

**SB**

**29**

(H)CRA Referral file **SB29\A**

March 19, 2009- Heard & passed with no changes



SENATE DISTRICT B

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**MEMORANDUM**

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**TO:** Representative Bob Herron, State Affairs Co-Chair  
Representative Cathy Muñoz, State Affairs Co-Chair

**FROM:** Senate District B *KB*

**SUBJECT:** SB 29 Hearing Request

**DATE:** 3/9/2009

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I respectfully request a hearing on SB 29, "An Act naming the Capitol Annex the Thomas B. Stewart Legislative Office Building."

SB 29 would name the Capitol Annex the Thomas B. Stewart Legislative Office Building in honor of Judge Thomas B. Stewart and his countless contributions to the State of Alaska. The Capitol Annex is currently under renovation.

Tom Stewart was a driving force behind the Alaska Constitutional Convention and Alaska statehood. As we celebrate Alaska's 50<sup>th</sup> anniversary of statehood this year, it's an appropriate time to honor Tom Stewart.

Thank you for considering a hearing on SB 29. Please feel free to contact Kristen Bressette at 465-4790 if you have any questions.



SENATOR KIM ELTON

SB 29

"An Act naming the Capitol Annex the Thomas B. Stewart Legislative Office Building."

### **Sponsor Statement**

SB 29 would name the Capitol Annex the Thomas B. Stewart Legislative Office Building in honor of Judge Thomas B. Stewart and his countless contributions to the State of Alaska. The Capitol Annex was formerly known as the Scottish Rite Temple and is currently under renovation.

Tom Stewart was known and respected throughout Alaska. He served in the territorial House of Representatives and was a driving force behind the Alaska Constitutional Convention and Alaska statehood. Tom then served as a state senator in the first Alaska Legislature. The remainder of his professional career was spent serving as a Superior Court judge.

More than the distinguished positions he held, Tom was known and respected for his character, wisdom, and leadership. He led by example and remains an inspiration to Alaskans. As we celebrate Alaska's 50<sup>th</sup> anniversary of statehood this year, it's an appropriate time to honor Judge Thomas B. Stewart.

The estimated completion date of the renovation of Capitol Annex is August 31, 2009.

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ALASKA SENATE

STATE CAPITOL • JUNEAU, ALASKA 99801-1182 • (907) 465-4947 • FAX (907) 465-2108

SENATOR\_KIM\_ELTON@LEGIS.STATE.AK.US

**SENATE BILL NO. 29**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY SENATORS ELTON, Ellis, Therriault, Paskvan, Thomas, Wielechowski

REPRESENTATIVE Kerttula

Introduced: 1/21/09

Referred: State Affairs

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act naming the Capitol Annex the Thomas B. Stewart Legislative Office Building."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 \* **Section 1.** AS 35.40 is amended by adding a new section to read:

4 **Sec. 35.40.220. Thomas B. Stewart Legislative Office Building.** (a) The  
5 Capitol Annex in Juneau known as the Scottish Rite Temple is named the Thomas B.  
6 Stewart Legislative Office Building.

7 (b) The legislative council shall prepare and install an appropriate plaque  
8 dedicating the Thomas B. Stewart Legislative Office Building in memory of the  
9 Honorable Thomas B. Stewart.

# FISCAL NOTE

**STATE OF ALASKA**  
**2009 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: SB29  
 () Publish Date: \_\_\_\_\_

Identifier (file name): SB29-LEG-COU-2-20-09 Dept. Affected: Legislature  
 Title: "An Act naming the Capitol Annex the Thomas B. Stewart..." RDU: Council and Subcommittees  
 Component: Administrative Services  
 Sponsor: Senators Elton, Ellis, Therriault, Paskvan, Thomas  
 Requester: Senate State Affairs Component Number: 780

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>		<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>								
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<b>CHANGE IN REVENUES ( )</b>								
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**FUND SOURCE** (Thousands of Dollars)

	FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2009) cost: \_\_\_\_\_

**POSITIONS**

	FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Full-time							
Part-time							
Temporary							

**ANALYSIS:** (Attach a separate page if necessary)

This legislation has zero fiscal impact on the Legislative Affairs Agency. The cost to prepare and install an appropriate plaque will be absorbed within existing budgets.

Prepared by: Karla Schofield, Deputy Director  
 Division: Legislative Affairs Agency  
 Approved by: Pamela Varni, Executive Director  
Legislative Affairs Agency

Phone 465-6626  
 Date/Time 2/20/09 3:30 PM  
 Date 2/20/2009

Walter J. Hickel

Box 101700  
Anchorage, Alaska 99510-1700  
Telephone 907-343-2400  
Fax 907-343-2211  
Email [wjhickel@gci.net](mailto:wjhickel@gci.net)

March 16, 2009

The Honorable Mike Chenault  
Speaker of the House  
The Alaska Legislature  
[Representative\\_Mike\\_Chenault@legis.state.ak.us](mailto:Representative_Mike_Chenault@legis.state.ak.us)

Dear Mr. Speaker:

Please add my name to those in support of SB 29 that would name the Capitol Annex after Judge Thomas B. Stewart. Tom played a pivotal role in preparing Alaska for Statehood, heading up the challenging assignment to see that a model constitution was created for our unique state, researching what other states had done, organizing the Constitutional Convention, and recruiting top experts from across the nation to assist the Delegates with their assignment.

What's more, Judge Stewart, a top skier, was a member of the famed 10<sup>th</sup> Mountain Division of the US Army in WWII that fought with great courage in the Italian campaign, was an outstanding citizen of Juneau all his life, and served Alaska with distinction in both the legislature and on the bench.

This proposed tribute is a fine idea, and I urge enthusiastic support from today's legislature.

Sincerely,



Walter J. Hickel

Cc:

Rep. Cathy Munoz [Representative\\_Cathy\\_Munoz@legis.state.ak.us](mailto:Representative_Cathy_Munoz@legis.state.ak.us)  
Rep. Bob Herron [Representative\\_Bob\\_Herron@legis.state.ak.us](mailto:Representative_Bob_Herron@legis.state.ak.us)  
Rep. John Coghill [Representative\\_John\\_Coghill@legis.state.ak.us](mailto:Representative_John_Coghill@legis.state.ak.us)  
Rep. Bob Lynn [Representative\\_Bob\\_Lynn@legis.state.ak.us](mailto:Representative_Bob_Lynn@legis.state.ak.us)

101700-1600

**Kristen Bressette**

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**From:** John Havelock [jehavelock@yahoo.com]  
**Sent:** Tuesday, February 24, 2009 3:08 PM  
**To:** Sen. Kim Elton  
**Subject:** SB 29

I understand you are sponsoring a bill to name the old Mason's Building after Tom Stewart. I could not think of a more appropriate name. Tom Stewart was an able Senator, profoundly conscientious, a just judge, one of a handful of truly influential Convention delegates and an honest and accurate reporter of this state's history, constitutional and otherwise.. There is every reason to endorse this naming. John Havelock

**Kristen Bressette**

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**From:** Victor Carlson [victorcarlson@yahoo.com]  
**Sent:** Tuesday, February 24, 2009 5:09 PM  
**To:** Sen. Kim Elton  
**Subject:** Naming of old Masonic Hall

Dear Senator Elton:

It is with great pleasure that I support your bill to name the old Masonic Hall to honor the late Thomas Stewart.

As a colleague of Judge Stewart and an admirer from the first time I met him in 1962 I believe he set the standard for which every public servant should strive.

You and your colleagues are to be congratulated for taking this action.

Very truly yours,

Victor D. Carlson

**Kristen Bressette**

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**From:** miranda2@gci.net  
**Sent:** Tuesday, February 24, 2009 5:27 PM  
**To:** Sen. Kim Elton  
**Subject:** Senate Bill 29

Dear Senator Elton:

I will not be able to attend Thursday's Senate State Affairs Committee's hearing on Senate Bill 29, proposing to name the former Scottish Rite Temple building after Thomas B. Stewart, but wanted to express my support.

I am sure that countless Alaskans will provide you and the Committee with equally countless reasons why there is no person more deserving to have this building named after him than Tom Stewart. There's not much I can add to that except to say that I can't imagine anything more fitting than to name a building once used for Scottish rites after a guy named "Stewart."

For what it's worth, the bill has my wholehearted (and loving) support. Thanks for initiating the idea.

Sincerely,

Susan Burke

## Kristen Bressette

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**From:** Steve Cowper [scowper@mindspring.com]  
**Sent:** Wednesday, February 25, 2009 6:08 PM  
**To:** Sen. Kim Elton  
**Subject:** Tom Stewart

Kim -

I am told there is a move to name an annex to the capitol building after Tom Stewart. Count me as a supporter.

Tom Stewart was sui generis, a legal term that means one of a kind. Born in Juneau, and coming of age as he did with the fabled 10th Mountain Division in the Aleutians, he personified the history of Alaska from the 1920s until his death last year. He participated in most of that history and influenced events in a way that called up our better nature. Fortunately, the rest of us got to benefit from his wisdom and decency. We'll not see his like again.

Steve Cowper

## **Kristen Bressette**

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**From:** Jessica Dillon [jessica.r.dillon@gmail.com]  
**Sent:** Wednesday, February 25, 2009 9:35 PM  
**To:** Kristen Bressette  
**Subject:** SB 29 - Support Note

I am in support of naming the capitol annex, formly the Scottish Rite Temple, after my grandfather, Thomas B. Stewart.

My grandfather's life work demonstrated his unwavering commitment to public service in Alaska; He was an exemplary Alaskan.

I believe this building would be a worthy tribute to him.

Sincerely,

Jessica Dillon  
726 "O" Place, Apt. 102  
Anchorage, AK 99501



*In Loving Memory*

*Thomas B. Stewart  
January 1, 1919 to December 12, 2007*



Tom and I have had 88 years together and I treasure dearly this lifetime experience. We actually met as babies. I lived with my family in a house on 12<sup>th</sup> and "A" streets. Our mothers were good friends so we spent a great deal of time at each other's homes. A lot of time was spent at the Evergreen Bowl (now Cope Park) sailing boats and rafting the big pond, which was in the bowl at that time. Mt. Roberts was one of our favorite hikes and we climbed it many times together. Fishing was another hobby for both of us and we had many trips all over Southeast Alaska. Tom said one of these was

the best of his life. This incident occurred in peril Straits for coho salmon. Tom has been in our home hundreds of times over the years. He brought Jane with him and she really enjoyed hearing our stories. We are truly missing Tom and all of the wonderful things he has done for us, but we do have our wonderful memories.

– Dean Williams

\*

*I will always remember Tom Stewart: his humor, optimism, balanced perspective, memory for details, wisdom, love for Jane, honesty, Gilbert and Sullivan cameos, love for Alaska, wide ranging dinner table conversation, respect for the law, hiking tours and tales about mining in early Juneau, his friendship with Jay Hammond, patience with all the rehearsals at the Stewart home, and love for his family. I always learned something, every time I talked with Tom, and felt blessed to have known him as a friend. Tom, I will always think of you with respect, admiration and affection. - Fran Ulmer*

\*

I was deeply saddened by the passing of a wonderful man I have known since childhood. A very young Tom Stewart was a chum of my cousin's. They kept in touch over the years and never forgot getting rides on the Juneau Fire Trucks in the 4th of July parade on the lap of my father, Elliott Fremming. – David Fremming

\*

Our flag's 49<sup>th</sup> star shines all the brighter because of Tom Stewart. As the young lawyer and Territorial Legislator who worked hard for statehood, he was the spark that led to organizing our Constitutional Convention. As the Convention's secretary, it was his hard work and research that ensured Alaska's Constitution would become the model for others to copy.

Tom's skills and accomplishments were far beyond the capacity of most men. A decorated veteran for his World War II service in Italy, he was an accomplished skier and outdoorsman, a prodigious reader, a great dad, and a fair and legendary judge. Alaska has lost a true Renaissance man, and I have lost a good friend. – Ted Stevens

**Meeting Judge Stewart is high on the list of my fond memories of my Juneau years. As a settlement conference judge after he "retired", he was well prepared, very polite, never rushed, and got matters resolved. When we met around town, he would stop and chat, usually about some aspect of Juneau history, such as the 4<sup>th</sup> of July race up to the top of Mt. Juneau back in the twenties. - Bill Chisham**

\*

When I first lived in Juneau, I knew Tom as another single guy who skied, chased girls, and partied. Juneau was about 2,500 people, if memory serves me correctly. A fairly cohesive group of Tom's friends (myself included) would gather now and then for beach parties at Auke Bay.  
- Bruce Campbell

\*

One time when I was on the stand giving my testimony, the opposing lawyer saw fit to call me a liar. (I was telling the truth and I had a signed letter in my pocket from the Governor that supported my story.) I sensed that this was not a wise move on the part of that attorney and that he made a very serious tactical error in calling me a liar. A dark cloud, or look of sternness, came over Judge Stewart's face. The second time I interacted with Judge Stewart in a formal way was when he served as the mediator to keep our case out of court. He was so gracious in supervising the process. So while I experienced the Stewarts' graciousness in their home, my most profound memory was Judge Stewart's graciousness in his professional life. Alaska and Juneau are blessed to have both Judge Tom Stewart and Jane Stewart in its history. - John J. Shaffer

\*

We shall remember Tom with much fondness. Years ago he encouraged us to visit Alaska, and with great thoroughness planned our twelve-day itinerary. Like an expert tour director, he prearranged our accommodations and ferry reservations. Tom was a magnificent man who contributed richly to Alaska and our country during both war and peace. - Loretta and John Engle

\*

When I was 10 or 11, and the Stewarts were living in Anchorage, Mr. and Mrs. Stewart took Mary and me to see the production of Oklahoma at the Sydney Laurence Auditorium. After the show I spent the night with Mary. We slept in 'the barn' which was always fun. The next morning, in came Mr. Stewart swinging a tray with our breakfast on it and singing Oh What a Beautiful Morning. He served us breakfast in bed. I still smile every time I think about that, and 40 years later it's still the only time I've ever been served breakfast in bed. - Elizabeth Nesbett Lake





I met Tom and Jane in 1985. George Rogers wanted the Juneau Lyric Opera to do a Gilbert and Sullivan production of Iolanthe, and Jane was the musical director. For the next three years it was my privilege to be paired with Elizabeth in Iolanthe, The Gondoliers, and The Merry Widow. I spent many hours in the Stewart house singing and practicing for these various roles. Just walking in the back door you could tell that theirs was a warm, loving home. During Iolanthe, Tom played the part of the Guard. His solo opened the second act. To see this distinguished, honorable man dressed in a red soldier's uniform and tall furry hat strutting around the stage and singing about the ignorance of the political establishment was hysterical. And, one of the biggest laughs in the entire play came in the finale; when Tom popped open his wings to fly with the Fairy Queen to Fairy Land. It was a true delight to work with him. I was blessed to have known and become friends with the Stewarts. - Bob Jacobson

\*

To know Tom Stewart was to touch the Alaska Constitution. Through him, we experienced the delegates' work at the convention, and came to know the purpose and strength of the bedrock document they created. In the legal community, Judge Stewart was a compass. We revered him, and will miss him very much. - Morgan Christen

\*

I first met Tom about 35 years ago. He arrived at my home for dinner with Bob and Donna and presented me with a lovely bouquet of flowers. I had wonderful visits with Jane and Tom, including a fishing trip the five of us took on the No Weigh to Mitchell Bay, one of Tom's favorite places. I brought four of my grandchildren, separately, to Juneau on cruises. On each trip, Tom always met us at the dock and took us on an historical tour of the town, including a visit to his office and chambers. Each had their picture taken in the Judge's seat. Tom had friends all over the world and I felt honored to be one of them. He could hold you spellbound with stories of his adventures. He will always be missed. - Dobe Peacock

\*

A shared frustration and regret by most adult children is our not having listened more closely to stories and information passed on to us from our own parents and grandparents as they raised us. It was Tom who helped bridge some of those gaps after my parents and grandparents were gone. I will always be grateful to him. - Alison Eastaugh Browne



I feel extremely lucky to have been a part of Grandpa's life. All the people I met through him had such a tremendous light about them and were so friendly, sincere, and caring. Their collective character said so much about what an extraordinary person Grandpa was, that so many different people should care so much for him. Grandpa wanted to bring the people he loved together, and we all got to meet and know an almost endless stream of amazing people through him because he was so amazing himself. – Jared Hendricks



\*

Without a lecture or a textbook, without talking about the how and why of things, and without even acknowledging that he was doing it, Tom Stewart was probably the greatest teacher I ever encountered. Whether it was how to conduct oneself in a courtroom, or how to deal with the vagaries of a Juneau winter, or how to maintain a friendship across the years and across the miles, Tom was always the perfect model. As a result, if you wanted to succeed at something, you simply tried to do it as he did.

His courtroom, for example, was an oasis of calm, courtesy, and rationality – even with the most difficult of cases – such that a young lawyer would quickly learn that the bombast and theatrics one might see on television trials were not only counterproductive, but wrong. The term “role model” is widely over-used these days (why should anyone presume that a professional athlete is a role model for children?) but as applied to Tom Stewart it seems a perfect fit: Whether as a judge or a legislator or a friend or a parent – or in any of countless other roles – Tom Stewart taught us how to act by doing it himself as it should be done. These were lessons worth learning.

– Bud Carpeneti

\*

I'll never forget going over to Tom's house and being greeted by him with his pajama bottoms pulled up over his belly button and his toes hanging over his Birkenstocks.

- Tighearnan O'Malley

Because Tom was always a great gentleman, one who embraced the many bounties with which life rewarded him in return for his generous, warm-hearted, supportive and enthusiastic nature, there was never an occasion when we weren't richer for his presence.

Perhaps the occasions that most stand out for us were the times when he offered his home as a salon so that friends could gather and share the gift of music. Of course, the Stewart home was not only a salon for music, but one for lovers of exploring, history and much else besides.

But it is the dozen or so times that we performed at the house, in the early years with Jane at the piano and later, when her presence had become that of a benevolent spirit, with other pianists, that we recall with unique fondness.

Performers, after studying their pieces with love and care, treasure the opportunity to bring that love and care to others, and Tom, in his generosity, warmth and enthusiasm understood that perfectly. The occasions he created were special creations, meant for his guests to have special experiences and for us so they were, and they remain as highlights, musically, socially and personally. – Linda and Paul Rosenthal

I was stranded one day and could not get hold of anyone to provide me with a ride downtown, including Grandpa. So, I went to the bus stop and got on the next bus. I found



Grandpa sitting in the first seat, first row, and was so surprised, because at that time he had three cars. I asked him why he was riding the bus. He responded that he had a lot of houseguests who needed his cars, and that he enjoyed taking the bus. His generosity and unselfishness never ceased to amaze me. Since it was raining, I tried to persuade him to get off the bus at a stop where it would be a short walk to his house, instead of at his usual stop that was several blocks fur-

ther away. He turned to me, and said, "of course it's raining, we live in a rain forest and we need the rain." And he then continued, "and we need the exercise too." Of course! What was I thinking? So, we had a nice stroll up through Evergreen Cemetery, and although I returned to work soaked from the rain, I felt fortunate to have had this additional time with him before I headed south, and to have gained a few more "little life lessons" from him.

– Jessica Dillon



I remember when I was just a little girl, Dad took me and my sister, Elizabeth, up the Taku in his out-board motor boat. We jumped the beaver dam, stopped to visit a friend living rough in the woods, fished, and ate ice cream at Taku Lodge – all very exciting for a youngster. On the way home we ran into a wicked squall. I could see other open boats heading into shore and asked Dad to please, please, please take us in. He said, no, your mother will worry if we're late, we need to get back to town.

Over the years, he took me to some great fishing spots: Shelter, Outer Point, Taku, Mitchell Bay, Nushagak. He didn't always fish, saying he had caught his fair share many years earlier, but he took me to the fish and was thrilled when I caught one. He was always eager to help in any way he could, and usually went above and beyond the call of duty, as Mom would say. Late in life, when the adventuring became too strenuous for him, he would happily smile, give me a hug and a kiss, then wave goodbye, as I took off on my own. I will sorely miss those hugs and kisses, and that loving wave and bright smile. – Donna Stewart

\*

This is a poem from the New Yorker that Tom used to recite to parents in divorce settlement conferences. It never failed to make a huge impact, and helped to make the tone of the conference child-centered. – Kathy Ruddy

*VOICE OF GOOD COUNSEL WITH ECHO*

*Because a child is not a flower  
And will not wither from the stem,  
Do not conspire against the hour  
That you must needs let go of him.*

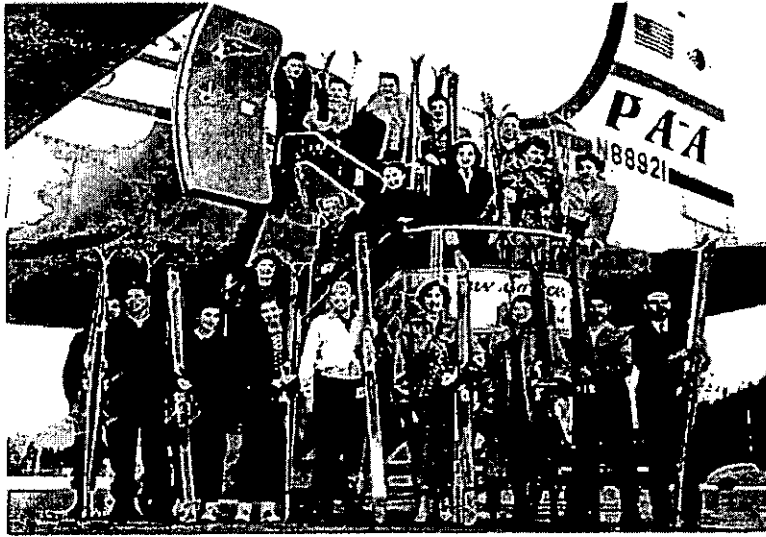
*Because a child is not a feast  
However much he feed your pride,  
Against the hour he is released  
Set other food and drink aside.*

*Because a child is not a reason  
And calls but does not justify,  
Plan to outline his needy season  
And listen now beyond his cry.*

*Because a child is not a king,  
Put you some other livery on,  
Lest you stand, bare and shivering,  
When he is garmented and gone.*

*Oh flower that from my roots did spring, My feast, my reason and my king.*





In the early spring of 1952, Tom's parents decided to move to Europe for two years, and left Tom in charge of the house. Tom invited several of his friends to room at the house and share expenses. It seemed like we were always doing something. He and Dean Williams had big plans for the Ski Bowl, and almost immediately involved me as a willing recruit. This included fixing up the Dan Moller trail down from Third Cabin, starting a Ski Patrol, acquiring the Sno-

Cat, and hauling auto wheels and 2,400 feet of rope up the 3 miles to the bowl and mounting them on poles to create a new ski tow. Tom was the guiding light behind all this. Tom's enthusiasm, organizing skill, and unassuming personality helped to make him a very effective leader in all the projects that he undertook.

The Taku River was another favorite place for adventuring, and we made several trips in Tom's 25-foot long flat bottom riverboat with the 22 outboard motor. When we encountered a log jam or beaver dam, Tom would head directly for the obstruction at full speed, allow the boat to run up on the obstruction, and then at the last second, slow the motor and rapidly turn the crank so the motor would be raised high enough to clear the obstruction, when it passed under the boat. This required intense concentration and time, but Tom was usually skilled enough to accomplish the task.

Tom displayed to each of us his intense love of the outdoors, and particularly his love and encyclopedic knowledge of Southeast Alaska. Without his enthusiasm and intimate knowledge of each inlet, cove and mountain, it was doubtful if many of us would have ever seen this spectacular country. Tom was one of the finest human beings Loretta and I have ever known. He was a wonderful combination of a person with very high intelligence and fantastic memory, but at the same time very kind, generous and helpful to others. He was self-effacing in most circumstances, but when he wanted to make a point in a discussion, he could put together all the right words in the right sequence to make the argument. He was the true definition of a "friend" to hundreds of people, I am sure. He was always helping others in countless ways. Mostly these kind gestures went unnoticed, which is the way Tom preferred to do it. We will all miss him terribly, but are very grateful that we did have the opportunity to know and enjoy him as long as we did. — Dick Holmgren



Tom visited us every Christmas Eve. He always brought a shiny bag filled with smoked salmon, fresh bagels, and cream cheese. He would sit with us by the Christmas tree and talk about past Christmases, family, and the news. I loved these visits. – Annie Carpeneti

\*

At an arts fundraiser, my friends Alison and Forrest Browne won a continental breakfast for 10 prepared by Tom Stewart, followed by a hike with him up the Perseverance Trail while he explained early Juneau mining history. I was invited.

We started with coffee and blueberry muffins prepared and served by Tom at the Stewart house. As we began hiking, I asked him why he had a pair of hip waders strapped to his backpack. He replied, "In case I need to carry a woman across the creek along the trail." Such gallantry! That was about 1990. Tom would have been 70 years old. The women on the hike were disappointed that the foot bridges were intact that spring, and there was no deep, standing water on the trail. – Sharon Satre Kelly

\*

Many of us feel that we've lost not only a wonderful colleague and mentor, but someone who was in many ways a father to us: a father of our constitution; a father of our justice system, including a judicial selection process admired around the nation and world; and a father of so many chapters in our state's young history. – Dana Fabe

\*

Dad took me grouse hunting up the Eklutna Lake Road. As we drove along slowly with the windows rolled down, he told me all he knew about hunting grouse: what to look for, how to find them, etc. I spotted one about 100 feet in front of the car. I said, "Dad, there's a grouse!" "Where?" he asked. "Right in front of us on the road. Stop, you'll run it over." We both got out of the car and he said, "I still can't see it. Where is it?" And before I answered, I pulled out my rifle and shot it. He jumped in shock, then turned to me and said "You could have told me you were going to shoot it, but now I see it. And it is a grouse." – Steve Stewart

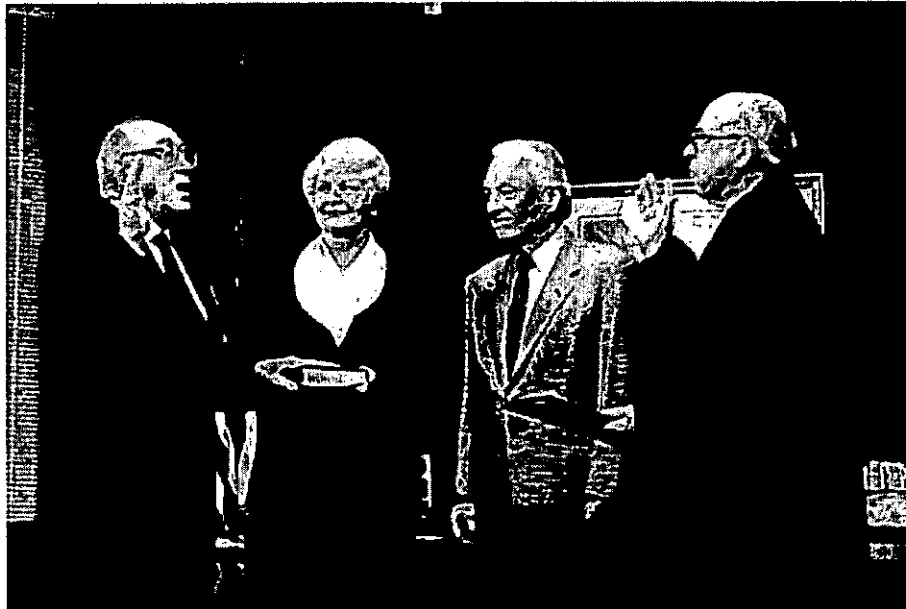


As Dean of Tom's proud alma mater, the Yale Law School, I write to express the deep admiration and affection of everyone of Judge Tom Stewart's community for the life and work of this great man. He was a truly remarkable person: an extraordinary judge and patriot, a gifted lawyer, a loving husband and father, and a remarkable friend.

At Yale Law School, we ask our graduates to combine vision with action, humanity with excellence. Tom Stewart did both throughout every phase of his life: his time in the army, his years at Yale Law School, his work on the Joint House and Senate Committee on Statehood, and as chief organizer of the Alaska Constitutional Convention. He was both a Founding Father and a gifted storyteller and his book about the Alaska Constitutional Convention is a memorable recounting of how human excellence and decency can make the law live for a rugged people. Judge Tom went on to serve in both the territorial and state legislatures, to administer the state court system, and to sit 15 years as a respected Superior Court judge. Few Alaskans, and few American lawyers, can claim a comparable level of governmental service. In retirement, he continued to be unflagging in his commitment to his community, and most of all to his extraordinary, close-knit family.

To be honest, at Yale Law School, we don't see many students from Alaska. I have had the personal pleasure of "coming into the country" on a boat sailing from Seattle to Juneau, to see the eternal sunrise at Homer Spit and Nome, to fish the Deshka River, and to gaze at the crest of Denali. At such moments, Alaska seems, quite frankly, to be a land governed more by nature than by people or law. To bring a smoothly working constitution to such a vast expanse takes vision, decency, imagination, and precision. It takes patriotism and statesmanship of the highest order. All of these qualities Judge Tom Stewart wielded in abundance.

Tom Stewart was the living embodiment of the Alaska Constitution, and for us, a brilliant, potent piece of Yale Law School in the Great Northwest. We will remember him with great great pride, and think of you, his friends and family as you recall the many gifts that he gave to all of us. — Harold Hongju Koh



Alaska today, and for all time, would have been dramatically different if it weren't for Judge Stewart. He shaped the convention that created a model constitution, not just for our country, but for all lands that are rich in resources and commonly owned. When the full story is

known, he will not only be seen as a champion of our great state but a champion of a vision that can change the world. Ermalee and I will greatly miss this remarkable man.

— Walter J. Hickel

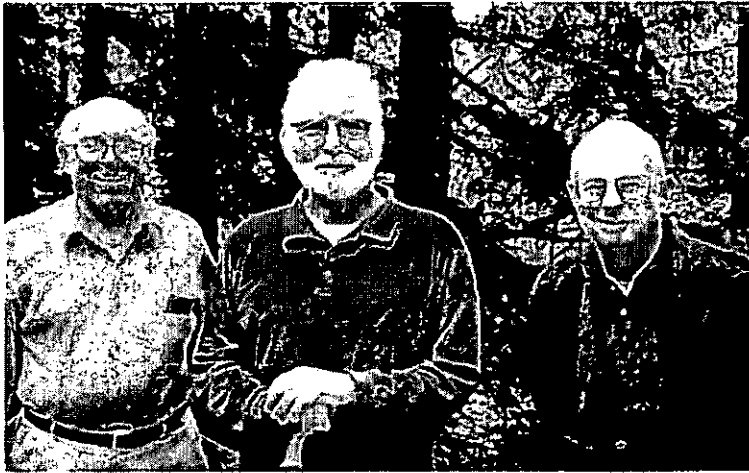


I have thousands of memories of your father that flit through my mind, nearly all of them positive and some profoundly affecting me. When I was the DA, and was as green as grass, we did the first jury trial in the then new courthouse, and I was beat badly. After the verdict I was wandering around my house feeling lower than whale poop. Your dad called and consoled me ... nothing improper, but kept me from feeling so desolate.

There was the time when your dad was supposed to do a settlement conference and didn't show up. People were waiting. He was never late, and after several phone calls with no answer, we were all very concerned. I decided to walk over and check on him. I knocked several times. No answer. I opened the door and yelled, and got no response. With grave trepidation I moved through the kitchen and into the living room calling out "Tom" loudly. No answer – and then he came bursting into the living room. Stark Naked. I've never been so happy to see a naked old man. His alarm hadn't gone off, the hearing aids weren't in, and he hadn't heard the phone and was shocked at the time. We were thrilled. He came and apologized and did the settlement conference professionally and successfully.

Many years ago, I asked him to swear me in, which he did. As we left the room he pulled me aside and said, Larry the only real control we have as judges is to take a recess. If you need to think about something you can always take a recess and go pee. It was the only advice he ever gave me and I saw him on nearly a daily basis. He was full of examples that we could emulate but he didn't tell you how to do things. He was always the epitome of courteous, almost courtly. He was witty and often profound. He stayed current on the affairs of the day and had great insight and memories of things that were fascinating to hear and gave perspective to contemporary issues. He lived his principles and those principles included compassion, respect for the rights of others and helping those who could not help themselves. He believed in living life, intelligently, and to the fullest and encouraging others to enjoy the life we have.

– Larry Weeks



I am honored and blessed to call myself a friend of Judge Stewart. Our friendship began in the 1980's through our mutual interest in preserving the history of Alaska. (At that time I was the State Archivist.) One project dear to both our hearts was the remastering of the Constitutional Convention tapes. Years later, in 2003, when

he agreed to give me away at my wedding, I was thrilled. At the same time, I was nervous and disorganized, and as usual Judge Stewart was patient and organized. When my fiancé, Alvin Schmid, met Judge Stewart he was immediately entranced, and to this day Alvin fondly remembers with great pride the salute that Judge Stewart gave him when they parted. But of all my memories of Juneau, my most vivid is the sight of Judge Tom Stewart and his darling wife, Jane, walking hand in hand around the streets of Juneau. – Virginia Newton

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There are so many reasons why I treasure the memory of Tom Stewart. Many of us have heard about Kiska and Riva Ridge and the Constitutional Convention. My personal opinion is that he was the most important Juneauite in the history of the State of Alaska, and that the handful of people who may be counted the most important in the state's history includes him: Egan, Hickel, Greuning, Hammond, and Tom Stewart; his contributions to the state's foundation were that important. I have always been astounded that such a shy and soft-spoken man of moderate physical stature cast such an enormous shadow.

But what each of us will remember first and last will probably be something personal, some small kindness or surprise. Here is one of my favorites: When I was a third-year law student in Boston, I flew to Alaska for job interviews. After making the rounds in Juneau, I flew on to Anchorage for a handful of interviews. One was with the hiring partner of one of the most respected firms in the state, and at the end the partner asked me if I had yet received any job offers. I responded that, as a matter of fact, Judge Stewart offered me a job as his law clerk for the coming year. The man put my file on the desk and sat up very straight in his chair. He then looked me straight in the eye and said, "Mr. Jahnke, if you have an offer to clerk for Judge Stewart, why are you wasting your time talking to me?"

Tom Stewart gave me my first law job, and I learned more from him in my one-year clerkship than I learned in three years of law school. And that was only the beginning. I thank God for the life of Tom Stewart. – Tom Jahnke

### *Too Good to Be Gone*

*I keep waiting for Tom to call  
And give a detailed accounting  
Of where he's been  
Who he's lunched with  
And taken out to dinner  
Perhaps even the spelling  
Of their last name.*

*Tom was always one to check in  
To unfailingly call on a birthday  
And sing a speeded-up version  
Of Happy Birthday to You,  
To extend an invitation  
For Sunday morning pancakes  
And bacon and sausage and eggs  
With long-cherished maple syrup  
Poured from a long-cherished pitcher.*

*Tom was the epitome  
Of welcoming and thoughtful.*

*It would be fair to say  
They don't make them like Tom anymore.  
He was faithful, decent, unwavering,  
And true.  
He never missed an opportunity  
To be helpful to another person  
Or his community,  
Or Alaska.*

*He was a true statesman  
He lived his values  
With vim and vigor  
And, always, good cheer.*

*I expect I will miss him terribly  
My whole life.*

*Thank you, Tom  
You are reason to have faith in the world.*

*— Michelle Sydeman*



*Knowing Judge Tom Stewart and the intellectual wealth he gave to Alaska leaves me hoping that he will also be remembered as a man who could reach across social barriers to touch everyone. Sometimes people in leadership lose their ability to relate to the common citizen, yet Tom communicated with everyone as his social equal and this selfless empathy is a lesson for all of us to embrace. — Eric Havelock*



Tom and Jane's courtship in the mid '50s was a delight to behold. Their love was warm and their friendship deep and full of respect. They shared music, literature, dancing, and all aspects of their existence, including the children. Tom and Jane married during the 1955-56 constitutional convention, the creation of which will forever remain to Tom's credit. They shared a wonderful life thereafter, and Tom's caring for Jane through her last days was truly heartwarming. What a

wonderful human being, Tom Stewart, a good friend. – Vic Fischer

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As a young lawyer I was in awe of Judge Stewart. To be truthful, I was also somewhat intimidated by him, perhaps the more so when I lost one of my first bench trials in front of him. He was no-nonsense, get-to-the-point, but courteous and respectful to all. During my career I have appeared before many other judges—almost without exception very thorough, competent people—but I realize that Judge Stewart shaped my very conception of what an ideal judge (and perhaps justice itself) is like: a combination of knowledge of the law, wisdom, life experience, compassion—and humor. Over the years, I came to know Tom in a variety of other settings: the arts, the world affairs council, and two gubernatorial task forces, to name a few. I count myself blessed to have been a friend. I still stand in awe of him. – Bruce Botelho

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Tom opened his home to countless visitors in his later years, and I was fortunate to be his guest on several occasions. Interesting people dropped in, or slept in a nearby room, or Tom would be cooking breakfast for guests while vividly recalling notable Alaskans and events. The atmosphere always was casual and comfortable and friendly, and it was just plain fun to be there.

I stopped at the house last year just as KTOO was concluding their filming of his ski troop experience in Italy during WW11, after which we had, as it turned out, the last chat of a 50-plus year friendship. The following December I wrote him a note to express how much I'd enjoyed watching his program the evening before and how good he was in it. Then, on an impulse I added that a kid in my neighborhood, Walter, had been killed fighting in the same area at about the same time, and that his sister Ida, who has taken up channeling, recently told me matter of factly that Walter has been reincarnated and is living with his family in the South. I sincerely hope that this eccentric if somehow endearing idea brought a little amusement into what were, sadly, his final days. I know that all of us will continue to miss Tom, a remarkable and remarkably kind man. – Betty Annis

I have known Judge Stewart since the 1960's when I served as presiding District Magistrate for the First Judicial District. When I returned to private practice, I was privileged to also know him as a mentor to me, a young attorney still feeling his way into the practice of law. He had the patience of Job and the skill to offer a suggestion, sometimes in the heat of battle that helped move things along without ever making either side feel that he was playing favorites. However, the "line officer" from the 10th Mountain could show up when necessary, and he had a wonderful ability of making himself heard in a very clear and forceful way without ever raising his voice. He continued to mentor me after I was appointed to the Superior Court in 1973. My last visit with Tom was the end of July. I had been a student at the U of A Fairbanks during the constitutional convention, and we talked about that from our different perspectives. I can't think of a better way to say goodbye to him than to be able to share with him what was one of the highlights of his life and a great contribution to our state. He honored us all with his leadership, his service and his friendship. – Thomas Schulz

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My fondest memory of Tom is of him as a father and a husband. The first time I met him, Steve brought me home to Juneau to meet his parents. All through the ride from the airport, Steve and Tom chatted as I sat quietly listening. I think Tom sensed that his son's prospective bride was a bit nervous because almost before I was through the kitchen door he wanted to show me something displayed on the refrigerator. It was a photograph of him and his lovely bride dancing. Only after he shared that treasured memory with me did he seat me at the kitchen table for tea, cookies, and induction into that society of people who have had the honor of enjoying Tom's favorite venue for sharing his marvelous stories. Over the years, I watched as he cared for his bride. It was a gift to observe as he played Sousa marches to encourage Jane to eat. He would sing to her a bit of one of her favorite show tunes to make her smile, or at her whim, whisk her in a few circles through the halls of the pioneer's home, bringing a glimmer of the Jane he fell in love with so many years before. Dad gave Steve and me a living testament that the vows of "for better or for worse, in sickness and in health" are just that – solemn vows. Vows he fulfilled with love. – Ann Stewart

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A fond memory that I have of my father that sums up his character took place on a sunny fall afternoon at his home in Juneau. My mother had been suffering from dementia for several years, but still retained some degree of cognizance of her condition. On this day as my dad was walking through the living room, she stopped him and said that she thought it would be a good idea if he let her take care of herself and that he should consider finding another partner that wasn't a burden to take care of. He stopped and smiled and said to her that he had made a promise fifty years ago, and that he had no intention of not keeping that promise. Commitment to his word was one of his character strengths that I loved so much. I miss you Dad! Lots of Love, Caleb



Hale and Farewell to our dear friend Tom Stewart  
We will miss you forever!



"It is not place,  
nor power,  
nor popularity,  
that makes the success that one desires.  
But the trembling hope  
that one has come near to an ideal."

*Oliver Wendell Holmes*