

2003

CONFIR-
MATIONS



OFFICIAL BUSINESS

Alaska State Legislature

Senate

STATE CAPITOL, ROOM 213
JUNEAU, ALASKA 99801-1182
(907) 465-3701
FAX 465-2832
EMAIL: senate_secretary@legis.state.ak.us

May 1, 2003

MEMORANDUM

TO: Senator Seekins, Chair
Judiciary Committee

FROM: Kirsten Waid *KW*
Secretary of the Senate

SUBJECT: Governor's Confirmations

Pursuant to AS 39.05.080, President Therriault has referred the following name for legislative confirmation to your committee for a hearing, recommendation and report:

Board of Governors of the Alaska Bar Association

William Granger - Anchorage

Appointed: 06/29/01 Reappointed: 04/25/03 Term Expires: 03/01/07

KCW:sgf

Resume attached

William A. Granger
13810 Jarvi Drive
Anchorage, Alaska 99515
907-265-2114

References

Rick Owen Esq., Corporate Counsel, Natchig, Inc., 907-344-5757
David H. Bundy Esq., Bundy & Christinson 258-6016
Patrick B. Gilmore Esq., Atkinson, Conway & Gagnon, Inc., 276-1700
Barbara Schuhmann Esq., Cook, Schuhmann & Groseclose, Inc., 452-1855
Jan Ostrovsky, Esq., United States Trustee, 206-553-3200 ext. 261
Lawrence Z. Ostrovsky, Esq., Office of the Attorney General, Oil and Gas, 269-5255
Joseph M. Moran, Esq. DeLisio, Moran, Geraghty & Zobel, PC, 279-9574
David J. Schmid, Esq., 276-4335
William R. Hupprich, Esq., Associate General Counsel, Alaska Railroad Corporation, 265-2461
Richard Strutz, President, National Bank of Alaska, 265-2948
Thomas W. Mason, Senior Vice President, Alaska USA Federal Credit Union, 786-2746
Allen B. Bingham, CPA, Partner, Mikunda, Cottrell & Co., 278-8878

Affiliations

Past Board Member, Anchorage Center for Families
Past Board Member, Hilltop Youth, Inc. (operator of Hilltop ski area)
Past Board Member, Alaska Snowmobile Representatives Alliance
Past President, Make-A-Wish Foundation, Alaska Chapter
Board Member, Alaska Bar Foundation
Board Member, National Bank of Alaska
RMA Senior Member
American Institute of Banking Instructor
Alaska Bar Association Board of Governors, Treasurer 2002 / Secretary 2003

Licenses/Permits

Real Estate Agent (expired)
PADA Scuba Diver
Private Pilot SEL/SES
Concealed Weapon

Education

Dimond High School, 1972
Gonzaga University, 1972-1974
Anchorage Community College, 1969-1986
American Institute of Banking
Pacific Coast Banking School, 2003

Employment History

Matanuska Valley Bank, 1968 – 1978
Consumer lending and Branch Management

Alaska National Bank of the North, 1985-1987
Senior Vice President
Loan Administration/ Special Assets

National Bank of Alaska, 1988
Senior Vice President, Senior Loan Administration
Board Member

Wells Fargo Bank Alaska - Present
Senior Vice President

Personal

Alaska resident for 37 years. Married to Diane Otto, a lifelong Alaskan. Three children: daughter teaches school in Seward, and sons are enrolled in the Anchorage School District.



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EMAIL: senate_secretary@legis.state.ak.us

May 9, 2003

MAY - 9 2003

MEMORANDUM

TO: Senator Seekins, Chair
Judiciary Committee

FROM: Kirsten Waid *KW*
Secretary of the Senate

SUBJECT: Confirmation

Pursuant to AS 24.60.130, President Therriault has referred the following nomination to your committee for a hearing, recommendation and report:

Select Committee on Legislative Ethics
Marianne Stillner

KCW:lc

attachment



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

May 6, 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:

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. Bcx 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

THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES

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

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.

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.



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STATE CAPITOL, ROOM 213
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EMAIL: senate_secretary@legis.state.ak.us

February 20, 2003

MEMORANDUM

TO: Senator Seekins, Chair
Judiciary Committee

FROM: Kirsten Waid *KW*
Secretary of the Senate

SUBJECT: Governor's Confirmations

Pursuant to AS 39.05.080, President Therriault has referred the following names for legislative confirmation to your committee for a hearing, recommendation and report:

Alaska Judicial Council

Bill Gordon - Fairbanks

Appointed: 05/18/2003

Term Expires: 05/18/2009

Violent Crimes Compensation Board

LeRoy Barker - Anchorage

Appointed: 02/19/2003

Term Expires: 03/01/2005

Gerad G. Godfrey - Valdez

Appointed: 02/19/2003

Term Expires: 03/01/2004

KCW:sgf

Resumes attached

ROBERTSON, MONAGLE & EASTAUGH .

ATTORNEYS AT LAW .

Juneau • Anchorage • Washington .

APP / VCC / 103

PERSONAL RECORD OF

LERROY J. BARKER

1400 W. Benson Boulevard

Suite 315

Anchorage, Alaska 99503

Phone: 907-277-6693

Fax: 907-279-1959

E-Mail: ljbarker@romea.com

BOARDS & COMMISSIONS

FEB 07 2003

EDUCATION

1952-56 University of Southern California. Graduated, Bachelor of Science in Business Administration, June, 1956.

1958-61 University of California at Berkeley, School of Law. Graduated, Bachelor of Laws, June 1961.

BAR ASSOCIATIONS

Ninth Judicial Circuit Court - admitted to practice, 1962

California Bar - admitted to practice, 1962 (inactive)

Alaska Bar - admitted to practice, 1963

United States District Court, District of Alaska - admitted to practice, 1963

United States Supreme Court - admitted to practice, 1987

EXPERIENCE

1974 to Present Presently in private practice in Anchorage as a director in Robertson, Monagle & Eastaugh, Anchorage, Alaska.

Substantial experience in construction litigation, professional liability (including architects and engineers), product liability, and general commercial litigation.

1970-74 Practiced law with Robison, McCaskey, Strachan & Hoge, Anchorage, Alaska; engaged in general practice of law.

ROBERTSON, MONAGLE & EASTAUGH

ATTORNEYS AT LAW

Juneau • Anchorage • Washington

- 1964-1970. Assistant District Attorney in both Alaska and California; extensive litigation experience; numerous felony cases including several high profile murder and fraud cases.
- 1961-1964 Department of Law, State of Alaska. Worked in Juneau, Ketchikan, and Anchorage as an Assistant Attorney General and Assistant District Attorney; represented the Department of Public Works and Highways; participated in various civil cases involving these two departments.
- 1956-58 U.S. Navy, LTJG, Legal Officer, San Diego Group, Pacific Reserve Fleet; graduated with distinction from Naval Justice School, Newport, Rhode Island.

PROFESSIONAL ACTIVITIES

1. Member (and former state chair) of the public contract section of the American Bar Association.
2. Experience as a discovery master for the State Superior Court and the Federal District Court.
3. Member, Board of Governors, Alaska Bar Association, 1974 -1977.
4. Alaska Bar Association Professionalism Award 1990.
5. Fellow (and past state chair) American College of Trial Lawyers, 1990 to date.
6. Lawyer representative, United States Court of Appeals for the Ninth Circuit 1986 - 1988.

ALASKA STATE SENATE



Interim Address:
119 N. Cushman, Suite 211
Fairbanks, AK 99701
(907)-456-5081
Fax# (907)-456-8245

Session
(907)-465-2327
FAX# (907)-465-5241
State Capitol
Room 125

SENATE JUDICIARY COMMITTEE Senator Ralph Seekins, Chairman

REPORT ON CONFIRMATION OF APPOINTMENTS

March 5, 2003

The Honorable Gene Therriault
President of the Senate
State Capitol
Juneau, Alaska 99801-1182

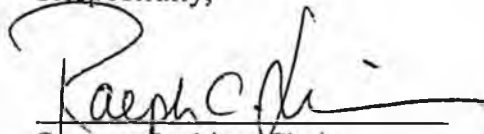
Dear President Therriault:

In accordance with AS 39.05.080, the Senate Judiciary Committee reviewed the following and recommends the appointment be forwarded to a joint session for consideration

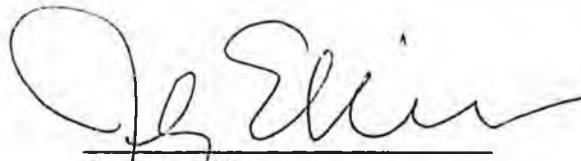
Violent Crimes Compensation Board: Gerad G. Godfrey

This does not reflect an intent by any of the members to vote for or against the individuals during any further sessions.


Respectfully,



Senator Seekins, Chair



Senator Ellis



Senator Therriault



Senator French



Senator Ogan

ALASKA STATE SENATE



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119 N. Cushman, Suite 211
Fairbanks, AK 99701
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State Capitol
Room 125

SENATE JUDICIARY COMMITTEE Senator Ralph Seekins, Chairman

REPORT ON CONFIRMATION OF APPOINTMENTS

March 5, 2003

The Honorable Gene Therriault
President of the Senate
State Capitol
Juneau, Alaska 99801-1182

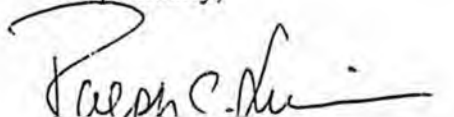
Dear President Therriault:

In accordance with AS 39.05.080, the Senate Judiciary Committee reviewed the following and recommends the appointment be forwarded to a joint session for consideration


Judicial Council: Bill Gordon

This does not reflect an intent by any of the members to vote for or against the individuals during any further sessions.

Respectfully,



Senator Seekins, Chair

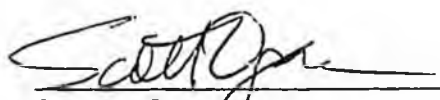


Senator Ellis

Senator Therriault



Senator French



Senator Ogan

ALASKA STATE SENATE



Session

(907)-465-2327
FAX# (907)-465-5241
State Capitol
Room 125

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Fairbanks, AK 99701
(907)-456-5081
Fax# (907)-456-8245

SENATE JUDICIARY COMMITTEE Senator Ralph Seekins, Chairman

REPORT ON CONFIRMATION OF APPOINTMENTS

March 5, 2003

The Honorable Gene Therriault
President of the Senate
State Capitol
Juneau, Alaska 99801-1182

Dear President Therriault:

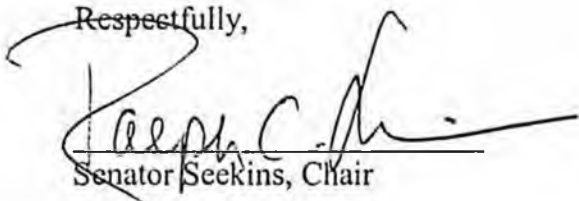
In accordance with AS 39.05.080, the Senate Judiciary Committee reviewed the following and recommends the appointment be forwarded to a joint session for consideration

Select Committee on Legislative Ethics:

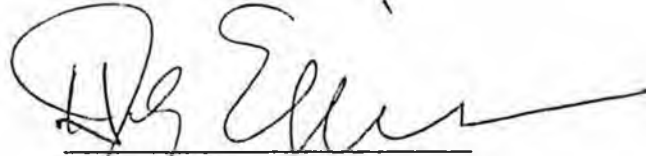
-Herman G. Waiker, Jr.
-Dennis "Skip" Cook

This does not reflect an intent by any of the members to vote for or against the individuals during any further sessions.

Respectfully,



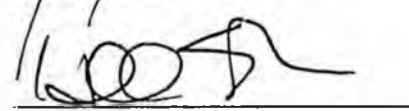
Senator Seekins, Chair



Senator Ellis



Senator Therriault



Senator French



Senator Ogan

Bill Gordon
907-474-0303
3205 Riverview Drive
Fairbanks, Alaska 99709

BACKGROUND SUMMARY

Lifelong Alaskan with extensive background in public and private sectors

Have worked in responsible positions in Alaskan government and industry. Have extensive travel to nearly every city, town and village in Alaska and have conducted business activity in foreign countries. Have experience in both regulating industry and being regulated by government agencies. Have been involved in searching for and appointing top talent to state government.

EXPERIENCE

Utility Services of Alaska (a subsidiary of FSW Inc.) Fairbanks, Alaska

Vice President and shareholder, since 1997

Operates 7 certificated water and wastewater utilities in interior Alaska. Served on EPA funded Capacity Development initiatives for State compliance to the amendments to the Safe Drinking Water Act of 1996. Presently serves on the State and Federal Committee on Sustainability for Rural Alaskan Utilities

Campus Leasing Fairbanks, Alaska

Owner and operator 1978-1996

Managed a profitable Alaskan company's real estate holdings and product sales in Alaska, Japan, Guam and Korea. Sold company in 1996.

State of Alaska Juneau, Alaska

Served Governor Jay Hammond in various positions including executive assistant (chief of staff). 1974-1978

Responsible for the day-to-day operations of the Governor's offices including appointment to top state positions.

Chaired Western Governor's Policy Council 1976-1977

Anchorage School District Anchorage, Alaska

High school teacher and coach 1970-1974

Civic Service

Alcohol Beverage Control Board 1979-1982; Chairman 1980-1982

Alaska Athletic Commission 1979-1980

Policy Review Committee; Fairbanks North Star Borough School District 1992-1995

Discipline Task Force; Fairbanks North Star Borough School District 1994-1995

Vocational Education Subcommittee; North Star Borough School District 1995

Organized and served as Commissioner of Region VI high school varsity baseball 1993-1996

Volunteered, organized and chaired various political campaigns for local and statewide candidates

EDUCATION

Bachelor of Arts; University of North Carolina-Chapel Hill, NC. Graduated 1969

Graduate studies; University of Alaska-Fairbanks

PERSONAL

Married, two children.

Gerad G. Godfrey

P.O. Box 1254
Valdez, AK 99686
(907) 835-2329

OBJECTIVE: To obtain a position on the State of Alaska Violent Crimes Compensation Board.

EDUCATION: Bachelor's of Science Degree - University of Great Falls, Great Falls, MT
Criminal Justice Major, with Counseling Psychology Minor
Financed 100% of College Education Expenses

WORK EXPERIENCE:

- Aug. 2001 – Present **Doyon Universal Services, Valdez, AK**
- Provide patrol security for the Marine Terminal and pipeline access points
 - Process incoming dispatch services/control room functions
 - Monitor personnel shift changes
- Nov. 1998 – Aug. 2001 **Kelly Services, Ft. Richardson Army Base, Anchorage, AK**
- Provided audio/visual technical support for military trainers
 - Design and implement floor plans for conferences and seminars
 - Maintained inventory of essential facility materials
- Sept. 1998 – Nov. 1998 **Alaska Department of Public Safety, Sitka, AK**
- Training Academy for the position of Fish & Wildlife Trooper
- Oct. 1997 – Sept. 1998 **Guardsmark, Inc., Anchorage, AK**
- Interviewed, screened, and hired applicants for security positions
 - Staffed supervisors' man-power shortages at various contract posts
 - Accounted for staff's billable working hours
- April 1997 – Aug. 1997 **Total Nutrition & Fitness, Great Falls, MT**
- Managed supplement retail/tanning business
 - Advised patrons concerning nutrition and fitness programs
- May 1996 – April 1997 **Nana-Marriott, Prudhoe Bay, AK**
- Preparation cook, kitchen maintenance, and supply stocker
 - Also worked these positions seasonally during three years of college
- June 1981 – Aug. 1992 **Commercial Salmon Fishing, seasonally in waters around Kodiak, AK**
- Fished aboard F/V's Millennium, Armageddon, Jenna, and Miss Valeiy
 - Experienced in operating the skiff, deck boss, and deck hand
- ACTIVITIES:** Member – Oversight Committee Taskforce of APD 911 system review

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

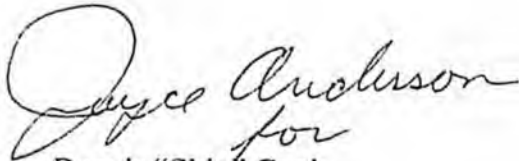
Ronald Irwin
Senate Majority Press Secretary
716 West 4th Avenue
Suite 540
Anchorage AK 99501

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 "Joyce Anclison" with the word "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**

(907) 465-3887 or 465-2450
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 *LB*

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 purely 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

HERMAN GENE WALKER, JR.

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

EDUCATION

- 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.

LAW EXPERIENCE

- 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.

MEMBERSHIPS AND AFFILIATIONS

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

JAN-21-2003 TUE 11:48 AM

FAX NO.

P. 02

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: Herman Walker, JR. ADDRESS: 606 E St. 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)

Table with 3 columns: Name of Organization or Entity, Address, Date of Board Membership. Row 1: Alaska Academy of Trial Lawyers, P.O. Box 102723, Anchorage, AK, 2000.

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

Signature: [Handwritten Signature] Date: 1-21-03

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 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: Heiman G. Wilphok, Jr. (907) 279-2889 (907) 258-4428
Phone Number Fax Number

OCCUPATION: Attorney, Business Owner

MAILING ADDRESS: 9314 Steathmoor Drive heiman@cab.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. Limon

DEPENDENT CHILDREN: 2

NON-DEPENDENT CHILDREN LIVING WITH YOU: 0

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. Linn

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. Linn

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. Wilphor, 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 ⇒

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

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. Walker, 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: Linda 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 Stratmore 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: Lynnda A. Limon

Street Address or Legal Description: 7440 F 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)

Northern Bank

Name of Lender/Creditor/Guarantor

Linda A. Limon

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

Northern 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

Linda 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.

[Signature]
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



Allegoys et Lex

COOK SCHUEMANN & GROSECLOSE, INC.

714 Fourth Avenue, Suite 200 • Post Office Box 70810 • Fairbanks, Alaska 99707-0810 • 907 / 452-1855 • Fax 907 / 452-8154
Tel (907) 883-8489 • Delta Junction (907) 893-4438 • 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 Schumann & 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
Dana 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. Schumann
Robert B. Groseclose

Jo A. Kuehlic
Jane D. Wilson
Bret D. Cook

Michael C. Kramer
of Counsel
Grace Berg Schatzle

EMPLOYMENT

5/70 - Present COOK SCHUHMANN & 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, Gib & 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 - 5/63 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

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- ◆ 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.
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- ◆ 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) 907-452-8154
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: Wife 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: \$ _____

JAN 22 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: Dennis E. Cook

Business Name: Cook, Schumann & Groseclose, 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)

Dennis E. Cook

Dennis E. Cook

Name of Source of Income

Polar Cache Corporation

LD & 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)

Dennis E. Cook

Tenant(s)

Delisio Marian Greenleaf + Zabel
(Tenants of LD & 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

JAN 2 2 2003

**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 1k Partnership
 Business Address: 543 W 6th Ave. Anchorage AK 99501-2033
 Nature of Interest: 1/9 Owner
 Description of Business's Activity: Owms + 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: _____

JAN 22 2003

**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: Salchalet 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 Fbks 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)

JAN 22 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.

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)

Key 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

_____%
Interest Rate

Length of Loan

Does written loan agreement exist? YES NO

JAN 22 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.

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. Northerr. 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 22 2003

2003 APMC 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: PARKAN, 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	1622.02II	MARTIAN/GABRIEL
239.11M	MURRAY INSURANCE/KENNETH A.	1683.04II	VINTON/WILLARD & WILMA
239.13M	MURRAY INSURANCE/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/REYHAUN 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	LAGELL/DEBBIE	1801.02M	NORTHKIM 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	1857.02M	NAVACHAI/TERAPONG
641.04M	CRHEME/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	KOVA 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		
1153.21M	TORTORELLA/KEVIN		
1197.01H	DAMITZ/JAIME D.		
1207.08M	UNIVERSITY OF ALASKA FAIRBANKS		

JAN 22 2003

2072.0111	TKKO, INC.	2569.0111	SHARRAH/JOSEPH L.
2093.01M	RUSSELL/DEBORAH	2572.01M	SMITH/CHRISTINE
2096.02M	CENTAC MOBILE SYSTEMS, LLC	2570.0111	HOLT/JEFF
2108.02M	ICE BROTHERS LLC	2585.0111	SANFORD/MILDRED
2120.03M	SAFENAY, INC.	2586.0111	GRIFFIN/BETH & LOUIS
2155.01M	R & M ENGINEERING	2507.01M	HILLER/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.
2200.01M	BURTON/DIANA	2605.01D	VIALE/NANCY J.
2200.02M	BURTON/DIANA	2605.0211	VIALE/NANCY J.
2243.01M	KENNEDY/ALBERT	2606.01M	SNOW/FRANK R.
2243.03M	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	DECKER/TAMMY	2623.01M	WIREN/SUSAN
2279.02M	KHODSEN/DAN	2623.02M	WIREN/SUSAN
2318.02M	OFFICE OF PUBLIC ADVOCACY	2626.01M	HANNA/TRICIA
2322.01M	CHILDERS/THELMA	2628.01M	WATSON JR./WILLIAM
2322.02M	CHILDERS/THELMA	2628.02H	WATSON JR./WILLIAM & MARY SUE
2346.01M	WESTERN STAR TRUCKS, INC.	2629.01M	KING/PEGGY SUE C.
2350.01M	SHARP/KATHERIN	2631.01M	CRAWFORD/ROY L.
2352.01M	CLDHAM/TOMMY	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/MIKKEL	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 H & SOO	2650.01M	NATION-CRUIKSHANK/CYNTHIA
2427.02M	EBADPOUR/SYMYO L.	2655.01M	WATSON/JAMES & KIMBERLY
2437.02M	O'CONNELL/KEVIN	2670.01M	CRONK/MICHAEL L.
2437.03M	O'CONNELL/KEVIN	2671.01M	McNABB/JEFFREY
2438.01M	BURTON/BETHANY	2672.01M	BOYD/BEN L.
2442.01E1	CAPPS & DURREMBERGER	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	HOLAND/LAURA
2446.0111	BAST/ALICIA	2676.01M	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/LEORA	2686.0111	BECK/JOHN
2457.01M	EDWARDS/ALICE	2688.01M	FOURS/ROBERT A.
2461.01M	CHESSER/MICHAEL	2691.01M	FATH/JOSEPH A.
2467.01M	WETTERHALL/SUZANNE	2693.01M	WU/CIAN
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., SOEANN RUEGNER	2702.01M	LAMBERT/SHERI L.
2512.0111	HARDING/LINDA	2703.01M	CULVER/CRAIG S.
2519.0111	WISHL/KIMBERLY	2707.0111	BUCKLER/JANICE
2519.01M	WINSLOW/JAMES	2710.01M	MUTTON/ELIZABETH
2520.0111	MCGOWAN/MICHAEL	2711.01M	DEMAMIEL/SARAH
2525.01M	PIERSON/MARGO L	2717.01M	WILLIAMS/JIM
2530.01M	HOBBS/JOHN T	2719.01M	HEIN/GARY D.
2532.01H	CATMAN/LLOYD A.	2719.02M	HEIN/GARY D. & URSULA
2532.02M	CATMAN/LLOYD A.	2720.01M	HOLLINGSWORTH/ELIZABETH
2532.03M	CATMAN/LLOYD A.	2721.01M	GLAZE/MICHAEL B.
2535.0111	LAKIN/NATALIE	2722.0111	TEN/CHENG CHU
2539.01M	CLSON/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	CONKEY/MARK & EDITHA
2564.02M	BOHNET/CHUNGHEE	2735.01M	WILLIAMS/JANE N.
		2736.01M	GUTHRIE/OWEN B.
		2737.01M	MELCHERT/TERI L.
		2738.01M	SINGSON/ERICK A.
		2739.01M	AMUNDSON/JAN & ALAN
		2741.01E	POLLEN/MIKE & PEGGY
		2742.01M	CRINES/IGNACIO
		2744.01M	RICHARDOCH/DAVID
		2746.01M	CARTER/LAURA
		2748.01M	STEVENS/ROBERT W.
		2751.01E	LINCK/GERTRUDE
		2753.01M	EATCH/NATALIE L.
		2754.01M	LADERATION/HELEN
		2755.01M	TAUSCHER, DDS/DR. TERRENCE A.
		2757.01M	STRATTON/RYAN T.
		2758.01M	MCKEERAN/MAYNUS
		2759.01M	FERNANDEZ/BARBARA & MEDO

JAN 2 2 2003

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/DLANE
 2794.01M SIMS/MICHAEL
 2795.01M DIXON/RICHARD
 2795.02M DIXON/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'DONNIGHUE/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 PACE/RICHARD & DONNA
 2857.01M KRAPP/MARK & ANGEL
 2858.01II ESLEY/JEFF & CHARLENE K.
 2859.01M CHO/HYUNJOO
 2860.01M SAUNDERS/PETER
 2861.01M DRAKE/DWAYNE
 2862.01M O'ROCK/JUNE T.
 2864.01M ROUSSEAU/CHARLENE
 2866.01EI REGAR, JR/JASON W.
 2869.01M RUTLAND/EUGENE
 2870.01MI BOSWOD/KRISTINA
 2871.01E KOWALCZYK/TOM & DEDRA
 2877.01M 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/DCMINIQUE C.
 2892.01M NORVELLE/DEBCRAH S.
 2893.01M DRESSER/ROBLYN L.
 2894.01E DARO/EDWARD & HAZEL
 2896.01M EVANS/DAVID L.
 2897.01M WISWAR/LAURA
 2898.01M SWEARINGEN/TROY
 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 & TANNY
 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 UPICKSCUN/CHARLES
 2944.01M CORNWALL/BARBARA
 2946.01M HARRISON/DUSTIN
 2963.01M FORD/NANCY
 5003.07M HEBERT/TROXELL

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, honoraria, social security, retirement, shared living expenses, and all other income over \$1000 not reported elsewhere on the LFD statement. For more help, see page 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 GTR + K
Partnership to
GTR + 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.

Dennis E. Cook 1/22/03

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, #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.

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-ANCI
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



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 676190
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 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)

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

July, 2000

COMMITTEE PROCEDURES

INDEX

SEC. 1	SCOPE	2
SEC. 2	ADVISORY OPINIONS	2
SEC. 3	POTENTIAL COMPLAINTS	3
SEC. 4	ATTORNEY-CLIENT PRIVILEGE	4
SEC. 5	COMPLAINTS	4
SEC. 6	CONFIDENTIAL MATERIALS	6
SEC. 7	DECISIONS	7
SEC. 8	DELEGATION OF AUTHORITIES	9
SEC. 9	DISCLOSURES	9
SEC. 10	DISCOVERY	10
SEC. 11	EDUCATION	12
SEC. 12	EXECUTIVE SESSION	13
SEC. 13	GUIDELINES	14
SEC. 14	HEARING PROCEDURES	14
SEC. 15	INFORMAL ADVICE	16
SEC. 16	INVESTIGATIONS	17
SEC. 17	JURISDICTION	17
SEC. 18	MEETINGS/NOTICE	18
SEC. 19	TELECONFERENCE	18

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. 13 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.

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.

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.

Sec. 24.60.170. Proceedings before the committee; limitations.

- (a) The committee shall consider a complaint alleging a violation of this chapter if the alleged violation occurred within two years before the date that the complaint is filed with the committee and, when the subject of the complaint is a former member of the legislature, the complaint is filed within one year after the subject's departure from the legislature. The committee may not consider a complaint filed against all members of the legislature, against all members of one house of the legislature, or against a person employed by the legislative branch of government after the person has terminated legislative service. However, the committee may reinstitute proceedings concerning a complaint that was closed because a former employee terminated legislative service or because a legislator left the legislature if the former employee or legislator resumes legislative service, whether as an employee or a legislator, within two years after the alleged violation. The time limitations of this subsection do not bar proceedings against a person who intentionally prevents discovery of a violation of this chapter.
- (b) A complaint may be initiated by any person. The complaint must be in writing and signed under oath by the person making the complaint and must contain a statement that the complainant has reason to believe that a violation of this chapter has occurred and describe any facts known to the complainant to support that belief. The committee shall upon request provide a form for a complaint to a person wishing to file a complaint. Upon receiving a complaint, the committee shall advise the complainant that the committee or the subject of the complaint may ask the complainant to testify at any stage of the proceeding as to the complainant's belief that the subject of the complaint has violated this chapter. The committee shall respond to a complaint concerning the conduct of a candidate for election to state office received during the campaign period in accordance with (o) of this section. The committee shall treat a complaint concerning the conduct of a candidate for election to state office that is pending at the beginning of a campaign period in accordance with (p) of this section. The committee shall immediately provide a copy of the complaint to the person who is the subject of the complaint.
- (c) When the committee receives a complaint under (a) of this section, it may assign the complaint to a staff person. The staff person shall conduct a preliminary examination of the complaint and advise the committee whether the allegations of the complaint, if true, constitute a violation of this chapter and whether there is credible information to indicate that a further investigation and proceeding is warranted. The staff recommendation shall be based on the information and evidence contained in the complaint as supplemented by the complainant and by the subject of the complaint, if requested to do so by the staff member. The committee shall consider the recommendation of the staff member, if any, and shall determine whether the allegations of the complaint, if true, constitute a violation of this chapter. If the committee determines that the allegations, if proven, would not give rise to a violation, that the complaint is frivolous on its face, that there is insufficient credible information that can be uncovered to warrant further investigation by the committee, or that the committee's lack of jurisdiction is apparent on the face of the complaint, the committee shall dismiss the complaint and shall notify the complainant and the subject of the complaint of the dismissal. The committee may ask the complainant to provide clarification or additional information before it makes a decision under this subsection and may request information concerning the matter from the subject of the complaint. Neither the complainant nor the subject of a complaint is obligated to provide the information. A proceeding conducted under this subsection, documents that are part of a proceeding, and a dismissal under this subsection are confidential as provided in (l) of this section unless the subject of the complaint waives confidentiality as provided in that subsection.

(d) If the committee determines that some or all of the allegations of a complaint, if proven, would constitute a violation of this chapter, or if the committee has initiated a complaint, the committee shall investigate the complaint, on a confidential basis. Before beginning an investigation of a complaint, the committee shall adopt a resolution defining the scope of the investigation. A copy of this resolution shall be provided to the complainant and to the subject of the complaint. As part of its investigation, the committee shall afford the subject of the complaint an opportunity to explain the conduct alleged to be a violation of this chapter.

(e) If during the investigation under (d) of this section, the committee discovers facts that justify an expansion of the investigation and the possibility of additional charges beyond those contained in the complaint, the resolution described in (d) of this section shall be amended accordingly and a copy of the amended resolution shall be provided to the subject of the complaint.

(f) If the committee determines after investigation that there is not probable cause to believe that the subject of the complaint has violated this chapter, the committee shall dismiss the complaint. The committee may also dismiss portions of a complaint if it finds no probable cause to believe that the subject of the complaint has violated this chapter as alleged in those portions. The committee shall issue a decision explaining its dismissal. Committee deliberations and vote on the dismissal order and decision are not open to the public or to the subject of the complaint. A copy of the dismissal order and decision shall be sent to the complainant and to the subject of the complaint. Notwithstanding (l) of this section, a dismissal order and decision is open to inspection and copying by the public.

(g) If the committee investigation determines that a probable violation of this chapter exists that may be corrected by action of the subject of the complaint and that does not warrant sanctions other than correction, the committee may issue an opinion recommending corrective action. This opinion shall be provided to the complainant and to the subject of the complaint, and is open to inspection by the public. Within 20 days after receiving the opinion, the subject of the complaint may request a confidential meeting with the committee at which meeting the committee shall explain the reasons for its recommendations. The committee may divulge confidential information to the subject of the complaint. The information remains confidential. The subject of the complaint may comply with the opinion or may request a hearing before the committee under (j) of this section. After the hearing, the committee may amend or affirm the opinion. If the subject of the complaint agrees to comply with the opinion but later fails to complete the corrective action in a timely manner, the committee may formally charge the person as provided in (h) of this section or may refer the matter to the appropriate house of the legislature, in the case of a legislator, or, in the case of a legislative employee, to the employee's appointing authority. The appropriate house of the legislature or the appointing authority, as appropriate, may take action to enforce the corrective action or may decline to take action and refer the matter to the committee. In either case, the committee may formally charge the person under (h) of this section.

(h) If the subject of a complaint fails to comply with an opinion and the committee decides under (g) of this section to charge the person, or if the committee determines after investigation that there is probable cause to believe that the subject of the complaint has committed a violation of this chapter that may require sanctions instead of or in addition to corrective action, the committee shall formally charge the person. The charge shall be served on the person charged, in a manner consistent with the service of summons under the rules of civil procedure, and a copy of the charge shall be sent to the complainant. The person charged may file a responsive pleading to the committee admitting or denying some or all of the allegations of the charge.

(i) A person charged under (h) of this section may engage in discovery in a manner consistent with the Alaska Rules of Civil Procedure. The committee may adopt procedures that

(1) impose reasonable restrictions on the time for this discovery and on the materials that may be discovered;

(2) permit a person who is the subject of a complaint to engage in discovery at an earlier stage of the proceedings;

(3) impose reasonable restrictions on the release of information that the subject of a complaint acquires from the committee in the course of discovery, or on information obtained by use of the committee's authority, in order to protect the privacy of persons not under investigation to whom the information pertains; however, the committee may not impose restrictions on the release of information by the subject of the complaint unless the complainant has agreed to be bound by similar restrictions and has not made public the information contained in the complaint, information about the complaint, or the fact of filing the complaint.

(j) If the committee has issued a formal charge under (h) of this section, and if the person charged has not admitted the allegations of the charge, the committee shall schedule a hearing on the charge. The hearing shall be scheduled for a date more than 20 days after service of the charge on the person charged, unless the person agrees to an earlier hearing date. At the hearing, the person charged shall have the right to appear personally before the committee, to subpoena witnesses and require the production of books or papers relating to the proceedings, to be represented by counsel, and to cross-examine witnesses. A witness shall testify under oath. The committee is not bound by the rules of evidence but the committee's findings must be based upon clear and convincing evidence. Testimony taken at the hearing shall be recorded and evidence shall be maintained.

(k) Following the hearing, the committee shall issue a decision stating whether or not the subject of the complaint violated this chapter, and explaining the reasons for the determination. The committee's decision may also indicate whether the subject cooperated with the committee in its proceedings. If the committee finds a violation, or lack of cooperation by the subject, the decision shall recommend what sanctions, if any, the committee believes are appropriate. If there has not been a hearing because the person charged admitted to the allegations of the charge, the committee shall issue a decision outlining the facts of the violation and containing a sanctions recommendation.

(l) Proceedings of the committee relating to complaints before it are confidential until the committee determines that there is probable cause to believe that a violation of this chapter has occurred. The complaint and all documents produced or disclosed as a result of the committee investigation are confidential and not subject to inspection by the public. If in the course of an investigation or probable cause determination the committee finds evidence of probable criminal activity, the committee shall transmit a statement and factual findings limited to that activity to the appropriate law enforcement agency. If the committee finds evidence of a probable violation of AS 15.13, the committee shall transmit a statement to that effect and factual findings limited to the probable violation to the Alaska Public Offices Commission. All meetings of the committee before the determination of probable cause are closed to the public and to legislators who are not members of the committee. However, the committee may permit the subject of the complaint to attend a meeting other than the deliberations on probable cause. The confidentiality provisions of this subsection may be waived by the subject of the complaint.

(m) All documents issued by the committee after a determination of probable cause to believe that the subject of a complaint has violated this chapter, including an opinion recommending corrective action under (g) of this section and a formal charge under (h) of this section, are

subject to public inspection. Hearings of the committee under (j) of this section are open to the public, and documents presented at a hearing, and motions filed in connection with the hearing, are subject to inspection by the public. Deliberations of the committee following a hearing, deliberations on motions filed by the subject of a charge under (h) of this section, and deliberations concerning appropriate sanctions are confidential.

(n) The committee shall dismiss a complaint against a person employed by the legislative branch of government if the person terminates legislative service. The committee may in its discretion dismiss a complaint against a former member of the legislature whether the complaint was filed before or after the former member departed from the legislature.

(o) The committee shall return a complaint concerning the conduct of a candidate for state office received during a campaign period to the complainant unless the subject of the complaint permits the committee to assume jurisdiction under this subsection. If the committee receives a complaint concerning the conduct of a candidate during the campaign period, the committee shall immediately notify the subject of the complaint of the receipt of the complaint, of the suspension of the committee's jurisdiction during the campaign period, and of the candidate's right to waive the suspension of jurisdiction under this subsection. The candidate may, within 11 days after the committee mails or otherwise sends notice of the complaint to the candidate, notify the committee that the candidate chooses to have the committee proceed with the complaint under this section. If the candidate does not act within that time or if the candidate notifies the committee that the candidate is not waiving the suspension of committee jurisdiction, the committee shall return the complaint to the complainant with notice of the suspension of jurisdiction under this subsection and of the right of the complainant to file the complaint after the end of the campaign period.

(p) When the committee has a complaint concerning the conduct of a candidate for state office pending before it at the beginning of a campaign period that has not resulted in the issuance of formal charges under (h) of this section, the committee may proceed with its consideration of the complaint only to the extent that the committee's actions are confidential under this section. The committee may not, during a campaign period, issue a dismissal order or decision under (f) of this section, issue an opinion under (g) of this section, or formally charge a person under (h) of this section. If the committee has formally charged a person under (h) of this section and the charge is still pending when a campaign period begins, the committee shall suspend any public hearings on the matter until after the campaign period ends. The parties to the hearing may continue with discovery during the campaign period. If a hearing has been completed before the beginning of a campaign period but the committee has not yet issued its decision, the committee may not issue the decision until after the end of the campaign period. Notwithstanding the suspension of public proceedings provided for in this subsection, a candidate who is the subject of a complaint may notify the committee in writing that the candidate chooses to have the committee proceed with the complaint under this section.

(q) A campaign period under this section begins on the later of 45 days before a primary election in which the legislator or legislative employee is a candidate for state office or the day on which the individual files as a candidate for state office and ends at the close of election day for the general or special election in which the individual is a candidate or on the day that the candidate withdraws from the election, if earlier. For a candidate who loses in the primary election, the campaign period ends on the day that results of the primary election showing that another individual won the election are certified.

Sec. 24.60.176. Recommendations where violator is a legislative employee.

(a) If the person found to have violated this chapter is or was a legislative employee, the committee's recommendations shall be forwarded to the appropriate appointing authority which shall, as soon as is reasonably possible, determine the sanctions, if any, to be imposed. The appointing authority may not question the committee's findings of fact. The appointing authority shall assume the validity of the committee's findings and determine and impose the appropriate sanctions. The appointing authority has the power to impose a sanction recommended by the committee or to impose a different sanction. The appointing authority shall enforce the sanction and shall report to the committee at a time specified by the committee concerning the employee's compliance with the sanction.

(b) In this section, "appointing authority" means

- (1) the legislative council for employees of the Legislative Affairs Agency and of the legislative council and for legislative employees not otherwise covered under this subsection;
- (2) the Legislative Budget and Audit Committee for the legislative fiscal analyst and employees of the division of legislative finance, the legislative auditor and employees of the division of legislative audit, and employees of the Legislative Budget and Audit Committee;
- (3) the appropriate finance committee for employees of the senate or house finance committees;
- (4) the appropriate rules committee for employees of
 - (A) standing committees of the legislature, other than the finance committees;
 - (B) the senate secretary's office and the office of the chief clerk of the house of representatives; and
 - (C) house records and senate records;
- (5) the legislator who made the hiring decision for employees of individual legislators; however, the legislator may request the appropriate rules committee to act in the legislator's stead;
- (6) the ombudsman for employees of the office of the ombudsman, other than the ombudsman;
- (7) the legislature for the ombudsman.

Sec. 24.60.178. Recommended sanctions.

(a) When the committee finds that a person has violated this chapter, the committee may recommend appropriate sanctions, including sanctions set out in (b) of this section.

(b) The sanctions that the committee may recommend include

- (1) imposition of a civil penalty of not more than \$5,000 for each offense or twice the amount improperly gained, whichever is greater;
- (2) divestiture of specified assets or withdrawal from specified associations;
- (3) additional, detailed disclosure, either as a public disclosure or as a confidential disclosure to the committee;
- (4) in the case of a legislative employee, suspension of employment with or without pay for a stated period of time or until stated conditions are met, or termination from legislative employment;
- (5) restitution of property or reimbursement of improperly received benefits;
- (6) public or private written reprimand;

- (7) censure, including, in the case of a legislator, removal from a leadership position or committee membership and a determination that the legislator will not be appointed to serve in a leadership position or on a committee during the remainder of that legislature;
- (8) placing the person on probationary status;
- (9) in the case of a legislator, expulsion from the house of the legislature;
- (10) any other appropriate measure.

(c) In addition to or in place of a sanction recommended under (b) of this section, the committee may recommend that the subject of a complaint be required to pay all or a portion of the costs related to the investigation and adjudication of a complaint.

(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.*



OFFICIAL BUSINESS

Alaska State Legislature

Senate

STATE CAPITOL, ROOM 213
JUNEAU, ALASKA 99801-1182
(907) 465-3701
FAX: 465-2832
EMAIL: senate_secretary@legis.state.ak.us

March 31, 2003

MEMORANDUM

TO: Senator Seekins, Chair
Judiciary Committee

FROM: Kirsten Waid *KW*
Secretary of the Senate

SUBJECT: Governor's Confirmations

Pursuant to AS 39.05.080, President Therriault has referred the following name for legislative confirmation to your committee for a hearing, recommendation and report:

Commission on Judicial Conduct

Richard Burton - Ketchikan

Appointed: 03/25/03 Term Expires: 03/01/07

KCW:sgf

Resume attached

Richard L. Burton
443 Forest Park Drive
Ketchikan, Alaska 99901
Phone 907-247-3334
Fax 907-247-3335

rburton@kpunet.net

Public Safety Consultant: 1995 - Present

Owner and principal consultant of business of management audits, background investigations, internal affairs, administrative investigations, locating and providing temporary personnel, recruit selection and all services relative to operating and managing police or public safety agencies.

Commissioner of Public Safety: 1991 - 1995 State of Alaska, Department of Public Safety

Chief administrator of all state public safety functions. Responsible for budget in excess of \$100 million and over 900 employees. Functions included the Divisions of State Troopers, Fish and Wildlife Protection, Motor Vehicles, Fire Prevention, and Administrative Services. Related functions included State Training Academy, State Crime Lab, Highway Safety Planning, and Police Standards Council.

Burton & Associates 1988 - 1990

Started Public Safety Management consulting business. Stopped in 1991 to accept appointment by Governor as Commissioner of Public Safety.

Alaska Security, Inc. 1985 - 1988

President and co-owner of a full service security and armored car company. Started the company with 1 employee and built it to over 100 employees and 3 armored vehicles.

Private Consultant 1983 - 1985

Consultant to various law firms on issues related to lawsuits involving police practices and procedures.

Justice Services Administrator 1981 - 1982 Warm Springs Indian Reservation, Warm Springs, Oregon Chief Administrator for all law enforcement including criminal laws and natural resource protection. Administered the operation of the tribal prosecutor, legal aides, and the tribal jail.

Police Specialist/planner 1979 - 1980 U.S. Dept. of Justice, Criminal Justice Planning Agency

Under contract worked with the Commonwealth of the Northern Mariana Islands at Saipan. Provided technical assistance in Public Safety management and operations. This included manpower allocation, training, job description and reporting development and instituting basic police practices. Restructured employee compensation benefits, management training and policies and procedures.

Commissioner of Public Safety 1975 - 1979 State of Alaska, Department of Public Safety

First appointment as Commissioner and Chief Administrator of State Public Safety functions including the State Troopers, Fish & Wildlife Protection, DMV, State Fire Marshal, Training Academy and enforcement of all state criminal laws.

Chief of Police 1973 - 1974 City and Borough of Juneau, Alaska

Administrator over all municipal police functions, provided law enforcement within the cities of Juneau and Douglas, Alaska.

Public Safety Advisor 1971 – 1973 U.S. State Department, AID, Republic of South Vietnam

Consulted and trained Provincial Police Command in implementation of modern management principles. Command consisted of 1 Province and 7 District police stations and corrections centers with 1,800 police personnel. Corrections centers exceeded 1,000 inmates. Coordinated emergency procedures to react to terrorist activities against the civilian population.

Sergeant, Lieutenant, Captain 1959 – 1971 Alaska Department of Public Safety, Alaska State Troopers

Joined the Alaska State Troopers following 4 years as a city police officer in Ketchikan and Fairbanks. Served in all ranks and was assigned to remote outposts, as detachment patrol supervisor, detachment commander and regional commander as lieutenant and captain. In 1967 was assigned as Chief of Security for the Office of the Governor and created first Governor's security.

Professional Affiliations

DELEGATION LEADER, to Khabarovsk, Russia in September 1991. Professional visit to establish relationship with the Far East Russian Militia for information exchange on criminal activity between Russia and Alaska. In 1993 was a member of an international delegation of law enforcement officials to visit with Russian Militia Officials in Moscow and St. Petersburg. In 1994 lead third delegation to Magadan in the Russian Far East and established intelligence network capability between the Militia and the Alaska State Troopers.

In April 1994 was selected as a member to be the guest of the Turkish Government at an international meeting of 31 countries in a first of its kind meeting to discuss international extradition's, drug trafficking and related mutual criminal activity.

GENERAL CHAIRMAN, of the Division of State and Provincial Police of the International Association of Chiefs of Police, 1977 - 1978. Traveled extensively throughout the U.S. and Canada, meeting with Chief Administrators of major law enforcement agencies, members of Congress and heads of federal and state departments and agencies. Member National Highway Committee 1991-1995.

PAST PRESIDENT AND VICE-PRESIDENT, of the Alaska Chiefs of Police Association. Served on legislative committees related to statewide criminal justice issues.

LIFE MEMBER, of the International Chiefs of Police, Alaska Chiefs of Police and the Alaska Peace Officers Association.

MEMBER, Alumni of the University of Louisville, Southern Police Institute.



OFFICIAL BUSINESS

Alaska State Legislature

Senate

STATE CAPITOL, ROOM 213
JUNEAU, ALASKA 99801-1182
(907) 465-3701
FAX 465-2832
EMAIL: senate_secretary@legis.state.ak.us

January 28, 2003

MEMORANDUM

TO: Senator Seekins, Chair
Judiciary Committee

FROM: Kirsten Waid *KW*
Secretary of the Senate

SUBJECT: Confirmations

Pursuant to AS 24.60.130(b)(3), President Therriault has referred the following names for legislative confirmation to your committee for a hearing, recommendation and report:

Select Committee on Legislative Ethics
Shirley McCoy
Dennis "Skip" Cook
Herman G. Walker

KW:lc
Letters attached

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. McCarty 990-2400 789-6909 office
Phone Number Fax Number
OCCUPATION: Office Manager
MAILING ADDRESS: P.O. Box 33475 smccarty@gci.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)

~~DEBRA GONZALEZ~~
SHIRLEY A. McCoy
" "
" "

DEBRA 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. McCoy
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 MONTAGNE
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. McColl 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. McColl 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. McColl 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. McColl 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.

Shirley A. McCoy
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



SENATE JUDICIARY COMMITTEE

STATE CAPITOL, BELTZ ROOM 211, 1:30 pm

Monday February 10, 2003

Joint House/Senate Confirmation Hearing for
Attorney General appointee Gregg D. Renkes.

Note change of meeting location—this hearing will
be held in the Butrovich Room #205. Time remains
unchanged.

Alaska Attorney General Gregg D. Renkes

Attorney General Gregg D. Renkes worked in Anchorage, Alaska during law school and moved to Palmer, Alaska to work for the Alaska Court System after graduation in 1986. He has been licensed to practice law in Alaska since 1987. During law school and after in his professional career, he has focused on Alaska energy, land and Native law. General Renkes is a frequent speaker on energy and natural resources policy and at one time regularly contributed articles to the *Tundra Times* concerning legal issues affecting Alaska Native people. Most recently he served as President of The Renkes Group, Ltd., an energy project development and public policy consulting firm specializing in energy, environmental, and natural resource matters. In addition, General Renkes was invited to serve as Of Counsel to the law firm of Steptoe and Johnson, assisting them with their American Indian Law Practice Group.

General Renkes served as the Majority Staff Director of the U.S. Senate Committee on Energy and Natural Resources from 1995 - 1998. Before leading the Committee staff, General Renkes worked as Chief of Staff and Chief Counsel to U.S. Senator Frank Murkowski (R-AK) directing his Washington, D.C. and State of Alaska staff. During his nearly twelve years working in the U.S. Senate, General Renkes was responsible for major and diverse legislative efforts including the restructuring of the U.S. electric utility industry, the reformation of U.S. high level nuclear waste policies, the 1992 Energy Policy Act, amendments to the Alaska Native Claims Settlement Act, Joint Federal-State Alaska Native Commission, Alaska Native Languages Preservation Act, oil and gas development on the Arctic Coastal Plain, national oil spill prevention legislation (OPA 90), the reform of management in the Tongass National Forest, U.S. Japan and U.S. China Nuclear Agreements, deep water Gulf of Mexico oil and gas development, export of Alaska North Slope oil, reform of U.S. mining laws, and the reform of National Park polices.

General Renkes also coordinated the 1992 and 1998 Alaska political campaigns to re-elect Senator Frank Murkowski to his third and fourth terms in the U.S. Senate and the Murkowski 2002 Alaska gubernatorial campaign. General Renkes worked as staff to the 1996 Republican National Convention Platform Committee and drafted the section of the *Republican Platform* addressing energy and environment issues. More recently, he assisted the 2000 Republican National Convention Platform Committee on energy policy issues and was named to the Bush/Cheney Transition Advisory Committees for the Department of Energy and the Department of the Interior.

General Renkes holds a Juris Doctor degree from the University of Colorado School of Law, Boulder, Colorado, a Masters of Science degree from Yale University, New Haven, Connecticut, and a Bachelors of Arts degree from Vassar College, Poughkeepsie, New York. He is admitted to the Alaska Bar for the

practice of law and served as a law clerk and magistrate for the State of Alaska Court System under the direction of Superior Court Judge Beverly Cutler in Palmer, Alaska.

Prior to moving to Alaska, General Renkes focused his studies on public land, natural resources, and American Indian Law. In law school, he clerked for Professor Charles Wilkenson, assisting in the rewrite of his casebooks on American Indian Law and Public Land Law, he clerked for the National Wildlife Federation, and assisted the Rocky Mountain Mineral Law Foundation with its conference and publications activities. General Renkes also assisted the University of Colorado Natural Resources Law Center with several projects related to water law and the Endangered Species. In addition, he created and edited a legal publication at the University of Colorado School of Law titled "Mining Law Dialogue", dedicated to providing a point-counterpoint forum for the debate of controversial legal questions impacting mining on the public lands.

At the Yale University graduate school, General Renkes spread his work across disciplines including work at the School of Forestry, School of Law, and School of Organization and Management. His Master's thesis researched the biosocial impacts of endangered species habitat protection in the Florida Keys. As an undergraduate student General Renkes split his concentration between biology and geology and had his research published in professional journals including the "Journal of Animal Behaviour" and the "Journal of Arachnology".

General Renkes and wife Maureen live in Juneau, Alaska with their two children Anja Josephine and Ian Gregory.