOPERATING IN THE DISCOVERY PROCESS, AND REFUSED TO ANSWER NUMEROUS DISCOVERY REQUESTS. THE HEARING MASTER ASSIGNED TO THE CASE, MICHAEL WHITE, MADE EXPEDITED RULINGS WITHOUT ALLOWING THE PARTIES AN OPPORTUNITY TO BRIEF THE ISSUES.

PLEASE DO NOT BE MISLEAD BY SOME OF THE DISTORTIONS IN THIS MATTER. IF THE COMMITTEE CLAIMS REP. SANDERS DID NOT COOPERATE, MAKE SURE THAT IT HAS VERY SPECIFIC EXAMPLES. I CAN ASSURE YOU, WHAT WAS REPORTED IN THE PAPER AND WHAT ACTUALLY HAPPENED WERE NOT ALWAYS THE SAME. FOR EXAMPLE, THE COMMITTEE REFUSED TO ALLOW JERRY TO EXERCISE HIS RIGHT TO ONE PEREMPTORY CHALLENGE OF THE HEARING MASTER. I APPEALED THIS ISSUE TO THE SUPERIOR COURT, AND BECAUSE OF THIS, THE COMMITTEE CLAIMED JERRY WAS NOT COOPERATING.

IRONICALLY, ONCE THE COMMITTEE RECEIVED AN ADVERSE DECISION FROM THE JUDGE ASSIGNED TO THE APPEAL, IT REQUESTED A DIFFERENT

JUDGE, UNDER THE VERY RULE THAT IT CLAIMED DID NOT APPLY TO JERRY. IN OTHER WORDS, THE COMMITTEE CLAIMED FOR ITSELF A RIGHT IT DENIED TO JERRY. THIS IS JUST ONE EXAMPLE OF THE DISTORTIONS ABOUT THE COOPERATION ISSUE. REP. SANDERS HAS ALREADY BROUGHT TO YOUR ATTENTION THE OTHER EXAMPLES IN THE TEN PAGE MEMO FOR STATE HOUSE RULES COMMITTEE HEARING, WHICH I INCORPORATE HERE BY REFERENCE.

I HAVE TRIED NUMEROUS CASES FOR THE PAST SEVEN YEARS, AND I CAN ASSURE YOU THAT THE LITIGATION IN THIS MATTER WAS A PICNIC COMPARED TO EVEN A STRAIGHTFORWARD PERSONAL INJURY CLAIM. THE RULES ALLOW A PARTY TO REQUEST ATTORNEY'S FEES FOR BAD FAITH OR VEXATIOUS CONDUCT BY AN OPPOSING PARTY. IT IS TELLING THAT THE COMMITTEE'S ATTORNEY MADE NO SUCH REQUEST, PRESUMABLY BECAUSE THIS WAS A NORMAL COURSE OF LITIGATION.

IF ANYTHING, CAREFUL SCRUTINY OF THE RECORD REVEALS NO ACTION BY THE COMMITTEE UNTIL THE EVE OF THE ELECTION, WHEN JERRY BEGAN RECEIVING THE TEN INCHES OF DOCUMENTS HE SHOWED THE RULES COMMITTEE AT HIS TESTIMONY. I HAVE NEVER WITNESSED A DISCOVERY MASTER ISSUE DECISIONS WITH SUCH SPEED, OR WITHOUT ALLOWING THE PARTIES THE OPPORTUNITY TO BRIEF THEM. THE MASTER EVEN WENT SO FAR AT ONE POINT TO SCHEDULE A MEETING AFTER NORMAL WORKING HOURS, AFTER REPEATED REQUESTS BY ME FOR THE COMMON PROFESSIONAL COURTESY OF ACCOMMODATING MY BUSY SCHEDULE AS A SOLE PRACTITIONER. THESE REQUESTS FELL ON DEAF EARS.

IN SHORT, JERRY'S DECISIONS REGARDING "COOPERATION" WITH THE COMMITTEE WERE AT MY DIRECTION. AS AN ATTORNEY, I TAKE MY ETHICAL OBLIGATIONS TOWARD MY CLIENT VERY SERIOUSLY, ESPECIALLY IN CASES LIKE JERRY'S, WHERE MY CLIENT IS COMPLETELY INNOCENT AND THE VICTIM OF A PARTISAN COMPLAINT FROM A FORMER POLITICAL OPPONENT. "LACK OF COOPERATION" OF COURSE DEPENDS ON WHICH ATTORNEY YOU SPEAK TO. I CAN TELL YOU AS JERRY'S ATTORNEY THAT THERE ARE TWO SIDES TO THE STORY, AND THAT THE COMMITTEE HAS NOT COME TO THE TABLE WITH CLEAN HANDS. MOREOVER, WHAT WOULD BE THE POINT OF COOPERATING WITH SOMEONE WHO HAD ALREADY CHARGED YOU WITH A CRIME, AND ALSO HAD THE FINAL SAY IN THE MATTER?

THE BOTTOM LINE IS THAT JERRY HAD NO DUTY TO COOPERATE WITH THE COMMITTEE, REGARDLESS OF WHAT THE STATUTE SAID. HIS CONSTITUTIONAL GUARANTEES TO "PRESUMED INNOCENCE" ARE CERTAINLY MORE IMPORTANT.

JERRY, LIKE ANYONE ELSE WHO IS UNFAMILIAR WITH LEGAL PROCEDURES, LISTENED TO HIS ATTORNEY. YOU MAY BLAME OUR ADVERSARIAL SYSTEM OF JUSTICE, WHICH GUARANTEES THAT BOTH SIDES WILL BE HEARD. YOU CAN'T BLAME JERRY, THOUGH, FOR FOLLOWING HIS ATTORNEY'S ADVICE.