

**CONFIRM.
HEARING:
SELECT
COMMITTEE
ON LEG.
ETHICS**


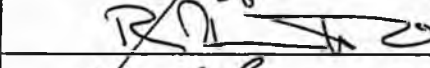
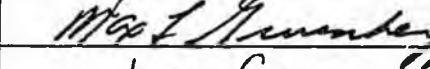
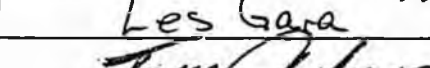
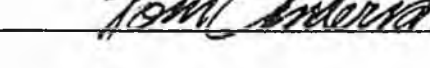

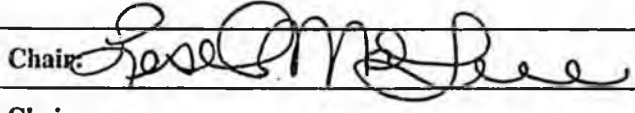
CONFIRMATION COMMITTEE REPORT

Action date: January 28, 2004

In accordance with AS 24.60.130, the Judiciary Committee has reviewed the qualifications of the following Chief Justice's appointee and recommends that this name be forwarded to the House for ratification:

Select Committee on Legislative Ethics

H. Conner Thomas

Signature:	Printed Last Name
	SAMUELS
	HOLM
	Ogg
	Gruenberg
	Les Gara
	ANDERSON
Chair: 	McKeive,
Chair:	

Please return to the Chief Clerk's office.


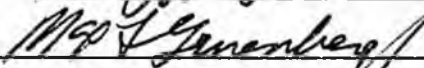
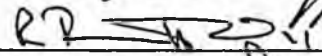

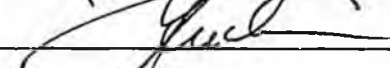
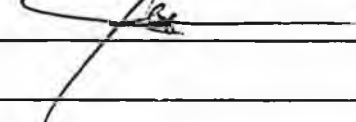
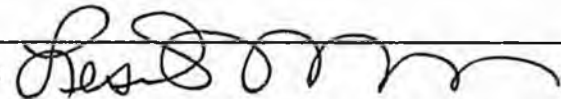
CONFIRMATION COMMITTEE REPORT

Action date: January 28, 2004

In accordance with AS 24.60.130, the Judiciary Committee has reviewed the qualifications of the following Chief Justice's appointee and recommends that this name be forwarded to the House for ratification:

Select Committee on Legislative Ethics

Ann Rabinowitz

Signature:	Printed Last Name
	ANDERSON
	Gruenberg
	Ogg
	SAMUELS
	Sara
	Horin
Chair: 	Mourner
Chair:	

Please return to the Chief Clerk's office.



Official Business

Alaska State Legislature

House of Representatives

Office of the Chief Clerk

State Capitol, Room 216
Juneau, AK 99801-1182
Phone: (907) 465-3725
Fax: (907) 465-5334

MEMORANDUM

Date: January 13, 2004

To: Representative McGuire, Chair
Judiciary Committee

From: Suzi Lowell *sl*
Chief Clerk

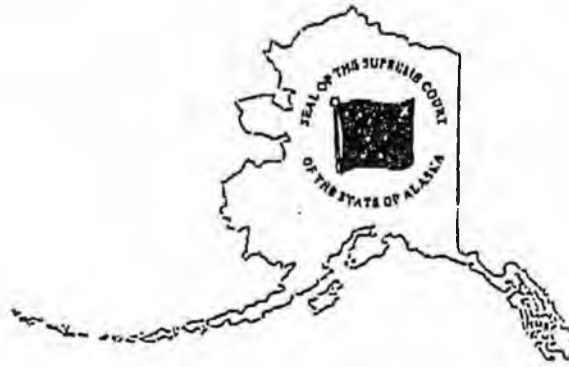
Subject: Chief Justice's Appointments

Speaker Kott referred the following appointments by Chief Justice Alexander O. Bryner to the Judiciary Committee:

Select Committee on Legislative Ethics
H. Conner Thomas (incumbent) of Nome
Ann Rabinowitz of Anchorage

The committee reports are attached for your use.

Attachments as noted



Chambers of
Alexander O. Bryner
Chief Justice

Supreme Court
State of Alaska

303 K Street
Anchorage, Alaska
99501-2083

(907) 264-0632
FAX (907) 264-0640

December 29, 2003

The Honorable Gene Therriault
Senate President
State Capitol, Room 111
Juneau, Alaska 99801-1182

The Honorable Pete Kott
Speaker of the House
State Capitol, Room 208
Juneau, Alaska 99801-1182

Dear President Therriault and Speaker Kott:

Alaska Statute 24.60.130(b)(3) designates the Chief Justice of the Alaska Supreme Court to nominate the five public members who sit on the Select Committee on Legislative Ethics. The terms of two current public members will expire as of January 12, 2004, the first day of the legislative session.

In my capacity as Chief Justice, and pursuant to AS 24.60.130(b)(3), I am nominating the following persons to fill these positions:

(1) H. Conner Thomas (incumbent). Mr. Thomas is an attorney in Nome and can be reached at (907) 443-5226. His mailing address is P.O. Box 61, Nome, Alaska 99762. For purposes of determining compliance with AS 24.60.130(c), Mr. Thomas is a Democrat.

(2) Ann Rabinowitz. Mrs. Rabinowitz is a teacher in Juneau and can be reached at (907) 586-2103. Her mailing address is P.O. Box 22528, Juneau, Alaska 99802. For purposes of determining compliance with AS 24.60.130(c), Mrs. Rabinowitz is a Democrat.

President Therriault and Speaker Kott
December 29, 2003
Page Two

Please let me know if I can provide you with any other information on this matter.

Sincerely,



Alexander O. Bryner
Chief Justice

AOB:da

cc: H. Conner Thomas
Ann Rabinowitz
Joyce Anderson, Select Committee on Legislative Ethics

Sec. 24.60.130. Select committee on legislative ethics.

(a) There is established as a permanent interim committee within the legislative branch of state government the Select Committee on Legislative Ethics.

(b) The committee consists of nine members, in two subcommittees, as follows:

- (1) the senate subcommittee, which consists of two members of the senate, one of whom shall be a member of the minority organizational caucus, if any, appointed by the president of the senate with the concurrence by roll call vote of two-thirds of the full membership of the senate, and includes the five public members appointed under (3) of this subsection;
- (2) the house subcommittee, which consists of two members of the house, one of whom shall be a member of the minority organizational caucus, if any, appointed by the speaker of the house with the concurrence by roll call vote of two-thirds of the full membership of the house, and includes the five public members appointed under (3) of this subsection; and
- (3) five public members who are selected by the Chief Justice of the Alaska Supreme Court and who are ratified by two-thirds of the full membership of the senate and two-thirds of the full membership of the house.

(c) No more than one public member may be a former legislator and no more than two public members of the committee may be members of the same political party.

(e) Except as provided in this subsection, a vacancy on the committee shall be filled under (b) of this section. An individual who is appointed to fill a vacancy that occurs during the last 10 days of the first regular session of a legislature or during the interim between regular sessions of that legislature serves without concurrence or ratification through the 10th day of the second regular session of the legislature. An individual who is appointed to fill a vacancy that occurs during the last 10 days of the second regular session of a legislature or during the interim after the second regular session serves without concurrence or ratification through the convening of the first regular session of the next legislature.

(g) Each legislative member serves for the duration of the legislature during which the member is appointed. Each public member serves for a term that commences on the date the member is ratified and ends on the first day of the third regular session that follows the ratification. A public member whose term has expired continues in office until a successor has been appointed and ratified or until the 30th calendar day of the first legislative session that follows the successor's appointment, whichever is earlier. A member of the committee may be removed from membership on the committee for failure to carry out the person's duties as a member of the committee. A legislator may be removed with the concurrence by roll call vote of two-thirds of the full membership of the house of the legislature to which the member belongs. A public member may be removed with the concurrence by roll call vote of two-thirds of the full membership of each house of the legislature.

(m) Except as provided in (b)(1) and (2) of this section, a member may not be a legislator, a legislative employee, an elected or appointed official required to make disclosures under AS 39.50 (public official financial disclosure), an officer of a political party, a candidate for public office, or a registered lobbyist.

RESUME

H. Conner Thomas
P.O. Box 865
Nome, Alaska 99762
907-443-5226/fax: 907-443-5098
e-mail: nomelaw@gci.net

EDUCATION

University of Louisville, School of Law
Louisville, Kentucky
J.D. (1977)

University of Kentucky
Lexington, Kentucky
B.A. Economics (1973)

EMPLOYMENT

Larson, Timbers & Thomas, P.C. August 1986 to present
Nome, Alaska
Associate and partner in a small general practice law firm

State of Alaska, Public Defender Agency May 1983 to August 1986
Nome, Alaska
Representing indigent criminal defendants

State of Alaska Court System - magistrate September 1982 to May 1983
Nome, Alaska
Arraign criminal defendants, preside over misdemeanor trials, act as master in child in need of aid and juvenile delinquency cases

Alaska Legal Services Corporation October 1979 to September 1982
Nome, Alaska
Staff and supervising attorney for law office representing indigent clients in civil cases

U.S. Department of Interior May 1979 to October 1979
Anchorage, Alaska
Land adjudicator

VISTA Volunteer October 1977 to January 1979
Fairbanks and Nome, Alaska
Staff attorney with Protection and Advocacy for developmentally disabled, Fairbanks, Alaska

Staff attorney with Alaska Legal Services Corporation, Nome, Alaska

ORGANIZATION

Legislative Ethic Committee
Public Member

January 1999 to present

Nome Kennel Club
Nome, Alaska
President, Board of Directors

December 1992 to present

Alaska Civil Liberties Union
Board of Directors

April 1994 to October 1997

Citizen Review Committee
Department of Health & Social Services

October 1985 to January 1987

ALASKA PUBLIC OFFICES COMMISSION
2221 E. NORTHERN LIGHTS, #128
ANCHORAGE, AK 99508-4149
907/276-4176 - FAX: 276-7018

ARRIVED

JAN 12 2004

APOC - ANCH
PM HC FAX

1-9-04

**2004 LEGISLATIVE FINANCIAL DISCLOSURE STATEMENT
(AS 24.60.200 - 24.60.260)**

INFORMATION ABOUT HOW TO COMPLETE THIS REPORT

- ◆ This report is for incumbent legislators, legislative directors and public members of the Select Committee on Legislative Ethics.
- ◆ This report covers the preceding calendar year, so include only information about financial interests held and business involvement's **between January 1, 2003 and December 31, 2003.**
- ◆ You must show your own financial interests and those held by your spouse or domestic partner and dependent children living with you during calendar year 2003.
- ◆ If you need additional space to complete this report, use copies of the pages needed.
- ◆ The LFD Manual contains useful information about how to complete this report.
- ◆ If you have any questions or need help completing the form, refer to the instruction manual.
- ◆ If you still need help, call APOC at 907/276-4176.

SIGN THIS REPORT ON THE LAST PAGE. THIS REPORT IS DUE March 15, 2004.

Members of the Select Committee on Legislative Ethics file on January 12, 2004.

BACKGROUND INFORMATION

NAME: H. Conner Thomas 907-443-5226 907-443-5098
Phone Number Fax Number

OCCUPATION: Attorney

MAILING ADDRESS: P.O. Box 61 nomelaw@gci.net
(Street Address or Post Office Box) E-Mail Address

Nome, Alaska 99762
(City/Town and Zip Code)

Day Phone Number 907-443-5226 Day Fax Number 907-443-5098

OFFICE HELD (Check One): Legislator Legislative Director

Public member of the Select Committee on Legislative Ethics

TITLE: Chairperson of House Subcommittee

FAMILY MEMBER INFORMATION (list names):

SPOUSE OR DOMESTIC PARTNER: Margaret Ann Thomas

DEPENDENT CHILDREN: Maisie Emerson Thomas

PZ

**SCHEDULE A
SOURCES OF INCOME OVER \$5000**

Salaried Employment

If NONE reportable, check box ⇒

Report the name and address of each employer from whom more than \$5000 was received during calendar year 2003.

List your employment as a legislator or legislative director, and each source of salaried income over \$5000 for your spouse, domestic partner and dependent children. You are not required to disclose the amount of salary received by your family members or the salary you received from your state employment.

Provide enough detail when describing the nature of services to tell a reader what work was performed for the salary received.

Report the amount of income you received when your employer:

- Hired a lobbyist or was a lobbyist;
- Had or sought contracts with the legislature or agency of the state that exceeded \$10,000;
- Was a municipality or local government entity; or
- Was affected financially by an action of the legislature or any other state agency in an amount exceeding \$5,000 including actions concerning professional or occupational licenses, natural resource permits or quotas, rates of assessment or taxation, health, safety or environmental standards and insurance or business practices.

Use copies of this page if you need additional space to complete this section.
See pages 6-8 of the LFD manual for more help with this section.

Name of filer, spouse, domestic partner, or child: Margaret Ann Thomas

Employer's Name: Nome Public Schools

Employer's Address: P.O. Box 131, Nome, Alaska 99762

Nature of Services Provided: Substitute Teacher

Amount: Not required for family member

Name of filer, spouse, domestic partner, or child: _____

Employer's Name: _____

Employer's Address: _____

Nature of Services Provided: _____

Amount: \$ _____

Name of filer, spouse, domestic partner, or child: _____

Employer's Name: _____

Employer's Address: _____

Nature of Services Provided: _____

Amount: \$ _____

JAN 1 2004

JAN 1 2 2004

**SCHEDULE A
SOURCES OF INCOME OVER \$5000**

Self-Employment

If NONE reportable, check box

Self-employment results when the person whose income is being reported worked for any of the following: a corporation in which you, your spouse, domestic partner or dependent children or a combination of them held a controlling interest, or a sole proprietorship, limited liability company, partnership, or professional corporation in which the person whose income is being reported has an ownership interest.

List the name, address, and nature of services provided for each non-retail source of income from whom more than \$5000 was received as compensation for personal services by you or a family member. Provide enough detail when describing the nature of services to tell a reader what work was performed for the compensation received.

If the business is non-retail, list the nature of services performed and the name and address of each client or customer who paid the business over \$5000 during calendar year 2003.

Report the amount of income you received from a client, patient or customer when the client, or customer:

- Hired a lobbyist or was a lobbyist;
- Had or sought contracts with the legislature or agency of the state that exceeded \$10,000;
- Was a municipality or local government entity; or
- Was affected financially by an action of the legislature or any other state agency in an amount exceeding \$5,000 including actions concerning professional or occupational licenses, natural resource permits or quotas, rates of assessment or taxation, health, safety or environmental standards and insurance or business practices.

Use copies of this page if you need additional space to complete this section.
See pages 8-10 of the LFD manual for more help with this section.

Name of filer, spouse, domestic partner, or child: H. Conner Thomas

Business Name: Lewis & Thomas, P.C., P.O. Box 61, Nome, Alaska 99762

Retail Non-Retail (If you check non-retail, list clients/customers, and amounts if required, below.)

Name of client/customer: Attachment A

Client/Customer Address: Attachment A

Nature of Services Provided: Legal Services

Amount: \$ _____

Name of client/customer: _____

Client/Customer Address: _____

Nature of Services Provided: _____

Amount: \$ _____

Name of client/customer: _____

Client/Customer Address: _____

Nature of Services Provided: _____

Amount: \$ _____

JAN 12 2004

**SCHEDULE A
SOURCES OF INCOME OVER \$5000**

Dividends and Interest

If NONE reportable, check box ⇒

Report the source of all dividends, interest and capital gains over \$5000 earned during calendar year 2003.

- List the financial institutions in which cash accounts or CD's were held.
- List the name(s) of a stock, bond, mutual fund or other entity which paid you a dividend, interest or capital gain of more than \$5000 during last year, whether held directly or through a brokerage account.
- (Report the assets of a retirement account or trust on page 8)

See page 13 of the LFD manual for more help with this section.

Recipient (filer, spouse, domestic partner, or child)

Name of Source of Income

H. Conner and Margaret A. Thomas

Wachovia Securities Brokerage Account

See Attachment B

Rental Income

If NONE reportable, check box ⇒

List the first and last name of each tenant from whom over \$5000 was received during calendar year 2003. If property is located outside Alaska and managed by a person other than you, your spouse, domestic partner or dependent child, you may list the managing agent instead of listing each tenant.

See page 14 of the LFD manual for more help with this section.

Owner (filer, spouse, domestic partner, or child)

Tenant(s)

Other Income

If NONE reportable, check box ⇒

List each source of income over \$5000 not listed elsewhere on this statement, including income from the sale of real property; social security; longevity bonus; retirement; the assets of an IRA cash-out; the name of the person who paid alimony or child support; government entitlements; honoraria and shared living expenses.

See page 14 of the LFD manual for more help.

Recipient (filer, spouse, domestic partner, or child)

Name of Source

JAN 12 2004

**SCHEDULE B
BUSINESS INTERESTS**

Business Interests

If NONE reportable, check box

Report all business relationships even if they were not sources of income to you, your spouse, domestic partner, or dependent children during calendar year 2003.

- List ownership interests of more than \$5000 as a shareholder in publicly traded stocks, regardless of income, that are not listed elsewhere on this Statement. (A list of the names of publicly traded stocks such as IBM or Microsoft may be listed by name only on a separate page.)
- List interests as a sole proprietor, shareholder, owner, partner, officer, or director including native corporations.
- List involvements in profit and non-profit corporations as a director or officer.

Describe the business's activity with enough detail to tell a reader what the organization actually does.

See page 16 of the LFD manual for more help.

Name of filer, spouse, domestic partner, or child: H. Conner Thomas
Business Name: Lewis & Thomas, P.C.
Business Address: P.O. Box 61, Nome, Alaska 99762
Nature of Interest: Shareholder/Partner/Owner
Description of Business's Activity: Legal services

Name of filer, spouse, domestic partner, or child: H. Conner Thomas and Margaret A. Thomas
Business Name: _____
Business Address: _____
Nature of Interest: Shareholder
Description of Business's Activity: Investment Account. See Attachment B

Name of filer, spouse, domestic partner, or child: _____
Business Name: _____
Business Address: _____
Nature of Interest: _____
Description of Business's Activity: _____

Name of filer, spouse, domestic partner, or child: _____
Business Name: _____
Business Address: _____
Nature of Interest: _____
Description of Business's Activity: _____

Name of filer, spouse, domestic partner, or child: _____
Business Name: _____
Business Address: _____
Nature of Interest: _____
Description of Business's Activity: _____

JAN 12 2004

**SCHEDULE B
REAL PROPERTY INTERESTS**

Real Property Interests

If NONE reportable, check box

Report all real property interests, including real estate held through a trust or sold during calendar year 2003.

Include a street address, city and state or complete legal description for each piece of property listed.

List the name of Limited Partnerships in the "Business Interests" section on page five.

Use copies of this page if you need additional space to complete this section.

See page 17 of the LFD manual for more help.

Name of filer, spouse, domestic partner, or child: H. Conner Thomas and Margaret A. Thomas

Street Address or Legal Description: Lots 13B, 14B and 15B, First Addition to Banner Creek Subdivision,
Plat 83-11, Cape Nome Recording District, State of Alaska

City or Borough and State: Cape Nome Recording District, State of Alaska

Nature of Interest: Owner Residential and investment
(Option to Buy, Ownership, Leasehold) Current Use

Name of filer, spouse, domestic partner, or child: H. Conner Thomas and Margaret A. Thomas

Street Address or Legal Description: Lots 5 and 6, Melsing Creek Subdivision, Second Judicial District

City or Borough and State: Cape Nome Recording District, State of Alaska

Nature of Interest: Owner Recreational
(Option to Buy, Ownership, Leasehold) Current Use

Name of filer, spouse, domestic partner, or child: _____

Street Address or Legal Description: _____

City or Borough and State: _____

Nature of Interest: _____
(Option to Buy, Ownership, Leasehold) Current Use

Name of filer, spouse, domestic partner, or child: _____

Street Address or Legal Description: _____

City or Borough and State: _____

Nature of Interest: _____
(Option to Buy, Ownership, Leasehold) Current Use

Name of filer, spouse, domestic partner, or child: _____

Street Address or Legal Description: _____

City or Borough and State: _____

Nature of Interest: _____
(Option to Buy, Ownership, Leasehold) Current Use

JAN 12 2004

**SCHEDULE C
LOANS, LOAN GUARANTEES, AND DEBTS
Of More Than \$5000**

Loans, Loan Guarantees, and Debts

If NONE reportable, check box ⇒ X

Report the name of each creditor or lender to whom more than \$5000 was owed during any part of the prior calendar year by you, your spouse, domestic partner or dependent children.

List financial obligations including mortgages on property sold during calendar year 2003; loans that have been guaranteed, delinquent taxes, alimony, child support payments; medical bills; mortgage, boat and auto loans; business and personal loans; escrow's; student loans; signature loans; and promissory notes. Loans include secured, unsecured and contingent loans. Do not report credit card obligations or revolving charge accounts.

Circle whether the entity is a lender, creditor or guarantor.

See page 18 of the LFD manual for more information about the reporting requirements.

Name of Debtor (filer, spouse, domestic partner or child)

Name of Lender/Creditor/Guarantor

Name of Debtor (filer, spouse, domestic partner or child)

Name of Lender/Creditor/Guarantor

Name of Debtor (filer, spouse, domestic partner or child)

Name of Lender/Creditor/Guarantor

Name of Debtor (filer, spouse, domestic partner or child)

Name of Lender/Creditor/Guarantor

LOANS, and LOAN GUARANTEES, Of More Than \$1000

Report the address of the creditor or lender, the original amount of the obligation, current balance owed, interest rate, length of the loan, and whether a written loan agreement exists for a creditor or lender who:

- Hired a lobbyist or was a lobbyist;
- Had or sought contracts with the legislature or agency of the state that exceeded \$10,000;
- Was a municipality or local government entity; or
- Was affected financially by an action of the legislature or any other state agency in an amount exceeding \$5,000 including actions concerning professional or occupational licenses, natural resource permits or quotas, rates of assessment or taxation, health, safety or environmental standards and insurance or business practices.

Use copies of this page if you need additional space to complete this section.

See page 18 of the LFD manual for more information about the reporting requirements.

Source of a loan or loan guarantee that had a substantial interest in legislative, administrative or political actions.

Name of Debtor (filer, spouse, domestic partner, or child)

Name of Lender/Creditor

\$ _____
Original Amount Owed

\$ _____
Balance Owed

Address of Lender/Creditor

Interest Rate %

Length of Loan Years

Does written loan agreement exist? YES NO

JAN 12 2004

SCHEDULE C
BENEFICIAL INTEREST IN RETIREMENT ACCOUNTS/TRUSTS
Exceeding \$5000

Retirement Accounts Trusts

If NONE reportable, check box

Report each beneficial interest in a retirement account or trust during calendar year 2003 for you, your spouse, domestic partner or dependent children. Trusts include **employee benefit accounts (pension and profit-sharing accounts), retirement accounts (IRA, 401K, SEP, Keogh) and family trust funds.** Assets of a trust include stocks, bonds, mutual funds, cash accounts, CD's, real property, and interests in limited partnerships.

- Name the trustor (the person who provided the funds or assets for the trust).
- List the assets by name such as IBM stock or Templeton Growth Fund

See page 20 of the LFD manual for more help.

H. Conner Thomas
Name of filer, spouse, domestic partner or child:

Various (see below)
Extent of Interest (Percent)

Lewis & Thomas, P.C.
Name of the person, employer or entity who provided the funds or assets (Trustor)

Ltd. Partnership Merrill Lynch (33% ownership; Attachment C); 401(K) plan (100% ownership; Attachment D)
Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

H. Conner Thomas
Name of filer, spouse, domestic partner, or child:

100%
Extent of Interest (Percent)

IRA Account, Wachovia Securities
Name of the person, employer or entity who provided the funds or assets (Trustor)

Attachment E
Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

H. Conner Thomas
Name of filer, spouse, domestic partner, or child:

100%
Extent of Interest (Percent)

State of Alaska, SBS, PERS
Name of the person, employer or entity who provided the funds or assets (Trustor)

Attachment F
Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

Margaret A. Thomas
Name of filer, spouse or domestic partner, or child:

100%
Extent of Interest (Percent)

New York Life Insurance Annuity, Sun Life of Canada Annuity, IRA Account Wachovia Securities
Name of the person, employer or entity who provided the funds or assets (Trustor)

Attachment G, H, and I
Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

Maisie E. Thomas
Name of filer, spouse or domestic partner, or child:

100%
Extent of Interest (Percent)

Henry and Betty Landsberger (Golden State Scholarshare 529 Account),
H. Conner and Margaret A. Thomas (T. Rowe Price University of Alaska 529 Account)
Name of the person, employer or entity who provided the funds or assets (Trustor)

Attachments J, K
Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

**SCHEDULE C
GOVERNMENT CONTRACTS AND LEASES
CERTIFICATION**

Contracts and Offers to Contract

If NONE reportable, check box ⇒

List all contracts and offers to contract with the state or instrumentality of the state during calendar year 2003 held, bid or offered. Report this information for yourself, your spouse, domestic partner or, dependent child who was a sole proprietor, a partnership or professional corporation of which you are a member; or a corporation in which you or your family members listed above (or a combination of them) held a controlling interest.
See page 21 of the LFD manual for more help.

Lewis and Thomas, P.C.
Name(s) of Contractor

Department of Administration
Office of Public Advocacy
Contracting Agency/Department

\$500,000
Indicate: Bid, held or offer made

2001-0200-1856
Contract number and description

Natural Resource Leases

If NONE reportable, check box ⇒

List all natural resource leases, including mineral, timber, or oil leases bid held or offered during calendar year 2003. Report this information for yourself, your spouse, domestic partner or dependent child who was a sole proprietor, a partnership or professional corporation of which you are a member; or a corporation in which you or your family members listed above (or a combination of them) held a controlling interest.
See page 22 of the LFD manual for more help.

Leaseholder

Nature of Lease

Indicate: Bid, held or offer made

Identity of Lease and Description

CERTIFICATION

I certify under penalty of perjury that the information in this Statement is, to the best of my knowledge, true, correct and complete. A person who makes a false sworn certification which he or she does not believe to be true is guilty of perjury.

H. Conrad Thomas
SIGNATURE

1-9-04
DATE

H. Conrad Thomas
Printed Name of Filer

Nome, Alaska
Place

File this Statement with the

ALASKA PUBLIC OFFICES COMMISSION
2221 E. Northern Lights #128
Anchorage, AK 99508-4149
Telephone 907/276-4176
FAX 907/276-7018

OR

ALASKA PUBLIC OFFICES COMMISSION
PO Box 110222
Juneau, AK 99811-0222
240 Main, Rm. 201
Telephone 907/465-4864
FAX 907/465-4832

JAN 12 2004

2003 Disclosures

Sitnasuak Native Corp Box 905 Nome, AK 99762	Office of Public Advocacy 900 W. 5th Ave. Suite 525 Anchorage, AK 99501	Natasha Gamache P.O. Box 1553 Nome, AK 99762	David Antonsen-Csiki P.O. Box 1111 Nome, AK 99762
Tia Wakolee P.O. Box 407 Kotzebue, AK 99752	Erick Baxter P.O. Box 1449 Nome, AK 99762	Bonanza Fuel, Inc. P.O. Box 1129 Nome, AK 99762	Rene Merchant c/o Earl & Lisa Merchant P.O. Box 1321 Nome, AK 99762
Estate of Duane Cocking C/o Karen Voggenthaler 2511 117 th Ave., N.E. Lake Stevens, WA 98258	Michael Badberg 202 Clark Talmage, NE 68448	Michael Scott P.O. Box 1471 Nome, AK 99762	Cody Iya c/o Cora Iya P.O. Box 899 Nome, AK 99762
Linnea Baker P.O. Box 1103 Nome, AK 99762			

**H CONNER THOMAS &
MARGARET A THOMAS JTWROS**

Page 2 of 8

 Sub / Branch / Rep Account No.
 001 / 87 / 8751 8317-8599

November 1 - November 30, 2003

JAN 1 2004

Portfolio Assets

This section includes estimated or unrealized gains or losses for your information only and should not be used for tax purposes. If acquisition information is not available, the gain/loss information may not be displayed and section and summary totals may not reflect your complete portfolio. Cost basis information provided by the account owner is not verified by First Clearing, LLC and should not be relied upon for legal or tax purposes. Bonds purchased at a premium or O.I.D. (Original Issue Discount) will be carried at the original cost basis. Factored bonds (GNMA, CMO, etc.) will be adjusted for paydown of principal. Systematic investments in mutual funds and reinvested dividends for mutual funds and stocks have been consolidated for each position. Unit cost data for systematic investments and dividend reinvestment securities is provided for informational purposes only and is a non-weighted average. To update your cost information or provide omitted cost information, contact your Financial Advisor. Estimated Annual Income, when available, reflects the estimated amount you would earn on a security if your current position and its related income remained constant for a year. Estimated Annual Yield, when available, reflects the current estimated annual income divided by the current value of the security as of the statement closing date. The information used to derive these estimates is obtained from various outside vendors; FCC is not responsible for incorrect or missing estimated annual income and yields.

Cash and money market funds

Description
Cash

 BANK DEPOSIT SWEEP
 OPTION

Interest Period 11/03/03 - 11/30/03

 EVERGREEN MONEY MKT FD
 CL A

Interest Period 11/03/03 - 11/30/03

Total cash and money market funds

Curious how your securities are valued (and which may not be complete). Request a copy of your statement, contact Your Financial Advisor.

Stocks and options

Stocks
Description

 ALLIED WASTE INDS INC
 NEW PAR \$0.01
 Acquired 12/09/02

 MERISOURCEBERGEN CORP
 Acquired 12/20/01
 Acquired 02/01/02
 Acquired 07/17/02

Total

 ANK OF AMERICA CORP
 Acquired 07/01/99
 Acquired 09/05/00

ATTACHMENT B



WACHOVIA SECURITIES

H CONNER THOMAS &
MARGARET A THOMAS JTWROS

Page 1 of 8

ACCOUNT STATEMENT

Sub / Branch / Rep Account No.
001 / 87 / 8751 8317-8599

November 1 - November 30, 2003

JAN 1 2 2004

Your Financial Advisor:
LISA DOCHÉ/RAY YERKES
20551 N. PIMA ROAD, STE 200
SCOTTSDALE, AZ 85255
800-453-6737
480-419-2015

Current Investment Objective: Growth + Moderate

Account Summary

Portfolio Summary

Portfolio assets

Cash and money marketStocks and optionsPreferred stocksBondsCertificates of DepositMutual fundsAnnuities/InsuranceUnit Investment trustsTotal assetsOutstanding margin balanceNet portfolio value

Other assets

These positions reflect purchases made for informational purposes only. If you can update this section. These are protected by SIPC.

Direct investmentsSpecial productsOther assets

Realized Gain/Loss

Short-termLong-termTotal Realized gain/loss



H CONNER THOMAS &
MARGARET A THOMAS JTWROS

Sub / Branch / Rep Account No.
001 / 87 / 8751 8317-8599

November 1 - November 30, 2003

Stocks and options

Stocks continued

Description
Acquired 12/09/02

Total

BARNES & NOBLE INC
Acquired 08/28/02

BIOTECH HOLDERS TR
DEPOSITARY RCPTS
Acquired 05/02/03

CAREMARK RX INC
Acquired 12/09/02

CISCO SYSTEMS INC
Acquired 01/02/01
Acquired 03/06/01
Acquired 04/11/01
Acquired 05/27/03

Total

COMCAST CORP NEW CL A
Acquired 05/12/03

COMPUTER ASSOC INTL INC
Acquired 07/01/99
Acquired 06/06/00
Acquired 07/25/00
Acquired 12/11/02

Total

CONOCOPHILLIPS
Acquired 03/26/99
Acquired 11/03/99
Acquired 03/06/00

Total

DELL INC
Acquired 02/11/00
Acquired 11/27/00

Total

EXXON MOBIL CORP
Acquired 07/01/99

GENERAL ELECTRIC COMPANY
Acquired 05/09/02

H CONNER THOMAS &
MARGARET A THOMAS JTWROS

Page 4 of 8

Sub / Branch / Rep Account No.
001 / 87 / 8751 8317-8599

November 1 - November 30, 2003

Stocks and options

Stocks continued

Description
Acquired 07/18/02
Acquired 10/23/02

Total

ING GROEP N V
SPON ADR
Acquired 06/18/03

INTEL CORP
Acquired 06/21/99
Acquired 12/10/02

Total

MEDTRONIC INC
Acquired 11/07/01
Acquired 12/10/02
Acquired 11/11/03

Total

MICROSOFT CORP
Acquired 04/12/00
Acquired 06/02/00
Acquired 10/03/01
Acquired 03/08/02

Total

PFIZER INCORPORATED
Acquired 02/07/01
Acquired 03/14/01
Acquired 12/09/02
Acquired 11/11/03

Total

PIER 1 IMPORTS INC
Acquired 08/28/02

PITNEY BOWES :NC
Acquired 01/09/03

SOUTHWEST AIRLINES CO
Acquired 06/06/02
Acquired 12/11/02

Total

JAN 12 2004

**WACHOVIA SECURITIES****H CONNER THOMAS &
MARGARET A THOMAS JTWROS**

Page 5 of 8

ACCOUNT STATEMENT

Sub / Branch / Rep Account No.
001 / 87 / 8751 8317-8599

November 1 - November 30, 2003

Stocks and options

Stocks continued

Description
US BANCORP NEW Acquired 11/03/00 Acquired 03/11/02
Total
VISHAY INTERTECHNOLOGY Acquired 06/10/03
Total Stocks
Total Stocks and options

Mutual funds

Estimated annual income and yield

Description
ADVISORS SER TR AI FRANK FD Acquired 03/14/02 Acquired 01/08/03
Total
ALLIANCEBERNSTEIN FDS WORLDWIDE PRIVATIZATION FUND CL A Acquired 02/19/99 Dividend reinvestment
Total
CGM REALTY FUND Acquired 12/11/02 Dividend reinvestment
Total
FIRST EAGLE SOGEN FDS INC OVERSEAS FD CL A Acquired 12/10/02
ISHARES MSCI JAPAN INDEX FD Acquired 11/18/03

JAN 12 2004

**H CONNER THOMAS &
MARGARET A THOMAS JTWROS**

Sub / Branch / Rep Account No.
001 / 87 / 8751 8317-8599

November 1 - November 30, 2003

Mutual funds

Description
MUNIYIELD FUND INC Acquired 08/12/99 Acquired 12/10/02 Acquired 12/10/02
Total
NUVEEN INSD MUN OPPTY INC Acquired 12/27/94
SALOMON BROTHERS FUN INC Acquired 05/02/03
Total Mutual funds

Cost information for one o

Activity Detail

Date	Account Type
11/03	Cash
11/03	Cash
11/04	Cash
11/07	Cash
11/10	Cash
11/11	Cash
11/11	Cash
11/11	Cash
11/11	Cash
11/14	Cash

JAN 1 2 2004



WACHOVIA SECURITIES

H CONNER THOMAS &
MARGARET A THOMAS JTWROS

ACCOUNT STATEMENT

Sub / Branch / Rep Account No.
001 / 87 / 8751 8317-8599

November 1 - November 30, 2003

Activity Detail continued

Date	Account Type	Transaction	Quantity	Description
11/14	Cash	JOURNAL		MUTUAL FUND 12B-1 REBATE
11/14	Cash	TRANSFER TO		BANK DEPOSIT SWEEP OPTION
11/14	Cash	DIVIDEND		ALLIANCEBERNSTEIN FDS WORLDWIDE PRIVATIZATION FUND CL A 111403 1,585.24700 AS OF 11/14/03
11/17	Cash	REINVEST DIV	6.05500	ALLIANCEBERNSTEIN FDS WORLDWIDE PRIVATIZATION FUND CL A
11/18	Cash	PURCHASE	800.00000	ISHARES MSCI JAPAN INDEX FD
11/18	Cash	TRANSFER TO		BANK DEPOSIT SWEEP OPTION
11/19	Cash	DIVIDEND		PIER 1 IMPORTS INC 111903 225
11/21	Cash	TRANSFER FROM		EVERGREEN MONEY MKT FD CL A
11/26	Cash	DIVIDEND		MUNIYIELD FUND INC 112603 600
11/28	Cash	INTEREST		BANK DEPOSIT SWEEP OPTION
11/28	Cash	DIVIDEND		EVERGREEN MONEY MKT FD CL A 112803 39,463
11/28	Cash	REINVST DIV/INT		BANK DEPOSIT SWEEP OPTION
11/28	Cash	REINVST DIV/INT		EVERGREEN MONEY MKT FD CL A

JAN 12 2004

**H CONNER THOMAS &
MARGARET A THOMAS JTWROS**

Sub / Branch / Rep Account No.
001 / 87 / 8751 3317-8599

November 1 - November 30, 2003

Realized Gain/Loss

The following section details security positions you closed this month through such transactions as sales, buys-to-close, redemptions, transfers, corporate actions, etc. If we have the acquisition date, close date, and cost information, the realized gain/loss will be calculated. In December, a recap of all transactions for the year is listed. The realized gains and losses for municipal bond positions purchased at a premium do not reflect the amortization of that premium. Capital gain distributions from mutual funds are not included. Please contact your tax advisor to determine the tax consequences of your securities transactions.

Realized gain/loss summary

	Year to date	Year to dr LC
Short-term		
Long-term		
Total realized gain/loss		
Short-term		
Description		
HEALTH MANAGEMENT ASSOC INC NEW CL A		
Total Short-term		
Long-term		
Description		
EMERSON ELECTRIC CO		
Total Long-term		

JAN 12 2004

Thank you for allowing Wachovia

ACCOUNT #	F/A #	PAGE #	TELEPHONE #
05C45	8688	1	907-561-4433
STATEMENT PERIOD			
11/01/03 TO 11/28/03			
FINANCIAL ADVISOR		INVESTOR	
MERRILL LYNCH PETERSON GRP		CREDIT LINE	
OFFICE SERVING YOUR ACCOUNT:			TYPE
501 C ST PENTHOUSE STE WEST			CASH
ANCHORAGE AK 99503			

LARSON TIMBERS & THOMAS PC
PROFIT SHARING PLAN
U/A 01/01/1994
PO BOX 61
NOME AK 99762-0061

** 99762-0061

FOR CUSTOMER SERVICE PLEASE CALL TOLL-FREE 1-800-MERRILL

ACCOUNT SUMMARY

OPENING BALANCE	CLOSING BALANCE	INVESTMENTS	MONEY ACCOUNTS	PRICED PORTFOLIO
\$594.00CR	\$594.00CR	\$0	\$0.00	\$594.00

DAILY ACCOUNT ACTIVITY

DATE	TRANSACTION	DESCRIPTION	PRICE	AMOUNT
01	OPENING BALANCE			\$594.00CR
28	CLOSING BALANCE			\$594.00CR
	*****	OTHER	*****	
	*****	INDEPENDENTLY VALUED DIRECT INVESTMENTS	*****	

INVESTMENT DESCRIPTION	QUANTITY	EST. VALUE PER UNIT	EST. VALUE*
WAL LEE ACQUISITION RETIREMENT FUND II LP 89	10	8.000	\$80(1)
SUB-TOTAL			\$80

THE AMOUNTS PRESENTED FOR LIMITED PARTNERSHIPS AND OTHER DIRECT INVESTMENTS ARE FOR INFORMATIONAL PURPOSES ONLY, GENERALLY DO NOT REPRESENT THE MARKET OR LIQUIDATION VALUE OF THESE INVESTMENTS, AND MAY VARY FROM VALUES (IF ANY) PROVIDED BY THE ISSUER OR OTHERS. THESE INVESTMENTS ARE GENERALLY ILLIQUID AND ARE NOT LISTED ON A NATIONAL SECURITIES EXCHANGE OR THE NASDAQ STOCK MARKET, AND INVESTORS MAY NOT BE ABLE TO SELL THEM OR REALIZE THE AMOUNTS SHOWN ABOVE UPON A SALE OR LIQUIDATION. ALSO, THESE AMOUNTS ARE NOT INCLUDED IN THE "PRICED PORTFOLIO" OR SIMILAR CATEGORIES OF THIS STATEMENT. THESE INVESTMENTS ARE NOT REGISTERED IN THE NAME OF OR HELD BY MLPF&S OR ITS NOMINEES AND ARE HELD BY YOU OR REGISTERED IN YOUR NAME WITH THE ISSUER OR ITS AGENT. MLPF&S DOES NOT HOLD OR ACT AS CUSTODIAN FOR THESE INVESTMENTS. THE AMOUNTS REPRESENT ONE OF THE FOLLOWING, AS INDICATED:

1) - AN ESTIMATE OF VALUE PROVIDED TO MERRILL LYNCH BY AN INDEPENDENT VALUATION SERVICE ON A SEMI-ANNUAL BASIS; IN THIS CASE, AN ESTIMATE OF VALUE BASED ON INFORMATION AVAILABLE TO THE SERVICE ON MARCH 31, 2003. THIS AMOUNT HAS NOT BEEN ADJUSTED TO REFLECT CHANGES WHICH MAY HAVE TAKEN PLACE SUBSEQUENT TO THAT VALUATION DATE.

2) - UNAVAILABLE; THE VALUE OF THIS INVESTMENT MAY BE DIFFERENT THAN ITS ORIGINAL PURCHASE PRICE.

THE DISCLOSURE ON THE REVERSE SIDE OF THIS STATEMENT WITH RESPECT TO THE VALUE OF LIMITED PARTNERSHIPS AND OTHER DIRECT INVESTMENTS SHOULD BE DISREGARDED IN FAVOR OF THE ABOVE.

ASSET ALLOCATION

WELLS FARGO STABLE INCOME FUND
WELLS FARGO DIV BOND FUND
DREYFUS INTERM TERM INCOME
JANUS ADVISORY BALANCED
AIM BASIC VALUE FUND
AIM MID CAP
WELLS FARGO LARGE CO GROWTH
JANUS ADVISER CAP APPREC
WELLS FARGO SMALL CAP OPP
AMERICAN CENTURY INTL GROWTH
MFS INTL NEW DISCOVERY
FROZ ASSET LTD PARTNERSHIP
TOTAL

SHARES/

CURRENT
INVESTMENT

ALLOCATION

ATTACHMENT D

JAN 12 2004

**H CONNER THOMAS IRA
FCC AS CUSTODIAN**

Sub / Branch / Rep Account No.
001 / 87 / 8751 7775-5180

November 1 - November 30, 2003

JAN 12 2004

Portfolio Assets

This section includes estimated or unrealized gains or losses for your information only and should not be used for tax purposes. If acquisition information is not available, the gain/loss information may not be displayed and section summary totals may not reflect your complete portfolio. Cost basis information provided by the account owner is not verified by First Clearing, LLC and should not be relied upon for legal or tax purposes. Bonds purchased at a premium or O.I.D. (Original Issue Discount) will be carried at the original cost basis. Factored bonds (GNMA, CMO, etc.) will be adjusted for paydown of principal. Systematic investments in mutual funds and reinvested dividends for mutual funds and stocks have been consolidated for each position. Unit cost data for systematic investments and dividend reinvestment securities is provided for informational purposes only and is a non-weighted average. To update your cost information or provide omitted cost information, contact your Financial Advisor. Estimated Annual Income, when available, reflects the estimated amount you would earn on a security if your current position and its estimated income remained constant for a year. Estimated Annual Yield, when available, reflects the current estimated annual income divided by the current value of the security as of the statement closing date. The information used to derive these estimates is obtained from various outside vendors; FCC is not responsible for incorrect or missing estimated annual income and yields.

U.S. Fixed money market funds

Description

VERGREEN MONEY MKT FD

A

Investment Period 11/03/03 - 11/30/03

U.S. Cash and money market funds

How are your securities performing? (This information may not be complete). Revisions to this information, contact Your Financial Advisor.

Bonds

Government bonds

Description

JPM TRES RCPT 08/04

INT PMT

04

CIP 222655FF4

Issued 05/08/92

U.S. Government bonds

U.S. Bonds

Cost information for one or more securities is not available.

ATTACHMENT E

STATE OF ALASKA SUPPLEMENTAL ANNUITY PLAN

H R THOMAS
675251

Account Summary by Investment Option

	<u>Beginning Balance</u>	<u>Deposits</u>	<u>Change in Value</u>	Transfers	Withdrawals /Expenses	Ending Balance	Ending Units/ Shares
Alaska Balanced Fun Totals							

Employee Before Tax
Employer Before Tax
Totals

<u>Investment Code</u>	<u>Investment Option</u>
1159	Brandes INST International Equity Fund
2144	T. Rowe Price Small Cap Stock Trust
4281	Citizens Core Growth Fund
5022	Global Balanced Fund
5128	Alaska Long-Term Balanced Fund
5024	Alaska Balanced Fund
5133	Tactical Asset Allocation Fund
6021	Daily Government/Corporate Bond Fund
7076	Short-Term Investment Fund
125	Alaska Target 2020 Fund
101	Alaska Target 2015 Fund
102	Alaska Target 2010 Fund
103	Alaska Target 2005 Fund
4031	S & P 500 Stock Index Fund

Both the employee and employer monies are 100% services under different names have all been branded the brand name. All of the current products, service remains the same. Welcome to the new Great-We

Alaska Public Employees' Retirement System

Annual Benefit Statement as of 6/30/2003

The Alaska Division of Retirement & Benefits is pleased to provide you with this benefit statement. This personalized statement highlights the financial security you are building for the future. It also summarizes the protection you and your family have against financial losses that may occur because of your disability or death. This statement is produced using data as of 6/30/2003. Please review the statement carefully, verifying total years of service and personal data such as birth date, marital status, etc.

Your benefits are a significant portion of your compensation package. The value of your benefits will continue to increase over time and you will want to compare this statement with those you receive in the future to measure your progress. Most financial planners suggest you need 65% to 85% of your current monthly income to maintain your standard of living at retirement. When you are two years away from retirement, contact the Division of Retirement and Benefits to enroll in a retirement planning seminar.

The account and service information contained in this statement is based on data reported by your employer(s). Please contact your employer(s) about any discrepancies. The benefit information shown is an estimate. While every effort has been made to ensure the accuracy of your statement, please know it does not have the force and effect of the law, rule, or regulations governing the payment of benefits. All benefits will be paid under the provisions of the applicable Alaska Statutes and Federal law.

Personal Information

Name: H CONNOR THOMAS
Retirement ID Number: R000142157
Birth Date: 12/20/1951 Marital Status: M

Account Summary as of 6/30/2003

- Our records indicate you are in Tier I
- Your total service is 3.12 years
- You are not vested in PERS
- Your estimated average monthly earnings are \$5,587
- You currently have no service indebtedness

Annual Contributions Summary

July 1, 2002 Account Balance

Mandatory Interest Earned

June 30, 2003 Account Balance

Retirement Summary

- Our records show that you are not currently active in the PERS. No projected benefit can be calculated based on inactive service. For your information, the following data would apply if you returned to service in the near future.
- Your PERS status means that you must be 55 years old or have 30 years of service to be eligible for normal retirement.
- If you were to return to work now, the earliest you could retire would be 1/1/2007.
- As of the 6/30/2003 service posting date, you did not have enough creditable service to be eligible for a benefit.

statement were estimated under the normal with a monthly income for your lifetime. receive money from the PERS. If a retiree was t the time of death, their surviving spouse may alth insurance benefits.



H CONNOR THOMAS
PO BOX 865
NOME, AK 99762-0865

JAN 12 2004

New York Life Insurance and Annuity Corporation
(A Delaware Corporation)
PO Box 539
Dallas, TX 75221
(800) 695-1314

The Company You Keep



ANNIVERSARY NOTICE



MRS MARGARET A THOMAS
PO BOX 865
NOME, AK 99762-0865

Agent/Representative
JOHN LUKEHART CLU CHFC
701 W 8TH AVE STE 900
ANCHORAGE, AK 99501-3467
(907) 257-5213

Welcome to your 1st anniversary. This notice is designed to keep you informed of the value of your policy.

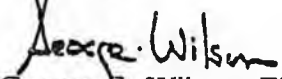
<u>CLIENT ID</u>	<u>POLICY NUMBER</u>
005-845-215	51 003

TOTAL
\$18,300

CASH VALUE AS OF
INTEREST EARNED
WITHDRAWAL:
SURRENDER CHARGE
CASH VALUE AS OF
INITIAL PREMIUM EFFECTIVE DATE

Your continued satisfaction is our goal. We are happy to answer your questions.

Sincerely,


George E. Wilson, FLM
Service Center Vice President

ATTACHMENT G

JAN 12 2004

184589-12

MARGARET A THOMAS 403B PLAN
PO BOX 865
NOME AK 99762-0865

LISA LADDS DOCHE
WACHOVIA SECURITIES LLC
20551 N PIMA RD STE 200
SCOTTSDALE AZ 85255



CONTRACT

Contract N

Issue Date
Annuitant N
Primary Be

CURRENT

Variable
Investment O
Total Return

Grand Total

HISTORICAL

Investment O
Total Return
Government S
Total

If you find a
statement. U
statement, v

DEATH BENEFIT

Listed below

Greatest of a

Total Death

ADDITIONAL INFORMATION

Our automa
values or to



ATTACHMENT H

JAN 1 2 2004

MARGARET A THOMAS IRA R/O
FCC AS CUSTODIAN

Statement for

Sub / Branch / Rep Account No.
001 / 87 / 8751 7772-4195

Statement period: July 1 - September 30, 2003

JAN 12 2004

Portfolio Assets

This section includes estimated or unrealized gains or losses for your information only and should not be used for tax purposes. If acquisition information is not available, the gain/loss information may not be displayed and section and summary totals may not reflect your complete portfolio. Cost basis information provided by the account owner is not verified by First Clearing, LLC and should not be relied upon for legal or tax purposes. Bonds purchased at a premium or O.I.D. (Original Issue Discount) will be carried at the original cost basis. Factored bonds (GNMA, CMO, etc.) will be adjusted for paydown of principal. Systematic investments in mutual funds and reinvested dividends for mutual funds and stocks have been consolidated for each position. Unit cost data for systematic investments and dividend reinvestment securities is provided for informational purposes only and is a non-weighted average. To update your cost information or provide omitted cost information, contact your Financial Advisor. Estimated Annual Income, when available, reflects the estimated amount you would earn on a security if your current position and its related income remained constant for a year. Estimated Annual Yield, when available, reflects the current estimated annual income divided by the current value of the security as of the statement closing date. The information used to derive these estimates is obtained from various outside vendors; FCC is not responsible for incorrect or missing estimated annual income and yields. Current: How are your securities performing? The "Unrealized gain/loss" column tells you how much each stock has increased or decreased in value since you bought it (based on cost data supplied by you or by outside services, which may not be complete). Revisions to this information (because of corporate mergers, tenders and other reorganizations, for example) may be necessary from time to time. To update your cost information or provide omitted costs, contact Your Financial Advisor.

Bonds

Government bonds

Description
US TREAS STRIPS 05/04
INTEREST PMT
DUE 05/15/04
CUSIP 912833FU9
Acquired 12/16/94

Total Government bonds

Total Bonds

Cost information for one or more se

ATTACHMENT I

Thank you for allowing Wachovia Se

Individual Retirement Account

38,355

Statement for

MARGARET A THOMAS IRA R/O
FCC AS CUSTODIAN

Page 1 of 2

Sub / Branch / Rep Account No.
001 / 87 / 8751 7772-4195

Statement period: July 1 - September 30, 2003



Your Financial Advisor:
LISA DOCHERAY YERKES
20551 N. PIMA ROAD, STE 200
SCOTTSDALE, AZ 85255
800-453-6737
480-419-2015

Current Investment Objective: Growth + Conservative

Account Summary

Statement Period

Year-to-date

Portfolio Summary

Portfolio assets

Cash and money market
Stocks and options
Preferred stocks
Bonds
Certificates of Deposit
Mutual funds
Annuities/Insurance
Unit investment trusts
Total assets
Outstanding margin balance
Net portfolio value

Other assets

These positions reflect purchases for informational purposes only. If you can update this section. These are protected by SIPC.

Direct investments
Special products
Total other assets

Realized Gain/Loss

Short-term
Long-term
Total Realized gain/loss

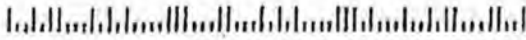
JAN 12 2004



Account Statement

P.O. Box 60009
 Los Angeles, CA 90060-0009
 1-877-728-4338
 www.scholarshare.com

07/01/2003 to 09/30/2003



GOLDEN STATE SCHOLARSHARE TRUST
 HENRY A LANDSBERGER OWNER
 MAISIE E THOMAS BENEFICIARY
 346 CAROLINA MEADOWS VILLA
 CHAPEL HILL NC 27517-7519

Now It's Even Easier To Save With ScholarShare! Enroll in an Automatic Contribution Plan (ACP) and add/change your banking information - all online at www.scholarshare.com! Automatic contributions are a convenient and effective way to build towards your college-savings-goals. For more information call us 1-877-728-4338. Effective October 1, 2003, accumulations arising from contributions received under the funding agreement for the Guaranteed Option before October 1, 2003 will be credited with an effective annual interest rate of 3.00%, and are guaranteed to earn this rate through September 30, 2004, subject to the claims paying ability of TIAA-CREF Life Insurance Company. Contributions received under the funding agreement for the Guaranteed Option from October 1, 2003 until further notice will be credited with an effective annual interest rate of 3.00%, and are guaranteed to earn this rate through September 30, 2004, subject to the claims paying ability of TIAA-CREF Life Insurance Company. Teachers Personal Investors Services, Inc., distributor.

ACCOUNT VALUE

Trust-Account Number Name and Registration	Total Trust Units Owned	Trust Unit Price	Beginning Balance	Ending Balance
1817-27927525 <i>Age-Based Asset Allocation Option</i> FUND SERIES 1817 GOLDEN STATE SCHOLARSHARE TRUST HENRY A LANDSBERGER OWNER MAISIE E THOMAS BENEFICIARY				
1796-27927525 <i>Aggressive Age-Based Asset Allocation Option</i> FUND SERIES 1796 GOLDEN STATE SCHOLARSHARE TRUST HENRY A LANDSBERGER OWNER MAISIE E THOMAS BENEFICIARY				
1903-27927525 GUARANTEED OPTION GOLDEN STATE SCHOLARSHARE TRUST HENRY A LANDSBERGER OWNER MAISIE E THOMAS BENEFICIARY				

TOTAL NET CONTRIBUTION
\$8,000.00

Trust-Account Number
 Trust Name

1817-27927525
Age-Based Asset Allocation Option
 FUND SERIES 1817
 1796-27927525
Aggressive Age-Based Asset Allocation Option
 FUND SERIES 1796

ATTACHMENT J



JAN 12 2004



PO BOX 1778
BALTIMORE MD 21207
800 782 0008
WWW.ACCUMULATIONS.COM

Statement Date: December 30, 20

000000056

U A COLLEGE SAVINGS PLAN
H CONNER THOMAS
FBO MAISIE E THOMAS
PO BOX 865
NOME AK 99762-0865

If this statement reflects a PFD contribution and you have not returned an Account Agreement to T. Rowe Price, you have 90 days from the statement date listed above to make changes to your account or request a refund of your PFD contribution amount.

U A COLLEGE SAVINGS PLAN	Portfolio Number - Name	Account Number
H CONNER THOMAS	502 - Portfolio 2015	521030327
FBO MAISIE E THOMAS		

TRANSACTION ACTIVITY

Trade/Settlement Date	Description of Transaction	Dollar Amount of Transaction	Unit Price	Units This Transaction	Total Units Owned
-----------------------	----------------------------	------------------------------	------------	------------------------	-------------------

ATTACHMENT K

JAN 12 2004

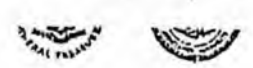
FROM : H. LANDSBERGER

PHONE NO. : 9199293919

Jan. 03 2004 07:16PM P2

CollegeBoundfund

P.O. BOX 100004
San Antonio, TX 78278-6004



MARGARET A THOMAS
H CONNER THOMAS SUCC PARTIC
FBO MAISIE E THOMAS
PO BOX 865
NOME AK 99762-0865

Account Statement Period
July 01, 2003 - September 30, 2003

Page 1 of 1

Primary Beneficiary:
MAISIE E THOMAS
Beneficiary Date of Birth:
08/07/1997

Beneficiary expected
date to attend college:
2015



005998

MORGAN KEEGAN & CO., INC.
3100 TOWER BLVD
SUITE 404
DURHAM NC 27707-2563

Rep. Name:
GOLDFINCH, JOHN
Rep No.: DH20

Market Value as of July 1, 2003: \$205.72
Market Value as of September 30, 2003: \$213.62

419-2500 x 531

CollegeBound Fund News

This holiday season, give a child the Gift of Education and take advantage of your 529 plan's unique, accelerated gifting feature. And, since anyone can contribute to CollegeBoundfund - parents, grandparents, family and friends - it's easy to save for a child's college education. Order a gift card and certificate today.

Account Summary Detail	Fund Number	Beginning Balance	Current Period Withdrawals	Current Period Contributions	Change in Account Value	Closing Market Value
Fund Activity Detail	CBF AGI FUND/AC					
	Confirm Date					
	09-30					
	COLLEGE QUARTER YEAR TC					
To Invest By Mail	MARGA H CONN FBO MA					

Make yt above n this stu Third p



JAN 1 2 2004

Annie Rabinowitz
P.O. Box 22528
Juneau, Alaska 99802
Resume Highlights

Work History

Harborview Elementary School 2001-Present
Teacher's Aide
Assistant to head Montessori Teacher. Work with Special Needs children with learning disabilities. Provide support for the lead teacher in implementing the Montessori program.

Big City Books 1995-1998
Salesperson
Ordered books from publishers and sold books to customers.

Woodriver Elementary School 1979-1994
Classroom Teacher
Taught fourth and fifth grade students at an elementary school in Fairbanks. Classroom responsibilities included teaching the curriculum established by the School Board.

Education

University of Alaska Fairbanks
Bachelor of Arts, 1979
Philosophy Major Education Minor

Fairbanks High School
High School Degree, 1954

Community and Volunteer Activities

Alaska State Museum 1997-Present
Volunteer in the Docent Program. Lead tours in the summer for tourists. Lead tours during the school year for school programs.

Friends of the Alaska State Museum Board Member 1997-2001
Assisted with fundraising and advocacy for the Museum. Helped design the Museum education program.

Johnson Youth Center 1996-2000
Provided GED tutoring for incarcerated youth. Taught arts and crafts classes.

ARRIVED

JAN 27 2004

APOC JUNEAU
PM HC FAX

2004 LEGISLATIVE FINANCIAL DISCLOSURE STATEMENT
(AS 24.60.200 - 24.60.260)

INFORMATION ABOUT HOW TO COMPLETE THIS REPORT

- ◆ This report is for incumbent legislators, legislative directors and public members of the Select Committee on Legislative Ethics.
- ◆ This report covers the preceding calendar year, so include only information about financial interests held and business involvement's between January 1, 2003 and December 31, 2003.
- ◆ You must show your own financial interests and those held by your spouse or domestic partner and dependent children living with you during calendar year 2003.
- ◆ If you need additional space to complete this report, use copies of the pages needed.
- ◆ The LFD Manual contains useful information about how to complete this report.
- ◆ If you have any questions or need help completing the form, refer to the instruction manual.
- ◆ If you still need help, call APOC at 907/276-4176.

SIGN THIS REPORT ON THE LAST PAGE. THIS REPORT IS DUE March 15, 2004.

Members of the Select Committee on Legislative Ethics file on January 12, 2004.

BACKGROUND INFORMATION

NAME: Ann M. Rubincowitz (907) 586-2103 _____
Phone Number Fax Number

OCCUPATION: Teacher _____

MAILING ADDRESS: P.O. Box 22528 _____
(Street Address or Post Office Box) E-Mail Address

Juneau AK 99802 _____
(City/Town and Zip Code)

Day Phone Number (907) 463-1875 (mornings) Day Fax Number _____

OFFICE HELD (Check One): Legislator Legislative Director
 Public member of the Select Committee on Legislative Ethics

TITLE: Teacher _____

FAMILY MEMBER INFORMATION (list names): _____

SPOUSE OR DOMESTIC PARTNER: _____

DEPENDENT CHILDREN: _____

**SCHEDULE A
SOURCES OF INCOME OVER \$5000**

Salaried Employment

If NONE reportable, check box ⇒

Report the name and address of each employer from whom more than \$5000 was received during calendar year 2003.

List your employment as a legislator or legislative director, and each source of salaried income over \$5000 for your spouse, domestic partner and dependent children. You are not required to disclose the amount of salary received by your family members or the salary you received from your state employment.

Provide enough detail when describing the nature of services to tell a reader what work was performed for the salary received.

Report the amount of income you received when your employer:

- Hired a lobbyist or was a lobbyist;
- Had or sought contracts with the legislature or agency of the state that exceeded \$10,000;
- Was a municipality or local government entity; or
- Was affected financially by an action of the legislature or any other state agency in an amount exceeding \$5,000 including actions concerning professional or occupational licenses, natural resource permits or quotas, rates of assessment or taxation, health, safety or environmental standards and insurance or business practices.

Use copies of this page if you need additional space to complete this section.
See pages 6-8 of the LFD manual for more help with this section.

Name of filer, spouse, domestic partner, or child: Ann M. Rabinowitz
Employer's Name: Juneau School District
Employer's Address: 10014 Crazy Horse Dr. Juneau, AK 99801
Nature of Services Provided: Teacher's Aide
Amount: \$ _____

Name of filer, spouse, domestic partner, or child: _____
Employer's Name: _____
Employer's Address: _____
Nature of Services Provided: _____
Amount: \$ _____

Name of filer, spouse, domestic partner, or child: _____
Employer's Name: _____
Employer's Address: _____
Nature of Services Provided: _____
Amount: \$ _____

JAN 27 2004

**SCHEDULE A
SOURCES OF INCOME OVER \$5000**

Self-Employment

If NONE reportable, check box

Self-employment results when the person whose income is being reported worked for any of the following: a corporation in which you, your spouse, domestic partner or dependent children or a combination of them held a controlling interest, or a sole proprietorship, limited liability company, partnership, or professional corporation in which the person whose income is being reported has an ownership interest.

List the name, address, and nature of services provided for each non-retail source of income from whom more than \$5000 was received as compensation for personal services by you or a family member. Provide enough detail when describing the nature of services to tell a reader what work was performed for the compensation received.

If the business is non-retail, list the nature of services performed and the name and address of each client or customer who paid the business over \$5000 during calendar year 2003.

Report the amount of income you received from a client, patient or customer when the client, or customer:

- Hired a lobbyist or was a lobbyist;
- Had or sought contracts with the legislature or agency of the state that exceeded \$10,000;
- Was a municipality or local government entity; or
- Was affected financially by an action of the legislature or any other state agency in an amount exceeding \$5,000 including actions concerning professional or occupational licenses, natural resource permits or quotas, rates of assessment or taxation, health, safety or environmental standards and insurance or business practices.

Use copies of this page if you need additional space to complete this section.
See pages 8-10 of the LFD manual for more help with this section.

Name of filer, spouse, domestic partner, or child: _____

Business Name: _____

Retail Non-Retail (If you check non-retail, list clients/customers, and amounts if required, below.)

Name of client/customer: _____

Client/Customer Address: _____

Nature of Services Provided: _____

Amount: \$ _____

Name of client/customer: _____

Client/Customer Address: _____

Nature of Services Provided: _____

Amount: \$ _____

Name of client/customer: _____

Client/Customer Address: _____

Nature of Services Provided: _____

Amount: \$ _____

JAN 27 2004

**SCHEDULE A
SOURCES OF INCOME OVER \$5000**

Dividends and Interest

If NONE reportable, check box ⇒

Report the source of all dividends, interest and capital gains over \$5000 earned during calendar year 2003.

- List the financial institutions in which cash accounts or CD's were held.
- List the name(s) of a stock, bond, mutual fund or other entity which paid you a dividend, interest or capital gain of more than \$5000 during last year, whether held directly or through a brokerage account.
- (Report the assets of a retirement account or trust on page 8)

See page 13 of the LFD manual for more help with this section.

Recipient (filer, spouse, domestic partner, or child)

Name of Source of Income

Rental Income

If NONE reportable, check box ⇒

List the first and last name of each tenant from whom over \$5000 was received during calendar year 2003. If property is located outside Alaska and managed by a person other than you, your spouse, domestic partner or dependent child, you may list the managing agent instead of listing each tenant.

See page 14 of the LFD manual for more help with this section.

Owner (filer, spouse, domestic partner, or child)

Tenant(s)

Other Income

If NONE reportable, check box ⇒

List each source of income over \$5000 not listed elsewhere on this statement, including income from the sale of real property; social security; longevity bonus; retirement; the assets of an IRA cash-out; the name of the person who paid alimony or child support; government entitlements; honoraria and shared living expenses.

See page 14 of the LFD manual for more help.

Recipient (filer, spouse, domestic partner, or child)

Name of Source

JAN 27 2004

**SCHEDULE B
BUSINESS INTERESTS**

Business Interests

If NONE reportable, check box

Report all business relationships even if they were not sources of income to you, your spouse, domestic partner, or dependent children during calendar year 2003.

- List ownership interests of more than \$5000 as a shareholder in publicly traded stocks, regardless of income, that are not listed elsewhere on this Statement. (A list of the names of publicly traded stocks such as IBM or Microsoft may be listed by name only on a separate page.)
- List interests as a sole proprietor, shareholder, owner, partner, officer, or director including native corporations.
- List involvements in profit and non-profit corporations as a director or officer.

Describe the business's activity with enough detail to tell a reader what the organization actually does.

See page 16 of the LFD manual for more help.

Name of filer, spouse, domestic partner, or child: Ann M. Rabinowitz
Business Name: "2395 Palisade Ave"
Business Address: 2395 Palisade Ave Bronx, New York
Nature of Interest: Shareholder
Description of Business's Activity: Apartment ownership

Name of filer, spouse, domestic partner, or child: _____
Business Name: _____
Business Address: _____
Nature of Interest: _____
Description of Business's Activity: _____

Name of filer, spouse, domestic partner, or child: _____
Business Name: _____
Business Address: _____
Nature of Interest: _____
Description of Business's Activity: _____

Name of filer, spouse, domestic partner, or child: _____
Business Name: _____
Business Address: _____
Nature of Interest: _____
Description of Business's Activity: _____

Name of filer, spouse, domestic partner, or child: _____
Business Name: _____
Business Address: _____
Nature of Interest: _____
Description of Business's Activity: _____

**SCHEDULE B
REAL PROPERTY INTERESTS**

Real Property Interests

If NONE reportable, check box

Report all real property interests, including real-estate held through a trust or sold during calendar year 2003.
Include a street address, city and state or complete legal description for each piece of property listed.
List the name of Limited Partnerships in the "Business Interests" section on page five.
Use copies of this page if you need additional space to complete this section.
See page 17 of the LFD manual for more help.

Name of filer, spouse, domestic partner, or child: Ann M. Rabinowitz
Street Address or Legal Description: 909 Goldbelt
City or Borough and State: Juneau, AK 99801
Nature of Interest: Ownership Residence
(Option to Buy, Ownership, Leasehold) Current Use

Name of filer, spouse, domestic partner, or child: Ann M. Rabinowitz
Street Address or Legal Description: Egg Harbor Road
City or Borough and State: Friday Harbor, WA
Nature of Interest: Ownership None
(Option to Buy, Ownership, Leasehold) Current Use

Name of filer, spouse, domestic partner, or child: Ann M. Rabinowitz
Street Address or Legal Description: 27 Mile Elliott Highway
City or Borough and State: Fairbanks, AK
Nature of Interest: Ownership None
(Option to Buy, Ownership, Leasehold) Current Use

Name of filer, spouse, domestic partner, or child: _____
Street Address or Legal Description: _____
City or Borough and State: _____
Nature of Interest: _____
(Option to Buy, Ownership, Leasehold) Current Use

Name of filer, spouse, domestic partner, or child: _____
Street Address or Legal Description: _____
City or Borough and State: _____
Nature of Interest: _____
(Option to Buy, Ownership, Leasehold) Current Use

JAN 27 2004

**SCHEDULE C
LOANS, LOAN GUARANTEES, AND DEBTS
Of More Than \$5000**

Loans, Loan Guarantees, and Debts

If NONE reportable, check box

Report the name of each creditor or lender to whom more than \$5000 was owed during any part of the prior calendar year by you, your spouse, domestic partner or dependent children.

List financial obligations including mortgages on property sold during calendar year 2003; loans that have been guaranteed, delinquent taxes, alimony, child support payments; medical bills; mortgage, boat and auto loans; business and personal loans; escrow's; student loans; signature loans; and promissory notes. Loans include secured, unsecured and contingent loans. Do not report credit card obligations or revolving charge accounts.

Circle whether the entity is a lender, creditor or guarantor.

See page 18 of the LFD manual for more information about the reporting requirements.

Ann M Rabinowitz
Name of Debtor (filer, spouse, domestic partner or child)

Wells Fargo Bank
Name of Lender/Creditor/Guarantor

Annon. Rabinowitz
Name of Debtor (filer, spouse, domestic partner or child)

ACS Company P.O. Box 7057
Name of Lender/Creditor/Guarantor Utica NY 13504-7057

Name of Debtor (filer, spouse, domestic partner or child)

Name of Lender/Creditor/Guarantor

Name of Debtor (filer, spouse, domestic partner or child)

Name of Lender/Creditor/Guarantor

LOANS, and LOAN GUARANTEES, Of More Than \$1000

Report the address of the creditor or lender, the original amount of the obligation, current balance owed, interest rate, length of the loan, and whether a written loan agreement exists for a creditor or lender who:

- Hired a lobbyist or was a lobbyist;
- Had or sought contracts with the legislature or agency of the state that exceeded \$10,000;
- Was a municipality or local government entity; or
- Was affected financially by an action of the legislature or any other state agency in an amount exceeding \$5,000 including actions concerning professional or occupational licenses, natural resource permits or quotas, rates of assessment or taxation, health, safety or environmental standards and insurance or business practices.

Use copies of this page if you need additional space to complete this section.

See page 18 of the LFD manual for more information about the reporting requirements.

Source of a loan or loan guarantee that had a substantial interest in legislative, administrative or political actions.

Name of Debtor (filer, spouse, domestic partner, or child)

Name of Lender/Creditor

\$ _____
Original Amount Owed

\$ _____
Balance Owed

Address of Lender/Creditor

_____% _____ Years
Interest Rate Length of Loan

Does written loan agreement exist? YES NO

SCHEDULE C
BENEFICIAL INTEREST IN RETIREMENT ACCOUNTS/TRUSTS
Exceeding \$5000

Retirement Accounts Trusts

If NONE reportable, check box

Report each beneficial interest in a retirement account or trust during calendar year 2003 for you, your spouse, domestic partner or dependent children. Trusts include employee benefit accounts (pension and profit-sharing accounts), retirement accounts (IRA, 401K, SEP, Keogh) and family trust funds. Assets of a trust include stocks, bonds, mutual funds, cash accounts, CD's, real property, and interests in limited partnerships.

- Name the trustor (the person who provided the funds or assets for the trust).
- List the assets by name such as IBM stock or Templeton Growth Fund

See page 20 of the LFD manual for more help.

Ann Rabinowitz 100%
 Name of filer, spouse, domestic partner or child: Extent of Interest (Percent)
State of Alaska (Teacher Retirement)
 Name of the person, employer or entity who provided the funds or assets (Trustor)
 Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

Ann-M. Rabinowitz 100% of spousal benefit
 Name of filer, spouse, domestic partner, or child: Extent of Interest (Percent)
Judicial Retirement System (Spouse Jay A. Rabinowitz)
 Name of the person, employer or entity who provided the funds or assets (Trustor)
 Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

Ann M. Rabinowitz 100%
 Name of filer, spouse, domestic partner, or child: Extent of Interest (Percent)
Merrill Lynch IRA
 Name of the person, employer or entity who provided the funds or assets (Trustor)
 Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

Name of filer, spouse or domestic partner, or child: Extent of Interest (Percent)
 Name of the person, employer or entity who provided the funds or assets (Trustor)
 Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

Name of filer, spouse or domestic partner, or child: Extent of Interest (Percent)
 Name of the person, employer or entity who provided the funds or assets (Trustor)
 Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

JAN 27 2004

**SCHEDULE C
GOVERNMENT CONTRACTS AND LEASES
CERTIFICATION**

Contracts and Offers to Contract

If NONE reportable, check box

List all contracts and offers to contract with the state or instrumentality of the state during calendar year 2003 held, bid or offered. Report this information for yourself, your spouse, domestic partner or, dependent child who was a sole proprietor, a partnership or professional corporation of which you are a member; or a corporation in which you or your family members listed above (or a combination of them) held a controlling interest.
See page 21 of the LFD manual for more help.

Name(s) of Contractor

Contracting Agency/Department

Indicate: Bid, held or offer made

Contract number and description

Natural Resource Leases

If NONE reportable, check box

List all natural resource leases, including mineral, timber, or oil leases bid held or offered during calendar year 2003. Report this information for yourself, your spouse, domestic partner or dependent child who was a sole proprietor, a partnership or professional corporation of which you are a member; or a corporation in which you or your family members listed above (or a combination of them) held a controlling interest.
See page 22 of the LFD manual for more help.

Leaseholder

Nature of Lease

Indicate: Bid, held or offer made

Identity of Lease and Description

CERTIFICATION

I certify under penalty of perjury that the information in this Statement is, to the best of my knowledge, true, correct and complete. A person who makes a false sworn certification which he or she does not believe to be true is guilty of perjury.

Anna Robinson
SIGNATURE

1/27/04
DATE

Anna Robinson
Printed Name of Filer

Place

File this Statement with the

ALASKA PUBLIC OFFICES COMMISSION
2221 E. Northern Lights #128
Anchorage, AK 99508-4149
Telephone 907/276-4176
FAX 907/276-7018

OR

ALASKA PUBLIC OFFICES COMMISSION
PO Box 110222
Juneau, AK 99811-0222
240 Main, Rm. 201
Telephone 907/465-4864
FAX 907/465-4832


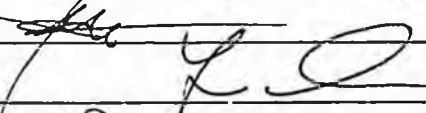
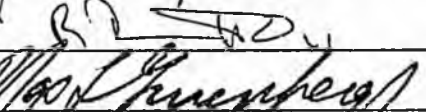

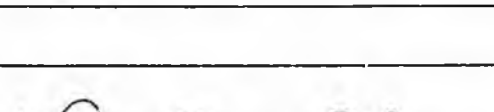
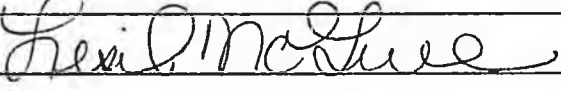

JAN 27 2004

CONFIRMATION COMMITTEE REPORT

Action date: May 12, 2003

In accordance with AS 24.60.130, the Judiciary Committee has reviewed the qualifications of the following Chief Justice's appointee and recommends that this name be forwarded to the House for confirmation:

Select Committee on Legislative Ethics
Marianne Stillner - Juneau

Signature:	Printed Last Name
	SAMUELS
	HOLM
	Gara
	Ogg
	Greenberg
Chair: 	McEneaney
Chair: 	

Please return to the Chief Clerk's office.



Official Business

Alaska State Legislature

House of Representatives

Office of the Chief Clerk

State Capitol, Room 216
Juneau, AK 99801-1182
Phone: (907) 465-3725
Fax: (907) 465-5334

MEMORANDUM

Date: May 6, 2003

To: Representative McGuire, Chair
Judiciary Committee

From: Suzi Lowell *sl*
Chief Clerk

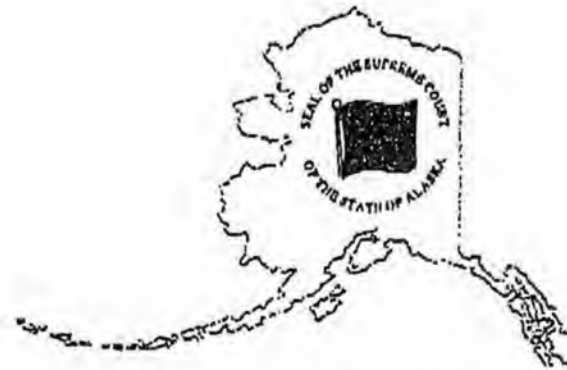
Subject: Chief Justice's Appointment

Speaker Kott referred the following appointment by Chief Justice Dana Fabe to the Judiciary Committee:

Select Committee on Legislative Ethics
Marianne Stillner - Juneau

The committee report is attached for your use.

Attachment as noted



Chambers of
Dana Fabe
Chief Justice

Supreme Court
State of Alaska

303 K Street
Anchorage, Alaska
99501-2083
(907) 284-0622
FAX (907) 284-0554

May 6, 2003

The Honorable Gene Therriault
Senate President
State Capitol, Room 111
Juneau, Alaska 99801-1182

Jud.

The Honorable Pete Kott
Speaker of the House
State Capitol, Room 208
Juneau, Alaska 99801-1182

Dear President Therriault
and Speaker Kott:

In my capacity as Chief Justice, and pursuant to AS 24.60.130(b)(3), I am nominating Marianne Stillner to a term as a public member of the Select Committee on Legislative Ethics.

Ms. Stillner is an Assistant Professor of Nursing Education at the University of Alaska Southeast. For purposes of determining compliance with AS 24.60.130(c), Ms. Stillner is non-partisan.

Ms. Stillner can be reached at (907) 789-7807 (home) or (907) 465-8775 (work). Her mailing address is P.O. Box 211433, Auke Bay, Alaska 99821. Please let me know if I can provide you with any other information on this matter.

Sincerely,

Dana Fabe
Chief Justice

DF:jd

cc: Marianne Stillner
Joyce Anderson

MARIANNE KOCH STILLNER
PO BOX 211433
AUKE BAY, AK 99823
907-789-7807

Objective: To provide skilled professional nursing and nurse aide education to the Juneau, AK area in order to address the increasing need for nursing at all skill levels.

Education:

Post-graduate Pediatric Nurse Practitioner Program <i>University of Kentucky</i>	1997
Master of Science in Child Psychiatric Nursing <i>Boston University</i>	1972
Bachelor of Science in Nursing <i>Mercy College of Detroit</i>	1965

Professional Responsibilities:

Develop, prepare and present the didactic information needed for training certified nurse aides. Organize and supervise the nursing clinical experiences in two long-term care facilities and one general hospital. Setup laboratory space and equipment for practice of the various nurse aide and registered nursing skills. Perform the advisory and administrative functions of an assistant professor in a university system. Participate in the development of the UAS/UAA nursing education partnership in Southeast Alaska.

Perform screening physical exams and evaluations, and provide ambulatory adolescent care to male youths admitted to a juvenile justice system.

Prepare lectures/clinical experience and examinations for courses on Physical Assessment of Adults and Children and Adaptation to Acute and Chronic Illness for a BSN program.

Serve as a public health field nurse for home visits to assess child growth and development and provide counseling; to promote elderly health through health maintenance clinics; to provide peri-natal education and newborn assessment; to provide TB case finding, medication supervision and education.

Perform triage, therapeutic intervention, referral and consultation to Alaskan village schools. Participate in training of Yupik Mental Health Aids in areas of child development, therapeutic techniques with children and consultation the school systems.

Serve as primary field worker responsible for clinical case finding and assessment of homes and child rearing practices; collaborate with psychologists and nutritionists in an inner-city failure-to-thrive study.

Provide general school nursing duties in a summer program for Boston elementary school children needing remedial education.

Provide health education and assessment through home and school visits as a public health nurse in two large inner cities and for a community of Arapaho and Shoshone Indians.

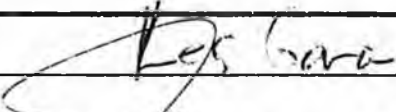

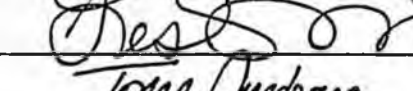
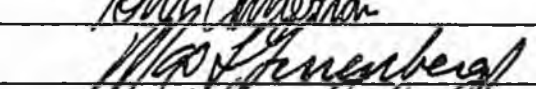
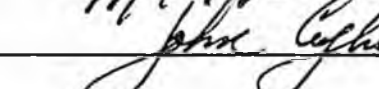
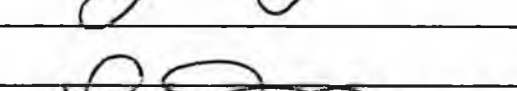
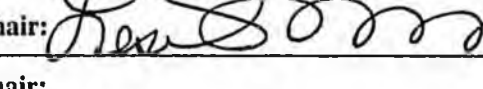
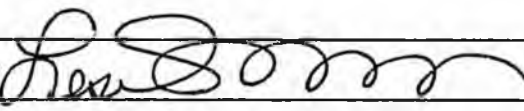
Employment:	<i>University of Alaska Southeast</i> Assistant Professor of Nursing	1/00 -- current
	<i>Kentucky Department of Juvenile Justice</i> Pediatric Nurse Practitioner	1998-1999
	<i>Midway College</i> Instructor, BSN program	1997-1998
	<i>Lexington Fayette Co Health Department</i> Public Health Nurse, Field Services	1993-1998
	<i>Yukon-Kuskokwim Health Corp.</i> Child Psychiatric Nurse specialist	1973-1975
	<i>Massachusetts Institute of Technology</i> Research Assistant, Dept. of Nutrition	1972-1973
	<i>Boston School System</i> School Nurse	summer '71
	<i>Wind River Indian Reservation</i> Public Health Nurse	1967-1968
	<i>Alameda Co. Health Dept.</i> Public Health Nurse	1966-1967
	<i>Detroit City-Co Health Dept.</i> Public Health Nurse	1965-1966
Professional Activities:	Alaska Nurses Association, member	2000-current
	National Association of Pediatric Nurse Practitioners, member	1997-2002
	Kentucky Nurses Association, District 2 KNA secretary	1992-1999 1995-1997
Volunteer Activities:	UAS Faculty Liaison, Native Education University of Kentucky Hospital Auxiliary member & president Fayette County Medical Auxiliary Christ Church Cathedral Choir Guild founding member & president Christ Church Cathedral Music Committee The Lexington School Parents' Committee member & president Lexington Youth Soccer Association	current

CONFIRMATION COMMITTEE REPORT

Action date: March 5, 2003

In accordance with AS 24.60.130, the Judiciary Committee has reviewed the qualifications of the following Chief Justice's appointee and recommends that this name be forwarded to the House for ratification:

Select Committee on Legislative Ethics
Herman G. Walker, Jr. of Anchorage

Signature:	Printed Last Name
	Les Gara
	Holm
	SAMUELS
	McGuire
	ANDERSON
	Gruenberg
	Coghill
Chair: 	McGuire
Chair:	

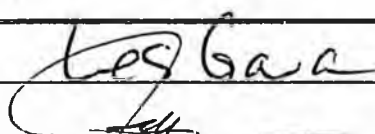
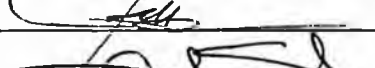
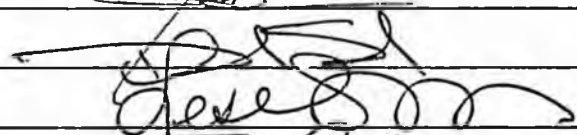


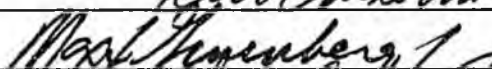
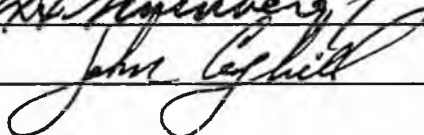

Please return to the Chief Clerk's office.

CONFIRMATION COMMITTEE REPORT

Action date: March 5, 2003

In accordance with AS 24.60.130, the Judiciary Committee has reviewed the qualifications of the following Chief Justice's appointee and recommends that this name be forwarded to the House for ratification:

Select Committee on Legislative Ethics
Dennis "Skip" Cook

Signature:	Printed Last Name
	Les Gara
	Holm
	SAMUELS
	McGuire
	ANDERSON
	Gruenhagen
	Coghill
	McGuire
Chair:	
Chair:	

Please return to the Chief Clerk's office.



JUD

Chambers of
Dana Fabe
Chief Justice

Supreme Court
State of Alaska
June 13, 2002

303 K Street
Anchorage, Alaska
99501-2083
(907) 264-0622
FAX (907) 264-0554

The Honorable Rick Halford
Senate President
P.O. Box 670190
Chugiak, Alaska 99567-0190

The Honorable Brian Porter
Speaker of the House
716 West 4th Avenue, Suite 300
Anchorage, Alaska 99501

Dear President Halford
and Speaker Porter:

In my capacity as Chief Justice, and pursuant to AS 24.60.130(b)(3), I am nominating Herman G. Walker, Jr. to a term as a public member of the Select Committee on Legislative Ethics.

Mr. Walker is a highly respected attorney and businessman in Anchorage, and for purposes of determining compliance with AS 24.60.130(c), Mr. Walker is non-partisan.

Mr. Walker can be reached at (907) 279-2889. His mailing address is 606 E Street, Suite 203, Anchorage, Alaska 99501. Please let me know if I can provide you with any other information on this matter.

Sincerely,

Dana Fabe
Chief Justice

DF:jd

cc: Herman G. Walker, Jr.
Joyce Anderson



Chambers of
Dana Fabo
Chief Justice

Supreme Court
State of Alaska

303 K Street
Anchorage, Alaska
99501-2083

(907) 264-0822
FAX (907) 264-0554

January 22, 2003

The Honorable Gene Therriault
Senate President
State Capitol, Room 111
Juneau, AK 99801-1182

The Honorable Pete Kott
Speaker of the House
State Capitol, Room 208
Juneau, AK 99801-1182

Dear President Therriault
and Speaker Kott:

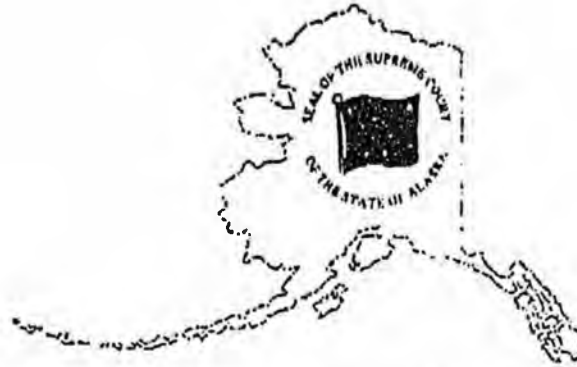
In my capacity as Chief Justice, and pursuant to AS 24.60.130(b)(3), I am nominating Shirley McCoy to a term as a public member of the Select Committee on Legislative Ethics.

Ms. McCoy has served on the Select Committee since 1993. For purposes of determining compliance with AS 24.60.130(c), Ms. McCoy is a Republican.

Sincerely,

Dana Fabo
Chief Justice

cc: Shirley McCoy
Joyce Anderson (faxed)



Chambers of
 Dana Fabe
 Chief Justice

Supreme Court
 State of Alaska

303 K Street
 Anchorage, Alaska
 99501-2083
 (907) 264-0622
 FAX (907) 264-0554

January 22, 2003

The Honorable Gene Therriault
 Senate President
 State Capitol, Room 111
 Juneau, AK 99801-1182

The Honorable Pete Kott
 Speaker of the House
 State Capitol, Room 208
 Juneau, AK 99801-1182

Dear President Therriault
 and Speaker Kott:

In my capacity as Chief Justice, and pursuant to AS 24.60.130(b)(3), I am nominating Dennis "Skip" Cook to a term as a public member of the Select Committee on Legislative Ethics.

Mr. Cook has served on the Select Committee since 1998. For purposes of determining compliance with AS 24.60.130(c), Mr. Cook is a Non-Partisan.

Sincerely,

Dana Fabe
 Chief Justice

cc: Dennis "Skip" Cook
 Joyce Anderson (faxed)

Alaska State Legislature

Select Committee on Legislative Ethics

716 W. 4th, Suite 230
Anchorage AK
(907) 269-0150
FAX: 269-0152

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

January 22, 2003

Representative Lesil McGuire
Chair, Judiciary Committee
State Capitol, Room 118
Juneau AK 99801

Vanessa

Dear Representative McGuire:

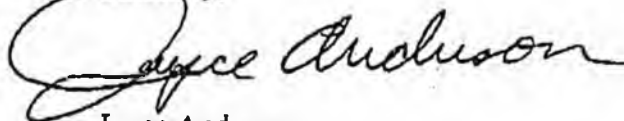
The Select Committee on Legislative Ethics has three public members whose terms will expire in 2003. Chief Justice Dana Fabe has forwarded the names of three nominees: Shirley McCoy, a committee member since 1993 from Juneau, realtor, republican; Dennis "Skip" Cook, a committee member since 1998 from Fairbanks, attorney, non-partisan; and Herman G. Walker Jr., appointed during the interim on June 13, 2002 to fill a vacancy, is from Anchorage, an attorney and non-partisan. All three public members will require confirmation during the 2003 legislative session. The term of office is two years. To serve on the committee, public members must be ratified by two-thirds of the full membership of each body, under AS 24.60.130(b).

I respectfully ask you to consider assisting us by scheduling confirmation hearings during the second week of the session. The ethics committee hopes to hold its first meeting of 2003 sometime in early February.

Resumes and the required Financial Disclosures for each nominee will be forwarded to your office later this week. Attached is a copy of the applicable statutes.

Should you have any questions, I can be reached at 269-0150.

Sincerely,



Joyce Anderson
Administrator, Ethics Committee

Cc: Chief Justice Letters

JAN-22-2003 WED 03:01 PM

FAX NO.

P. 02

JAN-22-2003 WED 11:42 AM

FAX NO. 907 264 0881

P. 02



Chambers of
Dana Fabe
Chief Justice

Supreme Court
State of Alaska

909 K Street
Anchorage, Alaska
99501-2083

(907) 264-0822
FAX (907) 264-0664

January 22, 2003

The Honorable Gene Therriault
Senate President
State Capitol, Room 111
Juneau, AK 99801-1182

The Honorable Pete Kott
Speaker of the House
State Capitol, Room 208
Juneau, AK 99801-1182

Dear President Therriault
and Speaker Kott:

In my capacity as Chief Justice, and pursuant to AS 24.60.130(b)(3), I am nominating Shirley McCoy to a term as a public member of the Select Committee on Legislative Ethics.

Ms. McCoy has served on the Select Committee since 1993. For purposes of determining compliance with AS 24.60.130(c), Ms. McCoy is a Republican.

Sincerely,

Dana Fabe
Chief Justice

cc: Shirley McCoy
Joyce Anderson (faxed)



Chambers of
 Dana Fabe
 Chief Justice

Supreme Court
 State of Alaska

303 K Street
 Anchorage, Alaska
 99501-2083
 (907) 264-0622
 FAX (907) 264-0884

January 22, 2003

The Honorable Gene Therriault
 Senate President
 State Capitol, Room 111
 Juneau, AK 99801-1182

The Honorable Pete Kott
 Speaker of the House
 State Capitol, Room 208
 Juneau, AK 99801-1182

Dear President Therriault
 and Speaker Kott:

In my capacity as Chief Justice, and pursuant to AS 24.60.130(b)(3), I am nominating Dennis "Skip" Cook to a term as a public member of the Select Committee on Legislative Ethics.

Mr. Cook has served on the Select Committee since 1998. For purposes of determining compliance with AS 24.60.130(c), Mr. Cook is a Non-Partisan.

Sincerely,

Dana Fabe
 Chief Justice

cc: Dennis "Skip" Cook
 Joyce Anderson (faxed)



Chambers of
Dana Fabe
Chief Justice

Supreme Court
State of Alaska
June 13, 2002

303 K Street
Anchorage, Alaska
99501-2083

(907) 264-0822
FAX (907) 264-0554

The Honorable Rick Halford
Senate President
P.O. Box 670190
Chugiak, Alaska 99567-0190

The Honorable Brian Porter
Speaker of the House
716 West 4th Avenue, Suite 300
Anchorage, Alaska 99501

Dear President Halford
and Speaker Porter:

In my capacity as Chief Justice, and pursuant to AS 24.60.130(b)(3), I am nominating Herman G. Walker, Jr. to a term as a public member of the Select Committee on Legislative Ethics.

Mr. Walker is a highly respected attorney and businessman in Anchorage, and for purposes of determining compliance with AS 24.60.130(c), Mr. Walker is non-partisan.

Mr. Walker can be reached at (907) 279-2889. His mailing address is 606 E Street, Suite 203, Anchorage, Alaska 99501. Please let me know if I can provide you with any other information on this matter.

Sincerely,

Dana Fabe
Chief Justice

DF:jd

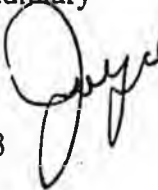
cc: Herman G. Walker, Jr.
Joyce Anderson

Alaska State Legislature

Select Committee on Legislative Ethics

716 W. 4th, Suite 230
Anchorage AK
(907) 269-0150
FAX: 269-0152

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

TO: Senate/House Judiciary
FROM: Joyce Anderson 
DATE: January 27, 2003
RE: Ethics Committee Nominees

Enclosed are the resumes and financial disclosure statements for the three public member nominees for the Select Committee on Legislative Ethics:

Herman G. Walker, Jr
Shirley McCoy
Dennis "Skip" Cook

I have also included an explanation of why the financial disclosure statements are being provided for the confirmation hearings. This legislative session is the first time these reports have been provided for the confirmation hearings. Additionally, Herman G. Walker Jr has filed a disclosure of Membership on a Board of Directors. I have included this disclosure as well.

If you have any questions, please give me a call.

NOTE: Legislation passed in 2002 requires public members of the Select Committee on Legislative Ethics to file the annual financial disclosure by the second Monday of January of each year.

The intent of the legislation was to allow for legislators to have the opportunity to review not only the public member nominee's resume but also their financial disclosure statement at the time of the confirmation hearings.

Sec. 24.60.210. Deadlines for filing of disclosure statements.

(a) A person required to file a disclosure statement under AS 24.60.200 shall file an annual report with the Alaska Public Offices Commission, covering the previous calendar year, containing the disclosures required by AS 24.60.200 , on or before March 15 of each year.

(b) Notwithstanding (a) of this section, a public member and a public member nominee of the committee shall file an annual report with the Alaska Public Offices Commission, covering the previous calendar year, containing the disclosures required by AS 24.60.200 on or before the second Monday of January of each year.

H E R M A N G E N E W A L K E R , J R .

3306 Doris Street # 1 Anchorage, Alaska 99517-2076 907(274-9003) e-mail: hermanjr@alaska.net

E D U C A T I O N

- UNIVERSITY OF WYOMING Laramie, Wyoming. May, 1992
J.D. Degree.
- ARIZONA STATE UNIVERSITY Tempe, Arizona. May, 1988
B.S. Political Science. Tempe, Arizona. May, 1988.

L A W E X P E R I E N C E

- REX LAMONT BUTLER AND ASSOCIATES *Anchorage, Alaska. November, 1993-Present*
Associate Attorney

Responsibilities include representing felony and misdemeanor clients in all phases of their criminal proceedings from arraignment to trial
- LAW OFFICE OF REX LAMONT BUTLER *Anchorage, Alaska. March, 1993- October, 1993*
Law Clerk

Prepared case files, client conferences and research and writing.
- OFFICE OF PUBLIC ADVOCACY *Anchorage, Alaska. July, 1992 - January, 1993*
Legal Intern

Represented clients at change of pleas, sentencing and bail hearings. Research and writing appellate briefs and motions.
- DEFENDER ASSOCIATION OF PHILADELPHIA *Philadelphia, Pennsylvania. Summer, 1991*
Legal Intern

Represented clients at arraignments and bench warrant hearings. Provided legal and factual analysis of new and pending cases. Performed initial client interviews. Research and writing appellate briefs and motions.
- MARICOPA COUNTY SUPERIOR COURT *Phoenix, Arizona. February - August, 1989*
Pre-Trial Services Officer

Interviewed defendants and recommended conditions of release to the judge. Supervised drug monitoring program.

M E M B E R S H I P S A N D A F F I L I A T I O N S

Alaska Bar Association, United States District Court of Alaska, Anchorage Bar Association, American Bar Association, National Association of Criminal Defense Lawyers, Young Lawyer Section Board, Alaska Academy of Trial Lawyers

FAX: 269-0152 Mail: P.O. Box 101468, Anch. AK 99510 Pouch: Anchorage

Disclosure of
Membership on a Board of Directors
of any organization that has a substantial interest in the
legislative activities of the legislator or legislative employee.

NAME OF DISCLOSER: Norman Walker, JR.
ADDRESS: 606 E S. Suite 203
PHONE NUMBER (Daytime): 279-2889
EMPLOYER (if legislative employee): N/A

Disclosure of membership on a board of directors
in accordance with AS 24.60.030(f)

Name of Organization or Entity	Address	Date of Board Membership
1. Alaska Academy of Trial Lawyers	P.O. Box 102323 Anchorage, AK	2000
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

The above is a true and accurate representation of my membership on boards of directors in accordance with AS 24.60.030(f)

[Signature]
Signature

1-21-03
Date

Reporting Deadlines:

Within 30 days of becoming a director on a board or, if during the last 30 days of session or during the interim between regular sessions, by March 15 of the following year.

Explanation

A legislator or legislative employee may serve on a board of an organization, including a governmental entity, that regularly has a substantial interest in the legislative activities of the legislator or employee, if the legislator or employee discloses the board membership to the committee. A legislative employee may not serve in a position that requires confirmation by the legislature.

APPENDIX H 2003

Select Committee on
Legislative Ethics

Rec'd Page H-2 7-22-03

By Joint

Via fax

ARRIVED

JAN 16 2003

2003 LEGISLATIVE FINANCIAL DISCLOSURE STATEMENT
(AS 24.60.200 - 24.60.260)

APOC - ANCH
PM HC FAX

INFORMATION ABOUT HOW TO COMPLETE THIS REPORT

no postmark

- ◆ This report is for incumbent legislators, legislative directors and public members of the Select Committee on Legislative Ethics.
- ◆ This report covers the preceding calendar year, so include only information about financial interests held and business involvement's between January 1, 2002 and December 31, 2002.
- ◆ You must show your own financial interests and those held by your spouse or spousal equivalent, dependent children, and non-dependent children living with you during calendar year 2002.
- ◆ If you need additional space to complete this report, use copies of the pages needed.
- ◆ The LFD Manual contains useful information about how to complete this report.
- ◆ If you have any questions or need help completing the form, refer to the instruction manual.
- ◆ If you still need help, call APOC at 907/276-4176.

SIGN THIS REPORT ON THE LAST PAGE. THIS REPORT IS DUE March 15, 2003.
Members of the Select Committee on Legislative Ethics file on January 13, 2003.

BACKGROUND INFORMATION

NAME: Herman G. Walker, Jr. (907) 279-2889 (907) 258-4428
Phone Number Fax Number

OCCUPATION: Attorney, Business Owner

MAILING ADDRESS: 9314 Strathmore Drive hermanjr@ab.net
(Street Address or Post Office Box) E-Mail Address

Anchorage, Alaska 99515
(City/Town and Zip Code)

DAY PHONE NUMBER _____ FAX NUMBER _____

OFFICE HELD (Check One): Legislator Legislative Director
 Public member of the Select Committee on Legislative Ethics Victim's Advocate

TITLE: _____

FAMILY MEMBER INFORMATION (list names):

SPOUSE OR SPOUSAL EQUIVALENT: Lynda A. Lincoln

DEPENDENT CHILDREN: 2

NON-DEPENDENT CHILDREN LIVING WITH YOU: 0

1

SCHEDULE A
SOURCES OF INCOME OVER \$1000

Salaried Employment

If NONE reportable, check box ⇒

Report the name and address of each employer from whom more than \$1000 was received during calendar year 2002.

List your employment as a legislator or legislative director, and each source of salaried income over \$1000 for your spouse, dependent children and non-dependent children living with you. You are not required to disclose the amount of salary received by your family members or the salary you received from your state employment. Provide enough detail when describing the nature of services to tell a reader what work was performed for the salary received.

Report the amount of income you received when your employer:

- Hired a lobbyist or was a lobbyist;
- Had or sought contracts with the legislature or agency of the state that exceeded \$10,000;
- Was a municipality or local government entity; or
- Was affected financially by an action of the legislature or any other state agency in an amount exceeding \$5,000 including actions concerning professional or occupational licenses, natural resource permits or quotas, rates of assessment or taxation, health, safety or environmental standards and insurance or business practices.

Use copies of this page if you need additional space to complete this section.
See pages 7-8 of the LFD manual for more help with this section.

Name of filer, spouse, spousal equivalent, or child: Herman G. Walker, Jr

Employer's Name: Law Office of Lynda A. Limon

Employer's Address: 606 E Street, Suite 203

Nature of Services Provided: Legal

Amount: \$ 60,000.00

Name of filer, spouse, spousal equivalent, or child: Lynda A. Limon

Employer's Name: Self Employed

Employer's Address: Self Employed, Same as Above

Nature of Services Provided: Legal

Amount: \$ Have not filed 2002 Taxes

Name of filer, spouse, spousal equivalent, or child: _____

Employer's Name: _____

Employer's Address: _____

Nature of Services Provided: _____

Amount: \$ _____

JAN 16 2003

SCHEDULE A
SOURCES OF INCOME OVER \$1000

Self-Employment

If NONE reportable, check box

Self-employment results when the person whose income is being reported worked for any of the following: a corporation in which you, your spouse or spousal equivalent, dependent children and non-dependent children living with you or a combination of them held a controlling interest, or sole proprietorship, limited liability company, partnership, or professional corporation in which the person whose income is being reported has an ownership interest.

List the name, address, and nature of services provided for each non-retail source of income from whom more than \$1000 was received as compensation for personal services by you or a family member. Provide enough detail when describing the nature of services to tell a reader what work was performed for the compensation received.

If the business is non-retail, list the nature of services performed and the name and address of each client or customer who paid the business over \$1000 during calendar year 2002.

Report the amount of income you received from a client, patient or customer when the client, patient or customer:

- Hired a lobbyist or was a lobbyist;
- Had or sought contracts with the legislature or agency of the state that exceeded \$10,000;
- Was a municipality or local government entity; or
- Was affected financially by an action of the legislature or any other state agency in an amount exceeding \$5,000 including actions concerning professional or occupational licenses, natural resource permits or quotas, rates of assessment or taxation, health, safety or environmental standards and insurance or business practices.

Use copies of this page if you need additional space to complete this section.

Name of filer, spouse, spousal equivalent, or child: Herman G. Walker, Jr.

Business Name: The Body Shop

Business Address: 606 E Street, Suite 203, Anchorage, Alaska 99501/Administrative Office

Retail Non-Retail (If you check non-retail, list clients/customers, and amounts if required, below.)

Name of client/customer: _____

Client/Customer Address: _____

Nature of Services Provided: Bath & Body Products

Amount: \$ 50,000.00

Name of client/customer: _____

Client/Customer Address: _____

Nature of Services Provided: _____

Amount: \$ _____

Name of client/customer: _____

Client/Customer Address: _____

Nature of Services Provided: _____

Amount: \$ _____

JAN 16 2003

**SCHEDULE A
SOURCES OF INCOME OVER \$1000**

Dividends and Interest

If NONE reportable, check box **XX**

Report the source of all dividends, interest and capital gains over \$1000 earned during calendar year 2002.

- List the financial institutions in which cash accounts or CD's were held.
- List the name(s) of a stock, bond, mutual fund or other entity which paid you a dividend, interest or capital gain of more than \$1000 during last year, whether held directly or through a brokerage account.
- (Report the assets of a retirement account or trust on page 8)

See page 14 of the LFD manual for more help with this section.

Recipient (filer, spouse, spousal equivalent, or child)

Name of Source of Income

Rental Income

If NONE reportable, check box

List the first and last name of each tenant from whom over \$1000 was received during calendar year 2002. If property is located outside Alaska and managed by a person other than you, your spouse, dependent child or non-dependent child living with you, you may list the managing agent instead of listing each tenant.

See page 15 of the LFD manual for more help with this section.

Owner (filer, spouse, spousal equivalent, or child)

Tenant(s)

Lynda A. Limon

Bridgeman Realty

Other Income

If NONE reportable, check box

List each source of income over \$1000 not listed elsewhere on this statement, including income from the sale of real property; Permanent Fund Dividend; social security; longevity bonus; retirement; the assets of an IRA cash-out; the name of the person who paid alimony or child support; government entitlements; honoraria and shared living expenses.

See page 16 in the LFD manual for more help.

Recipient (filer, spouse, spousal equivalent, or child)

Name of Source

Herman G. Walker, Jr.
Lynda A. Limon
DuPre L. Walker
Lucero L. Walker

Permanent Fund Dividend
Permanent Fund Dividend
Permanent Dividend
Permanent Fund Dividend

JAN 16 2003

**SCHEDULE B
BUSINESS INTERESTS**

Business Interests

If NONE reportable, check box XXX

Report all business relationships even if they were not sources of income to you, your spouse, spousal equivalent, or dependent children and non-dependent children living with you during calendar year 2002.

- List ownership interests as a shareholder, regardless of income, that are not listed elsewhere on this Statement. (A list of the names of publicly traded stocks such as IBM or Microsoft may be listed only by the name on a separate page.)
- List interests as a shareholder owner, partner, officer, or director including native corporations.
- List involvements in profit and non-profit corporations as a director or officer.

Describe the business's activity with enough detail to tell a reader what the organization actually does.

See page 19 of the LFD manual for more help.

Name of filer, spouse, spousal equivalent, or child: Herman G. Walbok, Jr.
Business Name: The Body Shop
Business Address: 606 E Street, Suite 203, Anchorage, Alaska 99501/Administrative Office
Nature of Interest: LLC Member
Description of Business's Activity: Sell Bath & Body Products, Aromatherapy & Cosmetics

Name of filer, spouse, spousal equivalent, or child: Lynda A. Limon
Business Name: The Body Shop
Business Address: 606 E Street, Suite 203, Anchorage, Alaska 99501/Administrative Office
Nature of Interest: LLC Member
Description of Business's Activity: Sell Bath & Body Products, Aromatherapy & Cosmetics

Name of filer, spouse, spousal equivalent, or child: _____
Business Name: _____
Business Address: _____
Nature of Interest: _____
Description of Business's Activity: _____

Name of filer, spouse, spousal equivalent, or child: _____
Business Name: _____
Business Address: _____
Nature of Interest: _____
Description of Business's Activity: _____

Name of filer, spouse, spousal equivalent, or child: _____
Business Name: _____
Business Address: _____
Nature of Interest: _____
Description of Business's Activity: _____

**SCHEDULE B
REAL PROPERTY INTERESTS**

Real Property Interests

If NONE reportable, check box

Report all real property interests, including real estate held through a trust or sold during calendar year 2002.

Include a street address, city and state or complete legal description for each piece of property listed.

Do not list an interest in real property held through a limited partnership here. List the name of the limited partnership in the "Business Interests" section on page six.

Use copies of this page if you need additional space to complete this section.

See page 20 of the LFD manual for more help.

Name of filer, spouse, spousal equivalent, or child: Herman G. Walker, Jr.

Street Address or Legal Description: 9314 Strathmore Drive

City or Borough and State: Anchorage, Alaska 99515

Nature of Interest: Ownership
(Option to Buy, Ownership, Leasehold) Current Use (Optional)

Name of filer, spouse, spousal equivalent, or child: Lynda A. Limon

Street Address or Legal Description: 2440 E 5th Place

City or Borough and State: Tempe, Arizona 85281

Nature of Interest: Ownership
(Option to Buy, Ownership, Leasehold) Current Use (Optional)

Name of filer, spouse, spousal equivalent, or child: _____

Street Address or Legal Description: _____

City or Borough and State: _____

Nature of Interest: _____
(Option to Buy, Ownership, Leasehold) Current Use (Optional)

Name of filer, spouse, spousal equivalent, or child: _____

Street Address or Legal Description: _____

City or Borough and State: _____

Nature of Interest: _____
(Option to Buy, Ownership, Leasehold) Current Use (Optional)

Name of filer, spouse, spousal equivalent, or child: _____

Street Address or Legal Description: _____

City or Borough and State: _____

Nature of Interest: _____
(Option to Buy, Ownership, Leasehold) Current Use (Optional)

JAN 16 2003

SCHEDULE C

LOANS, LOAN GUARANTEES, AND DEBTS

Loans, Loan Guarantees, and Debts

If NONE reportable, check box =>

Report the name of each creditor or lender to whom more than \$1000 was owed during any part of the prior calendar year by you, your spouse, spousal equivalent, dependent children and non-dependent children living with you.

List financial obligations including mortgages on property sold during calendar year 2002; delinquent taxes, alimony, child support payments; medical bills; mortgage, boat and auto loans; business and personal loans; escrow's; student loans; signature loans; and promissory notes. Loans include secured, unsecured and contingent loans. Do not report credit card obligations or revolving charge accounts.

Report the address of the creditor or lender, the original amount of the obligation, current balance owed, interest rate, length of the loan, and whether a written loan agreement exists for a creditor or lender who:

- Hired a lobbyist or was a lobbyist;
- Had or sought contracts with the legislature or agency of the state that exceeded \$10,000;
- Was a municipality or local government entity; or
- Was affected financially by an action of the legislature or any other state agency in an amount exceeding \$5,000 including actions concerning professional or occupational licenses, natural resource permits or quotas, rates of assessment or taxation, health, safety or environmental standards and insurance or business practices.

Use copies of this page if you need additional space to complete this section.

See page 22 of the LFD manual for more information about the reporting requirements.

Herman G. Walker, Jr.
Name of Debtor (filer, spouse, spousal equivalent or child)

Northrim Bank
Name of Lender/Creditor/Guarantor

Lynda A. Limon
Name of Debtor (filer, spouse, spousal equivalent or child)

Northrim Bank/Credit Union One
Name of Lender/Creditor/Guarantor

Herman G. Walker, Jr.
Name of Debtor (filer, spouse, spousal equivalent or child)

Wells Fargo
Name of Lender/Creditor/Guarantor

Herman G. Walker, Jr.
Name of Debtor (filer, spouse, spousal equivalent or child)

Wyoming Student Loan Corp.
Name of Lender/Creditor/Guarantor

Source of a loan or loan guarantee that had a substantial interest in legislative, administrative or political actions.

Name of Debtor (filer, spouse, spousal equivalent, or child)

Name of Lender/Creditor

\$ _____
Original Amount Owed

\$ _____
Balance Owed

Address of Lender/Creditor

_____% _____ Years
Interest Rate Length of Loan

Does written loan agreement exist? YES NO

SCHEDULE C
BENEFICIAL INTEREST IN RETIREMENT ACCOUNTS/TRUSTS
Exceeding \$1000

Retirement Accounts Trusts

If NONE reportable, check box

Report each beneficial interest in a trust during calendar year 2002 for you, your spouse, spousal equivalent, dependent children and non-dependent children living with you. Trusts include employee benefit accounts (pension and profit-sharing accounts), retirement accounts (IRA, 401K, SEP, Keogh) and family trust funds. Assets of a trust include stocks, bonds, mutual funds, cash accounts, CD's, real property, and interests in limited partnerships.

- Name the trustor (the person who provided the funds or assets for the trust).
- List the assets (by name, not type)

See page 23 of the LFD manual for more help.

Herman G. Walker, Jr. 20%
Name of filer, spouse or spousal equivalent, or child: Extent of Interest (Percent)

Herman G. Walker, Sr., Trustor Is Living
Name of the person or entity who provided the funds or assets (Trustor)

Various Properties Around The Country. No Properties In Alaska
Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

Lynda A. Limon 100%
Name of filer, spouse or spousal equivalent, or child: Extent of Interest (Percent)

North Western, Prudential
Name of the person or entity who provided the funds or assets (Trustor)

Simple, Sep, IRA
Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

Herman G. Walker, Jr. 100%
Name of filer, spouse or spousal equivalent, or child: Extent of Interest (Percent)

State of Alaska
Name of the person or entity who provided the funds or assets (Trustor)

PERS
Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

Herman G. Walker, Jr. 100%
Name of filer, spouse or spousal equivalent, or child: Extent of Interest (Percent)

Northwestern, Prudential
Name of the person or entity who provided the funds or assets (Trustor)

Simple, IRA
Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

JAN 16 2003

**SCHEDULE C
GOVERNMENT CONTRACTS AND LEASES
CERTIFICATION**

Contracts and Offers to Contract

If NONE reportable, check box ⇒

List all contracts and offers to contract with the state or instrumentality of the state during calendar year 2002 held, bid or offered by you, your spouse or spousal equivalent, dependent children and non-dependent children living with you, a partnership or professional corporation of which you are a member; or a corporation in which you or your family members listed above (or a combination of them) held a controlling interest.
See page 24 of the LFD manual for more help.

State Of Alaska
Name(s) of Contractor

Office Of Public Advocacy Administration
Contracting Agency/Department

\$122,880.00
Indicate: Bid, held or offer made

2001-0200-1856
Contract number and description

Natural Resource Leases

If NONE reportable, check box ⇒

List all natural resource leases, including mineral, timber, or oil leases held or offered during calendar year 2002 by you, your spouse or spousal equivalent, dependent children and non-dependent children living with you; a partnership, professional corporation of which you are a member; or a corporation in which you, your spouse, spousal equivalent, or children (or combination of them) held a controlling interest. See page 25 of the LFD manual for more help.

Leaseholder

Nature of Lease

Indicate: Bid, held or offer made

Identity of Lease and Description

CERTIFICATION

I certify under penalty of perjury that the information in this Statement is, to the best of my knowledge, true, correct and complete. A person who makes a false sworn certification which he or she does not believe to be true is guilty of perjury.

Herman G. Walker, Jr.
SIGNATURE

1-14-03
DATE

Herman G. Walker, Jr.
Printed Name of Filer

Anchorage, AK
Place

File this Statement with the

ALASKA PUBLIC OFFICES COMMISSION
2221 E. Northern Lights #128
Anchorage, AK 99508-4149
Telephone 907/276-4176
FAX 907/276-7018

OR

ALASKA PUBLIC OFFICES COMMISSION
PO Box 110222
Juneau, AK 99811-0222
240 Main, Rm. 201
Telephone 907/465-4864
FAX 907/465-4832

Bean, Robert
Cowles, Daniel and Ebony
Cox, Elaine
Curran, Sheila
Davis, Denise (Wurth)
Degenstein, Felicia
Ferguson, Victoria
Fleenor, Carrol
Foland, Mary Ann
Gamache, Christie
Gower, Judy
Klein & McClung
Levine, Howard
Raelson, Zona
Repp, Stephen
Safranek, Kelly
Sandel, Thomas
Sept, Bob
Sines, Minda
Stevens, Richard
Sullivan, Karen
Symonds, Cathy
Thomas, Dale
Waldron, David
Warth, Dennis

JAN 16 2003

Adair, Tammie
Alessi, Robert
Allison, Tracy (Appeal)
Belarde, Pat
Bowen, Jennifer A.
Brandon, Richard
Cross, Bruce
Davis, Corey
DeRoche, Nina
Easley, Gevonte
Friend, Mary Lou
Gale, Karen
Gust, Mathew
Halliday, Linda
Hendrickson, Timothy
Holzheimer, Fred
Hughes, Theresa
Johnston, Forrest
Kinegak, Theresa
Lythgoe, Leanne
McCoskey, Billy
McGhee, Lamar
Moses, Kirk
Noel, Keith
Pierce, Michael (PCR)
Reyes, Julio
Ridgway, Jim
Robinson, Darrel Keith Jr.
Simon, Geraldine
Talamaivao, Ropati

JAN 16 2003

Shirley A. McCoy
P.O. Box 33475
Juneau, AK 99803
1-907-790-2705

BACKGROUND SUMMARY

As OFFICE & GENERAL MANAGER for ALPHA DIVERSIFIED, LLC I maintain and operate a one-person office for the primary purpose of purchasing contracts on real estate throughout southeast Alaska. Related areas of expertise are:

Negotiations

Collections

Public Relations

EXPERIENCE

ALPHA DIVERSIFIED, LLC (formerly Alpha Investments, Inc.)

Manager, Juneau, AK since 1990 with extensive experience in real estate, marketing, sales, and proposals. The company was a DBA of Dawson Construction, Company until 1998.

DAWSON CONSTRUCTION CO.

Office Manager 1990 to 1998

I managed the Alaska office for this commercial contractor, who main office is based in Bellingham, WA. As such I was responsible for turning in job quotes, negotiating for the buying and selling of real estate, property management, and in general representing the company. I served as assistant to J.R. Dawson, President of the company.

SITKA READY-MIX/BIRCH EQUIPMENT RENTALS

OFFICE/CREDIT MANAGER 1979 to 1990

SRM delivers ready-mix concrete, aggregate and related supplies. Birch is a full equipment rental company that specializes in commercial rental equipment. I was hired as secretary/bookkeeper with full responsibilities of the office. I moved into management of the companies in 1985 and worked directly under the supervision of J.R. Dawson, the owner until my move to Juneau in 1990.

EDUCATION

Robert E. Lee High School, Dallas, TX 1963. Sitka Community College, Sitka, AK 1971-74
Business Administration, Accounting and Liberal Arts

PERSONAL

Was Married 31 yr. and have 3 sons and 6 grandchildren. Enjoy skiing, singing, softball, bowling, art, reading and trips to sunny climates.

CIVIC & COMMUNITY

Elected and served on Sitka School Board for 6 yr. Appointed and served on Legislative Ethics Committee since 1993. Was Executive Director of the Miss American Pageant while in Sitka. Currently serve as Government Relations Officer for AK Moose Lodge, President of the Juneau Emblem Club, President of the Jordan Creek Office Assoc., member of the Juneau Eagles Lodge.

1/11/03

2003 LEGISLATIVE FINANCIAL DISCLOSURE STATEMENT
(AS 24.60.200 - 24.60.260)

INFORMATION ABOUT HOW TO COMPLETE THIS REPORT

- ◆ This report is for incumbent legislators, legislative directors and public members of the Select Committee on Legislative Ethics.
- ◆ This report covers the preceding calendar year, so include only information about financial interests held and business involvement's between January 1, 2002 and December 31, 2002.
- ◆ You must show your own financial interests and those held by your spouse or spousal equivalent, dependent children, and non-dependent children living with you during calendar year 2002.
- ◆ If you need additional space to complete this report, use copies of the pages needed.
- ◆ The LFD Manual contains useful information about how to complete this report.
- ◆ If you have any questions or need help completing the form, refer to the instruction manual.
- ◆ If you still need help, call APOC at 907/276-4176.

SIGN THIS REPORT ON THE LAST PAGE. THIS REPORT IS DUE March 15, 2003.

Members of the Select Committee on Legislative Ethics file on January 13, 2003.

BACKGROUND INFORMATION

NAME: SHIRLEY A. McCoy ⁷⁹⁰⁻²⁴⁰⁰ ^{789-6909 office}
₇₉₀₋₂₀₀₅ _{790-4059 home}
OCCUPATION: Office Manager Phone Number Fax Number
MAILING ADDRESS: P.O. Box 33475 smccoy@alaska.net
_(Street Address or Post Office Box) _{E-Mail Address}
Juneau AK 99803
_(City/Town and Zip Code)

DAY PHONE NUMBER 907-790-2400 FAX NUMBER 1-907-789-6909

OFFICE HELD (Check One): Legislator Legislative Director
 Public member of the Select Committee on Legislative Ethics Victim's Advocate

TITLE: CO-CHAIR (PUBLIC MEMBER)

FAMILY MEMBER INFORMATION (list names):

SPOUSE OR SPOUSAL EQUIVALENT: —

DEPENDENT CHILDREN: —

NON-DEPENDENT CHILDREN LIVING WITH YOU: —

SCHEDULE A
SOURCES OF INCOME OVER \$1000

Salaried Employment

If NONE reportable, check box ⇒

Report the name and address of each employer from whom more than \$1000 was received during calendar year 2002.

List your employment as a legislator or legislative director, and each source of salaried income over \$1000 for your spouse, dependent children and non-dependent children living with you. You are not required to disclose the amount of salary received by your family members or the salary you received from your state employment. Provide enough detail when describing the nature of services to tell a reader what work was performed for the salary received.

Report the amount of income you received when your employer:

- Hired a lobbyist or was a lobbyist;
- Had or sought contracts with the legislature or agency of the state that exceeded \$10,000;
- Was a municipality or local government entity; or
- Was affected financially by an action of the legislature or any other state agency in an amount exceeding \$5,000 including actions concerning professional or occupational licenses, natural resource permits or quotas, rates of assessment or taxation, health, safety or environmental standards and insurance or business practices.

Use copies of this page if you need additional space to complete this section.
See pages 7-8 of the LFD manual for more help with this section.

Name of filer, spouse, spousal equivalent, or child: _____
Employer's Name: DAWSON CONT. Co / ALPHA DIVERSIFIED
Employer's Address: P.O. Box 34297 JUNEAU, AK 99803
Nature of Services Provided: purchase contracts on Real Estate
Amount: \$ 75,000 -

Name of filer, spouse, spousal equivalent, or child: _____
Employer's Name: _____
Employer's Address: _____
Nature of Services Provided: _____
Amount: \$ _____

Name of filer, spouse, spousal equivalent, or child: _____
Employer's Name: _____
Employer's Address: _____
Nature of Services Provided: _____
Amount: \$ _____

**SCHEDULE A
SOURCES OF INCOME OVER \$1000**

Self-Employment

If NONE reportable, check box

Self-employment results when the person whose income is being reported worked for any of the following: a corporation in which you, your spouse or spousal equivalent, dependent children and non-dependent children living with you or a combination of them held a controlling interest, or sole proprietorship, limited liability company, partnership, or professional corporation in which the person whose income is being reported has an ownership interest.

List the name, address, and nature of services provided for each non-retail source of income from whom more than \$1000 was received as compensation for personal services by you or a family member. Provide enough detail when describing the nature of services to tell a reader what work was performed for the compensation received.

If the business is non-retail, list the nature of services performed and the name and address of each client or customer who paid the business over \$1000 during calendar year 2002.

Report the amount of income you received from a client, patient or customer when the client, patient or customer:

- Hired a lobbyist or was a lobbyist;
- Had or sought contracts with the legislature or agency of the state that exceeded \$10,000;
- Was a municipality or local government entity; or
- Was affected financially by an action of the legislature or any other state agency in an amount exceeding \$5,000 including actions concerning professional or occupational licenses, natural resource permits or quotas, rates of assessment or taxation, health, safety or environmental standards and insurance or business practices.

Use copies of this page if you need additional space to complete this section.

Name of filer, spouse, spousal equivalent, or child: _____

Business Name: _____

Business Address: _____

Retail Non-Retail (If you check non-retail, list clients/customers, and amounts if required, below.)

Name of client/customer: _____

Client/Customer Address: _____

Nature of Services Provided: _____

Amount: \$ _____

Name of client/customer: _____

Client/Customer Address: _____

Nature of Services Provided: _____

Amount: \$ _____

Name of client/customer: _____

Client/Customer Address: _____

Nature of Services Provided: _____

Amount: \$ _____

**SCHEDULE A
SOURCES OF INCOME OVER \$1000**

Dividends and Interest

If NONE reportable, check box ⇒

Report the source of all dividends, interest and capital gains over \$1000 earned during calendar year 2002.

- List the financial institutions in which cash accounts or CD's were held.
- List the name(s) of a stock, bond, mutual fund or other entity which paid you a dividend, interest or capital gain of more than \$1000 during last year, whether held directly or through a brokerage account.
- (Report the assets of a retirement account or trust on page 8)

See page 14 of the LFD manual for more help with this section.

Recipient (filer, spouse, spousal equivalent, or child)

Name of Source of Income

Rental Income

If NONE reportable, check box ⇒

List the first and last name of each tenant from whom over \$1000 was received during calendar year 2002. If property is located outside Alaska and managed by a person other than you, your spouse, dependent child or non-dependent child living with you, you may list the managing agent instead of listing each tenant.

See page 15 of the LFD manual for more help with this section.

Owner (filer, spouse, spousal equivalent, or child)

Tenant(s)

~~Diana Gonzalez~~
SHIRLEY A. McCoy
" "
" "

DIANA GONZALEZ
CLINT SONGER
JOHN MACKINNON

Other Income

If NONE reportable, check box ⇒

List each source of income over \$1000 not listed elsewhere on this statement, including income from the sale of real property; Permanent Fund Dividend; social security; longevity bonus; retirement; the assets of an IRA cash-out; the name of the person who paid alimony or child support; government entitlements; honoraria and shared living expenses.

See page 16 in the LFD manual for more help.

Recipient (filer, spouse, spousal equivalent, or child)

Name of Source

SHIRLEY A. McCoy
" "
" "

KURT BURNS E
SONJA DUNCAN
AK PFD

**SCHEDULE B
BUSINESS INTERESTS**

Business Interests

If NONE reportable, check box

Report all business relationships even if they were not sources of income to you, your spouse, spousal equivalent, or dependent children and non-dependent children living with you during calendar year 2002.

- List ownership interests as a shareholder, regardless of income, that are not listed elsewhere on this Statement. (A list of the names of publicly traded stocks such as IBM or Microsoft may be listed only by the name on a separate page.)
- List interests as a shareholder owner, partner, officer, or director including native corporations.
- List involvements in profit and non-profit corporations as a director or officer.

Describe the business's activity with enough detail to tell a reader what the organization actually does.

See page 19 of the LFD manual for more help.

Name of filer, spouse, spousal equivalent, or child: _____

Business Name: _____

Business Address: _____

Nature of Interest: _____

Description of Business's Activity: _____

Name of filer, spouse, spousal equivalent, or child: _____

Business Name: _____

Business Address: _____

Nature of Interest: _____

Description of Business's Activity: _____

Name of filer, spouse, spousal equivalent, or child: _____

Business Name: _____

Business Address: _____

Nature of Interest: _____

Description of Business's Activity: _____

Name of filer, spouse, spousal equivalent, or child: _____

Business Name: _____

Business Address: _____

Nature of Interest: _____

Description of Business's Activity: _____

Name of filer, spouse, spousal equivalent, or child: _____

Business Name: _____

Business Address: _____

Nature of Interest: _____

Description of Business's Activity: _____

**SCHEDULE B
REAL PROPERTY INTERESTS**

Real Property Interests

If NONE reportable, check box

Report all real property interests, including real estate held through a trust or sold during calendar year 2002.

Include a street address, city and state or complete legal description for each piece of property listed.

Do not list an interest in real property held through a limited partnership here. List the name of the limited partnership in the "Business Interests" section on page six.

Use copies of this page if you need additional space to complete this section.

See page 20 of the LFD manual for more help.

Name of filer, spouse, spousal equivalent, or child: SHIRLEY A. McCoy
Street Address or Legal Description: 8580 DURAN ST
City or Borough and State: SUNNEAU, AK 99801
Nature of Interest: OWNER HOME
(Option to Buy, Ownership, Leasehold) Current Use (Optional)

Name of filer, spouse, spousal equivalent, or child: SHIRLEY A. McCoy
Street Address or Legal Description: #51 GLACIER VIEW MOBILE HOME PARK
City or Borough and State: SUNNEAU AK 99801
Nature of Interest: OWNER RENTAL
(Option to Buy, Ownership, Leasehold) Current Use (Optional)

Name of filer, spouse, spousal equivalent, or child: _____
Street Address or Legal Description: _____
City or Borough and State: _____
Nature of Interest: _____
(Option to Buy, Ownership, Leasehold) Current Use (Optional)

Name of filer, spouse, spousal equivalent, or child: _____
Street Address or Legal Description: _____
City or Borough and State: _____
Nature of Interest: _____
(Option to Buy, Ownership, Leasehold) Current Use (Optional)

Name of filer, spouse, spousal equivalent, or child: _____
Street Address or Legal Description: _____
City or Borough and State: _____
Nature of Interest: _____
(Option to Buy, Ownership, Leasehold) Current Use (Optional)

SCHEDULE C

LOANS, LOAN GUARANTEES, AND DEBTS

Loans, Loan Guarantees, and Debts

If NONE reportable, check box =>

Report the name of each creditor or lender to whom more than \$1000 was owed during any part of the prior calendar year by you, your spouse, spousal equivalent, dependent children and non-dependent children living with you.

List financial obligations including mortgages on property sold during calendar year 2002; delinquent taxes, alimony, child support payments; medical bills; mortgage, boat and auto loans; business and personal loans; escrow's; student loans; signature loans; and promissory notes. Loans include secured, unsecured and contingent loans. Do not report credit card obligations or revolving charge accounts.

Report the address of the creditor or lender, the original amount of the obligation, current balance owed, interest rate, length of the loan, and whether a written loan agreement exists for a creditor or lender who:

- Hired a lobbyist or was a lobbyist;
- Had or sought contracts with the legislature or agency of the state that exceeded \$10,000;
- Was a municipality or local government entity; or
- Was affected financially by an action of the legislature or any other state agency in an amount exceeding \$5,000 including actions concerning professional or occupational licenses, natural resource permits or quotas, rates of assessment or taxation, health, safety or environmental standards and insurance or business practices.

Use copies of this page if you need additional space to complete this section.

See page 22 of the LFD manual for more information about the reporting requirements.

SHIRLEY A. McCay
Name of Debtor (filer, spouse, spousal equivalent or child)

WELLS FARGO
Name of Lender/Creditor/Guarantor

" "
Name of Debtor (filer, spouse, spousal equivalent or child)

JAMES MONTAUCE
Name of Lender/Creditor/Guarantor

Name of Debtor (filer, spouse, spousal equivalent or child)

Name of Lender/Creditor/Guarantor

Name of Debtor (filer, spouse, spousal equivalent or child)

Name of Lender/Creditor/Guarantor

Source of a loan or loan guarantee that had a substantial interest in legislative, administrative or political actions.

Name of Debtor (filer, spouse, spousal equivalent, or child)

Name of Lender/Creditor

\$ _____
Original Amount Owed

\$ _____
Balance Owed

Address of Lender/Creditor

_____ % _____ Years
Interest Rate Length of Loan

Does written loan agreement exist? YES NO

SCHEDULE C
BENEFICIAL INTEREST IN RETIREMENT ACCOUNTS/TRUSTS
Exceeding \$1000

Retirement Accounts Trusts

If NONE reportable, check box

Report each beneficial interest in a trust during calendar year 2002 for you, your spouse, spousal equivalent, dependent children and non-dependent children living with you. Trusts include employee benefit accounts (pension and profit-sharing accounts), retirement accounts (IRA, 401K, SEP, Keogh) and family trust funds. Assets of a trust include stocks, bonds, mutual funds, cash accounts, CD's, real property, and interests in limited partnerships.

- Name the trustor (the person who provided the funds or assets for the trust).
- List the assets (by name, not type)

See page 23 of the LFD manual for more help.

SHIRLEY A. McCoy 100%
Name of filer, spouse or spousal equivalent, or child: Extent of Interest (Percent)

DAWSON CONSTRUCTION Co.
Name of the person or entity who provided the funds or assets (Trustor)

Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

SHIRLEY A. McCoy 100%
Name of filer, spouse or spousal equivalent, or child: Extent of Interest (Percent)

PUTNAM INVESTMENTS / IRA
Name of the person or entity who provided the funds or assets (Trustor)

Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

SHIRLEY A. McCoy 100%
Name of filer, spouse or spousal equivalent, or child: Extent of Interest (Percent)

PUTNAM INVESTMENTS / ROTH IRA
Name of the person or entity who provided the funds or assets (Trustor)

Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

SHIRLEY A. McCoy 100%
Name of filer, spouse or spousal equivalent, or child: Extent of Interest (Percent)

PUTNAM /
Name of the person or entity who provided the funds or assets (Trustor)

T. ROWE PRICE / ROTH IRA
Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

**SCHEDULE C
GOVERNMENT CONTRACTS AND LEASES
CERTIFICATION**

Contracts and Offers to Contract

If NONE reportable, check box

List all contracts and offers to contract with the state or instrumentality of the state during calendar year 2002 held, bid or offered by you, your spouse or spousal equivalent, dependent children and non-dependent children living with you, a partnership or professional corporation of which you are a member; or a corporation in which you or your family members listed above (or a combination of them) held a controlling interest.
See page 24 of the LFD manual for more help.

Name(s) of Contractor

Contracting Agency/Department

Indicate: Bid, held or offer made

Contract number and description

Natural Resource Leases

If NONE reportable, check box

List all natural resource leases, including mineral, timber, or oil leases held or offered during calendar year 2002 by you, your spouse or spousal equivalent, dependent children and non-dependent children living with you; a partnership, professional corporation of which you are a member; or a corporation in which you, your spouse, spousal equivalent, or children (or combination of them) held a controlling interest. See page 25 of the LFD manual for more help.

Leaseholder

Nature of Lease

Indicate: Bid, held or offer made

Identity of Lease and Description

CERTIFICATION

I certify under penalty of perjury that the information in this Statement is, to the best of my knowledge, true, correct and complete. A person who makes a false sworn certification which he or she does not believe to be true is guilty of perjury.

SIGNATURE

01-10-03

DATE

SHIRLEY A. MCCOY

Printed Name of Filer

JUNEAU AK

Place

File this Statement with the

ALASKA PUBLIC OFFICES COMMISSION
2221 E. Northern Lights #128
Anchorage, AK 99508-4149
Telephone 907/276-4176
FAX 907/276-7018

OR

ALASKA PUBLIC OFFICES COMMISSION
PO Box 110222
Juneau, AK 99811-0222
240 Main, Rm. 201
Telephone 907/465-4864
FAX 907/465-4832



Attorneys at Law

COOK SCHUEHMANN & GROSECLOSE, INC.

714 Fourth Avenue, Suite 200 • Post Office Box 70810 • Fairbanks, Alaska 99707-0810 • 907 / 452-1855 • Fax 907 / 452-8154
Tok (907) 885-8439 • Delta Junction (907) 895-4439 • Toll Free Number 800-550-1855 (Alaska Only)
Email csg@alaskalaw.com • www.alaskalaw.com

DENNIS E. "SKIP" COOK

Home Address: 431 Birch Hill Road
Fairbanks, Alaska 99712
(907) 456-6994

Business Address: Cook Schuehmann & Groseclose, Inc.
714 Fourth Avenue, Suite 200
P. O. Box 70810
Fairbanks, Alaska 99707-0810
(907) 452-1855 - FAX (907) 452-8154

PERSONAL

Date of Birth: February 8, 1940
Place of Birth: Fairbanks, Alaska
Marital Status: Married to Olga B. Cook
Children: Tyler Cook, Born April 16, 1964
Bret D. Cook, Born July 19, 1966
Danz B. Cook, Born May 3, 1968
Zachary B. Cook, Born June 15, 1972
Katherine M. Cook, Born January 31, 1976
Eliza N. Cook, Born July 10, 1980
Whitney D. Cook, Born May 1, 1984

EDUCATION

1962 Graduated with a Bachelor of Science in Economics, Politics and Engineering from Massachusetts Institute of Technology

1963 Received Master of Arts in Political Science from Northwestern University

1970 Received Juris Doctor Degree from Willamette University

Dennis E. "Skip" Cook
Barbara L. Schuehmann
Robert B. Groseclose

Jo A. Eustice
Zane D. Wilson
Bret D. Cook

Michael C. Kramer
of Counsel
Grace Berg Schable

EMPLOYMENT

- 5/70 - Present
COOK SCHUHMAN & GROSECLOSE, INC.,
and its predecessors, P. O. Box 70810,
Fairbanks, Alaska 99707-0810 (907) 452-1855
Became a partner in 1972. Practice concentrates on personal
injury, workers' compensation defense, domestic
relations and commercial law.
- 8/69-5/70
Alaskan Adventures, Minneapolis, MN, worked in
Salem, OR as western states distributor of movie
"This is My Alaska"
- 1968-69
Horton, Geib & O'Rourke, Salem, Oregon, licensed
securities dealer
- 1967-68
State of Oregon, state police, part-time clerk
- 2/65 - 8/67
Alaska 67 Centennial Exposition (commemorating the
U. S. purchase of Alaska from Russia), General Manager
- 10/63 - 1/65
State of Alaska, Office of the Governor, Local Affairs Agency,
Juneau, Alaska, Assistant Director and Director
- 5/63 - 9/63
State of Alaska, Election Director for organizational election of
Fairbanks North Star Borough

PROFESSIONAL ASSOCIATIONS

The American Bar Association, Alaska Bar Association,
Tanana Valley Bar Association

PUBLIC SERVICE POSITION

Tanana Valley State Fair Association -
Director 1971-1985; President 1976-1985

Church of Jesus Christ of Latter-day Saints -
Bishop, 1970 - 1974; District President 1977 - 1979;
Stake President 1979-1989; Regional Representative
1992 - 1995; Scoutmaster 1995 - Present

Rotary Club of Fairbanks - 1977 - Present;
Director 1986-1990; Secretary 1991; President
1993-1994; District 5010 Rotary Youth Leadership
Conference Co-Chair 1995-1997

Midnight Sun Council, Boy Scouts of America -
Merit Badge Counselor 1970 - Present; Executive
Board 1989 - Present; Executive Committee 1993 -
Present; President 1998; Silver Beaver Award 1997

ARRIVED

JAN 22 2003

2003 LEGISLATIVE FINANCIAL DISCLOSURE STATEMENT
(AS 24.60.200 - 24.60.260)

APOC - ANCH
PM HC FAX

1-17

INFORMATION ABOUT HOW TO COMPLETE THIS REPORT

- ◆ This report is for incumbent legislators, legislative directors and public members of the Select Committee on Legislative Ethics.
- ◆ This report covers the preceding calendar year, so include only information about financial interests held and business involvement's between January 1, 2002 and December 31, 2002.
- ◆ You must show your own financial interests and those held by your spouse or spousal equivalent, dependent children, and non-dependent children living with you during calendar year 2002.
- ◆ If you need additional space to complete this report, use copies of the pages needed.
- ◆ The LFD Manual contains useful information about how to complete this report.
- ◆ If you have any questions or need help completing the form, refer to the instruction manual.
- ◆ If you still need help, call APOC at 907/276-4176.

SIGN THIS REPORT ON THE LAST PAGE. THIS REPORT IS DUE March 15, 2003.
Members of the Select Committee on Legislative Ethics file on January 13, 2003.

BACKGROUND INFORMATION

NAME: Dennis E. "Skip" Cook 907-452-1855(w) 907-457-6994(H) 907-452-8154
Phone Number Fax Number

OCCUPATION: Attorney

MAILING ADDRESS: P.O. Box 70810 Skip@alaskalaw.com
(Street Address or Post Office Box) E-Mail Address

Fairbanks AK 99707-0810
(City/Town and Zip Code)

DAY PHONE NUMBER _____ FAX NUMBER _____

OFFICE HELD (Check One): Legislator Legislative Director
 Public member of the Select Committee on Legislative Ethics Victim's Advocate

TITLE: Senate Subcommittee Chair

FAMILY MEMBER INFORMATION (list names):

SPOUSE OR SPOUSAL EQUIVALENT: Olya B. Cook

DEPENDENT CHILDREN: Eliza N. Cook Whitney D. Cook

NON-DEPENDENT CHILDREN LIVING WITH YOU: N/A

SCHEDULE A
SOURCES OF INCOME OVER \$1000

Salaried Employment

If NONE reportable, check box

Report the name and address of each employer from whom more than \$1000 was received during calendar year 2002.

List your employment as a legislator or legislative director, and each source of salaried income over \$1000 for your spouse, dependent children and non-dependent children living with you. You are not required to disclose the amount of salary received by your family members or the salary you received from your state employment. Provide enough detail when describing the nature of services to tell a reader what work was performed for the salary received.

Report the amount of income you received when your employer:

- Hired a lobbyist or was a lobbyist;
- Had or sought contracts with the legislature or agency of the state that exceeded \$10,000;
- Was a municipality or local government entity; or
- Was affected financially by an action of the legislature or any other state agency in an amount exceeding \$5,000 including actions concerning professional or occupational licenses, natural resource permits or quotas, rates of assessment or taxation, health, safety or environmental standards and insurance or business practices.

Use copies of this page if you need additional space to complete this section.

See pages 7-8 of the LFD manual for more help with this section.

Name of filer, spouse, spousal equivalent, or child: Dennis E. Cook
Employer's Name: Cook Schuhmann & Groseclose, Inc.
Employer's Address: P.O. Box 70810 Fairbanks AK 99701-0810
Nature of Services Provided: Staff Attorney
Amount: \$ 72,000

Name of filer, spouse, spousal equivalent, or child: _____
Employer's Name: _____
Employer's Address: _____
Nature of Services Provided: _____
Amount: \$ _____

Name of filer, spouse, spousal equivalent, or child: _____
Employer's Name: _____
Employer's Address: _____
Nature of Services Provided: _____
Amount: \$ _____

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SCHEDULE A
SOURCES OF INCOME OVER \$1000

Self-Employment

If NONE reportable, check box

Self-employment results when the person whose income is being reported worked for any of the following: a corporation in which you, your spouse or spousal equivalent, dependent children and non-dependent children living with you or a combination of them held a controlling interest, or sole proprietorship, limited liability company, partnership, or professional corporation in which the person whose income is being reported has an ownership interest.

List the name, address, and nature of services provided for each non-retail source of income from whom more than \$1000 was received as compensation for personal services by you or a family member. Provide enough detail when describing the nature of services to tell a reader what work was performed for the compensation received.

If the business is non-retail, list the nature of services performed and the name and address of each client or customer who paid the business over \$1000 during calendar year 2002.

Report the amount of income you received from a client, patient or customer when the client, patient or customer:

- Hired a lobbyist or was a lobbyist;
- Had or sought contracts with the legislature or agency of the state that exceeded \$10,000;
- Was a municipality or local government entity; or
- Was affected financially by an action of the legislature or any other state agency in an amount exceeding \$5,000 including actions concerning professional or occupational licenses, natural resource permits or quotas, rates of assessment or taxation, health, safety or environmental standards and insurance or business practices.

Use copies of this page if you need additional space to complete this section.

Name of filer, spouse, spousal equivalent, or child: Dennis E. Cook

Business Name: Cook Schumann & Grosekose, Inc.

Business Address: P.O. Box 70810 Fairbanks Ak 99701-0810

Retail Non-Retail (If you check non-retail, list clients/customers, and amounts if required, below.)

Name of client/customer: Clients of law firm CS + G. Inc.

Client/Customer Address: Various

Nature of Services Provided: Legal

Amount: \$ see attached list

Name of client/customer: _____

Client/Customer Address: _____

Nature of Services Provided: _____

Amount: \$ _____

Name of client/customer: _____

Client/Customer Address: _____

Nature of Services Provided: _____

Amount: \$ _____

SCHEDULE A
SOURCES OF INCOME OVER \$1000

Dividends and Interest

If NONE reportable, check box

Report the source of all dividends, interest and capital gains over \$1000 earned during calendar year 2002.

- List the financial institutions in which cash accounts or CD's were held.
- List the name(s) of a stock, bond, mutual fund or other entity which paid you a dividend, interest or capital gain of more than \$1000 during last year, whether held directly or through a brokerage account.
- (Report the assets of a retirement account or trust on page 8)

See page 14 of the LFD manual for more help with this section.

Recipient (filer, spouse, spousal equivalent, or child)

Name of Source of Income

Dennis E. Cook

Polar Cache Corporation

Dennis E. Cook

GTA & K Partnership

Rental Income

If NONE reportable, check box

List the first and last name of each tenant from whom over \$1000 was received during calendar year 2002. If property is located outside Alaska and managed by a person other than you, your spouse, dependent child or non-dependent child living with you, you may list the managing agent instead of listing each tenant.

See page 15 of the LFD manual for more help with this section.

Owner (filer, spouse, spousal equivalent, or child)

Tenant(s)

Dennis E. Cook

Dehisio Moran Gerechtly + Zobel

(Tenants of GTA & K Partnership)

(Dennis E. Cook owned a 1/3 interest through part of 2002)

Other Income

If NONE reportable, check box

List each source of income over \$1000 not listed elsewhere on this statement, including income from the sale of real property; Permanent Fund Dividend; social security; longevity bonus; retirement; the assets of an IRA cash-out; the name of the person who paid alimony or child support; government entitlements; honoraria and shared living expenses.

See page 16 in the LFD manual for more help.

Recipient (filer, spouse, spousal equivalent, or child)

Name of Source

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**SCHEDULE B
BUSINESS INTERESTS**

Business Interests

If NONE reportable, check box

Report all business relationships even if they were not sources of income to you, your spouse, spousal equivalent, or dependent children and non-dependent children living with you during calendar year 2002.

- List ownership interests as a shareholder, regardless of income, that are not listed elsewhere on this Statement. (A list of the names of publicly traded stocks such as IBM or Microsoft may be listed only by the name on a separate page.)
- List interests as a shareholder owner, partner, officer, or director including native corporations.
- List involvements in profit and non-profit corporations as a director or officer.

Describe the business's activity with enough detail to tell a reader what the organization actually does.

See page 19 of the LFD manual for more help.

Name of filer, spouse, spousal equivalent, or child: Dennis E. Cook
 Business Name: Cook Schuhmann + Groseclose Inc.
 Business Address: P.O. Box 70810, Fairbanks AK 99701-0810
 Nature of Interest: 1/5 owner
 Description of Business's Activity: Law Firm

Name of filer, spouse, spousal equivalent, or child: Dennis E. Cook
 Business Name: 6th & K Partnership
 Business Address: 943 W 6th Ave. Anchorage AK 99501-2033
 Nature of Interest: 1/9 owner
 Description of Business's Activity: owns + rents commercial office building

Name of filer, spouse, spousal equivalent, or child: Dennis E. Cook
 Business Name: Polar Cache Corporation
 Business Address: P.O. Box 72134 Fairbanks AK 99707
 Nature of Interest: 1/6 interest
 Description of Business's Activity: Family corporation with siblings - owns real property interests

Name of filer, spouse, spousal equivalent, or child: Dennis E. Cook
 Business Name: Midnight Sun Council, Boy Scouts of America
 Business Address: 1400 Gilliam Way, Fairbanks AK 99701
 Nature of Interest: Past President, Executive Committee, VP for Program
 Description of Business's Activity: Board of Directors Non-profit youth organization

Name of filer, spouse, spousal equivalent, or child: _____
 Business Name: _____
 Business Address: _____
 Nature of Interest: _____
 Description of Business's Activity: _____

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**SCHEDULE B
REAL PROPERTY INTERESTS**

Real Property Interests

If NONE reportable, check box

Report all real property interests, including real estate held through a trust or sold during calendar year 2002.

Include a street address, city and state or complete legal description for each piece of property listed.

Do not list an interest in real property held through a limited partnership here. List the name of the limited partnership in the "Business Interests" section on page six.

Use copies of this page if you need additional space to complete this section.

See page 20 of the LFD manual for more help.

Name of filer, spouse, spousal equivalent, or child: Dennis E. Cook + Olga B. Cook
 Street Address or Legal Description: 431 Birch Hill Rd., Fairbanks AK 99712
 City or Borough and State: Fairbanks North Star
 Nature of Interest: Own as JTWRos Home
 (Option to Buy, Ownership, Leasehold) Current Use (Optional)

Name of filer, spouse, spousal equivalent, or child: Dennis E. Cook + Olga B. Cook
 Street Address or Legal Description: Salchaket Drive, Harding Lake AK
 City or Borough and State: Fairbanks North Star
 Nature of Interest: Own as JTWRos Recreational Cabin
 (Option to Buy, Ownership, Leasehold) Current Use (Optional)

Name of filer, spouse, spousal equivalent, or child: Dennis E. Cook
 Street Address or Legal Description: Polar Cache Corp P.O. Box 72134 FbRS AK
 City or Borough and State: Fairbanks North Star 99707
 Nature of Interest: 1/6 Interest Investment Properties
 (Option to Buy, Ownership, Leasehold) Current Use (Optional)

Name of filer, spouse, spousal equivalent, or child: Dennis E. Cook
 Street Address or Legal Description: Gth + K Partnership 943 W 6th Ave
 City or Borough and State: Municipality of Anchorage Anchorage AK 99501
 Nature of Interest: 1/4 Ownership Rental office Building
 (Option to Buy, Ownership, Leasehold) Current Use (Optional)

Name of filer, spouse, spousal equivalent, or child: _____
 Street Address or Legal Description: _____
 City or Borough and State: _____
 Nature of Interest: _____
 (Option to Buy, Ownership, Leasehold) Current Use (Optional)

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SCHEDULE C

LOANS, LOAN GUARANTEES, AND DEBTS

Loans, Loan Guarantees, and Debts

If NONE reportable, check box =>

Report the name of each creditor or lender to whom more than \$1000 was owed during any part of the prior calendar year by you, your spouse, spousal equivalent, dependent children and non-dependent children living with you.

List financial obligations including mortgages on property sold during calendar year 2002; delinquent taxes, alimony, child support payments; medical bills; mortgage, boat and auto loans; business and personal loans; escrow's; student loans; signature loans; and promissory notes. Loans include secured, unsecured and contingent loans. Do not report credit card obligations or revolving charge accounts.

Report the address of the creditor or lender, the original amount of the obligation, current balance owed, interest rate, length of the loan, and whether a written loan agreement exists for a creditor or lender who:

- Hired a lobbyist or was a lobbyist;
- Had or sought contracts with the legislature or agency of the state that exceeded \$10,000;
- Was a municipality or local government entity; or
- Was affected financially by an action of the legislature or any other state agency in an amount exceeding \$5,000 including actions concerning professional or occupational licenses, natural resource permits or quotas, rates of assessment or taxation, health, safety or environmental standards and insurance or business practices.

Use copies of this page if you need additional space to complete this section.

See page 22 of the LFD manual for more information about the reporting requirements.

Dennis E. Cook & Olga B. Cook
Name of Debtor (filer, spouse, spousal equivalent or child)

Mt. McKinley Bank
Name of Lender/Creditor/Guarantor

Dennis E. Cook & Olga B. Cook
Name of Debtor (filer, spouse, spousal equivalent or child)

Kear Bank
Name of Lender/Creditor/Guarantor

Dennis E. Cook
Name of Debtor (filer, spouse, spousal equivalent or child)

ABA Retirement Plan
Name of Lender/Creditor/Guarantor

Name of Debtor (filer, spouse, spousal equivalent or child)

Name of Lender/Creditor/Guarantor

Source of a loan or loan guarantee that had a substantial interest in legislative, administrative or political actions.

Name of Debtor (filer, spouse, spousal equivalent, or child)

Name of Lender/Creditor

\$ _____
Original Amount Owed

\$ _____
Balance Owed

Address of Lender/Creditor

_____% _____ Years
Interest Rate Length of Loan

Does written loan agreement exist? YES NO

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SCHEDULE C
BENEFICIAL INTEREST IN RETIREMENT ACCOUNTS/TRUSTS
 Exceeding \$1000

Retirement Accounts Trusts

If NONE reportable, check box

Report each beneficial interest in a trust during calendar year 2002 for you, your spouse, spousal equivalent, dependent children and non-dependent children living with you. Trusts include employee benefit accounts (pension and profit-sharing accounts), retirement accounts (IRA, 401K, SEP, Keogh) and family trust funds. Assets of a trust include stocks, bonds, mutual funds, cash accounts, CD's, real property, and interests in limited partnerships.

- Name the trustor (the person who provided the funds or assets for the trust).
- List the assets (by name, not type)

See page 23 of the LFD manual for more help.

Dennis E. Cook 100% of my account
 Name of filer, spouse or spousal equivalent, or child: Extent of Interest (Percent)
American Bar Assn. Retirement Plan via State Street Bank of Boston
 Name of the person or entity who provided the funds or assets (Trustor)
Cook Schuchmann + Groseclose - pension, profit sharing, 401(k)
 Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

Dennis E. Cook 100%
 Name of filer, spouse or spousal equivalent, or child: Extent of Interest (Percent)
Ragan Mackenzie Division, Wells Fargo Investments
 Name of the person or entity who provided the funds or assets (Trustor)
Dennis E. Cook IRA - Various stocks
 Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

Oleg B. Cook 100%
 Name of filer, spouse or spousal equivalent, or child: Extent of Interest (Percent)
Ragan Mackenzie Division, Wells Fargo Investments
 Name of the person or entity who provided the funds or assets (Trustor)
Oleg B. Cook IRA - Various stocks
 Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

 Name of filer, spouse or spousal equivalent, or child: Extent of Interest (Percent)

 Name of the person or entity who provided the funds or assets (Trustor)

 Name(s) of the stocks, bonds, mutual funds or other assets contained in the retirement account or trust

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**SCHEDULE C
GOVERNMENT CONTRACTS AND LEASES
CERTIFICATION**

Contracts and Offers to Contract

If NONE reportable, check box

List all contracts and offers to contract with the state or instrumentality of the state during calendar year 2002 held, bid or offered by you, your spouse or spousal equivalent, dependent children and non-dependent children living with you, a partnership or professional corporation of which you are a member; or a corporation in which you or your family members listed above (or a combination of them) held a controlling interest.
See page 24 of the LFD manual for more help.

Name(s) of Contractor

Contracting Agency/Department

Indicate: Bid, held or offer made

Contract number and description

Natural Resource Leases

If NONE reportable, check box

List all natural resource leases, including mineral, timber, or oil leases held or offered during calendar year 2002 by you, your spouse or spousal equivalent, dependent children and non-dependent children living with you; a partnership, professional corporation of which you are a member; or a corporation in which you, your spouse, spousal equivalent, or children (or combination of them) held a controlling interest. See page 25 of the LFD manual for more help.

Leaseholder

Nature of Lease

Indicate: Bid, held or offer made

Identity of Lease and Description

CERTIFICATION

I certify under penalty of perjury that the information in this Statement is, to the best of my knowledge, true, correct and complete. A person who makes a false sworn certification which he or she does not believe to be true is guilty of perjury.

Dennis E. Cook
SIGNATURE

1/14/03
DATE

Dennis E. Cook
Printed Name of Filer

Fairbanks AK
Place

File this Statement with the

ALASKA PUBLIC OFFICES COMMISSION
2221 E. Northern Lights #128
Anchorage, AK 99508-4149
Telephone 907/276-4176
FAX 907/276-7018

OR

ALASKA PUBLIC OFFICES COMMISSION
PO Box 110222
Juneau, AK 99811-0222
240 Main, Rm. 201
Telephone 907/465-4864
FAX 907/465-4832

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2003 ADUC Reporting

107.02M	TRANSPORTATION & MARKETING SYSTEMS	1207.10M	UNIVERSITY OF ALASKA FAIRBANKS
107.10M	CRAWFORD & COMPANY	1207.11II	UNIVERSITY OF ALASKA FAIRBANKS
107.11M	CRAWFORD & COMPANY	1207.12II	UNIVERSITY OF ALASKA FAIRBANKS
118.02M	GREY/JANE	1218.07II	CARLIN/MATTHEW & BARBARA
137.05II	BLANC/DONALD & AFTON	1239.01C	LINTELMAN/JEFFERY
144.26M	FAIRBANKS/CITY OF	1259.06M	VORISEK/KEN
162.05M	DESIGN ALASKA, INC.	1284.68I	BONHAM: PARIKAN, CHRISTOPHER C.
162.06M	DA INVESTMENTS LLC	1290.02M	LUCIEN/WAYNE
162.07M	WILBUR/JACK B.	1329.02M	COOK/MRS. PAT
174.12M	FAIRBANKS NORTH STAR BOROUGH	1444.02II	JOHNSON/RICHARD & KIM
174.21M	FAIRBANKS NORTH STAR BOROUGH	1449.03M	WILKEN/GARY
176.10M	WARBELOW/ESTATE OF CHARLES	1456.05M	TANANA CHIEFS CONFERENCE
176.11M	WARBELOW/NETTIE	1461.01M	CASTOR/STEPHEN & BONNIE
176.12M	WARBELOW/NETTIE	1480.01II	MILLIRON/TOM W.
176.13DI	WARBELOW/NETTIE	1536.02M	SCIBOR/MICHAEL
176.15M	CHARLIE INC.	1547.01M	KNAPMAN/SUSAN S.
197.04II	THOMPSON/STEVE	1579.01M	ROCKSTAD/RON
209.02II	FINCH/JACK G.	1579.03II	MT. HAYES PROPERTIES, LLC
213.03M	DINEEGA FUEL CO.	1592.01H	WEBB/SAMUEL
235.03M	GALLAGHER/MARY ANN	622.02II	MARTIAN/GABRIEL
239.11M	MURRAY INSURANCE/KENNETH A.	1683.04II	VINTON/WILLARD & WILMA
239.13M	MURRAYINSURANCE/KENNETH A. re: BLOOD A	1685.02II	BEERS/CLARENCE GEORGE
242.07M	ANTRIM/AMANDA	1697.03II	RICKARDS/VALERIE
247.06M	SILVERADO MINES (US) INC.	1699.02II	WASHBURN/NITA
255.02M	DINEEGA CORP.	1706.01C	RYMAN/TIM
274.11M	SPORTSMEDICINE	1720.02M	GREGERSEN/REYHAUM R.
274.12M	SPORTSMEDICINE	1736.03II	KRUCKENBERG/DEAN
303.01M	CATHOLIC BISHOP	1741.02M	CRAMER/DAVID
306.11M	BOYLES/RHONDA	1747.01M	BRENNER/RUSSELL, H.
306.12M	BOYLES/RHONDA	1769.02Q	FAIRBANKS MEMORIAL HOSPITAL
317.06M	HOLADAY-PARKS, INC.	1769.06Q	FAIRBANKS MEMORIAL HOSPITAL
354.07M	DRISCOLL/PAT	1771.01M	MCGOWAN/GLENN J.
367.02MI	COLBERT/BEN & BARBARA	1776.01M	MOBLEY/DIANNE L.
422.02H	PLAQUET/BRANDON	1780.01HI	ROGERS/KATHY L.
454.01M	LASELL/DEBBIE	1801.02M	NORTHTRIM BANK
508.02M	SCHROADER/TIMOTHY	1824.01M	ARTER/RONALD W.
514.14II	NORTH POLE/CITY OF	1835.01C	TIMOFEEVA/OLGA H.
514.99M	NORTH POLE/CITY OF	1846.04M	COBB/LES & NORMA
549.02M	NAPOLILLI/NOEL & NANCY	1846.99M	COBB/LES & NORMA
551.02M	GREAT NORTHWEST, INC.	1851.01M	KOWALSKI/M. KAREN
573.02M	BOUSE/FRED	1852.02M	NAVACHAI/TERAPCNG
641.04M	GRIEME/WAYNE	1853.01M	KLEPASKI/CYNTHIA M.
670.03M	FULLFORD/JIM	1855.02II	CIT GROUP
686.01M	RUSSELL DUBIA/LYNETT	1900.04Q	FAIRBANKS COMMUNITY MENTAL HEALTH CENT
724.04M	STOCK/RICHARD J.	1932.03M	FRANUS/JOANN
832.01II	CARTER/THOMAS & DENISE	1939.01M	WELLS FARGO BANK
832.03M	CARTER/THOMAS (Tom)	1953.04II	EARTH SCIENCE & TECHNOLOGY ORGANIZATIO
840.04M	PORTWINE/DANIEL & JOANNE	1953.05II	EARTH SCIENCE & TECHNOLOGY ORGANIZATIO
848.02M	CAMPBELL/STEPHEN C. RE: ESTATE OF BOBB	1953.06M	ADVANCED EARTH SCIENCE & TECHNOLOGY OR
898.02E	GREEN/WILLIAM	1953.07M	ADVANCED EARTH SCIENCE & TECHNOLOGY OR
905.01H	GENZ/ERIC A.	1965.02M	BOYER/JOHN C.
966.09II	SCHOOLEY/LORETTA	2000.02M	NORTH STAR COUNCIL ON AGING
1029.01CI	LEMETA PAINTING CONTRACTORS	2064.02MI	NOVA GOLD RESOURCES, INC.
1071.02C	AH SA WAN	2070.03M	BEISTEL/SUN HUI
1071.04II	AH SA WAN	2070.04M	BEISTEL/SUN HUI
1183.19M	TORTORELLA/KEVIN	2070.06M	BEISTEL/SUN HUI
1183.20M	TORTORELLA/KEVIN		
1183.21M	TORTORELLA/KEVIN		
1197.01H	DAMITZ/JAIME D.		
1207.08M	UNIVERSITY OF ALASKA FAIRBANKS		

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2072.0111	TKKO, INC.	2569.0111	SHARRAH/JOSEPH L.
2093.01M	RUSSELL/DEBORAH	2572.01M	SMITH/CHRISTINE
2096.02M	CENTAC MOBILE SYSTEMS, LLC	2578.0111	HOLT/JEFF
2108.02M	ICE BROTHERS LLC	2585.0111	SANFORD/MILDRED
2120.03M	SAFEMAY, INC.	2586.0111	GRIFFIN/BETH & LOUIS
2155.01M	R & M ENGINEERING	2587.01M	MILLER/DANIEL G
2156.0411	GOODHAND/JOHN	2595.01M	GHEZZI/MARY E
2187.03H	HIGGINS/DR. PETE B. & CHRISTINE	2602.01M	SHEILS/KEVIN R
2201.01M	HELD/STEPHANIE	2603.01M	MORGAN/DONNA J.
2208.01M	BURTON/DIANA	2605.01D	VIALE/NANCY J.
2208.02M	BURTON/DIANA	2605.0211	VIALE/NANCY J.
2243.01M	KENNEDY/ALBERT	2606.01M	SNOW/FRANK R.
2243.01M	KENNEDY/ALBERT	2611.01M	HURST/JIM & CASSIE
2252.0111	CALLOS/TRACIE	2612.01M	NICOLL/JEREMY & CATRINA
2255.01E	PRECHTEL/ANTON & HERTA	2614.01M	BALSTER/JENNIFER R.
2256.01M	WALKER/ANNE	2615.01M	SHEPPARD/SHANE
2259.26M	COMMUNITY ADVOCACY PROJECT OF ALASKA,	2619.01M	WILSON/THOMAS H.
2268.0111	BECKER/TAMMY	2623.01M	WIREN/SUSAN
2279.02M	KRODSEN/DAN	2623.02M	WIREN/SUSAN
2318.02M	OFFICE OF PUBLIC ADVOCACY	2626.01M	HANNA/TRICIA
2322.01M	CHILDERS/HELMA	2628.01M	WATSON JR./WILLIAM
2322.02M	CHILDERS/HELMA	2628.02H	WATSON JR./WILLIAM & MARY SUE
2346.01M	WESTERN STAR TRUCKS, INC.	2629.01M	KING/PEGGY SUE O.
2350.01M	SHARP/KATHERIN	2631.01M	CRAWFORD/ROY L.
2352.01M	OLDHAM/TCHMY	2635.03M	FINNERTY/RONALD
2382.01M	ROSS/DAVID	2636.01M	ALLEN/WANDA F.
2398.0111	JONES/CHI	2640.01M	KUDRALUK SR/ESTATE OF BARTLETT
2401.01H	STENBERG/HIKKEL	2643.01M	BOLDEN/JOEY R.
2408.01M	PROBERT/JENNIFER	2645.01M	STONE/JAMES W & ANN
2420.0211	CLERC/PHILIPPE	2646.01M	GARDNER/CRAIG L. & MARY BETH
2424.01M	VILLENEUVE/GLENN	2647.01M	ALASKA WEST COAST SALES
2425.01M	FAULKNER/KIMBERLY	2648.0111	ELLSWORTH/JOANNE
2425.02M	FAULKNER/KIMBERLY	2648.02M	ELLSWORTH/JOANNE & DICK
2426.01M	TRIOLO/DEBORAH	2649.01M	SINGH/BALJINDER
2427.01M	MAENG/SUN R & SOO	2650.01M	NATION-CRUIKSHANK/CYNTHIA
2427.02M	EBADPOOR/SYMYO L.	2665.01M	WATSON/JAMES & KIMBERLY
2437.02M	O'CONNELL/KEVIN	2670.01M	CRONK/MICHAEL L.
2437.03M	O'CONNELL/KEVIN	2671.01M	MENABB/JEFFREY
2438.01M	BURTON/BETHANY	2672.01M	BOYD/BEN L.
2442.01E	CAPPS & DURRENBERGER	2675.01M	SCHOK/RICHARD
2443.01M	KETCHAM/COLLEEN	2675.02M	SCHOK/RICHARD
2444.01M	HELDER/JOHN	2675.03M	SCHOK/RICHARD
2445.01M	FOSTER/DANIEL	2677.01M	NOLAND/LAURA
2446.01.1	BAST/ALICIA	2678.01M	DUBAY/CONNIE
2447.02M	RANCHOFF/THOMAS	2679.0111	GREENWOOD/JOSEPH D.
2449.01M	WARD/RAYMOND E.	2680.01M	ERICKSON/KAREN
2450.0111	MCINTYRE/EDWARD	2682.0111	WINFRED/DAN
2453.01M	HAGAN/LENORA	2686.0111	BECK/JOHN
2457.01M	EDWARDS/ALICE	2688.01M	SOURS/ROBERT A.
2461.01M	CHESSER/MICHAEL	2691.01M	FATH/JOSEPH A.
2467.01M	WETTERHALL/SUZANNE	2693.01M	HU/JIAN
2474.0111	ADAMS/DONNA	2695.0111	YRJANA/HENRY M. & JILL L.
2487.02M	MCINTYRE/ANN	2698.02M	O'CONNOR/JIM (REFINERY LOUNGE)
2489.01M	EDIE/DALE E.	2699.01M	WALLEY/SHANNON R
2511.01M	AMENT/JULIANA B.	2700.01M	HOEWISCH/CAROL A.
2511.02E	AMENT/JULIANA B., SUEANN RUEGNER	2702.01M	LAMBERT/SHERI L.
2512.0111	HARDING/LINDA	2703.01M	CULVER/CRAIG S.
2518.01M	WIEHL/KIMBERLY	2707.0111	BUCKLER/JANICE
2519.01M	WENSLCW/JAMES	2710.01M	MUTTON/ELIZABETH
2520.0111	MCGOWAN/MICHAEL	2711.01M	DENAMIEL/SARAH
2529.01M	PIERSON/MARGO L	2717.01M	WILLIAMS, JIM
2530.01M	HUBER/JOHN T	2719.01M	HEIN/GARY D.
2532.01M	QATMAN/LLOYD A.	2719.02M	HEIN/GARY D. & URSULA
2532.02M	QATMAN/LLOYD A.	2720.01M	HOLLINGSWORTH/ELIZABETH
2532.03M	QATMAN/LLOYD A.	2721.01M	GLAZE/MICHAEL B.
2535.0111	LAKIN/NATALIE	2722.0111	TEW/CHING CHU
2539.01M	OLSON/CAROLYN	2724.01M	EVANS/LISA M.
2546.01M	PRESTON/TRACEY	2725.01M	CHAMBERS/MARK
2551.01M	MARTINEZ/PABLO	2725.02M	CHAMBERS/MARK
2558.01M	BACHMAN/LOUISE	2729.0111	CHURCH/MARK & EDITHA
2564.02M	BCHNET/CHUNGHEE	2735.01M	WILLIAMS/JANE N.
		2736.01M	GOTHRIS/CHEN B.
		2737.01M	MELCHERT/TER. L.
		2739.01M	SINGSON/ERICK A.
		2739.01M	AMNCNCSN/JAN & ALAN
		2741.01E	POLLEN/MIKE & PEGGY
		2742.01M	CRONES/IGNACIO
		2744.01M	RICHARDSON/DAVID
		2746.01M	CARTIER/LAURA
		2748.01M	STEVENS/ROBERT W.
		2751.01E	LINCK/GERTRUDE
		2753.01M	EATON/NATALIE L.
		2754.01M	LAZERATICH/HELEN
		2755.02M	TAUSCHEK, DDS/DR. TERRENCE A.
		2757.01M	STRAATMAN/RYAN T.
		2758.01M	MCKEEHAN/MANUS
		2759.01M	FERNANDEZ/BARBARA & MEDO

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2764.01E WOOD/VIRGINIA & JAMES
 2765.01M FOURMONT/COURTNEY
 2766.01M STAHLHUT/KARIN L.
 2767.01M FIEL/ALLAN
 2768.01M GREEN/KAREN
 2771.01M BURNS/CYRESE
 2772.01M CHO/LEELAND P., DDS
 2773.01MI HARTSHORN/KIRT
 2774.01M PANKRATZ/FRED
 2780.01II BROWN/KEVIN
 2781.01II ADVANCED CONSTRUCTION TECHNOLOGIES
 2782.01M ALLSTATE INSURANCE COMPANY
 2784.01M FIELDS/ED
 2786.01II LESTENKOF/MARVIN
 2788.01M BAKER/ANNE
 2791.01M DENNEY/CHUN MAE
 2792.01M ALASKA TOOL COMPANY
 2793.01M LANGSTAFF/DIANE
 2794.01M STIMS/MICHAEL
 2795.01M LIXON/RICHARD
 2795.02M LIXON/RICHARD
 2797.01M THE OTHER LLC
 2798.01M TEEL/VELVIE
 2799.01M ODEN/NATALIE
 2799.02M ODEN/NATALIE
 2800.01M BAYSINGER/JENIFER
 2803.01M INFORMATION LEASING CORPORATION
 2803.02M INFORMATION LEASING CORPORATION
 2804.01Q UTICA NATIONAL INSURANCE GROUP
 2805.01M GOODWIN/BRETT E.
 2808.01M MARTIN/DARRELL E.
 2811.01MI HALL/DIANNA
 2813.02M AARON PLUMBING & HEATING
 2816.01II BOSWELL/ROBERT & ELLUCIA
 2817.01M CRAMER/JOHN
 2819.01M WARD NORTH AMERICA
 2822.01M VANBORG/VERONICA
 2823.01M NOLAN/JOHN
 2825.01M DAVIS WRIGHT TREMAINE
 2828.01M ROACH/CRAIG A.
 2832.01M MOORE/BARRY G.
 2833.01M CARR/SHIRLEY
 2835.01M O'DONNOGHUE/SHAWN
 2836.01M MCCOLLUM/DOUG & CATHIE
 2840.01M ALLEE/RITA
 2841.01M FOUNTAINHEAD DEVELOPMENT
 2842.01M FLOWMAN/TOM
 2846.01M FLEWELLING/TRAVIS
 2847.01M LOESCHE-CARTER/MARY
 2848.01M CORNWELL/ANNIKA
 2849.01M ERICKSON/CARL & FRANCES
 2850.01M HAGGARD/MARIE
 2851.01M TEXAS FARM BUREAU INS. CO.
 2853.01MI TOMS/SAMUEL
 2854.01M ALLEN/MIKE
 2856.01M FACE/RICHARD & DONNA
 2857.01M KNAPP/MARK & ANGEL
 2858.01II ESLEY/JEFF & CHARLENE K.
 2859.01M CHO/HYUNJOO
 2860.01M SAUNDERS/PETER
 2861.01M DRAKE/DWAYNE
 2862.01M O'RCCK/JUNE T.
 2864.01M ROUSSEAU/CHARLENE
 2866.01EI REGAR, JR/JASON W.
 2869.01M RUTLAND/EUGENE
 2870.01MI BOSWOOD/KRISTINA
 2871.01E KOWALCZYK/TOM & DEDRA
 2872.01M BERTZ/KATHERINE
 2874.01M ALASKA RAILROAD CORPORATION
 2879.01M NELSON/DONALD
 2881.01M HASERT/ELIZABETH N.
 2883.01M KENNEDY/NANCI
 2884.01M PERRY/JAMES E.
 2891.01M MEIEROTTO/DOMINIQUE C.
 2892.01M NORVELLE/DEBORAH S.
 2893.01M DRESSER/ROBLYN L.
 2894.01E DARO/EDWARD & HAZEL
 2896.01M EVANS/DAVID L.
 2897.01M WISWAR/LAURA
 2898.01M SWEARINGEN/TRCY
 2901.01M KEYS/DR. BARBARA
 2902.01E BUSS/CLARKE & MARGARET
 2903.01M KENNEDY/MARY
 2904.01M WEBWEAVERS, INC.
 2906.01M MULLER/DAISY D.
 2917.01M KING/MIKE & GRETCHEN
 2920.01M WRIGHT/LEONARD & TAWNY
 2921.01M PERUSICH/JOE
 2924.01M GUENZLER/ROBERT C
 2926.01M CHAPPELL/JANICE & IRA
 2929.01M CONGER/ARTHUR "TERRY"
 2935.01M RAMSEY/DAVID G.
 2942.01M UPICKSOUN/CHARLES
 2944.01M CORNWALL/BARBARA
 2946.01M HARRISON/DUSTIN
 2963.01M FORD/NANCY
 5003.07M HEBERT/TROKELL

JAN 22 2003

ALASKA PUBLIC OFFICES COMMISSION
2221 E. NORTHERN LIGHTS, #128
ANCHORAGE, AK 99508
907/276-4176
FAX 907/276-7018

LEGISLATIVE FINANCIAL DISCLOSURE STATEMENT
AMENDMENT FORM

Name of filer: Dennis E. Cook

1. Make the appropriate changes. Use additional pages as needed.
2. Sign and date this form and return it to APOC. It will be added to your original LFD statement as an amendment.

OTHER INCOME

If no changes are needed, check box

List the sources of income over \$1000 received from the sale of real property, Permanent Fund Dividend, money from a campaign account transferred to your legislative office account or to you in excess of the amount of your personal contributions or loans to the campaign, general social security retirement, shared living expenses, and all other income over \$1000 not reported elsewhere on the LFD statement. For more help, see pages 14-15 of the LFD manual.

RECIPIENT:
(Filer, spouse, spousal equivalent, or child)

NAME OF SOURCE:

Dennis E. Cook

Alaska Permanent Fund Dividend

Dennis E. Cook

Sale of interest in 6th + K
Partnership to
6th + K, LLC Buyer

CERTIFICATION	
I certify under penalty of perjury that the information in this Statement is to the best of my knowledge true, correct and complete.	
<u>Dennis E. Cook</u>	<u>1/22/03</u>
Signature	Date

JAN-27-2003 MON 02:25 PM

FAX NO.

P. 03

JAN-22-2003 WED 03:30 PM

FAX NO.

P. 04

ALASKA PUBLIC OFFICES COMMISSION
2221 E. NORTHERN LIGHTS, #172
ANCHORAGE, AK 99508
(907) 276-4176 - FAX (907) 276-7018

**LEGISLATIVE FINANCIAL DISCLOSURE STATEMENT
AMENDMENT FORM**

NAME OF FILER: Dennis E. Cook

1. Make the appropriate changes. Use additional pages as needed.
2. Sign and date this form and return it to APOC. It will be added to your original LFD statement as an amendment.

Self-Employment

If no changes are needed, check box

Report the amount of income received from self-employment when the client

On a careful re-reading of the instructions concerning self-employment, filer has discovered that he does not fall into the definition of self-employment for the following reasons:

Filer is employed by Cook Schuhmann & Groseclose, Inc., a C-Corporation. (See attached Certificate of Incorporation) Filer's interest in the corporation is 1/6 or 16.67%.

Filer is a salaried employee of Cook Schuhmann & Groseclose, Inc. This is the only source of salaried employment of filer.

ARRIVED

JAN 27 2003

**APOC-ANGL
PM HC FAX**

CERTIFICATION

I certify under penalty of perjury that the information in this Statement is, to the best of my knowledge, true, correct and complete.

Dennis E. Cook
Signature

1/22/03
Date

Subject: Ethics Procedures

Date: Fri, 31 Jan 2003 09:20:20 -0900







From: Ethics Committee <Ethics_Committee@legis.state.ak.us>

To: Brian Hove <Brian_Hove@legis.state.ak.us>,
 Vanessa Tondini <Vanessa_Tondini@legis.state.ak.us>

Brian and Vanessa:

I received a request from Brian concerning procedures used by the Ethics Committee during the complaint process. I have attached several documents from the 2003 Standards of Conduct Handbook (of which you should have a copy) and also a copy of the Committee's procedures which are adopted by the full committee. If you have any questions, please give me a call.

Joyce Anderson
 Administrator, Ethics Committee

 Committee Procedures 7-00.doc	<p>Name: Committee Procedures 7-00.doc Type: WINWORD File (application/msword) Encoding: base64 Download Status: Not downloaded with message</p>
 03 Handbook - Complaints.doc	<p>Name: 03 Handbook - Complaints.doc Type: WINWORD File (application/msword) Encoding: base64 Download Status: Not downloaded with message</p>
 03 Handbook - Complaints2.doc	<p>Name: 03 Handbook - Complaints2.doc Type: WINWORD File (application/msword) Encoding: base64 Download Status: Not downloaded with message</p>
 AS 24.60.170 complaints.doc	<p>Name: AS 24.60.170 complaints.doc Type: WINWORD File (application/msword) Encoding: base64 Download Status: Not downloaded with message</p>
 AS 24.60.176 & 78.doc	<p>Name: AS 24.60.176 & 78.doc Type: WINWORD File (application/msword) Encoding: base64 Download Status: Not downloaded with message</p>
 H complaint 2000.doc	<p>Name: H complaint 2000.doc Type: WINWORD File (application/msword) Encoding: base64 Download Status: Not downloaded with message</p>

Joyce Anderson <Ethics_Committee@legis.state.ak.us>
Administrator
Legislative Ethics Committee

Sec. 24.60.130. Select committee on legislative ethics.

(a) There is established as a permanent interim committee within the legislative branch of state government the Select Committee on Legislative Ethics.

(b) The committee consists of nine members, in two subcommittees, as follows:

- (1) the senate subcommittee, which consists of two members of the senate, one of whom shall be a member of the minority organizational caucus, if any, appointed by the president of the senate with the concurrence by roll call vote of two-thirds of the full membership of the senate, and includes the five public members appointed under (3) of this subsection;
- (2) the house subcommittee, which consists of two members of the house, one of whom shall be a member of the minority organizational caucus, if any, appointed by the speaker of the house with the concurrence by roll call vote of two-thirds of the full membership of the house, and includes the five public members appointed under (3) of this subsection; and
- (3) five public members who are selected by the Chief Justice of the Alaska Supreme Court and who are ratified by two-thirds of the full membership of the senate and two-thirds of the full membership of the house.

(c) No more than one public member may be a former legislator and no more than two public members of the committee may be members of the same political party.

(e) Except as provided in this subsection, a vacancy on the committee shall be filled under (b) of this section. An individual who is appointed to fill a vacancy that occurs during the last 10 days of the first regular session of a legislature or during the interim between regular sessions of that legislature serves without concurrence or ratification through the 10th day of the second regular session of the legislature. An individual who is appointed to fill a vacancy that occurs during the last 10 days of the second regular session of a legislature or during the interim after the second regular session serves without concurrence or ratification through the convening of the first regular session of the next legislature.

(g) Each legislative member serves for the duration of the legislature during which the member is appointed. Each public member serves for a term that commences on the date the member is ratified and ends on the first day of the third regular session that follows the ratification. A public member whose term has expired continues in office until a successor has been appointed and ratified or until the 30th calendar day of the first legislative session that follows the successor's appointment, whichever is earlier. A member of the committee may be removed from membership on the committee for failure to carry out the person's duties as a member of the committee. A legislator may be removed with the concurrence by roll call vote of two-thirds of the full membership of the house of the legislature to which the member belongs. A public member may be removed with the concurrence by roll call vote of two-thirds of the full membership of each house of the legislature.

July, 2000

COMMITTEE PROCEDURES

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ALASKA STATE LEGISLATURE
SELECT COMMITTEE ON LEGISLATIVE ETHICS

COMMITTEE PROCEDURES

SEC. 1 SCOPE

These publicly adopted procedures are intended to supplement the statutory procedures set forth in AS 24.60 and must be read in conjunction with those statutory procedures.

SEC. 2 ADVISORY OPINIONS

(a) **FORMAT**: A request for an advisory opinion by a person eligible to make a request (AS 24.60.160) may be filed with the committee in any written form, including electronic transmission. The requester may withdraw the request at any point prior to the committee's rendering of an opinion.

(b) **RESPONSE**: The committee's sixty day period to respond begins upon receipt at the committee office. The document will be dated and marked confidential, unless the requester waives confidentiality in writing.

If the request is clearly answerable in statute and does not require a formal opinion, a letter will be sent to the requester outlining the statutory response. The requester may either withdraw the request or maintain the request, after receipt of the statutory response letter.

The committee will send a confidential copy of the inquiry and a letter requesting a draft advisory opinion to the LAA Legal Counsel. If LAA Legal Counsel is unable to or has a conflict in drafting the opinion, committee staff will draft the opinion.

(c) **REQUEST FOR EXTENSION**: The committee will send a letter to the requester acknowledging receipt of the request, requesting an extension if the full committee is not able to meet within the sixty day period or if the period prior to the meeting does not allow LAA Legal adequate time to prepare a draft opinion, and advising when the opinion will be considered.

If the facts presented are not sufficient to allow the committee to render an opinion, a letter will be sent requesting additional information, noting the timeline and, if necessary, requesting an extension for response.

(d) **EXTENSION DENIAL**: If the requester does not grant an extension, at the discretion of the committee chair, a draft advisory opinion may be prepared and provided to all members of the committee. Members will be asked to concur or not concur in writing including counterpart. If a quorum of members who acknowledged receipt of the draft concur, the draft is adopted as a tentative advisory opinion of the committee, which does

not bind the committee unless formally adopted at a committee meeting. A copy of the tentative advisory opinion shall be made available to the requester, with an accompanying letter explaining the tentative status. If any member, who acknowledged receipt of the draft, objects to the adoption of the draft, the committee shall meet to discuss the opinion request.

(e) SUMMARY/PUBLICATION: The committee shall publish a summary of its advisory opinions rendered in the prior period, after deletions, as specified in AS 24.60.150(a)(2) promptly after June 30th each year and promptly after the day on which the legislature convenes each January. The committee will prepare a letter of transmittal, a cover identifying committee members and contents, a table of contents and any advisory opinions from that period. Copies will be prepared by the Legislative Print Shop. The committee will distribute the summaries. The committee will summarize advisory opinions, when appropriate, in the monthly newsletter.

(f) CLOSURE: All information concerning the request, with the exception of the publishable advisory opinion, shall be designated "closed" upon adoption of a formal advisory opinion and scheduled for destruction two years and six months thereafter. LAA Legal Services will destroy their copies of any confidential documents related to the opinion in accordance with their destruction policies.

(g) DELIBERATIONS/VOTING ON ADVISORY OPINIONS Unless the requester has waived confidentiality, deliberations on advisory opinions are to be conducted in executive session. Upon completion of deliberations, the committee will reconvene in open session and the chair will announce the advisory opinion number and the general topic. The committee will vote to concur or not concur with the draft advisory opinion. The published opinion will reflect the vote.

SEC. 3 POTENTIAL COMPLAINTS

(a) ANONYMOUS INFORMATION: Anonymous information concerning potential violations received by the committee will be treated confidentially, except as provided in (c) below. Anonymous information provided only verbally will not be considered, except as provided in (c) below. Committee staff or members will provide information on the complaint process and requirements to the caller. If anonymous information is received concerning a potential violation and if a complaint based on that information is not received within 30 days, committee staff and the appropriate subcommittee chair will review anonymous tangible information as to credibility, seriousness and jurisdiction. If it is found to be sufficient, the information will be forwarded to a subcommittee or the full committee as appropriate, for review. Copies of the information will not be made available to the subject unless a complaint is filed. If the subcommittee or the committee determines to not consider the anonymous information, it will be considered closed and scheduled for destruction two years and six months from the date of receipt of the information or at a later date if the committee specifically designates.

(b) INFORMATION FROM A KNOWN SOURCE: The committee will treat all material information received concerning potential violations of the ethics code as confidential, except as provided in (c) below. Information provided only verbally will not be considered, except as

provided in (c) below. Committee staff or members will provide information on the complaint process and requirements to the known source. If a complaint is not received within 30 days, committee staff and the appropriate subcommittee chair will review the tangible information as to credibility, seriousness and jurisdiction and if it is found to be sufficient, the information will be forwarded to the appropriate subcommittee. The subcommittee will review the information and make a determination as to whether to return the information to the source, with or without a recommendation to file a complaint. The committee may retain the information as support documentation. The source of the information will be notified, when possible, if a complaint has otherwise been initiated. The source will not receive a copy of the complaint or any other confidential information. If the subcommittee or the committee determines to not consider the anonymous information, it will be considered closed and scheduled for destruction two years and six months from the date of receipt of the information or at a later date if the committee specifically designates.

(c). INFORMING THE SUBJECT OF INFORMATION PROVIDED UNDER (a) OR (b) ABOVE. The committee authorizes the committee staff to contact the subject of the written or verbal information received under (a) or (b) above, at any point after receipt of the information prior to a complaint being filed, if the information appears to allege a possible violation of the ethics code. The purpose of the contact would be to inform the subject that there exists a perception by an unnamed source that a violation has occurred. Staff will clarify to the subject that the purpose of the contact is limited to alerting the subject of the existence of the perception, and that the call itself has no affect on whether or not a complaint may be filed. The contact does not obligate the subject to take any action, remedial or otherwise. Staff is not authorized to initiate investigative actions under this subsection.

SEC. 4 ATTORNEY-CLIENT PRIVILEGE

All communications between the committee, its members and the committee's legal counsel are protected by attorney-client privilege.

SEC. 5 COMPLAINTS

(a) PROCESS: The committee shall furnish forms to any person upon request. A complaint may be filed in any written form as long as it is signed under oath, pursuant to AS 24.60.170(b).

1. Complaints improperly submitted will be returned, with all accompanying materials, with instructions for proper filing, and, without reference to the specifics of the complaint. The committee will retain only the cover letter.

2. Invalid complaints will be returned to the complainant without action. A complaint is considered invalid if an alleged violation is not specified, if an alleged violator(s) is not identified, if the committee lacks jurisdiction over the allegation or if the allegation does not allow the committee to act.

3. Complaints that have been dismissed for lack of jurisdiction, that are refiled by the same complainant containing substantially the same allegations and information, will be returned to the complainant without action.

4. Complaints filed, during a campaign period, against a candidate for state office will be processed as specified in AS 24.60.170(o).

5. Complaints against a candidate for state office which are pending at the beginning of a campaign period will be processed as specified in AS 24.60.170(m).

6. Committee staff will immediately, upon receipt of a complaint, notify the complainant of the provisions in AS 24.60.170(i).

(b) RECEIPT: Upon receipt of a sworn complaint, the committee staff will mark the document "confidential", log in the complaint, assign a control number and file the complaint with the appropriate subcommittee or full committee chair. The chair will immediately direct staff to transmit a copy of the complaint to the person accused and ask the subject to acknowledge, in writing, receipt of the complaint.

(c) WAIVER OF CONFIDENTIALITY BY SUBJECT OF COMPLAINT: The subject of a complaint may waive confidentiality of proceedings at any point in the proceedings under AS 24.60.170 or at the close of the proceedings. The subject may not waive the committee's duty of confidentiality. The subject of a complaint may waive confidentiality only for those materials and proceedings that pertain to him or her. The subject may not waive confidentiality for others, including others named in the complaint and those involved or assisting in the committee's investigation of the complaint. If a complaint names more than one subject, the committee will release the complaint with sufficient deletions to preserve the confidentiality of the other named subject(s), an individual's constitutional right to privacy and/or any information related to juveniles or juvenile proceedings.

If confidentiality is waived prior to a determination of probable cause, the committee will treat any proceedings related to the complaint consistent with AS 24.60.170(m), which requires that hearings be public and documents presented at a hearing and motions filed in connection with the hearing are subject to public inspection. Under a waiver of confidentiality, deliberations of the committee will be conducted in closed session with the statement of the motion and vote held in public session. The subject may not waive, in whole or in part, the committee's confidentiality obligations as set forth in AS 24.60.170.

If confidentiality is waived after a determination of probable cause, the committee or subcommittee will release copies of all the following documents, after ensuring that release of documents will not infringe upon an individual's constitutional right to privacy or another subject's right to maintain confidentiality, including:

1. Public documents which are part of the investigative file e.g. reports filed with the Alaska Public Offices Commission.
2. Materials submitted to the committee by the subject of the complaint.
3. The formal complaint, with deletions if necessary, accompanying documents and correspondence from the complainant.
4. The resolution identifying the scope of the investigation.
5. Correspondence from the committee to the subject of the complaint and/or the complainant.

6. A statement of the motion and record of the vote taken to reach the final decision.

The committee reserves discretion to determine which documents are subject to public inspection. The committee will not release investigative files, notes from deliberations held in confidential sessions or documents produced by legal counsel, protected by attorney-client privilege, unless the committee or sub-committee reviews the materials, removes any information that would infringe upon the constitutional right of privacy of an individual or another subject's right to maintain confidentiality and formally adopts a motion to release the identified materials.

(d) COMMUNICATION: When the nature of the complaint is generally known to the public, the committee may clarify the procedural aspects of a complaint or explain the right of a person to a fair hearing. The committee may not identify the individual against whom the complaint has been filed. The committee may dismiss a complaint pursuant to AS 24.60.170(c) for lack of jurisdiction. After investigation, if the committee dismisses a complaint or finds probable cause, the committee will issue an explanatory statement.

(e) COMPLAINT AGAINST A REHIRED EMPLOYEE: The committee may consider a complaint filed against a person previously employed by the legislative branch of government who has been rehired in the legislative branch, within the time limitations specified in AS 24.60.170(a).

(f) RESPONSE BY THE SUBJECT OF A COMPLAINT: The committee may invite the subject of a complaint to appear before the appropriate subcommittee or representatives of the subcommittee, to meet with the assigned investigator and/or to respond in writing at any time after receipt of the complaint. The committee is not limited to one response from the subject of a complaint; request for information may be on-going. Pre-investigative contact with the subject may be made for the purposes of defining the scope of the investigation.

(g) PRELIMINARY EXAMINATION OF COMPLAINT: Before the committee considers a complaint, staff will conduct a preliminary examination of the complaint to determine and make a recommendation to the committee as to whether, based on the information and evidence on hand:

(1) the act(s) complained of is within the jurisdiction and time limitation of the committee under AS 24.60 and

(2) there is specific and credible information to indicate that an investigation is warranted.

SEC. 6: CONFIDENTIAL MATERIALS

(a) IDENTIFICATION: All confidential documents will be marked "confidential. Copies of confidential documents may be conspicuously marked using notations (such as pre-assigned numbers) that will identify the recipients.

(b) DISTRIBUTION: Confidential documents, other than those delivered to committee members, will be hand delivered and signed for, or delivered by a receipted process. Confidential documents will not be faxed unless absolutely necessary and the sender first faxes a cover letter while on the phone with the designated recipient, who confirms that the fax is being received properly. When confidential documents are distributed to committee members, they will be contained in sealed folders or envelopes, which distinguish them from other committee materials.

(c) SECURITY: Committee staff, members and contractors will store confidential documents in locked receptacles. Before anyone other than a committee member is authorized to handle confidential documents, his or her name must first be submitted to the committee. The individual must also sign a statement that he or she is aware of the laws and procedures governing access to confidential information. All outstanding copies of confidential documents must be returned to the Ethics Committee staff at the conclusion of the relevant meeting, unless the committee authorizes continued possession or personal destruction by the committee member. The staff will dispose of unnecessary copies by shredding.

(d) RECEIPT: If a committee member receives the original complaint letter or advisory opinion request, s/he will send the original, without making any copies, to the Ethics Committee staff, who will record it in the log and make any necessary copies.

(e) CLOSURE:

- 1.) See Sec. 2 (e) for closure of advisory opinion files.
- 2.) A complaint file is considered closed upon completion of proceedings under AS 24.60.170. All originals and copies of confidential information, including those of legal counsel and investigators, are to be returned to the committee office, logged in and scheduled for destruction. Copies may be destroyed at any time.

Destruction of the originals of closed confidential materials under this section will be scheduled for 2 years and 6 months from the date of final committee action.

(f) INVESTIGATIVE MATERIALS: An investigative report, and any attorney or investigator work products related to the investigation, either prepared on behalf of the committee or disclosed to it as part of the investigation are required to be kept confidential. The committee will request all original products generated by an investigator at the close of the investigation and will require that the investigator destroy all copies in his or her possession.

SEC. 7 DECISIONS

(a) PUBLIC DECISIONS AND ORDERS: Reports on decisions will include the names of those in attendance and the vote on the specific decision, if publicly determined. Decisions that require public release will be transmitted in the fastest mode possible in the following order,

- (1) Subject of the complaint.
- (2) Speaker of the House and Senate President
- (3) Members of the committee
- (4) Complainant
- (5) Media request list

A formal copy will be sent to the Senate Secretary, Senate President, House Clerk, and Speaker of the House via pouch or mail:

(b) CONFIDENTIAL DECISIONS: Complaints dismissed for lack of jurisdiction under AS 24.60.170(c), will not be made public either during the time when the vote is taken or afterwards. When a complaint is dismissed under (c), the committee will only notify the complainant and the subject of the complaint. The notification will only contain the determination that the complaint is dismissed on jurisdictional grounds.

(c) ANNUAL PUBLICATION: The committee will publish all public decisions and orders on an annual basis.

(d) WAIVER OF CONFIDENTIALITY

See Section 5(c), COMPLAINTS, concerning waiver of confidentiality.

(e) DISMISSAL FOR LACK OF PROBABLE CAUSE

If the committee or sub-committee determines, after investigation, that there is not probable cause to believe the subject has violated the Ethics Code, the committee or sub-committee shall issue an order dismissing the complaint and a written decision explaining the dismissal. The dismissal order shall be sent to the subject of the complaint and the complainant. The dismissal order shall also be open to inspection and copying by the public.

The committee will publicly issue a dismissal order for lack of probable cause, under AS 24.60.170(f), which identifies the subject and the allegations made against the subject, following delivery of a copy to the subject of the complaint and the complainant.

(f) PROBABLE CAUSE In cases under AS 24.60.170(g) where the subcommittee finds probable cause of a violation and recommends corrective action(s), the following information will be included with the recommendation in the public decision:

1. An explanation of the subject's right to request, within 20 days after receiving the decision, a confidential meeting or teleconference with the committee at which the committee shall explain the reasons for its explanation.
2. Requirement for the subject to submit a letter to the subcommittee, within 30 days from the date of receipt of the public decision, either accepting the corrective actions or requesting a public hearing.
3. If the subject accepts the recommended corrective actions, the letter must also contain a statement acknowledging the violation.
4. Each recommended corrective action must include a date by which it must be accomplished or a statement specifying the period of time that the corrective action

remains in effect. (e.g. if the action is a commitment to file timely disclosures, the decision would include a statement "for as long as the subject serves in the legislature").

5. The public decision must state when and how compliance with the recommendations will be reviewed. (e.g. the subcommittee will review the status of the recommended actions by (date) or the subcommittee authorizes the chair to review the status by (date) and to report any non-compliance to members.)

6. The public decision may also include the statement; "If the actions have not been completed as specified, the subcommittee may issue formal charges on the complaint".

SEC. 8 DELEGATION OF AUTHORITIES/CONTRACTS

(a) AUTHORIZATION: Any authorities delegated to the Chair, may be redelegated to the Vice-Chairs. The Chair may authorize or delegate authority:

to approve travel/per diem for members, staff time sheets, ability to incur and be reimbursed for expenses, and purchases less than \$400; to negotiate with and retain professional service contractors, issue and sign subpoenas and to approve/disapprove payment of professional contract invoices.

(b) CONTRACTS: Contracts with the committee must receive approval, in a public meeting, of a majority of the members of the full committee, if it is an issue under the jurisdiction of the full committee or a majority of the members of the subcommittee, if it is an issue under the jurisdiction of the subcommittee. Members of the full committee and members of the sub-committees delegate authority to the chair of the appropriate committee or sub-committee to serve as Project Director for approved contracts.

SEC. 9 DISCLOSURES

(a) FORMS: The committee will provide forms upon request and will encourage use of the appropriate form. Disclosures will be accepted in any written, signed form which identifies the type of disclosure. The committee will accept faxed forms. The committee may request additional information for the purpose of identifying which type of disclosure has been filed.

(b) RECORD: The committee will maintain a public record and log of those disclosures that are not confidential by law and a confidential record and log of those which fall under AS 24.60.080(c)(6).

(c) PUBLICATION: During session, a copy of those public disclosures that require publication will be sent to the clerk of the appropriate body following a schedule mutually agreed upon by the clerks of both bodies and the committee staff. During the interim, the record will be kept by the committee and sent to the clerk of the appropriate body the first week of the legislative session. The committee staff will send the necessary copies to the Alaska Public Offices Commission.

- (d) **REVIEW OF CONFIDENTIAL DISCLOSURES**: The Chair shall appoint three members to review confidential disclosures under AS 24.60.080(c)(6).
- (e) **CLOSURE**: The public disclosure files may be destroyed 6 months after the end of the legislature in which they were filed and published. The disclosures under AS 24.60.080(c)(6) are not considered closed until 2 years and six months from date of receipt by the committee, at which time they will be destroyed.
- (f) **LATE DISCLOSURES**:
1. Committee staff will mark the date of disclosure on all disclosure reports received. The date of disclosure is considered the date the form is faxed, postmarked for mailing, pouched or hand delivered.
 2. Committee staff will mark as "late" if the report is received more than 5 days late.
 3. Staff will send a letter notifying the discloser of receipt of late report and alerting the discloser of a future monetary fine if any subsequent reports are late. Letter will include an offer for the discloser to explain lateness. Staff will keep a list of all those who have received the letter of notification.
 4. Upon receipt of a second late disclosure report from an individual on the list described in #3, staff will notify committee of intent to impose a fine and then send a letter notifying the discloser of the fine due (\$2.00 per day, maximum of \$100). Fine will begin on the 6th day after the due date. Letter will explain that payment is to be made to LAA but sent to the Ethics Committee for recording. Staff will forward the payment to LAA.
 5. If the fine is not paid within 30 days from date letter is sent, the names of those late in payment or those who refuse to make payment will be listed in the following month's ethics committee newsletter.

SEC. 10 DISCOVERY

(a) **DISCOVERY BY SUBJECT**: AS 24.60.170 (i) A person against whom a complaint has been filed is entitled to engage in discovery in a manner consistent with the Alaska Rules of Civil Procedure, subject to reasonable restrictions imposed by the committee for the time of discovery and the materials that may be discovered. When allowing discovery, the committee will take into consideration the potential for public distribution of materials, under AS 24.60.170(i).

(1) **TIME**: The subject of a complaint may request discovery at any time after the committee has formally charged the subject, under AS 24.60.170(h). The committee is authorized but not required, to allow discovery at an earlier stage of the proceeding.

(A) The subject of the complaint may request discovery after the determination of probable cause but before making a decision as to whether or not to comply with the decision or to request a public hearing. If the committee authorizes the chair to allow early discovery, the committee shall have 20 days to respond to this

discovery request. The subject of the complaint remains obligated to respond to the committee under the conditions set out in the decision and order.

(B) If the discovery request is made after the subject requests a public hearing or the committee issues formal charges, but before the committee has scheduled the public hearing, the committee shall have 30 days to respond to the discovery request. The committee shall set a date for the public hearing not fewer than 30 days after serving its responses to the discovery request.

(C) If a discovery request is made by the subject after the committee has set the date for the public hearing, the committee shall make all reasonable efforts to respond fully to the request prior to the public hearing but is not obligated to do so and is not obligated to postpone the hearing.

(D) Under AS 24.60.170(p), the discovery process may continue during a campaign period, if the committee has formally charged the subject prior to the beginning of the campaign period.

(2) MATERIALS: The committee must produce to the subject of the complaint any materials relevant to the subject matter involved in the pending investigation that is not privileged material, in accordance with subsections (b), (c), (d) and (e) of this section. Such material includes the names and addresses of persons known to have knowledge or relevant facts, their written or recorded statements, any reports or statements of experts, books, papers, documents, photographs or tangible objects relevant to the probable cause determination.

(b) DUTY TO SUPPLEMENT: The committee has an on-going duty to supplement produced materials.

(c) CONFIDENTIALITY: The subject is required by law to keep confidential all materials discovered in this process, unless the subject who was formally charged under AS 24.60.170(h) provides written notification to the committee that he or she is not restricted under the provisions in AS 24.60.170(i) and attaches supporting evidence. The committee can not make materials subject to public inspection unless produced at a public hearing.

(d) DISCOVERABLE DOCUMENTS: Materials or information subject to the attorney-client privilege or the work-product doctrine shall not be discoverable. This privilege shall extend to the work-product of investigators or others concerning work supervised by the committee's attorneys. Documents produced or discovered during the committee's investigation shall remain confidential and are not subject to public inspection unless produced at a public hearing. The subject of an investigation, however, may exercise his or her limited rights to waive confidentiality under AS 24.60.170(1). Unless the entire confidentiality is waived, the subject may not release the confidential documents per AS 24.60.060. See Sec. 5 COMPLAINTS, subsection (c) for additional information on waiver of confidentiality.

(e) RESTRICTIONS: The committee is authorized to issue protective orders under AS 24.60.170(i)(1). A legislator or legislative employee who makes an unauthorized disclosure of information under a protective order is in violation, under AS 24.60.060(b). Materials obtained during the course of investigation that will not be used in deliberations on specific allegations may be discoverable by the subject of the complaint. The committee may place reasonable restrictions on the material's discoverability in order to protect the privacy of individuals not under investigation or for any other reasonable, legitimate purpose. Such restrictions may include providing for "in camera" review of the materials, providing copies of the materials with the names of people mentioned therein deleted, or denying discovery altogether. The committee, or the person authorized by the committee, will review all information, prior to release for discovery by the subject. If the committee has not reviewed the irrelevant materials, production of such materials may be denied in total. The principle of fundamental fairness to all involved will be applied to discovery decisions.

(f) DEPOSING COMMITTEE MEMBERS/STAFF: Committee members are not subject to deposition by the subject of the complaint, or the subject's counsel, unless a member has personal, first-hand knowledge relevant to the case and is considered a potential witness. A member who has personal, first-hand knowledge relevant to the case is recused from participation in matters related to the complaint and may be subject to deposition. A member whose knowledge of information relevant to the case is based solely upon information gathered from the complainant, the complaint or the investigation of the complaint does not have "personal, firsthand knowledge" and may not be deposed on matters relating to the complaint.

Committee staff is not subject to deposition by the subject of the complaint, or the subject's counsel, unless the staff person has personal first-hand knowledge relevant to the case or if the staff person is performing investigative duties related to the case. A staff person who is performing investigative duties may not be deposed until after the investigation is complete.

Depositions taken under this subsection are subject to all attorney work product privileges and other applicable privileges and must be kept confidential.

SEC. 11 EDUCATION

(a) HANDBOOK: The committee will publish a current standards of conduct handbook for the purpose of providing a practical guide for those affected by the legislation, a copy of the statutes of the Ethics Law and examples of the disclosure and complaint forms.

(b) TRAINING: The committee will participate in training new legislators and staff on the requirements and prohibitions in the legislative ethics law.

(c) INFORMATION: The committee will provide the leadership of both legislative bodies a list of requirements and deadlines, for general announcement and distribution to all legislators and their staff at the beginning of each legislative session.

(d) COMMUNICATION: Any decision or opinion rendered by the committee that may affect more than one legislator or employee, will be cleansed of any confidential information and communicated to members and staffs as soon as possible. Communication may be in newsletter, memo or other informal presentations.

(e) NEWSLETTER: The committee will issue a monthly newsletter, in any form including electronic, highlighting various sections of the ethics code, informing of upcoming deadlines and providing other information of value to legislators and legislative employees statewide.

SEC. 12 EXECUTIVE SESSIONS

(a) LIMITATIONS: Attendance at executive sessions will be limited to members of the committee and essential personnel, as determined by the committee. In cases of discussion, investigation, data gathering, interviews, deliberations or decision making on complaints prior to probable cause determination, neither the subject of the complaint, nor any other legislator not on the appropriate subcommittee, shall be allowed in the executive session.

(b) EXCEPTION: The only exception to (a) above will be if the legislator or legislative employee is a witness and is requested to be a part of the executive session by the committee. The subject of the complaint will have an opportunity pursuant to AS 24.60.170(d) to explain the conduct alleged to be a violation of this chapter to the committee in executive session, at a time set by the committee. The subject may choose to give a written explanation.

(c) ADVISORY OPINIONS: In discussions on advisory opinion requests, the legal advisor and essential personnel will be allowed in the executive session but no other individuals, including the person requesting the opinion, will be allowed in the executive session. If the requester waives confidentiality in writing, the issue will be discussed in public session.

(d) LEGISLATOR IN ATTENDANCE: Except as provided in (a) above, under AS 44.62.310-AS 44.62.312, of the Open Meetings law, any legislator can request to be in the session as an observer but will be bound by the ethics committee confidentiality standards.

(e) EXECUTIVE SESSIONS WILL NOT BE TAPE RECORDED.

SEC. 13 GUIDELINES

- (a) AUTHORITY: The committee may issue guidelines other than those statutorily mandated.
- (b) DEFINITION: *Guidelines* are defined as those interpretations of the Ethics Law formally made and adopted by the committee for use by covered employees and legislators in making a judgment or determining a policy or course of action under this law.
- (c) BINDING/PUBLICATION: Guidelines, as well as any amendments or deletions of guidelines, adopted by the committee will be published on the same schedule as the Advisory Opinions and will be considered binding after publication.
- (d) ANNUAL REVIEW: The committee will annually review guidelines in a public meeting.

SEC. 14 HEARING PROCEDURES

(a) GENERAL: The same procedure will apply to either the house or senate subcommittee. The intent of these procedures is to provide due process to people charged under the ethics law and to protect the privacy and rights of the victims, complainants and the public in the process. Every effort has been made to make these procedures consistent with and parallel to those for State Administrative Hearings pursuant to AS 44.62.330-630, Alaska Bar Rule 22 and the Commission on Judicial Conduct, Rule 10.

These procedures are applicable to all hearings of the Select Committee on Legislative ethics and its subcommittees pursuant to AS 24.60.170(g)(h)(j)(m). These procedures are adopted under AS 24.60.150(a)(1).

(b) COUNSEL: A person who is subject to charges under AS 24.60.170(h) or findings of probable cause with corrective action under AS 24.60.170(g)), is entitled to a hearing in accordance with AS 24.60.170(j). The subject of the probable cause determination or the charge shall be entitled to be represented by counsel in all pre-hearing and hearing matters. The committee shall designate its own counsel to present the evidence supporting the violations alleged in the probable cause findings.

(c) COMMITTEE RESTRICTIONS: In order to assure a separation between the determination of probable cause and the hearing, the committee members will not avail themselves of any information, notes or other materials from confidential deliberations in the probable cause stage, unless introduced in the hearing as evidence. Following a finding of probable cause, the committee members should avoid any ex parte discussions with the committee counsel on the merits of the matter.

(d) TIMELINESS: A hearing will be scheduled no sooner than 20 days and no later than 60 days from the date of service of charges or probable cause findings on the person subject to the charges, unless conditions in Committee Procedures: Sec. 10 (a) apply.

Upon summons and notice of hearing, the person subject to the charges pursuant to AS 24.60.170(h) shall have 10 days to admit to the charges or request a hearing.

(e) DISCOVERY: The subject and/or the counsel for the subject shall have the right to reasonable discovery, under Section 10 in these Procedures.

The counsel for the committee, in a manner consistent with the Alaska Civil Rules of Procedure, shall have rights of discovery and productions of documents relating to the hearing once a hearing has been requested and scheduled.

(f) PRE-HEARING PROCEDURES: The committee may issue a pre-hearing order including such items as:

time limits on opening statements, presentation of evidence and closing arguments and deadlines for submitting witness lists, exhibit lists and any motions raising issues resolvable prior to the beginning of the hearing. Pre-trial motions should be submitted to the committee at least one week prior to the hearing.

Counsel for the committee and the person subject to charges or their counsel, are encouraged to stipulate prior to hearing, as to any matters including evidentiary matters or undisputed facts.

(g) CONDUCT OF HEARING: The hearing shall be in front of the appropriate subcommittee of the Select Committee on Legislative Ethics and presided over by the chair of that subcommittee or the full committee if the case requires full committee participation.

1. Hearing Officer: The committee may appoint an impartial Hearing Officer to facilitate and expedite procedural aspects of the hearing. Both the committee counsel and the counsel for the person charged or the person charged, will be provided a list of the final candidates for the Hearing Officer position and may submit recommendations to the chair for selection or disqualification of any candidate. The committee's decision is final.

The Hearing Officer will rule on whether a witness is to appear in person or on teleconference; on admission and exclusion of evidence; advise the chair on matters of law; and control the conduct of participants and the time allotments to participants. Decisions on all procedural matters will be made by the Hearing Officer, subject to a right to appeal to the chair of the subcommittee. The subcommittee may overrule a determination by the Hearing Officer. The chair and the members may question the witnesses and the person charged or ask clarifying question of either counsel, the person charged or the hearing officer.

2. Person Charged: The person charged shall have the right to appear personally before the subcommittee at the hearing. The hearing will proceed with or without the appearance of the person charged.

3. Witnesses: Both counsel (or the person charged if counsel is not used), have the right to subpoena witnesses. All witnesses shall testify under oath. In the event of problems in travel arrangements, especially for witnesses not subject to subpoena; depositions or affidavits may be used in lieu of live testimony. If agreed to by both parties, a witness may participate via teleconference. The Hearing Officer will intervene if agreement is not reached. The opposing party must have been offered the opportunity to participate in any deposition or to refute any affidavit which is admitted.

4. Order of Proceedings: The person charged and the committee counsel will have the opportunity to make opening and closing statements. Each party will have the right to examine and cross-examine witnesses and present evidence in his or her behalf. One opportunity for redirect for each witness will be allowed. The entire proceeding will be recorded and evidence will be secured and preserved.

5. Decorum in the hearing room: All media personnel, citizens and participants will be required to conduct themselves in an orderly manner consistent with that of a court room. Failure to do so or disruption of the hearing may result in removal from the hearing room and charges of disturbing the peace in a public place. If the person charged is disruptive, that lack of cooperation will be considered during deliberations on any sanctions recommended. Media personnel will be provided a designated place and will not be allowed to move freely throughout the hearing room.

6. Teleconference: In the interest of the public, the proceedings of the hearing may teleconferenced on a listen only basis, with the exception of witnesses who have been scheduled to participate.

(h) POST-HEARING: At the end of the hearing and prior to subcommittee deliberations, the Hearing Officer will provide to the chair, a summary of the rulings and issues unresolved. Only the subcommittee members will participate in the deliberations and those deliberations shall be confidential as required by AS 24.60.170(m).

After deliberations, the subcommittee will either issue a written decision and determination with findings of violation(s) of AS 24.60, based on clear and convincing evidence or dismiss the charge. If the subcommittee finds that a violation occurred or that the subject did not cooperate, it will make a written recommendation of sanctions to the appropriate body of the legislature.

SEC. 15 INFORMAL ADVICE

A brief summary of informal advice and responses to inquiries given by committee staff will be provided in the quarterly staff report. The advice and responses will be cleansed of identifying information.

SEC. 16 INVESTIGATIONS

(a) SCOPE: The resolution defining the scope of the investigation will include steps to follow, whenever possible.

EXAMPLE:

1. Did Senator Q accept a campaign contribution during the 199- legislative session?

a. If Senator Q did accept the contribution, was it kept or was it returned within a reasonable period of time per APOC?

b. If the contribution was kept, who made the contribution, date, amount?

c. Did Senator Q take any legislative, administrative or political actions that during the 199- session on behalf of the contributor?

d. Did Senator Q require an employee to assist in any part of the contribution activity?

(b) INVESTIGATIVE PLAN: After the committee or subcommittee adopts a resolution defining the scope of the investigation, the committee or subcommittee will set an investigative plan to include the following:

1. Who will coordinate the investigation? Committee chair, subcommittee vice-chair, legal services contractor, other?

2. Will the investigation be conducted by one firm or person or will portions be conducted by several persons; such as APOC reports reviewed by staff, interviews with Senator Q and Contributor Z conducted by attorney.

3. Specific identification of those involved in the investigation: Professional investigator, staff, or others.

4. Determination as to when and whether findings are to be reported verbally, in writing or both.

SEC. 17 JURISDICTION

(a) PROCESS TO DETERMINE WHICH SUBCOMMITTEE: In circumstances where both the House and Senate subcommittees have jurisdiction over a complaint, the complaint will be referred to one subcommittee as follows:

(1) If the subject of the complaint is a member of the legislature at the time of the filing of the complaint, the complaint will be referred to and handled by the subcommittee of the house in which the subject presently serves, even if the alleged conduct complained of occurred during service in the other house.

(2) If the subject of the complaint is a former legislator, the complaint will be referred and handled by the subcommittee of the house in which the subject served when the alleged conduct occurred. If the complaint alleges conduct during

the subject's service in both houses, the complaint will be referred to and handled by the subcommittee of the house in which the subject most recently served.

(3) If the subject of the complaint is a person employed by a member or committee of a house, the complaint will be referred to the subcommittee of the house in which the person is presently employed, even if the alleged conduct complained of occurred during employment in the other house.

(b) REFERRAL: Referral shall be automatic, without the need for action on the part of the subcommittee declining jurisdiction.

SEC. 18 MEETINGS/NOTICE

(a) SESSION: Meetings during session will be held in Juneau, unless the committee agrees to another location.

(b) NOTICE: Notice providing date, time, place of the committee and subcommittee meetings will be sent to the House clerk for House subcommittee meetings, the Senate Secretary for Senate Subcommittee meetings, to the clerk and secretary for full committee matters, a minimum of 5 days in advance. It is the committee's preference to provide notice as far in advance as possible.

(c) RULE 23(a): The committee is subject to the notification requirements in Rule 23(a) of the Uniform Rules of the Alaska State Legislature during session.

SEC. 19 TELECONFERENCE

(a) NON-CONFIDENTIAL: Use of teleconference or telephonic equipment to communicate with off-site members or persons designated by the committee is permitted for non-confidential business,

(b) ADVISORY OPINIONS: Discussion of advisory opinions, which may require off-site communication with a legal advisor, is allowed if no portable, cellular, partyline or speaker phones are used and the committee and caller verify that no one else can listen in and that the bridge for teleconference is secure.

(c) COMPLAINTS: Use of teleconference or telephonic equipment is not permitted for discussion of complaints, unless the committee approves use of teleconference in advance of meeting and the rules under (b) of this subsection are adhered to. Deliberations must be conducted in person.

COMPLAINTS

WHO CAN FILE AN ETHICS COMPLAINT?

Anyone who believes the legislative ethics law has been violated may file a complaint with the Ethics Committee. For more information, see pages 32-35 of this handbook.

HOW DOES ONE FILE A COMPLAINT?

Appendix H of this handbook contains a complaint form. Complaints will be accepted in any form so long as they are in writing, notarized and include a statement that the complainant has reason to believe a violation occurred and that they understand they may be called upon to testify as to their belief that a violation occurred.

AGAINST WHOM MAY AN ETHICS COMPLAINT BE FILED?

The Ethics Committee may consider complaints filed against current legislators and legislative employees, including public members of the Ethics Committee, if the complaint alleges that a violation occurred within two years of the filing date. The committee may also consider complaints filed against a former member of the legislature if the complaint alleges violations committed while the member was in office and the complaint is filed within one year of the legislator's departure from office.

The committee has the authority to reinstate a complaint that was closed upon an employee's termination, if the employee is rehired within two years of the date of the complaint. The same procedure is available for a former legislator who resumes legislative service within two years of the complaint.

The committee may not consider complaints filed against all members of the legislature or all members of one house. The committee lacks authority to consider complaints filed against family members of either legislators or legislative employees.

ARE THERE RESTRICTIONS ON WHEN A COMPLAINT MAY BE FILED?

If a complaint is filed against a legislator or legislative employee who is a candidate for state office and if the complaint is filed during a *campaign period, the committee must return the complaint without action, unless the subject of the complaint waives suspension of action. The complaint may be refiled after the closure of the *campaign period. **Campaign Period: begins on the later of 45 days before a primary election or the day on which the individual files as a candidate for state office and ends at the close of election day for general or special elections or on the day the candidate withdraws from the elections, whichever is earlier.*

WOULD I KNOW IF A COMPLAINT HAD BEEN FILED AGAINST ME?

AS 24.60.170(b)

Yes. A copy of the complaint is delivered to the subject of the complaint as soon as possible.

COMPLAINTS ALLEGING VIOLATION OF THE ETHICS CODE

AS 24.60.170

Anyone who believes the legislative ethics law has been violated may file a complaint with the Ethics Committee. A complaint must be in writing and notarized. Complaints should be sent to the committee chair at the Ethics Committee office. It is a Class A misdemeanor under AS 11.56.805 to knowingly or intentionally file a false complaint with the Ethics Committee. Complainants may be asked to testify in support of their complaint. A complaint form is provided in Appendix H.

Complaints received during a *campaign period against a candidate who is subject to the ethics code, will be returned without action, unless the subject of the complaint waives the right to suspend consideration within 11 days. *A campaign period begins 45 days before the primary election in which one is a candidate or the day one files for office, whichever is later and ends the day of the general or special election, the day after primary results are certified for a candidate who loses in the primary or the day a candidate withdraws. Complaints may be refiled at the end of the campaign period.

During the campaign period (described in the paragraph above), the committee is restricted from proceeding beyond the point of confidentiality on a pending complaint concerning a candidate, unless the subject waives the right to suspended proceedings.

The Ethics Committee and its House and Senate subcommittees have authority to consider complaints against legislative employees, including the public members of the Ethics Committee, and current or former legislators. The Ethics Committee does not have the authority to consider a complaint against a legislative employee after the employee has stopped working for the Legislature. If the employee leaves legislative work, the Ethics Committee must dismiss a complaint against the employee. However, the committee may reinstate a complaint if that person is rehired as a legislative employee. The Ethics Committee may not consider complaints against the family members of legislators or legislative employees.

A complaint must be filed within two years after the date of the alleged ethics violation. A complaint against a former legislator for alleged violations he or she committed while in office must be filed within one year after the legislator's departure from office. The time limitations on complaints do not apply if the subject of the complaint intentionally prevented discovery of the violation of the law.

The House Subcommittee handles complaints against representatives, former representatives, and employees of representatives and committees of the House, chaired by representatives. The Senate Subcommittee handles complaints against senators, former senators and employees of senators and committees of the Senate, chaired by senators. The full Ethics Committee considers complaints against employees of legislative agencies, joint committees and the public members and employees of the Ethics Committee. When the Ethics Committee Chair receives a complaint, the Chair refers it to the appropriate subcommittee or to the full Committee.

In considering a complaint, the Ethics Committee, or the appropriate House or Senate subcommittee (referred to collectively as "the committee"), must take the following steps:

1. Verify the complaint is sworn to, validly filed against a person subject to the ethics code and not filed against a person who is a candidate during a campaign period. If filed against a candidate during the campaign period, complaint must be returned, unless the subject waives suspension. Send a copy of the complaint to the subject(s) of the complaint immediately. Determine if the alleged misconduct occurred over two years ago and if it did, was there an attempt to intentionally prevent discovery. If it did occur over two years ago and there was no cover-up, the complaint must be dismissed.
2. Decide whether the allegations in the complaint would constitute a violation of the legislative ethics law over which the committee has jurisdiction if they were proven to be true. If not, the complaint must be dismissed.
3. Pass a resolution defining the scope of the investigation which will be made, then investigate the facts of the case. A copy of the resolution is given to the complainant and the subject of the complaint.
4. Decide whether there is probable cause to believe the accused person has violated the legislative ethics law. If not, the complaint must be dismissed. If probable cause is found, the committee must determine whether they may proceed if the complaint concerns a candidate during the campaign period.
5. Decide whether the probable violation can be corrected by the accused person and whether or not additional penalty is warranted. If a probable violation can be corrected, the committee may issue an opinion recommending corrective action. The accused person may request a meeting with the committee for the purpose of explaining the decision and then he or she may accept the recommended corrective action or request a formal hearing. After the meeting, the committee may change or reissue its opinion on corrective action. If the accused person does not take the recommended corrective action or the committee decides the

probable violation cannot be corrected without additional penalty, the complaint continues to the next step.

6. Formally charge the accused person. If the person admits he or she violated the law, the committee shall state the facts of the case and recommend a penalty. If the accused person does not admit to the allegations, the committee must schedule a formal, public hearing.
7. Hold a formal hearing to take testimony and other evidence, and decide whether there is clear and convincing evidence that the accused person violated the legislative ethics law. The committee may also indicate whether the accused person cooperated with the committee in the complaint process.
8. Recommend to the appropriate legislative body (for legislators) or the appointing authority (for legislative employees) the penalty the committee believes is warranted.

Meetings of the Ethics Committee to consider a complaint are confidential until the committee determines there is probable cause to believe the accused person violated the law. Committee documents are confidential until that point as well. After a finding of probable cause, hearings are open to the public and documents issued by the committee or documents presented at the formal hearing are open to public inspection. All committee deliberations, however, are confidential. Please see AS 24.60.170 for information on a subject's ability to waive confidentiality for portions of complaint proceeding.

FAILURE TO COMPLY WITH CORRECTIVE ACTIONS

AS 24.60.170(g)

If a subject of a complaint agrees to comply with the committee's recommended corrective actions but fails to do so in a timely manner, the committee may formally charge the person or refer the matter to a supervisory authority.

VIOLATIONS OF ETHICS CODE: PENALTIES

AS 24.60.174 - 176 and 24.60.970

If the Ethics Committee decides a person has violated the legislative ethics law, the committee, or the appropriate House or Senate subcommittee, must recommend what penalty should be imposed.

If the violator is or was a legislator, the body in which the legislator served (i.e. the House or Senate) must vote on the penalty. The body has the power to review the committee's recommendation and to alter the penalty. Expulsion from the legislature requires a two-thirds vote of the full body. All other penalties require a majority vote of the full body in which the legislator served. If the violator is or was a legislative employee, the appointing authority (defined in AS 24.60176(b)) must determine the penalty. The appointing authority must assume the Ethics Committee's finding that the law was broken is correct and must impose an appropriate penalty.

In addition to any Ethics Committee action, the Attorney General may bring civil lawsuits against anyone covered by the legislative ethics law.

CONFIDENTIAL

COMPLAINT

Alleging a Violation of the Alaska Legislative Ethics Law

This form lists the basic information the Ethics Committee needs to consider a complaint. An ethics complaint must be **notarized** and sent or delivered to the Ethics Committee office in a **sealed envelope**. Please provide as much information as possible, including details of the violation and evidence. Should you have any questions, please contact the committee office at (907) 269-0150.

**COMPLAINT ALLEGING A VIOLATION OF THE
LEGISLATIVE ETHICS LAW**

Name of person against whom complaint is filed: _____

Date(s) or time period during which alleged violation occurred: _____

Part of the Ethics Law that was allegedly violated (describe the law(s) allegedly violated as well as you can): _____

Description of the activities that were an alleged violation of the Legislative Ethics Law:

(continued on next page)

(continued from prior page)

Please list any additional materials attached to this complaint:

Name of person filing complaint (please print): _____

Daytime phone number: _____

Evening phone number: _____

Address: _____

I understand that a person commits the crime of false accusation if the person knowingly or intentionally initiates a false complaint with the Select Committee on Legislative Ethics (AS 11.56.805). I understand that I may be asked by the committee or the subject of the complaint to testify at any stage of the complaint proceeding as to my belief that the subject(s) of this complaint violated the ethics law. I understand there may be later implications under AS 24.60.170(i)(3) if I make public the information contained in this complaint. The above is a true and accurate representation of my belief that a violation of the Legislative Ethics Law occurred.

Signature Date

Subscribed and sworn to before me this _____ day of _____ in the year _____

Notary Public's Signature Notary Public's Printed Name

State of _____ Judicial District _____
Commission expires: _____

Note: If a complaint is filed against a legislator or legislative employee who is a candidate for state office and if the complaint is filed during a **campaign period*, the committee must return the complaint without action, unless the subject of the complaint waives suspension. The complaint may be refiled after the closure of the **campaign period*. **Campaign Period: begins on the later of 45 days before a primary election or the day on which the individual files as a candidate for state office and ends at the close of election day for general or special elections or on the day the candidate withdraws from the elections, whichever is earlier.*

Alaska State Legislature

Select Committee on Legislative Ethics

716 W. 4th, Suite 230
Anchorage AK
(907) 269-0150
FAX: 269-0152

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

December 20, 2002

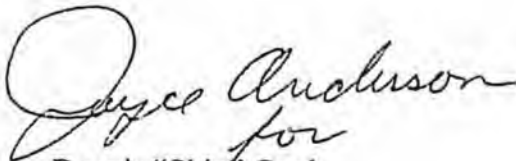
Ronald Irwin
Senate Majority Press Secretary
716 West 4th Avenue
Suite 540
Anchorage AK 99501

Mr. Irwin:

The question has been raised as to whether Mr. Popely, an employee of the Legislative Majority, may provide legal services to a legislative employee of the majority, without charge to that person, at the public hearing stage of an ethics complaint.

The concern is that public resources may be used to represent a legislative employee in an individual capacity. The committee has not addressed this issue but wanted you to be aware of the concern so you could consider possible ramifications of continued representation in connection with next month's hearing.

Sincerely,

A handwritten signature in cursive script that reads "Jayce Anderson" with "for" written below it.

Dennis "Skip" Cook
Chair, Senate Subcommittee

cc: Ted Popely
Majority Legal Counsel

LEGAL SERVICES

**DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

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FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

December 23, 2002

SUBJECT: Use of leadership staff attorney time to defend legislative employee at hearing before Legislative Ethics Committee

TO: Senator Rick Halford
Attn: Ted Popely

FROM: Barbara R. Craver *BRC*
Legislative Counsel *MB*

You have asked whether it is a violation of the legislative ethics code for the legislative majority to direct Ted Popely, staff attorney for the majority, to advise and represent Ron Irwin, the majority press secretary, in regard to a complaint against Mr. Irwin by the Legislative Ethics Committee. The conduct at issue in the ethics complaint involves whether it was appropriate for Mr. Irwin to issue a press release in regard to statements made by Lieutenant Governor Fran Ulmer about her plans to address the state's budget if elected to the governorship. You say that the ethics complaint charges Mr. Irwin with using public funds for a partisan political purpose. The basis of the ethics complaint against Mr. Irwin is triggered by the fact that Fran Ulmer was a candidate for governor while she was serving as lieutenant governor, and running as the candidate of the opposition party to that in the legislative majority.

The select Committee on Legislative Ethics has the authority to hear complaints about the conduct of legislators and legislative branch employees and is responsible for the enforcement of the Legislative Ethics Code. The Select Committee on Legislative Ethics has not reviewed this opinion. It is therefore not necessarily the opinion of the committee and is not binding on the committee. You may wish to seek informal written nonbinding advice from the Legislative Ethics Committee staff under AS 24.60.158 or you may request a formal advisory opinion from the committee under AS 24.60.160.

Legislators, including majority members, are bound by the provisions of the ethics code which prohibit the use of "public funds, facilities, equipment, services, or another government asset or resource for a nonlegislative purpose, for involvement in our support of or opposition to partisan political activity, or for the private benefit of either the legislator, legislative employee, or another person..." AS 24.60.030(a)(2). The issue here is whether Mr. Popely's representation of Mr. Irwin is for a legislative purpose.

Senator Rick Halford
December 23, 2002
Page 2

I believe an argument can be made that there is a legislative purpose involved in Mr. Popely's representation of Mr. Irwin. Mr. Irwin was performing his job in good faith. His supervisors contend that Mr. Irwin was performing his job properly when he issued the press release, and dispute that the action violated the ethics code. The majority argues that it is in its own interest to defend the parameters of how a majority press secretary performs his or her job. The outcome of this matter is of concern to the majority. The holding of the Ethics Committee may restrict how the majority is allowed to direct its employees to perform their jobs.

I do not think that it would always be appropriate for the majority or another legislative entity to represent individuals that are the subject of ethics complaints. Where a person takes an action that results in pure personal benefit, such as accepting an improper gift, or granting public funds to a personal friend or relative, there probably would be little legislative purpose to support the use of public assets and services, such as those of Mr. Popely, to defend that person's actions. However, the majority has some discretion to determine when a legislative purpose is served in using its resources.

Arguably, when an employee, such as Mr. Irwin, is performing the functions he or she has been directed to perform by a legislative employer and that performance results in the filing of an ethics complaint against the employee, the legislative employer ought to provide a defense.

The ethical issue of using public funds to represent an individual arises in cases when reimbursement is sought for the cost of private defense incurred by a public official who is found to have acted in the course and scope of the official's employment. Generally, a public body may reimburse a public official for his or her legal expenses if (1) the legal action arises from the discharge of an official duty in which the government has an interest; (2) the official acted in good faith; and (3) the body has the implied or express power to make the reimbursement. Powers v. Goodwin, 291 S.E. 2d 466 (W.Va. Ct. App. 1982); Edison v. Reid, 397 So.2d 352 (Fla. Ct. App. 1981); Annot. 130 ALR 736. Reimbursement in other circumstances would probably violate the requirement of article IX, section 6 of Alaska's Constitution that public money be appropriated only for a "public" purpose. Bowling v. Brown, 469 A.2d 896, 902 (Md. Ct. Spec. App. 1984)(payment of legal fees for criminal defense, even where criminal charges were dismissed, did not further a public purpose).

Courts have had some trouble applying the "scope of employment" and "good faith" tests in a consistent manner, but in general a factual finding that the official used a public office for private gain will preclude reimbursement of attorneys fees. Powers v. Goodwin, 291 S.E.2d 466 at 475 (W.Va. Ct. App. 1982) (use of government credit card for private purposes is not within the scope of employment.) Courts have usually been willing to allow reimbursement of attorney's fees for successful defenses of claims of unethical behavior, Ellison v. Reid, 397 So.2d 352 (Fla. Ct. App. 1981)(charges of official misconduct before ethics committee). However, in one case, where it appeared the successful defense was based more on legal technicalities than true innocence of

Senator Rick Halford
December 23, 2002
Page 3

wrongdoing, the court found it was wrong to reimburse an official for attorney's fees incurred in successfully defending against charges of using a public employee for private gain. Bowling v. Brown, 469 A.2d 896 at 899 (Md. Ct. App. 1984) (criminal charges dismissed because accused was not an official within the meaning of the criminal statute).

BRC:mdr
02-036:mdr

ALASKA STATE LEGISLATURE

SELECT COMMITTEE ON LEGISLATIVE ETHICS

In Re: RON IRWIN)
) Complaint No. S 02-02

PREHEARING MEMORANDUM AND MOTION FOR IMMEDIATE DISMISSAL

Ron Irwin, the Alaska Senate majority press secretary, is before this committee charged with a violation of AS 24.60.030(a)(2). This section provides that a legislative employee may not;

(2) use public funds, facilities, equipment, services, or another government asset or resource for a nonlegislative purpose, for involvement in or support of or opposition to partisan political activity, or for the private benefit of either the legislator, legislative employee, or another person; this paragraph does not prohibit (A) limited use of state property for personal purposes if the use does not interfere with the performance of public duties and whether the cost or value related to the use is nominal or the legislator or legislative employee reimburses the state for the cost of the use: ...

This charge arose from a complaint by Tammy Troyer, Executive Director of the Alaska Democratic Party. This complaint and other legislative ethics complaints were signed by Ms. Troyer on television, and made public by Ms. Troyer at that time.

The acts complained of were the issuance of two press releases on September 4 and 5, 2002, dealing with a proposed legislative press conference on the subject of the announced tax plan of the Lieutenant Governor, why it will not work, and the ramifications of a tax and spend plan like she was proposing. (Exhibits A & B)

There are a number of reasons that this charge should be dismissed, as follows:

(1) Mr. Irwin did not engage in "partisan political activity" in the issuance of these press releases.

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(2) The phrase "partisan political activity" is not defined in the Alaska Statutes. The lack of a definition, especially because the phrase is being applied in a context which is inherently partisan and political, renders the statute void for vagueness as it applies to Mr. Irwin.

(3) The charge should be dismissed as a sanction against complainant, Tammy Troyer, for violating the letter and spirit of the confidentiality provisions of the Alaska Ethics Act and the Constitutionally guaranteed right of privacy of the accused individuals, by signing the complaints on television against several persons against whom she brought charges.

(4) The role of Brent Cole as both a prosecutor and advisor to the Board is a denial of Mr. Irwin's Constitutional right to due process of law.

These issues are discussed below:

ARGUMENT

(1) Mr. Irwin did not engage in "partisan political activity" in the issuance of these press releases.

There is little dispute as to the relevant facts of this case. This Committee must determine whether Mr. Irwin engaged in "partisan political activity" by issuing the two press releases in question. Mr. Irwin is employed by and works at the direction of the Senate majority. This is a partisan group by definition, since it consists of members of only one party. The work done is inherently partisan, since the whole point of the position is to assist the Republican senators in matters of legislative concern. This type of activity cannot be what is proscribed because it is an inherent part of the position.

The testimony will establish that the subject matter of the press releases was of legislative concern. Mr. Irwin was simply publicizing what would have been a press conference about a matter of legislative concern - taxation and spending. Nothing more.

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This is legislative and not political activity. Examples of even more egregiously partisan and political statements are provided as Mr. Irwin's exhibits. Exhibits J through M are Democratic legislative press releases. These releases are certainly partisan because they are phrased in such a way as to make the Democrats look good and the Republicans look bad. But they are published as matters of legislative concern. Are they political acts?? If so, every one of these press releases violates the Ethics Act.

The Democrat commentary on the House Finance Budget (Exhibit N) clearly criticizes the Republican budget, and points out (in a non-neutral manner) that child protection will be hampered, disabled children put at risk, school accountability will be crippled, diplomas denied, university will not be funded, troopers cut, laws ignored, etc. Again, the choice of words is clearly partisan and politically motivated to make the Republicans look bad.

Kim Elton's newsletter, Exhibit O, brings the discourse one step lower. It is clearly partisan and political, again designed to make the Republicans look bad. The words chosen make fun of the fact that many Republicans are religious people - and religion is a freedom guaranteed by the First Amendment. The discussion is only peripherally about matters of legislative concern, and no light is shed or real information given on the subject as is done by Exhibit N. Exhibit O is simply a diatribe against the "religious" Republicans. Is this partisan political?? Sure it is. Should it be prohibited and deemed to be a violation of the Ethics Act. Probably not. However, it is a lot more "partisan political" than anything that Mr. Irwin did in issuing the press releases.

We finally reach the Ernie Hall statement, Exhibit S. This entire statement was posted on the legislative minority web page during the period of time that Ernie Hall (not a legislator)

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was a candidate for the office of lieutenant governor. This was downloaded from that web page on September 18, 2002. (Exhibit V) Yet, this document had been posted, and egregious violation committed, by the legislative minority, in the apparent belief that the posting was entirely appropriate.

In summary, the testimony will establish that Mr. Irwin did no more than act within the course and scope of his employment, and did what he was hired to do. His actions were not partisan or political, but were actions taken in a matter of legislative concern.

(2) The phrase "partisan political activity" is not defined in the Alaska Statutes. The lack of a definition, especially because the phrase is being applied in a context which is inherently partisan and political, renders the statute void for vagueness as it applies to Mr. Irwin.

After listening to the testimony in this case, and looking at the exhibits listed above, it will become clear that there is no uniformity of belief on what a "partisan political activity" is, especially in the context of a legislative position which is inherently partisan and political. The definition of "partisan political activity" is vague, to say the least, and is in fact non-existent. The statute should contain a definition, but does not. Therefore, it leaves the defining of the term to the unfettered discretion of this Committee.

A vague statute violates the due process clause if its indefinite contours confer unbridled discretion on government officials and thereby raise the possibility of uneven and discriminatory enforcement. Brown v. Municipality of Anchorage, 584 P.2d 35 (Alaska 1978) One of the important factors related to due process in criminal cases is that a the defendant must be placed on adequate notice as to what conduct is prohibited, so that the defendant can direct his own behavior accordingly. The undefined phrase "partisan political activity" simply does not satisfy the requirements of due process of law.

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There is very little case law related to this definition, but what there is supports the position of Mr. Irwin by analogy. In the one Alaskan case, State v. Haley, 687 P.2d 305 (Alaska 1984), a legislative researcher had been discharged from her employment because she participated in an "activity which would tend to undermine the essential nonpartisan nature of their functions and services." Ms. Haley had participated in a demonstration on the Capitol steps and gave a lengthy television interview protesting the increasing influence of multinational corporations in Alaska. Ms. Haley's termination was held to be unconstitutional.

The Haley case is far different from this case. However, Mr. Irwin is in a specifically political and partisan position, whereas Ms. Haley's position was specifically non-partisan. If Ms. Haley's rights are going to be protected in a non-partisan position, Mr. Irwin should not be found to have violated a statute by issuing press releases on a matter of legislative interest while serving in what is a partisan position.

Other cases in other contexts also support Mr. Irwin's position. For example, a women voters association was found not to have engaged in partisan political activity so as to lose its tax exempt status when it denied a minority party candidate for president the opportunity to appear in televised presidential primary election debates. Fulani v. League of Women Voters Educ. Fund, 882 F.2d 621 (C.A.2, N.Y. 1989) Activities of court-appointed employees in judge's retention election campaign did not constitute "partisan political activity" because judicial elections are non-partisan. In re Cicchetti, 697 A.2d 297, 314-315 (Pa.Ct.Jud.Disc. 1997) The phrase "partisan political purposes" does not include advocating adoption of a constitutional amendment, or passage of bond issue or tax levy. State ex rel. Corrigan v. Cleveland-Cliffs Iron Co., 157 N.E.2d 331 (Ohio 1959). "Partisan political reasons" means reasons solely based

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on an affiliation with a political party or candidate. Mastriano v. F.A.A., 714 F.2d 1152 (C.A. Fed 1983) Wearing a black armband to work to express opinions on the Viet Nam War and "Moratorium Day" is a political activity, but not a partisan political activity. Peale v. United States, 325 F.Supp. 193 (D.C.N.D. Ill. 1971) On the other hand, for a very expansive definition of partisan relating to the legislative open meetings act, see State ex rel. Lynch v. Conta, 239 N.W.2d 313 (Wis. 1976)

The foregoing cases demonstrate the difficulty of defining the term "partisan political activities" in the context which Mr. Irwin is being charged. He is in a partisan and political position. It is his responsibility to support the Senate Majority in matters of legislative concern. By working at the direction and supporting the Senate majority in legislative matters, he necessarily supports their political beliefs and programs.

If a practical and working definition were to be adopted, it would not proscribe any actions which had a legislative purpose, or involved legislative concerns. A partisan political act would be an act which does not have a legislative purpose or involve legislative concerns, but is an act performed for the benefit of a political party or a political campaign. (See Mastriano case, cited above)

Mr. Irwin believes that the purpose of the language used and the decision to use the words "partisan political activity" was to prevent the legislators or staff from using their offices and positions to further outside political entities, such as the Republican or Democratic Parties. He believes that AS 24.60.030(a)(2) if he or she uses public funds, facilities, equipment, services, or another government asset or resource for involvement in, support of or in opposition to outside partisan political activity, which has no legislative purpose or does not rise to the level

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of legislative interest.

However, unfortunately, there is no definition in the statute, and this absence makes the statute constitutionally void for vagueness.

In addition to the foregoing, there are other sections of AS 24.60.030(a)(2) which, at least by analogy and statutory construction, protect Mr. Irwin. First, the statute prohibits use for "nonlegislative purposes". This clearly implies that uses for "legislative purposes" are allowed. Mr. Irwin's issuance of the press releases was clearly for legislative purposes. Second, even if the use were personal, personal uses are allowed if the use does not interfere with the performance of public duties and the cost or value related to the use is nominal. Here, there is no claim that the issuance of the press releases interfered with Mr. Irwin's other public duties, and the cost or value of a little computer and telephone time is nominal. ¹

For this reason, the charge against Mr. Irwin should be dismissed.

(3) The charge should be dismissed as a sanction against complainant, Tammy Troyer, for violating the letter and spirit of the confidentiality provisions of the Alaska Ethics Act and the Constitutionally guaranteed right of privacy of the accused individuals, by signing the complaints on television against several persons against whom she brought charges.

The charges brought by Tammy Troyer, executive director of the Alaska Democratic Party, were initially publicized by her through signing the complaints on television. This was obviously done for political reasons in support of the Democratic candidate for governor, and probably in retaliation for various complaints filed with the APOC against Democrat election practices in the 2002 elections. Anyone with a degree of common sense can clearly see that the complaint is not motivated by anything that Mr. Irwin did, or any particular desire for clean

¹ This Committee has already determined that the use of public resources was de minimus.

government in Alaska.

In addition, Ms. Troyer and the Democrats made a big media event out of these complaints. Notwithstanding that the first word printed at the top of the form in bold print with all capital letters is "**CONFIDENTIAL**", the complaints were widely publicized by Ms. Troyer. The applicable Alaska statutes require that these complaints be confidential. Article I, Section 22, of the Constitution of Alaska, states that "The right of the people to privacy is recognized and shall not be infringed."

This Committee itself commented on this matter in its order dated November 14, 2002, as follows:

[t]he Senate Subcommittee notes that the Complainant signed this complaint on television and as a result the complaint was made public at the time of filing. The complaint form specifically indicates an ethics complaint is confidential. The subcommittee acknowledges its lack of jurisdiction over the general public as to the requirement of confidentiality in filing complaints; however, the subject of the complaint deserves the right of protection of confidentiality while the subcommittee is investigating the issue. The subcommittee strongly supports the confidential nature of ethics complaints and discourages any action, such as occurred in this matter, that violates the confidentiality of those named in the complaint. (emphasis added)

Everyone knows about the "exclusionary rule." That is, when police officers violate the Constitutional rights of criminal defendants, the evidence obtained as a result of these violations is excluded, even though it may result in the prosecutors not being able to prove the case. Since this Committee has no jurisdiction over the general public, but does have jurisdiction over the complaint itself, there is only one way that this Committee may follow its own observations above. The only way that this Committee can discourage televised complaints made for political purposes is by dismissing those complaints. This should be done, both as a meaningful sanction against Tammy Troyer, and also to discourage this type of conduct in the future.

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If a complaint is to be filed in the future, it must be filed confidentially, and this Committee should send a clear message that this is the case. If this Committee does not do so, it will become inundated with publicized and politically motivated complaints, in the same manner that APOC has become inundated. Don't reward Ms. Troyer's politically-motivated behavior by prosecuting Mr. Irwin. Dismiss Ms. Troyer's complaint, and send the message that this type of blatant violation in filing a complaint will not be tolerated.

(4) The role of Brent Cole as both a prosecutor and advisor to the Board is a denial of Mr. Irwin's Constitutional right to due process of law.

It is undisputed that an attorney should not act as an advocate before an administrative agency, and also act as advisor to the agency on the same matter. The Alaska Supreme Court discussed this principle as it applied to attorney discipline in Stigall v. Anchorage Municipal Police and Fire Retirement Board, 718 P.2d 943, 945-946 (Alaska 1986) and Matter of Robson, 575 P.2d 771, 774 (Alaska 1978). In Robson, the Court held that "to assure both the fact and appearance of impartiality in the Disciplinary Board's decisional functions, counsel associated with either the prosecution or defense should not be present during deliberations." 575 P.2d at 775 In Stigall, the Court approved the participation of the attorney in the administrative proceedings because she had only drafted interrogatories for the Board's use. The Court observed that the drafting of interrogatories does not present the threat to the fact of appearance of impartiality in the board's function that was present in Robson. 718 P.2d 943

Mr. Cole provided legal advice to the Board relating to the scope of examination of the complainant, Tammy Troyer. (Exhibit U) This legal advice directly impacts the Committee's decision making process, and in fact focuses the Committee's decision on a hotly disputed issue in a particular direction. The issue of the permissible scope of the examination of Tammy

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Troyer will arise again in the hearing. The fact or appearance of impropriety arises when Mr. Cole, as prosecutor, advocates (or does not advocate) a position on a subject on which he has already provided independent legal advice to the Committee as to how it should be decided.

Today, the situation has gotten even worse. In this amended exhibit list, exhibit list, final witness list, and response to motion to release, Marston & Cole, P.C. identifies itself as the attorney for the complaining witness, Tammy Troyer. Even district attorneys, when prosecuting crimes, are attorneys for government and not attorneys for the victims who file the complaints. So, not only has Mr. Cole acted as the prosecutor in this matter and given independent advice to the Committee, he is now acting as partisan advocate and attorney for the complaining witness. ²

This conflict of interest and appearance of impropriety is now getting so blatant that this prosecution of Mr. Irwin must be stopped and the charges dismissed.

CONCLUSION

The matters set forth in this memorandum demonstrate that this prosecution should not continue. The applicable statute is void for vagueness, the complaining witness knowingly violated statutory and constitutional protections of the accused when filing the complaint for political purposes on television, and the prosecution is clearly tainted by conflicts of interest and appearance of impropriety. In addition, Mr. Erwin did not violate the statute.

Accordingly, for these reasons, Mr. Irwin moves that the hearing officer direct that this

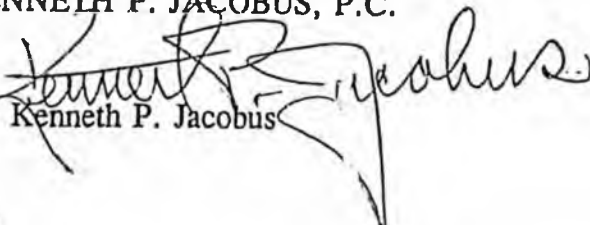
² A good example of this are the attempts today to subpoena Mr. Irwin's personnel records. This is simply an act by Ms. Troyer, through Mr. Cole, her attorney, which serves no purpose. Mr. Irwin admits that he works for the State, and has already disclosed his leave slip and explained his activities for the days in question.

case be dismissed immediately, without a hearing. There is no public interest in carrying this matter forward any farther, and this prosecution should be terminated now.

DATED this 7th day of January, 2003.

KENNETH P. JACOBUS, P.C.

By



Kenneth P. Jacobus

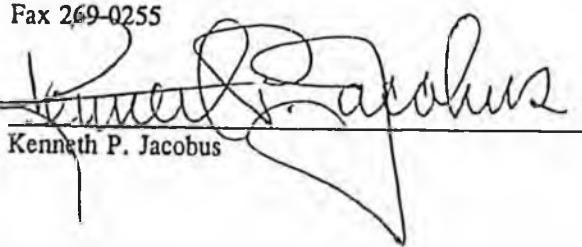
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of January, 2003, true and correct copies of this Prehearing Memorandum and Motion for Immediate Dismissal were faxed to:

John Treptow (Original for hearing record will be delivered later)
Dorsey and Whitney, LLP
1031 West 4th Avenue, Suite 600
Anchorage Alaska 99501
Fax 276-4152

Brent Cole
Marston and Cole
745 West 4th Avenue, Suite 200
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1 MS. McCOY: Right.

2 MR. JACOBUS: And that's.....

3 MS. McCOY: And the only reason that we're here, it really
4 isn't because it was partisan, it's because he tried to hold a
5 meeting that was partisan in a State office building.

6 MR. JACOBUS: Well, it wasn't he tried to hold the
7 meeting, he was directed.....

8 MS. McCOY: He.....

9 MR. JACOBUS:to hold the meeting and he publicized
10 it.....

11 MS. McCOY: He did a press conference.....

12 MR. JACOBUS:and that's all.

13 MS. McCOY:he has testified it was his decision. He
14 made the decision countermanding others that specifically
15 requested it to be in Republican headquarters, that's the whole
16 guts of the situation. We, historically have decided if a
17 legislator or anyone coming under the Ethics Code tries to do
18 something that is a violation of the Ethics Code, they've in
19 essence done it.

20 MR. JACOBUS: Well, I don't think.....

21 MS. McCOY: It doesn't matter that it didn't happen. And
22 the bottom line is we didn't do any sanctions because the
23 meeting didn't take place. Basically we were trying to send a
24 message that this isn't ethical, this is a violation of the
25 code, it didn't happen so we're not offering any sanctions, it

1 gets the message out, next time people will consider that and
2 do it differently.

3 MR. JACOBUS: I don't think that accurately characterized
4 Mr. Irwin's testimony. Mr. Irwin believed it was a matter of
5 legislative concern, therefore, said you should do it at the
6 LIO.

7 MS. McCOY: The fact that he believed it doesn't make it
8 right or wrong. You can believe something sincerely and still
9 not be correct, right?

10 MR. JACOBUS: There are people that believe the Earth is
11 flat, I think.....

12 MS. McCOY: Exactly. That doesn't -- I mean so the fact
13 that he believed it really.....

14 MR. WALKER: I guess the issue for me comes down to, if
15 that particular language in that statute is applicable and do
16 you have a change of position on that, Mr. Treptow?

17 HEARING OFFICER: I do not.

18 MR. WALKER: You know was he working within -- I mean the
19 evidence that I've heard is that this is part of what they do.

20 MS. McCOY: But it wasn't scheduling the press conference
21 that was the problem, it was where he was going to hold it. So
22 it really doesn't matter. I mean I don't have a problem with
23 arguing (h) as part of his job, I don't have a problem with
24 arguing that his job is partisan. Just like 99.9tenths percent
25 of it.

1 Irwin did, but the ramifications go to all of what the
2 Legislature does, I think his testimony is very important.

3 MR. COOK: Do you want to reconsider or do you want to
4 leave it?

5 MR. THOMAS: But it's not testimony.

6 MS. McCOY: No, I.....

7 MR. THOMAS: He's just going to make a statement.

SENATOR TORGERSON: Right.

MS. McCOY: Apparently the motion will fail. But this is
my thinking. We heard his argument prior to making our
probable cause finding so I don't know that he would present
anything new or different than we've already heard before. Mr.
Irwin does have an attorney now, I can't see any real advantage
in having another one speak in his behalf. And it's comparable
to our Committee using legislative attorney, we have to hire
outside of attorney because of conflict of interest with using
legislative staff. So I guess I'm viewing it in the same
manner with Mr. Popely continuing. We found probable cause,
Mr. Irwin took issue with that probable cause, that was his
choice and at that point then he takes the responsibility for
-- legal representation.

22 SENATOR TORGERSON: Not necessarily.

23 MS. McCOY: Well.....

24 SENATOR TORGERSON: It's your opinion that.....

25 MS. McCOY: Exactly.

1 accommodate him and just put in his testimony through his
2 statement, but I am hoping that, and I told him this, that his
3 testimony is going to take about 15 to 20 minutes. So I guess
4 my question, Mr. Wright, is, can you be available at any time
5 this afternoon, any other time, understanding your schedule?

6 MR. WRIGHT: It depends -- it all depends on the time.
7 Again, I'm in the process of trying to get a house together,
8 get an office together, let me know what time and I can see if
9 I can make it available. I'm not going to be free all
10 afternoon, no.

11 SENATOR TORGERSON: Is tomorrow a better day?

12 MR. COLE: Is tomorrow morning a better day?

13 MR. WRIGHT: Well, I mean, no time is really good right
14 now but tomorrow morning's probably better as long as it's not
15 real early.

16 MS. MEHNER: If we wait until tomorrow to start taking
17 witnesses then.....

18 MR. THOMAS: Why don't we just go ahead and take it.

19 MS. McCOY: Okay. Why don't we just take it, he's on the
20 line, we can -- it's only 15 minutes. If we discuss and
21 deliberate and decide to dismiss, it's no harm, no foul. If we
22 don't, then we've already got him and he's taken care of.

23 MR. THOMAS: I second that.

24 MR. COOK: Could we take a five minute -- is he available
25 for us to have a five minute break?

1 MR. WRIGHT: Yes, go right ahead.
2 MS. McCOY: Thank you so much, Mr. Wright.
3 MR. COOK: And does he want to stay on the line or is he
4 going to call back?
5 MR. WRIGHT: I'll just put you on hold and have you on the
6 speaker, when you get ready just holler.
7 MS. McCOY: Is that satisfactory with everyone else? I
8 mean we kind of.....
9 MS. MEHNER: I don't want to wait until tomorrow
10 morning.....
11 MS. McCOY:jumped in on this.
12 MS. MEHNER:to start taking testimony.
13 MR. COOK: We'll take a five minute break.....
14 MS. McCOY: Five minute break and then we'll.....
15 MR. COOK:and then take his testimony.
16 MS. McCOY:do his testimony.
17 MR. JACOBUS: Well, we'd prefer -- we'd object to doing it
18 that way but if the Committee rules that way, I mean we do it.
19 HEARING OFFICER: Okay. The objection's overruled subject
20 to appeal to the Committee since the Committee's already
21 decided.
22 MS. McCOY: Okay, thanks.
23 HEARING OFFICER: We'll take a five minute break and then
24 take Mr. Wright's testimony.
25 HEARING OFFICER: We're back on the record in Complaint

1 are we going to have testimony on everyone of these?

2 MR. JACOBUS: Well, the former is the case. Mr. Irwin
3 will testify that these are past legislative press releases,
4 where he got them and that's it. And they're -- the press
5 releases, most of them are one page, some are two pages,
there's a legislative memorandum which I think is probably a
half a dozen pages. We're not talking about a large number of
documents.

MS. McCOY: I don't know that the press releases
themselves are so much in question as to the location. So what
bearing would these other press releases have?

MS. MEHNER: But that may -- we may find out when we read
them.

MS. McCOY: But we made our probable cause.....

MS. MEHNER: They're similar.....

MS. McCOY:ruling based on the code so it's like if
they were doing it wrong before, it's time to stop it, so.....

MR. WALKER: The real issue is whether or not they're
relevant to the issue before us? I know that Mr. Jacobus'
position is that they're relevant because they show this is the
21 standard operating practice if I understand his argument
22 correctly.

23 I need a refresher on my short brain memory here, the
24 officers, what was your reason behind making the recommendation
25 that we not allow this evidence to be admitted?

March 4, 2003

To: House and Senate Judiciary Committee Members

From: Shirley A. McCoy, Public Member Select Com. Leg. Ethics

Re: Confirmation Hearing for Select Committee on Legislative Ethics Members

As you are aware, my confirmation hearing on February 24th was to be continued on the 25th. Due to scheduling problems I was asked to come back the following Wednesday, (March 5th). On the morning of the Feb. 26th Ms. Anderson called me. She stated she had been asked to inform me that I should not waste any more of my time coming in, as my name was not going to be moved forward.

Based on the questions that were put forth by Representative McGuire, at my hearing, I have to believe this decision is based on the results of the public hearing requested by Ron Irwin. That being the case there are a few areas I feel I need to address.

1. Questions Regarding Statements I Made: I have gone over and over in my mind any statement I might have made regarding "hanging Mr. Irwin" and I can only say that I can not think of **any circumstance** that would have caused me to make such a statement. I know from the beginning my thinking, and I feel that of the committee as a whole, was that the complaint was improperly motivated and that Mr., Irwin did not set out intentionally to violate the Ethics Code. Accordingly, the recorded documents will support my desire to comply with the code while at the same time **recommending no sanctions be imposed**. Are these the actions of one wishing to "HANG" someone? During our investigation and follow up testimony by Mr. Irwin, he refused to answer any question without written documentation in front of him. Maybe I should have used the same approach during my original hearing before this committee. I requested but have not received any documentation with proof of this statement. Further, no other committee member recalls my making such a statement.
2. Lily White Ethics: During my hearing, comments were made to the effect that it was your desire to have "Lily White Ethics". So why is it that every time we try to apply that same principal we end up on trial ourselves? I have served on this committee for 9 years. I have only been required to appear before the Judiciary Committee twice. Each time following a public hearing. Our Ethics Committee office also receives a notice of eviction after each public hearing. I have yet to see any legislator show up for the public hearing unless they are directly involved in the case, yet you pass continue to question the process and our actions with regards to it.
3. The Process: As a whole is a good one. Due to the prompt action taken by our staff many times would be complaints are not filed and possible complaints are avoided. Sounds like a system that is working to me. It's true you may have some areas you want to review and possibly consider changing. However, this should be carefully considered. I would suggest anyone wanting to make substantial changes consider first sitting as a legislative member on the committee to gain first hand knowledge.

COMPLAINT S02-02 ISSUES

1. Legislative Council Meeting: On January 28th
 - During the meeting to discuss whether or not to adopt the NONE sanctions of the Ethics Committee, the Comm. Chair, Senator Taylor, allowed considerable discussion of issues regarding Mr. Irwin's hearing.
 - Former Senator Torgerson's input: Former Senator John Torgerson, the only member of the Ethics Committee that disagreed with the decision, was "on line" and

answered questions regarding the Committee's decision and commented on his "dissenting opinion". While I was the one that suggested and argued Senator Torgerson be given this right, I feel it is completely prejudiced to have "only" that member's view and comments. Due to the statements made in this meeting rumors have run rampant. Many are misstatements, incorrect statements and statements that are completely untrue.

- **Bizarre Results & Wasteful Exercise:** Sen. Taylor's statements are completely unfounded. The Ethics Committee made each decision based on hours of discussion and review of the current code, which we are required to follow.
 - **Prosecutor's Participation:** Statements made by Senator Taylor, indicating that the Prosecutor went into our Executive Session is completely untrue. The committee doesn't have a "relationship" with the prosecutor any more than they had a relationship with the hearing officer appointed.
2. **Mr. Popely Representing Mr. Irwin:** We posed this question to LAA to protect Mr. Popely and ourselves. Had Mr. Irwin been willing to schedule the hearing at a later date we would have had time to address this issue. Additionally, Mr. Popely refused to share the advice he received from LAA legal on the same question. However, he did pass this information to Mr. Torgerson in the midst of the public hearing. Perhaps you would be better served to consider the legality of this action.
 3. **Senator Torgerson's Opinion/Comments:** Differed from the other members from the start. Senator Torgerson violated the Ethics code, during the public meeting of the Legislative Council, when he breached the confidentiality of other legislators mentioned in the complaint, who had been dismissed. During Mr. Irwin's hearing he acted more as an attorney for the subject than as a member of the committee, which brings me to the next area.....
 4. **Partisan Political Activity:** This is the term we were given to work with. It suggests activity dealing with a particular party that is not legislative, or that is campaign related. You suggested we use "common sense". I believe we did. We are not the "bad guys". We work to improve your public image, to make you accountable for your actions, and serve as a means of caution for future actions that might result in a complaint. The action taken in S02-02 does not any way limit legislators, as Mr. Torgerson's example indicated.
 5. **Suggestions:** Clarify the above definition if you must, but you should also consider the ramifications this may create. You might also want to consider exempting your press secretaries, as the very nature of their job seems to compromise the definition of "partisan activities" in questions. Allow the committee to refuse to hear any complaint that is made public, by the person filing it, before it is filed with the committee or before the committee has taken action on it.