

212 HJ CONFIRMATION HEARINGS - JUDICIARY COMM. MISC.

1975-1976

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HOUSE

JUDICIARY

1975/76

CONFIRMATION -

HEARINGS

HOUSE JOURNAL

February 13, 1975

TO: Representative Mike Bradner
Speaker of the House

FROM: Representative Terry Gardiner ¹³
Chairman, House Judiciary Committee

SUBJECT: CONFIRMATION - RICHARD L. BURTON

We have considered the nomination of Richard L. Burton and feel that he is well qualified to be the Commissioner of the Department of Public Safety, State of Alaska.

THE FOLLOWING PAGES WERE TREATED AS
A UNIT IN THE ORIGINAL FILE.

RICHARD L. BURTON

Permanent Address

Route 5, Box 5920
Juneau, Alaska 99801

OBJECTIVE

Administration or management position in law enforcement, security, public safety or related field.

HIGHLIGHTS OF EXPERIENCE

Nineteen and one-half years total experience in public safety and law enforcement. Seventeen years experience with U. S. law enforcement agencies in positions ranging from patrolman through captain. Five years were with municipal police agencies and twelve years with the Alaska State Troopers. Currently Chief of the City and Borough of Juneau Police Department.

As sergeant, lieutenant and captain with the State Troopers, held progressively advancing positions, requiring management and administrative skills necessary to planning, personnel, training, budgeting and all related phases of security operations. Last assignment was as Commander of the Southeast Region.

Past president and vice-president of the Alaska Chiefs of Police Association where served during a period of seminars and meetings with state and local agencies to start a state-wide Criminal Justice Information System and authored and successfully served as "Lobbyist" for several bills to correct some criminal laws and to benefit the law enforcement profession.

In 1967, researched and worked on restructuring the organization and operational guides of the Alaska State Troopers and worked on job standards, descriptions and qualifications.

Worked for two years with State Division of Personnel in recruiting and interviewing police and wildlife enforcement candidates.

First man chosen as Chief of Security to the Office of the Governor and was responsible for security of his and his family's safety and the security of the Office and Mansion. Traveled nation-wide as his Aide.

Most currently have just completed a two year assignment with the U. S. Agency for International Development, Department of State, Office of Public Safety, as an Advisor to the National Police of South Vietnam. Advised Provincial Police Command of 1,800 men in all phases of law enforcement, as known in the U. S., in addition to the internal security problem of providing protection to the civil populace. The assignment required teaching of management and administrative skills and use of modern programs including personal skills and computerized programs as management tools. Advisor to seven district detention centers and provincial correction centers with total inmate population in excess of 1,000 inmates.

EMPLOYMENT CHRONOLOGY

September 1973 - Present: Chief of Police, City and Borough Police Department, Juneau, Alaska.

CIA

- July 1971 - June 1973: Area Public Safety Advisor, Agency for International Development, Vietnam.
- October 1959 - 1971: Trooper, sergeant, lieutenant, captain, Department of Public Safety, Alaska State Troopers, Juneau, Alaska.
- August 1954 - 1959: Patrolman, City Police Departments, Ketchikan and Fairbanks, Alaska.
- 1952 - 1954: Instrument Man and Party Chief of Survey for Bureau of Public Roads.

EDUCATION

University of Louisville - Southern Police Institute - 1968.
Numerous city, state and federally sponsored schools on technical and management subjects - 1955 - 1970.

ACTIVITIES

Alaska Chiefs of Police Association, Vice President 1967-1968, President 1968-1969.
Southern Police Institute Alumni.
Member - International Chiefs of Police.

PERSONAL

Born: Moberly, Missouri, March 4, 1933.
Married: Four children.
Health: Excellent.
Alaska resident since March 1952.

REFERENCES AVAILABLE UPON REQUEST

| <u>DATE</u> | <u>PLACE ATTENDED</u> | <u>SUBJECT</u> |
|----------------|--------------------------------|---|
| | | <u>AGENCY CONDUCTING SCHOOL AND TIME ATTENDED</u> |
| 1955 | Ketchikan | <u>Alaska Territorial Police</u> Larger Drunk-O-Meter 40 hours |
| 1955 | Ketchikan | <u>Ketchikan Police and FBI</u> Basic Police subjects 80 hours |
| 1958 | Ketchikan | <u>FBI Instructor</u> Three five-day sessions on Investigations and Police Techniques 120 hours |
| 1958 | Ketchikan Community College | <u>University of Alaska</u> Vital Math (1 semester) non-credit course |
| Nov., 1959 | Anchorage | <u>Alaska State Police</u> Recruit School 44 hours |
| Nov. 9-13, 59 | Fairbanks | <u>University of California</u> Police subjects by John Pepers 40 hours |
| June, 1962 | Anchorage | <u>Alaska Peace Officers Assn.</u> State Crime Conference |
| May, 1963 | Juneau | <u>Alaska State Police</u> Supervisory Techniques 40 hours |
| July, 1964 | Juneau | <u>Alaska State Police</u> Supervision of Police Personnel 42 hours |
| May, 1965 | Ketchikan | <u>FBI Instructors</u> Crowd Control - 40 hours |
| December, 1965 | Ketchikan Community | <u>Modern Math for Adults</u> 20 hours |
| November, 1966 | Ketchikan | <u>Alaska Disaster Office</u> Radiological Monitoring 40 hours |

microfilmed 1/22/75

FINANCIAL STATEMENT OF PUBLIC OFFICIAL OR CANDIDATE

REPORTING OFFICIAL

NAME: *Richard L. Burton* ADDRESS: *2472 Scott Drive
Juneau, Alaska*

HOME TELEPHONE: *787-9637* BUSINESS TELEPHONE: *465-4300*

EXECUTIVE OR APPOINTIVE OFFICE: *Commissioner, Dept of
Public Safety* TERM: *4 years / pleasure of
the Governor*

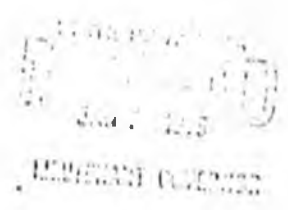
MEMBERS OF HOUSEHOLD OF REPORTING OFFICIAL

| (Name) | (Relationship to Official) |
|------------------------|----------------------------|
| <i>Diane R. Burton</i> | <i>wife</i> |
| <i>Karla L. Burton</i> | <i>Daughter</i> |
| <i>Leah L. Burton</i> | <i>Daughter</i> |
| <i>Hugh B. Burton</i> | <i>Son</i> |
| <i>John P. Burton</i> | <i>Son</i> |
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REPORTING PERIOD
(12 months)

From: *Jan*, 19 *74* To: *Jan*, 19 *75*

(FORM COI-1)



(Additional sheets in any category
may be inserted if required.)

DECLARATION OF OFFICIAL.

I, the undersigned, declare under oath and on penalty
of perjury that the statements contained in the foregoing report
are to the best of my knowledge, true and accurate.

SIGNED: Richard L. Austin

DATED: January 6, 1975.

SUBSCRIBED and SWORN to before me this 6th day of
January, 1975.

Robert L. Thistle
Notary public, My commission expires: _____
My commission expires: _____

THE PRECEDING PAGES WERE TREATED AS
A UNIT IN THE ORIGINAL FILE.

THE FOLLOWING PAGES WERE TREATED AS
A UNIT IN THE ORIGINAL FILE.

HOUSE JOURNAL

February 13, 1975

TO: Representative Mike Bradner
Speaker of the House

FROM: Representative Terry Gardiner *TG*
Chairman, House Judiciary Committee

SUBJECT: CONFIRMATION - AVRUM M. GROSS

We have considered the nomination of Avrum M. Gross and feel that he is well qualified to be the Attorney General of the State of Alaska.

Avrum M. Gross, born in New York City, New York,
February 25, 1936.

Married to Shari Robinson Gross; daughter, Jody,
14; son, Alan, 12.

B.A., 1957; Amherst College; J.D., 1960; University
of Michigan Law School.

Private practice with firm Faulkner, Banfield, Boochever
& Doogan, Juneau, Alaska, 1963-64; partner, Faulkner, Banfield,
Doogan, Gross & Holmes, Juneau, Alaska, 1965-74.

Public offices include: Staff Counsel, Alaska
Legislative Affairs Agency, 1960-61; Assistant Attorney General,
Chief, Appellate Section, Alaska Department of Law, 1961-63.

Member, Board of Governors, Alaska Bar Association,
May 1968 - May 1971; Vice President, Alaska Bar Association,
May 1970 - May 1971; Chairman, Criminal Rules Revision Committee,
Alaska Supreme Court, 1973-74; Member, 1974-75.

STATEMENT OF ATTORNEY GENERAL AVRUM M. GROSS
TO JUDICIARY COMMITTEE, HOUSE OF REPRESENTATIVES

The Committee has asked me for a statement of my personal philosophy and program relevant to the Department of Law. Specifically they have asked what attitudes I will exemplify in the position and what changes can be expected in the Department's operation.

If I have one significant feature which I bring to the Department of Law, it is the fact that I have rather extensive experience in the private practice of law. I was originally employed by the Legislative Council, then as an Assistant Attorney General, and eleven and a half years ago I entered private practice, where I eventually became a partner in my own firm. I have represented varying types of clients in varying types of legal activities, ranging from criminal defense work to corporate and constitutional litigation of sizeable magnitude. I have represented members of the oil industry, plaintiffs and defendants in personal injury suits, litigants in civil rights matters. I have on occasion represented the State of Alaska in a contractual capacity.

The relevance of this background is that I perhaps bring to the Department a greater understanding of the day to day operations of a law office than has been possessed by some of my predecessors. Each attorney general, of course, brings something to the office, be it by way of intellect, philosophy or political sense. I hope I have something to contribute in all those fields, but what I hope will be my major contribution is in the enhancement of this office as legal representatives of state agencies and the public interest.

The Department of Law has always attracted bright, capable people who are high on talent and low on experience. As a result, in spite of the great abilities of the persons in the Department, much major litigation has been farmed out to private law firms since no one in the Department was versed in the niceties of handling, say, a complicated contract claims suit or a major environmental lawsuit. I hope to change that. I would like to develop within the Department a staff of trained, capable attorneys who can try lawsuits of major proportions and who are capable of advising the departments of government on legal matters with full knowledge of the practical impact of their advice.

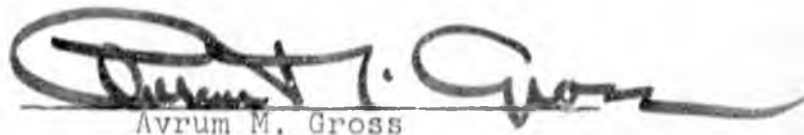
I am particularly interested in the activities of the District Attorney's offices. This interest stems from two sources. First, I have been personally involved in the administration of criminal justice for my entire legal career, initially as a prosecutor, then as a defense attorney and always as an interested observer. Second, as a public official I am very aware of the fact that the public has very little confidence in the criminal justice system and all the statistics in the world will not convince them otherwise. The public is concerned and upset, and they have a right to expect that public officials will respond to their concerns. Accordingly I intend to spend a significant part of my time in this office increasing the efficiency and the abilities of the District Attorney's offices and in establishing clear communications between those offices and the other law enforcement agencies of the state. I have recently participated in a panel on

criminal justice in which the glaring lack of such communication was clearly brought forward. I have become aware of the fact, for instance, that in the plea bargaining process in this state total information about the case is not always communicated to the court, and little information, if any, is ever communicated from corrections facilities to courts or prosecutors as to the ultimate disposition of an offender. Each part of the criminal justice system seems to work independently, and that must change.

In the prosecution of the criminal law, I know that I have been traditionally identified with a strong position on civil rights. Many people equate that kind of position with a "soft" attitude toward crime, an attitude which in my view is erroneous. I believe very strongly in the rule of law, but my belief goes to all laws, including the Constitution. I believe that officers of the State, be they policemen, prosecutors or anyone else, must follow the law and that if they do not they demean the process in which they are involved. Accordingly, I will insist that members of my office at all times adhere to constitutional requirements of due process in prosecutions, and I will expect those with whom we deal in joint efforts to do no less. That, to me, says nothing about how I feel about criminal activity. Civil rights are not inconsistent with strong, effective administration of the criminal law and I intend to take every step to see that the law is not only enforced but that it is enforced effectively. That type of enforcement will include, in appropriate cases, strong and hopefully deterrent sentences.

In the administrative realm, one change I hope to make is to reorganize the Department so as to establish a position of Deputy Attorney General in Charge of Criminal Affairs. Right now there is one Deputy handling both civil and criminal matters and the vast majority of his time is spent on the civil side. I want to establish a position directly under the Attorney General whose function is to supervise the activities of the numerous District Attorney's offices in the state, coordinating their resources, their policies and their programs. As Attorney General I presently serve as the chairman of the Governor's Commission on Criminal Justice and I would hope that the proposed Deputy would become intimately involved in LEAA WORK.

It is, of course, difficult to discuss in any detail how the general comments I have made here apply to particular situations which may interest the Committee. I welcome the opportunity to discuss this statement and any other matters affecting the Department of Law with the Committee on a direct basis.


Avrum M. Gross

FINANCIAL STATEMENT OF PUBLIC OFFICIAL OR CANDIDATE

REPORTING OFFICIAL: Attorney General

NAME: AVRUM M. GROSS

ADDRESS: 328 Coleman Dr.
Juneau, AK. 99801

HOME TELEPHONE: 586-3126

BUSINESS TELEPHONE: 465-3600

EXECUTIVE OR APPOINTIVE OFFICE: Attorney General

TERM:

MEMBERS OF HOUSEHOLD OF REPORTING OFFICIAL

(Name)

(Relationship to Official)

Shari Gross

wife

Jody Gross

daughter

Alan Gross

son

REPORTING PERIOD
(12 months)

From: Jan 1, 1974

To: Feb. 28, 1975

INCOME AND CAPITAL GAINS OVER \$100
RECEIVED BY REPORTING OFFICIAL

Source of income:

Clients of Faulkner, Bartfield, Doogan, Gross, & Holmea
(see attached listing)

IBM Dividends

Alaska Federal S&L Interest (with spouse)

State of Alaska Salary

INCOME AND CAPITAL GAINS OVER \$100
RECEIVED BY MEMBER OF OFFICIAL'S HOUSEHOLD

Name of Recipient

Source of Income

B. Shari Gross

Boeing Dividends

F-Stop Salary

State of Alaska Salary

Jody Gross

Henri House Salary

OFFICIAL'S
 OWNERSHIP INTERESTS IN BUSINESS
 (Stock or other proprietary interest)

| Nature of Ownership Interest | Name and Address of Business |
|--|---|
| Partnership interest (now sold) | Faulkner, Bartfield, Doogan, Gross + Holmes, 311 No. Franklin St Juneau, Alaska |
| Stock | IBM Port Chilkoot Corporation |
| Custodian of stock for minor children (Jody, Alan) | Recognition Equip. Inc. Nat. Cash Register Alaska Airlines Boeing Corp. |
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OWNERSHIP INTERESTS IN BUSINESS
 OF MEMBERS OF OFFICIAL'S HOUSEHOLD

| Name | Nature of Interest | Name and Address of Business |
|-------|--------------------|------------------------------|
| Shari | Stock | Boeing Corp. |
| Jody | Stock | Alaska Airlines |
| Alan | Stock | Std. Oil of Cal. |
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LOAN AND LOAN GUARANTEES
OBTAINED BY OFFICIAL

Lender or Guarantor:

B.H. Bohrens Bank (boat loan)
(j. with spouse) Alaska Federal S & L (home loan)

LOAN AND LOAN GUARANTEES OBTAINED BY
MEMBER OF OFFICIAL'S HOUSEHOLD

Name

Lender or Guarantor

NONE

LEASES OR OFFERS TO LEASE MINERAL, TIMBER, OIL,
OR OTHER NATURAL RESOURCES HELD BY OFFICIAL

Identity of Lease

NONE

LEASES OR OFFERS TO LEASE MINERAL,
TIMBER, OIL OR OTHER NATURAL RESOURCES
HELD BY MEMBER OF OFFICIAL'S HOUSEHOLD

Name

Identity of Lease

NONE

(Additional sheets in any category
may be inserted if required.)

DECLARATION OF OFFICIAL

I, the undersigned, declare under oath and on penalty
of perjury that the statements contained in the foregoing report
are to the best of my knowledge, true and accurate.

SIGNED: *[Signature]*

DATED: F.A. 7, 1975

SUBSCRIBED and SWORN to before me this 7th day of

February, 1975.



Ann Stansbury
Notary public
My commission expires: 1-21-79

SOURCES OF INCOME OF FAULKNER, BANFIELD, DOOGAN, GROSS
& HOLMES AND FAULKNER, BANFIELD, DOOGAN & HOLMES DURING
CALENDAR YEAR 1974

Aetna Casualty Insurance Co.

Alaska Airlines, Inc.

AID Insurance

Alaska Electric Light & Power Co.

Alaska Federal Savings & Loan Association of Juneau

Alaska Indian Arts

Alaska League Insurance Savings & Loan

Alaska Pacific Assurance Company

Alaska Packers Association

Alaska Public Employees Association

Alaska Rent-a-Car, Inc.

Ackley & Associates

Alyeska Pipeline

Ambassador Insurance Co.

American Mutuals Insurance Company

American National Enterprises

Akiyama, Henry

Amoco Production Co.

Anderson, Estate of Anna Mae, deceased

Anglin, Tom

Association of Pacific Fisheries

Atlantic Richfield

B. M. Behrends Bank, The

BabyBilly Corporation

Baldwin, Burt

Baranof Hotel

Barclay, Robert

Bardwell, W. B.

Bell, Raymond

Bergander, Fred

Birchard, Chris

Bowman, Mrs. Vera

Box, Roy

Bertholl, Phillip

Branson, Guy

Brena, David

Brockway, Sharon

Brogan, Neil

Bellings, Estate of Alta, deceased

Brown, William

Brouillette, Fred

Bullwinkles, Inc.

Burgess Willamette

C & R Builders

Caldwell, David

Cameron, Dave

Canadian National Railways

Campbell, John

Capital Builders

Channel Construction

Christensen, Bethena

Chubb/Pacific

Cheek, Dale W.

Channel Investors

Capital Air Taxi

City of Craig

City of Haines

City & Borough of Juneau School District

City of Ketchikan

City of Pelican

City & Borough of Sitka

Cochran, Donald

Coastal Glacier Seafoods, Inc.

Cole, James

Cook Inlet Pipe Line Company

Coyne, Cyril

Citizens Utilities

Commercial Union Insurance

Corporation of the Catholic Bishop of Juneau

Craig City School District

Cropley, Leigh

Crum & Forster

Curgus, Joe

Cyr, Alice

Culp, Dwyer, Guterson

DeAlexandro, Pat

DeBoer, Estate of Peter

Dees, Mr. & Mrs. Aubra

DeGarmo, Gerald

Darnell, Rod

DiConstanzo, Doris, Conservator

Douglas Trucking Co.

Dunlap, Robert

Eagle, Bruce

Eccles, Dallas

Edmondson, Ruth

Edwards, Oscar

Egelkrout, Robert

Edmondson, A. Cameron

Elphie, Lance & King, Harry

Employers Insurance of Wausau

Endicott, Warren

Engle, Emil

Erwin, Estate of Marshall, deceased

Erwin, Vivian

Erhart, Richard

Exxon Pipeline

Fairbanks, Ed.

Fenderson, William F.

Fernandez, Frank

Fireman's Fund-American Insurance Companies

First National Bank of Anchorage, The

Foodland, Inc.

Forrest, Linn, Sr.

Forsyth, Betty

Foss Alaska Lines

Freedman, Don & Elinor

Fuller, M.C.

Furbeck, Louis

Gallant, Harold

George, Joseph L.

George Brothers Properties

George, Tom & Thelma

General Electric Credit Corporation

Gilbert, Arch

Gillespie, Ray

Globe Universal Services

Glover, Al

Godkin, Gerald

Goldstein & Hellenthal

Goldstein Improvement Company

Glacier Village Supermarket

Goodwin, Daniel

Grasle, W.R. Co.

Gray, Jerry

Great American Insurance Company

Green Construction Co.

Greenaugh, Joe

Gregg, Fraties, Petersen & Page

H & A Logging

Haines Light & Power

Haines Terminal & Highway Company

Haines Transfer

Hanlon, John

Hargraves, Ricardo

Harper, Vern T.

Hartzell, John

Hartford Insurance Company

Harden, Curtis

Harri Plumbing & Heating

Heim, Jack

Heiner, Mr. & Mrs. Larry

Helin, Horn & Shanks

Hellen, Marian

Hendricks, Sig

Henning, Robert

Herrity, Mike

Hildre Sand & Gravel

Hobbs, Marion & Browne, Roger

Home Liquor Store

Horn, Thomas

Hoonah Seafoods

Horton, David

Horton's Auke Bay Hardware, Inc.

Horton Properties

Horton Properties

Household Finance Corporation

Howard, Richard

Hurley, Minnie

Hurlock, Lawrence

Hurlock, Roger

Industrial Indemnity Insurance

Insurance Company of North America

International Harvester

International Business Machines Corporation

Jacobsen, Estate of Christina, deceased

Jacobsen, Estate of Dennis, deceased

Johnson, Estate of Gail, deceased

Johnson, Estate of Ralph

Johnson, Robert & McCormick, James

Juneau Dairies

Juneau Drug

Juneau and Douglas Telephone Co.

Juneau Building Materials

Juneau Ready Mix

Juneau Cold Storage Company

Kake School District

Kake School Board

Kaiser, Richard

Ketchikan Pulp Co.

Kassner, Dan

Kincaid, Thomas

Klukwan Iron Ore Corp

Knightlinger, Harold

Kodzoff, Mr. and Mrs. George

Kodzoff Acres

Kohlhase, Robert

Kuchta, Alagzy

Lafavour, William

Larson, Gerald

Lanberg, Lay

Lewis, Ivan

Lindegaard, Eric

Lindstrom, Estate of Rebecca, deceased

Liddell, Josephine

Lindstrom, David

Larsen, Fredrick

Lawton, Joseph

Lindquest, Guardian of Phyllis

Liquor Mart

Livingston Copters

London, Chuck

Longenbaugh, Dee

Long, David

Ludwig, Peter

Lupro, Charles, Administrator, Estate of Edward Lupro, deceased

Lutak Trading & Stevedoring Company

Lynch, Jess W.

Lyle's

Lyons, Janice

Maas Real Estate

Madden & Poliak

Madsen, James

Madsen Supply

Madsen Construction

Maneval, Bonnie

Martin, Jack

Martin, Jerome

Martinez, Joseph

Masterson, Donald

MacKinnon, J. S. Sr.

McCormick, James

McNabb, E. L., Jr.

McNabb Construction Company

McKay, William O.

Merrill, Charles, Jr.

Mendenhall Village Mall

Mielke, Davida

Mill, Ken

Mobile Haven

Morgan, Ken

Morgan, Sid

Motion Picture Association of America, Inc.

Mullen, Conservatorship of Bernhard

Murray, Michael

N. L. Industries

N.T. Enterprises

Nance, W. L.

National Auto & Casualty Insurance Co.

National Utilities, Inc.

Nelson, Dr. & Mrs. James

Nelson, Melvin

Ness, Margaret

New England Fish Company

Norheim, Roald

North Pacific Vessel Owners Association

Northern Commercial Company

North Slope Borough

Notar, Rudolph

O. T. Corp.

Ocean Cape Seafoods, Inc.

Odom Company

Orme, Jessie

Paddock, T. O. Co.

Paddock, Tom

Patterson, Joseph

Pelican Cold Storage Company

Peloza, Guardianship of Joseph

Pennington, Herman

Pelican Utility Company

Peters, Willis

Petersburg Fisheries, Inc.

Peters, James & Myrna

Petty Blaine Co.

Pineda, Frank

Pfirter, Ed

Phillips Petroleum Company

Pioneer Brokerage & Sales Inc.

Porter, Hannah

Prescott, John F.

Prince, Earl

Port Chilkoot Co.

Point Adams Packing Co.

Prospector Hotel

Public Defender

Pusich, Estate of Anna, deceased

Race Druggists, Inc., Harry

Rea, Estate of Jackelin, deceased

Reid, Robert

Reddekopp, Dwain

Reliable Transfer Corp.

Reyes, Donald

Rhode, Estate of Gazil, deceased

Richards, Lee

Riech, Katharina

Roed, Karsten

Rosemurgy, R. J., Inc.

Russo, Guy

Russo, Lewis

S & S Development

Sands, Edward E.

Schoenman, Jack

Schlosser, Agnes

Scott, Robert

Scott & Schneider
Schnabel Lumber Co.

Search, Ronald

Seattle Stevedoring

Shakespeare, Harold

Shell Oil Co.

Sheppard, Les

Sierra Club

Simon, Seymour

Sickles, Stephen

Simpson Building

Sievenpiper, Harley

Simmons, Shelby L.

Shattuck & Grummett, Inc.

Sloper, Lorene

Sonnenburg, Wallace

Southeastern Newspapers Corp.

Southeast Alaska Empire

Southgate Ford

Spietz, John

Spellman, Russell

Stewart, Smith, Haidinger

Stone, Dale E.

Strode, Don

Stromberg Carlson

Swanke, Amy Lou

Standard Oil Company of California

Swanson, Edna

Swartz, Ruth

Scott & Schneider

Tallman, James

Taylor, Brent

Taylor, Benson

Taylor, Neil

Terrel, Paula

Thomsen, Thomsen, Leif

Thomas, Don

Torres, Al

Tonsgard, William R., Sr.

Transamerica Title Insurance Co.

Trimble, Geo. S., Jr.

Triplette Construction Company

Triplette, James

Tromblee, Dewey

Tyndall, Lawrence

Underwriting Adjustment Co.

Union of Canton

United Pacific/Reliance Insurance

United States Fidelity & Guaranty Company

Valley Center Development

Valley Investment

VanBuskirk, Tom

Waid, Gene

Wallace, Deborah

Ward, Robert W.

Ward, Thomas
Warrack, J. B. Co.

Washington Mechanical Contractors

Wessels, Lianne

Western Bridge Co.

Wheeler, Floyd

White, U. V.

White Pass & Yukon Route

Wick Construction Co.

Williams, Wayne and Tolbert, Fred

Williamson, Geo. R.

White, Mike

Winniford, Dianna Dixon

Woodbury, James

Wrangell Public Schools

Wyller, Fred

Wyller, Estate of Hayes, Livingston Copters Inc.

Xerox Corporation

Yakutat Power, Inc.

Young, Robert

Zinn, Dorothea

JUDICIARY

Comm.

misc.

PASSED BY JUDICIARY 1975

69 House Bills
40 Senate Bills

- HB 27 School bus permits
- HB 31 Abandoned vessels
- HB 45 Ombudsman
- HB 48 Realty interest
- HB 52 Public Adjustor
- HB 59 Teacher Tenure
- HB 62 Transportation of hunters
- HB 81 Supplemental
- HB 90 Adultery
- HB 94 Conflict of Interest
- HB 96 Corporators
- HB 99 Guide board
- HB 105 Hold harmless
- HB 114 Violent Crimes
- HB 118 Transporters
- HB 129 Smoking
- HB 138 Income tax
- HB 139 Rental adjustment
- HB 140 Official maps
- HB 151 Log Brands
- HB 154 Assault
- HB 156 Obstruction of officer
- HB 157 Unauthorized entry
- HB 159 Edible meat
- HB 170 Subdivision judicial payments
- HB 175 Department of Labor

HB 176 Comparative negligency
HB 177 Prepaid rent
HB 178 Third party beneficiaries
HB 191 Transportation tariff
HB 192 Utility tariff
HB 197 Military residency
HB 202 Regents terms
HB 209 Income tax
HB 211 Tax and revenue
HB 213 U of A
HB 237 Divorce
HB 238 Child's rights
HB 241 Fishing gear
HB 242 Rights/state employees
HB 246 Liquor license
HB 248 Public Administrators
HB 256 Dentistry
HB 265 Legal Assistance
HB 266 Legal Assistance \$
HB 282 Public Administrators
HB 283 Judicial qualifications
HB 295 Teacher retirement
HB 298 Security
HB 312 Crab marketing
HB 314 Outdoor advertising
HB 318 Imposed sex
HB 321 Rent control

HB 356 Pari mutuel
HB 370 Fish and Game prosecutor
HB 371 Fish and Game \$
HB 384 Evaluate judges
HB 385 Judicial appointments
HB 390 Conflict of interest
HB 391 Contractor names .
HB 401 Public funds
HB 402 Disabilities of minor
HB 416 Abuse of power
HB 417 Intelligence information
HB 418 Conflict of interest
HB 422 Public assistance
HB 432 Child protection
HB 459 Fathers leave
HB 488 Campaign disclosure

HJR 1 Unicameral
HJR 4 Governor's term
HJR 10 Inherent rights
HJR 11 vetoed bills
HJR 15 U of A

HJR 35 Child support

HCR 2 Election districts
HCR 5 Drivers regulations
HCR 28 Fishing rights
HCR 39 Criminal code
HCR 53 Retention elections
HCR 57 Uncontested divorce

HR 3 Department of Justice

SB 5 Anti trust
SB 11 Artificial insemination
SB 28 Marriage
SB 44 Smoking
SB 53 Bond/suit
SB 59 Juveniles
SB 60 Discrimination
SB 62 Conflict of interest
SB 80 Case against state
SB 89 Conflict of interest
SB 96 Salmon roe
SB 99 Public records
SB 113 Health care information
SB 132 Nursing home administrators
SB 138 Zoning state parks
SB 140 Administration of Justice
SB 153 Sound recordings
SB 167 False reports
SB 168 Larceny
SB 180 Hatcheries
SB 182 Arrest/no warrant
SB 202 Malicious mischief
SB 230 Antlerless moose
SB 257 Fire departments
SB 261 Rape
SB 266 Motor vehicles
SB 269 Punch card voting

SB 290 Rent control
SB 300 Stolen property
SB 301 Insufficient funds
SB 302 Convicts/weapons
SB 350 Pot
SB 357 Minor on premises
SB 358 Trust lands
SB 384 Revise statutes
SB 399 Imitation gold
SB 407 Motor vehicle safety
SB 411 Dr. guide

SCR 5 Criminal code

SCR 15 Rape

SCR 17 "

SCR 19 "

SJR 30 ammunition

SJR 37 Outboard motors

PASSED BY JUDICIARY 1976

- HB 199 Open/close polls
- HB 214 Absentee voting
- HB 243 Public Utility Rates
- HB 261 Property Tax exemption
- HB 366 Deed of trust sales
- HB 442 Game Refuges and Sanctuaries
- HB 510 ASHA land sales
- HB 522 Lobbying
- CSSSHB 531 Freedom of Information
- HB 541 Visitation of Prisoners
- HB 546 Surcharges
- HB 554 Insurance holding companies
- HB 558 Insurance practices
- HB 559 Insurance filing review periods
- HB 574 Medical Malpractice
- HB 581 Watercraft
- HB 584 Substitution of generic drugs
- HB 588 OSHA
- HB 600 Determinate Sentencing
- HB 604 Uniform Land Sales
- HB 606 Vacancies U.S. Senators
- HB 631 Public utilities
- HB 632 Exempt small telephone companies
- HB 633 Public utilities
- HB 634 Employment of minors
- HB 639 Collection of wages
- HB 655 Foreclosure
- HB 677 Anti-Trust
- HB 679 Public Utility Indebtedness
- HB 694 Criminal Code Revision Commission
- HB 705 Alaska Pipeline Commission
- HB 713 Student Regent
- HB 722 Consumer Protection
- HB 723 Residential Homestead exemption

- HB 735 Defrauding Hotels
- HB 738 Misc. Court Awards
- HB 756 Survivor Benefits
- HB 774 COLA Magistrates
- HB 775 Criminal escapes
- HB 784 Cook Inlet Land Trade
- HB 785 Electric Dart guns
- HB 786 Faculty smoking
- HB 795 Women in Alaska
- HB 801 Capital Site Sel. Commission
- HB 808 Hippie Homestead
- HB 809 Money game proceeds
- HB 823 Credit Unions
- HB 831 Public meetings
- HB 833 Abatement of nuisances
- HB 839 Fish and Game Data
- HB 851 Quasi Judicial Regulatory Agencies
- HB 856 Security Guards
- HB 857 Campaign Disclosure
- HB 861 Educational incentive grant
- HB 871 Number of judges
- HB 873 Dissolution of marriage
- HB 881 Laetrile
- HB 885 Student collective bargaining
- HB 890 Coop res. management
- HB 898 Toilet Facilities
- HB 908 Religious property exemption

- SB 157 Consciencious clause
- HCS 2dCSSB 215 Navigable Waters
- SB 296 am Integrated Bar Act
- SB 336 Treatment of Drunks
- SB 345 Drunks on Highway
- SB 346 Uniform Alcoholism Act
- SB 354 Limited Liability Companies
- SB 365 Hairdressers
- SB 371 Child Protection
- SB 406 Tankers
- SB 438 Dealer's day in court
- CSSB 440 Security interests
- CSSB 443 Takeover Bids
- SB 484 Abandoned Vehicles
- SB 489 Physical exams non-residents
- SB 490 Corporate statute amendments
- SB 494 Civil liabilities National Guard
- SB 499 Salary Commission
- SB 509 Notaries
- SB 511 Revenue Laws
- SB 515 Referendum Procedures
- SB 544 Municipal parking
- SB 546 Eminent Domain
- S. 570 Municipal officers
- SB 575 Injunctive relief
- ~~SB 588~~ *Minor purchase motor vehicle*
- SB 592 Theft of telecommunications services
- SB 594 Unavailable Insurance
- SB 596 Larceny and embezzlement
- SB 597 Bingo, Raffles
- SB 611 Adoption
- SB 627 Larceny by trick
- SB 628 Implied Consent
- SB 629 Interstate compact: children

- SB 630 Apprenticeship
- SB 641 Wage rates
- SB 653 Philosophy of child treatment
- SB 659 Child support agency
- SB 661 *Parenting Activities*
- SB 666 Motorcycle helmets
- SB 670 Superior judges
- SB 673 Judicial appointments
- SB 677 *Capital Site*
- SB 691 Public broadcasting
- SB 696 Appropriation for telecommunications
- SB 717 *Probate Code*
- SB 718 Statehood Act
- SB 720 Kachemak Bay
- SB 724 Revisor
- SB 740 *Real Estate Conveyance*
- SB 741 Teachers certificates

- SS HJ 39 Permanent Fund
- HJR 43 Traps
- HJR 44 Kantishna mining
- HJR 45 Gun Control
- HJR 73 State aid to private education
- HCR 88 Capital Site
- HCR 109 Atty, Fee Review
- SJR 45 *Disposal Standard*
- SCR 48 Glacier Bay Monument
- SCR 62 Motor vehicle inspection

LEAGUE OF WOMEN VOTERS
OF THE FAIRBANKS NORTH STAR BOROUGH
P.O. BOX 1974
FAIRBANKS, AK 99707



Superior Court

State of Alaska

FIRST JUDICIAL DISTRICT
STATE CAPITOL BUILDING
POUCH U
JUNEAU, ALASKA

99601

THOMAS B. STEWART
PRESIDING JUDGE

February 14, 1975

Honorable Charles Parr
Alaska House of Representatives
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Representative Parr:

In 1973 the Alaska Supreme Court established a standing committee composed of the four presiding judges of the Superior Court and the Administrative Director of Courts to advise and assist in improving the administration of all courts. A recent function of the committee has been to consider and report on a Judicial Council proposal for a change in the judicial districting plan for the state.

The committee is pleased to transmit for your review a copy of its report issued in November 1974 which details its recommendations for modification of judicial district boundaries. With the exception of the Honorable William H. Sanders, Presiding Judge of the Second Judicial District, all members of the committee recommended that there be three judicial districts, or in the alternative, the existing four districts with boundary changes. The justification for these alternatives and the proposed boundaries are stated in the report. The minority view of Judge Sanders is also included.

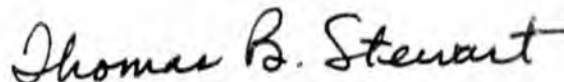
The report of the committee and that of the Judicial Council were distributed to all judges in the state. Summaries of these proposals were presented orally to the Conference of Alaska Judges at Anchorage on January 17, 1975, and the subject was then discussed by the assembled judges. Subsequently the members of the Conference (excepting the Justices of the Supreme Court) were polled as to their views, and the results are stated in the attached communication dated February 6, 1975, from Judge Victor D. Carlson, Secretary-Treasurer of the Conference, to Chief Justice Jay A. Rabinowitz. In summary, the 28 members voting

Honorable Charles Par
February 14, 1975
Page Two

avored a modification of the existing four districts or the alternative of three districts by better than five to one over the seven district plan. The Supreme Court acted independently on the proposals and has unanimously recommended retention of the existing four districts, but with modification of boundaries to adjust to existing transportation and communication patterns.

In a dual capacity as chairman of the Presiding Judges' Committee and as President of the Conference of Alaska Judges, it is a privilege to provide you with these informational materials on judicial districting. If any legislator or legislative committee desires further comment on the subject, we would be pleased to provide it upon request.

Very truly yours,



Thomas B. Stewart
Chairman, Presiding Judges'
Committee and
President, Alaska Conference
of Judges

:lw

Members of the Committee:

Presiding Judge Thomas B. Stewart, First District
Presiding Judge William H. Sanders, Second District
Presiding Judge C. J. Occhipinti, Third District
Presiding Judge Gerald J. Van Hoomissen, Fourth District
Arthur H. Snowden, II, Administrative Director



Supreme Court
State of Alaska

941 Fourth Avenue
Anchorage, Alaska 99501

JAY A. RABINOWITZ, Chief Justice

907 279-0664

February 13, 1975

Honorable Mike Bradner
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Representative Bradner:

The Supreme Court of Alaska met last week to consider the matter of judicial district reform. Because the design of judicial districts will affect the administration of the Alaska Court System for which the Supreme Court has constitutional responsibility, we would like to take this opportunity to express our views concerning judicial district reform and to present our recommendations for modification of the existing judicial districts.

The Supreme Court unanimously recommends retention of four judicial districts, but with the district boundaries realigned to conform to existing transportation and communication patterns. It is our belief that this proposal will enable the Alaska Court System to continue to provide more readily available and quality judicial services to all areas of the state. Enclosed is a draft bill that defined the judicial district boundaries as proposed by the Supreme Court. In this bill, the First Judicial District is unchanged; the Second District is redrawn to encompass those communities having direct transportation and communication links with Nome; the Third District is extended westward to include the Kuskokwim and Lower Yukon regions; and the Fourth District is extended to include the North Slope. Also enclosed is a map illustrating these proposed districts.

In reaching its decision, the Supreme Court considered the recommendations of the Judicial Council for seven judicial districts as well as the Presiding Judges' Committee proposal for three districts together with Judge Sanders' dissent. The

Honorable Mike Bradner
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Page Two

reports prepared by the Judicial Council and the Presiding Judges' Committee in support of their recommendations agreed that the two primary functions served by judicial districts are (1) their operation as election units for retention elections of superior and district court judges and (2) their function as regional units for judicial administration. Where the Judicial Council's report emphasized the retention election unit function, the Presiding Judges' Committee stressed the administrative function. Seven districts have been recommended by the Council for the sole purpose of providing certain regions of the state with concentrated voting power in judicial retention elections. No claim has been made that increased judicial services will result from an increase in the number of districts. The Presiding Judges' Committee recommends three districts on the assumption that a decrease in the number of districts will simplify the administration of the court system and will result in improved administrative and judicial services throughout the state. By tending to stress one function over the other, however, each recommendation falls short of reaching accommodation between two equally important functions of judicial districts.

The Court is of the view that in fashioning judicial districts for purposes of judicial retention elections there comes a point where the population of a proposed district may become too small and too homogeneous to provide the kind of atmosphere that promotes judicial independence. The judicial retention election is a vital element of Alaska's merit system for judicial selection and tenure, for it is through this device that the judiciary remains responsive to the people it serves. At the same time, however, the judiciary must remain free from partisan political pressures that may affect decisions in particular cases. An election unit having a larger population with diverse political interests is much more likely to strike the proper balance between judicial independence and responsiveness to the public.

The Judicial Council's recommended districts are, for the most part, too small and too homogeneous to provide the kind of diversity that best insures judicial independence. The proposed seven districts were, of course, drawn specifically to recognize distinctive regional interests. However, if the goal of judicial district reform is to give retention election power to recognizable regional interests, then it becomes difficult to distinguish between the regions identified by the Council as requiring judicial district status (that is,

Honorable Mike Bradner
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Page Three

retention election power) and other regions of the state such as the Kenai Peninsula, Kodiak Island, or portions of Southeast Alaska. Certainly there are many points at which the interests of these regions diverge markedly from the interests of the urban areas of Anchorage, Fairbanks, and Juneau. If additional districts are necessary to serve distinctive regional interests in judicial retention elections, then more retention units than proposed by the Council would seem to be required.

Three districts have been urged by the Presiding Judges' Committee to provide a simpler administrative structure. Single judge districts have been recognized as inherently inefficient by experts in the field of judicial administration, and it is on this basis that the merger of the Second and Fourth Districts has been urged. The Court agrees that three judicial districts would be simpler to administer than four, and certainly simpler to administer than seven. Little would seem to be gained, however, by altering the present structure of four judicial districts.

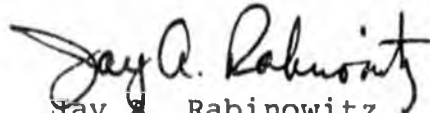
Lack of transportation routes linking the communities contained within existing judicial districts provided the initial impetus for judicial district reform. The Court believes that this continues to be the major flaw in the existing judicial district design. The problems encountered in providing judicial services throughout the state with present district boundaries have been exhaustively catalogued in both the Judicial Council and Presiding Judges' Committee reports. Existing transportation patterns make it impossible to provide judicial services to certain communities in the state by utilizing judges from within the same judicial district. But serving these communities with judges from neighboring judicial districts has an adverse effect both on the administration of courts and on the retention election process. The overlap of administrative responsibilities in the two judicial service areas, as discussed in the Presiding Judges' Committee Report, has caused some administrative confusion. The problems have been far from insurmountable, but they have diverted attention and energy away from more substantial concerns. If judicial services are to be provided to rural communities effectively, they must be provided by judges traveling from other judicial districts. This, in turn, results in a disenfranchisement of voters in the Kuskokwim and North Slope regions who cannot vote on the superior court judges who actually serve their communities.

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Page Four

The four districts proposed by the Supreme Court will solve the major problems with judicial district design with the least disruption in both the judicial retention election process and the administration of the court system. Those communities that are linked by common charter and scheduled transportation routes and that will be served by the same judge or judges have been included within a single judicial district. The Court believes that this proposal will best accommodate the needs of the public that it is charged to serve and the needs of the judiciary in terms of both administrative ease and judicial independence.

The Supreme Court wishes to thank you for this opportunity to express its views to the legislature and to assure you that regardless of the outcome of the various proposals before the legislature, we reaffirm our commitment to bring judicial services to all citizens of Alaska.

Very truly yours,



Jay A. Rabinowitz
Chief Justice

:lw

cc: All Members House of Representatives

THE FOLLOWING PAGES WERE TREATED AS
A UNIT IN THE ORIGINAL FILE.

STATE
of ALASKA

MEMORANDUM

copy opinion
SAVE

*Kastiger v. US -
Sup Court Law Reporter
US Reports*
DATE: April 20, 1977
FILE NO. 1974/75

TO: Avrum M. Gross
Attorney General

FROM: Daniel W. Hickey
Chief Prosecutor

TELEPHONE NO.

SUBJECT: Federal Prosecution of
Witnesses Compelled to
Testify Pursuant to a
State Grant of Immunity
from Prosecution

A question has recently arisen regarding the provisions of CS HB 143, relating to immunity of witnesses. The question is whether testimony compelled in a state prosecution, under a grant of immunity from the use of such testimony, may nevertheless be directly or indirectly used in a federal prosecution.

This issue has been researched extensively and it is unequivocally clear that the landmark opinion of the United States Supreme Court in Murphy v. Waterfront Commission, 378 U.S. 52, 12 L.Ed. 2d 678, 84 S.Ct. 1594 (1964), answers the question in the negative. Additionally, it should be emphasized that the decision in Murphy remains controlling under the Constitution of the United States.

In that case, Mr. Justice Goldberg, in a majority opinion pursuant to a unanimous decision for a Court that included Justices Douglas, Brennan and Black, stated:

[W]e hold the constitutional rule to be that a state witness may not be compelled to give testimony which may be incriminating under federal law unless the compelled testimony and its fruits cannot be used in any manner by federal officials in connection with a criminal prosecution against him. We conclude, moreover, that in order to implement this constitutional rule and accommodate the interests of the State and Federal Governments in investigating and prosecuting crime, the Federal Government must be prohibited from making such use of compelled testimony and its fruits. This exclusionary rule, while permitting the States to secure information necessary for effective law enforcement, leaves the witness and the Federal Government in substantially the same position as if the witness had claimed his privilege in the absence of a state grant of immunity. (emphasis added)

In conclusion, it is clear that federal prosecutors can no more utilize testimony compelled under CS HB 143, which is with minor technical variations identical to the bill introduced by request of the Governor as HB 393, than their counterparts in Alaska.

[406 US 441]

CHARLES JOSEPH KASTIGAR and Michael Gorean Stewart,
Petitioners,

v

UNITED STATES

406 US 441, 32 L Ed 2d 212, 92 S Ct 1653, reh den 408 US 931,
33 L Ed 2d 345, 92 S Ct 2478

[No. 70-117]

Argued January 11, 1972. Decided May 22, 1972.

SUMMARY

The United States District Court for the Central District of California ordered the petitioners to appear before a grand jury and to answer its questions under a grant of immunity. The immunity was based upon a provision of the Organized Crime Control Act of 1970 stating that neither the compelled testimony nor any information directly or indirectly derived from such testimony could be used against the witness. Notwithstanding the grant of immunity, the petitioners refused to answer the grand jury's questions and were found in contempt. The United States Court of Appeals for the Ninth Circuit affirmed (440 F2d 954), rejecting the petitioners' contention that it violated their constitutional privilege against self-incrimination to compel them to testify without granting them transactional immunity from prosecution for any offense to which the compelled testimony might relate.

On certiorari, the United States Supreme Court affirmed. In an opinion by POWELL, J., expressing the view of five members of the court, it was held that immunity from use and derivative use was coextensive with the scope of the constitutional privilege against self-incrimination, and therefore, despite the lack of a grant of transactional immunity, was sufficient to compel testimony over a claim of the privilege.

DOUGLAS and MARSHALL, JJ., each dissented in a separate opinion on the grounds that in the absence of transactional immunity, the grant of immunity was not constitutionally sufficient to compel a witness' testimony.

BRENNAN and REHNQUIST, JJ., did not participate.

SUBJECT OF ANNOTATION

Beginning on page 869, *infra*Adequacy, under Federal Constitution, of immunity granted
in lieu of privilege against self-incriminationBriefs of Counsel, p 867, *infra*.