

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILES 8672

1529 SCOMM 56: OMBUDSMAN SELECTION COMMITTEE, 1986-1987

254



# RECORDS CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

*Thomas M. Butler*  
Signature of Camera Operator

3/17/92  
Date

SCOMM 56: OMBUDSMAN SELECTION COMMITTEE, 1986-1987

MEMBERSHIP:

1986

SENATOR ABOOD, CO-CHAIR  
SENATOR KERTTULA  
SENATOR JOSEPHSON  
REP. M. M. MILLER, CO-CHAIR  
REP. CLOCKSIN  
REP. UEHLING

1987

SENATOR ABOOD, CO-CHAIR  
SENATOR JONES  
SENATOR JOSEPHSON  
REP. POURCHOT, CO-CHAIR  
REP. PHILLIPS  
REP. SUND

Contents: 1" of files. Files were sent to Legislative Library in December, 1988 by Senator Abood's staff.

LIST OF FILES (PAGE 1)

MICROFICHE #

1. BILLS
2. BUDGET
3. COMMITTEE MEMBERS
4. CORRESPONDENCE
5. FORM LETTERS
6. LEGAL OPINIONS
7. LETTERS
8. LIST OF APPLICANTS
9. MEETING MINUTES
10. NEWS ARTICLES
11. OMBUDSMAN ANNUAL REPORTS
12. OMBUDSMAN STATUTES
13. PRESS AND NEWS RELEASES
14. SCHEDULE



# RECORDS CERTIFICATION



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*Journey M. Butler*  
Signature of Camera Operator

3/17/92  
Date

Bills

COST FOR RUNNING ADVERTISEMENT - OMBUDSMAN SELECTION  
October 20, 1987

The Anchorage Times 9-10-87 thru 9-15-87	\$247.50
The Anchorage Times 9-15-87 thru 9-24-87	352.80
Anchorage Daily News 9-10-87 thru 9-15-87	399.73
Anchorage Daily News 9-15-87 thru 9-24-87	475.32
Peninsula Clarion 9-10-87 thru 9-18-87	255.60
Ketchikan Daily News 9-10-87 thru 9-16-87	389.50
Juneau Empire 9-10-87 thru 9-24-87	432.29
Tundra Times 9-07-87 and 9-21-87	142.60
Fairbanks News-Miner 9-10-87 thru 9-24-87	<u>609.28</u>
	\$3304.62

BUDGET

# Alaska State Legislature



## House of Representatives

### House Judiciary Committee

MEMO: Jan. 21, 1986  
TO: Rep. M. Mike Miller  
Sen. Mitch Abood  
Ombudsman Selection Committee  
FROM: Bob Speed, A.A.  
RE: Advertising budget estimate

Pouch V  
State Capitol  
Juneau, Alaska 99811  
(907) 465-4990

In order to estimate an advertising budget for the ombudsman selection committee, I asked Karla Ellis (L.A.A. Accounting) what was spent by Legislative Affairs to advertise for Billy Berrier's position. This would provide a measure of the estimated cost of advertising for the ombudsman position.

Legislative Affairs advertised in the following newspapers from Dec. 5 - 31 (1985) for Berrier's position:

Juneau Empire  
Anchorage Times  
Anchorage Daily News  
Ketchikan Daily News  
Sitka Sentinel  
Kodiak Mirror  
Fairbanks News-Miner  
Nome Nugget

*will get \$3,000 for our half of committee. will advise*

It would be my suggestion that the following newspapers be added, based on previous experience dealing with statewide advertising:

(Kenai) Peninsula Clarion  
Tundra Times  
Tundra Drums

...and perhaps the All-Alaska Weekly, the Bar Association newsletter and others which you may want to add.

Karla estimated total costs to L.A.A. for their advertising (based on information she believes is final, but may not be) to be \$3,383.51.

My suggestion would be to request an advertising budget of \$4,000, part of which may be surplus and returnable to other uses if not needed.

Other information will be developed upon request.



Official Business

# Alaska State Legislature


## Senate

### Office of the President

Pouch V  
State Capitol  
Juneau, Alaska 99811

#### MEMORANDUM

TO: Pam Stoops, Manager  
Division of Administrative Services  
Legislative Affairs Agency

FROM: Don Bennett  
Senate President 

SUBJECT: Budget - Senate Ombudsman Selection Committee

DATE: January 24, 1986

This memo will serve as authorization for you to establish an account in the amount of \$3,000 for the Senate Ombudsman Selection Committee expenses.

DB/sgn

✓ cc: Senator Abood

# STATE OF ALASKA THE LEGISLATURE

POUCH Y. STATE CAPITOL  
JUNEAU, ALASKA 99811  
907 465 3800

## LEGISLATIVE AFFAIRS AGENCY

### MEMORANDUM

July 29, 1987

TO: THE HONORABLE PAT POURCHOT  
ALASKA HOUSE OF REPRESENTATIVES

FROM: *Karla J. Schofield*  
Karla J. Schofield, Accounting Supervisor  
Administrative Services

SUBJECT: FY 88 Interim Committee Budget

Speaker Grussendorf has authorized an interim budget for FY 88 to House Ombudsman Selection Committee in the amount of \$4,000. This budget will be in effect unless you are notified by Speaker Grussendorf that a budget reduction will be necessary.

71000 Personal Services	\$ -0-
72000 Travel	2,000
73000 Contractual (Phones)	2,000
74000 Supplies	-0-
75000 Equipment	-0-
	<hr/>
	\$ 4,000

Our accounting office has assigned your committee the collocation code 31-92-2-617. All expenditures of the committee should be forwarded to this office in the form of an invoice or receipt, with an authorized signature, and the collocation code written clearly on the face of the invoice.

The account chairs are authorized to sign any committee expenses, along with any individuals designated by the chair. Our records indicate that you are the authorized signer of this account. If this is not correct, please submit in writing the names of individuals whom you wish to authorize.

Please remember you are not authorized any personal services, supply or equipment funds. All personal services, supply and equipment expenditures must be authorized by the Speaker's office before the obligation occurs.

It is the responsibility of the committee to work within the allocated budget. Monthly reports will be issued showing the current status of the account. Please review these closely. If you have any questions, please give me a call at 465-3852.

The unexpended funds for the House Ombudsman Selection account as of January 11, 1988, will be unavailable during session for expenditures. Interim committees do not operate during session. Bills will not be paid for any expenditures dated after January 11, 1988. The balance of your FY 88 committee funds will be available after session adjourns in May of 1988 to pay for committee expenses through June 30, 1988.

KJS:mm

Copy to: The Honorable Ben Grussendorf



From the desk of:  
**Senator Mitch Abood**  
Alaska State Legislature

3000.00 ea

2709.08 Senate

2699.11 House

READING

# Alaska State Legislature

INTERIM OFFICE  
1024 WEST SIXTH AVENUE  
ANCHORAGE, ALASKA 99501  
(907) 274-2843

WHILE IN SESSION  
POUCH V  
JUNEAU, ALASKA 99811  
(907) 465-4747



CHAIRMAN  
STATE AFFAIRS  
MEMBER  
BUDGET & AUDIT  
TRANSPORTATION

Senator Mitch Abood  
SENATE DISTRICT G-A

July 30, 1987

## MEMORANDUM

TO: Senator Faiks  
Senate President

FROM: Senator Abood  
Co-Chair, Ombudsman Selection Committee

RE: Establishment of Ombudsman Selection Committee  
Account

I would like to request the establishment of an Ombudsman Selection Committee Account for expenses which will be incurred throughout the selection process. After discussing estimates for expenses with Representative Pourchot we figure approximately \$3,000 will be needed by both the Senate and House to cover costs for travel of committee members, advertising, postage, etc.



**Representative Mike Miller**

February 27, 1986

To: Senator Abood

From: Mike Miller

*Mike Miller*

Re: Mailing Charges

Mitch,

This is how I am treating mailing charges for the Ombudsman packets that my office is mailing to all interested parties. You may want to consider doing the same.



**Representative Mike Miller**

February 26, 1987

TO: Emma Olsen

From: Mike Miller *W. Miller*

Re: Mailing Charges

Please charge the Ombudsman Selection Committee account for the costs associated with mailing the Ombudsman information packets.

ALASKA STATE LEGISLATURE JUNE 19, 1987 POUCH V  
SITKA, ALASKA 99811

COMMITTEE

MEMBERS

OMBUDSMAN SELECTION COMMITTEE

SENATE

Senator Mitch Abood, Co-Chair

465-4747

Senator Jalmar Kerttula

465-4967

Senator Bill ~~Ray~~ Josephson

465-4922 4525

HOUSE

Representative M.M. Miller, Co-Chair

465-4990

Representative Don Clocksin

465-3704

Representative Rick Uehling

465-4821

OMBUDSMAN SELECTION COMMITTEE MEMBERS

SENATORS

Senator Abood Co-Chair	561-7614
Senator Jones	225-9082 or 465-3743 (Juneau)
Senator Josephson	561-7611

REPRESENTATIVES

Representative Pourchot Co-Chair	561-7623
Representative Phillips	694-4949
Representative Sund	225-5552

**CORRESPONDENCE**

**DRAFT**

July 31, 1987

MEMORANDUM

TO: Ombudsman Selection Committee Members

FROM: Senator Abood, Co-Chair  
Representative Pourchot, Co-Chair  
Ombudsman Selection Committee

RE: Schedule for Selection of New Ombudsman

Attached please find a copy of the following:

1. Legal opinion re: role of the Ombudsman Selection Committee
2. Schedule for Ombudsman Appointment
3. Draft newspaper advertisement
4. Suggested newspapers for running ad

If you should have questions or wish to make amendments to the attached, please contact either Senator Abood at 561-7614 or Representative Pourchot at 561-7623.



# Alaska State Legislature

Official Business

Pouch V  
State Capitol  
Juneau, Alaska 99811

September 14, 1987

MEMORANDUM

TO: Members, Ombudsman Selection Committee

FROM: Senator Abood *MSA*  
Representative Pourchot *Pat*  
Co-Chairmen, Ombudsman Selection Committee

RE: Change in newspaper advertisement

Due to questions raised regarding language in the advertisement for the Ombudsman position stating the Ombudsman's office would be located in Anchorage, we have decided to delete this language from the advertisement.

A copy of a legal opinion, which we received, clarifying the Ombudsman Selection Committee does not have the authority to decide where the Ombudsman's office shall be located is enclosed for your information. Should you have any questions please give either of our offices a call.



Official Business

# Alaska State Legislature

Pouch V  
State Capitol  
Juneau, Alaska 998

September 24, 1987

## MEMORANDUM

TO: Ombudsman Selection Committee Members

FROM: Senator Abood  
Representative Pourchot  
Co-Chairmen, Ombudsman Selection Committee

RE: Amended schedule for Ombudsman appointment

Attached please find the amended schedule for the Ombudsman selection process.

Should you have a problem with this schedule or any questions, please give Darla Schnell in Senator Abood's office a call at 561-7614.

## SCHEDULE FOR OMBUDSMAN APPOINTMENT

- July 24 - Have newspaper advertisement completed
- July 27 - Senator Abood meets with Representative Pourchot to okay news ad and schedule for upcoming months.
- July 31 - Have sent out memo to members of Ombudsman Selection Committee with agenda and copy of news ad.
- Sept 10 - Sept 24  
Run newspaper advertisement
- Oct 10 - Deadline for applications
- Oct 10 - Oct 19  
Staff work compiling applications and calling references
- Oct 19 - Oct 20  
Senator Abood and Representative Pourchot will meet to review applications, suggest eliminations, and make recommendations. Staff will mail copies of final applications to committee members for their review.
- Nov 11 - Nov 12  
Ombudsman Selection Committee will meet to review applications, conduct interviews and make a final recommendation.



Official Business

# Alaska State Legislature

P.O. BOX V  
State Capitol  
Juneau, Alaska 99811

October 20, 1987

## MEMORANDUM

TO: Ombudsman Selection Committee Members

FROM: Senator Abood *[Signature]*  
Representative Pourchot *[Signature]*  
Ombudsman Selection Committee Co-chairmen

RE: List of applicants for position of State Ombudsman

Attached please find a compiled list of the applications which we have received for the position of State Ombudsman.

As outlined in the schedule previously sent to you, the co-chairmen will be meeting on Wednesday, October 21 and Thursday, October 22 to review all applications, suggest eliminations, and make recommendations for the full committee to review on November 11 and 12. Should any member have a person from this list that they would like to recommend for consideration, please let either Senator Abood or Representative Pourchot know by Friday, October 30.

The full Ombudsman Selection Committee will be meeting in the 5th Floor conference room at the Anchorage Legislative Information Office, November 11 and 12, 9:00 AM - 4:30 PM.



Official Business

# Alaska State Legislature

## Senate

P.O. BOX V  
State Capitol  
Juneau, Alaska 99811

October 22, 1987

### MEMORANDUM

TO: Ombudsman Selection Committee Members

FROM: Senator Abood *[Signature]*  
Representative Pourchot *[Signature]*  
Co-Chairmen, Ombudsman Selection Committee

RE: State Ombudsman Selection

To expedite the selection process for the State Ombudsman, the co-chairmen held a work session on Wednesday, October 21 to review all 125 applications received. Enclosed, for your review, are copies of 19 resumes which we felt were the most highly qualified applicants along with a copy of the complete list of applicants. Considering the time which will be involved to interview all of these individuals, it is our hope that we can narrow this selection down to 5 finalists. We ask your assistance in this process.

It would be most helpful if you could review these resumes and select 5 which you feel are best qualified. Based on this input from all members, we would then invite these 5 finalists for interviews when the committee meets on November 11 - 12. We ask that you have your responses sent or telephoned to Senator Abood's office no later than Friday, October 30. During the next couple of weeks we will also be calling references of the highest qualified candidates.

# Alaska State Legislature



INTERIM OFFICE  
1024 WEST SIXTH AVENUE  
ANCHORAGE, ALASKA 99501  
(907) 274-2843

WHILE IN SESSION  
P.O. BOX V  
JUNEAU, ALASKA 99811  
(907) 465-4747

**Senator Mitch Abood**  
SENATE DISTRICT G-A

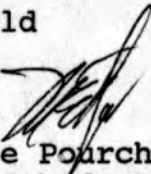
CHAIRMAN  
STATE AFFAIRS  
MAJORITY WHIP

MEMBER  
TRANSPORTATION  
COMMITTEE ON COMMITTEES  
LEGISLATIVE COUNCIL  
INTERNATIONAL TRADE

November 6, 1987

## MEMORANDUM

TO: Karla Schofield  
Accounting

FROM: Senator Abood   
Representative Pourchot  
Co-Chairmen, Ombudsman Selection Committee

RE: Travel for Ombudsman applicants

Please issue TR's and per diem for the following people to travel from Juneau to Anchorage on Wednesday, November 11, 1987:

Duncan Fowler  
Bruce Aronson

They will be by to pick them up on Monday, November 9.



Official Business

# Alaska State Legislature

Pouch V  
State Capitol  
Juneau, Alaska 99811

November 17, 1987

The Honorable Jan Faiks  
President of the Senate  
Alaska State Legislature  
P.O. Box V  
Juneau, AK 99811

Dear Madam President:

In accordance with Title 24, Chapter 55, Section AS 24.55.020, the Ombudsman Selection Committee has unanimously selected the name of Duncan Fowler to be submitted to the Legislature for confirmation as State Ombudsman.

Applications for the position were solicited throughout the state through newspaper advertisements. From an initial response of 125 applications, six candidates were elected for interviews. Criteria upon which the candidates were judged included: familiarity with state and local governments, previous experience in positions dealing with conflict and citizen complaints, relevance of past employment to the Ombudsman's position, management skills, and integrity.

PAGE TWO  
November 17, 1987

Having reviewed the qualifications of each candidate, the Committee unanimously recommended Duncan Fowler for the position of the State Ombudsman. The Committee felt that Mr. Fowler's previous experience and background and his personal attributes made him an exceptional nominee for this important position. It would be my hope that we could schedule Mr. Fowler's confirmation at a joint session of the Legislature at the earliest possible time after convening in January.

Sincerely,

Senator Mitch Abood, Co-Chairman  
Ombudsman Selection Committee

cc: Representative Pat Pourchot, Co-Chairman  
Ombudsman Selection Committee

FORM

LETTERS



REPRESENTATIVE MIKE MILLER

January 27, 1986

Ms Karla L. Forsythe  
1521 Shore Drive  
Anchorage, Alaska 99515

Dear Ms Forsythe: *Karla*

Thank you for your application for the Ombudsman position with the State of Alaska. Since the deadline for filing an application is March 1, 1986, no decision will be made concerning your application until some time thereafter. Any additional information supporting your application may be sent prior to that time.

I have enclosed a copy of the statutes relating to the Ombudsman's duties, as well as the 1985 Annual Report from the Office of the Ombudsman. This material will give you an overview of what the position entails. I hope this information will be helpful to you.

I should also mention that it is very likely that the names of the applicants will be determined to be public information.

Sincerely,

A handwritten signature in black ink, appearing to read "M. M. Miller".

M. M. Miller, Co-chairman  
Ombudsman Selection Committee

MMM/ct

ALASKA STATE LEGISLATURE POUCH V  
JUNEAU, ALASKA 99811



REPRESENTATIVE MIKE MILLER

January 27, 1986

Mr. George Matz  
18420 Tee Way  
Juneau, Alaska 99802

Dear Mr. Matz:

Thank you for your recent inquiry regarding the Ombudsman position with the State of Alaska. The pay range is 28E and the deadline for filing an application is March 1, 1986. No decision will be made concerning the applications until after March 1.

I have enclosed a copy of the statutes relating to the Ombudsman's duties, as well as the 1985 Annual Report from the Office of the Ombudsman. This material will give you an overview of what the position entails. I hope this information will be helpful to you.

I should also mention that it is very likely that the names of applicants will be determined to be public information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Miller".

M.M. Miller, Co-chairman  
Ombudsman Selection Committee

MMM/ct

ALASKA STATE LEGISLATURE

POUCH V  
JUNEAU, ALASKA 99811

January 29, 1986

VSURNAMEV VFIRSTV VMIDDLEV VLASTV  
VADDRESSV  
VCITYV, Alaska 99VZIPV

Dear VSURNAMEV VLASTV:

I have received your application for the State Ombudsman position.

The Ombudsman Selection Committee will be meeting after the March 1 application deadline and, of course, no decisions will be made until all applications have been reviewed.

For your information, I have enclosed the following information which I feel gives a good overview of the position:

- \* Alaska State Ombudsman Statutes
- \* 1985 Ombudsman's Office Annual Report

If you have any questions or additional information which you would like to add to your application, please contact my office.

Sincerely,

Mitch Abood,  
Senator

/ds

November 12, 1987

Dear :

On November 11, 1987, the Ombudsman Selection Committee nominated Duncan Fowler, of Juneau, for the position of State Ombudsman. The Committee had a very difficult time reaching a decision due to the number of highly qualified individuals, like yourself, who were worthy of consideration.

We sincerely appreciate your application for this position and the interest which you have shown toward achieving a better relationship between Alaskans and their state government.

Thank you for your participation and best of luck in your future endeavors.

Sincerely,

Senator Mitch Abood  
Co-Chairman,  
Ombudsman Selection Committee

Representative Pat Pourchot  
Co-Chairman,  
Ombudsman Selection Committee

# Alaska State Legislature

INTERIM OFFICE  
1024 WEST SIXTH AVENUE  
ANCHORAGE, ALASKA 99501  
(907) 274-2843

WHILE IN SESSION  
P.O. BOX V  
JUNEAU, ALASKA 99811  
(907) 465-4747



Senator Mitch Abood  
SENATE DISTRICT G-A

CHAIRMAN  
STATE AFFAIRS  
MAJORITY WHIP  
MEMBER  
TRANSPORTATION  
COMMITTEE ON COMMITTEES  
LEGISLATIVE COUNCIL  
INTERNATIONAL TRADE

August 27, 1987

Kenai Peninsula Clarion  
Classified Ad  
P.O. Box 4330  
Kenai, AK 99611

TO WHOM IT MAY CONCERN:

Enclosed please find an advertisement for the position of State Ombudsman which I would like to have run in your paper for five days, September 10 - September 15. I would prefer to use the most cost effective type of advertisement, whether that be a small display ad or a line ad.

Incurred expenses for running of the ad should be billed to the State of Alaska, Ombudsman Selection Committee, 3111 "C" Street, Suite 535, Anchorage, AK 99503.

Should you have any questions, please contact Darla Schnell in my office at (907)561-7614.

Sincerely,

Mitch Abood  
Senator

/ds

LEGAL

OPINIONS

# Alaska State Legislature



## House of Representatives House Judiciary Committee

Pouch V  
State Capitol  
Juneau, Alaska 99811  
(907) 465-4990

MEMO: Jan. 28, 1986

TO: Ombudsman Selection Committee

Senator Abood, Co-Chairman  
Senator Josephson  
Senator Kerttula

Rep. Clocksin  
Rep. Uehling

FROM: Rep. M. Mike Miller  
Co-Chairman

RE: Confidentiality question of applications  
Position of Ombudsman

Because of a recent question from a member of the press, I requested Tam Cook to draft an opinion in regard to the question of whether applications for the position of ombudsman should be made public or whether they could be held confidential.

Enclosed, for your information, is a copy of her opinion.

Based on press interest in the application process, recent court decisions (specifically Carter v. APEA (1983) and City of Kenai v. Kenai Peninsula Newspapers (1982)) and my general attitude in favor of disclosure, it is my recommendation that applications be:

- 1) made a matter of public record; and
- 2) that applicants be made aware that their applications may be made public.

My staff is in process of drafting a proposed advertisement, and the ad will contain language to this effect for consideration by the committee. In the meantime, my office has already received a number of applications, and -- assuming that we take the stance that applications are to be made public -- these applicants as well as any applicants who have submitted resumes to you should be contacted and provided this information.

This, obviously, represents my opinion as to how we should proceed. Please read the attached memo from Ms. Cook. If your opinions differ, we should schedule a meeting to resolve the issue as quickly as possible.

Bob Speed of my office is handling ombudsman selection issues for me, and will be glad to work with your staff on this or any other aspect of the ombudsman selection process. Feel free to contact me personally at any time.

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU ALASKA 99811  
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 25, 1986

SUBJECT: Confidentiality of Applications for the  
Position of Ombudsman.

TO: Rep. Mike M. Miller, Co-Chair  
Ombudsman Selection Committee

FROM: Tamara Brandt Cook *TBC*  
Director  
Division of Legal Services

You have asked whether applications for the position of ombudsman may be kept confidential or must be made available for inspection as public records. For the reasons that follow it is my opinion that the applications should be made public and that potential applicants should be informed of that.

It is clear from the statutes that records of legislative committees and records of floor sessions are public records. (AS 44.62.310, AS 24.05.135) It is also clear that certain records generated by legislative staff are confidential (AS 24.20.100). No statute specifically addresses the status of applications for the position of ombudsman. Nevertheless, AS 44.62.312 recognizes as the general policy of the state the strong public interest in the disclosure of the affairs of government. Application of this principle implies that most records of the legislature ought to be made available to the public. However, there is also the general public records laws to consider, AS 09.25.110 and AS 29.25.120. AS 09.25.110 states in part:

Unless specifically provided otherwise the books, records, papers, files, accounts, writings, and transactions of all agencies and departments are public records and are open to inspection by the public under reasonable rules during regular office hours.

The Alaska Supreme Court has construed AS 09.25.110 broadly in holding that "agencies and departments" includes the

University of Alaska and municipalities. Carter v. Alaska Public Employees Association, 663 P.2d 916 (Alaska 1983); City of Kenai v. Kenai Peninsula Newspapers, Inc., 642 P.2d 1316 (Alaska 1982). In both cases the court concluded that in enacting AS 09.25.110 the legislature intended to codify the common law rule permitting access to public records, only expanding upon it by eliminating the common law requirement that the person seeking access have an interest in the record. Since the court stresses the public interest in free access to governmental records, it might be that AS 09.25.110 and its companion AS 09.25.120 would be found to apply to the legislature.

However, it is not certain that the general public records law would be held to apply to the legislature. If the court concludes that the legislature is not encompassed within the term "agencies and departments", the provision would have no application. Such a conclusion was, in fact, reached by a court regarding a public records statute that applied to an "agency, executive office, department, board, commission, bureau, division or authority." Westinghouse Broadcasting Co. v. Sergeant-at-arms, 375 NE2d 1205 (Mass. 1978). The reasoning behind holding that a general public records statute does not apply to the legislature is based on the fact that the legislature is constitutionally required to determine rules for its own proceedings and it may not do so by statute because this would bind itself in the future since the legislature would be beholden to the governor to approve the repeal of the statute. For this reason, the United States Congress exempted itself from the Freedom of Information Act. Our Supreme Court has already demonstrated its unwillingness to interfere in matters of procedure involving the legislature. Malone v. Meekins, 650 P.2d 351 (Alaska 1982). If AS 09.25.110 and AS 09.25.120 do not apply to the legislature, there is no statutory authority under which applications for ombudsman would have to be considered public records.

Even if the general public records statutes apply to the legislature, the court has essentially construed them to require that public records be made public, without defining what records are public. In the Kenai case, the court held that, despite the broad language in the statutes not all records of a municipality had to be made public. In determining whether a given record is public a balance must be struck

. . . between the public interest in disclosure on the one hand and the privacy and reputation interests of the affected individuals and the government's interest in confidentiality, on the other. (Page 1323)

Somewhat unhelpfully, the court points out:

The initial decision as to whether inspection will be permitted, must, of course, rest with the custodian of the records. And since the justification for a refusal to permit inspection will depend upon the circumstances of the particular case, we can offer no specific guide for that administrative decision . . . . Ultimately, of course, it is for the courts to decide whether the explanation is reasonable and to weigh the benefits accruing to the agency from non-disclosure against the harm which may result to the public if such records are not made available for inspection. (Page 1323)

The court, however, does admit to a preference in the law for public disclosure. "Doubtful cases should be resolved by permitting public inspection." (Page 1323)

In applying these principals and holding that employment applications should be disclosed, the court in the Kenai case found . . . "a strong public interest . . . in an open selection process for high public officials in particular." (Page 1323) The offices at issue in that case were those of city manager and chief of police. The office of ombudsman is even more significant to the public, since the ombudsman directly represents the interests of members of the public in their dealings with state government agencies.

Despite the fact that legal argument could be made to support a decision to keep the applications confidential, because the importance of the public's right to know who is applying for a position that directly effects the public interest outweighs the benefits of protecting the identity of applicants, it is my opinion that applications for the position of ombudsman should be made public. If a decision is made to keep the applications confidential and this is challenged, there is a distinct risk that the court would apply the precedent of the Kenai case to find that the applications are public records.

To protect the privacy interests of potential applicants, they should be informed before applying that these

Representative M.M. Miller  
Page 4  
January 25, 1986

applications will be made public and given the opportunity  
of deciding whether or not to apply under that condition.

TBC;ml  
mel/039

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y STATE CAPITOL  
JUNEAU, ALASKA 99811  
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

June 9, 1987

SUBJECT: Selection of an ombudsman  
TO: Senator Mitch Abood  
FROM: Tamara Brandt Cook <sup>TBC</sup>  
Director  
Division of Legal Services

You have asked how the ombudsman is selected and what the role of the ombudsman selection committee is in that process. You are particularly interested in whether the individual selected by the committee may assume the ombudsman position during the interim before the full legislature acts on the selection. The subject is dealt with in AS 24.55.020 which provides in pertinent part:

(a) A candidate for appointment as the ombudsman shall be nominated by the ombudsman selection committee  
. . .

(b) The ombudsman selection committee shall examine persons to serve as ombudsman regarding their qualifications and ability and shall place the name of the person selected in nomination. The appointment is effective if the nomination is approved by a roll call vote of two-thirds of the members of the legislature in joint session and approved by the governor. . .

It is clear from these provisions that the person selected by the ombudsman selection committee is only a nominee for the position of ombudsman and does not assume office until actually appointed by the full legislature. This conclusion is supported by AS 24.55.040(b).

If the term of an ombudsman expires without the appointment of a successor under this chapter, the incumbent ombudsman may continue in office until a successor is appointed. If the ombudsman dies, resigns, becomes ineligible to serve, or is removed or

Senator Abood

Page 2

June 9, 1987

suspended from office, the deputy ombudsman becomes acting ombudsman until a new ombudsman is appointed for a full term.

In case of a vacancy in the office of the ombudsman, the vacancy is temporarily filled by the incumbent ombudsman or the deputy ombudsman. There is no provision for a nominee to serve during a vacancy in the office of ombudsman. While the situation of an acting ombudsman resigning is not specifically addressed, I believe this statute still applies and that the deputy ombudsman would become the new acting ombudsman.

TBC:mkr  
m12/063

SEP 14 87 11:02 LEGISLATIVE INFO OFFICE

# STATE OF ALASKA THE LEGISLATURE

FOUCH Y STATE CAPITOL  
JUNEAU, ALASKA 99811  
907 465 3800

## LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

September 14, 1987

**SUBJECT:** Nomination of an ombudsman  
**TO:** Senator Jim Duncan  
**FROM:** Tamara Brandt Cook *TBC*  
Director  
Division of Legal Services

You have asked whether the ombudsman selection committee has the power to designate that the ombudsman will be located in Anchorage. AS 24.55.020(b) provides the only description of the duties of the committee as follows:

The ombudsman selection committee shall examine persons to serve as ombudsman regarding their qualifications and ability and shall place the name of the person selected in nomination.

The ombudsman selection committee plays no direct role in administrative matters related to the office of the ombudsman. The matter of the location of the ombudsman has in the past been left to the ombudsman himself to resolve as a management matter. However, if any legislative body has the power to influence the location of the ombudsman, it would be the Legislative Council because the council is charged with providing office space and equipment for the ombudsman and staff. (AS 24.55.080(a))

Therefore, it is my conclusion that the ombudsman selection committee has no power to designate the location of the ombudsman and cannot actually control that location. However, no restriction is placed on the committee as to matters it may consider in judging the qualifications of applicants. The committee could decide that the location of the ombudsman is significant in terms of the performance of the ombudsman's duties and consider that as a factor in making its nomination decision. If the legislature disagrees with decisions made by the selection committee as to qualifications of a candidate, it may reject the nomination.

TBC:mkr  
m12/127

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y STATE CAPITOL  
JUNEAU, ALASKA 99811  
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

September 17, 1987

SUBJECT: Membership of the ombudsman  
selection committee

TO: Senator Mitch Abood  
Co-chair Ombudsman Selection Committee

FROM: Tamara Brandt Cook *TBC*  
Director  
Division of Legal Services

You have asked what is necessary to satisfy the minority representation requirement on the ombudsman selection committee. The pertinent statutory provision is contained in AS 24.55.020(a). "One member of the minority party caucus in each house shall be appointed to the selection committee."

This language is ambiguous in that it does not specifically address a situation in which a coalition of members of various political parties join to form a majority in a legislative house, nor does it address the situation in which more than one minority party is represented in the membership of a legislative house. While an argument could be made that the provision should be applied to draw a distinction between the majority, all Senators who voted for the Senate President regardless of party affiliation, and the minority, all Senators who voted against the president, I believe the better construction to be that a distinction is being drawn between political parties in this instance because specific reference to party caucus is made. Therefore the requirement can be fulfilled if at least one member of the ombudsman selection committee appointed from the Senate is a member of a political party that is different from the party the other two members are from.

This opinion is indirectly supported by the fact that other statutes dealing with membership on legislative committees enacted prior to 1977 utilize the same membership scheme by providing for ". . .at least one member from each of the two

Senator Mitch Abood  
Page 2  
September 17, 1987

major political parties." (See AS 24.20.020, AS 24.20.161, AS 24.20.410) The Uniform Rules adopted in 1973 provided with respect to standing committees, "The membership of each committee shall total to an uneven number and the minority party is entitled to at least one seat on each standing committee." In 1977 the Uniform Rule (1)(e) was revised to delete the word "party." Thus, with respect to standing committees, a change was made in 1977 to accommodate the formation of a coalition majority and insure minority representation regardless of party affiliation. No such change was made with respect to the membership of committees formed by statute under AS 24.20. It is a general rule of statutory construction that every word in a law is intended to have meaning. The retention of the word "party" in AS 24.55.020(a) is, therefore, significant.

TBC:mkr  
m12/134

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

October 23, 1987

SUBJECT: Requirement that the ombudsman  
be a state resident

TO: Senator Mitch Abood, Chair  
Ombudsman Selection Committee

FROM: Tamara Brandt Cook *TBC*  
Director  
Division of Legal Services

You have asked whether the provision requiring that the ombudsman must have been a state resident for three years should be construed as demanding consecutive years of residency or that the period of residency occur immediately prior to taking office. The provision is contained in AS 24.55.030(a)(1):

(a) A person may not serve as ombudsman. . .

(4) unless the person is at least 21 years of age and is a qualified voter who has been a resident of the state for at least three years.

The plain language of the provision demands only that the ombudsman must have been a resident for at least three years. There is no specific requirement that the three-year period consist of consecutive years, nor that the period occur immediately prior to taking office or applying for office or some other point in time. Since this durational residency requirement has the effect of disqualifying individuals from holding a public office, it is my opinion that a court would not impose additional implied conditions to the literal residency requirement contained in the statute except in the face of overwhelming evidence of legislative intent that those conditions attach.

I have checked the legislative history of the residency requirement contained in the Ombudsman Act. The requirement was not contained in the original bill, SB 1, but it was

Senator Abood  
Page 2  
October 23, 1987

added by the Senate State Affairs Committee, the first committee of reference on the bill. Unfortunately, I have not been able to uncover any discussion of the reason for the change. The requirement was retained through the progress of the bill through the Senate and deleted by the first committee of reference in the House. It was ultimately reinserted into the Free Conference Committee version of the bill, which was enacted into law. The Free Conference Committee report contains only the following statement concerning the residency requirement:

The committee accepted the Senate requirement that the ombudsman be at least 21 years old and a three-year Alaska resident. (Senate Journal, page 601, April 1, 1975)

While it may well be that the legislature expected the residency requirement to be applied to insure that the ombudsman qualify as a state resident for the three years immediately prior to taking office, the legislative history as to that intent is not overwhelming. If the legislature, in fact, had intended that result, the statute could easily have been drafted to so provide. It is, therefore, my conclusion that the statute requires the ombudsman to have been a state resident for at least a three-year cumulative period at some time prior to taking office.

TBC:mkr  
m13/046

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y. STATE CAPITOL  
JUNEAU, ALASKA 99811  
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

October 23, 1987

SUBJECT: Committee meeting

TO: Senator Mitch Abood  
Chair, Ombudsman Selection Committee

FROM: Tamara Brandt Cook  
Director *TBC*  
Division of Legal Services

You have asked whether it is proper to interview applicants for the position of the ombudsman in private and how to accomplish this during a meeting. The subject is dealt with under Rule 22 of the Uniform Rules as well as under the Open Meetings statute (AS 44.62.310). Rule 22 provides:

RULE 22. OPEN AND EXECUTIVE SESSIONS. (a) All meetings of a legislative body are open to all legislators, whether or not they are members of the particular legislative body that is meeting, and to the general public except as provided in (b) of this rule.

(b) A legislative body may call an executive session at which members of the general public may be excluded for the following reasons:

(1) discussion of matters, the immediate knowledge of which would adversely affect the finances of a government unit;

(2) discussion of subjects that tend to prejudice the reputation and character of a person;

(3) discussion of a matter that may, by law, be required to be confidential.

(c) When a legislative body desires to call an executive session in accordance with (b) of this rule, the body shall first convene as a public meeting and the

question of holding an executive session shall be determined by a majority vote of the members present.

(d) The provisions of this rule may not be interpreted as permitting the exclusion of a legislator from an executive session, whether or not the legislator is a member of the body that is meeting. A legislator not a member of the body holding an executive session shall, however, be subject to the same rules of confidentiality and decorum as pertain to regular members of the body.

As you can see, it is first necessary to convene the meeting in open session and then to go into executive session to discuss particular topics. It is my opinion that the committee can go into executive session for the purpose of conducting an interview of an applicant for the office of Ombudsman under both (b)(2) and (b)(3). It is expected that during an interview subjects will come up that tend to prejudice the reputation and character of a person because the purpose of the interview itself is to explore aspects of an applicant's character and qualifications. It is also expected that during an interview a matter may come up that is required by law to be confidential. Our state constitution contains an explicit right of privacy which a person being interviewed enjoys. Because of the extremely personal nature of an interview, this is a matter required by law (the constitution) to be kept confidential.

Note that under AS 44.62.310(b), no action may be taken during an executive session. After the interviews the committee must meet in open session to make any decision regarding the selection of the ombudsman. Also note that, under AS 44.62.310(c)(2) a person whose reputation and character may be prejudiced by a discussion may request a public discussion. If this were to occur, the person would, presumably, also be waiving any right to privacy. Therefore, if a person being interviewed requests that the interview be held in public, it is my opinion that it would be improper for the committee to go into executive session while conducting that particular interview.

TBC:mi  
099/wkmi1

STATE OF ALASKA  
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

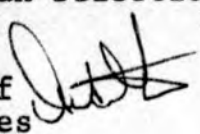
POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

MEMORANDUM

November 12, 1987

SUBJECT: Assumption of Office by New Ombudsman

TO: Senator Mitch Abood  
Co-chair, Ombudsman Selection Committee

FROM: David R. Dierdorff   
Revisor of Statutes

Darla Schnell of your office has requested the answers to the following questions:

1. When does the person nominated for the office of ombudsman take office and assume the duties?
2. May the nominee be appointed as acting ombudsman during the interim between the nomination and confirmation?

The answers are found in the statutes covering the ombudsman. The appointment of a person nominated to the office is effective when the appointment is confirmed by the legislature in joint session and approved by the governor, or upon the affirmative vote of two-thirds of the membership in joint session following a veto by the governor (AS 24.55.020(b)). If the governor neither approves nor vetoes a confirmed nominee, the appointment becomes effective either 15 or 20 days (depending upon whether the legislature is in session), Sundays excepted, after delivery of the confirmation message to the governor (AS 24.55.020(c)). The term of the new ombudsman runs for five years from the effective date of the appointment (AS 24.55.040(a)).

The statutes provide that the deputy ombudsman serves as acting ombudsman until a new ombudsman is appointed for a full term (AS 24.55.040(b)). Because of this, it would be inappropriate to designate the new nominee as acting ombudsman pending confirmation and approval.

DRD:mkr  
m13/070

LETTERS

# ALASKA STATE SENATE

JOE P. JOSEPHSON  
DISTRICT H — ANCHORAGE  
1024 WEST SIXTH AVENUE  
ANCHORAGE, ALASKA 99501

WHILE IN JUNEAU  
P. O. BOX V  
JUNEAU, ALASKA 99811  
(907) 465-4525



## COMMITTEES

BUDGET & AUDIT  
HEALTH, EDUCATION & SOCIAL SERVICES  
RULES  
TRANSPORTATION

SENATE CHAIR, ANCHORAGE CAUCUS

OFFICE OF MINORITY WHIP

April 7, 1986

A handwritten signature in cursive, appearing to read "Omb", written in dark ink.

✓ The Honorable Mitch Abood  
The Honorable M. Mike Miller  
Ombudsman Selection Committee  
P.O. Box V  
Juneau, Alaska 99811

RECEIVED  
APR 07 1986

Dear Mitch and Mike:

I am concerned that the Ombudsman Selection Committee is not meeting and that we will have too little opportunity to review all of the applications and make the wisest possible selection.

I appreciate the fact that some people are talking about failing to fund the position of Ombudsman, but I believe that such a decision would be a very terrible error and would not be cost effective in the long run.

First, one of the jobs of the Ombudsman is to point out ways in which money is wasted, and we would lose that service if we do not fill the position. Second, the position of Ombudsman relieves individual legislators of a great deal of constituent casework and the abolition of the Ombudsman program, in my judgment, would ultimately (and in the near-term at that) bring about more and more appropriation for the Legislature itself. I believe that a lot of the casework that the Ombudsman does is done with greater efficiency and certainly greater expertise than could be performed by the Legislature acting through individual offices of legislators. A lot of the work would be performed by us on a redundant basis with temporary personnel lacking the requisite background, experience and skills to pursue constituent complaints in a professional manner.

I first introduced a bill to create the Office of Ombudsman in 1965, so my interest in the program is more than two decades old. I hope the leadership in both houses will realize that a failure to retain the Ombudsman in state government will disappoint many constituents.

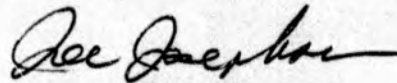
The Honorable Mitch Abood  
The Honorable M. Mike Miller  
April 7, 1986  
Page Two

I served on the Charter Commission for the Anchorage Municipality and made sure that in our municipal government the position of Ombudsman is created by charter, to guarantee that no assembly could abolish the office without a vote of the people. I wish we had similar protection at the state level but without it I am relying on the goodwill and good sense of the Legislature to preserve this important function.

Please let me know when a meeting of the joint committee can be scheduled.

With best wishes, I am

Sincerely,



Joe P. Josephson  
State Senator

JPJ:rak

cc: Senator Jalmar Kerttula  
Representative Don Clocksin  
Representative Rick Uehling

Alaska State Legislature

SENATOR  
ROBERT H. ZIEGLER, SR.  
307 BAWDEN STREET  
KETCHIKAN, ALASKA 99901

WHILE IN JUNEAU  
POUCH V  
JUNEAU, ALASKA 99811



Senate

MEMBER  
SENATE JUDICIARY COMMITTEE  
SELECT COMMITTEE ON LEGISLATIVE ETHICS  
WESTERN STATES LEGISLATIVE  
FORESTRY TASK FORCE  
EXECUTIVE COMMITTEE  
WESTERN LEGISLATIVE CONFERENCE  
COUNCIL OF STATE GOVERNMENTS  
ALTERNATE MEMBER  
NATIONAL CONFERENCE OF STATE LEGISLATURES  
STATE AND FEDERAL ASSEMBLY  
COMMITTEE ON  
FEDERAL TAXATION, TRADE AND ECONOMIC DEVELOPMENT

January 28, 1986

✓ Senator Abood  
Senator Ray  
Senator Kerttula  
Representative M. M. Miller  
Representative Clocksin  
Representative Uehling  
Members of the Ombudsman Selection Committee  
Alaska State Legislature  
Juneau, Alaska

*D* *W* *M*

RECEIVED  
FEB 3 1986

Gentlemen:

You comprise the Ombudsman Selection Committee. At the risk of being an officious intermeddler, may I suggest you check out the qualifications of a Duncan Fowler who currently is working for the Office of the Ombudsman? I have had occasion to work with him and have been extremely impressed by the caliber of his work.

Duncan feels that he should not apply personally because of his current employment and because he is advocating adequate funding for the office.

Duncan has told me if the committee requested him to make application or to appear for an interview before the committee, he would certainly be happy to oblige.

Very truly yours,

3-

Robert H. Ziegler, Sr.

*for SA meeting  
I will get the com...*

*T*

September 12, 1987

Arne L. Bue  
3900 Hampton Drive  
Anchorage, Alaska 99504

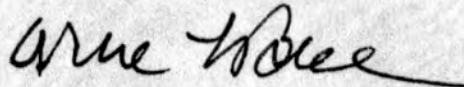
Senator Mitch Abood  
Co-chairman, Ombudsman Selection Committee  
3111 C Street, Suite 535  
Anchorage, Alaska 99503

Dear Senator Abood:

Representative Mike Miller, on June 26, 1986, advised me by letter he was holding all resumes submitted earlier for the position of Ombudsman. His intent then was to turn resumes over to the next Speaker of the House with a request that applicants be contacted at that time to see if they still wish to be considered for the office.

I hereby withdraw my application for the position of Ombudsman.

Sincerely,



Arne L. Bue



State of Alaska

Reply to:

- 3201 C Street, Suite 403  
Anchorage, Alaska 99503  
(907) 583-3673
- P.O. Box WO  
Juneau, Alaska 99811  
(907) 485-4970

November 13, 1987

Senator Mitch Abood  
Co-Chair, Ombudsman Selection Committee  
3102 Northwood Drive  
Anchorage, Alaska 99517

RE: Ombudsman Selection

Dear Senator Abood:

Thank you for the opportunity to interview for the position of ombudsman. Duncan Fowler and I have been in close communication after he was selected by your committee, and rest assured that a smooth transition will take place.

So that this office may have a complete file on the selection process, I respectfully request that you forward a copy of the committee's minutes.

If I may be of assistance, please contact me.

Sincerely,

Bruce Aronson  
Acting Ombudsman

BCA:pjc

List

of

APPLIANTS

162

1986

<u>LAST</u>	<u>SURNAME</u>	<u>FIRST</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
Albert	Mr.	Don	P.O. Box 210842	Auke Bay	AK	99821
Alyea	Mr.	Clifford	441 Fredricks Drive	Anchorage	AK	99504
Anchan	Mr.	Raymond	3240 Briarcliff Drive	Anchorage	AK	99508
Anderson	Ms.	Marie	509 N. Lane	Anchorage	AK	99508
Aronson	Mr.	Bruce	3080 Glacierwood Drive	Juneau	AK	99801
Baumgardner	Mr.	Clyde	3020 Pleasant Drive	Anchorage	AK	99502
Beaver	Mr.	Howard	9139 Parkwood Drive	Juneau	AK	99801
Blair	Mr.	Dean	3538 Wesleyan Drive	Anchorage	AK	99508
Blanchard	Mr.	John	Inst. of Arctic Biology, UAF	Fairbanks	AK	99775
Boone, M.S.W., J.D.	Ms.	Carroll	1611 S. Water Street	Olympia	WA	98501
Bradley	Mr.	James	135 Troy Ave.	Juneau	AK	99801
Brandon	Mr.	James	5090 Sillary Circle	Anchorage	AK	99508
Brisson	Mr.	Blayne	4130 Ursa Circle	Anchorage	AK	99517
Bue	Mr.	Arne	3900 Hampton Drive	Anchorage	AK	99504
Burden	Mr.	Gene	S.R. 5101 20232 David Avenue	Eagle River	AK	99577
Burke	Mr.	Damon	P.O. Box 210764	Anchorage	AK	99521
Campbell	Mr.	Barry	416 Frontage Road, Suite 200	Kenai	AK	99611
Carlson	Mr.	Gene	463 Jeannette Way	Fairbanks	AK	99709
Casselmann	Mr.	William	P.O. Box 1582	Seward	AK	99664
Chenoweth	Mr.	John	P.O. Box 585	Juneau	AK	99802
Chisham	Mr.	William	P.O. Box 211414	Auke Bay	AK	99821

<u>LAST</u>	<u>SURNAME</u>	<u>FIRST</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
Coady	Ms.	Nona	3419 Katlian Drive	Eagle River	AK	99577
Conheady	Mr.	Patrick	P.O. Box 307	Juneau	AK	99802
Coster	Ms.	Julia	4740 Kent	Anchorage	AK	99503
Darst	Mr.	John	5400 Whispering Spruce	Anchorage	AK	99516
Dawkins	Mr.	Ronald	SRA Box 6652	Wasilla	AK	99687
Deisher	Mr.	Jon	P.O. Box 10-1624	Anchorage	AK	99510
Dickson	Mr.	Jack	500 W. 31st	Anchorage	AK	99503
Duggan	Mr.	John	738 H Street, Suite 200	Anchorage	AK	99501
Eames	Mr.	Seth	1548 I Street	Anchorage	AK	99501
Edgeworth	Ms.	Linda	5950 Sunset	Juneau	AK	99801
Ekstedt	Mr.	James	Box 872014	Wasilla	AK	99687
Ferguson	Ms.	Barbara	7898 Highlander Dr.	Anchorage	AK	99502
Ferrie Johnson	Ms.	Patricia	923 E 12th, Apt. #3	Anchorage	AK	99501
Flood	Mr.	John	P.O. Box 10627	Fairbanks	AK	99710
Forsyth	Ms.	Karla	1521 Shore Drive	Anchorage	AK	99515
Fortney	Ms.	Catherine	2924 Leighton Street	Anchorage	AK	99517
Foster	Mr.	Tom	336 LeAnn Drive	Fairbanks	AK	99701
Fowler	Mr.	Duncan	3207 Tongass Blvd.	Juneau	AK	99801
Frey	Ms.	Lucille	1741 Westview Circle	Anchorage	AK	99504
Froehlich	Mr.	Peter	1785 Evergreen Ave.	Juneau	AK	99801
Gallagher	Mr.	Thomas	P.O. Box 139 UAF	Fairbanks	AK	99775

<u>LAST</u>	<u>SURNAME</u>	<u>FIRST</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
Garcia	Mr.	Joseph	P.O. Box 873248	Wasilla	AK	99687
Geldhof	Mr.	Joseph	2579-4 Douglas Highway	Juneau	AK	99801
Georgi	Mr.	Bill	P.O. Box 40467	Berkeley	CA	94704
Geraghty	Mr.	Bruce	303 Droz Drive	Fairbanks	AK	99701
Gottstein	Ms.	Terrie	6201 West Tree Drive	Anchorage	AK	99516
Graham, PhD	Mr.	Edwin	P.O. Box 450	Kake	AK	99830
Hall	Mr.	Stuart	815 Colwell Street, P.O. Box 300	Anchorage	AK	99510
Halstead	Mr.	William	117 W Manor Avenue	Anchorage	AK	99501
Hampton	Ms.	Coda	354 West Corral St.	Soldotna	AK	99669
Hayes	Mr.	Kenneth	7701 Mayfair Drive, Apt. A	Anchorage	AK	99502
Hazell, Jr.	Mr.	Gordon	5480 E. 98th	Anchorage	AK	99516
Heim	Mr.	James	1077 Juniper Court	Kenai	AK	99611
Hein	Mr.	Edward	P.O. Box Y	Juneau	AK	99811
Henzler	Ms.	Jude	1614 Tamarra Circle	Anchorage	AK	99508
Hickerson	Ms.	Elizabeth	746 West 18th Street	Anchorage	AK	99503
Holganza	Mr.	Ben	P.O. Box 14	Juneau	AK	99802
Hood II	Mr.	Robert	P.O. Box 4-866	Anchorage	AK	99509
Hopson	Ms.	Elaine	3762 Glacier Hwy.	Juneau	AK	99801
Hubbell	Mr.	Nelson	2305 Turnagain Pkwy	Anchorage	AK	99517
Hull	Mr.	Robert	Star Route 7915	Kodiak	AK	99615
Ice	Mr.	Jerry	324 Warm Springs, P.O. Box 7292	Boise	Idaho	83707

<u>LAST</u>	<u>SURNAME</u>	<u>FIRST</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
Ives	Mr.	George	P.O. Box 861	Bethel	AK	99559
Jack	Mr.	Edward	P.O. Box 1494	Kodiak	AK	99615
Jacobs	Mr.	Brian	1619 27th Avenue	Fairbanks	AK	99701
Jenson	Mr.	Merle	1805 Mark Allen	Juneau	AK	99801
Jimenez	Mr.	Robert	1514 Cushman, Suite 305	Fairbanks	AK	99701
Jones	Ms.	Diane	General Delivery	Wasilla	AK	99687
Kantola	Mr.	William	7811-A South Wheeling	Tulsa	OK	74136
Ketchum	Mr.	Lewis	P.O. Box 447	Talkeetna	AK	99676
Khan	Dr.	Muhammad	P.O. Box 4-643	Anchorage	AK	99509
Kline	Mr.	Gary	1844 Dare Ave.	Anchorage	AK	99515
Knutson	Mr.	Milford	8630 Vigor Circle	Anchorage	AK	99504
Kohler	Mr.	James	840 Goldbelt Avenue	Juneau	AK	99801
Konigsberg	Mr.	Charles	10441 Birch Road	Anchorage	AK	99516
Kurpjuweit	Mr.	David	P.O. Box 641	Kodiak	AK	99615
LaPerriere III	Mr.	Arthur	7210-C Huntsmen Circle	Anchorage	AK	99518
Lasswell	Mr.	David	1227 Mill Bay Road	Kodiak	AK	99615
Lawrenz	Mr.	Richard	5226 East 42nd Avenue	Anchorage	AK	99508
Laymon	Mr.	Kenneth	1634 Harbor Way	Juneau	AK	99801
Layne	Mr.	Tom	1001 W 30th, #2	Anchorage	AK	99503
Le ke	Mr.	Gerald	P.O. Box 960	Douglas	AK	99824
Lemke	Ms.	Carolyn	P.O. Box 968	Douglas	AK	99824

<u>LAST</u>	<u>SURNAME</u>	<u>FIRST</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
Lipson	Mr.	Elliot	9001 Longrun Drive	Juneau	AK	99801
Livingston	Mr.	Stephen	328 Boniface Parkway, #2668	Anchorage	AK	99504
Loomis	Mr.	Gregory	Box 5837	Ketchikan	AK	99901
Lowe	Mr.	Richard	P.O. Box 871238	Wasilla	AK	99687
Mabry	Mr.	Wayne	7309 Rovena Street	Anchorage	AK	99518
Madden	Mr.	Richard	3359 Denali	Ketchikan	AK	99901
Mallet	Mr.	David	6725-A Marguerite Street	Juneau	AK	99801
Malmborg	Mr.	Richard	c/o 213 Chichagof Loop	Eagle River	AK	99577
Marston	Mr.	David	4720 Haru Lane	Anchorage	AK	99517
Martin	Mr.	Gary	3220 Shuttle Circle	Anchorage	AK	99517
Martin	Mr.	David	2480 Belmont Drive	Anchorage	AK	99503
Maser	Ms.	Carol	2526 Glenwood St.	Anchorage	AK	99508
Maxon	Mr.	Don	P.O. Box 12010	Reno	NV	89509
Mckay	Mr.	Scott	P.O. Box 4106	Soldotna	AK	99669
Meritt	Ms.	Darrellyn	2451 Nugget Loop	Fairbanks	AK	99709
Metteer	Mr.	Richard	243 Marcus Street	Soldotna	AK	99669
Miller	Mr.	Ronald	720 Dogwood Street	Anchorage	AK	99501
Mills	Mr.	Michael	8221 Rovenna Street	Anchorage	AK	99518
Moninski II	Mr.	Ted	P.O. Box 102773	Anchorage	AK	99510
Morrell, Jr.	Mr.	John	P.O. Box 670538	Chugiak	AK	99567
Nadeau	Ms.	Rosalie	13220 Mountain Place	Anchorage	AK	99516

<u>LAST</u>	<u>SURNAME</u>	<u>FIRST</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
Nantau	Mr.	James	1940 Otter	Anchorage	AK	99504
Nason	Ms.	Sandra	P.O. Box 1165	Soldotna	AK	99669
Newcomer	Mr.	Dale	P.O. Box 837	Soldotna	AK	99669
Niemi	Ms.	Cecelia	P.O. Box 2041	Juneau	AK	99801
Oba	Mr.	Gary	P.O. Box 184	St. Mary's	AK	99658
Oleson	Mr.	Robert	215 Nevada	Kenai	AK	99611
Oliver	Mr.	Lowell	P.O. Box 3081	Palmer	AK	99645
Paddock, Jr.	Mr.	Raymond	2581-1 #25 Douglas Hwy.	Juneau	AK	99801
Painter	Mr.	Rodger	P.O. Box 704	Juneau	AK	99802
Pax	Mr.	Florencio	3845 Melrose Street	Juneau	AK	99801
Pelzek	Mr.	James	513 East 15th, Terrace Apt. #4	Anchorage	AK	99501
Peterson	Ms.	Christine	P.O. Box 9024	Ketchikan	AK	99901
Peterson	Mr.	Thomas	300 West 11th St., #7	Juneau	AK	99801
Powell	Ms.	Mari	Star Route, Box 580	Anchor Point	AK	99556
Prefontaine	Mr.	Edward	1703 Sawmill Creek Road	Sitka	AK	99835
Price	Mr.	Robert	Box 8	Douglas	AK	99824
Faider	Mr.	Alex	1436 Matterhorn Way	Anchorage	AK	99508
Reed	Mr.	Richard	SRB 7771	Palmer	AK	99645
Rich	Ms.	Margaret	4455 Juneau St. #C-1	Anchorage	AK	99503
Rollins	Ms.	Elizabeth	P.O. Box 55163	North Pole	AK	99705
Ronning	Mr.	Jon	207 Glacier Avenue	Fairbanks	AK	99707

<u>LAST</u>	<u>SURNAME</u>	<u>FIRST</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
Roth, Jr.	Mr.	Franklin	Box 479	Sitka	AK	99835
Rowland	Mr.	Walter	2227 Douglas Drive	Anchorage	AK	99517
Russell, Jr.	Mr.	Carlton	5017 Garland Circle	Anchorage	AK	99508
Saupe'	Mr.	Gary	SR 1 Box 1019 F	Chugiak	AK	99567
Shaffer	Mr.	Don	1810 Parkside Drive	Anchorage	AK	99501
Singletary	Mr.	Charles	P.O. Box 4-2991	Anchorage	AK	99509
Sinkey	Mr.	Robert	P.O. Box 81733	Fairbanks	AK	99708
Slack	Mr.	Howard	8401 Dagan St.	Anchorage	AK	99502
Sorensen, Jr.	Mr.	Elmer	3042 Mountainwood Circle	Juneau	AK	99801
Staack	Mr.	Anselm	P.O. Box 2822	Juneau	AK	99803
Stein	Mr.	John	Mile 8.9 Palmer-Wasilla Highway	Wasilla	AK	99687
Stiglich	Mr.	Frank	105 Man O War	Eagle River	AK	99577
Stolworthy	Mr.	Donald	9201 Arlene, St. #6	Anchorage	AK	99514
Stolzfus	Mr.	Clyde	7880 Glacier Highway	Juneau	AK	99801
Stout	Mr.	John	520 E. 76th Ave.	Anchorage	AK	99518
Stover	Mr.	Paul	Box 727	Kodiak	AK	99615
Strachan	Mr.	John	2500 Lord Baranof Drive	Anchorage	AK	99517
Stumbaugh	Mr.	Jerry	13601 Venus Way	Anchorage	AK	99515
Suter	Mr.	Floyd	1011 Sheep Creek Road	Fairbanks	AK	99709
Tamburelli	Mr.	Robert	11920 Northern Raven Drive	Anchorage	AK	99516
Teague	Mr.	N.L.	9350 Northland	Juneau	AK	99801

<u>LAST</u>	<u>SURNAME</u>	<u>FIRST</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
Therrien	Ms.	Valerie	779 Eighth Avenue	Fairbanks	AK	99701
Traxler	Mr.	Mark	913 5th Avenue	Fairbanks	AK	99701
Trussell, Jr.	Mr.	Paul	1935 Bridgewater	Fairbanks	AK	99709
Ulmer	Ms.	Fran	1700 Angus Way	Juneau	AK	99801
Upcraft	Mr.	Bruce	Box 438	Sitka	AK	99835
Vasauskas	Mr.	Alexander	General Delivery	Chugiak	AK	99567
Vaughn	Mr.	Richard	1251 Friendly Lane #3	Anchorage	AK	99504
Viergutz	Mr.	Herbert	P.O. Box 201522	Anchorage	AK	99520
Vraniak	Mr.	Terrance	1668 Market Street	Fairbanks	AK	99709
Weldin	Mr.	Richard	5100 Lake Otis Pkwy, Apt. #2	Anchorage	AK	99507
Williams	Mr.	Preston	11355 Kenai Spur Highway	Kenai	AK	99611
Wilson	Mr.	Thomas	3209 Doris Street, Apt. 7	Anchorage	AK	99517
Wilson	Mr.	Michael	6720 Spectrum Circle	Anchorage	AK	99516
Wood	Mr.	Thomas	SR Box 5209	Eagle River	AK	99577

Record#	LAST	SURNA	FIRST	ADDRESS	CITY	ST	ZIP	PHONEH	PHONEW	EMPLOYER	NO
1	Slocum	Mr.	James	226 St. Ann's Avenue	Douglas	AK	99824	907-364-2217	907-465-3795	Fiscal Analyst, Legislative Finance Division	1
2	Swanson	Mr.	Joseph	2532 Foraker Drive	Anchorage	AK	99517	NA	907-243-3257	Director, Division of Measurement Standards, Dept. of Commerce, State of AK	2
3	Sivertsen, Jr.	Mr.	John	318 G Street, Suite 213	Anchorage	AK	99501	NA	907-274-2889	Private Practice, Lawyer	4
4	Weinstein	Mr.	William	812 Wild Rose Court	Anchorage	AK	99518	907-344-7859	907-271-4692	Realty Specialist, U.S. Government, Dept. of H.U.D.	5
5	Dickson	Mr.	Jack	8120 Country Woods Drive	Anchorage	AK	99502	907-522-1793	907-276-4881	Legal Assistant/Office Manager, Ramsey & Velasquez	6
6	McCarthy, Jr.	Mr.	Philip	1921 Waldron Drive	Anchorage	AK	99507	907-562-5735	NA	ViSTA Volunteer, Paralegal, Bootheel Legal Aid, Coruthersville, MI.	7
7	Reynolds	Mr.	Thomas	Post Office Box 190563	Anchorage	AK	99519	907-248-6443	907-274-8243	General Manager, Mempro, Inc.	8
8	Mayr	Ms.	Phyllis	11540 Targhee Loop	Eagle River	AK	99577	NA	NA	Motor Vehicle Office Manager III, Ak Dept. of Public Safety	9
9	Swanson	Mr.	Robert	P.O. Box 82002	Fairbanks	AK	99708	907-488-1454	NA	Assistant Manager, Denny's of Alaska #4	10
10	Clark, LL.B.	Mr.	Peter	2441 West 71st Circle	Anchorage	AK	99502	907-248-2982	907-243-7883	Presently Unemployed. Security Officer, Prudhoe Bay - Feb. 1987	11
11	Lawrenz	Mr.	Richard	5226 East 42nd	Anchorage	AK	99508	907-333-5832	907-563-1188	Base Chaplain, Alaska Air National Guard	12
12	Williams	Mr.	Joseph	6741 E. 10th Avenue	Anchorage	AK	99504	907-337-7209	NA	Marketing Director, Alaska Native Magazine	13
13	Russel	Mr.	James	221 East 7th Avenue	Anchorage	AK	99501	907-272-7072	NA	Life Insurance Sales, Mutual Life Insurance Co. of New York	14
14	Ward	Mr.	Forrest	733 SW 27th Street	Gainesville	FL	32607	904-372-8711	NA	1st Lieutenant, United States Marine Corps	15
15	Baumgardner	Mr.	Clyde	3020 Pleasant Drive	Anchorage	AK	99502	907-243-6626	907-243-3808	Loan Officer/Underwriter, AK Industrial Development Authority	16
16	Penning	Ms.	Roberta	P.O. Box 5083	Ketchikan	AK	99901	907-225-0863	NA	CFS Clerk, U.S. Post Office	17
17	McNulty	Mr.	Allen	2900 Boniface Pkwy. #100	Anchorage	AK	99504	907-333-6575	907-745-5509	Sales, Distribution and Merchandising Director for Alaska Potatoe Chip Inc.	18
18	Folsom	Mr.	Cody	SRA Box 6757A-1	Palmer	AK	99645	907-745-7320	NA	Management and Operation, Polar Pioneer Drilling Rig	19
19	Svec	Mr.	Joseph	132 North Lane	Anchorage	AK	99508	907-337-5918	NA	Store Manager/Operations Manager, Photo Express Image Centers	20
20	Pitts	Mr.	F. Harvey	1724 Rosemary Street	Anchorage	AK	99508	907-277-9678	NA	Retired & Partime Instructor of Psychology at the New University of AK	21
21	Denison	Mr.	Norman	3215 Madison Way	Anchorage	AK	99508	907-274-4504	907-277-3037	Trouble Shooter/Deputy Commander for Maintenance, U.S. Air Force	22
22	Pastorino	Mr.	Raymond	P.O. Box 868	Douglas	AK	99824	907-364-2277	907-586-6544	Counselor & Director of the Mediation Center & Instr. for monthly workshops UASE	23
23	Kelton	Mr.	Keith	2339 Meadow Lane	Juneau	AK	99801	907-789-1377	NA	Director, Environmental Quality Division	24
24	Cox	Mr.	Ronnie	P.O. Box 871963	Wasilla	AK	99687	907-373-5401	907-373-3601	Associate Pastor & Church Administrator, Christian Love Center	25
25	Boucher	Mr.	Bill	Box 60174	Fairbanks	AK	99706	907-479-3647	619-565-7088	Consultant, Autumn Gold Construction of Whitehorse	26
26	Ladinsky	Mr.	Kenneth	7131 Dawn Drive	Anchorage	AK	99502	907-243-3182	NA	Special Accounts Representative, Superior Fast Freight	27
27	Peters	Mr.	Daniel	3640 W Dimond #10	Anchorage	AK	99515	NA	NA	Pilot/Marketing, Kenai Air Alaska	28
28	Cano Tretinik	Mr.	William	3721 Placita Graciosa	Tucson	AZ	85745	602-881-4989	602-296-6933	Personnel/Admin. Manager, H. Beck Investments	29
29	Rion	Ms.	Carol	NA	Anchorage	AK	99503	907-277-6777	907-343-4656	Community Relations Manager, Public Utility Affairs Dept.	30
30	Brown	Mr.	Casey	P.O. Box 874453	Wasilla	AK	99687	907-373-0693	NA	Real Estate Loan Officer, AK Continental Bank	31
31	Thornton	Mr.	Robert	P.O. Box 10-2092	Anchorage	AK	99510	907-248-4281	NA	Labor Relations Specialist & Supervisory Business Agent, Teamsters	32
32	Lashbrook	Mr.	Richard	9311 W Kanaga Loop	Eagle River	AK	99577	907-694-5663	907-561-5355	Agency Operations Manager, Equitable Life Assurance	33
33	Butch	Mr.	Wayne	P.O. Box 112171	Anchorage	AK	99511	907-345-4122	NA	Manager, Line Extension Dept., Chugach Electric Assoc.	34
34	Masingill, Jr.	Mr.	Curtis	P.O. Box 7442	Fairbanks	AK	99707	907-479-2922	907-452-7624	Professional Assistant to Senator Don Bennett	35
35	Braun	Mr.	Donald	P.O. Box 104262	Anchorage	AK	99510	907-248-2052	NA	Owner of Consulting Co., Emersome Co.	36
36	Dennis, Jr.	Mr.	Leslie	13201 Carita Lane	Anchorage	AK	99516	907-345-1767	NA	Retired Lt. Colonel USAF (1984)	37
37	Marion	Mr.	Bruce	16917 Lynne Drive	Eagle River	AK	99577	907-694-8465	NA	Manager of Seafood Dept., Safeway Stores Inc.	38
38	Thomas	Mr.	Joe	540 Calhoun #6	Juneau	AK	99801	907-586-4068	NA	Mail Clerk, Office of the Governor & Seasonal Commercial Fishing	39
39	Anacabe	Mr.	John	2400 Douglas Hwy, #5	Juneau	AK	99801	907-364-3385	907-789-4402	Asst. Vice President/Manager, Mortgage Loans, First Bank, Ketchikan	40
40	Irwin	Mr.	Thomas	P.O. Box 2754	Kenai	AK	99611	907-283-4743	NA	ISF Supt. and DPI Chief for Comm-Data Merger	41
41	Sloane	Ms.	Lin	3945 Geneva Place	Anchorage	AK	99508	907-563-0627	NA	Leasing Manager, Hickel Investment Company	42
42	Pax	Mr.	Florencia	3845 Melrose St	Juneau	AK	99801	907-789-4143	907-465-2343	Revenue Auditor IV as Appeals Officer, Audit Division, AK Dept. of Revenue	43
43	Wessels	Mr.	Robert	3105 Lakeshore Drive #303A	Anchorage	AK	99517	907-243-7255	NA	Associate Engineer, Transmission & Distribution Line Design, AEL&P	44
44	Oliver	Mr.	Lowell	P.O. Box 3081	Palmer	AK	99645	907-745-1761	NA	Adjunct Lecturer Fundamentals of A/C Electronics & Lab. Anch. Community College	45

45	Isham	Mr. Arthur	SR 2409	Eagle River	AK	99577	907-694-3671	907-862-0130	Logistics Project Officer, Ft. Rich
46	Griffin	Mr. James	4523 Stanford Drive	Fairbanks	AK	99709	907-479-2556	NA	Right of Way Engineer/Agent, City of Fairbanks
47	Conheady	Mr. Patrick	P.O. Box 020307	Juneau	AK	99801	907-463-3733	NA	Private Practice of Law, Civil and Criminal matters
48	Strom	Ms. Lynda	18859 SE 269th	Kent	WA	98042	206-631-8866	NA	Care Plus Emergency Centre - Des Moines, WA
49	Lowe	Mr. Richard	P.O. Box 871238	Wasilla	AK	99687	907-892-6992	907-274-1056	General Manager, Kashim Inn
50	Stringer	Mr. David	3035 Seawind Drive	Anchorage	AK	99516	907-345-5671	907-264-5560	Vice President/Manager, First Interstate Bank of AK
51	Jennings	Mr. Michael	1364 Shuros Drive	Fairbanks	AK	99709	907-479-4351	907-474-6082	Special Assistant to the President, Tanana Valley Comm. College
52	Stiassny	Ms. Sharon	3437 Rosella Street	Anchorage	AK	99516	907-338-7026	NA	Director, Dillingham Native Village Council
53	Springer	Mr. Carl	725 Bentley Drive West	Fairbanks	AK	99701	907-451-6472	907-456-2015	Motor Vehicles Office Manager II, Dept. of Public Safety
54	Yerrick	Mr. Donald	P.O. Box 210722	Auke Bay	AK	99821	907-789-2823	907-586-3740	Advertising Sales Rep., Juneau Empire
55	Magowan	Mr. James	12931 Aro Circle	Anchorage	AK	99515	907-345-3298	NA	Executive Director, AK Real Estate Commission
56	Meidinger	Ms. Judy	2711 Valley Forge Circle	Anchorage	AK	99502	907-248-0699	NA	President, Counselors, Inc.
57	Marley	Mr. DeWayne	SR D Box 9026	Palmer	AK	99645	NA	NA	Supervisory & Managerial at Prudhoe Bay
58	Phifer	Mr. William	4830 Sportsman Drive	Anchorage	AK	99502	907-243-0433	NA	President, Metal Masters Incorporated
59	Rosen	Mr. Philip	3211 Providence Drive	Anchorage	AK	99508	NA	907-786-4779	Director, Continuing Education, University of AK
60	Hall	Mr. Stuart	P.O. Box 100300	Anchorage	AK	99510	907-279-9759	907-276-6250	Attorney-At-Law
61	Hann	Mr. Jerry	376 N. Bonanza	Palmer	AK	99645	907-745-2522	NA	Architect
62	Zajac	Mr. Anthony	5247 D. Broadway	Eielson AFB	AK	99702	907-372-4153	907-377-4361	Community Planner
63	Parberry	Ms. Sharon	10931 Polar Drive	Anchorage	AK	99516	907-349-8738	NA	Manager, General Manager & Administrative Controller, The Health Corporation
64	<del>Mantole</del>	<del>Ms. Peggy</del>	<del>524 East Cook</del>	<del>Anchorage</del>	<del>AK</del>	<del>99504</del>	<del>907-274-9907</del>	<del>NA</del>	<del>Lawyer</del>
65	Koury	Mr. John	1227 Inlet Place	Anchorage	AK	99501	907-277-1238	907-263-4789	Security & Life Safety Coordinator, ARCO Alaska
66	Cramer	Mr. Robert	P.O. Box 485	Delta Jct.	AK	99737	907-895-4666	NA	President/General Manager of his own hospitality/tourism business
67	Felton, Jr.	Mr. Erich	12115 Rushwood Circle	Anchorage	AK	99516	907-345-6121	NA	Founder & President of IBM equipment servicing & consulting firm. E & S Co.
68	Fuqua	Mr. Clarence	P.O. Box 24-0202	Anchorage	AK	99524	907-349-1929	907-561-7117	Licensed Life & Health Insurance Agent, The Equitable Life Assurance Society
69	Glenzer, Jr.	Mr. Hubert	720 W 86th	Anchorage	AK	99515	907-344-1191	907-283-9029	Deputy Commissioner, Northern Region, Dept. of Transportation & Public Fac.
70	Sepel	Mr. Jim	10901 Mendenhall Loop Road	Juneau	AK	99801	907-789-5220	907-586-7234	Commander, U.S. Coast Guard
71	Gay	Mr. Williford	P.O. Box 110712	Anchorage	AK	99511	907-346-2574	NA	President & 50% Stockholder of Conifer Construction
72	Campbell	Mr. Glen	1111 East 19th Avenue	Anchorage	AK	99501	907-277-4639	907-276-4911	Owner, Remember Me Records & Tapes
73	Stein	Mr. William	2200 Glacier Street, #108	Anchorage	AK	99508	907-338-7093	907-552-2612	Mechanical Planner/Estimator
74	Cornett	Mr. Zane	420 N. Bailey	Palmer	AK	99645	907-745-1732	NA	Acting General Manager, Timber Trading Company
75	<del>Fowler</del>	<del>Mr. Dunean</del>	<del>3207 Tongass Blvd.</del>	<del>Juneau</del>	<del>AK</del>	<del>99801</del>	<del>907-789-2408</del>	<del>907-586-5226</del>	<del>Director, Dept. of Parks &amp; Rec., City &amp; Borough of Juneau</del>
76	Aronson	Mr. Bruce	3080 Glacierwood Drive	Juneau	AK	99801	907-789-3917	907-465-4970	Acting Ombudsman
77	McGregor	Mr. Grant	3805 East 5th, Apt.3	Tucson	AZ	85716	602-326-8857	602-621-1413	Lawyer
78	Flynn	Ms. Heather	918 R Street	Anchorage	AK	99501	907-272-5392	NA	Executive Director, Ak Women's Resource Center
79	Granger, P.E.	Mr. Ed	931 Lighthouse Circle	Anchorage	AK	99515	907-345-6462	NA	Project Manager, Alaskan Air Command EAFB, Over the Horizon-Backscatter Radar
80	Woods	Mr. Roger	7500 Blackberry Street	Anchorage	AK	99502	907-243-5833	NA	General Contractor
81	Arnold	Mr. Robert	1125 Ivy Lane	Ashland	OR	97520	503-488-1862	NA	Deputy Commissioner, AK Dept. of Natural Resources
82	Heyman	Mr. Duane	2200 Otter Street	Anchorage	AK	99504	907-333-1124	907-563-5500	Associate Broker, Jack White Company
83	Staser, P.E.	Mr. John	8410 Fox Lair Circle	Anchorage	AK	99507	907-344-2293	NA	Project Engineer, Capt., U. S. Army Corps of Engineers
84	Mabry	Mr. Wayne	7309 Rovena Street	Anchorage	AK	99518	907-349-2251	NA	President, T.L.C., Inc.
85	Carpenter	Mr. Wayne	P.O. Box 794	Girdwood	AK	99587	907-783-2151	907-272-3519	Executive Director, AK Wildlife & Natural History Museum
86	Northcott	Mr. John	P.O. Box 873189	Wasilla	AK	99687	907-376-8836	NA	User Analyst contracting to Setpoint AK
87	Nadeau	Ms. Rosalie	13220 Mountain Place	Anchorage	AK	99516	907-345-5569	NA	Executive Director, CRISIS, Inc.
88	Alston, Jr.	Mr. Albert	4382 Reka Drive	Anchorage	AK	99508	907-333-6201	907-333-1564	Industrial Hose Builder, AK Rubber & Supply, Inc.
89	Graves	Mr. Roger	3015 Wesleyan Drive	Anchorage	AK	99508	907-337-1934	NA	Project Officer, United States Senate, Senator Stevens
90	DeCamp	Ms. Ruth	P.O. Box 875614	Wasilla	AK	99687	907-376-6769	NA	Ombudsman Assistant
91	Towner	Mr. Earl	5149 Sillary Circle	Anchorage	AK	99508	907-337-6583	NA	Chaplain, U.S. Army

92	Hoffat	Mr. David	7820 44th Avenue West	Mukilteo	WA	98275	206-347-3423	NA	Director, Non Profit - Senior Services of Snohomish County	92
93	Clark, LL.B.	Mr. Peter	2441 West 71st Circle	Anchorage	AK	99502	907-248-2982	907-234-7883	Security Officer, Prudhoe Bay	93
94	Stouffer	Mr. James	S.R. #3, Box 7830	Chugiak	AK	99567	907-688-2040	907-343-4393	Senior Auditor, Municipality of Anchorage	94
95	Petracek	Mr. Michael	323 6th Avenue	Fairbanks	AK	99701	907-456-6592	907-488-4049	Construction Foreman, Prudhoe Bay	95
96	McCaughan	Mr. William	11300 Hideaway Trail	Anchorage	AK	99516	907-346-2065	907-786-1121	Dean, Community Development and Non-Credit Education, UAA	96
97	Van Diest	Ms. Laura	P.O. Box 331	Sutton	AK	99674	907-745-0534	NA	Office Manager, Mat-Su Anesthesia Associates, Inc.	97
98	Krogseng	Ms. Mel	6025 Winding Way	Anchorage	AK	99504	907-333-4128	907-562-4005	Coordinator, Day Care Center, North Slope Borough	98
99	Patrick-Riley	Ms. Colleen	1259 Vixen Way	Fairbanks	AK	99712	907-457-3351	907-456-4729	Executive Director, Fairbanks Counseling and Adoption	99
100	Pauli	Mr. John	2320 Paxson Drive	Anchorage	AK	99504	907-333-5686	NA	?	100
101	Collins	Ms. Mary	3868 Shannon Circle	Anchorage	AK	99508	907-562-1359	NA	Senior Consultant, ASK Information Search	101
102	Kailam, Jr.	Mr. Luther	13340 McCabe Circle East	Anchorage	AK	99516	907-345-2387	NA	Deputy Chief of Staff, Joint Task Force AK	102
103	Lomax	Ms. Sue Carol	P.O. Box 142116	Anchorage	AK	99514	907-243-8298	NA	Director of Marketing, Horizon Recovery Hospital/North Star Hospital	103
104	McKay	Mr. Scott	P.O. Box 4106	Soldotna	AK	99669	907-262-7893	NA	Operations Superintendent/Field Supt., Frontier Companies of AK, Prudhoe	104
105	Murphy	Ms. Laurel Anne	4014 Reka Drive, H-6	Anchorage	AK	99508	907-337-7450	NA	Deputy Director/Acting Director, Dept. of Natural Resources, Div. of Mining	105
106	Berkshire	Mr. Steven	4949 Knights Way	Anchorage	AK	99508	907-337-8920	907-258-7575	Administrator & Chief Exec. Officer, Charter North Hospital	106
107	Thompson	Ms. Bonnie	P.O. Box 110-282	Anchorage	AK	99511	907-345-4795	NA	Volunteer arbitrator with Better Business Bureau	107
108	Harasick	Mr. Robert	3031 Maule Lane	North Pole	AK	99705	907-488-9310	907-353-5200	Chief, Patient Administration Division, Bassett Army Community Hospital	108
109	Sanwick	Mr. James	10209 Heron Way	Juneau	AK	99801	907-789-7933	907-445-4839	Adjunct Faculty, University of Alaska, Southeast, School of Bus. & Public Admin.	109
110	Renner	Mr. Roger	7001 Hunt Avenue	Anchorage	AK	99504	907-333-5654	907-561-0012	Co-Owner & President, AK Kitchen Distributors, Inc.	110
111	Ness	Ms. Susan	1661 Elcadore Drive #3	Anchorage	AK	99507	907-349-8017	907-278-4617	Regional Director, Better Business Pureau of AK, Fairbanks	111
112	Nibeck	Mr. Stuart	6920 Gemini	Anchorage	AK	99504	907-333-5039	907-552-5202	Director, Logistics Plans, Lt. Colonel, Alaskan Air Command	112
113	Flora	Ms. Joann	P.O. Box 8234	Ketchikan	AK	99901	907-225-6765	907-225-6661	Senior Outside Sales Rep., NBI's The Office Place	113
114	Hildebrand	Ms. Ida	P.O. Box 221756	Anchorage	AK	99522	907-279-7541	NA	Law Clerk, Public Defender Agency	1
115	Mills	Mr. Michael	8221 Rovenna Street	Anchorage	AK	99518	907-349-6762	907-343-4461	Ombudsman, Municipality of Anchorage	115
116	Montgomery	Ms. Pamela	1810 Patterson Court	Anchorage	AK	99504	907-338-1379	907-274-1684	CASA Program Director/Guardian Ad Litem, Office of Public Advocacy	116
117	Nebesky	Mr. William	P.O. Box 203143	Anchorage	AK	99520	NA	907-562-2161	Economic Consultant, DBA Nebesky Assoc.	117
118	Conn	Mr. Stephen	4881 Quail Run	Las Cruces	NM	88001	505-521-1022	907-786-1810	Participant, American Indian Philosophy & History Seminar & Consultant	118
119	Whah	Mr. Andrew	9408 West Parkview Terrace	Eagle River	AK	99577	NA	907-276-0903	President, Land Tax Service	119
120	Smith	Mr. David	6416 Kingman Trail	Tallahassee	FL	32308	904-893-4219	907-487-2740	Senior Staff Attorney, Florida Public Service Commission	120
121	Gallagher	Mr. Peter	1766 Morningtide Court	Anchorage	AK	99501	907-279-4187	907-786-1426	Assistant Vice Chancellor for Human Resource Dev./Director of Personnel	121
122	Vickaryous	Mr. Clarence	349 Pauline Street	Anchorage	AK	99504	907-337-6005	NA	AF HQ AAC, DCS Engineering Services, Elmendorf	122
123	Childers	Mr. Rick	12648 Breckenridge	Eagle River	AK	99577	907-694-4492	907-279-2571	Division Manager, Continental Van Lines	123
124	Magden, CPA	Ms. B. Juline	3605 Arctic Blvd., Suite 723	Anchorage	AK	99503	NA	907-274-2200	CPA Partner, Avezac, Magden & Assoc.	124
125	Varner	Mr. Stuart	P.O. Box 56655	North Pole	AK	99705	907-488-1884	NA	Salesperson for Pay n Pak	125

Notes blank = 4

STAFF

Record#	LAST	SURNA FIRST	ADDRESS	CITY	ST	ZIP	PHONEH	PHONEW	EMPLOYER	NO
1	Alston, Jr.	Mr. Albert	4382 Reka Drive	Anchorage	AK	99508	907-333-6201	907-333-1564	Industrial Hose Builder, AK Rubber & Supply, Inc.	88
5-2	Anacabe	Mr. John	2400 Douglas Hwy, #5	Juneau	AK	99801	907-364-3385	907-789-4402	Asst. Vice President/Manager, Mortgage Loans, First Bank, Ketchikan	40
2-3	Arnold	Mr. Robert	1125 Ivy Lane	Ashland	OR	97520	503-488-1862	NA	Deputy Commissioner, AK Dept. of Natural Resources	81
✓ 1-4	Aronson	Mr. Bruce	3080 Glacierwood Drive	Juneau	AK	99801	907-789-3917	907-465-4970	Acting Ombudsman	76
5	Baumgardner	Mr. Clyde	3020 Pleasant Drive	Anchorage	AK	99502	907-243-6626	907-243-3808	Loan Officer/Underwriter, AK Industrial Development Authority	16
6	Berkshire	Mr. Steven	4949 Knights Way	Anchorage	AK	99508	907-337-8920	907-258-7575	Administrator & Chief Exec. Officer, Charter North Hospital	10
7	Boucher	Mr. Bill	Box 60174	Fairbanks	AK	99706	907-479-3647	619-565-7088	Consultant, Autumn Gold Construction of Whitehorse	26
8	Braun	Mr. Donald	P.O. Box 104262	Anchorage	AK	99510	907-248-2052	NA	Owner of Consulting Co., Emersome Co.	36
9	Brown	Mr. Casey	P.O. Box 874453	Wasilla	AK	99687	907-373-0693	NA	Real Estate Loan Officer, AK Continental Bank	31
10	Butch	Mr. Wayne	P.O. Box 112171	Anchorage	AK	99511	907-345-4122	NA	Manager, Line Extension Dept., Chugach Electric Assoc.	34
3-11	Campbell	Mr. Glen	1111 East 19th Avenue	Anchorage	AK	99501	907-277-4639	907-276-4911	Owner, Remember Me Records & Tapes	72
12	Cano Tretinik	Mr. William	3721 Placita Graciosa	Tucson	AZ	85745	602-881-4989	602-296-6933	Personnel/Admin. Manager, H. Beck Investments	29
3-13	Carpenter	Mr. Wayne	P.O. Box 794	Girdwood	AK	99587	907-783-2151	907-272-3519	Executive Director, AK Wildlife & Natural History Museum	85
14	Childers	Mr. Rick	12648 Breckenridge	Eagle River	AK	99577	907-694-4492	907-279-2571	Division Manager, Continental Van Lines	12
15	Clark, Lt.B.	Mr. Peter	2441 West 71st Circle	Anchorage	AK	99502	907-248-2982	907-243-7883	Presently Unemployed. Security Officer, Prudhoe Bay - Feb. 1982	11
16	Clark, Lt.B.	Mr. Peter	2441 West 71st Circle	Anchorage	AK	99502	907-248-2982	907-234-7883	Security Officer, Prudhoe Bay	93
17	Collins	Ms. Mary	3868 Shannon Circle	Anchorage	AK	99508	907-562-1359	NA	Senior Consultant, ASK Information Search	101
2-18	Conheady	Mr. Patrick	P.O. Box 020307	Juneau	AK	99801	907-463-3733	NA	Private Practice of Law, Civil and Criminal matters	48
3-19	Conn	Mr. Stephen	4881 Quail Run	Las Cruces	NM	88001	505-521-1022	907-786-1810	Participant, American Indian Philosophy & History Seminar & Consultant	118
20	Cornett	Mr. Zane	420 N. Bailey	Palmer	AK	99645	907-745-1732	NA	Acting General Manager, Timber Trading Company	74
5-21	Cox	Mr. Ronnie	P.O. Box 871963	Wasilla	AK	99687	907-373-5401	907-373-3601	Associate Pastor & Church Administrator, Christian Love Center	25
22	Cramer	Mr. Robert	P.O. Box 485	Delta Jct.	AK	99737	907-895-4666	NA	President/General Manager of his own hospitality/tourism business	66
1-23	DeCamp	Ms. Ruth	P.O. Box 875614	Wasilla	AK	99687	907-376-6769	NA	Ombudsman Assistant	90
24	Denison	Mr. Norman	3215 Madison Way	Anchorage	AK	99508	907-274-4504	907-277-3037	Trouble Shooter/Deputy Commander for Maintenance, U.S. Air Force	22
25	Dennis, Jr.	Mr. Leslie	13201 Carita Lane	Anchorage	AK	99516	907-345-1767	NA	Retired Lt. Colonel USAF (1984)	37
26	Dickson	Mr. Jack	8120 Country Woods Drive	Anchorage	AK	99502	907-522-1793	907-276-4881	Legal Assistant/Office Manager, Ramsey & Velasquez	6
27	Felton, Jr.	Mr. Erich	12115 Rushwood Circle	Anchorage	AK	99516	907-345-6121	NA	Founder & President of IBM equipment servicing & consulting firm. E & S Co.	67
28	Flora	Ms. Joann	P.O. Box 8234	Ketchikan	AK	99901	907-225-6765	907-225-6661	Senior Outside Sales Rep., NBI's The Office Place	113
2-29	Flynn	Ms. Heather	918 R Street	Anchorage	AK	99501	907-272-5392	NA	Executive Director, Ak Women's Resource Center	78
30	Folsom	Mr. Cody	SRA Box 6757A-1	Palmer	AK	99645	907-745-7320	NA	Management and Operation, Polar Pioneer Drilling Rig	19
✓ 1-31	Fowler	Mr. Duncan	3207 Tongass Blvd.	Juneau	AK	99801	907-789-2408	907-586-5226	Director, Dept. of Parks & Rec., City & Borough of Juneau	75
32	Fuqua	Mr. Clarence	P.O. Box 24-0202	Anchorage	AK	99524	907-349-1929	907-561-7117	Licensed Life & Health Insurance Agent, The Equitable Life Assurance Society	68
33	Gallagher	Mr. Peter	1766 Morningtide Court	Anchorage	AK	99501	907-279-4187	907-786-1426	Assistant Vice Chancellor for Human Resource Dev./Director of Personnel	12
34	Gay	Mr. Williford	P.O. Box 110712	Anchorage	AK	99511	907-346-2574	NA	President & 50% Stockholder of Conifer Construction	71
3-35	Glenzer, Jr.	Mr. Hubert	720 W 86th	Anchorage	AK	99515	907-344-1191	907-283-9029	Deputy Commissioner, Northern Region, Dept. of Transportation & Public Fac.	69
36	Granger, P.E.	Mr. Ed	931 Lighthouse Circle	Anchorage	AK	99515	907-345-6462	NA	Project Manager, Alaskan Air Command EAFB, Over the Horizon-Backscatter Radar	79
3-37	Graves	Mr. Roger	3015 Wesleyan Drive	Anchorage	AK	99508	907-337-1934	NA	Project Officer, United States Senate, Senator Stevens	89
38	Griffin	Mr. James	4523 Stanford Drive	Fairbanks	AK	99709	907-479-2556	NA	Right of Way Engineer/Agent, City of Fairbanks	47
2-39	Hall	Mr. Stuart	P.O. Box 100300	Anchorage	AK	99510	907-279-9759	907-276-6250	Attorney-At-Law	61
40	Hann	Mr. Jerry	376 N. Bonanza	Palmer	AK	99645	907-745-2522	NA	Architect	62
41	Harasick	Mr. Robert	3031 Maule Lane	North Pole	AK	99705	907-488-9310	907-353-5200	Chief, Patient Administration Division, Bassett Army Community Hospital	10
42	Heyman	Mr. Duane	2200 Otter Street	Anchorage	AK	99504	907-333-1124	907-563-5500	Associate Broker, Jack White Company	82
2-43	Hildebrand	Ms. Ida	P.O. Box 221756	Anchorage	AK	99522	907-279-7541	NA	Law Clerk, Public Defender Agency	11
44	Irwin	Mr. Thomas	P.O. Box 2754	Kenai	AK	99611	907-283-4743	NA	ISF Supt. and DPI Chief for Comm-Data Merger	41

	45	Isham	Mr. Arthur	SR 2409	Eagle River AK	99577	907-694-3671	907-862-0130	Logistics Project Officer, Ft. Rich	
	1-46	Jennings	Mr. Michael	1364 Shuros Drive	Fairbanks AK	99709	907-479-4351	907-474-6082	Special Assistant to the President, Tanana Valley Comm. College	
	47	Kallam, Jr.	Mr. Luther	13340 McCabe Circle East	Anchorage AK	99516	907-345-2387	NA	Deputy Chief of Staff, Joint Task Force AK	
	48	Kelton	Mr. Keith	2339 Meadow Lane	Juneau AK	99801	907-789-1377	NA	Director, Environmental Quality Division	
	49	Koury	Mr. John	1227 Inlet Place	Anchorage AK	99501	907-277-1238	907-263-4789	Security & Life Safety Coordinator, ARCO Alaska	
	50	Krogseng	Ms. Mel	6025 Winding Way	Anchorage AK	99504	907-333-4128	907-562-4005	Coordinator, Day Care Center, North Slope Borough	
	51	Ladinsky	Mr. Kenneth	7131 Dawn Drive	Anchorage AK	99502	907-243-3182	NA	Special Accounts Representative, Superior Fast Freight	
	5-52	Lashbrook	Mr. Richard	9311 W Kanaga Loop	Eagle River AK	99577	907-694-5663	907-561-5355	Agency Operations Manager, Equitable Life Assurance	
	53	Lawrenz	Mr. Richard	5226 East 42nd	Anchorage AK	99508	907-333-5832	907-563-1188	Base Chaplain, Alaska Air National Guard	
	5-54	Lomax	Ms. Sue Carol	P.O. Box 142116	Anchorage AK	99514	907-243-8298	NA	Director of Marketing, Horizon Recovery Hospital/North Star Hospital	
	55	Lowe	Mr. Richard	P.O. Box 871238	Wasilla AK	99687	907-892-6992	907-274-1056	General Manager, Kashim Inn	
	✓ 1-56	Mabry	Mr. Wayne	7309 Rovena Street	Anchorage AK	99518	907-349-2251	NA	President, T.L.C., Inc.	
	57	Magden, CPA	Ms. B. Juline	3605 Arctic Blvd., Suite 723	Anchorage AK	99503	NA	907-274-2200	CPA Partner, Avezac, Magden & Assoc.	
	58	Magowan	Mr. James	12931 Aro Circle	Anchorage AK	99515	907-345-3298	NA	Executive Director, AK Real Estate Commission	
	5-59	Narion	Mr. Bruce	16917 Lynne Drive	Eagle River AK	99577	907-694-8465	NA	Manager of Seafood Dept., Safeway Stores Inc.	
	60	Narley	Mr. DeWayne	SR D Box 9026	Palmer AK	99645	NA	NA	Supervisory & Managerial at Prudhoe Bay	
	3-61	Masingill, Jr.	Mr. Curtis	P.O. Box 7442	Fairbanks AK	99707	907-479-2922	907-452-7624	Professional Assistant to Senator Don Bennett	
	62	Mayr	Ms. Phyllis	11540 Targhee Loop	Eagle River AK	99577	NA	NA	Motor Vehicle Office Manager III, Ak Dept. of Public Safety	
	3-63	McCarthy, Jr.	Mr. Philip	1921 Waldron Drive	Anchorage AK	99507	907-562-5735	NA	VISTA Volunteer, Paralegal, Bootheel Legal Aid, Coruthersville, MI.	
	3-64	McCaughan	Mr. William	11300 Hideaway Trail	Anchorage AK	99516	907-346-2065	907-786-1121	Dean, Community Development and Non-Credit Education, UAA	
	65	McGregor	Mr. Grant	3805 East 5th, Apt.3	Tucson AZ	85716	602-326-8857	602-621-1413	Lawyer	
	66	McKay	Mr. Scott	P.O. Box 4106	Soldotna AK	99669	907-262-7893	NA	Operations Superintendent/Field Supt., Frontier Companies of AK, Prudhoe	
	67	McNulty	Mr. Allen	2900 Boniface Pkwy. #100	Anchorage AK	99504	907-333-6575	907-745-5509	Sales, Distribution and Merchandising Director for Alaska Potatoe Chip Inc.	
	3-68	Meidinger	Ms. Judy	2711 Valley Forge Circle	Anchorage AK	99502	907-248-0699	NA	President, Counselors, Inc.	
	withdrew - 69	Mentete	Ms. Peggy	324 East Cook	Anchorage AK	99501	907-274-9907	NA	Lawyer	
	✓ 1-70	Mills	Mr. Michael	8221 Rovenna Street	Anchorage AK	99518	907-349-6762	907-343-4461	Ombudsman, Municipality of Anchorage	
	71	Moffat	Mr. David	7820 44th Avenue West	Mukilteo WA	98275	206-347-3423	NA	Director, Non Profit - Senior Services of Snohomish County	
	3-72	Montgomery	Ms. Pamela	1810 Patterson Court	Anchorage AK	99504	907-338-1379	907-274-1684	CASA Program Director/Guardian Ad Litem, Office of Public Advocacy	
	2-73	Murphy	Ms. Laurel Anne	4014 Reka Drive, H-6	Anchorage AK	99508	907-337-7450	NA	Deputy Director/Acting Director, Dept. of Natural Resources, Div. of Mining	
	3-74	Nadeau	Ms. Rosalie	13220 Mountain Place	Anchorage AK	99516	907-345-5569	NA	Executive Director, CRISIS, Inc.	
	75	Nebesky	Mr. William	P.O. Box 203143	Anchorage AK	99520	NA	907-562-2161	Economic Consultant, DBA Nebesky Assoc.	
	76	Ness	Ms. Susan	1661 Elcadore Drive #3	Anchorage AK	99507	907-349-8017	907-278-4617	Regional Director, Better Business Bureau of AK, Fairbanks	
	77	Nibeck	Mr. Stuart	6920 Gemini	Anchorage AK	99504	907-333-5039	907-552-5202	Director, Logistics Plans, Lt. Colonel, Alaskan Air Command	
	78	Northcott	Mr. John	P.O. Box 873189	Wasilla AK	99687	907-376-8836	NA	User Analyst contracting to Setpoint AK	
	79	Oliver	Mr. Lowell	P.O. Box 3081	Palmer AK	99645	907-745-1761	NA	Adjunct Lecturer Fundamentals of A/C Electronics & Lab. Anch. Community College	
	80	Parberry	Ms. Sharon	10931 Polar Drive	Anchorage AK	99516	907-349-8738	NA	Manager, General Manager & Administrative Controller, The Health Corporation	
	3-81	Pastorino	Mr. Raymond	P.O. Box 868	Douglas AK	99824	907-364-2277	907-586-6544	Counselor & Director of the Mediation Center & Instr. for monthly workshops UASE	
	3-82	Patrick-Riley	Ms. Colleen	1259 Vixen Way	Fairbanks AK	99712	907-457-3351	907-456-4729	Executive Director, Fairbanks Counseling and Adoption	
	83	Pauli	Mr. John	2320 Paxson Drive	Anchorage AK	99504	907-333-5686	NA	?	
	2-84	Pax	Mr. Florencia	3845 Kelrose St	Juneau AK	99801	907-789-4143	907-465-2343	Revenue Auditor IV as Appeals Officer, Audit Division, AK Dept. of Revenue	
	5-85	Penning	Ms. Roberta	P.O. Box 5083	Ketchikan AK	99901	907-225-0863	NA	CFS Clerk, U.S. Post Office	
	86	Peters	Mr. Daniel	3640 W Dimond #10	Anchorage AK	99515	NA	NA	Pilot/Marketing, Kenai Air Alaska	
	87	Petracek	Mr. Michael	323 6th Avenue	Fairbanks AK	99701	907-456-6592	907-488-4049	Construction Foreman, Prudhoe Bay	
	88	Phifer	Mr. William	4830 Sportsman Drive	Anchorage AK	99502	907-243-0433	NA	President, Metal Masters Incorporated	
	3-89	Pitts	Mr. F. Harvey	1724 Rosemary Street	Anchorage AK	99508	907-277-9678	NA	Retired & Partime Instructor of Psychology at the New University of AK	
	90	Renner	Mr. Roger	7001 Hunt Avenue	Anchorage AK	99504	907-333-5654	907-561-0012	Co-Owner & President, AK Kitchen Distributors, Inc.	
	91	Reynolds	Mr. Thomas	Post Office Box 190563	Anchorage AK	99519	907-248-6443	907-274-8243	General Manager, Mempro, Inc.	

92	Rion	Ms. Carol	NA	Anchorage AK 99503	907-277-6777	907-343-4656	Community Relations Manager, Public Utility Affairs Dept.	50
93	Rosen	Mr. Philip	3211 Providence Drive	Anchorage AK 99508	NA	907-786-4779	Director, Continuing Education, University of AK	60
94	Russel	Mr. James	221 East 7th Avenue	Anchorage AK 99501	907-272-7072	NA	Life Insurance Sales, Mutual Life Insurance Co. of New York	14
3-95	Sanwick	Mr. James	10209 Heron Way	Juneau AK 99801	907-789-7933	907-465-4839	Adjunct Faculty, University of Alaska, Southeast, School of Bus. & Public Admin.	107
96	Sepel	Mr. Jim	10901 Mendenhall Loop Road	Juneau AK 99801	907-789-5220	907-586-7234	Commander, U.S. Coast Guard	70
97	Sivertsen, Jr.	Mr. John	318 G Street, Suite 213	Anchorage AK 99501	NA	907-274-2885	Private Practice, Lawyer	4
98	Sloane	Ms. Lin	3945 Geneva Place	Anchorage AK 99508	907-563-0627	NA	Leasing Manager, Hickel Investment Company	42
3-99	Stocum	Mr. James	226 St. Ann's Avenue	Douglas AK 99824	907-364-2217	907-465-3795	Fiscal Analyst, Legislative Finance Division	1
5-100	Smith	Mr. David	6416 Kingman Trail	Tallahassee FL 32308	904-693-4219	907-487-2740	Senior Staff Attorney, Florida Public Service Commission	120
3-101	Springer	Mr. Carl	725 Bentley Drive West	Fairbanks AK 99701	907-451-6472	907-456-2015	Motor Vehicles Office Manager II, Dept. of Public Safety	54
102	Staser, P.E.	Mr. John	8410 Fox Lair Circle	Anchorage AK 99507	907-344-2293	NA	Project Engineer, Capt., U. S. Army Corps of Engineers	83
103	Stein	Mr. William	220C Glacier Street, #108	Anchorage AK 99508	907-338-7093	907-552-2612	Mechanical Planner/Estimator	73
3-104	Stiassny	Ms. Sharon	3437 Rosella Street	Anchorage AK 99516	907-338-7026	NA	Director, Dillingham Native Village Council	53
105	Stouffer	Mr. James	S.R. #3, Box 7830	Chugiak AK 99567	907-688-2040	907-343-4393	Senior Auditor, Municipality of Anchorage	94
106	Stringer	Mr. David	3035 Seawind Drive	Anchorage AK 99516	907-345-5671	907-264-5560	Vice President/Manager, First Interstate Bank of AK	51
5-107	Strom	Ms. Lynda	18859 SE 269th	Kent WA 98042	206-631-8866	NA	Care Plus Emergency Centre - Des Moines, WA	49
108	Svec	Mr. Joseph	132 North Lane	Anchorage AK 99508	907-337-5918	NA	Store Manager/Operations Manager, Photo Express Image Centers	20
109	Swanson	Mr. Robert	P.O. Box 82002	Fairbanks AK 99708	907-488-1454	NA	Assistant Manager, Denny's of Alaska #4	10
110	Swanson	Mr. Joseph	2532 Foraker Drive	Anchorage AK 99517	NA	907-243-3257	Director, Division of Measurement Standards, Dept. of Commerce, State of AK	2
111	Thomas	Mr. Joe	540 Calhoun #6	Juneau AK 99801	907-586-4068	NA	Mail Clerk, Office of the Governor & Seasonal Commercial Fishing	39
112	Thompson	Ms. Bonnie	P.O. Box 110-282	Anchorage AK 99511	907-345-4793	NA	Volunteer arbitrator with Better Business Bureau	107
113	Thornton	Mr. Robert	P.O. Box 10-2092	Anchorage AK 99510	907-248-4281	NA	Labor Relations Specialist & Supervisory Business Agent, Teamsters	32
114	Towner	Mr. Earl	5149 Sillary Circle	Anchorage AK 99508	907-337-6583	NA	Chaplain, U.S. Army	91
*115	Van Diest	Ms. Laura	P.O. Box 331	Sutton AK 99674	907-745-0534	NA	Office Manager, Mat-Su Anesthesia Associates, Inc.	97
116	Varner	Mr. Stuart	P.O. Box 56655	North Pole AK 99705	907-488-1884	NA	Salesperson for Pay n Pak	125
117	Vickaryous	Mr. Clarence	349 Pauline Street	Anchorage AK 99504	907-337-6005	NA	AF HQ AAC, DCS Engineering Services, Elmendorf	122
5-118	Ward	Mr. Forrest	733 SW 27th Street	Gainesville FL 32607	904-372-8711	NA	1st Lieutenant, United States Marine Corps	15
119	Weinstein	Mr. William	812 Wild Rose Court	Anchorage AK 99518	907-344-7859	907-271-4692	Realty Specialist, U.S. Government, Dept. of H.U.D.	5
120	Wessels	Mr. Robert	3105 Lakeshore Drive #303A	Anchorage AK 99517	907-243-7255	NA	Associate Engineer, Transmission & Distribution Line Design, AEL&P	44
5-121	Whah	Mr. Andrew	9408 West Parkview Terrace	Eagle River AK 99577	NA	907-276-0903	President, Land Tax Service	119
122	Williams	Mr. Joseph	6741 E. 10th Avenue	Anchorage AK 99504	907-337-7209	NA	Marketing Director, Alaska Native Magazine	13
123	Woods	Mr. Roger	7500 Blackberry Street	Anchorage AK 99502	907-243-5833	NA	General Contractor	80
5-124	Yerrick	Mr. Donald	P.O. Box 210722	Auke Bay AK 99821	907-789-2823	907-586-3740	Advertising Sales Rep., Juneau Empire	55
125	Zajac	Mr. Anthony	5247 D. Broadway	Eielson AFB AK 99702	907-372-4153	907-377-4361	Community Planner	63

5- \* Tretinik

#1 = PREVIOUS OMBUDSMAN EXPERIENCE  
 #2 }  
 #3 } ...  
 #4 } DEENDING ORDER OF EXPERIENCE & QUALIFICATIONS  
 #5 = DO NOT MEET RESIDENCY REQUIREMENT

MEETING

MINUTES

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILES 8672

1530 SCOMM 56: OMBUDSMAN SELECTION COMMITTEE, 1986-1987

255

MINUTES  
OMBUDSMAN SELECTION COMMITTEE  
November 11, 1987

MEMBERS PRESENT:

Senator Abood  
Senator Jones  
Senator Josephson  
Representative Pourchot  
Representative Phillips

MEMBERS PRESENT BY TELECONFERENCE:

Representative Sund

MEMBERS ABSENT:

None

SUBJECT:

Selection of the State Ombudsman

Senator Abood called the meeting to order at 9:00 a.m. and noted that Co-Chair Senator Abood, Senator Josephson, Senator Jones, Co-Chair Representative Pourchot, and Representative Phillips were present. Representative Sund would be participating by teleconference during the Executive Session from Ketchikan.

Senator Abood reviewed the agenda for the meeting, explaining that the Ombudsman Selection Committee would be adjourning to Executive Session at 9:15 a.m. for the purpose of conducting interviews. The Open Meeting Statutes and Uniform Rules were read, as well as an opinion from the Attorney General stating that the nature of the Committee meeting would be such that information is confidential and could be damaging to a person's character, therefore an Executive Session should be called.

For the record, Senator Abood explained the process which the Committee followed for selecting and narrowing down applicants for the State Ombudsman position. Ads were placed in statewide newspapers to give notice of the position. Applications totalling 125 were received and reviewed by Co-Chair Pourchot and Co-Chair Abood. In order to expedite the selection process, Representative Pourchot and Senator Abood made eliminations, narrowing the

applicants down to 22, based on each applicant's qualifications and discussed these eliminations with the members of the committee by mail and phone.

Senator Abood explained that by statute three qualifications must be met: 1.) Applicant must be 21 years of age, 2.) applicant must be a voter in Alaska, and 3.) applicant must have lived in Alaska three years.

The meeting was adjourned to Executive Session at 9:15 a.m.

The meeting was reconvened at 1:30 p.m.

Senator Josephson moved that the name of Duncan Fowler be placed in nomination.

Representative Phillips moved that nominations be closed.

There were no objections.

Senator Abood took a roll call vote for the nomination of Duncan Fowler with Senator Josephson voting yes, Senator Jones voting yes, Senator Abood voting yes, Representative Pourchot voting yes, Representative Phillips voting yes, and Representative Sund voting yes.

The meeting was adjourned at 1:40 p.m.

OMBUDSMAN SELECTION COMMITTEE MEETING

AGENDA

November 11, 1987

- 9:00 AM - Ombudsman Selection Committee Meeting will convene in the 5th floor conference room. 3111 C Street.
- 9:15 AM - Selection Committee will adjourn to Executive Session for the purpose of conducting interviews.
- 12:00 PM - Selection Committee will reconvene to discuss appointment of the Ombudsman and announce their selection.

Adjournment will follow announcement of the Committee's selection.

OMBUDSMAN SELECTION COMMITTEE  
Interview Schedule

9:00 a.m. - Selection Committee meets

Interviews

9:30 a.m. - Wayne Mabry

10:00 a.m. - Bruce Aronson

10:30 a.m. - Stuart Hall

11:00 a.m. - Duncan Fowler

11:30 a.m. - Glen Glenzer

12:00 noon - Selection Committee meets

QUESTIONS FOR OMBUDSMAN INTERVIEW

1. In your own view, what qualities do you possess that qualify you as the best candidate for the State Ombudsman?
2. In your opinion, do you feel that the Ombudsman's office should be maintained as an unbiased, non-partisan office? Please explain your answer.

OMBUDSMAN SELECTION COMMITTEE CHOICES

ABOOD	Wayne Mabry Glen Glenzer Roger Graves Bruce Aronson Duncan Fowler	JONES	Wayne Maybry David Stringer Glen Glenzer Joe Swanson Roger Graves
POURCHOT	Duncan Fowler Bob Arnold Bruce Aronson Laurel Murphy Stuart Hall	PHILLIPS	Stuart Hall Pat Conheady Wayne Mabry Glen Glenzer Duncan Fowler
SUND	Pat Conheady Stuart Hall Michael Mills Duncan Fowler Bruce Aronson	JOSEPHSON	Bruce Aronson Bob Arnold Duncan Fowler Patrick Conheady Stuart Hall

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CANDIDATES TO BE INTERVIEWED BY SELECTION COMMITTEE

FOWLER, DUNCAN	-	Abood/Pourchot/Josephson/Phillips/Sund	(5)
ARONSON, BRUCE	-	Abood/Pourchot/Josephson/Sund	(4)
HALL, STUART	-	Pourchot/Josephson/Phillips/Sund	(4)
CONHEADY, PAT	-	Josephson/Phillips/Sund	(3)
GLENZER, GLEN	-	Abood/Phillips/Jones	(3)
MABRY, WAYNE	-	Abood/Phillips/Jones	(3)

RUNNERS-UP

ARNOLD, BOB	-	Pourchot/Josephson	(2)
GRAVES, ROGER	-	Abood/Jones	(2)
MILLS, MICHAEL	-	Sund	(1)
MURPHY, LAUREL	-	Pourchot	(1)
STRINGER, DAVID	-	Jones	(1)
SWANSON, JOE	-	Jones	(1)

OMBUDSMAN FACT SHEET

<u>BUDGET</u>	<u>FY 86 Actual</u>	<u>FY 87 Revised</u>	<u>FY 88 CC</u>
	\$1.597 million*	\$ 725.6 30.0**	\$ 541.0 20.0**
Totals	<u>\$1.597 million</u>	<u>\$ 755.6</u>	<u>\$ 561.0</u>

\* \$1.612 FY 86 Authorized

\*\* City and Borough of Juneau Contracts

<u>POSITIONS</u>	<u>FY 86</u>	<u>FY 87</u>	<u>FY 88</u>
Juneau			
Ombudsman	1	-	-
Acting Ombudsman		-	1
Special Assist.	1	-	-
Admin. Officer/ Investigator	1	1	-
Regional Supervisor	1	-	-
Investigators	4	2	2
Support Staff	2	1	1
<u>Juneau Total</u>	(10)	(4)	(4)
Anchorage			
Acting Ombudsman	-	1	-
Deputy Ombudsman	-	1	1
Regional Supervisor	1	-	-
Investigators	6	3	3
Support Staff	1.5	1.5	1
<u>Anchorage Total</u>	(8.5)	(6.5)	(5)
Fairbanks			
Regional Supervisor	1	-	-
Investigators	4	2	-
Support Staff	1	-	-
<u>Fairbanks Total</u>	(6)	(2)	(0)
<u>Statewide Total</u>	<u>24.5</u>	<u>12.5</u>	<u>9</u>

COMPLAINTS

Jurisdictional/ Nonjurisdictional	4320	3937	3602 (est.)
Productivity/ Investigator	309	532	720 (est.)

SALARY

\$5209/mo. plus benefits (Equal to Step A, Range 26)

MOVING EXPENSES

Same regulations apply as for Legislators moving expenses.  
[expenses not to exceed cost of moving up to 10,000 lbs by commercial carrier; per diem (standard per diem for employee, 1/2 for spouse and \$18/child) not to exceed 15 days; in-transit storage up to 30 days and in-transit insurance up to \$1.25/lb.] Money comes from Ombudsman's budget.

NEWS

ARTICLES

## Group to pick ombudsman

The Associated Press

Lawmakers are to meet Wednesday to select a new state ombudsman from a half-dozen semi-finalists.

Sen. Mitch Abood, R-Anchorage, is co-chairman of the six-member legislative committee that has been working since late May to find a successor to Acting Ombudsman Rob Walton. Investigator Bruce Aronson was appointed ombudsman last summer on an interim basis.

"We ran an ad for the job in Alaska papers and got 125 applicants," Abood said Monday. "We went through an initial screening and brought the list down to 20. Then we took those 20 and narrowed it to six."

The semi-finalists:

- Aronson, the acting ombudsman;

- Duncan Fowler, of Juneau, a former regional ombudsman;

- Stuart Hall, an Anchorage attorney;

- Pat Conheady, a Juneau lawyer;

- Glen Glenzer, a deputy commissioner with the Department of Transportation and Public Facilities in Fairbanks, and

- Wayne Mabry, another former ombudsman.

Budget cuts have reduced the size of the staff from 24 to nine. Investigators now work in Juneau and Anchorage. The Fairbanks office was closed June 30.

The job pays \$62,508 a year, officials said.

# Ombudsman a public service

**T**he idea of the municipality contracting with the state ombudsman's office initially wasn't a particularly popular one with us. At the outset, it just seemed that assembly members were inserting another layer of insulation between them and the public whenever complaints about the municipal administration arose. With an ombudsman, the assembly members could shunt any public concerns or complaints to that office instead of dealing with them directly.

Considering the way the ombudsman office has operated, however, those concerns have been shown to be unfounded. In fact, it can be successfully argued that the existence of the ombudsman to field complaints has improved the operation of the local government and the way it serves the public. A prime example is the complaint about the new airport manager's personal effects being moved to Juneau at Alaska Airlines' expense. The complaint was investigated, all the facts were gathered and a report, complete with responses, was issued. Overall, it was a professional, thorough and, most of all, fair way to handle the case.

Without an ombudsman, who knows what would have transpired? Juneau's supercharged rumor mill probably would have kicked into high gear and by the time anything was done about it, the entire municipality would have faced a major crisis that would have taken months to recover from. Or, worse yet, nothing would have been done, and the entire matter would have been swept under the carpet. Either way, the public certainly would not have been served.

The state's experience with an ombudsman has been highly successful. That office now has a competent, professional staff that knows how to work with the state government to assure that the public continues to be well-served. The municipality's idea of contracting with that office for that service on the local level was a master stroke. For the \$30,000 cost of the contract, the municipality is receiving a top-flight service that would have cost much more had it independently hired an ombudsman.

There are arguments for and against governments having an ombudsman. The most obvious arguments against an ombudsman are it costs money, and it removes the pressure from elected officials to act on citizen complaints. But those arguments are far outweighed by the benefits to the public of having a responsive, professional and competent citizens' representative who can effectively deal with the bureaucracy to make sure it works as it should.

Any way you look at it, that is a worthwhile service for the citizens of Alaska and Juneau.

**TUESDAY**

April 22, 1986

# Ombudsman

By CHUCK KLEESCHULTE

THE JUNEAU EMPIRE

A panel looking for a new state ombudsman decided to delete a requirement that the person be based in Anchorage.

An aide to Sen. Mitch Abood, R-Anchorage, chairman of the selection committee, confirmed this morning that the panel will change its ruling which had said the selected applicant must have to direct the complaint agency from Anchorage.

That decision was made Monday afternoon after several lawmakers complained about the Anchorage requirement, said Darla Schnell, aide to Abood. Legislators were concerned that the regulation limited applicants to those who live in Southcentral and thus could harm the quality of the applicant pool, she said.

Juneau Sen. Jim Duncan, a Democrat, last week called all six members of the panel object to any conditions that would disadvantage applicants from outside of Anchorage from applying for the \$62,500-a-year job.

Duncan also consulted legislative affairs secretary Tamara Brandt Cook asking for an opinion on the legality of the requirement. In an opinion

thing was missing, he said. "They pretty much went through the hole building," Geiston said. He said while files had been rifled, there appeared to be little physical damage to equipment and furniture.

\*\*\*\*\*

**Searchers looking for missing Dillingham family:** Officials at first today continued the search for Dillingham residents, including a 10-month old baby, missing on a beachcombing trip south of Dillingham.

Monte Olson, 33, and his wife, Susan, 28, took their baby, Brandon, to go beachcombing on Friday. The Alaska State Troopers said. Along with family friend Maurice Wentz, Dillingham's assistant justice.

They took out an 18-foot skiff, intending to return Friday evening, but the boat was last seen about 3 p.m., 40 miles south of Dillingham at Protection Point.

\*\*\*\*\*

**AHFC out of mortgage money:** The Alaska Housing Finance Corp. is running out of money to fund conventional home loans, and agency officials say it may be several weeks before more money is available.

Meanwhile, recent interest rate increases probably will mean more costly mortgages, said Margaret Olson, an AHFC spokeswoman. The agency's conventional mortgage rate of 9.125 percent is expected to increase to 10 percent for loans of \$1,000 or less. Larger loans will be slightly more expensive, depending on AHFC funding costs.

## Man charged w

By ED SCHOENFELD

THE JUNEAU EMPIRE

Juneau police Monday afternoon arrested an 18-year-old man and charged him with the Thursday armed robbery of a Mendenhall Valley gas station.

Graylen M. Franson was arrested at police headquarters about 4:30 p.m. Monday and charged with first-degree robbery, a Class A felony, and resisting arrest, a misdemeanor.

Franson had come to the building

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An

**Patrick M. Anderson**  
for Sealaska  
Board of Directors

# won't have to live in Anchorage

sued Monday morning Cook said state law allows the ombudsman to be headquartered anywhere the person chooses.

The opinion said the selection panel didn't have the authority to "actually control location."

"It was just a bad precedent. We in the legislature have never interfered in the day-to-day operations of the ombudsman's office and where the ombudsman is located is clearly an administrative decision that the agency's director should make," said Duncan Monday.

He said he wants the committee to have the opportunity to pick the best possible person to run the agency. "I suspect some really competent and highly qualified people who live in Juneau might not have applied if they knew they would have to try to sell their homes now and move to Anchorage if they were picked. Now that bias has been removed from the selection process," said Duncan.

As a practical matter the selection committee, which is composed of five legislators from Southcentral and one from Southeast, might still pick an Anchorage candidate for the post, he said. As long as the person is highly qualified that would be acceptable to him, he said.

"My concern was the precedent that it could have set, and that precedent has now been alleviated," said Duncan.

Abood still believes that the next ombudsman should live in Anchorage, said Schnell. Because of budget cuts that resulted in the closing of the Fairbanks office, eight of the agency's 13 employees live in Anchorage and the bulk of the complaints are studied by Anchorage workers, she said.

"He thinks the office should be directed out of Anchorage, but given the qualifications of the applicants he might not have any real strong objections to picking a Juneau person," said Schnell.

The six-member panel, led by Abood and Rep. Pat Pourchot, D-Anchorage, is seeking applicants to take a five-term as head of the agency that has the authority to investigate citizen complaints against the executive branch of government. The permanent ombudsman's position has been vacant for nearly two years since the state's second ombudsman, Jack Chenoweth, quit.

The deadline for applications is Oct. 10. The panel wants to pick a nominee by early November. That person will still need confirmation by the full legislature.

# th armed robbery of valley gas station

interviewed by police investigator Chief Mike Gelston. "He did fairly well" and it took several officers to subdue him, Gelston

Franson was jailed at the Lemon Correctional Center without a trial and was scheduled to appear in court this afternoon.

Franson is charged with armed robbery that took place shortly before 12:45 a.m. Thursday at Valley Chevron. Franson told police he had been

robbed by a man wearing a white ski mask and carrying a handgun that may have been a .22-caliber automatic, police reports said.

Police have not released the amount of money stolen. But they did say the gas station worker said the robber took a handful of \$10 and \$20 bills.

Franson has lived in Juneau most of his life and is currently unemployed, Gelston said.

Police are not looking for any other suspects in the case, he said.

"The investigation is probably about wound down. There appears to be no indication of other active participants in the incident, he said.



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# Lawmakers name Fowler ombudsman

The Associated Press

JUNEAU — Legislators have chosen Duncan Fowler, a former regional ombudsman, to head the state's trouble-shooting agency.

Fowler, 48, is director of parks and recreation for the Juneau City-Borough.

"The reason that he was chosen was because he's a program manager with 19 years of experience in rural and also urban state government (and) a long record of managing staff," said Sen. Mitch Abood, R-Anchorage. "He has a working knowledge of most agencies of the state government, and he's a listener."

Abood was co-chair of a six-member legislative committee that chose Fowler over five other finalists. They were interviewed Wednesday in Anchorage.

"It was very difficult for the committee to reach a decision. Any of the six finalists would have made a fine state ombudsman," Abood said.

Bruce Aronson, acting ombudsman and one of the finalists, will continue to direct the office until January, Abood said.

Fowler's appointment must be voted on during a joint session of the state House and

Senate, which is expected soon after the session starts Jan. 11, Abood said.

The other finalists were Anchorage attorney Stuart Hall; Juneau attorney Pat Conheady; former ombudsman Wayne Mabry; and Glen Glenzer, deputy commissioner with the Department of Transportation and Public Facilities in Fairbanks.

The committee received 125 applications for the job, Abood said. It pays \$62,508 a year. Lawmakers narrowed the field to 20, then to the six who were interviewed.

Fowler said he was thrilled to get the committee's "vote of confidence."

"I think ombudsman is a very important job for the citizens of the state," he said.

Fowler plans to keep the agency's headquarters in Juneau, where he was the regional ombudsman until taking the borough job 18 months ago.

Budget cuts have reduced the size of the ombudsman's staff from 24 to nine. Investigators work in Juneau and Anchorage. The Fairbanks office was closed June 30.

Fowler previously was a probation officer in Petersburg, Juneau and Anchorage, and was a state corrections planner.

# Ombudsman's office has proven its value to Alaskans

By JOHN B. CHENOWETH

Established in the legislative branch in 1975, the Office of the Ombudsman receives and investigates complaints about state agencies and, when appropriate, recommends corrective action or policy change. The act establishing the office defines its jurisdiction and the appropriate subjects for its investigations.

Inquiries and complaints come by phone, visit or letter to offices in Anchorage, Fairbanks or Juneau. Complaints and inquiries may be brought to the office's attention on an "800" number (1-800-478-4970). Field travel for investigation is a regular part of the office's schedule.

Who needs the ombudsman? The question is prompted by lawmakers' concerns about the state's operating budget. They perceive that the ombudsman's office duplicates constituent services their staffs could and should be doing; some are urging elimination of funding for the office.

Let me suggest why the office ought to be maintained.

The public has indicated that it wants an ombudsman. In the past fiscal year, more than 5,000 Alaskans contacted the office with complaints. The rural complaint rate



increased substantially. The 1-to-100 case-to-population ratio exceeds the complaint rate of any other ombudsman's office and reflects the confidence Alaskans have in the office as a place to take their problems.

Secondly, despite a long tradition of legislators undertaking constituent complaint-handling services, many legislators have endorsed continuing the ombudsman's office. One veteran legislator recently wrote to his colleagues, "... a lot of the casework that the Ombudsman does is done with greater efficiency and certainly greater expertise than could be performed by the Legislature acting through individual offices of legislators. A lot of the work would be performed by us on a redundant basis with temporary personnel lacking the requisite background, experience and skills to peruse constituent complaints in a

professional manner."

In addition:

- In contrast to the efforts undertaken by 60 legislators, the office's approach is uniformly administered; the Ombudsman's Act mandates a consistently neutral, impartial, and independent approach to its handling of citizens' complaints.

- The office concerns itself only with complaints: Its work does not conflict at any given time with a legislator's other duties and interests — fashioning and adopting legislation, overseeing state programs, and communicating with constituents.

- The office's efforts yield thorough and impartial investigations: Many agencies welcome the review this office provides, and citizens generally appreciate the "second look" at the actions and decisions of state agencies.

- The office can review, and, within limits prescribed by law, report information from sources made confidential by law, especially as to some fairly sensitive and potentially controversial programs and decisions.

Finally, the office's work supplements the legislative process. Its investigative reports and its annual

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**In the past fiscal year, more than 5,000 Alaskans contacted the office with complaints.**

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report can indicate matters deserving attention and correction by legislation. Just as the legislature's Legal Services Division annually reports on the legal effect of judicial decisions and opinions of the attorney general, and the legislative auditor regularly evaluates and reports on program performance, the ombudsman can relate information based on the office's investigations of complaints raising common problems.

The legislators who debated the establishment of an ombudsman's office for Alaska more than a decade ago did so at a time when the range of state programs and services was narrower and annual budgets were smaller, steadier, and more predictable. Even then, they saw the merit of the institution.

By any measure, their willingness

to establish and support the office has been justified. In the intervening decade, despite legislative staff increases, the public has looked to the office for information and service. The contention that the ombudsman's office should now be eliminated is a short-term expedient inconsistent with demonstrated public interest in the office, inconsiderate of the help the office can provide to the legislative process, and ill-advised if the Alaska Legislature is at all interested in the general improvement of state public administration.

The ombudsman's office should be kept. By accepting and processing complaints and conducting investigations, the office:

- Provides an effective system for redress of valid citizen grievances.

- Promotes accountability of government programs.

- Serves as an element of quality control by monitoring agency performance and by recommending changes in agency policies and procedures.

Who knows, maybe someday you'll need an ombudsman.

John B. Chenoweth is ombudsman for the State of Alaska.

REPORTS

ANNUAL

OMBUDSMAN

*Darley*



Office of the Ombudsman  
State of Alaska

Annual Report  
1985

Public Summary

*RANGE 28E*

## Introduction

To better meet the varying needs and interests of a diverse audience, the Fiscal Year 1985 Annual Report of the Alaska Office of the Ombudsman is presented in two volumes.

This volume, the "Public Summary," introduces and summarizes its larger companion. The summary provides the general reader basic information about the ombudsman's office and answers some typical questions:

- What does the office do?
- How does the office operate?
- What has the office accomplished?

It concludes by setting out how the public may best use the office's services.

The second volume, available from any of the ombudsman's business offices, provides a more detailed review of the office's principal activities. It:

- examines the various types of complaints which were filed with and investigated by the office;
- reports numerous case illustrations;
- discusses significant recommendations not accepted by agencies;
- provides a more comprehensive statistical overview of the office's activities for fiscal Year 1985;
- explains changes made in the office's caseload management practices;
- devotes a chapter to the public's perception and criticism of the office's work;
- reviews the office's activities during its first decade of service; and
- points to projects yet to be completed.

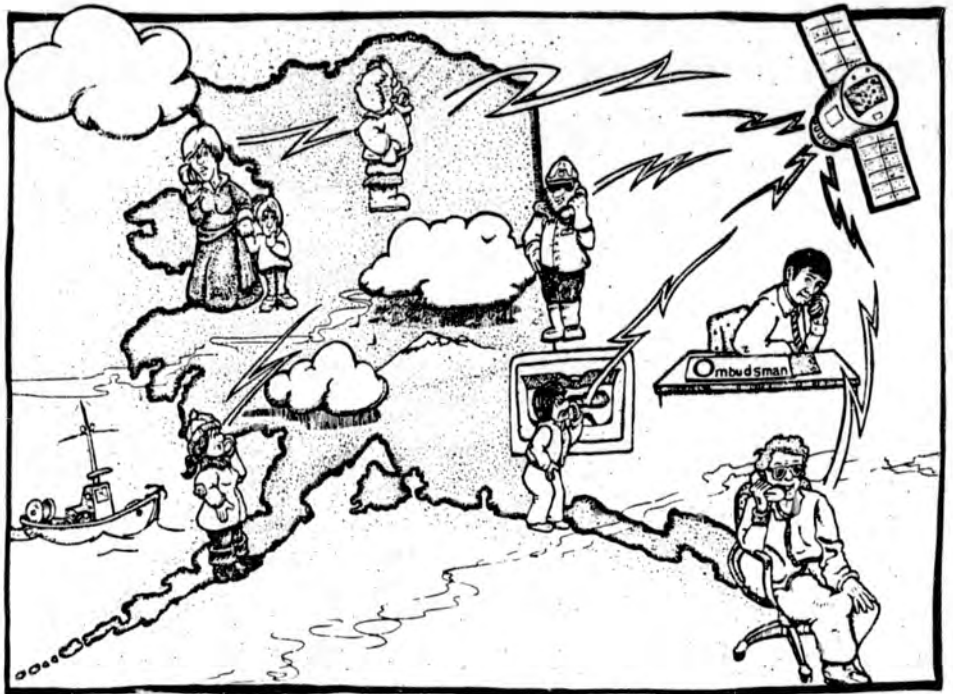
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## Operation of the Office

The Ombudsman Act authorizes Alaska's ombudsman to receive and investigate public complaints about the administrative acts of state agencies and to recommend corrective action. The ombudsman also may initiate investigations and may publicize findings and recommendations.

Additionally, as many members of the public make it a point of first contact, the ombudsman office provides information about government agencies and referrals to appropriate services and programs.



### Determining What Is To Be Investigated

By law, the ombudsman is authorized to investigate an agency's administrative act if he has reason to believe the act may be:

- contrary to law;
- unreasonable;
- unfair;
- oppressive;

- arbitrary;
- capricious;
- an abuse of the agency's discretion;
- unnecessarily discriminatory;
- based on a mistake of fact;
- based on improper grounds;
- based on irrelevant grounds;
- entirely without a legal basis;
- unsupported by an adequate statement of reasons;
- performed inefficiently;
- performed discourteously; or
- otherwise erroneous.

Statute and regulations also describe complaints which the ombudsman may not investigate. Since the law specifies that the office may consider only complaints involving the acts of state agencies, the office does not have authority to investigate:

- the action or decision of a federal agency;
- complaints against local governments, unless the local government has subjected itself to the ombudsman's jurisdiction; and
- complaints which only involve private parties.

The Ombudsman Act also excludes from the ombudsman's jurisdiction complaints against the following officials:

- an elected official (i.e., the governor, the lieutenant governor, a legislator);
- a justice, judge or magistrate; and
- an elected member of the school board of a regional educational attendance area.

In addition, by statute and regulation, the ombudsman may not investigate:

- complaints for which there is an adequate alternative remedy;
- complaints for which the complainant has had knowledge for more than one year;
- complaints where insufficient personal interest on the part of the complainant is indicated;
- trivial complaints;
- complaints presented in bad faith;
- complaints for which the complainant has also filed for administrative or judicial relief;
- complaints which can be handled as grievances under a collective bargaining agreement;
- complaints for which the complainant does not deal candidly with the agency complained against or with the office; and
- complaints for which the resources of the office are insufficient for adequate investigation.

## **Types of Complaints Handled by the Office**

Complaints handled by the office may be categorized into two general fields of inquiry. One group of complaints focuses on the procedures underlying an agency's action or decision, while a second challenges the effect or result of an agency's action or decision.

Complaints about an agency's procedures typically involve one of five topical areas. Many simply involve a complainant's confusion about an agency's procedures. Others allege delay in action by an agency. Still others focus on the issue of access to information: They may allege that an agency has refused to provide public information, that it has released confidential information, or that it has provided misleading or inaccurate information. A fourth type of complaint of a procedural nature centers on the matter of due process. These complaints typically raise questions about the right to a hearing, adequate notice for a hearing, the fairness of a hearing, or the reasons behind decisions made in a hearing. Finally, some complaints allege that an agency has failed to follow procedures required by statute, regulation, or its own procedural guidelines.

Complaints challenging the effect or result of an agency's action or decision generally concern one of six areas. First, some complainants allege they have been harmed because an agency has acted on the basis of inadequate operating guidelines. Others complain of unfair or inequitable treatment by a state agency. Third, a large number of complaints come from residents of state institutions—jails, Pioneers' Homes, mental health and residential care facilities, and youth facilities—who contend that their rights have been violated or that they have been treated poorly. A fourth type of complaint comes from persons not residing in institutions who claim infringement on their personal rights. This type of complaint typically includes expressions of concern about individual rights, the right to privacy, the right to participate in the political process, or the protection of property rights.

A fifth area of complaint focuses on government decision-making. In this type of complaint, the complainant challenges the outcome or result of the decision-making process. Often, as part of the complaint, the complainant alleges abuse of discretion by a government official. Finally, there are complaints which raise serious questions about accountability in government. These complaints include such matters as governmental contracting, bidding, or purchasing practices; conflict of interest; discourteous or rude behavior or personal misconduct by a government official or employee; governmental waste or inefficiency; or improper or inadequate enforcement of law.

## **Filing a Complaint**

The ombudsman's office maintains business offices in Anchorage, Fairbanks, and Juneau. The office accepts and acts on inquiries it receives by phone, visit, or letter. There are no forms to fill out and no fees charged.

Inquiries fall into two broad categories, requests for information and filed complaints. If the person contacting the office does not have a complaint but simply requests information, staff will provide the information. When appropriate, staff refer the person to the proper authority. Every effort is made to provide prompt and accurate information and referral, whether or not the inquiry concerns a state agency.

Complainants must identify themselves. This helps assure that the complaint is being filed responsibly and provides a means of future contact. All information, as well as the identities of complainants or witnesses, is kept confidential unless disclosure is necessary for the completion of an investigation

or for the support of recommendations. Complaints alleging misconduct by state employees must be specific and in writing. Staff will assist any complainant who has difficulty putting his or her complaint in writing.



Ombudsman staff first review a complaint for jurisdiction. If the complaint is clearly outside the ombudsman's jurisdiction, staff will inform the complainant within 15 days after receiving the complaint and, when appropriate, refer the complainant. If the complaint is declined for any other reason, staff will inform the complainant within 15 days and give reasons for the action. If the complaint is clearly within the ombudsman's jurisdiction, staff will ask the complainant what has been done to rectify the problem. The office encourages attempts to resolve the problem through existing agency grievance procedures. Staff will often suggest a specific officer or employee of a state agency for the complainant to contact.

Not all complaints warrant a formal investigation. Many may be resolved informally. Typically, informal efforts involve the attention and cooperation of line personnel or field officers of various agencies. Because these people can frequently resolve problems or give an adequate description of the situation, the complaint is not often brought to the attention of the program manager, division, director, or agency commissioner. For example, complaints of unreasonable delay—in the payment of vouchers for contract services, consideration of appeals, determination of benefits, or award of loans—lend themselves to informal resolution. On the other hand, when an agency's decisions or actions are fully defensible, informal resolution involves a brief explanation to the complainant of the reason or reasons for those decisions or actions.

Informal resolution of a complaint is termed an "assist." Generally, an assist is intended to secure a result specific to the complainant. Communication is nearly always by phone or face-to-face with agency personnel. The aim is to secure a result without determining fault. No formal report is prepared and, typically, except for notations into the office's computer caseload management system, no written or documentary record of the complaint is prepared.

### **Informal Resolution of Complaints**

## Conducting an Investigation

If a complaint cannot be adequately addressed informally, it is fully investigated. Investigation usually involves a review of relevant documents, informal interviews with employees responsible for the action or decision in question, and research into applicable statutes, regulations, agency guidelines, and precedents applicable to the administrative act. An investigation may be extended, however, to include private hearings, the taking of statements under oath, and the inspections of premises.

An investigation may consider issues beyond the specific grievance presented by the complainant. It may examine one or more related policy issues that affect a number of people, or it may consider whether the complainant and others were significantly harmed or put at a disadvantage because of an agency's policy.

A fully investigated complaint concludes with a report of finding or opinion and may include corrective recommendations. An investigation is concluded with one of four possible findings:

- "unsupported" if the evidence does not support an allegation against an agency;
- "justified" or "partially justified" if there is sufficient evidence to support a finding that an agency has erred; or
- "indeterminate" if there is insufficient evidence on which to make a determination.

When an investigation is completed, the ombudsman submits a preliminary report to the agency involved. If the finding is critical of the agency's performance, the agency is given an opportunity to respond.

After considering the response, if any, the ombudsman issues a formal finding and may submit recommendations to the agency. When this exchange is complete, the ombudsman notifies the complainant of actions taken.

If an agency rejects the ombudsman's recommendations, the ombudsman may present his opinion and recommendations to the governor, the legislature, a grand jury, or the public. In doing so, he must include any reply an agency makes to his opinion and recommendations.

Even if the agency accepts the ombudsman's recommendations, the office's involvement may not end. Commitment to regular followup of accepted recommendations is an integral part of the office's investigative process. On a regular basis—generally three to six months after closing an investigation—office staff recontact agencies to assess the degree to which recommendations have been implemented.

## Office Activities

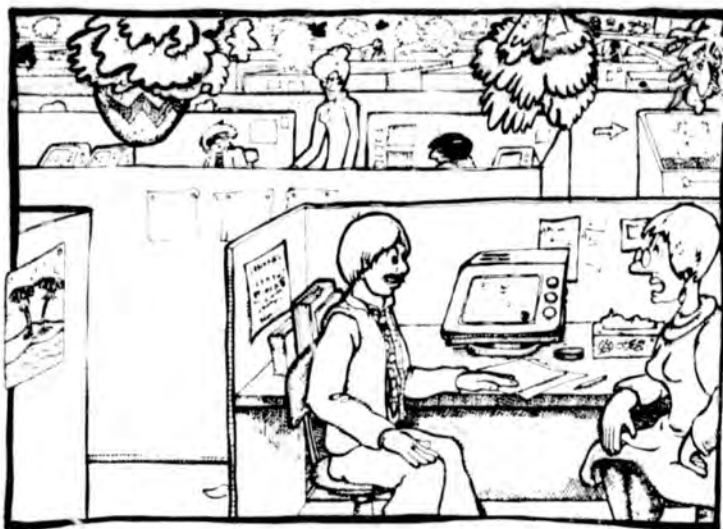
Public contacts with each of the ombudsman's three business offices continued at a brisk pace during Fiscal Year 1985. There were 4,138 contacts in which individuals requested information, an increase of 15 percent over the previous fiscal year. In addition, the number of complaints filed rose to 5,433, an increase of nearly 11 percent over the previous fiscal year.

The continuing high demand for the office's services has shifted the manner in which the office conducts its business.

First, as the complaint load has increased, the office has been more selective in accepting complaints for processing. Consistent with the Ombudsman Act, the office frequently refers complainants to appropriate available remedies, both within and outside state government, for resolution of their problems.

Second, office practice has been to emphasize informal resolution of complainant grievances rather than formal investigation of complaints. Of the total number of complaints closed during the fiscal year, one in four were closed as "assists." The emphasis on informal resolution rather than formal investigation reduced the number of fully investigated complaints to 281, an 11 percent drop from the previous fiscal year.

Third, with fewer complaints concluded as investigations, there was a greater premium on assuring agency implementation on recommendations which the agencies have accepted. Followup confirmed that agencies generally met their promises: In about 90 percent of the cases involving followup activity, the ombudsman assistant reviewing the agency's actions determined the agency had satisfactorily implemented recommendations.



Examination of complaints filed against the various state departments during FY 85 reveals several trends:

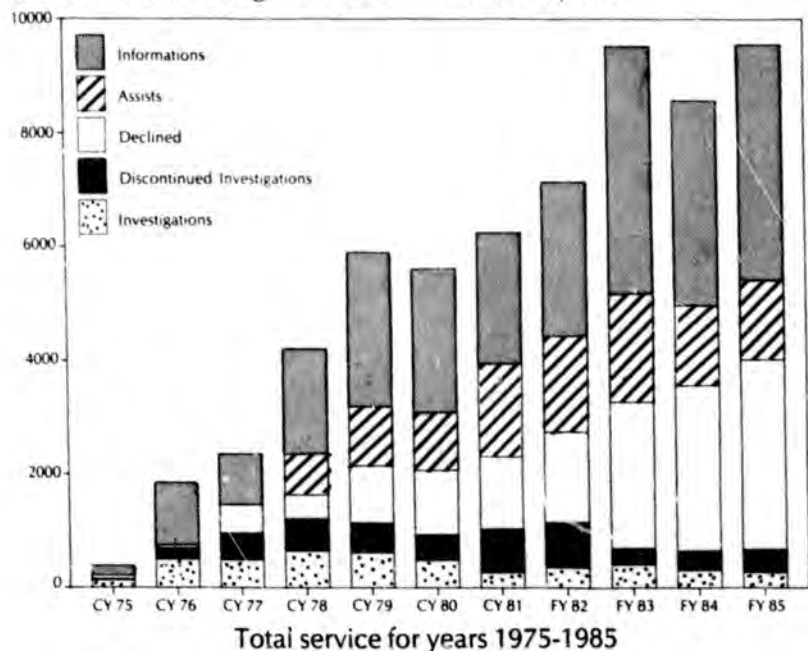
- After a three-year period of sharp increases, there was a leveling of complaints filed against the Department of Corrections. There was also a reduction by half in the number of complaints against the department that were concluded as full investigations.

- There were significant decreases in the number of complaints filed against two programs with substantial public interest—the state's public assistance programs and the permanent fund dividend program.
- There was a substantial increase in the number of complaints filed regarding delay and denial of student loans and unemployment benefits.
- There was a growing number of complaints against state agencies and corporations responsible for providing housing services (i.e., Alaska State Housing Authority, Alaska Housing Finance Corporation, and the Division of Housing Assistance of the Department of Community and Regional Affairs).
- There was a notable increase in the number of complaints involving agencies with discretionary powers, including, especially, complaints filed against the Alaska State Troopers and the Division of Family and Youth Services.

Finally, distribution of the complaints closed during the fiscal year confirms wider public demand for the office's services. The number of closed complaints from several of the rural areas increased dramatically. Complaints from the northwest portion of the state—from the North Slope, Kobuk, and Nome areas—increased by 133 percent. Similarly, complaints from the Interior increased by almost 83 percent, while those from Southwest increased by almost 55 percent.

### Years 1975 through 1985

Through its first decade of operation, the Office of the Ombudsman generally has served a growing number of people each year. That growth is demonstrated in the following graph, which illustrates the office's total efforts from Calendar Year 1975 through Fiscal Year 1985. (Until 1982 office statistics were reported by calendar year and thereafter were reported by fiscal year.) The graph shows the total number of requests for information plus the number of complaints closed as declined, as assists, as discontinued investigations, and as full investigations for each of the ten years.



# **CORRECTION**

**THIS DOCUMENT  
HAS BEEN REPHOTOGRAPHED  
TO ASSURE LEGIBILITY**

## Office Activities

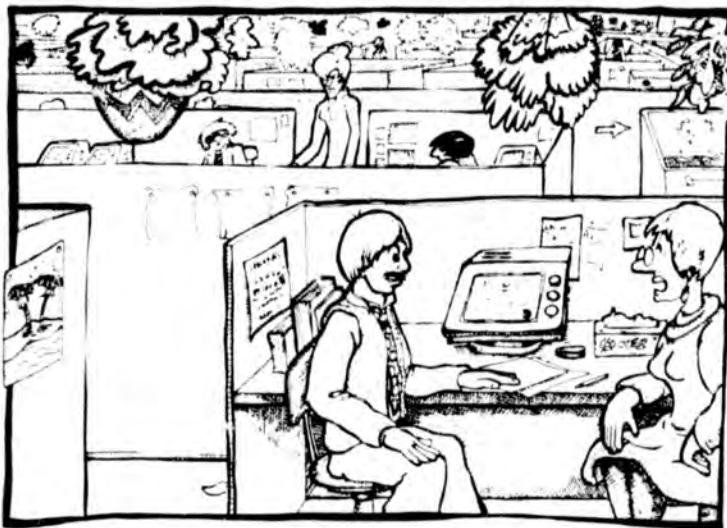
Public contacts with each of the ombudsman's three business offices continued at a brisk pace during Fiscal Year 1985. There were 4,138 contacts in which individuals requested information, an increase of 15 percent over the previous fiscal year. In addition, the number of complaints filed rose to 5,433, an increase of nearly 11 percent over the previous fiscal year.

The continuing high demand for the office's services has shifted the manner in which the office conducts its business.

First, as the complaint load has increased, the office has been more selective in accepting complaints for processing. Consistent with the Ombudsman Act, the office frequently refers complainants to appropriate available remedies, both within and outside state government, for resolution of their problems.

Second, office practice has been to emphasize informal resolution of complainant grievances rather than formal investigation of complaints. Of the total number of complaints closed during the fiscal year, one in four were closed as "assists." The emphasis on informal resolution rather than formal investigation reduced the number of fully investigated complaints to 281, an 11 percent drop from the previous fiscal year.

Third, with fewer complaints concluded as investigations, there was a greater premium on assuring agency implementation on recommendations which the agencies have accepted. Followup confirmed that agencies generally met their promises: In about 90 percent of the cases involving followup activity, the ombudsman assistant reviewing the agency's actions determined the agency had satisfactorily implemented recommendations.



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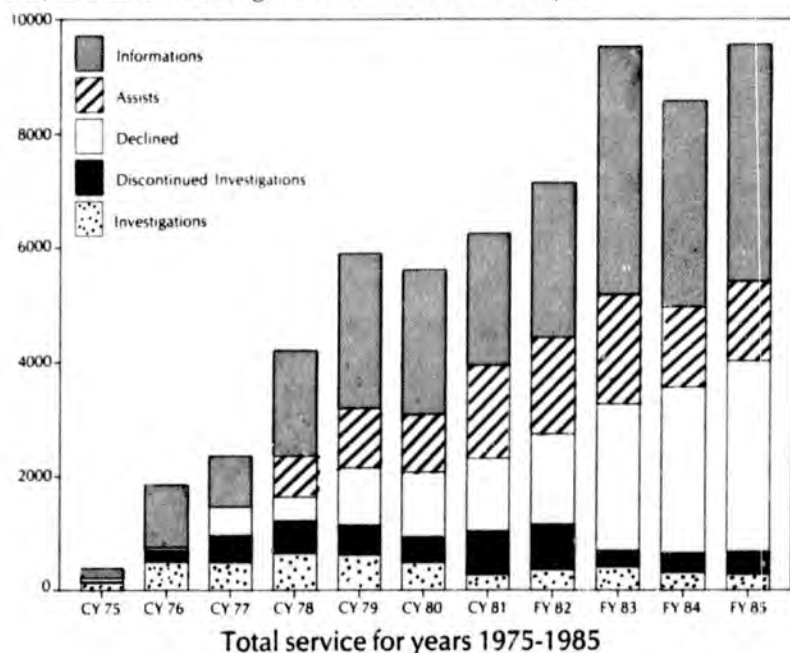
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With two exceptions, since the office's inception, public demand for the office's services has followed a steady upward trend. Part of that trend resulted from increased public awareness about the office and the services available. Moreover, as the legislature appropriated funds for additional programs and services during the past decade, the ombudsman's jurisdiction—the number of programs against which complaints could be filed—substantially expanded. The trend was also influenced by the state's dramatic population growth during the 10 years, a period in which Alaska's population increased by approximately 30 percent. Finally, the increased number of individuals housed in correctional facilities significantly added to the number of corrections-related complaints that have been filed with the office.

The numbers do not reflect the office's emphasis on the timeliness and quality of investigations. The main volume of this report relates in detail significant efforts made over the past four years to improve both. Among the noteworthy changes that occurred are the following:

- Regulations were revised to more clearly indicate to the public and to state agencies the manner of receiving and processing complaints, conducting investigations, reporting findings and recommendations, and handling confidential information secured from agency files.
- Regular rotation of ombudsman assistants between intake and investigation was scheduled.
- Caseload management elements of the Legislative Affairs Agency's computer support system were extended, allowing regional representatives and ombudsman assistants to more effectively use the system to monitor progress, meet deadlines, respond to caseload imbalances, and combine investigations of like issues.
- Standard definitions were given to the various "appropriate subjects for investigations" identified in the Ombudsman Act, and standard procedures were applied to the reporting of findings and recommendations at the conclusion of investigations.



## An Agenda for the Office

Alaska's short-term state revenue projections are not bright. With petroleum revenues in decline, state agencies will almost certainly begin to feel the pinch of resource limitations or reductions; some agency staffs will be pared, and the quality and breadth of programs and services may diminish.

Experience confirms that, when agency programs are significantly altered, the public often experiences dissatisfaction with the services received. That dissatisfaction, of course, often takes the form of complaints to the ombudsman. In response to anticipated reductions and dislocations of services, the volume of complaints brought to the ombudsman's attention through the next several years will surely grow.

Despite an anticipated increase in public demand for services, the office needs to be attentive to its current efforts. In a critical evaluation of his own office, Hawaii Ombudsman Herman Doi wrote:

*A government which is responsive and responsible to the people must be responsive and responsible to individuals in [its] society. One way [to do that] is for government to provide its individual citizens with an informal, inexpensive, and efficient mechanism whereby their individual complaints against administrative decisions can be thoroughly investigated, researched and evaluated against the requirements of the law. That, in short, is the task of the Ombudsman's Office.*

An ombudsman's office, Ombudsman Doi surely would have agreed, is only as effective as its ability to examine and to respond to each and every complaint which warrants attention. The Alaska Office cannot fail to meet that objective.

Within the constraints of available resources, the office should also extend its initiatives. For example, contacts with residents living away from the state's urban centers should be expanded; the office must assure that these residents receive proper attention and fair treatment from state agencies. Similarly, the office should step up its contacts with persons confined to the state's institutions so that those who are directly dependent on the state for housing, food, and related services are properly and responsibly cared for.

The value of an ombudsman's office, however, is more than the number of persons assisted or the office's ability to intercede on behalf of particular complainants and their specific grievances. A significant element is the office's opportunity—even without the authority to compel an agency to reverse a decision or undo an action—to build public confidence in state government programs and institutions. That opportunity derives from the office's responsibilities to receive public criticism of government performance and to determine whether that criticism is well-founded. When investigation of a complaint discloses no fundamental error by an agency, the office can confirm the correctness of a particular action or decision. For agency personnel, then, the office's investigations can serve to endorse the agency's program management practices. On the other hand, the public has every right to demand high standards of performance from its public servants. When investigation confirms the validity of a complainant's criticism of an administrative act, the ombudsman's finding or opinion should fully relate reasons for criticism, and the recommendations should spark corrective action and—in some instances—essential program reform.

## How to Best Use the Offices Services

In times of program change and tight agency budgets, we anticipate continued high demand for the services of the ombudsman's office. We ask your cooperation in making your contacts with the office more effective.

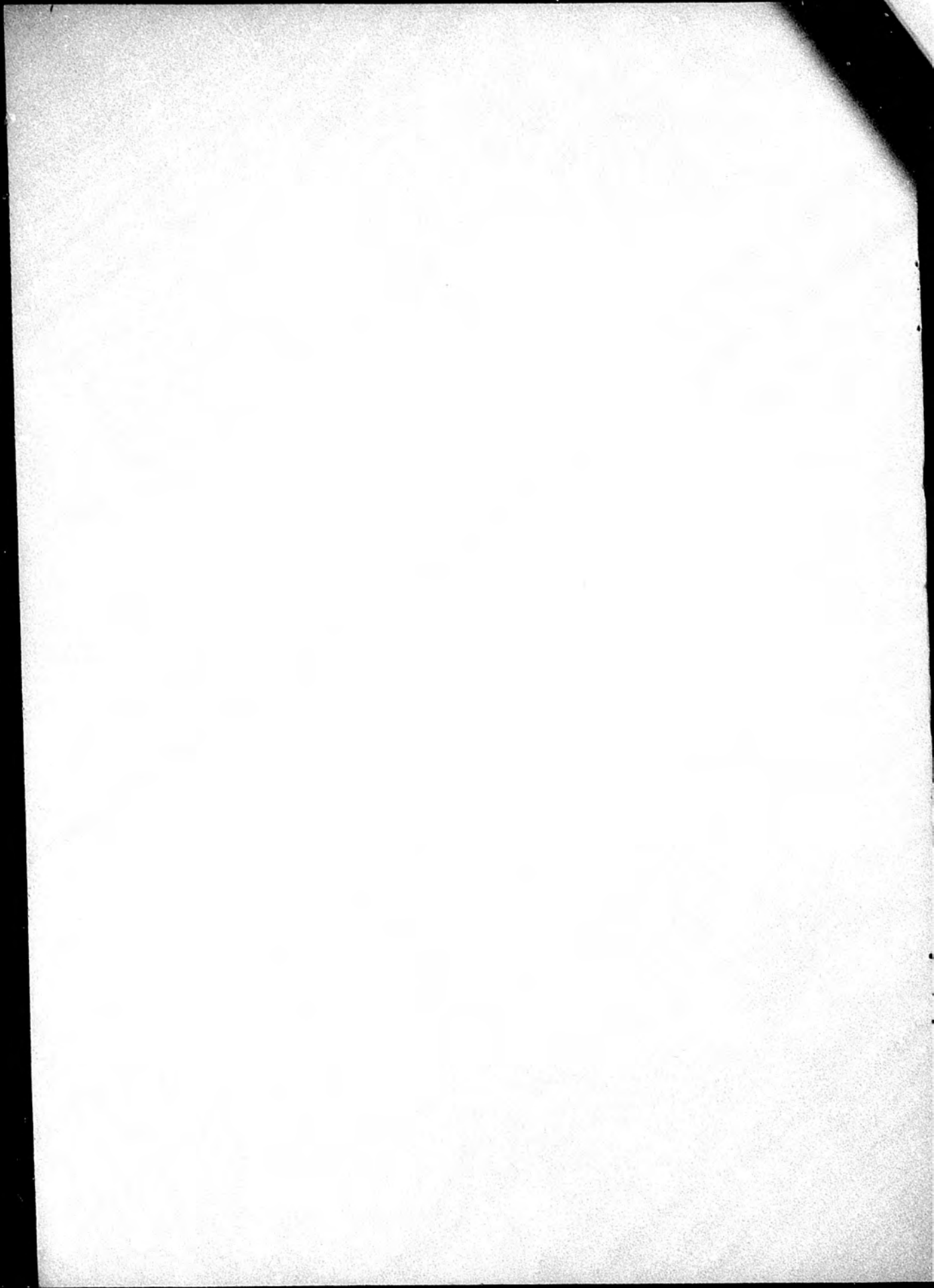
*Before calling upon the ombudsman, you should first register your complaint with the agency causing your problem. You should use the following guidelines:*

- **BE PREPARED.** Write down your questions and fill in the answers as you get them. Use the phone before you go in person. Sometimes a few questions over the phone can save hours waiting in line.
- **KEEP RECORDS.** Take good notes. Write down the names of the public employees you speak to and make copies of the documents you may later need.
- **FIND OUT WHY.** If service or benefits are denied, find out the reasons. Ask for specific references to law or policy and, if necessary, ask for copies.
- **TALK TO THE RIGHT PEOPLE.** Don't get angry with "rank and file" employees. They cannot change agency policies. Find out the names of the people who can change a decision and, when possible, talk to them.
- **CAREFULLY READ WRITTEN DECISIONS.** Many decisions have appeal procedures and deadlines stated in them. *You may lose your appeal rights if you do not meet these deadlines.*
- **DON'T BE INTIMIDATED.** Be persistent. If you can't understand what the agency is telling you, even after discussing the matter with agency employees, contact the ombudsman.
- **IN YOUR CONTACTS WITH AGENCY PERSONNEL, BE PLEASANT.** People perform best when a positive approach is used.

*If, after attempting to resolve a problem with an agency, you are dissatisfied, you may file a complaint with the ombudsman's office. You should be prepared to provide:*

- A description of the problem, with as many details (names and dates) as possible. Be prepared to send any relevant documents. These will be returned on request.
- A summary of the attempts you have made to resolve the problem. Who has been contacted? When? With what results?
- A summary of what you want to occur.
- Your name, address, and phone number.
- If the complaint involves confidential records, a signed release authorizing the ombudsman to examine and copy them.

Please understand that, by filing the complaint, the office does not become your advocate. Office staff need and expect your cooperation, but reserve judgment on the merit of the complaint until the facts can be carefully examined. If staff conclude that your position has merit, the office can "advocate" for you in the sense that it can present one or more corrective recommendations for the agency's consideration.





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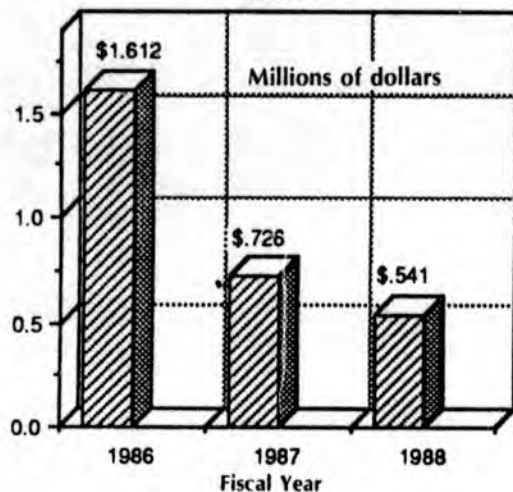


# The Alaska Ombudsman Report

Annual report of the Office of the Ombudsman, State of Alaska

1987-

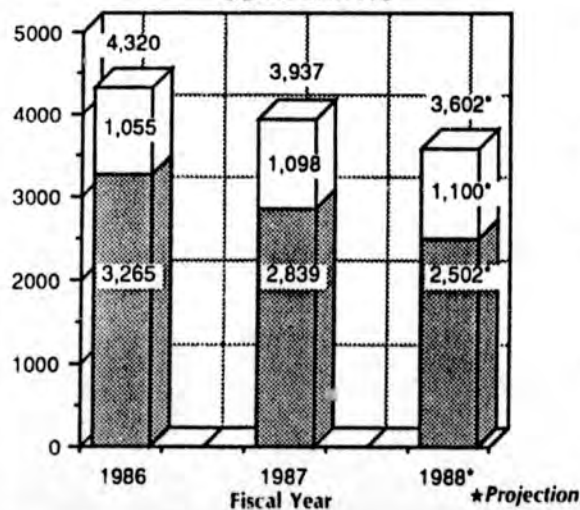
### BUDGET



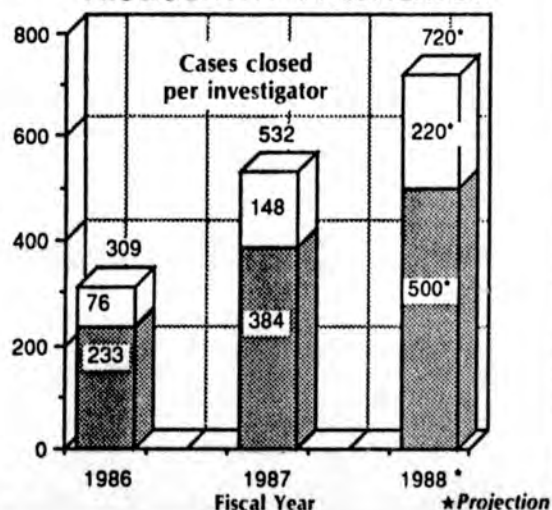
### EMPLOYEES



### COMPLAINTS



### PRODUCTIVITY/INVESTIGATOR



## Office staff adjusts to shrinking budget and heavy caseload

Europeans use the term rationalization to describe the process of using fewer resources more effectively, and that certainly characterizes the activities of the Office of the Ombudsman this past year.

The current budget of \$541,000 for fiscal year 1988 is one-third the funding level two years ago and down 25 percent from last year's appropriation of \$725,600.

The reduced funding forced the closure of the Fairbanks regional office this past summer and the elimination of three and one half positions from the overall budget. The ombudsman now maintains offices in Anchorage and Juneau.

The Anchorage office is supervised by Deputy Ombudsman Sandra McGill, who has more than five years ombudsman experience as an investigator in the Fairbanks office. Serving as ombudsman assistants are Mary Southard, Steve Atkinson and Robyn Williams; Janet Barton is the secretary for the Anchorage office.

Complaints from Southcentral, Northern and Interior Alaska are routed to the Anchorage office using toll-free telephone numbers. Anchorage staff also accept complaints from deaf persons statewide, via a "tele-device for the deaf" (TDD) machine.

Persons also may file complaints by mail or in person at either Anchorage or Juneau.

Acting Ombudsman Bruce Aronson works in the Juneau office with Larry Persily and Dave Plaskett, who serve as ombudsman assistants, and Paula Cadiente, the administrative secretary. Plaskett transferred from Fairbanks when that office closed this past summer.

The Juneau office also accepts complaints on a toll-free phone line, serving all of Southeast.

"With nine employees, office resources are focused on important administrative policy issues which affect a significant portion of the public, as well as addressing individual com-

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# The Alaska Ombudsman Report

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Annual report of the Office of the Ombudsman, State of Alaska

1986

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## Report offers explanation of office task

Every annual report from every ombudsman's office around the world defines or redefines this rather odd sounding term. Yet, even after the Alaska ombudsman's office has been around for 11 years, many people in the state can't pronounce the word and don't fully understand the office.

It's enough to make any self-respecting ombudsman staff member cringe when the voice at the other end of the phone says "from the office of the what?"

The principles that make the ombudsman's office unique are simple enough, yet they are not very widely understood by the public. Here are five words that describe the essence of the office:

- **Investigate** is a straightforward term; the ombudsman's office investigates citizen complaints against the government.

This means find the facts, analyze them in a logical and fair manner, and report the findings so that the citizen and the bureaucrat can understand how the decision was reached.

- **Independent** means free from political interference in making decisions.

In Alaska the ombudsman is appointed by the legislature for a five-year term and is well protected from the politics of lawmakers and the governor, although the legislature certainly can hack away at the budget or debate the appointment of the ombudsman.



## Ombudsman works within lower budget

This past year was a traumatic time for Alaska, with a state budget deficit that a hundred thousand VISA cards couldn't cover.

The ombudsman's office took its turn and sat through a full chorus of the budget-cutting blues before opening the new fiscal year July 1 with half the cast of a year ago, yet just as many people in the audience to serve.

Acting Ombudsman Robert Walton said of the severe budget cut imposed on the ombudsman, "Rather than look at what we did not have, the office turned its attention to what we had to do."

Even with the loss of half its budget of a year ago, Walton said the office still provides a valuable service to the state, both in helping citizens and in helping government do a better job. The office handled more than 4,300 complaints in the past fiscal year, and an additional 2,900 requests for information.

Working to balance falling oil prices and a rising deficit, the legislature cut the ombudsman's office budget in half for the current fiscal year and gave notice that the office faces possible elimination next year.

Walton said staff members see this year as a challenge to show the legislature and the public what the office can do and why it should be funded in future years.

The office went from \$1.715 million in fiscal year 1985 to \$1.612 million in 1986, a

Ombudsman

STATUTES

**TITLE 21.  
OMBUDSMAN**

**Chapter**

- 05. (Repealed)**
- 10. Office Management  
(21 AAC 10.010—21 AAC 10.320)**
- 20. Investigations  
(21 AAC 20.010—21 AAC 20.390)**

**TITLE 21.  
OMBUDSMAN**

**Chapter**

- 05. (Repealed)
- 10. Office Management  
(21 AAC 10.010—21 AAC 10.320)
- 20. Investigations  
(21 AAC 20.010—21 AAC 20.390)

**CHAPTER 05.  
ORGANIZATION AND PROCEDURE**

Editor's Note: The regulations in 21 AAC 05 which were repealed effective 9/16/84, Register 91, have been replaced by regulations in 21 AAC 10 and 21 AAC 20 which became effective the same day and register.

**Section**

- 10. (Repealed)
- 20. (Repealed)
- 30. (Repealed)
- 40. (Repealed)
- 50. (Repealed)
- 60. (Repealed)
- 70. (Repealed)
- 80. (Repealed)
- 90. (Repealed)
- 100. (Repealed)
- 110. (Repealed)

**21 AAC 05.010. COMPLAINTS.** Repealed 9/16/84.

**21 AAC 05.020. INVESTIGATIONS.** Repealed 9/16/84.

**21 AAC 05.030. NOTICE TO COMPLAINANTS.** Repealed 9/16/84.

**21 AAC 05.040. PRODUCTION OF INFORMATION OR DOCUMENTS.** Repealed 9/16/84.

**21 AAC 05.050. HEARINGS.** Repealed 9/16/84.

**21 AAC 05.060. TERMINATION OF INVESTIGATION.** Repealed 9/16/84.

**21 AAC 05.070. MODIFICATION OF RECOMMENDATIONS.** Repealed 9/16/84.

**21 AAC 05.080. ACCEPTANCE AND PUBLICATION OF RECOMMENDATIONS.** Repealed 9/16/84.

**21 AAC 05.090. NOTICE TO COMPLAINANT.** Repealed 9/16/84.

**21 AAC 05.100. STATUS REPORTS.** Repealed 9/16/84.

**21 AAC 05.110. GRIEVANCES AGAINST OFFICE OF OMBUDSMAN.** Repealed 9/16/84.

**CHAPTER 10.  
OFFICE MANAGEMENT**

**Article**

- 1. **Business Offices and Hours**  
(21 AAC 10.010—21 AAC 10.020)
- 2. **Contracts**  
(21 AAC 10.100—21 AAC 10.160)
- 3. **Records**  
(21 AAC 10.200—21 AAC 10.220)
- 4. **Grievances**  
(21 AAC 10.300—21 AAC 10.320)

(2) the contract is awarded based on competitive bids obtained under the competitive bid procedure provided in AS 37.05.230;

(3) the required services are to be provided by an agency or department of the state government or by a municipality; or

(4) the required services are to be provided for the investigation of a complaint under AS 24.55.110. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.275

**ARTICLE 1.  
BUSINESS OFFICES AND HOURS**

**Section**

- 10. **Offices**
- 20. **Hours**

**21 AAC 10.010. OFFICES.** The ombudsman will maintain business offices in Anchorage, Fairbanks and Juneau. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090

**21 AAC 10.020. HOURS.** Each business office must be open to the public during regular business hours as prescribed by law or as determined by the commissioner of administration for agencies of the executive branch of the state government. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090

**ARTICLE 2.  
CONTRACTS**

**Section**

- 100. **Applicability**
- 110. **Requests for proposals**
- 120. **Aggrieved respondents**
- 130. **Contract award**
- 140. **Evaluation**
- 150. **Filing**
- 160. **Definition**

**21 AAC 10.100. APPLICABILITY.** The provisions of 21 AAC 10.100 — 21 AAC 10.160 apply to contracts for professional services to be provided to the office of the ombudsman unless

(1) the total amount of a contract or contracts awarded to a contractor does not exceed \$25,000 during a 12-month period;

**21 AAC 10.110. REQUESTS FOR PROPOSALS.** (a) A formal written request for proposals soliciting an offer to perform the required services under a contract must be extended to a sufficient number of potential providers of the required services to assure that public interest in competition is adequately served. Proposals from at least six firms must be solicited for contracts equal to or greater than \$100,000. Proposals from at least three firms must be solicited for contracts of less than \$100,000. Formal advertising in a medium that will reasonably bring the proposal to the attention of persons able to provide the required services may be substituted for direct solicitation or used jointly with direct solicitation of proposals.

(b) If the expertise required is not available to enable the ombudsman to solicit the number of proposals required under (a) of this section, the ombudsman will solicit proposals

(1) from each person or firm listed on the professional services contractors register maintained under AS 36.98.020 that appears to possess the required expertise; and

(2) from each person or firm responding to the public notice given under (a) of this section that appears to possess the required expertise; and

(3) from any person or firm with the required expertise of which the ombudsman may be aware.

(c) The request for proposals must comply with the standards of AS 36.98.030(e).

(d) A request for proposals need not be extended under this section if there is a single

source of the required services or if one person or firm can clearly perform the required services more satisfactorily because of the person's or firm's prior work. The exemption in this subsection applies only if the ombudsman approves the exemption and a written justification signed by the ombudsman that details the reasons for the exemption is filed under AS 24.23.060 as a public record. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.275

**21 AAC 10.120. AGGRIEVED RESPONDENTS.** (a) An aggrieved respondent may request a hearing. The request must be in writing, made to the ombudsman, and received by the ombudsman within 10 days after the aggrieved respondent knows or should have known the facts and circumstances on which the request for hearing is based.

(b) The purpose of the hearing is to determine whether the award of the contested contract was made in accordance with applicable procedures and is limited to the evaluation and solicitation sections of those procedures.

(c) An aggrieved respondent requesting a hearing shall

(1) explain in detail the reasons for the request for a hearing; and

(2) send a copy of the request for a hearing to the interested parties, including all other respondents.

(d) The request for a hearing will be reviewed by the ombudsman. The aggrieved respondent will be advised within 10 days after receipt of the request whether it is accepted or rejected. If the request for a hearing is rejected, a respondent will be notified of the reason for the decision.

(e) If the request for a hearing is accepted, the hearing will

(1) be scheduled as soon as practicable, but not later than 20 days after acceptance;

(2) be held in the town where the professional services contract was awarded or at a location designated by the ombudsman;

(3) be made known to all interested parties at least five calendar days before the hour of the hearing; and

(4) be recorded in its entirety.

(f) An interested party who wishes to be heard shall submit a written request to the ombudsman prior to the hearing. A request may be submitted at any business office.

(g) The ombudsman will designate a person to conduct the hearing. The hearing officer will submit recommendations for a decision to the ombudsman within five calendar days of the completion of the hearing.

(h) The ombudsman will submit a written decision to the interested parties within 10 calendar days of the completion of the hearing. (Eff. 9/16/84, Reg. 91; am 3/26/86, Reg. 97)

Authority: AS 24.55.275

**21 AAC 10.130. CONTRACT AWARD.** (a) A contract must be executed by the provider of the service and the ombudsman.

(b) A contract awarded under 21 AAC 10.100 - 21 AAC 10.160 must contain

(1) the amount of the contract stated on its first page;

(2) the date for the work to begin;

(3) the date by which the work must be completed;

(4) a description of the services to be performed under the contract; and

(5) a certification that sufficient money is available in an appropriation to be encumbered for the amount of the contract. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.275

**21 AAC 10.140. EVALUATION.** The ombudsman or the project director will provide a written evaluation of the services provided under any professional service contract before final

payment on the contract is made. The evaluation must be filed under AS 24.23.060 and is open for public inspection. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.275

**21 AAC 10.150. FILING.** A copy of each executed contract and each exemption granted under 21 AAC 10.110(c) shall be filed in each business office of the ombudsman and is open for public inspection. The request for proposals and each proposal submitted must be attached to the filed copy unless the contract is one in which a request for proposals is not required. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.275

**21 AAC 10.160. DEFINITION.** In 21 AAC 10.100 – 21 AAC 10.160, "professional services" means professional, technical, or consultant's services that are predominantly intellectual in character and that

(1) include analysis, evaluation, prediction, planning, or recommendation; and

(2) result in the production of a report or the completion of a task. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.275

### ARTICLE 3. RECORDS

#### Section

- 200. Records of complaints and investigations
- 210. Complaint summaries
- 220. Employee records

**21 AAC 10.200. RECORDS OF COMPLAINTS AND INVESTIGATIONS.** (a) The following records of the office of the ombudsman are confidential:

(1) the record of a complaint under investigation; and

(2) the record of a complaint for which an investigation has been concluded, except the portion which is disclosed under AS 24.55.200.

(b) If approved in writing by the ombudsman, the office may release

(1) to an agency a copy of a record obtained during an investigation from the files of that agency;

(2) to a complainant a copy of a record obtained during an investigation from the complainant. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090

AS 24.55.160(b)

**21 AAC 10.210. COMPLAINT SUMMARIES.** Summaries of closed complaints maintained by the office in the computer system of the Legislative Affairs Agency may be made available by the ombudsman in order to assist in the management of state government programs, respond to inquiries about the performance of state government programs, and educate and inform the public about the activities and performance of the office. A summary prepared and distributed under this section may not disclose the name or other personal information about the complainant, and is not a publication for purposes of AS 24.55.200. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090

AS 24.55.160(b)

**21 AAC 10.220. EMPLOYEE RECORDS.** The provisions of AS 39.25.080 apply to personnel records of the office. Personnel records of the office of the ombudsman that are required to be kept confidential under AS 39.25.080 are not open for examination or inspection by the public, a federal or state agency, or a political subdivision of the state. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.080

AS 39.25.080

### ARTICLE 4. GRIEVANCES

#### Section

- 300. Grievances
- 310. Response to grievance
- 320. Grievance file

**21 AAC 10.300. GRIEVANCES.** A complainant or an agency may file a grievance with the ombudsman. The grievance must be in writing and may include

(1) the grievant's objection to a decision to

decline or discontinue investigation of a complaint;

(2) an allegation of undue delay in the investigation of a complaint;

(3) a specification of error or omission in the investigation of a complaint; or

(4) an allegation of discourteous behavior by a member of the staff of the office of the ombudsman during the course of investigation of a complaint. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090

**21 AAC 10.310. RESPONSE TO GRIEVANCE.** The ombudsman will respond in writing to a grievance filed under 21 AAC 10.300 within 20 days after receipt of the grievance. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090

**21 AAC 10.320. GRIEVANCE FILE.** (a) A grievance received under 21 AAC 10.300 and a copy of the response provided to the grievant under 21 AAC 10.310 must be placed in a file maintained separately from other files of the office of the ombudsman. Before placing the grievance and response in the file, if the grievant is a complainant and investigation of the complaint has not been concluded, the ombudsman will delete reference to the identity of the grievant. If the disclosable portion of the grievance and the response cannot reasonably be separated from nondisclosable portions in a manner that will allow the grievance and response to be disclosed, the grievance and response may not be placed in the file.

(b) A file maintained under (a) of this section is open to public inspection and may be disclosed to the legislature or to a committee or member of the legislature in response to a written request from the legislature, the committee or the member. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090

## CHAPTER 20. INVESTIGATIONS

### Article

1. **Receiving and Processing Complaints**  
(21 AAC 20.010–21 AAC 20.050)
2. **Conducting an Investigation**  
(21 AAC 20.100–21 AAC 20.150)
3. **Concluding an Investigation**  
(21 AAC 20.200–21 AAC 20.250)
4. **Confidential Information**  
(21 AAC 20.300–21 AAC 20.390)

### ARTICLE 1. RECEIVING AND PROCESSING COMPLAINTS

#### Section

10. **Subjects excluded from investigation**
20. **Complaints**
30. **Anonymous complaints**
40. **Declining a complaint**
50. **Resolution without investigation**

**21 AAC 20.010. SUBJECTS EXCLUDED FROM INVESTIGATION.** (a) In addition to subjects that are specifically excluded from the jurisdiction of the ombudsman by AS 24.55, the ombudsman may not investigate

(1) a complaint that, at the time the complaint is filed, is the subject of a judicial proceeding;

(2) a complaint that challenges the substantive content of the administrative decision of an agency if, at the time the complaint is filed,

(A) the decision is the subject of an administrative hearing or an administrative appeal; or

(B) the ombudsman determines that the decision may be resolved more appropriately by an administrative hearing or an administrative appeal for which the complainant may make timely application;

(3) a complaint that relates to an administrative act of which the complainant has had knowledge for more than one year before the complaint is filed;

(4) a complaint that constitutes the grievance of an employee covered by a collective bargaining agreement entered into between the employer and the employee's authorized bargaining agent if the bargaining agreement provides that its grievance-arbitration provision is the sole method of settling controversies or disputes arising under the agreement;

(5) a complaint filed by or on behalf of a municipality that employs a municipal attorney or that retains the services of an attorney for general legal counsel;

(6) a complaint for which it appears that applicable law or administrative procedures provided a remedy adequate in the circumstances for the complainant and the complainant did not avail himself of the remedy with no reasonable justification for the complainant's failure to do so; or

(7) a complaint as to which the ombudsman advises the complainant that disclosure of the complainant's identity is necessary to enable the ombudsman to conduct an investigation and the complainant refuses to allow disclosure of his or her identity.

(b) The ombudsman will, in his or her discretion, decline to investigate

(1) the complaint of a complainant whom the ombudsman reasonably believes has no interest in the result of the investigation other than that of a member of the general public;

(2) a complaint which the ombudsman believes the complainant has not given the agency an opportunity to resolve. (Eff. 9/16/84, Reg. 91; am 3/28/86, Reg. 97)

Authority: AS 23.40.210  
AS 24.55.090  
AS 24.55.110

**21 AAC 20.020. COMPLAINTS.** (a) Except as provided in (b) of this section, a complaint to the ombudsman need not be in writing.

(b) A complaint that alleges a breach of duty, misconduct, or discourtesy by an officer or employee of an agency may not be investigated unless the complaint is specific and in writing. If

a complainant requires assistance in writing the complaint, the ombudsman or a member of the ombudsman's office staff will provide the assistance. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090  
AS 24.55.100  
AS 24.55.110

**21 AAC 20.030. ANONYMOUS COMPLAINTS.** (a) The ombudsman will, in his or her discretion, decline to investigate a complaint alleging breach of duty, misconduct, or discourtesy by an officer or employee of an agency if the complaint is presented anonymously and the ombudsman determines that investigation of the complaint is precluded by AS 24.55.110(4) or (5).

(b) Except as provided in (a) of this section, an anonymous complaint may be considered for investigation on the ombudsman's motion under AS 24.55.120.

(c) An anonymous complaint that is not investigated on the ombudsman's motion when authorized by (b) of this section must be referred to the attention of the chief executive officer of the affected agency and may be referred to any officer or employee whose action has been challenged or questioned by the complainant. An anonymous complaint excluded from investigation by (a) of this section may not be referred to an agency as provided in this subsection. (Eff. 9/16/84, Reg. 91; am 3/28/86, Reg. 97)

Authority AS 24.55.090  
AS 24.55.100  
AS 24.55.110

**21 AAC 20.040. DECLINING A COMPLAINT.** When the ombudsman declines investigation of a complaint under AS 24.55.130 (a) or under 21 AAC 20.010, the ombudsman will inform the complainant of that decision within 15 days of receipt of the complaint. If requested by the complainant, the ombudsman will confirm in writing that investigation of the complaint has been declined and the reason for declining to investigate. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090  
AS 24.55.130(a)

**21 AAC 20.050. RESOLUTION WITHOUT INVESTIGATION.** Before initiating an investigation, the ombudsman will, in his discretion, attempt to resolve a complaint informally by expediting agency consideration or action or by providing an explanation of the status of the administrative act to the complainant. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090

## ARTICLE 2. CONDUCTING AN INVESTIGATION

### Section

- 100. Priority for investigating complaints
- 105. Preliminary examination of complaint
- 110. Notice of investigation
- 120. Hearing
- 130. Testimony under subpoena
- 140. Production of information or records
- 150. Status reports
- 160. Conflicts

**21 AAC 20.100. PRIORITY FOR INVESTIGATING COMPLAINTS.** (a) When the resources of the office of the ombudsman are not sufficient to investigate adequately all pending complaints within reasonable time limits, investigations must be conducted according to the following priority rankings:

(1) complaints of an emergency nature in which disposition according to normal handling would subject the complainant to a substantial risk of serious and irreparable harm;

(2) complaints in which there is an allegation or evidence of prejudice, harm, or disadvantage and for which investigation should be undertaken at an early opportunity because of an actual or potential time constraint;

(3) complaints in which there is an allegation or evidence of recurring systematic prejudice, harm, or disadvantage, or of the possibility of recurring systematic prejudice, harm, or disadvantage, as a result of an administrative act or decision;

(4) complaints in which there is an allegation or evidence of a single or isolated instance of prejudice, harm, or disadvantage as a result of an administrative act or decision.

(b) Within each priority category set out in (a) of this section,

(1) investigation of a complaint alleging or giving evidence of prejudice, harm, or disadvantage to a class of people has precedence to an investigation of a complaint alleging an individual instance of prejudice, harm, or disadvantage;

(2) investigation of complaints must be substantially in accordance with an order based on priority of the date on which the complaint was received. (Eff. 9/16/84, Reg. 91; am 3/28/86, Reg. 97)

Authority: AS 24.55.090  
AS 24.55.100  
AS 24.55.110

**21 AAC 20.105. PRELIMINARY EXAMINATION OF COMPLAINT.** Before commencing an investigation, the ombudsman will conduct a preliminary examination of each complaint. During the preliminary examination, the ombudsman will determine whether, based on the information and evidence provided by the complainant:

(1) the administrative act complained of is an appropriate subject for investigation under AS 24.55.150; and

(2) there is specific and credible information to indicate that an investigation is warranted. (Eff. 3/28/86, Reg. 97)

Authority: AS 24.55.090  
AS 24.55.150

**21 AAC 20.110. NOTICE OF INVESTIGATION.** When notice to an agency is required to be given under AS 24.55.140 and the complaint cannot be resolved informally under AS 21 AAC 20.050, the ombudsman will give notice of intent to investigate to the person whom the ombudsman reasonably believes is responsible for the management of the program against which the complaint is made. Notice given under this section may be verbal, except that the ombudsman will provide written notice of intent to investigate

(1) to a person against whom a complaint of breach of duty or misconduct is filed, or to the person's supervisor; and

(2) to the person whom the ombudsman reasonably believes is responsible for the management of the program against which the complaint is made, if investigation of the complaint requires access to confidential records of the agency program and the manager requests written notification. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.140

**21 AAC 20.120. HEARING.** If the ombudsman proposes to conduct a private hearing under AS 24.55.160(a)(3), written notice of not less than 10 days before the hearing must be given to the agency or person. The agency or person to whom notice is given may waive the time limitation of the section in writing. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090  
AS 24.55.160(a)(3)

**21 AAC 20.130. TESTIMONY UNDER SUBPOENA.** (a) Except as otherwise provided in this section, the provisions of Rule 7 of the Alaska R. Admin. and Rule 45 of the Alaska R. Civ. P. apply to subpoenas issued under this section.

(b) When the ombudsman requires the appearance of a person to give sworn testimony under AS 24.55.170(a)(1), the ombudsman will allow the person 10 days from the date of request to attend to give testimony. The ombudsman will, in his discretion, extend the period at the request of the person for whose attendance the subpoena is issued.

(c) Notwithstanding (b) of this section, the ombudsman will, in his or her discretion,

(1) require the appearance of a person to give sworn testimony under AS 24.55.170(a)(1) at a specified time and place sooner than 10 days after the date of the request if the ombudsman reasonably believes that the delay in receipt of the sworn testimony will unduly hinder the investigation or make the investigation or the testimony ineffectual;

(2) schedule the appearance of the person sooner than 10 days after the date of the request with the person's consent. (Eff. 9/16/84, Reg. 91; am 3/28/86, Reg. 97)

Authority: AS 24.55.090  
AS 24.55.170(a)

**21 AAC 20.140. PRODUCTION OF INFORMATION OR RECORDS.** (a) When the ombudsman requests information or a record from an agency or a person under AS 24.55.170(a)(2), the ombudsman will allow the agency or person 10 days from the date of request to produce the information or record requested. The ombudsman will, in his discretion, extend the period for production of information or a record authorized by this subsection at the request of the agency or person for good cause shown.

(b) Notwithstanding (a) of this section, the ombudsman will, in his or her discretion,

(1) require immediate production of information or a record by subpoena under AS 24.55.170 or at the time of inspection of an agency's premises under AS 24.55.160(a) if production of information or a record under (a) of this section will unduly hinder the investigation or make the investigation ineffectual;

(2) require production of information or a record by subpoena under AS 24.55.170 sooner than 10 days after the date of the request if the person having the information or the custodian of the document consents to earlier production. (Eff. 9/16/84, Reg. 91; am 3/28/86, Reg. 97)

Authority: AS 24.55.090  
AS 24.55.160(a)  
AS 24.55.170

**21 AAC 20.150. STATUS REPORTS.** A report of the status of a complaint under investigation must be provided to a complainant 120 days after the acceptance of the complaint and thereafter at 120-day intervals until investigation of the complaint is completed. A status report must be provided to a complainant in response to the complainant's request at any time. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090

**21 AAC 20.160. CONFLICTS.** (a) If, during the course of an investigation, the ombudsman determines that investigation of a complaint by an ombudsman assistant involves a conflict of interests or that investigation by the ombudsman assistant may have the appearance of a conflict of interests, the ombudsman will promptly transfer the matter from the ombudsman assistant to another member of the staff for completion of the investigation.

(b) If the ombudsman's own investigation of a complaint would involve a conflict of interests or the appearance of a conflict of interests, the ombudsman will promptly transfer the matter to another member of the staff for completion of the investigation. The ombudsman will, in his or her discretion, review and present his or her finding, opinion, and recommendation for a complaint which he or she has transferred for investigation under this subsection. However, the finding, opinion, or recommendation that the ombudsman presents in the preliminary report to the agency and in the notification to the complainant concluding the investigation will disclose the reason for the ombudsman's belief that a conflict or apparent conflict of interests exists.

(c) The ombudsman will, in his or her discretion, assign to one ombudsman assistant for purposes of investigation complaints that make opposite or contradictory assertions regarding the same administrative act unless the ombudsman determines that an assignment to one ombudsman assistant may prejudice or disadvantage a complainant, the agency, the interests of the general public, or the conduct of the investigation. (Eff. 3/28/86, Reg. 97)

Authority: AS 24.55.090

### ARTICLE 3. CONCLUDING AN INVESTIGATION

#### Section

- 200. Discontinuing an investigation
- 205. Report of investigation alleging misconduct by agency personnel
- 210. Completed investigations: preliminary report to agency
- 220. Modification of finding or opinion
- 230. Agency response
- 240. Investigation, conclusion, and final report
- 250. Complainant to be informed

**21 AAC 20.200. DISCONTINUING AN INVESTIGATION.** (a) The ombudsman will discontinue an investigation, with written notice to the complainant, if, during the course of the investigation

(1) the ombudsman determines that the subject matter of the complaint is not within

the jurisdiction of the office under AS 24.55;

(2) the ombudsman determines that disclosure of the complainant's name is necessary to enable the ombudsman to carry out an investigation or to support recommendations, and the complainant refuses to allow disclosure of his or her name;

(3) the ombudsman requests information or record from the complainant and the complainant fails to produce the information or record necessary within the time specified by the ombudsman for its receipt;

(4) the complainant withdraws the complaint; or

(5) as a result of preliminary examination of the complaint under 21 AAC 20.105, the ombudsman determines that

(A) the administrative act complained of is not an appropriate subject for investigation under AS 24.55.150;

(B) the information or evidence provided by the complainant provides no specific or credible information to indicate that an investigation is warranted;

(C) there is some evidence of prejudice, harm, or disadvantage to the complainant, but the ombudsman believes that, at the conclusion of investigation of the complaint,

(i) the report of investigation provided under AS 24.55.190 cannot present a recommendation that would provide direct relief or benefit to the complainant; and

(ii) any recommendation that the ombudsman might present in the report of investigation would be without substantial value or significance to improvement of public administration under the law;

(D) the subject matter of the administrative act complained of was recently investigated, the complaint presents no issue not considered in the report of that investigation,

and the ombudsman believes that further investigation would not advance a material interest of the complainant or a significant public interest; or

(E) the ombudsman determines that the resources available to the office are insufficient to commence and maintain the investigation.

(b) The ombudsman will discontinue an investigation, with written notice to the complainant and to the agency, if, during the course of the investigation,

(1) the ombudsman determines that the subject matter of the complaint is excluded from investigation by 21 AAC 20.010(a)(1) - (6);

(2) the complaint relates to a matter that has become the subject of an administrative proceeding, unless the complainant provides specific and credible evidence to the ombudsman sufficient to demonstrate that the agency's conduct of the administrative proceeding is prejudicial, harmful, or disadvantageous to the complainant, and the ombudsman reasonably believes that an investigation and report of findings may correct the prejudice, harm, or disadvantage to the complainant without affecting the substantive content of the agency's decision;

(3) the complaint relates to a matter that becomes the subject of a judicial proceeding; or

(4) the ombudsman loses contact with the complainant.

(c) The ombudsman will, in his or her discretion, discontinue an investigation, with notice to the agency and the complainant, if the agency resolves the complaint by taking corrective action before the ombudsman submits a finding or opinion under AS 24.55.190. (Eff. 9/16/84, Reg. 91; am 3/28/86, Reg. 97)

Authority: AS 24.55.090

AS 24.55.150

AS 24.55.160

Article I, Sec. 22, State Constitution

**21 AAC 20.205. REPORT OF INVESTIGATION ALLEGING MISCONDUCT BY AGENCY PERSONNEL.**

(a) If the ombudsman proposes to conclude the investigation of a complaint that alleges breach of duty or misconduct by an officer or employee of an agency by presenting a finding that is critical of the officer or employee, before issuing the preliminary report the ombudsman will present his or her proposed finding to the agency officer or employee. When presenting the proposed finding, the ombudsman will notify the officer or employee that he or she has a reasonable opportunity to present additional evidence relating to the proposed finding or may otherwise seek modification of the proposed finding. The ombudsman will, in his or her discretion, determine a reasonable deadline for receipt of information from the officer or employee.

(b) Before presenting a preliminary report under AS 24.55.220, the ombudsman will consider any evidence presented or any representation made by the officer or employee under (a) of this section. (Eff. 3/28/86, Reg. 97)

Authority: AS 24.55.090

AS 24.55.180

AS 24.55.220

**21 AAC 20.210. COMPLETED INVESTIGATIONS: PRELIMINARY REPORT TO AGENCY.**

(a) The preliminary report issued under AS 24.55.190(a) must indicate the ombudsman's findings, opinion and recommendations. The ombudsman will report to the appropriate officer or employee and will, in his discretion, report to any other officer or employee that the ombudsman thinks should receive the information.

(b) When presenting a finding or opinion under (a) of this section, the ombudsman will, in his or her discretion, determine that the complaint or an allegation within it is

(1) "justified" if, on the basis of evidence obtained during the investigation, the ombudsman determines or believes the complainant's criticism of the administrative act is valid;

(2) "partially justified" if,

(A) on the basis of evidence obtained during the investigation, the ombudsman determines or believes the complaint is "justified," and further finds that action or inaction by the complainant materially affected the administrative act; or

(B) in a complaint having multiple allegations, the ombudsman finds at least one allegation "justified" or, under (A) of this paragraph, "partially justified," and finds at least one allegation "not supported" or "indeterminate";

(3) "not supported" if, on the basis of evidence obtained during the investigation, the ombudsman determines or believes the complainant's criticism of the administrative act is not valid; or

(4) "indeterminate" if investigation does not provide sufficient evidence for the ombudsman to determine conclusively whether the complainant's criticism of the administrative act is valid or not valid. (Eff. 9/16/84, Reg. 91; am 3/28/86, Reg. 97)

Authority: AS 24.55.090  
AS 24.55.180  
AS 24.55.190

**21 AAC 20.220. MODIFICATION OF FINDING OR OPINION.** (a) If, in the preliminary report transmitted to the agency under 21 AAC 20.210, the ombudsman proposes a finding that is critical of the agency, the agency may seek modification of the finding or opinion presented to it within 15 days after the date the preliminary report is presented. The ombudsman will, in his or her discretion, extend the period in which modification of the finding or opinion may be requested by the agency, but each extension will not exceed 30 days.

(b) The ombudsman will notify an agency of the acceptance or rejection of a request for modification proposal directed to his attention under (a) of this section within 15 days after receipt of the agency's proposal. If the ombudsman accepts a request for modification under this subsection, the ombudsman may present a modified recommendation to the agency.

(c) In AS 24.55.180 and this section, a finding

or opinion that is critical of an agency includes a finding or opinion that a complaint or allegation is "justified" or "partially justified." (Eff. 9/16/84, Reg. 91; am 3/28/86, Reg. 97)

Authority: AS 24.55.090  
AS 24.55.180  
AS 24.55.190

**21 AAC 20.230. AGENCY RESPONSE.** (a) Except as provided by (b) of this section, when the ombudsman presents a recommendation or modified recommendation to an agency under AS 24.55.190(a), the ombudsman will, in his discretion, request the agency to respond to the recommendation or modified recommendation within 30 days after its receipt of the recommendation, advising the ombudsman of its decision to

(1) accept and implement or agree to implement a recommendation; or

(2) reject the recommendation.

(b) When presenting his findings and recommendations, if the ombudsman determines that an early response is reasonably necessary to obtain timely agency review of findings and a recommendation of the investigation of a complaint that is an emergency or of a complaint in which there is an allegation or evidence of serious harm or injury, the ombudsman will, in his discretion, request an agency to respond to the recommendation or modified recommendation presented to the agency on a date sooner than the date specified in (a) of this section. The document presenting the findings and recommendation must specify the date by which an early response is requested.

(c) The ombudsman will, in his discretion, or for good cause shown, extend a period provided for response under this section at the request of the agency. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090

**21 AAC 20.240. INVESTIGATION, CONCLUSION, AND FINAL REPORT.** (a) When concluding an investigation, the ombudsman will indicate that the subject of the investigation has been "rectified" if the ombudsman determines that, in response to a recommendation or modified recommendation presented to the

agency, the agency has initiated corrective action or commits itself to take corrective action substantially as recommended.

(b) If an agency does not initiate corrective action or does not commit itself to take corrective action substantially as presented in the ombudsman's recommendation or modified recommendation, the ombudsman will, in his or her discretion, after considering any response received from the agency, submit a report of the matter to the chief executive officer of the agency or to the governor, and then make a report to the legislature, to the press, or to the public, as the ombudsman considers appropriate.

(c) The provisions of (b) of this section do not limit the ombudsman from making a report on any investigation to the legislature, the press, or the public, as the ombudsman considers appropriate. (Eff. 9/16/84, Reg. 91; am 3/28/86, Reg. 97)

Authority: AS 24.55.090  
AS 24.55.200

**21 AAC 20.250. COMPLAINANT TO BE INFORMED.** Within 15 days after receipt of an agency's acceptance or rejection of an ombudsman's recommendation or modified recommendation, the ombudsman will notify the complainant of the result of the investigation and of the action taken or proposed to be taken by the agency. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090

#### ARTICLE 4. CONFIDENTIAL INFORMATION

##### Section

- 300. Disclosure of confidential information
- 310. Disclosure with written consent
- 320. Disclosure of information from public sources
- 330. Disclosure as statistical information
- 340. Disclosure to agency
- 350. Assertion of privacy interest by agency
- 360. Disclosure to the complainant
- 370. Disclosure to governor, legislature, or grand jury
- 380. Public disclosure
- 390. Definitions

**21 AAC 20.300. DISCLOSURE OF CONFIDENTIAL INFORMATION.** A confidential record provided by an agency or a person to the office of the ombudsman during the course of an ombudsman's investigation may not be disclosed by the office of the ombudsman except as provided in 21 AAC 20.310 - 21 AAC 20.390. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090  
AS 24.55.160

Art. I, sec. 22, Alaska Constitution

**21 AAC 20.310. DISCLOSURE WITH WRITTEN CONSENT.** The ombudsman will, in his discretion, disclose a confidential record if the ombudsman first obtains the written consent of the person about whom information in the confidential record relates. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090  
AS 24.55.160

Art. I, sec. 22, Alaska Constitution

**21 AAC 20.320. DISCLOSURE OF INFORMATION FROM PUBLIC SOURCES.** The ombudsman will, in his discretion, disclose a confidential record if the information contained in the record is reasonably obtainable from other public sources without the consent of the person about whom the information relates. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090  
AS 24.55.160

Art. I, sec. 22, Alaska Constitution

**21 AAC 20.330. DISCLOSURE AS STATISTICAL INFORMATION.** The ombudsman will, in his discretion, disclose information contained in a confidential record as a statistical report if the person about whom the information relates is not identifiable in the statistical report. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090  
AS 24.55.160

Art. I, sec. 22, Alaska Constitution

**21 AAC 20.340. DISCLOSURE TO AGENCY.** Except as provided in 21 AAC 20.350, the ombudsman will, in his discretion, disclose to an agency a confidential record produced by the agency or a confidential record used by the agency in the conduct of its business in order to enable the ombudsman to present a finding,

opinion, or recommendation made to the agency. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090

AS 24.55.160

Art. I, sec. 22, Alaska Constitution

**21 AAC 20.350. ASSERTION OF PRIVACY INTEREST BY AGENCY.** If the ombudsman receives written notice from an agency which has provided a confidential record that it asserts a privacy interest in the record, the ombudsman

(1) will, in his discretion, disclose the record only to the person or persons within the agency having custody of the record; and

(2) will, in his discretion, make any other disclosure of the record only in accordance with 21 AAC 20.380. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090

AS 24.55.160

Art. I, sec. 22, Alaska Constitution

**21 AAC 20.360. DISCLOSURE TO THE COMPLAINANT.** The ombudsman may not disclose information in a record to the complainant if federal or state law or regulation prohibits disclosure of the record to the complainant. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090

AS 24.55.160

Art. I, sec. 22, Alaska Constitution

**21 AAC 20.370. DISCLOSURE TO GOVERNOR, LEGISLATURE, OR GRAND JURY.** If the ombudsman determines that a confidential record produced by an agency should be disclosed under AS 24.55.200 to the governor, the legislature, or a grand jury in order for the ombudsman to seek review of a finding, opinion or recommendation, the ombudsman will, in his discretion, return the record to the agency that produced it and recommend its disclosure by the agency to the governor, the legislature, or the grand jury, as applicable. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090

AS 24.55.160

Art. I, sec. 22, Alaska Constitution

**21 AAC 20.380. PUBLIC DISCLOSURE.** (a) The provisions of this section apply to

(1) disclosure of a confidential record to a person within an agency other than the person having custody of a confidential record if that record has been provided to the ombudsman by the agency and the agency has asserted a privacy interest under 21 AAC 20.350; and

(2) public disclosure under AS 24.55.200 of a confidential record produced by an agency.

(b) Before disclosing a confidential record, the ombudsman will give written notice to the agency having custody of the record and to the person about whom information in the record

relates that the ombudsman intends to disclose the record at the expiration of a 15-day period. The period during which the agency or a person may object can be extended by the ombudsman at the request of the agency or person. In providing notice, the ombudsman will indicate the basis of the decision to disclose the record.

(c) The agency or person to whom notice is given under (b) of this section may object to disclosure of the record by filing with the ombudsman a written objection to the disclosure. The objection filed by the agency or person must identify the portion of the record that the agency or person believes should remain confidential and must state the reasons for the objections to disclosure.

(d) If objection to disclosure has not been filed with the ombudsman in accordance with (c) of this section at the end of 15 days from the date of notice, or of any extension of that period approved by the ombudsman, the ombudsman will, in his discretion, disclose the confidential record.

(e) If objection to disclosure is filed with the ombudsman in accordance with (c) of this section and if, despite the objection, the ombudsman believes that disclosure of the record is essential to obtain agency acceptance of a finding and implementation of a recommendation in order to correct an action, decision or omission of the agency that was detrimental to the complainant, the ombudsman will give written notice to the agency or to the person or persons making objection under (c) of this section that he intends to disclose the record. In his notice, the ombudsman will

(1) briefly state the reason or reasons for his decision to disclose;

(2) indicate the date on which the ombudsman expects to make public disclosure of the record, not sooner than 15 days from the date of his notice; and

(3) state that the date may be extended only by mutual agreement between the agency or person and the ombudsman.

(f) At any time before expiration of the date on which the ombudsman indicates that he will dis-

close the document to the public, an agency or a person to whom notice is required to be sent under (e) of this section may apply to the superior court for an order preventing the ombudsman from disclosing the record. In making a determination as to whether the ombudsman may disclose the record

(1) if the record contains both disclosable and confidential information and the confidential information cited by the agency or person objecting to disclosure of the record may be reasonably separated from confidential portions in a manner that will allow meaningful information to be disclosed, the court may determine that the confidential information identified under the authority cited by the agency or person objecting to disclosure of the information or record must be deleted and thereafter may allow the ombudsman to release the disclosable information;

(2) if the record is wholly confidential, or if the record contains both disclosable and confidential information and the confidential information cited by the agency or person objecting to disclosure of the record cannot be reasonably separated from confidential portions in a manner that will allow meaningful information to be disclosed, the court may allow the ombudsman to disclose the record if the court determines that the need for disclosure outweighs the nature and weight of the privacy interest asserted by the agency or person. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090  
AS 24.55.160

Art. I, sec. 22, Alaska Constitution

**21 AAC 20.390. DEFINITIONS.** In 21 AAC 20.300 — 21 AAC 20.390

(1) "confidential" means a record or information in a record that is nondisclosable under a valid federal or Alaska statute or regulation, or by a privilege, exemption, or principle recognized by the courts, or by an agency protective order authorized by law;

(2) "person" has the same meaning as in AS 01.10.060(7);

(3) "record" means a document, paper, memorandum, book, letter, drawing, map, plat, photo, photographic file, motion picture, film,

microfilm, microphotograph, exhibit, magnetic or paper tape, punched card, or other item of any other material, regardless of physical form or characteristic, developed or received under law or in connection with the transaction of official business by an agency or person, and preserved as evidence of the organization, function, policies, decisions, procedures, operations, or other activities of the agency or person or because of the informational value in them; the term also includes staff manuals and instructions to staff that directly or indirectly affect the public. (Eff. 9/16/84, Reg. 91)

Authority: AS 24.55.090

AS 24.55 160

Art. I, sec. 22, Alaska Constitution

## Chapter 55. Office of the Ombudsman.

### Article

1. Organization (§§ 24.55.010 — 24.55.090)
2. Jurisdiction and Initiation of Investigations (§§ 24.55.100 — 24.55.140)
3. Investigations (§§ 24.55.150 — 24.55.170)
4. Procedure and Reports After Investigation (§§ 24.55.180 — 24.55.210)
5. Miscellaneous (§§ 24.55.220 — 24.55.290)
6. General Provisions (§§ 24.55.300 — 24.55.340)

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**Legislative history reports.** — For CSSB 1), see 1975 Senate Journal, pp. 601-603.  
 conference committee letter of intent and analysis of ch. 53, SLA 1975 (FCCS HCS)

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### Article 1. Organization.

#### Section

10. Office of the ombudsman
20. Appointment of the ombudsman
30. Qualifications: prohibition against political activity
40. Term of office

#### Section

50. Removal
60. Compensation
70. Staff and delegation
80. Office facilities and administration
90. Procedure

**Sec. 24.55.010. Office of the ombudsman.** There is created in the legislative branch of the state the office of the ombudsman. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.020. Appointment of the ombudsman.** (a) A candidate for appointment as the ombudsman shall be nominated by the ombudsman selection committee composed of three members of the senate appointed by the president of the senate and three members of the house of representatives appointed by the speaker of the house. One member of the minority party caucus in each house shall be appointed to the selection committee.

(b) The ombudsman selection committee shall examine persons to serve as ombudsman regarding their qualifications and ability and shall place the name of the person selected in nomination. The appointment is effective if the nomination is approved by a roll call vote of two-thirds of the members of the legislature in joint session and approved by the governor. However, the governor may veto the appointment and return it, with a statement of objections, to the legislature. Upon receipt of a veto message the legislature shall meet immediately in joint session and reconsider approval of the vetoed appointment. The vetoed appointment becomes effective by an affirmative vote of two-thirds of the membership of the legislature in joint session. The vote on the appointment and on reconsideration of a vetoed appointment shall be entered in the journals of both houses.

(c) The appointment of the ombudsman becomes effective if, while the legislature is in session, the governor neither approves nor vetoes it within 15 days, Sundays excepted, after its delivery to the governor. If the legislature is not in session and the governor neither approves nor vetoes the appointment within 20 days, Sundays excepted, after its delivery to the governor, the appointment becomes effective. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.030. Qualifications; prohibition against political activity.** (a) A person may not serve as ombudsman

(1) within one year of the last day on which the person served as a member of the legislature;

(2) while the person is a candidate for or holds any other national, state, or municipal office; nor may the ombudsman become a candidate for national, state or municipal office until one year has elapsed from the date the ombudsman vacates the office of ombudsman;

(3) while the person is engaged in any other occupation for which the person receives compensation;

(4) unless the person is at least 21 years of age and is a qualified voter who has been a resident of the state for at least three years.

(b) It is essential that the nonpartisan nature, integrity and impartiality of the ombudsman's functions and services be maintained. The ombudsman and members of the staff of the ombudsman may not join, support or otherwise participate in a partisan political organization, faction or activity, including but not limited to the making of political contributions. However, this subsection does not restrict the ombudsman or members of the staff of the ombudsman from expressing private opinion, registering as to party, or voting. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.040. Term of office.** (a) The term of office of the ombudsman is five years. An ombudsman may be reappointed but may not serve for more than three terms.

(b) If the term of an ombudsman expires without the appointment of a successor under this chapter, the incumbent ombudsman may continue in office until a successor is appointed. If the ombudsman dies, resigns, becomes ineligible to serve, or is removed or suspended from office, the deputy ombudsman becomes acting ombudsman until a new ombudsman is appointed for a full term. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.050. Removal.** The legislature, by a concurrent resolution adopted by a roll call vote of two-thirds of the members in each house entered in the journal, may remove or suspend the ombudsman from office, but only for neglect of duty, misconduct, or disability. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.060. Compensation.** The ombudsman is entitled to receive an annual salary equal to that of a superior court judge. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.070. Staff and delegation.** (a) The ombudsman may appoint a deputy ombudsman. The ombudsman shall also appoint assistants and clerical personnel necessary to carry out the provisions of this chapter.

(b) The ombudsman may delegate to the deputy or assistants any of the ombudsman's duties except those specified in AS 24.55.190 and 24.55.200, however, during the ombudsman's absence from the principal business offices, the ombudsman may delegate the duties specified in AS 24.55.190 and 24.55.200 to the deputy for the duration of the absence. The duties specified in AS 24.55.190 and 24.55.200 shall be performed by the deputy ombudsman when serving as acting ombudsman under AS 24.55.040(b).

(c) The ombudsman and the staff appointed by the ombudsman are in the exempt service under AS 39.25.110. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.080. Office facilities and administration.** (a) The Alaska Legislative Council shall provide suitable office space and equipment for the ombudsman and staff.

(b) The salary and benefits of the ombudsman and the permanent staff of the ombudsman shall be paid through the same procedures used for payment of the salaries and benefits of other permanent legislative employees.

(c) The ombudsman shall submit a budget for each fiscal year to the finance committees of the legislature and shall annually submit an estimated budget to the governor for information purposes in the preparation of the executive budget. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.090. Procedure.** The ombudsman shall, by regulations adopted under the Administrative Procedure Act (AS 44.62), establish procedures for receiving and processing complaints, conducting investigations, and reporting findings. However, the ombudsman may not charge fees for the submission or investigation of complaints. (§ 1 ch 32 SLA 1975)

**Article 2. Jurisdiction and Initiation of Investigations.**

Section	Section
100. Jurisdiction	130. Notice to complainant
110. Investigation of complaints	140. Notice to the agency
120. Investigation on the ombudsman's motion	

**Sec. 24.55.100. Jurisdiction.** (a) The ombudsman has jurisdiction to investigate the administrative acts of agencies.

(b) The ombudsman may exercise the ombudsman's powers without regard to the finality of an administrative act. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.110. Investigation of complaints.** The ombudsman shall investigate any complaint that is an appropriate subject for investigation under AS 24.55.150, unless the ombudsman reasonably believes that

- (1) there is presently available an adequate remedy for the grievance stated in the complaint;
- (2) the complaint relates to a matter that is outside the jurisdiction of the ombudsman;
- (3) the complaint relates to an administrative act of which the complainant has had knowledge for an unreasonable length of time before the complaint was submitted;
- (4) the complainant does not have a sufficient personal interest in the subject matter of the complaint;
- (5) the complaint is trivial or made in bad faith;
- (6) the resources of the ombudsman's office are insufficient for adequate investigation. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.120. Investigation on the ombudsman's motion.** The ombudsman may investigate the administrative act of an agency on the ombudsman's own motion if the ombudsman reasonably believes that it is an appropriate subject for investigation under AS 24.55.150. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.130. Notice to complainant.** (a) If the ombudsman decides not to investigate a complaint, the ombudsman shall inform the complainant of that decision and shall state the reasons.

(b) If the ombudsman decides to investigate a complaint, the ombudsman shall notify the complainant of the decision. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.140. Notice to the agency.** If the ombudsman decides to investigate a complaint, the ombudsman shall notify the agency of the intention to investigate unless the ombudsman believes that advance notice will unduly hinder the investigation or make it ineffectual. (§ 1 ch 32 SLA 1975)

### Article 3. Investigations.

**Section**

150. Appropriate subjects for investigation

**Section**

160. Investigation procedures  
170. Powers

**Sec. 24.55.150. Appropriate subjects for investigation.** (a) An appropriate subject for investigation by the ombudsman is an administrative act of an agency which the ombudsman has reason to believe might be

- (1) contrary to law;
- (2) unreasonable, unfair, oppressive, arbitrary, capricious, an abuse of discretion, or unnecessarily discriminatory, even though in accordance with law;
- (3) based on a mistake of fact;
- (4) based on improper or irrelevant grounds;
- (5) unsupported by an adequate statement of reasons;
- (6) performed in an inefficient or discourteous manner; or
- (7) otherwise erroneous.

(b) The ombudsman may investigate to find an appropriate remedy. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.160. Investigation procedures.** (a) In an investigation, the ombudsman may

- (1) make inquiries and obtain information considered necessary;
- (2) enter without notice to inspect the premises of an agency, but only when agency personnel are present; and
- (3) hold private hearings.

(b) The ombudsman shall maintain confidentiality with respect to all matters and the identities of the complainants or witnesses coming before the ombudsman except insofar as disclosures may be necessary to enable the ombudsman to carry out duties and to support recommendations. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.170. Powers.** (a) Subject to the privileges which witnesses have in the courts of this state, the ombudsman may

(1) compel by subpoena, at a specified time and place, the appearance and sworn testimony of a person who the ombudsman reasonably believes may be able to give information relating to a matter under investigation; and

(2) compel a person, by subpoena, to produce documents, papers, or objects which the ombudsman reasonably believes may relate to the matter under investigation.

(b) If a person refuses to comply with a subpoena issued under (a) of this section, the superior court may, on application of the ombudsman, compel obedience by proceedings for contempt in the same manner as in the case of disobedience to the requirements of a subpoena issued by the court or refusal to testify in the court. (§ 1 ch 32 SLA 1975)

**Article 4. Procedure and Reports After Investigation.**

**Section**

180. Consultation with agency  
190. Procedure after investigation

**Section**

200. Publication of recommendations  
210. Notice to the complainant

**Sec. 24.55.180. Consultation with agency.** Before giving an opinion or recommendation which is critical of an agency or person, the ombudsman shall consult with that agency or person. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.190. Procedure after investigation.** (a) The ombudsman shall report the opinion and recommendations of the ombudsman to an agency if the ombudsman finds, after investigation, that

- (1) a matter should be further considered by the agency;
- (2) an administrative act should be modified or cancelled;
- (3) a statute or regulation on which an administrative act is based should be altered;
- (4) reasons should be given for an administrative act;
- (5) any other action should be taken by the agency;
- (6) there are no grounds for action by the agency; or
- (7) the agency's act was arbitrary or capricious, constituted an abuse of discretion, or was otherwise erroneous or not in accordance with the law.

(b) The ombudsman may request the agency to notify the ombudsman, within a specified time, of any action taken on the recommendations. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.200. Publication of recommendations.** Within a reasonable amount of time after the ombudsman reports the opinion and recommendations to an agency the ombudsman may present the opinion and recommendations to the governor, the legislature, a grand jury, the public or any of these. The ombudsman shall include with the opinion any reply made by the agency. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.210. Notice to the complainant.** After a reasonable time has elapsed, the ombudsman shall notify the complainant of the actions taken by the ombudsman and by the agency. (§ 1 ch 32 SLA 1975)

**Article 5. Miscellaneous.**

Section	Section
220. Misconduct by agency personnel	270. Letters to or from ombudsman
230. Annual report	275. Contract procedures
240. Judicial review	280. Time for judicial review of agency action
250. Immunity of the ombudsman	290. Penalty
260. Ombudsman's privilege not to testify	

**Sec. 24.55.220. Misconduct by agency personnel.** If the ombudsman believes there is a breach of duty or misconduct by an officer or employee of an agency in the conduct of the officer's or employee's official duties, the ombudsman shall refer the matter to the chief executive officer of the agency or, when appropriate, to a grand jury or to another appropriate official or agency. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.230. Annual report.** The ombudsman shall submit to the legislature and the public an annual report of the ombudsman's activities under this chapter. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.240. Judicial review.** A proceeding or decision of the ombudsman may be reviewed in superior court only to determine if it is contrary to the provisions of this chapter. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.250. Immunity of the ombudsman.** A civil action may not be brought against the ombudsman or a member of the ombudsman's staff for anything done, said or omitted in performing the ombudsman's duties or responsibilities under this chapter. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.260. Ombudsman's privilege not to testify.** The ombudsman and the staff of the ombudsman may not testify in a court regarding matters coming to their attention in the exercise or purported exercise of their official duties except as may be necessary to enforce the provisions of this chapter. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.270. Letters to or from ombudsman.** A letter to the ombudsman from a person held in custody by an agency shall be forwarded immediately, unopened, to the ombudsman. A letter from the ombudsman to a person held in custody by an agency shall be delivered immediately, unopened, to the person. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.275. Contract procedures.** The ombudsman shall adopt by regulation procedures consistent with AS 24.23 to be followed by the office of the ombudsman in contracting for services. However, the procedure for requests for proposals does not apply to contracts for investigations under AS 24.55.100. (§ 4 ch 144 SLA 1982)

**Sec. 24.55.280. Time for judicial review of agency action.** This chapter in no way extends the time limit in which judicial review of agency action must be sought. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.290. Penalty.** A person who wilfully hinders the lawful actions of the ombudsman or the staff of the ombudsman, or who wilfully refuses to comply with their lawful demands, or who wilfully violates AS 24.55.270, is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$1,000. (§ 1 ch 32 SLA 1975)

**Article 6. General Provisions.**

<b>Section</b>	<b>Section</b>
300. Administrative Procedure Act	330. Definitions
310. Conflict of interest	340. Short title
320. Municipalities	

**Sec. 24.55.300. Administrative Procedure Act.** The administrative acts of the ombudsman are not subject to the provisions of the Administrative Procedure Act (AS 44.62), except as provided in AS 24.55.090. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.310. Conflict of interest.** The ombudsman, the deputy ombudsman and their professional staff are subject to AS 39.50 (conflict of interest). (§ 1 ch 32 SLA 1975)

**Sec. 24.55.320. Municipalities.** A municipality may by ordinance elect to become subject to the jurisdiction of the ombudsman appointed under this chapter. If a municipality so elects, it shall notify the ombudsman of that election and shall thereafter be considered an agency for the purposes of this chapter. If a municipality subjects itself to the jurisdiction of the ombudsman, the municipality shall pay its pro rata share of the cost of the operation of the office of the ombudsman based on the number of complaints or the case load emanating from that municipality, as prescribed by the ombudsman. If a municipality elects to remove itself from the jurisdiction of the ombudsman, it shall do so by ordinance, shall notify the ombudsman of that election and shall not thereafter be considered an agency for the purposes of this chapter. (§ 1 ch 32 SLA 1975)

**Sec. 24.55.330. Definitions.** In this chapter

(1) "administrative act" means an action, omission, decision, recommendation, practice, policy, or procedure of an agency, but does not include the preparation or presentation of legislation or the substantive content of a judicial order, decision or opinion;

(2) "agency" includes a department, office, institution, corporation, authority, organization, commission, committee, council or board of a municipality or in the executive, legislative or judicial branches of the state government, and a department, office, institution, corporation, authority, organization, commission, committee, council or board of a municipality or of the state government independent of the executive, legislative and judicial branches; it also includes an officer, employee or member of an "agency" acting or purporting to act in the exercise of official duties, but does not include the governor, lieutenant governor, a member of the legislature, justice of the supreme court, judge of the court of appeals, a superior court judge, district court judge, magistrate, member of a city council or borough assembly, elected city or borough mayor, or a member of an elected school board;

(3) [Repealed effective January 1, 1986] "municipality" means a home rule or general law borough or city including but not limited to a unified municipality organized under AS 29.68. (§ 1 ch 32 SLA 1975; am § 25 ch 12 SLA 1980; am § 88 ch 74 SLA 1985)

§ 24.45.171

§ 24.45.171

LEGISLATURE

§ 24.45.171

payment of a loan  
payment except

(9) "payment" means the disbursement, distribution, transfer, loan, advance, deposit, gift or other rendering or tendering of money, property, goods or services or anything else of value;

anniversary events;

(10) "payment to influence legislative or administrative action" means any of the following:

or services not

(A) a direct or indirect payment to a lobbyist whether for salary, fee, compensation for expenses, or any other purpose, by a person employing, retaining or contracting for the services of the lobbyist separately or jointly with other persons;

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(B) a payment in support of or assistance to a lobbyist or the lobbyist's activities, including but not limited to the direct payment of expenses incurred at the request or suggestion of the lobbyist;

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(C) a payment which directly benefits a public official or a member of the immediate family of that official;

ient children of

(D) a payment, including compensation, payment or reimbursement for the services, time or expenses of an employee for or in connection with direct communication with a public official;

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or administra-  
rovision or use  
or oral form or

(E) a payment for or in connection with soliciting or urging other persons to enter into direct communication with a public official;

(F) a payment or reimbursement for expenses in the categories set out in AS 24.45.051(2);

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(11) "person", in addition to the terms set out in AS 01.10.060(7) includes a labor union; and

(12) "public official" or "public officer" means a public official as defined in AS 39.50.200(a); however, it does not include a judicial officer or an elected or appointed municipal officer. (§ 2 ch 167 SLA 1976; am § 39 ch 37 SLA 1986)

**Effect of amendments.** — The 1983 "office" and deleted "or public office" following "public official." amendment, effective May 26, 1986, in paragraph (12) substituted "officer" for

**Chapter 55. Office of the Ombudsman.**

**Article**  
5. Miscellaneous (§ 24.55.275)

**Article 5. Miscellaneous.**

**Section**  
275. Contract procedures

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**Sec. 24.55.275. Contract procedures [Effective July 1, 1987].** The ombudsman shall adopt by regulation procedures consistent with AS 36.30 to be followed by the office of the ombudsman in contracting for services. However, the procedure for requests for proposals does not apply to contracts for investigations under AS 24.55.100. (§ 4 ch 144 SLA 1982; am § 23 ch 106 SLA 1986)

**Effect of amendments.** — The 1986 amendment, effective July 1, 1987, substituted "AS 36.30" for "AS 24.23" in the first sentence.

### Chapter 60. Standards of Conduct.

**Section**

- 20. Applicability
- 40. Contracts or leases
- 50. State loans
- 70. Interests between public officials
- 100. Representation
- 110. Action on a conflict of interest

**Section**

- 130. Select committee on legislative ethics
- 150. Duties of the committee
- 160. Advisory opinions
- 170. Proceedings before the committee
- 190. Definitions

**Sec. 24.60.020. Applicability.** (a) Except as otherwise provided in this subsection, this chapter applies to a member of the legislature and to a person employed by the legislative branch of government. This chapter does not apply to

- (1) a former member of the legislature or to a person formerly employed by the legislative branch of government unless the provision specifically states that it so applies;
- (2) a person elected to the legislature who at the time of election is not a member of the legislature;
- (3) a person employed by the legislative branch of government whose compensation is below Step A, Range 18 of the state salary schedule established in AS 39.27.011(a);
- (4) a person employed privately by a legislator if the person does not perform legislative duties.

(b) The provisions of this chapter specifically supersede the provisions of the common law relating to legislative conflict of interest that may apply to a member of the legislature or a person employed by the legislative branch of government. They do not supersede or repeal provisions of the criminal laws of the state. (§ 1 ch 36 SLA 1984; am §§ 2, 3 ch 113 SLA 1986)

**Effect of amendments.** — The 1986 amendment, effective June 8, 1986, in subsection (a) in the introductory language substituted "Except as otherwise provided in this subsection, this" for "This" and "and to a person employed by the legislative branch of government" for "and to a permanent or temporary em-

ployee of an agency of the legislature." in paragraph (1) substituted "the legislative branch of government" for "a member of the legislature or an agency of the legislature." in paragraph (3) substituted "legislative branch of government" for "legislature or an employee of an agency of the legislature." added paragraph (4) and

PRESS  
AND  
NEWS  
RELEASES

# Alaska State Legislature



*Dark*

JAN. 21, 1986  
FOR IMMEDIATE RELEASE

P R F      A E L E A S E

Pouch V  
State Capitol  
Juneau, Alaska 99811  
(907) 465-4990

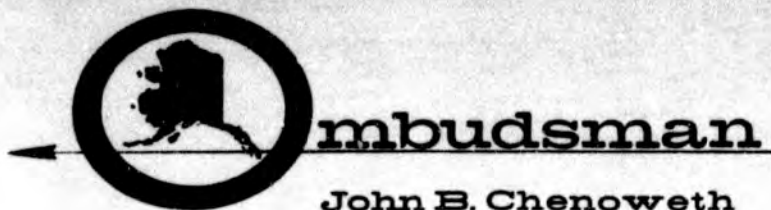
## STATE OMBUDSMAN WANTED

The Alaska State Legislature is currently taking applications for the position of State Ombudsman, according to Sen. Mitch Abood and Rep. M. Mike Miller (Juneau), co-chairmen of the Ombudsman Selection Committee of the legislature.

The position of ombudsman has a five-year term beginning on July 1, 1986, and ending June 30, 1991. The Ombudsman manages a small staff based in Juneau, Anchorage and Fairbanks. The office acts as a clearinghouse for complaints by citizens who encounter problems dealing with state agencies, and files opinions and reports on the office's findings. The ombudsman acts as facilitator in helping to work out legitimate complaints with state agencies. The ombudsman's office is a semi-autonomous agency reporting to the legislature.

People who are interested in applying for the position of ombudsman may send resumes indicating education and work experience, as well as other relevant information, either to Sen. Mitch Abood or to Rep. M. Mike Miller, P.O. Box V, Juneau, Ak. 99811. Requests for additional information may also be sent to the same address.

###    ###



State of Alaska

Reply to:

- 3201 C Street, Suite 606  
Anchorage, Alaska 99503  
(907) 563-3673
- Pouch W0  
Juneau, Alaska 99811  
(907) 465-4970
- P.O. Box 74358  
Fairbanks, Alaska 99707  
(907) 452-4001

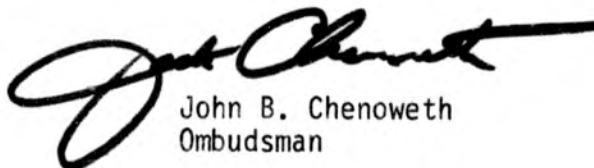
January 24, 1986

Senator Mitch Abood, Chairman  
Ombudsman Selection Committee  
Alaska State Legislature  
Post Office Box V  
Juneau, Alaska 99811-3100

Dear Senator Abood:

I am transmitting the copy of the recent vacancy advertisement for the British Columbia ombudsman position, as noted in the memo accompanying my January 20 letter to the Committee.

Sincerely,



John B. Chenoweth  
Ombudsman

JBC:jdt  
Enclosure

RECEIVED  
JAN 27 1986



Province of British Columbia

# OMBUDSMAN

Canadians who have earned respect and recognition in their chosen field and the community at large are invited to apply for the position of Ombudsman for the Province of British Columbia.

The Ombudsman is charged with the responsibility under the Ombudsman Act to investigate the complaint of any person who believes they have suffered an injustice through the actions or decisions of Ministries, Agencies, Corporations or Officials of the Government of British Columbia. Copies of the Ombudsman Act are available on request.

The Ombudsman carries out his/her duties through the management of a 32-person professional and support staff and reports to the Legislative Assembly on the activities of the Ombudsman Office.

The demands of this position require attributes that go beyond a specific discipline or academic achievement. It is desirable that the Ombudsman possess:

- A general knowledge and appreciation of the workings of the parliamentary system.
- Knowledge of British Columbia and its people.
- Common sense, maturity, fairness, integrity and sound judgement.
- Independence, perseverance, tact, patience and tolerance.
- An understanding of the distinction between natural and legal justice and the ability to assimilate legal advice.
- Ability to communicate with individuals from all walks of life as well as with various levels of Provincial Government.
- Ability to respond to administrative problems and a knowledge of sound administrative and management practice.
- A high energy level and dedication to the Ombudsman role.

The Ombudsman is appointed to a six year term and may be reappointed. The compensation package reflects the senior nature and responsibility of the position.

Replies will be treated in confidence. Resumes and inquiries should be forwarded prior to January 17, 1986, to:

John M. Parks, M.L.A.:  
Chairman of the Special Committee to Choose an Ombudsman,  
Room 204,  
Parliament Buildings,  
Victoria, B.C., V8V 1X4



PRESS RELEASE

November 11, 1987  
FOR IMMEDIATE RELEASE

The Ombudsman Selection Committee made up of Senator Abood, Anchorage; Senator Josephson, Anchorage; Senator Jones, Ketchikan; Representative Pourchot, Anchorage; Representative Phillips, Eagle River; and Representative Sund, Ketchikan; met on Wednesday, November 11, 1987 at 9:00 AM to interview six final applicants for the position of State Ombudsman; narrowed down from the initial 125 applicants. After reviewing the qualifications of each candidate, the Committee unanimously recommended Duncan Fowler for the position.

Senator Abood, Senate Co-chairman for the Selection Committee, stated "It was difficult for the Committee to reach a final decision due to the high caliber of applicants. Each of the six finalists would have made a fine State Ombudsman."

Pourchot, House of Representatives Co-chairman for the Selection Committee, said, "I am very pleased that the Committee reached unanimous agreement in recommending Fowler for the Ombudsman position. I'm confident that this early legislative support is indicative of the support the nominee will receive when confirmation is considered by the Legislature early in January."

Mr. Fowler is a program manager with nineteen years of experience in rural and urban Alaska state government. He has a long record of motivating and managing staff in positions dealing with conflict and stress as well as a working knowledge of most agencies of state government. His employment history includes various experience in the Corrections field, eight years as the State Ombudsman Regional Representative and currently is the Director of Parks and Recreation for the City and Borough of Juneau.

Although the Ombudsman is selected by the Legislature, the Ombudsman Office is an independent office which acts as a clearinghouse for citizen complaints against state government. The position is a range 26A, \$5209.00 per month.

The Selection Committee will make their recommendation to the joint session of the legislature in January. Upon a two-thirds passage by roll call vote and the approval of the Governor, Duncan Fowler would be confirmed as Alaska's new State Ombudsman.

NEWSPAPERS FOR OMBUDSMAN ADVERTISEMENT

Juneau Empire	3100 Channel Drive, Juneau, AK 99801	586-3740	2 weeks
Anchorage Times	820 W 4th, Anchorage, AK 99501	263-9000	2 weeks
Anchorage Daily News	1001 Northway Drive, Anchorage, AK 99501	257-4444	2 weeks
Ketchikan Daily News	Box 7900, Ketchikan, AK 99901	225-3157	5 days
Fairbanks News-Miner	P.O. Box 710, Fairbanks, AK 99707	456-6661	2 weeks
- Peninsula Clarion	P.O. Box 4330, Kenai, AK 99611	283-7551	5 days
Tundra Times	411 W 4th Ave, Anchorage, AK 99501	274-2512	2 days (runs once a week)

STATE OF ALASKA

OMBUDSMAN

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The Ombudsman is an independent, impartial official of the legislative branch, readily available to the public. The Ombudsman is responsible administratively to the Legislature, and is empowered to investigate the acts of administrative agencies of the State of Alaska and to recommend appropriate changes. Goals include safeguarding the rights of persons and promoting higher standards of competency, efficiency, and equity in the provision of state services. The agency acts as a clearinghouse for complaints by citizens who encounter problems dealing with state agencies' policies and produces an annual report on the offices' findings. Responsibility will also include supervision of eight employees.

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*(circle)*  
~~The Ombudsman is headquartered in Anchorage with an office also in Juneau.~~ Salary is established by statute at Range 26A currently \$5209.00 per month plus benefits.

*9/14/87*  
*1:45 PM*  
The Ombudsman Selection Committee will make its selection and present the recommendation to the Legislature in January. According to AS 24.44.020(C), if the selection is approved by two-thirds of the full Legislature sitting in joint session, and approved by the Governor, the appointment becomes effective.

All applications shall be in the form of a resume including education, work experience, and references. These are a matter of public record and may be made available to the public. Applications should be mailed to Senator Mitch Abood, co-chairman of the Ombudsman Selection Committee, 3111 C Street, Suite 535, Anchorage, AK 99503 with a postmark no later than October 10. Requests for additional information may be sent to the same address or you may call the office at (907)561-7614.

#### PUBLIC SERVICES ANNOUNCEMENT

The Ombudsman Selection Committee, Co-Chaired by Senator Mitch Abood and Representative Pat Pourchot, will be holding a public hearing on the selection of the State Ombudsman, Wednesday, November 11 and Thursday, November 12, 1987. The committee will meet in Anchorage at 3111 C Street, 5th Floor conference room from 9:00 AM to 4:30 PM.

The committee will be convening as a public meeting, but will adjourn to Executive Session to review applications and conduct interviews. The Ombudsman Selection Committee's recommendation will be announced at the close of the meeting.

For further information please contact Darla Schnell at Senator Abood's office (561-7614).

Go farther in The Empire.....  
**SIFIEDS 586-3740**

**10. HELP WANTED**

**GENERAL MANAGER FOR UNIVERSITY AND COMMUNITY-ORIENTED PUBLIC TELEVISION AND RADIO STATIONS KUAC-FM and TV, University of Alaska-Fairbanks, seeks a person with proven ability to administer a creative, dynamic professional staff. The manager will work with the University community as well as a strong community support group.**

**KUAC is a joint licensee with a 25-year history of outstanding community support.**

**QUALIFICATIONS:** Demonstrated management experience in public broadcasting or related field; knowledge of laws, rules and regulations relating to public broadcasting, (FCC, CPB); experience in fundraising, grant proposal writing and fiscal management; knowledge of broadcast operations desirable; ability to communicate clearly and effectively orally and in writing and to appear as on-air spokesperson for the stations.

**Salary \$51,002 DOE.**

Send applications including resume and three professional references to: General Manager Search Committee, KUAC, University of Alaska, Fairbanks, Alaska 99775-1420. Applications must be postmarked by October 23, 1987. No phone calls. The University of Alaska is an EO/AA employer and Educational Institution.

**NO EXPERIENCE NECESSARY 17-34 YRS. Part-time jobs.** Choose from wide range of career opportunities that best fit your goals. Reserve your training school start date now. For high school seniors & juniors scheduled departures beginning next summer. For more information call Sgt Dietz of Sgt Corey 586-3254. Alaska Army National Guard 87H271

**Laboratory Supervisor Position.** Plant and soils analytical laboratory located at Agricultural and Forestry Experiment Station, Palmer, Alaska. Experienced person required. Write for job qualifications: 533 E. Firgweed, Palmer, AK 99645. University of Alaska is an AA/EO employer.

**Need a professional resume? Call Judy Crondahl, 586-1464.**

**NEW JOB POSITIONS.** Open for high school seniors & juniors. Lock in a part-time job and enlistment bonus for next summer now. Choose from a variety of career opportunities. For more information call Sgt Dietz or Sgt Corey 586-3254. Alaska Army National Guard 87H269

**Opening for RN in medical office, 32 hrs per week. Valley Medical Care. 789-3181**

**10. HELP WANTED**

Quality furniture store has challenging position for aggressive sales person. Salary + commission + benefits. Non smoker preferred. Penguin Classics 789-3364

**NEED EXPERIENCE:** We can give it to you to include paid skill training, travel, meals, and lodging plus a part-time job after training. For more information call Sgt Dietz or Sgt Corey 586-3254. Alaska Army National Guard 87H272

**STATE OF ALASKA**

**OMBUDSMAN**

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State of Alaska, Department of Health and Social Services has an anticipated vacancy in Juneau for a Chief Nutritionist. Starting minimum salary \$3,590 per

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The Senak Corporation is looking for an interested person to be a caretaker (look after cattle) on the island. If interested call George Gunderson at 383-3963 or Chris Gunderson at 383-2424 or by writing to:  
 Senak Corporation  
 P.O. Box 194  
 Sand Point, AK 99681

Publish: 9/07/87(12337)c

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Publish: 9/07,21/87(12339)c

**ANCHOR ARMS  
 MOTEL/APARTMENTS**

Downtown Anchorage at 433 Eagle St.  
 Affordable Open Space Reservations  
 Completely Furnished with Kitchen and  
**272-9619**

Black Bear Paws Available in October \$100.00

**STATE OF ALASKA  
 DEPARTMENT OF TRANSPORTATION AND  
 PUBLIC FACILITIES  
 NORTHERN REGION  
 DESIGN AND CONSTRUCTION  
 INVITATION FOR BIDS**

Sealed bids in single copy for furnishing all labor, materials, equipment and performing all work on Project No. AIP 3-02-0108-02/62968, Golovin Airport Relocation described herein, will be received until 2:00 p.m. prevailing time, September 2, 1987 in the Office of the Chief of Technical Services, Technical Services Building, Room 4, 2301 Peger Road, Fairbanks, Alaska 99709-6394.

The project will consist of constructing a 60 by 2,120 foot runway, 35 by 343 foot taxiway, 200 by 200 foot apron, 24 by 2,183 foot access road and an airport lighting system at Golovin, approximately 75 miles east of Nome.

The Engineer's Estimate is between \$2,500,000 and \$5,000,000.

Principal items of work include the following: 309,200 cubic yards of Embankment; 980 thousand square feet board measure of Insulation Board; 14,000 cubic yards of Aggregate Surface Course; 57,000 square yards of Geotextile Separation; various Lighting items and two Additive Alternates.

All work shall be completed by September 30, 1989.

The Department of Transportation and Public Facilities hereby notifies all bidders that it will affirmatively assure that in any contract entered into pursuant to this invitation, Female and Minority Business Enterprises will be afforded full opportunity to submit bids and will not be discriminated against on the grounds of race, color, national origin or sex in consideration for an award.

One set of plans, specifications and other bidding documents may be obtained at no charge by all who have a bona fide need for them for bidding purposes from the Chief of Technical Services, Technical Services Building, Room 3, 2301 Peger Road, Fairbanks, Alaska 99709-6394, telephone number (907) 451-2247.

Bidding documents are available for inspection at the Regional Department of Transportation and Public Facilities offices in Fairbanks, Anchorage, Juneau, and Nome, and the Associated General Contractors offices in Fairbanks, Anchorage, Juneau and Seattle.

Publish: 9/31/87 9/07/87(12311)

**NOTICE OF REQUEST  
 FOR  
 PROPOSALS**

**DEPARTMENT OF TRANSPORTATION &  
 PUBLIC FACILITIES  
 DIVISION OF DESIGN & CONSTRUCTION  
 CENTRAL REGION  
 BUILDINGS DESIGN & CONSTRUCTION  
 ANCHORAGE MYC CORE DETENTION  
 REMODEL - PHASE II  
 PROJECT NO. 53953**

The Engineer's Estimate is between \$1,000,000 and \$2,500,000.

Principal items of work include the following: all required Clearing; 33,000 cubic yards of Unclassified Excavation; 78,000 cubic yards of Embankment; 7,000 cubic yards of Crushed Aggregate Surface Course; 11,000 square yards of Geotextile Separation; and additive alternates for an Equipment Storage Building and Motor Grader.

All work shall be completed by October 31, 1989.

The Department of Transportation and Public Facilities hereby notifies all bidders that it will affirmatively assure that in any contract entered into pursuant to this invitation, Female and Minority Business Enterprises will be afforded full opportunity to submit bids and will not be discriminated against on the grounds of race, color, national origin or sex in consideration for an award.

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Publish: 8/24/87 9/07/87(12263)

**NOTICE OF PROPOSED CHANGES IN THE  
 REGULATIONS OF THE COMMERCIAL  
 FISHERIES ENTRY COMMISSION**

Notice is given that the Alaska Commercial Fisheries Entry Commission, under authority vested by AS 16.43.010 and following, proposes to adopt and amend regulations in Title 20, Chapter 5, of the Alaska Administrative Code to implement and interpret the provisions of AS 16.43, as follows:

Regarding educational entry permits,

- (1) provide for a due date by which applications must be submitted in order to be considered;
- (2) authorize a permit holder to pay students a stipend for expenses; and
- (3) establish requirements for submission of applications.

Notice is also given that any person interested may present oral or written statements related to the proposals at public hearings to be held according to the following schedule:

- ANCHORAGE**  
 September 29, 1987, 2:00 p.m.  
 Alaska Department of Fish  
 and Game Building  
 New Conference Room
- KING SALMON**  
 September 29, 1987, 1:30 p.m.  
 Alaska Department of Fish  
 and Game Building  
 Conference Room

**STATE OF ALASKA  
OMBUDSMAN**

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and color retention. Masks grain of wood while highlighting natural texture and pattern.

**ALSO ON SALE**

**PERFECT  
FOR REPAINTING  
ALUMINUM  
SIDING**



**MoorGard<sup>®</sup> Latex  
House Paint**  
Lasting durability and color retention in a high hiding low-lustre finish.

**Semi-Transparent  
STAIN & WOOD  
PRESERVATIVE**

A water-repellant stain with soft subtle colors that allow beauty of wood to show through.

**\$17.95**  
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Benjamin  
**Moore**  
PAINTS



Phone 262-9181

**INTERIORS**

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**Just Say  
Charge It!**

### STATE OF ALASKA OMBUDSMAN

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Publish:9/07,21/87(12339)c

making eligible applicants. If the Commission adopts regulations to establish maximum numbers, the Commission will thereafter propose for public comment such point system.

The Commission proposes establishing maximum numbers of entry permits for these combined herring and herring fisheries as follows:

Fishery	Maximum number of Permits
* Nelson Island gill net fishery	156
* Nunivak Island gill net fishery	33
* Lower Yukon (Cape Romanzof, Kokechik Bay) gill net fishery	88
* Norton Sound beach seine fishery	4
* Gill net fishery	301

The proposed maximum numbers represent the numbers of individuals who legally participated in the subject fisheries during 1986.

For purposes of limiting entry, the Commission also proposes to establish the following separate herring administrative areas:

\* the Nelson Island area consisting of all waters north of the latitude of Chinigyak Cape (60° 27' N. lat.) south of the latitude of the southeastermost tip of Kigigak Island (60° 50' N. lat.), and east of 165° 30' W. long.

\* the Nunivak Island area consisting of all waters extending three miles seaward of mean low water along the northern and eastern sides of Nunivak Island from Cape Algonquin (60° 13' 33" N. lat., 165° 56' 30" W. long.) to Twin Mountain (60° 02' N. lat., 165° 43' W. long.).

The Commission proposes technical changes to the fishery resource codes.

An interested person may present oral or written statements relating to the proposals at public hearings to be held according to the following schedule:

1. 4 AAC 12 which deals with teacher certification, is amended by
  - a) changing the certification requirements of teachers, administrators and related services providers in special education;
  - b) changing the requirements for a special services certificate; and
  - c) changing the requirements for a school psychology endorsement;
- 2) 4 AAC 08, which deals with government of schools, is amended by changing the high school graduation requirements for certain special education students;
- 3) 4 AAC 09, which deals with state aid, is amended by defining and clarifying funding communities and attendance centers;
- 4) 4 AAC 09, 08 and 33 which deal with state aid to school district programs, are amended by repealing, amending and adopting miscellaneous regulations necessary to implement the new public school foundation program (ch 91, SLA 1987);
- 5) 4 AAC 57, which deals with the state library, is amended by charging user fees for the Alaska Health Sciences Library;
- 6) 4 AAC 06, which deals with government of schools, is amended by establishing criteria for
  - a) admission and attendance in school for pupils infected with the acquired immune deficiency (AIDS) virus;
  - b) continued employment of district personnel infected with the AIDS virus; and
  - c) confidentiality of AIDS information
- 7) 4 AAC 60, which deals with preelementary schools, is amended by changing the physical examination requirements of staff members.

4. Reindeer husbandry headquarters sites.
5. Non-profit organizations.

No claim will be considered valid if it is not postmarked before December 10, 1987. For 14(c) 1,2 applications and information on this program please contact:

Gilbert Osereok  
President, Wales Native Corporation  
Box 529  
Wales, Ak.  
99783  
Ph. (907) 864-3641

Publish:9/21,28/87 10/05,12,19,27/87(12400)

### PUBLIC NOTICE

U.S. Department of Commerce  
National Oceanic and Atmospheric Administration  
National Ocean Service  
Office of Ocean and Coastal  
Resource Management

The Office of Ocean and Coastal Resource Management (OCRM) is conducting an evaluation of the Alaska Coastal Management Program under Section 312 of the Federal Coastal Zone Management Act. OCRM is reviewing Alaska's performance in managing its coastal resources and in implementing coastal district programs. As part of this evaluation, a public meeting will be held in Anchorage on October 6, 1987, in the Sheraton Anchorage Hotel at 401 East Sixth Avenue, Room 306, at 6:00 p.m. Interested parties are invited to attend this public meeting. Parties who cannot attend the meeting can send written comments by November 6, 1987, to:

Mr. Ed Lindeloof  
U.S. Department of Commerce  
NOAA/Ocean and Coastal Resource Management  
Suite 706  
1825 Connecticut Avenue, NW  
Washington, DC 20235

Publish:9/14,21/87(12361)

### NOTICE

Unalakleet Native Corporation shareholders, 18 years or older, interested in serving on the Board of Directors need to file their intention to run by filling out a Proxy Information Questionnaire. The questionnaires may be obtained at the Unalakleet Native Corporation Office, P.O. Box 100, Unalakleet, Alaska 99884 or by calling 624-3411. The deadline for filing is 5:00 p.m. September 30, 1987.

Publish:8/31/87 9/07,14,21,28/87(12331)

## Tundra Times ••Banquet•• ••Tickets••

To order your tickets for  
the 25th anniversary

Tundra Times Banquet  
contact Mary Lekanof at  
the newspaper: 274-2512;  
Box 104480, Anchorage

99510-4480.

•Tickets are \$50 each.•

•A table of 10 is \$500.•

**29. Help Wanted**

**MANAGER  
TRAINEE**

NORWEST FINANCIAL, a National consumer finance company, will be interviewing the week of September 14th for management trainee positions now open in our Fairbanks office. The position requires a four year degree in business, finance, marketing or a related field. Or, experience in credit or sales. Attractive benefit package, salary DOE. Please call for an interview at 456-7781.

NOW ACCEPTING APPLICATIONS between 2-4pm, Monday-Saturday, for day shift position at Burger King, 200 Old Steese.

ONE FULL TIME JANITOR, one part time janitor. Apply Pikes Landing, 1pm - 4pm.

PART OR FULL TIME, flexible hours and days, must be at least 18. Must have own car. Must have own insurance. Must be able to work weekends. Hourly wage plus commission and tips. Apply in person between 4:30pm and 12am at 512 Old Steese Highway or 3528 Airport Way.

PART-TIME DISHWASHER needed at the Vallata. 455-6600 after 12pm.

PILOT POSITION: Friendship Air Alaska, Galena Base. Experience 1000 total time, 250 Alaska, 25 Cessna 207. Please phone 474-0261.

POTATO PICKERS DESPERATELY NEEDED. \$5 per hour. Call 488-1665.

PROFITABLE SALES OPPORTUNITY. TOP COMMISSIONS, retirement, medical insurance, bonuses, unlimited leads, fraternal organization endorsement. We train. 356-1414, 372-2301 or 488-1971.

**REGULAR & EXOTIC**

Waitresses, bartenders, door people, black jack dealers, D.J.'s, dancers. See Tracey, 4pm to 8pm daily. Reflections, 2406 South Cushman.

**RETAIL FABRIC STORE  
MANAGER WANTED**

For exciting new fabric craft and needlework store opening in Fairbanks. Must have retail experience, be self motivated, communicate well and enjoy working with people. Send resume to PO Box C3637, Seattle, WA 98134 before September 30th.

**SALES MANAGEMENT**

We are looking for an experienced sales person with some management background. Must have proven work record, be detail oriented, good PR skills. This is an entry level management position with one of Alaska's largest retail operations. Apply before September 16th to Blind Box WE, Daily News Miner, PO Box 710, Fairbanks, AK 99707.

SEEKING DAY TIME HELP to work during school hours. Apply between 2 and 4pm, Monday - Friday at Sizzler Family Restaurant.

SEEKING PART-TIME secretary, to work into full time. For information call 456-3770, ask for David.

SHARE YOUR TIME WITH US YOU'LL LOVE THE COMPANY Become an Avon Representative and you'll become a part of America's number 1 beauty company & a part of our big family of representatives all across the country. Share our commitment to making people's lives a little more beautiful. Call us now at 479-4844.

**29. Help Wanted**

SINGING FOR ALMOST EVERYONE! FAIRBANKS CHORAL SOCIETY Adult SATB, begins Monday at 14th, 7pm, McGown Room, UAF Sing Orff's Carmina Bruana. FAIRBANKS CHILDREN'S CHOIR grades 3-6, auditions begin Saturday the 12th, Woodriver School, 10:30 am. More information call Dr Suzanne Summerville, music director, 456-1144 or 474-5113.

SOUTHSIDE VIDEO ON Cushman now hiring drivers. Apply Southside Video 1917 South Cushman between 11am & 7pm.

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OMBUDSMAN**

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TAKE CHARGE office person with strong background in record keeping and dispatch duties. Will work up monthly billing for all work requirements and dispatching of employees to job site. Typing of words per minute a must. House or apartment maintenance help. 372-4736, 7:30-4:30.

BUY IT!  
SELL IT!  
With a News-Miner  
Classified Ad  
Phone 452-5152

**60. Houses for Sale, Fairbanks**

BEAUTIFUL HOME near Birch Hill skiing. Custom design, 4 or 5 bdr, 3 baths, 2 years old. A view, large windows, quality carpet. \$42,000 below appraisal. Priced at \$170,000. Assumable loan w/ low interest. Income from separate apartment makes almost 1/2 the payment. 457-4179.

BY OWNER - Can you get an AHFC non-conforming loan for \$55,000 for a starter house in Hamillton Acres? We'll pay all allowable closing costs. Call for information packet. 488-3948.

HARD TO FIND things are easy to buy when you advertise for them in the News-Miner classified ads.

**60. Houses for Sale, Fairbanks**

BY OWNER - Contemporary energy efficient, 3 bdr, 1 1/2 bath on 2 1/2 south facing acres 20 minutes from downtown. \$108,000. Call for information packet. 488-3948.

BY OWNER - 2 years old, 3 bdr, 2 1/2 acres, 18' ceiling, custom cabinets, tile floor, wood accents, satellite TV, wood or oil heat, circle driveway, excellent water. 22 1/2 Mi Chena Hot Springs. \$80,000. 488-0607.


CABIN WITH EXTRAS \$41,000, terms negotiable. 20x24, 3 sided log, big loft, sauna, shed, 1 acre. Water can be added. Off Nurdale. 488-4152.

Buy it or sell it with the News-Miner Classified Ads. Call 452-5152.

**60. Houses for Sale, Fairbanks**

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**\$91,000 WILL PAY \$2,000 CLOSING COST**  
(Last appraisal \$112,000)  
**1,750 SQ. FT. CUSTOM 2 BEDROOM ON 12,000 SQ. FT. LOT**



**2218 BRIDGEWATER - AURORA SUBD.**  
Don't judge my home from the front. If you haven't see the back you're missing the excitement. includes a sophisticated 350 sq. ft. greenhouse, a 400 sq. ft. patio, and a 450 sq. ft. solar addition, complete with sauna, wood stove and 6 sky lights. Backyard surrounded by a 7 ft. privacy fence. Perfect for entertaining.

**452-2192 for details**

**60. Houses for Sale, Fairbanks**

**60. Houses for Sale, Fairbanks**

**chance to take  
of excellent  
te values  
by HUD.**

**Information**

all sales.  
bid on.  
all bids MUST BE submitted through a real estate broker.

**55. Special Schools/Classes**

**Take Off Into  
A New Career**

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**29. Help Wanted**

**MANAGER TRAINEE**

NORWEST FINANCIAL, a National consumer finance company, will be interviewing the week of September 14th for management trainee positions now open in our Fairbanks office. The position requires a four year degree in business, finance, marketing or a related field. Or, experience in credit or sales. Attractive benefit package, salary DOE. Please call for an interview at 456-7781.

NOW ACCEPTING APPLICATIONS between 2-4pm, Monday-Saturday, for day shift position at Burger King, 200 Old Steese.

ONE FULL TIME JANITOR, one part time janitor. Apply Pikes Landing, 1pm - 4pm.

PART OR FULL TIME, flexible hours and days, must be at least 18. Must have own car. Must have own insurance. Must be able to work weekends. Hourly wage plus commission and tips. Apply in person between 4:30pm and 12am at 512 Old Steese Highway or 3528 Airport Way.

PART-TIME DISHWASHER needed at the Vallata. 455-6600 after 12pm.

PILOT POSITION: Friendship Air Alaska, Galena Base. Experience 1000 total time. 250 Alaska, 25 Cessna 207. Please phone 474-0261.

POTATO PICKERS DESPERATELY NEEDED. \$5 per hour. Call 488-1665.

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**REGULAR & EXOTIC**

Waitresses, bartenders, door people, black jack dealers, D.J.'s, dancers. See Tracey, 4pm to 8pm daily. Reflections, 2406 South Cushman.

**RETAIL FABRIC STORE MANAGER WANTED**

For exciting new fabric craft and needlework store opening in Fairbanks. Must have retail experience, be self motivated, communicate well and enjoy working with people. Send resume to PO Box C3637, Seattle, WA 98134 before September 30th.

**SALES MANAGEMENT**

We are looking for an experienced sales person with some management background. Must have proven work record, be detail oriented, good PR skills. This is an entry level management position with one of Alaska's largest retail operations. Apply before September 16th to Blind Box WE, Daily News Miner, PO Box 710, Fairbanks, AK 99707.

SEEKING DAY TIME HELP to work during school hours. Apply between 2 and 4pm, Monday - Friday at Sizzler Family Restaurant.

SEEKING PART-TIME secretary, to work into full time. For information call 456-3770, ask for David.

SHARE YOUR TIME WITH US YOU'LL LOVE THE COMPANY Become an Avon Representative and you'll become a part of America's number 1 beauty company & a part of our big family of representatives all across the country. Share our commitment to making people's lives a little more beautiful. Call us now at 479-4844.

**29. Help Wanted**

SINGING FOR ALMOST EVERYONE! FAIRBANKS CHORAL SOCIETY, Adult SATB, begins Monday the 14th, 7pm, McGown Room, UAF. Sing Orff's Carmina Bruana. FAIRBANKS CHILDREN'S CHOIR, grades 3-6, auditions begin Saturday the 12th, Woodriver School, 10:30 am. More information call Dr. Suzanne Summerville, music director, 456-1144 or 474-5113.

SOUTHSIDE VIDEO ON Cushman, now hiring servers. Apply Southside Video 1917 South Cushman between 11am & 7pm.

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TAKE CHARGE office person with strong background in record keeping and dispatch duties. Will work up monthly billing for all work requirements and dispatching of employees to job site. Typing of 35 words per minute a must. Housing or apartment maintenance helpful. 372-4736, 7:30-4:30.

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SELL IT!**  
With a News-Miner Classified Ad  
Phone 452-5152

**60. Houses for Sale, Fairbanks**

BEAUTIFUL HOME near Birch Hill skiing. Custom design, 4 or 5 bdr, 3 baths, 2 years old. A view, large windows, quality carpet. \$42,000 below appraisal. Priced at \$170,000. Assumable loan w/ low interest. Income from separate apartment makes almost 1/2 the payment. 457-4179.

BY OWNER - Can you get an AHFC non-conforming loan for \$55,000 for a starter house in Hamilton Acres? We'll pay all allowable closing costs. Call for information packet, 488-3948.

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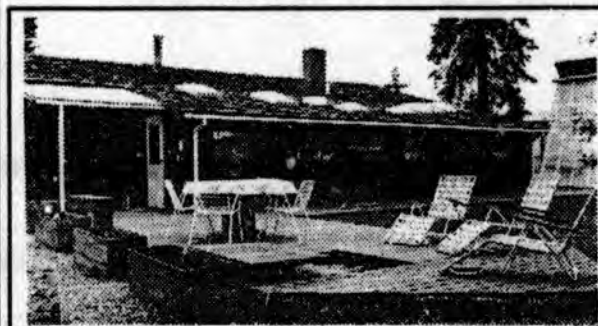
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**Information**

all sales. bid on. bids MUST BE submitted through a real estate broker.

**55. Special Schools/Classes 55. Special Schools/Classes**

**Take Off Into A New Career**

State of AK

**FREE TWO HOUR SEMINAR**  
**"TAX REFORM FALLOUT"**  
 Mykels In Soldotna - 7:00-9:00 p.m.  
 Thursday, September 17, 1987

**SPEAKERS:** Bob Cadieux, CFP  
 Benefit Securities, Inc.

George Hall  
 Registered Representative  
 Tax Deferral Associates

Charles Obendorf, C.P.A.  
 Kohler, Obendorf & Associates

**MODERATOR:** Bill Hueners,  
 Registered Representative  
 Tax Deferral Associates

**R.S.V.P. by 9/15/87**  
**Charles Obendorf 262-9123 or**  
**Tax Deferral Associates 561-3187**



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 Morning Worship . . . . .  
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 Wednesday  
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 Rev. R. D. Cogburn

Sunday School . . . . .  
 Morning Worship . . . . .  
 Evening Worship . . . . .  
 Wednesday Family Night  
 Service . . . . .  
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**Grace  
Brethren**

Kenai Crater

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SETO ZAK

tion and has "a high degree of confidence that the space station can be successfully deployed with the current shuttle system."

The National Research Council is a private, non-profit agency set up by Congress. Its report is the result of a four-month study commissioned by the White House, the National Security Council and NASA.

The NRC report generally supports NASA's current space station design plan, but found that the station will cost more than NASA claims and will require a closer evaluation of the risks involved. It also said that, to be successful, the program will require a long-term commitment by the government and the American people.

NASA already is building an orbiter to replace Challenger, the shuttle craft that exploded in January 1986 with the loss of seven crew members.

NRC committee chairman Robert C. Seamans Jr. said that NASA should build yet another orbiter, bringing the eventual shuttle fleet to five, to prepare for possible loss of another in addition to Challenger.

He also said NASA should do a "much more thoughtful study of the risks" in building the station and determine how many spare parts should be built to allow for losses in assembly.

The NRC report said spare parts and test hardware could add \$200 million to \$3.9 billion to the cost of the station, now estimated at \$14.6 billion.

In a reply to the NRC report, however, NASA said the additional cost estimate in the study "is much too high." The agency put the additional cost for testing and spare parts at only \$200 million.

NASA did not endorse the suggestion that a fifth orbiter be built, stating that the agency "remains confident that the current fleet is adequate to support the space station program."

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ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILES 8672

1531 SCOMM 56: OMBUDSMAN SELECTION COMMITTEE, 1986-1987

125/10

State of AK

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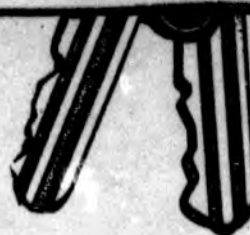
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STANAK

day, but no injuries or major damages were reported.

The epicenter of the quake was about 11 miles under Caribou Lake, which is about a mile north of the Tanana Valley Fairgrounds, said Kiren Biswas, a geophysics professor from the University of Alaska-Fairbanks.

The earthquake may be part of a pattern dating back to 1937, Biswas said.

Since the fault system has never been mapped, Biswas said, there's no way to tell where it runs from the Caribou Lake area, or when or where it might produce its next earthquake. "We are monitoring these earthquakes," he said. "They will eventually allow us to map this fault."

Many Fairbanks residents felt another earthquake Tuesday morning, but it had nothing to do with Monday's quake, said Biswas. It was centered about 60 miles north of Fairbanks at a depth of about 6 miles, and rated a 3.7 on the Richter scale, which measures the energy released during an earthquake.

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**Professional 135****STATE OF ALASKA  
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# Alaska State Legislature



## House of Representatives House Judiciary Committee

Pouch V  
State Capitol  
Juneau, Alaska 99811  
(907) 465-4990

MEMO: Jan. 31, 1986

TO: Ombudsman Selection Committee  
Rep. M. Mike Miller, Co-Chairman  
Sen. Mitch Abood, Co-Chairman  
Rep. Don Clocksin  
Rep. Rick Uehling  
Sen. Jay Kerttula  
Sen. Joe Josephson

FROM: Rep. M. Mike Miller  
By Bob Speed, A.A. **B**

RE: DRAFT ADVERTISEMENT/ application solicitation for ombudsman

Attached you will find a draft of a proposed advertisement to be placed in various newspapers around the state. Funding has been approved for this purpose and staff is now in the process of contacting newspapers (see attached memo of Jan. 21 for list of newspapers proposed for advertising).

If you have any questions or comments, or suggestions for revision of the draft ad, please direct these to Bob Speed of Rep. Miller's office. Proposed revisions should be returned in writing on a copy of the attached draft ad.

Depending on how long it takes to approve the ad and get it placed, the APPLICATION DEADLINE DATE may be revised to a week or so later (i.e., about March 8).

The draft ad includes a provision that the applications are a matter of public record and applications may be made public. This provision is based upon assumptions provided to you earlier in a memo dated Jan. 28, which included a legal opinion by Tam Cook on the question of confidentiality or publicity of applications.

DRAFT ADVERTISEMENT  
OMBUDSMAN SELECTION  
DRAFT #1

STATE OF ALASKA  
Ombudsman

Applications for the position of state ombudsman are being accepted by the Ombudsman Selection Committee of the Alaska State Legislature. The ombudsman is an independent, impartial official of the legislative branch readily available to the public. The ombudsman is responsible administratively to the legislature, and is empowered to investigate the acts of administrative agencies of the state of Alaska and to recommend appropriate changes. Goals include safeguarding the rights of persons and promoting higher standards of competency, efficiency, and equity in the provision of state services. The ombudsman manages a small staff based in Juneau, Anchorage and Fairbanks. The office acts as a clearinghouse for complaints by citizens who encounter problems dealing with state agencies, and files opinions and reports on the office's findings. The ombudsman acts as facilitator in helping to work out legitimate complaints with state agencies.

The ombudsman salary is established by statute at Range 28E. Appointment is for a five-year term starting July 1, 1986 and ending June 30, 1991. Terms may not be repeated. The Selection Committee makes its recommendation to the legislature. If approved by two-thirds of the membership of the legislature meeting in joint session, and approved by the governor, the appointment is effective.

Applications are a matter of public record and may be made available to the public. Applications shall be in the form of a resume including education, experience and references, and mailed to either Sen. Mitch Abood or Rep. M. Mike Miller, co-chairmen of the Ombudsman Selection Committee, the address of which is P.O. Box V, Juneau, Ak. 99811. Applications must be received by March 1, 1986. Requests for additional information may be sent to the same addressees.

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# Alaska State Legislature



## House of Representatives House Judiciary Committee

Pouch V  
State Capitol  
Juneau, Alaska 99811  
(907) 465-4990

MEMO: Jan. 21, 1986  
TO: Rep. M. Mike Miller  
Sen. Mitch Abood  
Ombudsman Selection Committee  
FROM: Bob Speed, A.A.  
RE: Advertising budget estimate

In order to estimate an advertising budget for the ombudsman selection committee, I asked Karla Ellis (L.A.A. Accounting) what was spent by Legislative Affairs to advertise for Billy Berrier's position. This would provide a measure of the estimated cost of advertising for the ombudsman position.

Legislative Affairs advertised in the following newspapers from Dec. 5 - 31 (1985) for Berrier's position:

✓ Juneau Empire	- 5 days	586-3740	7.02 x 72 =	508
✓ Anchorage Times	2 weeks	263-9000	.49 x 14 x 72 =	494
✓ Anchorage Daily News	2 weeks	786-4200	.71 x 14 x 72 =	715
✓ Ketchikan Daily News	5 days	225-3157	.15 x 5 x 276 =	207
Sitka Sentinel				
Kodiak Mirror				
✓ Fairbanks News-Miner	2 weeks	456-6661	.64 x 14 x 72 =	645
Nome Nugget				

It would be my suggestion that the following newspapers be added, based on previous experience dealing with statewide advertising:

✓ (Kenai) Peninsula Clarion?	283-7551	5 days	12 x 5 x 276 =	166
✓ Tundra Times	274-2512	2 times	1 x 2 x 72 =	144
Tundra Drums				

...and perhaps the All-Alaska Weekly, the Bar Association newsletter and others which you may want to add.

Karla estimated total costs to L.A.A. for their advertising (based on information she believes is final, but may not be) to be \$3,383.51.

My suggestion would be to request an advertising budget of \$4,000, part of which may be surplus and returnable to other uses if not needed.

Other information will be developed upon request.

SB 139

# STATE OF ALASKA Ombudsman

Applications for the position of state ombudsman are being accepted by the Ombudsman Selection Committee of the Alaska State Legislature.

The ombudsman is an independent impartial official of the legislative branch readily available to the public. The ombudsman is responsible administratively to the legislature, and is empowered to investigate the acts of administrative agencies of the State of Alaska and to recommend appropriate changes. Goals include safeguarding the rights of persons and promoting higher standards of competency, efficiency, and equity in the provision of state services. The ombudsman is headquartered in Juneau with offices also in Anchorage ~~and Fairbanks~~. The agency acts as a clearinghouse for complaints by citizens who encounter problems dealing with state agencies, and issues opinions and an annual report on the office's findings. The ombudsman acts as a facilitator in helping negotiate resolutions of legitimate complaints with state agencies.

The ombudsman salary is established by statute at Range 28E, currently \$6,135 per month plus benefits. Appointment is for a five-year term starting July 1, 1986, and ending June 30, 1991. The selection committee makes its recommendation to the legislature. If approved by two-thirds of the membership of the legislature sitting in joint session, and approved by the governor, the appointment is effective.

Applications are a matter of public record and may be made available to the public. Applications shall be in the form of a resume including education, work experience and references, and mailed to either Sen. Mitch Abood or Rep. M. Mike Miller, co-chairman of the Ombudsman Selection Committee, the address of which is P.O. Box V, Juneau, AK 99811. Applications must be received by 5 p.m., March 10, 1986. Requests for additional information may be sent to the same address.

*no longer a Fairbanks office.*

*at 3111 Cst Suite 535, Anch, AK 99503*

*postmarked no later than Oct. 10, 1987*

*wanted  
want ads*

*212 954 2772*



# Ombudsman

John B. Chenoweth

## MEMORANDUM

DATE: January 16, 1986  
TO: Jack Chenoweth, Ombudsman  
FROM: Larry Bussone, Special Assistant  
SUBJECT: Advertisement of ombudsman position

State of Alaska

Reply to:

- 3201 C Street, Suite 606  
Anchorage, Alaska 99503  
(907) 563-3673
- Pouch W0  
Juneau, Alaska 99811  
(907) 465-4970
- P.O. Box 74358  
Fairbanks, Alaska 99707  
(907) 452-4001

You have asked me to describe the recruitment process used in appointment of the first two state ombudsmen. More specifically, you asked where and how the position opening was advertised.

The May 27, 1981 Alaska House Journal (page 1755) contains the May 20 Ombudsman Selection Committee Report. The report indicates that an advertisement for the position opening was run from April 3 to April 15 in the following five newspapers:

Anchorage Times  
Anchorage Daily News  
Fairbanks Daily News Miner  
Juneau Empire  
Ketchikan Daily News

The advertisement was a very simple one, stating:

The Ombudsman Selection Committee will be accepting applications for the position of Ombudsman. All applications should be sent to:

Senator Terry Stimson  
Chairman  
Ombudsman Selection Committee  
Pouch V  
Juneau, Alaska 99811

Applications must be postmarked no later than April 15, 1981.

The Ombudsman Selection Committee Report also indicated that letters were sent to the 1980 applicants to make them aware that the committee would be accepting resumes/applications and extending them the opportunity to forward both for consideration. The report stated that the committee had received a total of 60 resumes for the position from within and outside the state.

I looked for similar committee reports in the years 1975 and 1980. Though reports exist, they do not describe the recruitment process at all. The 1975 committee report simply states that the committee nominated Frank Flavin for the position for consideration by the legislature in joint session. The 1980 report states that the committee had met many times to consider the 47 applications for the position and that it was unable to obtain the required number of votes for any one of the four finalists, and therefore it was unable to present the legislature a nomination.

Thinking I might find a more complete advertisement than the one issued in 1981, I searched the employment advertisements in the Anchorage Daily News and the Juneau Empire for the months of April, May, and June of 1975. I found no advertisement for the position. I looked for an advertisement in the Juneau paper for the same three months of 1980 and again found none. How or if the position was advertised in 1975 and 1980, therefore, remains a mystery to me.

In my research I did come upon a 1981 advertisement for the position of ombudsman for the Municipality of Anchorage. Because it was more specific than the above advertisement for the state ombudsman, I include it following:

Municipality of Anchorage  
Ombudsman

In accordance with AMC 2.60.040, applications for the position of Municipal Ombudsman are being solicited by the Assembly Ombudsman Selection Committee. The Ombudsman is an independent, impartial Municipal official, readily available to the public, responsible to the Assembly, empowered to investigate the acts of administrative agencies and to recommend appropriate changes toward the goals of safeguarding the rights of persons and of promoting higher standards of competency, efficiency, and equity in the provision of municipal services.

The position salary is set by the Assembly. Appointment is for a term ending December 31, 1982. The Ombudsman may be reappointed. The Selection Committee will make its recommendation to the Anchorage Assembly. If approved by a majority of the membership of the Assembly, the appointment is effective.

Applications shall be in the form of a resume, including references, and mailed to:

Office of the Ombudsman Selection Committee  
Municipality of Anchorage  
Pouch 6-650  
Anchorage, Alaska 99502

January 16, 1986

Interested persons may request a copy of the Ombudsman ordinance, which contains all the qualifications and duties of the office, from the same address or by calling 264-4461.

This position is not represented by a bargaining unit, and serves at the pleasure of the Anchorage Assembly.

The cutoff date for application is February 23, 1981.

This advertisement could easily be adapted to advertise for the current state ombudsman position.

Since an ombudsman is currently being sought in the Province of British Columbia, I have requested the advertisement presently being used for recruitment there. When it arrives, it can be transmitted to the committee's attention.

I hope this information is helpful.

LJB:jdt

Schedule

## SCHEDULE FOR OMBUDSMAN APPOINTMENT

- July 27 - Senator Abood meets with Representative Pourchot to okay news ad and schedule for upcoming months.
- July 31 - have sent out memo to members of Ombudsman Selection Committee with agenda and copy of news ad.
- Sept 10 - Sept 24  
Run newspaper advertisement  
Papers advertised in:  
The Anchorage Times  
The Daily News  
Fairbanks Daily News-Miner  
Juneau Empire  
Peninsula Clarion  
Ketchikan Daily News  
Tundra Times
- Oct 10 - Postmark deadline for applications
- Oct 10 - Oct 20  
Staff work compiling applications
- Oct 21 - Oct 22  
Senator Abood and Representative Pourchot will meet to do an initial review of applications. Staff will mail a copy of the final list of applicants to committee members for their review along with copies of the most highly qualified applicants resumes.
- Oct 22 - Nov 10  
Staff will contact references and schedule interviews for the most highly qualified applicants for Nov 11 & 12.
- Nov 11 - Nov 12  
Ombudsman Selection Committee will meet in Anchorage at 3111 C Street, 5th floor conference room, from 9:00 AM - 4:30 PM to review applications, conduct interviews and make a final recommendation.

OMBUDSMAN SELECTION COMMITTEE  
CALLS MADE TO THOSE NOT CHOSEN

November 11, 1987

- 2:20 PM - Bruce Aronson was phoned
- 2:22 PM - Duncan Fowler was phoned
- 2:25 PM - Glen Glenzer was phoned
- 2:30 PM - Pat Conheady was phoned
- 2:35 PM - Wayne Mabry was phoned
- 2:40 PM - Stuart Hall was phoned