

ALASKA LEGISLATURE COMMITTEE FILES 1981-1982 86/2

1996 SRLS HOHMAN MATTER: DOCUMENTS FILE - DOCUMENTS OF RECORD

OUTLINE OF PROCEEDINGS

1. CALL TO ORDER

2. DATE, TIME AND PLACE

The date is January 29, 1982. The time is 1:00 p.m. The hearing is taking place in the Butrovich Room in Juneau.

3. QUORUM

4. HOHMAN PRESENT

5. SUBJECT OF HEARINGS

The Senate Rules Committee is meeting pursuant to referral by the Senate President, and has been charged with the responsibility to hold hearings and recommend the action to be taken by the Senate as a result of the December 24, 1981 jury verdicts finding Senator Hohman guilty of the charges of bribery and receiving a bribe.

6. PURPOSE OF HEARINGS

The purpose of the hearings will be to determine if there is cause for the Senate to take action against Senator Hohman as a result of the December 24, 1981 jury verdicts finding him guilty of the charges of bribery and receiving a bribe, and to determine what recommendations for action the committee should make to the Senate.

7. POSSIBLE ACTION

Committee action may include, but is not limited to, a recommendation that Senator Hohman be expelled from the Senate, pursuant to Article II, Section 12 of the Alaska Constitution, which provides that the Senate may expel a member with the concurrence of two-thirds of its members.

8. SENATOR HOHMAN'S RIGHTS

Senator Hohman has been informed that, in the course of the proceedings,

he will be given notice of the date, time and location of each committee meeting;

he may attend all committee meetings in person, and may be accompanied by legal counsel, or in the alternative may be represented at the hearings by legal counsel if he is unable to be present; and

he will have an opportunity to be heard, to testify himself, to present witnesses on his behalf and to offer other evidence, to cross-examine witnesses and to examine and comment upon any evidence or other materials presented to the committee.

9. PROCEEDINGS TO DATE

This committee has previously held hearings on this matter on January 19th and 20th.

January 19th

At the January 19th hearing, the committee received testimony from two witnesses who testified on Senator Hohman's behalf. Those witnesses were John Guinn, Mayor of Bethel and Ivman Hoffman, City Manager of Bethel. In addition to his testimony, Mayor Guinn presented the committee with a resolution of the Bethel City Council supporting Senator Hohman's retaining his seat in the Senate.

Senator Hohman also testified on January 19th.

On January 19th, the committee adopted a Method of Proceedings.

At the request of Senator Hohman, that Method of Proceedings brings before this committee the record of Senator Hohman's jury trial on the bribery charges. Senator Hohman has requested that this committee review the evidence presented to the jury at his trial. The committee may consider that evidence in its deliberations.

January 20th

At the January 20th hearing, Senator Hohman again testified on his own behalf.

At the January 20th hearing, Senator Hohman requested that the committee delay these hearings until the record of his jury trial was made available to him. That request was granted, and further hearings were postponed until today.

Since January 20th

A complete copy of the record of Senator Hohman's jury trial, containing the testimony of all of the witnesses at the trial, was delivered to Senator Hohman's office on the morning of January 24th. Copies were delivered to all other members of the Senate on the morning of January 25th.

On January 23rd the committee's counsel informed Senator Hohman's attorney of the presentation that committee counsel expected to make to the committee.

On January 27th a summary of the evidence presented at Senator Hohman's jury trial, prepared by the office of the prosecuting attorney, was delivered to Senator Hohman's office. Copies of that summary were delivered to all other Senate members today. A copy will be entered into the record of these proceedings.

Senator Hohman has requested that exhibits used at his jury trial be made available to him for his presentation to this committee. That request has been granted by the court system, without objection by the committee.

Also of significance to these proceedings is an order entered by the judge who presided at Senator Hohman's jury trial. Senator Hohman had asked the trial judge to throw out the jury verdicts finding him guilty of bribery and receiving a bribe. Senator Hohman's attorney argued that the jury could not have carefully considered the evidence presented at trial since the jury reached its guilty verdicts after deliberating only a few hours. The trial judge upheld the jury verdicts, and ruled that there was

sufficient evidence to allow the jury to decide upon Senator Hohman's innocence or guilt on the bribery charges.

A copy of the judge's order is to be entered into the record.

10. OTHER PRELIMINARY MATTERS

11. TODAY'S TESTIMONY

Senator Hohman, you may proceed with your presentation to the committee.

12. ADJOURNMENT

PROPOSED RULES COMMITTEE TIMETABLE

THURSDAY	JANUARY 28, 1982	4:00 P.M.	HOHMAN TESTIMONY
FRIDAY	JANUARY 29, 1982	4:00 P.M.	COMMITTEE'S COUNCIL PRESENTATION RECOMMENDATION DECISION
SATURDAY	January 30, 1982		IF RESOLUTION IS DECIDED UPON, DRAFTING
SUNDAY	January 31, 1982		
MONDAY	February 1, 1982		INTRODUCTION, FIRST READING AND RULES COMMITTEE REFERRAL
TUESDAY	February 2, 1982	4:00 P.M.	RULES COMMITTEE HEARING: COMMITTEE REPORT

FLOOR VOTE: DEPENDING ON FULL ATTENDANCE BY SENATORS

- 1) How much time do you need.
- 2) ~~How much time~~
It's my understanding that a day
following receipt of the transcripts is acceptable to you.

OUTLINE OF PROCEEDINGS

1. CALL TO ORDER

The meeting is called to order.

2. DATE, TIME AND PLACE

The date is January 20, 1982. The time is 4:30 p.m. The meeting is taking place in the Butrovich Room in Juneau.

3. QUORUM

4. HOHMAN PRESENT

5. SUBJECT OF HEARINGS

The Senate Rules Committee is meeting pursuant to referral by the Senate President, and has been charged with the responsibility to hold hearings and recommend the action to be taken by the Senate as a result of the December 24, 1981 jury verdicts finding Senator Hohman guilty of the charges of bribery and receiving a bribe.

6. PURPOSE OF HEARINGS

The purpose of the hearings will be to determine if there is cause for the Senate to take action against Senator Hohman as a result of the December 24, 1981 jury verdicts finding him guilty of the charges of bribery and receiving a bribe, and to determine what recommendations for action the committee should make to the Senate.

7. POSSIBLE ACTION

Committee action may include, but is not limited to, a recommendation that Senator Hohman be expelled from the Senate, pursuant to Article II, Section 12 of the Alaska Constitution, which provides that the Senate may expel a member with the concurrence of two-thirds of its members.

8. SENATOR HOHMAN'S RIGHTS

Senator Hohman has been informed that, in the course of the proceedings,

he will be given notice of the date, time and location of each committee meeting;

he may attend all committee meetings in person, and may be accompanied by legal counsel, or in the alternative may be represented at the hearings by legal counsel if he is unable to be present; and

he will have an opportunity to be heard, to testify himself, to present witnesses on his behalf and to offer other evidence, to cross-examine witnesses and to examine and comment upon any evidence or other materials presented to the committee.

9. YESTERDAY'S PROCEEDINGS

At the hearing yesterday, the committee received testimony from two witnesses offered by Senator Hohman. Those witnesses were John Guinn, Mayor of Bethel and Lyman Hoffman, City Manager of Bethel. In addition to his testimony, Mayor Guinn presented the committee with a resolution of the Bethel City

Council supporting Senator Hohman's retaining his seat in the Senate.

Yesterday, the committee also adopted a Method of Proceedings. That Method of Proceedings has been provided to Senator Hohman, and it should be entered into the record.

10. SCHEDULE FOR PRESENTATION OF SENATOR HOHMAN'S EVIDENCE

Senator Hohman, please direct your attention to paragraph 6 on page 2 of the Method of Proceedings,

PARAGRAPH 6 FROM METHOD OF PROCEEDINGS

6. Schedule of Proceedings. (a) If you wish to make a presentation to the Committee, it is requested that you give the Committee Chairman reasonable written notice of the following:

(1) the name of your attorney or attorneys who are authorized to represent you in the proceedings, if you choose to have legal representation, and whether those attorneys may speak in your behalf in your absence;

(2) a witness list, including the names and current addresses of all witnesses who you intend to call to testify in these proceedings. For each witness listed, you should submit a brief summary of the testimony which the witness will provide;

(3) a list of all written materials which you intend to submit or alternatively, the actual written materials; and

It's my understanding you want 4 hours to present your testimony.

(4) an estimate of the amount of time that you desire in order to make your presentation to the Committee.

I have directed the committee's counsel to provide you with an outline of the materials he intends to submit to the committee before the close of business this week.

*** TIMETABLE**

11. TODAY'S TESTIMONY

12. ADJOURNMENT



Alaska State Legislature

Senate

JUNEAU, ALASKA

January 20, 1982

MEMO: Senator: Tim Kelly *Tim Kelly*
From Peggy Mulligan, *Peggy Mulligan* Secretary of the Senate

After talking to Rick Barrier again today in Anchorage, it looks like this for a time frame on producing the Hohman volumes:

Volume I (Hohman Case File)	700 pgs	— <i>done</i>
Volume II (Trial Transcript)	3,000 "	
Volume III (Exhibits)	3,000 "	— <i>done</i>

Volume I is done and distributed.

Volume II is being finished today. (3 volumes)

Volume III will be about 3,000 pages and be in 3 books.

Rick Barrier said this afternoon that he would try very hard to get 1200 or 1500 pages gold-streaked Friday evening of the transcript.

The other roughly 1500 pages would be gold-streaked on Monday afternoon.

Sam says that Meradie and Don will work this week-end and get the first part done so that they can work Monday evening and Tuesday on the rest.

It would appear that Tuesday evening would be the first that the whole thing could be ready.

#3

ALASKA STATE LEGISLATURE

TWELFTH LEGISLATURE - SECOND SESSION

SENATE RULES COMMITTEE

In the Matter of
SENATOR GEORGE H. HOHMAN, JR.

METHOD OF PROCEEDINGS

TO: Senator George H. Hohman, Jr.

1. Subject of Committee Hearings. The Senate Rules Committee, pursuant to referral by the Senate President, has been charged with the responsibility of holding hearings and recommending what action should be taken by the Senate as a result of the circumstances leading to the December 24, 1981 jury verdicts finding you guilty of the charges of bribery and receiving a bribe. Copies of the indictment and of the jury verdicts are attached. The transcript of the court proceedings is presently being prepared. A copy will be provided to you upon its completion.
2. Purpose of hearings. The purpose of the hearings will be to determine if there is cause for the Senate to take action against you, and to determine what recommendations for action the Committee should make to the Senate.
3. Possible Committee Action. Committee action may include, but is not limited to, a recommendation that you be expelled from the Senate, pursuant to Article II, Section 12

of the Alaska Constitution, which provides that the Senate may expel a member with the concurrence of two-thirds of its members.

4. Scope of Hearings; Evidence that may be Presented. The Committee will receive evidence on the facts and circumstances leading to the December 24, 1981 jury verdicts finding you guilty of the charges of bribery and receiving a bribe. On those charges, the evidence will be limited to the transcript of the court proceedings and comments upon the evidence and other materials in the transcript. You will be provided a copy of the transcript. The Committee will also receive evidence relevant to the recommendations to be made to the Senate.

5. Rights of Senator Hohman. In the course of the proceedings, you

(a) will be given notice of the date, time and location of each Committee meeting;

(b) may attend all Committee meetings in person, and may be accompanied by legal counsel, or in the alternative may be represented at the hearings by legal counsel if you are unable to be present; and

(c) will have an opportunity to be heard, to testify yourself, to present witnesses on your behalf and to offer other evidence, to cross-examine witnesses, and to examine and comment upon any evidence or other materials presented to the Committee.

6. Schedule of Proceedings. (a) If you wish to make a presentation to the Committee, it is requested that you give the Committee Chairman reasonable written notice of the following:

(1) the name of your attorney or attorneys who are authorized to represent you in the proceedings, if you choose to have legal representation, and whether those attorneys may speak in your behalf in your absence;

(2) a witness list, including the names and current addresses of all witnesses who you intend to call to testify in these proceedings. For each witness listed, you should submit a brief summary of the testimony which the witness will provide;

(3) a list of all written materials which you intend to submit or alternatively, the actual written materials; and

(4) an estimate of the amount of time that you desire to make your presentation to the Committee.

(b) The Committee's counsel will provide you with reasonable written notice of the following:

(1) a witness list, including the names and current addresses of all witnesses who the Committee's counsel intends to call to testify in these proceedings, with a brief summary of the testimony which each witness will provide;

(2) a list of all written materials which the Committee's counsel intends to submit or alternatively, the actual written materials; and

(3) an estimate of the amount of time that Committee's counsel desires to make his presentation to the Committee.

(c) Within fourteen days after receipt of the transcript of the trial proceedings, you may, if you desire, submit summaries of the evidence or other materials in the transcript, and you may direct the Committee's attention to specific portions of the transcript.

7. Changing Method of Proceedings. This Method of Proceedings may be changed by a vote of a majority of the Committee. Before such vote, notice of the proposed change will be provided to you and you will be allowed to comment upon it.

8. Record of Proceedings. Records of all proceedings will be maintained as provided in Rule 23 of the Uniform Rules.

DATED: January 18, 1982

Senator Tim Kelly
Chairman

#2

ALASKA STATE LEGISLATURE

TWELFTH LEGISLATURE - SECOND SESSION

SENATE RULES COMMITTEE

In the Matter of
SENATOR GEORGE H. HOHMAN, JR.

METHOD OF PROCEEDINGS

TO: Senator George H. Hohman, Jr.

1. Subject of Committee Hearings. The Senate Rules Committee, pursuant to referral by the Senate President, has been charged with the responsibility of holding hearings and recommending what action should be taken by the Senate as a result of the circumstances leading to the December 24, 1981 jury verdicts finding you guilty of the charges of bribery and receiving a bribe. Copies of the indictment and of the jury verdicts are attached. The transcript of the court proceedings is presently being prepared. A copy will be provided to you upon its completion.
2. Purpose of hearings. The purpose of the hearings will be to determine if there is cause for the Senate to take action against you, and to determine what recommendations for action the Committee should make to the Senate.
3. Possible Committee Action. Committee action may include, but is not limited to, a recommendation that you be expelled from the Senate, pursuant to Article II, Section 12

of the Alaska Constitution, which provides that the Senate may expel a member with the concurrence of two-thirds of its members.

4. Scope of Hearings; Evidence that may be Presented. The Committee will receive evidence on the facts and circumstances leading to the December 24, 1981 jury verdicts finding you guilty of the charges of bribery and receiving a bribe. On those charges, the evidence will include the transcript of the court proceedings. You may comment upon the evidence and other materials in the transcript and may present additional evidence on those charges. You will be provided a copy of the transcript. The Committee will also receive evidence relevant to the recommendations to be made to the Senate.

5. Rights of Senator Hohman. In the course of the proceedings, you

(a) will be given notice of the date, time and location of each Committee meeting;

(b) may attend all Committee meetings in person, and may be accompanied by legal counsel, or in the alternative may be represented at the hearings by legal counsel if you are unable to be present; and

(c) will have an opportunity to be heard, to testify yourself, to present witnesses on your behalf and to offer other evidence, to cross-examine witnesses, and to examine and comment upon any evidence or other materials presented to the Committee.

6. Schedule of Proceedings. (a) If you wish to make a presentation to the Committee, it is requested that you give the Committee Chairman reasonable written notice of the following:

(1) the name of your attorney or attorneys who are authorized to represent you in the proceedings, if you choose to have legal representation, and whether those attorneys may speak in your behalf in your absence;

(2) a witness list, including the names and current addresses of all witnesses who you intend to call to testify in these proceedings. For each witness listed, you should submit a brief summary of the testimony which the witness will provide;

(3) a list of all written materials which you intend to submit or alternatively, the actual written materials; and

(4) an estimate of the amount of time that you desire to make your presentation to the Committee.

(b) The Committee's counsel will provide you with reasonable written notice of the following:

(1) a witness list, including the names and current addresses of all witnesses who the Committee's counsel intends to call to testify in these proceedings, with a brief summary of the testimony which each witness will provide;

(2) a list of all written materials which the Committee's counsel intends to submit or alternatively, the actual written materials; and

(3) an estimate of the amount of time that Committee's counsel desires to make his presentation to the Committee.

(c) Within fourteen days after receipt of the transcript of the trial proceedings, you may, if you desire, submit summaries of the evidence or other materials in the transcript, and you may direct the Committee's attention to specific portions of the transcript.

7. Changing Method of Proceedings. This Method of Proceedings may be changed by a vote of a majority of the Committee. Before such vote, notice of the proposed change will be provided to you and you will be allowed to comment upon it.

8. Record of Proceedings. Records of all proceedings will be maintained as provided in Rule 23 of the Uniform Rules.

DATED: January 18, 1982

Senator Tim Kelly
Chairman

ALASKA STATE LEGISLATURE
TWELFTH LEGISLATURE -- SECOND SESSION
SENATE RULES COMMITTEE

In the Matter of
SENATOR GEORGE H. HOHMAN, JR.

METHOD OF PROCEEDINGS

TO: Senator George H. Hohman, Jr.

1. Subject of Committee Hearings. The Senate Rules Committee, pursuant to referral by the Senate President, has been charged with the responsibility of holding hearings and recommending what action should be taken by the Senate as a result of the December 24, 1981 jury verdicts finding you guilty of the charges of bribery and receiving a bribe.
2. Purpose of Hearings. The purpose of the hearings will be to determine if there is cause for the Senate to take action against you, and to determine what recommendations for action the Committee should make to the Senate.
3. Possible Committee Action. Committee action may include, but is not limited to, a recommendation that you be expelled from the Senate, pursuant to Article II, Section 12 of the Alaska Constitution, which provides that the Senate may expel a member with the concurrence of two-thirds of its members.

4. Scope of Hearings; Evidence that may be Presented. On the charges of bribery and receiving a bribe, the evidence will be limited to the indictments and the December 24, 1981 jury verdicts finding you guilty of those offenses. The Committee may also receive evidence relevant to the recommendations to be made to the Senate.

5. Rights of Senator Hohman. In the course of the proceedings, you

(a) will be given notice of the date, time and location of each Committee meeting;

(b) may attend all Committee meetings in person, and may be accompanied by legal counsel, or in the alternative may be represented at the hearings by legal counsel if you are unable to be present; and

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(1) the name of your attorney or attorneys who are authorized to represent you in the proceedings, if you choose to have legal representation, and whether those attorneys may speak in your behalf in your absence;

(2) a witness list, including the names and current addresses of all witnesses who you intend to call to testify in these proceedings. For each witness listed, you should submit a brief summary of the testimony which the witness will provide;

(3) a list of all written materials which you intend to submit or alternatively, the actual written materials; and

(4) an estimate of the amount of time that you desire to make your presentation to the Committee.

(b) The Committee's counsel will provide you with reasonable written notice of the following:

(1) a witness list, including the names and current addresses of all witnesses who the Committee's counsel intends to call to testify in these proceedings, with a brief summary of the testimony which each witness will provide;

(2) a list of all written materials which the Committee's counsel intends to submit or alternatively, the actual written materials; and

(3) an estimate of the amount of time that the Committee's counsel desires to make his presentation to the Committee.

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will be provided to you and you will be allowed to comment upon it.

8. Record of Proceedings. Records of all proceedings will be maintained as provided in Rule 23 of the Uniform Rules.

DATED: January 18, 1982

Senator Tim Kelly
Chairman

1) Let George talk:

OUTLINE OF PROCEEDINGS

1. CALL TO ORDER

The meeting is called to order.

2. DATE, TIME AND PLACE

The date is January 19, 1982. The time is 1:30 p.m. The meeting is taking place in the Senate Finance Room in Juneau.

3. QUORUM

The record should reflect that all members of the committee are present and that a quorum is accordingly established.

4. HOHMAN PRESENT

The record should also reflect the presence of Senator Hohman.

5. SUBJECT OF HEARINGS

The Senate Rules Committee is meeting pursuant to referral by the Senate President, and has been charged with the responsibility to hold hearings and recommend the action to be taken by the Senate as a result of the December 24, 1981 jury verdicts finding Senator Hohman guilty of the charges of bribery and receiving a bribe.

6. PRESIDENT'S REFERRAL

The Senate President's referral and supporting documents are to be entered into the record.

7. INDICTMENT

On April 29, 1981 an indictment was returned against Senator Hohman which charged that he committed the following crimes:

COUNT I

BRIBERY

That from on or about the 1st day of May, 1980, through on or about the 7th day of May, 1980, at or near Juneau, in the First Judicial District, State of Alaska, George H. Hohman, Jr. did offer to confer money upon Edward Russell Meekins, Jr., a member of the Alaska House of Representatives, with the intent to influence Representative Meekins' vote, opinion, judgment, action, decision, and exercise of discretion in his official capacity as a member of the Alaska State House of Representatives.

All of which is a class B felony in violation of AS 11.56.100.

COUNT II

RECEIVING A BRIBE

That from on or about the 1st day of May, 1980, through on or about the 8th day of May, 1980, at or near Juneau, in the First Judicial District, State of Alaska, George H. Hohman, Jr., did agree to accept money, upon an agreement or understanding that his vote, opinion, judgment, action, decision, and exercise of discretion as a member of the Alaska State Senate would be influenced thereby.

All of which is a class B felony in violation of AS 11.56.110.

8. JURY VERDICTS

Senator Hohman was tried for these crimes, and on December 24, 1981 the trial jury returned verdicts of guilty on the charges of bribery and receiving a bribe.

9. COPIES OF INDICTMENT AND VERDICT

Certified copies of the indictment and of the verdicts are to be entered into the record of these proceedings.

10. NOTICE

Notice of these hearings was given according to the Uniform Rules.

11. PURPOSE OF HEARINGS

The purpose of the hearings will be to determine if there is cause for the Senate to take action against Senator Hohman as a result of the December 24, 1981 jury verdicts finding him guilty of the charges of bribery and receiving a bribe, and to determine what recommendations for action the committee should make to the Senate.

12. POSSIBLE ACTION

Committee action may include, but is not limited to, a recommendation that Senator Hohman be expelled from the Senate, pursuant to Article II, Section 12 of the Alaska Constitution, which provides that the Senate may expel a member with the concurrence of two-thirds of its members.

13. SENATOR HOHMAN'S RIGHTS

In the course of the proceedings, Senator Hohman

will be given notice of the date, time and location of each committee meeting;

may attend all committee meetings in person, and may be accompanied by legal counsel, or in the alternative may be represented at the hearings by legal counsel if you are unable to be present; and

will have an opportunity to be heard, to testify yourself, to present witnesses on your behalf and to offer other evidence, to cross-examine witnesses and to examine and comment upon any evidence or other materials presented to the committee.

14. METHOD OF PROCEEDINGS

I have directed committee counsel to prepare two methods of proceedings. Copies of those have been provided to the committee members.

You will note that the two alternatives differ only in paragraphs (1) and (4). The differences relate to the scope of the evidence that may be presented on the charges against Senator Hohman of bribery and receiving a bribe.

Option No. 1 would limit this committee's inquiry in that regard to the jury's verdicts.

Option No. 2 would put before this committee for its consideration the record of the proceedings before the trial jury; that is, the record of the evidence that they relied upon in finding Senator Hohman guilty of the charges. Additionally, Option No. 2 would allow Senator Hohman to present other evidence to this committee on those charges. In effect, under Option No. 2, this committee would conduct a second trial on the charges against Senator Hohman.

I want to stress that both alternatives allow the presentation of evidence and other materials on the question of what recommendations this committee should make to the Senate for action based upon the jury verdicts or the circumstances leading to those verdicts.

RECOMMENDATION

~~What is the pleasure of the committee? (Discussion and adoption of method of proceedings)~~

15. SCHEDULE OF PROCEEDINGS

The committee should next consider the schedule that these proceedings are to follow. I direct the committee's and Senator Hohman's attention to Paragraph 6 of the Method of Proceedings.

Senator Hohman, if at this time you are able to give the committee an outline of the testimony, evidence and other materials you wish to present to the committee, please address the committee at this time. Otherwise, I would request that you submit a written outline to me before the close of business this week. [Response from Senator Hohman]

I have directed the committee's counsel to provide you with an outline of the materials he intends to submit to the committee before the close of business this week.

15. HOHMAN'S OBJECTIONS

[Address Senator Hohman directly] Senator Hohman, do you object to this method of proceeding?

HOHMAN
MATTER:

DOCUMENTS
OF RECORD



File

MAR 8 1982

Court of Appeals
State of Alaska

ALEXANDER O. BRYNER, CHIEF JUDGE

303 "K" STREET
ANCHORAGE, ALASKA
99501
907-264-0751

March 4, 1982

Senator Tim Kelly
Chairman, Senate Rules Committee
Alaska State Senate
Pouch V
Juneau, AK 99811

Dear Senator Kelly:

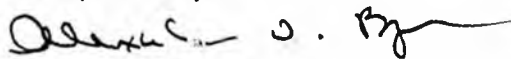
Chief Justice Edmond Burke has referred to me your letter of February 2, 1982, in which you request that the Alaska Court System give expedited treatment to any appeal that may be filed in State v. Hohman, No. 1JU 81-464 Cr. Your letter was referred to me by the Chief Justice because Mr. Hohman will be required to file his appeal with the Court of Appeals, rather than with the Alaska Supreme Court.

As you are no doubt aware, any appeal by Mr. Hohman can be filed only after the date of imposition of his sentence. Mr. Hohman's attorneys will have up to thirty days thereafter within which to file a notice of appeal, which formally commences the appellate process. Once the appeal has been initiated, its progress will, to a great extent, be determined by Mr. Hohman's attorneys; it is often difficult to predict, especially in complicated litigation, the amount of time that will be required by appellate counsel to prepare and submit their briefs. I am sure you can appreciate that, in any pending appeal, our court would be reluctant to impose a timetable that the appellant's attorneys believe to be too limited to permit adequate briefing of the issues on appeal. For this reason, at this early stage I am unable to give you or the Senate Rules Committee any firm indication that Mr. Hohman's appeal will receive expedited treatment.

You may rest assured, however, that the Court of Appeals is well aware of the strong interest on the part of Mr. Hohman, his constituency, and the Alaska Senate in an early resolution of any

appeal filed by Mr. Hohman. After the appeal has been filed, the Court of Appeals will give prompt and serious consideration to any request by Mr. Hohman's attorneys for expedited treatment of the appeal. The Court of Appeals is committed to the disposition of Mr. Hohman's appeal as quickly as the interests of justice may permit.

Respectfully,

A handwritten signature in cursive script, appearing to read "Alexander O. Bryner", with a long horizontal flourish extending to the right.

Alexander O. Bryner
Chief Judge, Court of Appeals

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE \$300



SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN
TO



Sen. Tim Kelly
(Name of Sender)
Pouch V
(Street or P.O. Box)
Juneau, AK 99811
(City, State, and ZIP Code)

PS Form 3811, Jan. 1976

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check and):

- Show to whom and date delivered.
- Show to whom, date and address of delivery.
- RESTRICTED DELIVERY. Show to whom and date delivered.
- RESTRICTED DELIVERY. Show to whom, date, and address of delivery.

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Hon. Edmund Burke
Chief Justice
Supreme Court of Alaska
303 K St
Anchorage AK 99501

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<u>3532662</u>	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

DATE OF DELIVERY

5. ADDRESS (Complete only if required)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS



☆ GPO : 1975 300 409

P15 3532662

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO
Hon. Edmund Burke
STREET AND NO.
303 K St
P.O., STATE AND ZIP CODE
Anchorage, AK 99501

CONSULT POSTMASTER FOR FEES		POSTAGE
	CERTIFIED FEE	<u>\$.20</u>
	SPECIAL DELIVERY	<u>.75</u>
	RESTRICTED DELIVERY	
OPTIONAL SERVICES	RETURN RECEIPT SERVICE	<u>.60</u>
	SHOW TO WHOM AND DATE DELIVERED	
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY	
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	
TOTAL POSTAGE AND FEES		<u>\$1.65</u>
POSTMARK OR DATE		
<u>7-2-82</u>		

PS Form 3800, Apr. 1976



FEB 22 1982

Supreme Court
State of Alaska

EDMOND W. BURKE, CHIEF JUSTICE

February 16, 1982

303 "K" STREET
ANCHORAGE, ALASKA
99501
907 - 274-8611

Senator Tim Kelly
Chairman, Senate Rules Committee
Alaska State Senate
Pouch V
Juneau, Alaska 99811

Dear Senator Kelly:

I have referred your request for expedited treatment of Senator Hohman's appeal, if any, to the Honorable Alexander O. Bryner, Chief Judge of the Alaska Court of Appeals. I have asked Judge Bryner to give your request careful consideration.

Very truly yours,

A handwritten signature in cursive script, which appears to read "Edmond W. Burke", is written over the typed name and title.

Edmond W. Burke
Chief Justice

EWB:rjr

cc. Chief Judge Bryner

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGUSON



POI .H V
JUNEAU, ALASKA 99811
(907) 465-3770
(907) 465-3822

RULES COMMITTEE

February 2, 1982

The Honorable Edmund W. Burke
Chief Justice
Supreme Court of Alaska
303 "K" Street
Anchorage, AK 99501

Dear Mr. Chief Justice:

At the request of Senator George H. Hohman, Jr., the Senate Rules Committee has instructed me to respectfully request that the Alaska Court System give expedited treatment to any appeal that may be filed in the case of State v. Hohman, No. 1JU 81-464.Cr.

Very truly yours,

A handwritten signature in cursive script that reads "Tim Kelly".

Senator Tim Kelly
Chairman, Senate Rules
Committee

February 2, 1982

The Honorable Edmund W. Burke
Chief Justice
Supreme Court of Alaska
303 "K" Street
Anchorage, AK 99501

Dear Mr. Chief Justice:

At the request of Senator George H. Hohman, Jr., the Senate Rules Committee has instructed me to respectfully request that the Alaska Court System give expedited treatment to any appeal that may be filed in the case of State v. Hohman, No. 1JU 80-464 Cr.

Very truly yours,

Senator Tim Kelly
Chairman, Senate Rules
Committee

1. Resolutions

Chevak
Chefnak
Kotlik
Tuluksak
Lower Kalskag
Kongiganak

2. Committee Report accompanying SSR 1 ????
3. Draft letter to Burke
4. Minutes 2/2/82 meeting

JAN 26 1982

A RESOLUTION OF THE CITY COUNCIL OF CHEVAK REQUESTING THE MEMBERS OF THE SENATE RULES COMMITTEE AND THE ALASKA STATE SENATE TO TAKE APPROPRIATE ACTION TO ALLOW SENATOR GEORGE HOHMAN TO CONTINUE TO REPRESENT THE CITIZENS OF CHEVAK, THE YUKON-KUSKOKWIM DELTA AND STATE OF ALASKA.

WHEREAS, Senator George Hohman has been a strong advocate for the people of CHEVAK and the Yukon-Kuskokwim Delta for seventeen years; and

WHEREAS, Senator Hohman has demonstrated a complete understanding of the problems facing all Alaskans in this time of State-wide transition, and

WHEREAS, Senator Hohman has worked diligently with insight and compassion throughout the years, to resolve many of the problems related to the transition of a culture to the Twentieth Century, and

Whereas, Senator Hohman has tirelessly assisted CITY OF CHEVAK in planning to meet the demands of the future for CHEVAK, the Region and the State of Alaska, and

WHEREAS, the City Council of the City of CHEVAK recognizes and appreciates the support Senator Hohman has provided throughout the years,

NOWHEREFORE BE IT RESOLVED, that the CHEVAK City Council requests the members of the Rules Committee to carefully consider the effect of their decision on the people of the Delta and their future, and

BE IT FURTHER RESOLVED, that the CHEVAK City Council respectfully requests the Senate Rules Committee and the Alaska State Senate to take appropriate action to allow Senator George Hohman to continue to represent the citizens of CHEVAK, the Yukon-Kuskokwim Delta and the State of Alaska as he has done so admirably for the past seventeen years.

PASSED AND APPROVED:

Wayne R. Hill
MAYOR

ATTEST:

Charlotte Nuygen
CITY CLERK

JANUARY 19, 1982
DATE

RESOLUTION NO. 82-01-04

A RESOLUTION OF THE CITY COUNCIL OF CHEFORNAK REQUESTING THE MEMBERS OF THE SENATE RULES COMMITTEE AND THE ALASKA STATE SENATE TO TAKE APPROPRIATE ACTION TO ALLOW SENATOR GEORGE HOHMAN TO CONTINUE TO REPRESENT THE CITIZENS OF CHEFORNAK, THE YUKON-KUSKOKWIM DELTA AND STATE OF ALASKA.

WHEREAS, Senator George Hohman has been a strong advocate for the people of CHEFORNAK and the Yukon-Kuskokwim Delta for seventeen years; and

WHEREAS, Senator Hohman has demonstrated a complete understanding of the problems facing all Alaskans in this time of State-wide transition, and

WHEREAS, Senator Hohman has worked diligently with insight and compassion throughout the years, to resolve many of the problems related to the transition of a culture to the Twentieth Century, and

Whereas, Senator Hohman has tirelessly assisted CHEFORNAK in planning to meet the demands of the future for CHEFORNAK, the Region and the State of Alaska, and

WHEREAS, the City Council of the City of CHEFORNAK recognizes and appreciates the support Senator Hohman has provided throughout the years,

NOWHEREFORE BE IT RESOLVED, that the CHEFORNAK City Council requests the members of the Rules Committee to carefully consider the effect of their decision on the people of the Delta and their future, and

BE IT FURTHER RESOLVED, that the CHEFORNAK City Council respectfully requests the Senate Rules Committee and the Alaska State Senate to take appropriate action to allow Senator George Hohman to continue to represent the citizens of CHEFORNAK, the Yukon-Kuskokwim Delta and the State of Alaska as he has done so admirably for the past seventeen years.

PASSED AND APPROVED:

D. J. Matheson
MAYOR

ATTEST:

Joely G. Smith
CITY CLERK

Jan. 27, 1982
DATE

RESOLUTION NO. 82-21

A RESOLUTION OF THE CITY COUNCIL OF Katik REQUESTING THE MEMBERS OF THE SENATE RULES COMMITTEE AND THE ALASKA STATE SENATE TO TAKE APPROPRIATE ACTION TO ALLOW SENATOR GEORGE HOHMAN TO CONTINUE TO REPRESENT THE CITIZENS OF Katik, THE YUKON-KUSKOKWIM DELTA AND STATE OF ALASKA.

WHEREAS, Senator George Hohman has been a strong advocate for the people of Katik and the Yukon-Kuskokwim Delta for seventeen years; and

WHEREAS, Senator Hohman has demonstrated a complete understanding of the problems facing all Alaskans in this time of State-wide transition, and

WHEREAS, Senator Hohman has worked diligently with insight and compassion throughout the years, to resolve many of the problems related to the transition of a culture to the Twentieth Century, and

Whereas, Senator Hohman has tirelessly assisted Katik in planning to meet the demands of the future for Katik, the Region and the State of Alaska, and

WHEREAS, the City Council of the City of Katik recognizes and appreciates the support Senator Hohman has provided throughout the years,

NOWHEREFORE BE IT RESOLVED, that the Katik City Council requests the members of the Rules Committee to carefully consider the effect of their decision on the people of the Delta and their future, and

BE IT FURTHER RESOLVED, that the Katik City Council respectfully requests the Senate Rules Committee and the Alaska State Senate to take appropriate action to allow Senator George Hohman to continue to represent the citizens of Katik, the Yukon-Kuskokwim Delta and the State of Alaska as he has done so admirably for the past seventeen years.

PASSED AND APPROVED:

Joseph P. Smith
MAYOR

ATTEST:

Rose Suka
CITY CLERK

Jan 26, 1982
DATE

RESOLUTION NO. 82-2

A RESOLUTION OF THE CITY COUNCIL OF Tuluksak REQUESTING THE MEMBERS OF THE SENATE RULES COMMITTEE AND THE ALASKA STATE SENATE TO TAKE APPROPRIATE ACTION TO ALLOW SENATOR GEORGE HOHMAN TO CONTINUE TO REPRESENT THE CITIZENS OF TULUKSAK, THE YUKON-KUSKOKWIM DELTA AND STATE OF ALASKA.

WHEREAS, Senator George Hohman has been a strong advocate for the people of TULUKSAK and the Yukon-Kuskokwim Delta for seventeen years; and

WHEREAS, Senator Hohman has demonstrated a complete understanding of the problems facing all Alaskans in this time of State-wide transition, and

WHEREAS, Senator Hohman has worked diligently with insight and compassion throughout the years, to resolve many of the problems related to the transition of a culture to the Twentieth Century, and

Whereas, Senator Hohman has tirelessly assisted Tuluksak in planning to meet the demands of the future for Tuluksak, the Region and the State of Alaska, and

WHEREAS, the City Council of the City of Tuluksak recognizes and appreciates the support Senator Hohman has provided throughout the years,

NOWHEREFORE BE IT RESOLVED, that the Tuluksak City Council requests the members of the Rules Committee to carefully consider the effect of their decision on the people of the Delta and their future, and

BE IT FURTHER RESOLVED, that the Tuluksak City Council respectfully requests the Senate Rules Committee and the Alaska State Senate to take appropriate action to allow Senator George Hohman to continue to represent the citizens of Tuluksak, the Yukon-Kuskokwim Delta and the State of Alaska as he has done so admirably for the past seventeen years.

PASSED AND APPROVED:

ATTEST:

Joseph Alfie
CITY CLERK

Joseph Demanters
MAYOR
Andrew P. Alfie Vice
Fred M. Kapaha Treasurer
1-27-82
DATE
Anna Phillip Member Sec.

FEB 10 1982

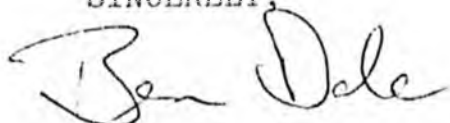
Jan. 15, 1982

TO ALL VILLAGE COUNCILS:

I AM ASKING YOU TO SUPPORT SENATOR HOHMAN AND ASKING YOU TO PASS THE ENCLOSED RESOLUTION OR ONE SIMLAR AND MAIL THE APPROVED RESOLUTION IN THE ENCLOSED ENVELOPE, AS SOON AS POSSIBLE.

I'M SURE YOU HAVE GONE TO SENATOR HOHMAN FOR HELP IN THE PAST AND NOW MORE THAN EVER, HE NEEDS OUR HELP! LET US SHOW OUR CONCERN OVER WHAT HAS HAPPENED TO GEORGE AND SUPPORT HIM NOW!

SINCERELY,

A handwritten signature in cursive script that reads "Ben Dale". The signature is written in dark ink and is positioned to the left of the typed name.

BEN DALE

SUPPORTER FOR SENATOR HOHMAN

A RESOLUTION OF THE CITY COUNCIL OF Lower Kuskokwim REQUESTING THE MEMBERS OF THE SENATE RULES COMMITTEE AND THE ALASKA STATE SENATE TO TAKE APPROPRIATE ACTION TO ALLOW SENATOR GEORGE HOHMAN TO CONTINUE TO REPRESENT THE CITIZENS OF Lower Kuskokwim, THE YUKON-KUSKOKWIM DELTA AND STATE OF ALASKA.

WHEREAS, Senator George Hohman has been a strong advocate for the people of Lower Kuskokwim and the Yukon-Kuskokwim Delta for seventeen years; and

WHEREAS, Senator Hohman has demonstrated a complete understanding of the problems facing all Alaskans in this time of State-wide transition, and

WHEREAS, Senator Hohman has worked diligently with insight and compassion throughout the years, to resolve many of the problems related to the transition of a culture to the Twentieth Century, and

Whereas, Senator Hohman has tirelessly assisted Lower Kuskokwim in planning to meet the demands of the future for Lower Kuskokwim the Region and the State of Alaska, and

WHEREAS, the City Council of the City of Lower Kuskokwim recognizes and appreciates the support Senator Hohman has provided throughout the years,

NOWHEREFORE BE IT RESOLVED, that the Lower Kuskokwim City Council requests the members of the Rules Committee to carefully consider the effect of their decision on the people of the Delta and their future, and

BE IT FURTHER RESOLVED, that the Lower Kuskokwim City Council respectfully requests the Senate Rules Committee and the Alaska State Senate to take appropriate action to allow Senator George Hohman to continue to represent the citizens of Lower Kuskokwim, the Yukon-Kuskokwim Delta and the State of Alaska as he has done so admirably for the past seventeen years.

PASSED AND APPROVED:

Masatah Tomsett
MAYOR

ATTEST:

Teresa M. Evans
CITY CLERK

2-2-82
DATE

FEB 8 1982

RESOLUTION NO. 79-2

A RESOLUTION OF THE CITY COUNCIL OF KONGIGANAK REQUESTING THE MEMBERS OF THE SENATE RULES COMMITTEE AND THE ALASKA STATE SENATE TO TAKE APPROPRIATE ACTION TO ALLOW SENATOR GEORGE HOHMAN TO CONTINUE TO REPRESENT THE CITIZENS OF KONGIGANAK, THE YUKON-KUSKOKWIM DELTA AND STATE OF ALASKA.

WHEREAS, Senator George Hohman has been a strong advocate for the people of Kongiganak and the Yukon-Kuskokwim Delta for seventeen years; and

WHEREAS, Senator Hohman has demonstrated a complete understanding of the problems facing all Alaskans in this time of State-wide transition, and

WHEREAS, Senator Hohman has worked diligently with insight and compassion throughout the years, to resolve many of the problems related to the transition of a culture to the Twentieth Century, and

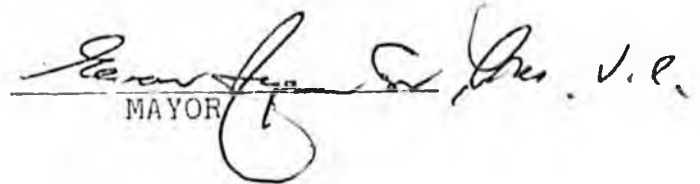
Whereas, Senator Hohman has tirelessly assisted Kongiganak in planning to meet the demands of the future for Kongiganak, the Region and the State of Alaska, and

WHEREAS, the City Council of the City of KONGIGANAK recognizes and appreciates the support Senator Hohman has provided throughout the years,

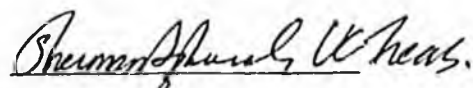
NOWHEREFORE BE IT RESOLVED, that the KONGIGANAK City Council requests the members of the Rules Committee to carefully consider the effect of their decision on the people of the Delta and their future, and

BE IT FURTHER RESOLVED, that the KONGIGANAK City Council respectfully requests the Senate Rules Committee and the Alaska State Senate to take appropriate action to allow Senator George Hohman to continue to represent the citizens of KONGIGANAK, the Yukon-Kuskokwim Delta and the State of Alaska as he has done so admirably for the past seventeen years.

PASSED AND APPROVED:


MAYOR

ATTEST:


CITY CLERK

FEB. 1, 1982
DATE

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWELFTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

WEDNESDAY

February 3, 1982

Twenty-fourth Day

Pursuant to adjournment, the Senate was called to order by President Kerrettula at 10:10 a.m.

The roll call showed all members present.

The prayer was offered by the Chaplain, Reverend John Reimer of the Auke Bay Bible Church.

Senator Rodey moved and asked unanimous consent that the Journal for the twenty-third legislative day be approved as certified. Without objection, it was so ordered.

COMMUNICATIONS

Representative Hayes has forwarded a copy of the January 6 proposed invitation from Tony Penikett, Vice-President, Yukon Branch of the Commonwealth Parliamentary Association in Canada. Tentative dates for the delegation to visit Juneau are March 8 to March 13.

STANDING COMMITTEE REPORTS

SSR 1

The Rules Committee considered SENATE SPECIAL RESOLUTION NO. 1 (expelling George H. Hohman) and recommends it be placed on the February 3 calendar and reports it back as follows: Senator Kelly, Chairman, signed "do pass and calendar". Senators Dankworth and Kerttula signed "calendar". Senator Ferguson signed "must have due process of law", Senator Ziegler signed "don't pass unless and until Senator Hohman's appellate remedies within the State Court System have been completely exhausted and the jury verdicts have not been disturbed on appeal".

SENATE SPECIAL RESOLUTION NO. 1 appears on today's calendar.

INTRODUCTION AND REFERENCE OF SENATE BILLS

SB 710

SENATE BILL NO. 710 by the Health, Education and Social Services Committee, entitled:

"An Act relating to state trust funds and their administration; and providing for an effective date."

was read the first time and referred to the Health, Education and Social Services Committee, the Resources Committee and the Finance Committee.

SB 711

SENATE BILL NO. 711 by the Health, Education and Social Services Committee, entitled:

"An Act making a special appropriation to the Department of Revenue for deposit to the mental health fund; and providing for an effective date."

was read the first time and referred to the Health, Education and Social Services Committee, the Resources Committee and the Finance Committee.

Senator Fahrenkamp moved and asked unanimous consent to advance to Unfinished Business to take action on CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 162 (FIN) (efd fld H) (relating to a small grain marketing system). Without objection, the Senate advanced to:

UNFINISHED BUSINESS

SB 162

Senator Fahrenkamp moved that the Senate rescind its previous action in failing to concur with the House amendment to CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 162 (FIN), (page 174).

The question being: "Shall the Senate rescind its previous action in failing to concur with the House amendment to CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 162 (FIN)?" The roll was taken with the following result:

CSSSSB 162 EFD FLD H RESCIND

Yeas: 19 Bennett, Bradley, Colletta,
Dankworth, Elinson, Fahrenkamp,
Ferguson, Gilman, Hohman, Kelly,
Kerttula, Mulcahy, Parr, Ray, Rodey,
Sackett, Stimson, Sturgulewski,
Ziegler

Nays: 1 Fischer

and so, the Senate rescinded its previous action.

Senator Fahrenkamp moved that the Senate concur in the House amendment to CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 162 (FIN).

The question now being: "Shall the Senate concur in the House amendment to CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 162 (FIN)?" The roll was taken with the following result:

SB 162 cont'd

CSSSSB 162 EFD FLD H CONCUR

Yeas: 20 Bennett, Bradley, Colletta,
 Dankworth, Eliason, Fahrenkamp,
 Ferguson, Fischer, Gilman, Hohman,
 Kelly, Kerttula, Mulcahy, Parr, Ray,
 Rodey, Sackett, Stimson,
 Sturgulewski, Ziegler

Nays: 0

and so, the Senate concurred in the House amendment, thus adopting CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 162 (FIN) (efd fld H) (making a special appropriation to the Department of Commerce and Economic Development for the Alaska Agricultural Action Council for a small grain marketing system).

The Secretary was instructed to notify the House and retransmit the Bill to the Office of the Governor.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF SENATE RESOLUTIONS

SSR 1

SENATE SPECIAL RESOLUTION NO. 1 (expelling George H. Hohman, Jr., from the Senate of the State of Alaska) was read the second time.

Senator Ziegler offered the following amendment No. 1:

Page 1, line 23: delete period and insert
 "; and be it"

Page 1, line 24: Add the following new
 material:

"FURTHER RESOLVED that the expulsion
 provided in this resolution takes effect
 only when all appellate remedies provided
 in the courts of the State of Alaska have

SSR 1 cont'd

been exhausted and either conviction has been sustained by a final determination of the Alaska Supreme Court or both convictions have not been reversed and all rights for further review have terminated."

Senator Ziegler moved for the adoption of amendment No. 1.

Senators Dankworth and Kelly objected.

Senator Hohman moved to abstain from the vote on Amendment No. 1. Senator Rodey asked unanimous consent. Without objection, it was so ordered.

Senator Rodey moved and asked unanimous consent the record show that by Senator Hohman's motion to be allowed to abstain from voting, he is not waiving any of his rights in this or subsequent proceedings. Without objection, it was so ordered.

The question being: "Shall amendment No. 1 be adopted "
The roll was taken with the following result:

SSR 1 AM NO. 1

Yeas:	7	Bennett, Fahrenkamp, Ferguson, Mulcahy, Ray, Sackett, Ziegler
Nays:	12	Bradley, Colletta, Dankworth, Elinson, Fischer, Gilman, Kelly, Kerttula, Parr, Rodey, Stimson, Sturgulewski
Abstain:	1	Hohman

and so, amendment No. 1 failed.

SENATE SPECIAL RESOLUTION NO. 1 will automatically appear on the February 4 calendar.

CITATIONS

Senator Rodey moved and asked unanimous consent that the Citation - Honoring Jerry Austin, winner of the third annual Kuskokwim 300 Dog Sled Race by Representatives Fuller and Vaska and Senator Ferguson be approved. Without objection, the Citation was approved and referred to the Secretary.

ANNOUNCEMENTS

C&RA	Behrends Building	Conference Room
	3:00 p.m., 2/4	SB 612
FINANCE	Capitol Building	Senate Finance Room
	9:00 a.m., 2/4	SB 659
	9:00 a.m., 2/9	SB 488, SB 489
FINANCE Subcommittee on Transportation	Capitol Building	Governor's Conf. Rm
	3:00 p.m., 2/3	Jt/House subcommittee
	3:00 p.m., 2/5	
HESS	Behrends Building	Room 209
	3:00 p.m., 2/3	SB 660, SB 603, SB 186
	3:00 p.m., 2/5	SB 650
	3:00 p.m., 2/8	Rv State Food Stamp program
	3:00 p.m., 2/10	Health Services Agencies
	3:00 p.m., 2/12	SB 668
JUDICIARY	Capitol Building	Butrovich Room 205
	1:30 p.m., 2/3	SB 688, SB 607 SB 299
	1:30 p.m., 2/5	SB 193
LABOR & COMMERCE	Capitol Building	Butrovich Room 205
	3:00 p.m., 2/8	SB 513, SB 590, SB 611, SB 614
	3:00 p.m., 2/10	SB 648, SB 663 SB 700, SB 701
RESOURCES	Capitol Building	Beltz Room 211
	1:30 p.m., 2/5	SB 275, SB 525

RULES	Capitol Building	Butrovich Room 205
STATE AFFAIRS	Capitol Building	Room 423
	1:30 p.m., 2/4	SB 175
TRANSPORTATION	Capitol Building	Butrovich Room 205
	1:30 p.m., 2/4	Railroad Legislation
	1:30 p.m., 2/9	SB 135, SB 465, SB 466, SB 483
	1:30 p.m., 2/11	Discuss transportation matters with the S.E. Conference
BUDGET & AUDIT	Capitol Building	House Finance Room
	1:00 p.m., 2/3	Budget of Finance & Audit Divisions & proposed legisla- tion
BANKING COMMITTEE	Capitol Building	House Finance Room
	3:30 p.m., 2/4	Jt/House - overview w/AHFC
Coal Conference w/Resources Committee	Anchorage 2/18-19	TBA

ADJOURNMENT

Senator Rodey moved and asked unanimous consent that the Senate adjourn until 10:00 a.m., February 4, 1982. Without objection, the Senate adjourned at 11:33 a.m.

Peggy Mulligan
Secretary of the Senate

February 1982

COMMITTEE REPORT
SENATE RULES COMMITTEE

2/1/82

Date February 2, 1982

Mr. President:

The Committee on Rules has had SSR 1

Expelling George H. Hohman, Jr., from the Senate of the State of Alaska

under consideration and recommends it be placed on the

February 3, 1982 Calendar.

- () with attached amendment(s).
() replace with CS for _____ () same title
() and attaches a "Letter of Intent" () new title
() new fiscal note

MEMBERS SIGNING FOR PLACEMENT
ON THE CALENDAR

MEMBERS HAVING OTHER
RECOMMENDATIONS

Ferguson
Ed O'Rourke
H. H. H. H.
Ziegler
Tom Kelly
CHAIRMAN

must have Due Process of Law.

Don't Pass unless and until
Sen. Hohman's appellate re-
medies within the state court
system have been completely
exhausted and the jury verdict
has not been disturbed on
appeal.

COMMITTEE REPORT
SENATE RULES COMMITTEE

Date: February 1, 1982

Mr. President:

The Committee on Rules has had the question of possible disciplinary action against Senator George H. Hohman, Jr. under consideration and the committee proposes a special resolution for the expulsion of Senator George H. Hohman, Jr., and recommends its adoption.

Attached hereto is the report of special counsel dated January 30, 1982, which the committee has considered and adopted.

Incorporated in the record are the transcript and documents of record from the committee hearings in this matter.

MEMBERS APPROVING THE
COMMITTEE REPORT

Dankworth
[Signature]
[Signature]
[Signature]
Tim Kelly
CHAIRMAN

MEMBERS HAVING OTHER
RECOMMENDATIONS

Fayman - MUST have Due Process.
[Signature]
[Signature]
[Signature]
→ Subject however to amending
resolution at a later date

TABLE OF CONTENTS

<u>Page</u>	<u>Transcript of Proceedings</u>
1	January 19, 1982 hearing
29	January 20, 1982 hearing
47	January 29, 1982 hearing
85	January 30, 1982 hearing
160	February 1, 1982 hearing

Documents of Record

195	Partial transcript of January 12, 1982 proceedings of the Alaska State Senate reflecting assignment by Senate President of the question of the retention of Senator George H. Hohman, Jr. to Rules Committee; memorandum dated January 12, 1982 from the Senate President to the Senate; and memorandum dated January 15, 1982 from the Senate President to the Rules Committee
201	Indictment dated April 29, 1981 charging Senator George H. Hohman, Jr. with the crimes of bribery and receiving a bribe

Page

Documents of Record

- 203 Jury verdicts dated December 24, 1982, finding Senator George H. Hohman, Jr. guilty of the crimes of bribery and receiving a bribe
- 205 Method of Proceedings dated, January 19, 1982
- 208 Bethel City Council Resolution No. 365 dated January 14, 1982 supporting the retention of Senator George H. Hohman, Jr. in the Senate
- 209 Exhibit submitted by Senator George H. Hohman, Jr. summarizing free conference committee action on HB 60 on April 27 and 30, 1980; and setting out the charges in the indictment
- 210 Photograph of chart used by Senator George H. Hohman, summarizing free conference committee action on HB 60 on April 27 and 30, 1980; and setting out the charges in the indictment
- 211 Letter dated January 28, 1982 from Daniel W. Hickey, chief prosecutor, State of Alaska, to Special Counsel to the Senate Rules Committee and summary of evidence presented in the trial of State v. Hohman, compiled by the office of the chief prosecutor
- 230 Order of Judge Douglas J. Serdahely in State v. Hohman, dated January 26, 1982 denying defendant's motion for acquittal or in the alternative for a new trial

Page

Documents of Record

- 232 Newtown City Council Resolution No. 82-02, dated
 January 21, 1982 supporting the retention of
 Senator George H. Hohman, Jr., in the Senate
- 233 Report of Special Counsel dated January 30, 1982

ALASKA STATE LEGISLATURE
TWELFTH LEGISLATURE -- SECOND SESSION
SENATE RULES COMMITTEE

In the Matter of
SENATOR GEORGE H. HOHMAN, JR.

TRANSCRIPT OF PROCEEDINGS
and
DOCUMENTS OF RECORD

Senate Committee Records Staff

Senate Rules Committee Meeting

February 2, 1982

Members Present: Sen. Kelly, Chairman
Sen. Dankworth
Sen. Kerttula
Sen. Ziegler

Others Present: Sen. Hohman
Sen. Ray
Sen. Stimson
Sen. Sturgulewski

COMMITTEE CALENDAR

In the matter of the recommended action to be taken by the Senate as a result of the December 24, 1981, Jury verdicts finding Senator Hohman guilty of the charges of bribery and receiving a bribe.

Proceedings of this meeting are in reference to Senate Special Resolution Number One. And for the Record, positioned under unfinished business, three additional resolutions submitted from Cities and Villages from Senator Hohman's district will be placed in the Record.

WITNESS REGISTER

Senator Hohman
Alaska State Legislature
Pouch V
Juneau, Alaska 99811
465-3880

Speaking in reference to the Committee Calendar noted above.

William Council
Counsel for Rules Committee
319 Seward Street, Suite 203, Juneau, Ak 99801
586-1786
Observed.

Observers: Senators Sturgulewski, Ray and Stimson present.

PREVIOUS ACTION

Please refer to: Rules Committee Record of 1/19/82
Rules Committee Record of 1/20/82
Rules Committee Record of 1/29/82
Rules Committee Record of 1/30/82
Rules Committee Record of 2/01/82

ACTION NARRATIVE

Tape #08

Recording
Number 0000

Senator Kelly: Senate Rules Committee will come to order. Today is February 2nd, approximately 1:10 in the Butrovich Room in the State Capital. We are meeting today on Senate Special Resolution Number One. Prior to that however, I would like under unfinished business to place into the Record three additional resolutions from cities and villages in Senator Hohman's district. These three will be placed in Rules Committee Records.

Senator Kerttula: May I see them?

Senator Kelly: You may. Also under unfinished business at the request of Senator Hohman, the Rules Committee had drafted up a letter instructing and asking the Supreme Court to expedite any treatment in regard to Senator Hohman's appeal. You all have a copy of the letter in front of you. The Chair will entertain the motion in the Rules Committee that the Chairman send this out to the Supreme Court.

Senator Kelly: Are there any objections?

(No objections were stated)

Senator Kelly: Then the Chairman will send this letter out today, certified mail, to the Chief Justice of the Supreme Court. That would bring us up to Senate Special Resolution Number One.

Senator Hohman: Mr. Chairman.

Senator Kelly: Senator Hohman.

Senator Hohman: There are additional resolutions in route. I would like to request that the record be kept open so they might be included. And petitions from constituents.

Senator Kelly: No problem Senator Hohman, we will make certain as I receive the resolutions we will get them in front of the members.

Senator Hohman: Thank you, sir.

Senator Kerttula: In permanent fashion into the supplemental journal.

Senator Kelly: Yes, sir.

Senator Hohman: Thank you.

0018

Senator Kelly: If there are no comments from any of the Senators. No Senators wish to address the committee at this time. Then the Chair would entertain a motion for the calendaring of Senate Special Resolution Number 1 on tomorrow, May 3 (sic) calendar.

Senator Ziegler: I'm not going to make the motion, but I'm not going to object to it. I feel sure that it will carry Mr. Chairman, but, subject to my right to propose amendments. I want to make that clearly understood.

Senator Kerttula: Yes sir, I think that except for Finance every committee and for the reasons that Finance has a fiscal responsibility that the committee recognizes that members may make amendments to any bill on the floor at any time without announcing it. At least, that's the way I have always known.

Senator Ziegler: (indisc.), with a matter of such importance, that I want to be on Record, just to make sure that everybody knows we're realizing it.

Senator Kelly: Senator Dankworth.

Senator Dankworth: Well, excuse me, Mr. Chairman, I would move and ask that we move out of Committee, Senate Special Resolution Number 1, on individual recommendation.

Senator Kelly: And place on tomorrow's calendar.

Senator Dankworth: And place it on tomorrow's calendar.

0036

Senator Kelly: There is a motion on the floor are there any objections? The motion passes with unanimous vote. Is there any other business to come before the Rules Committee today?

Senator Kerttula: Could we adjourn?

Senator Kelly: Rules Committee adjourned.

0092

The Rules Committee Adjourned at 1:14 p.m.

C E R T I F I C A T E

STATE OF ALASKA)
)ss
FIRST JUDICIAL DISTRICT)


I, EVE FOX, a Notary Public, duly commissioned in and for the State of Alaska, do hereby certify that the foregoing transcript of the February 2, 1982 public hearing before the Senate Rules Committee relating to the matter of Senator George Hohman, was recorded by Tim Miller of the Senate Records Staff and thereafter transcribed by me under the direction of the Senate.

I further certify that the transcript consisting of pages 1 to 3, both inclusive, is a full, true and correct transcript of the proceedings, considering the quality of the tape and the information furnished to me.

I further certify that I am not a relative of any of the parties, nor financially interested in the action.

I further certify that the original of this transcript was given to the Senate Rules Committee, pursuant to their instructions.

IN WITNESS WHEREOF, I have hereunto set my hand and my notarial seal this 3rd day of February, 1982.



Notary Public, State of Alaska
Commission Expires: My Commission Expires
March 25, 1985



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ALASKA STATE LEGISLATURE
TWELFTH LEGISLATURE - SECOND SESSION
1982

TRANSCRIPT OF PROCEEDINGS
BEFORE THE SENATE RULES COMMITTEE

IN THE MATTER OF THE RECOMMENDED ACTION TO BE TAKEN
BY THE SENATE AS THE RESULT OF THE DECEMBER 24, 1981
JURY VERDICTS FINDING SENATOR HOHMAN GUILTY OF THE
CHARGES OF BRIBERY AND RECEIVING A BRIBE

Date: January 19, 1982

Time: 1:30 p.m.

Place: Senate Finance Room
Juneau, Alaska

COMMITTEE PRESENT:

- Senator Tim Kelly, Chairman
- Senator Jalmar Kerttula
- Senator Ed Dankworth
- Senator Robert Ziegler
- Senator Frank Ferguson

OTHER PRESENT:

- Senator George Hohman
- William T. Council, Attorney for Rules Committee
- John Guinn, Mayor, City of Bethel
- Lyman Hoffman, City Manager, City of Bethel

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PROCEEDINGS

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SENATOR KELLY:

Okay, gentlemen, I'll call the Senate Rules Committee Meeting to order. The date is January 19, 1982. The time is 1:35. The meeting is taking place in the Senate Finance Room in Juneau. The Record should reflect that all members of the committee are present; Senators Dankworth, Ziegler, Kerttula and Ferguson and that a quorum is accordingly established. The Record should also reflect that Senator Hohman is in attendance and Senator Sturgulewski is in attendance. The Senate Rules Committee is meeting pursuant to referral by the Senate President and has been charged with the responsibility to hold hearings and recommend the action to be taken by the Senate as the result of the December 24, 1981 jury verdicts finding Senator Hohman guilty of the charges of bribery and receiving a bribe. The Senate President's referral and supporting documents are to be entered into the Record. On April 29, 1981, an indictment was returned against Senator Hohman which charged that he committed the following crimes: "Count I - Bribery. That from on or about the 1st day of May, 1980 through on or about the 7th day of May, 1980, at or near Juneau in the First Judicial District, State of Alaska, George H. Hohman, Jr. did offer to confer money upon Edward Russell Meekins, Jr., a member of the Alaska House of Representatives, with the intent to influence Representative Meekins' vote, opinion, judgment, action, decision, and exercise of discretion

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1 in his official capacity as a member of the Alaska State House of
2 Representatives. All of which is a class B felony in violation
3 of Alaska Statute 11.56.100. Count II - Receiving a Bribe.
4 That from on or about the 1st day of May, 1980, through on or
5 about the 8th day of May, 1980, at or near Juneau, in the First
6 Judicial District, State of Alaska, George H. Hohman, Jr., did
7 agree to accept money, upon an agreement or understanding that
8 his vote, opinion, judgment, action, decision, and exercise of
9 discretion as a member of the Alaska State Senate would be
10 influenced thereby. All of which is a class B felony in viola-
11 tion of Alaska Statutes 11.56.110." Senator Hohman was tried for
12 these crimes, and on December 24, 1981 the trial jury returned
13 verdicts of guilty on the charges of bribery and receiving a
14 bribe.

15 SENATOR ZIEGLER:

16 Mr. Chairman.

17 SENATOR KELLY:

18 Senator Ziegler.

19 SENATOR ZIEGLER:

20 May I interrupt, sir?

21 SENATOR KELLY:

22 You may have the floor, Senator.

23 SENATOR ZIEGLER:

24 With reference to item number 9, will the Chair entertain a
25 motion to amend that section after you have read it?

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1 SENATOR KELLY:

2 I will entertain the motion after we've gone through the entire
3 proceedings. We'll come back to it, sir.

4 SENATOR ZIEGLER:

5 (Indisc.)

6 SENATOR KELLY:

7 Certified copies of the indictment and of the verdicts are to
8 be entered into the record of these proceedings, subject to
9 Senator Ziegler's proposed amendment. Notice of these hearings
10 was given according to the Uniform Rules. The purpose of the
11 hearings will be to determine if there is cause for the Senate
12 to take action against Senator Hohman as a result of the
13 December 24, 1981 jury verdicts finding him guilty of the charges
14 of bribery and receiving a , and to determine what recom-
15 mendations for action the committee should make to the Senate.
16 Committee action may include, but is not limited to, a recom-
17 mendation that Senator Hohman be expelled from the Senate,
18 pursuant to Article II, Section 12 of the Alaska Constitution,
19 which provides that the Senate may expel a member with the
20 concurrence of two-thirds of its members. In the course of
21 the proceedings, Senator Hohman may be given notice of the date,
22 time and location of each committee meeting; Senator Hohman may
23 attend all committee meetings in person and may be accompanied
24 by legal counsel, or in the alternative, may be represented at
25 the hearings by legal counsel if you, sir, are unable to be

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1 present. Senator Hohman will have an opportunity to be heard,
2 to testify, to present witnesses and to offer other evidence, to
3 cross-examine witnesses and to examine and comment on any evidence
4 or other materials presented to the committee. I have directed
5 committee counsel -- and gentlemen, our committee counsel is
6 William Council of Juneau -- to prepare two methods of proceed-
7 ings. Copies of those have been provided to yourselves and
8 copies are available for the public. You will note that the
9 two alternatives differ only in paragraphs (1) and (4). As we
10 go along, my reference to option 1 is the method of proceeding --
11 method of proceeding No. 1; method of proceeding No. 2, which are
12 on the bottom of the drafts. The differences relate to the
13 scope of the evidence that may be presented on the charges
14 against Senator Hohman of bribery and receiving a bribe. Option
15 No. 1 would limit this committee's inquiry in that regard to the
16 jury's verdicts. Option No. 2 would put before this committee
17 for its consideration the record of the proceedings before the
18 trial jury. That is, the record of the evidence that they relied
19 upon in finding Senator Hohman guilty of the charges. Addition-
20 aily, Opinion [sic] No. 2 would allow Senator Hohman to present
21 other evidence to this committee on those charges. In effect,
22 under Option No. 2, this committee would conduct a second trial
23 on the charges against Senator Hohman. I want to stress that
24 both alternatives allow the presentation of evidence and other
25 materials on the question of what recommendations this committee

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1 should make to the Senate for action based upon the jury
2 verdicts or the circumstances leading to those verdicts.
3 Senator Ziegler, we'll entertain your motion.

4 SENATOR ZIEGLER:

5 Yes, Mr. Chairman, with reference to paragraph 9, which is
6 entitled "Copies of Indictment and Verdict", I would move that,
7 in addition to the indictment and the verdicts, that the entire
8 transcript of the trial be inserted in the records of this
9 committee in the event that we want to consider them at a
10 later date or want to have access to them. I would ask
11 unanimous consent.

12 SENATOR KELLY:

13 Senator Ziegler, I would ask that you withdraw the motion
14 temporarily until we get to a discussion of a motion on the
15 floor. As of right now, we don't have a motion on the floor.
16 We will have. I think your amendment will be in order at that
17 time, sir.

18 SENATOR ZIEGLER:

19 As long as I'm not precluded from reintroducing my amendment.

20 SENATOR KELLY:

21 You will not be, sir.

22 SENATOR HOHMAN:

23 I'm at a loss, were you reading from a prepared document?

24 SENATOR KELLY:

25 Yes. What I'm reading from, Senator Hohman, is an outline of

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1 procedures and you should have one before you.

2 SENATOR HOHMAN:

3 I have -- I don't believe I do. I may have been ...

4 SENATOR KELLY:

5 Would staff please make certain that Senator Hohman has the
6 same materials before him as the members of the committee?

7 We'll return to that.

8 SENATOR HOHMAN:

9 I have them all, thank you, I believe.

10 SENATOR KELLY:

11 Gentlemen, neither the Senate nor this committee is constituted
12 to conduct what would, in effect, be a retrial of the bribery
13 charges against Senator Hohman. Most important, there is no
14 requirement that the Senate or this committee, conduct a second
15 trial on the charges. Senator Hohman has been tried and found
16 guilty of bribery by a jury of his peers. Based upon the
17 evidence presented, the jury found him guilty beyond a reasonable
18 doubt, the highest standard of proof. During the trial,
19 Senator Hohman was represented by his attorneys and had a full
20 opportunity to present evidence in his behalf and to confront
21 and cross-examine the witnesses against him. The committee's
22 counsel informs me that there is legal support for this
23 committee to rely on the jury's verdict in determining what
24 action to take against Senator Hohman. The purpose of the power
25 to expel senators for wrongdoing, granted by our Constitution,

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1 is to protect the public. When a person is found guilty by a jury
 2 of a crime - in this case a felony bribery charge - the presump-
 3 tion of guilt immediately attaches. If Senator Hohman were
 4 entitled to a second trial before this body and to retain his
 5 office during that trial, then the object of the constitutional
 6 expulsion powers, which is to protect the public and preserve
 7 the integrity of the legislature, could very well be destroyed,
 8 because as a matter of common knowledge, trials take time, some-
 9 times several months. Therefore, if a second trial is conducted
 10 by this committee, the public interest would not be served, and
 11 the integrity of this body will be brought into serious question.
 12 Senator Hohman has already had his trial. For these reasons,
 13 therefore, I am recommending to the committee that it adopt
 14 Opinion [sic] No. 1, the method of procedure number 1, limiting
 15 this committee's inquiry to the recommending of what action the
 16 Senate should take against Senator Hohman as a result of his
 17 December 24 bribery convictions.

18 SENATOR DANKWORTH:

19 Mr. Chairman, I would like to move at this time and place before
 20 the committee a motion that the committee adopt as method of
 21 proceedings number 1, as placed before us, as the method in which
 22 we would proceed from this point on.

23 SENATOR ZIEGLER:

24 I object. (Indisc. -- simultaneous speech)
 25

1 SENATOR KELLY:

2 There is a method upon the floor, Senator Ziegler.

3 SENATOR ZIEGLER:

4 Why don't we get back to the same situation that we've been
5 confronted with ever since we arrived here and I say this with
6 no animosity. I've been through this. Senator Rodey and I
7 debated on the local public service station last Friday and it
8 would seem to me that we're acting hastily, prematurely. We're
9 saying to Senator Hohman, if you adopt Option 1 and ignore Option 2,
10 that, buddy, you've been convicted on two serious crimes, but
11 what we're going to do, if we go the Option 1 route, is perhaps
12 just as serious although most admittedly, Mr. Chairman, not a
13 crime. Senator Rodey took the hard-line attitude in our -- it
14 wasn't even a debate, it was a discussion and well worthwhile,
15 I am told. And I took the line that I think that Senator Hohman
16 should have the right to have his appellate remedies exhausted
17 prior to the time we expel him from the Senate. Now this does
18 not mean to say that, speaking for myself personally, if we go
19 the full 360 and Senator Hohman has exhausted all of his
20 appellate remedies and he stands before us, guilty as charged
21 with no further legal possible redress, then I would be among
22 the first to vote to expel him. But I think that to do this
23 without giving him, as it were, one more day in court to hear
24 the appellate arguments, is a very serious wrong and so I would
25 object to No. 1. I can see which way the thing is going to go,

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1 but I still don't think it's right and nobody will ever convince
2 me that it is morally right.

3 SENATOR KELLY:

4 Senator Ziegler, your objections are noted. I would imagine that
5 your motion would be correct at this point if you still consider
6 to make it, sir.

7 SENATOR ZIEGLER:

8 I would move, Mr. Chairman, that we amend Section 9 on page 3,
9 by making available to the committee not only the indictment and
10 the verdicts, but the entire transcript of the trial proceedings
11 as well.

12 SENATOR DANKWORTH:

13 That's the present trial proceeding that lead to the verdict?

14 SENATOR ZIEGLER:

15 Yes, sir, the entire trial transcript, Mr. President. That would
16 mean, in essence, I would construe it, subject to being over-
17 ridden by Mr. Council, it would be tantamount to an adoption of
18 Option No. 2.

19 SENATOR KELLY:

20 Well, Senator Dankworth.

21 SENATOR DANKWORTH:

22 Maybe we should clarify that. I think that it does not have to
23 be. If we allow the transcript -- for the purpose of allowing
24 the transcript into -- we accept that in the committee for the
25 purpose of allowing Senator Hohman to comment on anything in that

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1 transcript, that's fine. But, if for the purpose of putting it in,
2 is to retry the case or reexamine the witnesses and bring forth
3 and come up with—I guess, proposition number 2 would be to re-
4 try the case, then, of course, I would object to that. But if
5 there would be -- I don't have any limitation as far as having
6 that in the record so that Senator Hohman could comment at length
7 if he likes, I think that's his privilege to comment on that
8 transcript, but not for the purpose of deciding -- calling new
9 witnesses and retrying the case. But if he'd like to have that
10 in evidence, I wouldn't object to it on that count. But I still
11 my motion is before the committee and I don't object to his, but
12 I didn't like the last part of his statement that that would
13 paramountly mean that if we did that, then we are adopting
14 proceedings number 2 and perhaps I misunderstood the Senator.

15 SENATOR ZIEGLER:

16 I agree. Fortunately, we have skilled counsel representing this
17 committee and perhaps he could shed some light on where we stand.

18 SENATOR KELLY:

19 We would defer to William T. Council.

20 MR. COUNCIL:

21 Mr. Chairman, the distinction between the motion before the
22 committee now and Option No. 2 is that Senator Ziegler's motion
23 proposes that a transcript be put before this committee for
24 comments by Senator Hohman. Whereas Option No. 2 provides that
25 the transcript be put before the committee and, in addition, that

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1 Senator Hohman be allowed to present additional witnesses on the
2 issue of whether or not the bribery offenses were committed.
3 That's the distinction between Option No. 2 and the motion
4 before this committee.

5 SENATOR ZIEGLER:

6 (Indisc.--mumbled)

7 SENATOR DANKWORTH:

8 Well, then I am correct in saying and I think we understand each
9 other, Senator Ziegler, and I think we can allow this in without
10 reopening the case.

11 MR. COUNCIL:

12 Well, a point of clarification, is it the sense of Senator
13 Ziegler's motion that the committee consider the transcript of
14 the jury proceedings as well as allowing Senator Hohman and
15 committee members and committee counsel to comment on the contents
16 of that ...

17 SENATOR ZIEGLER:

18 The sense of my motion, Mr. Chairman, the sense of my motion,
19 Mr. Council, was simply to have it all before us in the event we
20 want to get into the consideration of it for whatever reason,
21 including for the benefit of Senator Hohman who might very well
22 want to refer to certain parts of it.

23 SENATOR KELLY:

24 Senator, I would remind the committee that, if we adopt Option No.
25 1, even with the approval of Senator Ziegler's amendment, that

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1 we are going to limit the inquiry and the recommendation of the
2 committee based upon the jury's verdict on December 24th and we
3 are in no circumstances, if we adopt Option No. 1, going to
4 retry the case or reopen the case in this committee.

5 SENATOR ZIEGLER:

6 I think that's what Senator Dankworth has been contending and I
7 think we have it straightened out that at least we'll have those
8 materials available and perhaps I erred when I said it would be
9 tantamount to exercising Option No. 2. I would not. I agree
10 with Senator Dankworth and I think we've got our problems cleared
11 up if Mr. Council ...

12 SENATOR KELLY:

13 The Chair would have no objection to Senator Ziegler's amendment
14 with that understanding and with the understanding that it will
15 do nothing to preclude the speed at which the committee is
16 going to move forward on this matter.

17 SENATOR KERTTULA:

18 I wish to comment, Mr. Chairman.

19 SENATOR KELLY:

20 Senator Kerttula.

21 SENATOR KERTTULA:

22 The Senate itself has adopted the position that is now before us
23 that the materials will be available to the members. The court
24 has cooperated. All materials will be available before very
25 long. A great number of the materials are available now. I'm

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1 presuming that we can continue on with witnesses and so on --
2 go parallel to the preparation of the materials. Is that not
3 right?

4 UNIDENTIFIED SPEAKER:

5 Yes, sir.

6 SENATOR KERTTULA:

7 I would support Senator Ziegler's motion as he now understands
8 that motion to be.

9 SENATOR KELLY:

10 Senator Hohman, do you have any objection to Senator Ziegler's
11 motion?

12 SENATOR HOHMAN:

13 Mr. Chairman, thank you. I have no objections. I support
14 Senator Ziegler's motion. I would, as a personal preference,
15 prefer to see the exercise of Option 1 in the treatment of this
16 case -- Option 2, I'm sorry, in the treatment of this case. May
17 I continue for just a minute?

18 SENATOR KELLY:

19 Yes, Senator.

20 SENATOR HOHMAN:

21 Your reading of the preliminary materials at the beginning of
22 this - you made reference to the two counts of bribery. I'd like
23 to explain, using those counts as they're described here, why I
24 think that it's essential that this committee and the Senate look
25 into the matter, look into the materials, the testimony and some

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1 of the exhibits that have been presented. This would be one
2 illustration, one that I think is easy to understand. May I
3 proceed?

4 SENATOR KELLY:

5 Yes.

6 SENATOR HOHMAN:

7 Count I - Bribery: That from or on about the 1st day of May,
8 1980, through on or about the 7th day of May, 1980, at or near
9 Juneau in the First Judicial District, State of Alaska,
10 Senator George Hohman did offer to confer money upon Edward
11 Russell Meekins, Jr., a member of the Alaska House of Representa-
12 tives, with the intent to influence Representative Meekins'
13 vote, opinion, judgment, action, decision and exercise of
14 discretion in his official capacity as a member of the Alaska
15 State House of Representatives. Count II - Receiving a Bribe:
16 That on or about the 1st day of May, 1980, through on or about
17 the 8th day of May, 1980, at or near Juneau in the First Judicial
18 District, State of Alaska, Senator George H. Hohman, Jr. did
19 agree to accept money upon an agreement or understanding that
20 his vote, opinion, judgment, action, decision, and exercise of
21 discretion as a member of the Alaska State Senate, would be
22 influenced thereby. I think a review of the materials
23 specifically in this example, the transcripts that have been
24 generated from the Free Conference Committee on HB 60, would
25 reveal to the committee and the membership of the Senate that on

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1 the 27th of April, the week preceding the alleged bribery attempt,
2 I moved and asked unanimous consent for the adoption of language
3 that was offered to the committee by Russell Meekins, Representa-
4 tive Meekins, which was product specific - that is adopt the
5 appropriation of moneys to purchase the CL-215 Water Bomber. And
6 also, in a second section, again Representative Meekins'
7 language, sought to provide, in round figures, \$100,000 for the
8 operation and maintenance of those two aircraft. And that the
9 further review of the same documents will indicate that on the
10 30th of April, the committee closed action on the bill - formal
11 action - and sent the bill to the printers with the direction
12 and authority given to staff to make technical changes in the
13 language, not substantive changes. Now that, to everyone's
14 satisfaction, I think, concluded action on the bill. Bribery
15 occurred, according to the allegations [sic] here, whatever the
16 proper term is, the alleged bribery occurred during the first
17 week in May. It's impossible. That's after George Hohman as a
18 Senator and Russ Meekins as a Representative had already exer-
19 cized their vote, their opinion, their judgment, their action,
20 made a decision on the question of the purchase of the Water
21 Bombers. I was on record as were every other -- as were all the
22 members of the -- as was all the members of the Senate and the
23 House, the free conferees on the budget, on this question. This
24 is bribery after the fact of action. You know, I suppose that
25 if I were used to presenting analogies, I could come up with

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1 something that would illustrate how ludicrous the charge is in the
2 first place. You can't convict a person of a 1950 murder if they
3 weren't born until 1951. A car that was totalled out in 1960,
4 can't be blamed for a murder -- or for a death that occurred in
5 a car accident in 1965. An alleged bribery attempt doesn't make
6 sense if it occurred after the action that it was supposed to have
7 influenced; the vote, opinion, judgment, action, decision or
8 discretion of a legislator. That's one example, I think, of the
9 unfairness and the injustice that has resulted in this court
10 proceeding that I just experienced and I think there are other
11 examples that need to be brought to light and accentuated to this
12 body and to the Senate as a whole. The charge of bribery, the
13 conviction of bribery does not make sense. And the conviction of
14 bribery is a gross injustice and I think that we should provide
15 some safeguards so that in the future no member of this body will
16 be subjected to the same kind of attention - subjected to the
17 same kind of abuse that results from unsupported statements made
18 by a member of the legislature and the expenditure of a million
19 and a half dollars by this state's administrative branch of
20 government, the executive branch, to weave what is, at very best,
21 a circumstantial web of evidence that resulted in my conviction.
22 The same amount of resource could have been used to support a
23 theory concerning infraction of the law, whether it be bribery
24 or whatever, and if that charge were brought and the evidence
25 presented, the circumstantial web that could generate from the

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1 expenditure of moneys in that magnitude, they could convict should
2 they have the misfortune to be presented before a jury in a
3 similar situation. I think the, as I understand it from reading
4 the materials which were presented from your office, Mr.
5 Chairman, that there is a precedent in the U. S. Congress for
6 handling the ABSCAM cases that might apply to the way this body
7 meets this challenge in the case regarding the Hohman matter that
8 would be exercised under Option 2. Thank you, sir.

9 SENATOR KELLY:

10 Senator Hohman, you will have an opportunity to testify further
11 at a later date.

12 SENATOR KERTTULA:

13 Mr. Chairman. By adoption of the amendment, there is the
14 guarantee that the materials in the testimony are relevant, at
15 least in the expressed time frame as toward a decision making.
16 Is that not true?

17 SENATOR KELLY:

18 Yes it is, sir. Gentlemen, the ...

19 SENATOR DANKWORTH:

20 Call for the question.

21 SENATOR KELLY:

22 The question is on Senator Ziegler's motion to allow the
23 transcripts of the trial to be placed in the committee record and
24 that is all that the motion is. Is there any objection?

25 [no response] The motion is therefore adopted by the Rules

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1 Committee. The question on the floor then is - on Senator
2 Dankworth's motion - to adopt outline of procedures number 1 -
3 method of procedures number 1, limiting the scope of the
4 committee's inquiry to the jury's verdict as amended by Senator
5 Ziegler. The Chair notes that Senator Hohman objects and would
6 prefer Option No. 2. Senator Ziegler.

7 SENATOR ZIEGLER:

8 I object to Option No. 1, too. Are you going to take a vote or
9 shall we just call them out.

10 UNIDENTIFIED SPEAKER:

11 Call for the question.

12 SENATOR HOHMAN:

13 May I have the floor, Mr. Chairman, for just a moment. There
14 are some exhibits. I'm not sure on the terminology that the
15 court uses and what describes what. But there are some exhibits
16 that, I think, should bear scrutiny by the committee in their
17 consideration. Talking to Senator Dankworth's point. It's not
18 my intention, nor do I think it's the intention of my legal
19 counsel who is not present today, to bring before the committee
20 any long list of witnesses. I can't conceive of a single
21 witness being brought forward. It's my interest that the
22 committee expeditiously handle this matter and I would suspect
23 that my presence before the committee in giving direct testimony,
24 or that of my counsel, should extend to a period no greater than
25 four hours. But I would -- my concern is about the exhibits

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1 that were used in the -- by the prosecution and were considered
2 by the jury in their deliberations which resulted in a guilty
3 verdict. I'd like to have those available.

4 SENATOR ZIEGLER:

5 A question for Mr. Council. If I said, as I'm sure I did, all
6 the entire transcript, that would include that type of evidence
7 too which Senator Hohman just opened up.

8 MR. COUNCIL:

9 That's correct, Senator Ziegler.

10 SENATOR ZIEGLER:

11 Does that satisfy you?

12 SENATOR HOHMAN:

13 Yes, sir.

14 MR. COUNCIL:

15 What I believe you have before you now is the record of exhibits
16 and pleadings that were submitted to the court at the trial and
17 that has already been prepared and it is my understanding of
18 Senator Ziegler's motion that is now a part of the record of the
19 proceedings before this committee.

20 SENATOR HOHMAN:

21 Thank you, Mr. Chairman.

22 SENATOR KERTTULA:

23 Mr. Chairman, Senator Hohman, I presume, has had counsel advice
24 when he states that it probably wouldn't take -- approximately
25 four hours of time in this regard. Is that what he said? I'm

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1 just curious. It's not trying to be anything formal.

2 SENATOR HOHMAN:

3 I say -- Mr. Chairman, in response to Senator -- the President's
4 question, I did talk with counsel and would hate to speak with
5 finality on that subject, but it's my understanding that Mr.
6 Fraties believes that four hours, at the outside, would be
7 adequate, unless there's something that happens that is not --
8 that I'm not aware of or that he's not aware of at this time.

9 SENATOR KERTTULA:

10 Thank you. I just wanted to be sure you (indisc.) your case on
11 that point.

12 SENATOR KELLY:

13 The question has been called as to whether the committee should
14 adopt as its method of procedure, method of procedure number 1,
15 as amended by Senator Ziegler. Let's take a vote. Would all those
16 committee members in favor of adopting method of procedure
17 number 1 as amended, please raise their hand. The Chair notes
18 that Senator's Kelly, Dankworth and Kerttula vote in the
19 affirmative. Would those opposed please raise their hand.
20 Senator Ziegler and Ferguson vote no. So the method of procedure
21 number 1 has been adopted by the Rules Committee. At this time -
22 and we're going to get a little out of order here - Lyman Hoffman,
23 the City Manager of Bethel and John Guinn, the Mayor of Bethel,
24 are in town today and they have asked to take five minutes of
25 the committee's time to testify to the committee. Unfortunately,

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1 they are up in the Governor's Office now and they'll be back in
2 approximately 10 minutes. They are both flying out first thing
3 in the morning. They will not be returning to Juneau probably
4 prior to the termination of this inquiry and, as a courtesy, we
5 have agreed to allow them to speak to the committee. I would
6 hope that a quorum would remain in the area until such time
7 as we can get them back down and they can give their testimony.
8 In the meantime, looking ahead on the outline of proceedings,
9 we will meet again tomorrow at 4:30 in the Butrovich Room to --
10 and in the meantime, we will be speaking with Senator Hohman and
11 his staff to come up with a timetable which the committee shall
12 adopt tomorrow as expeditiously as possible so that our inquiry
13 can proceed on an expedited manner. We'll be getting together
14 with you, Senator Hohman, and developing that timetable so that
15 you have adequate notice and you can call those witnesses you
16 wish to call and make those arguments you wish to make. And that
17 will be determined tomorrow at 4:30 in the Butrovich Room. So
18 at this point then, until we get the Mayor and the City Manager
19 of Bethel back down to the room, I would have the committee stand
20 by in recess. Thank you.

21 [RECESS]

22 SENATOR KELLY:

23 The Rules Committee will reconvene. Gentlemen, would you please
24 introduce yourself and proceed.
25

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1 MR. GUINN:

2 I'm John Guinn. I'm the Mayor of the municipality of Bethel,
3 Alaska.

4 MR. HOFFMAN:

5 My name is Lyman Hoffman and I am the City Manager of Bethel.

6 MR. GUINN:

7 What I'd like to do gentlemen, if I may, is take a short amount
8 of your time -- is to read to you first a resolution that was
9 passed by the City Council of the City of Bethel and then make
10 a few comments after. Resolution No. 365. This is a resolution
11 of the City Council of the City of Bethel, Alaska. Request of
12 the members of the Senate Rules Committee in the Alaska State
13 Senate to take appropriate action to allow Senator George Hohman
14 to continue to represent the citizens of Bethel, the Yukon-
15 Kuskokwim Delta and the State of Alaska. Whereas Senator George
16 Hohman has been a strong advocate for the people of Bethel and
17 the Yukon-Kuskokwim Delta for 16 years and; whereas Senator
18 Hohman has demonstrated a complete understanding of the problems
19 unique to this region and its people as well as understanding
20 of the problems facing all Alaskan in this time of state-wide
21 transition -- you'll have to excuse me, I'm not used to talking
22 to such big wheels. And, whereas Senator Hohman has worked
23 diligently with insight and compassion through the years to
24 resolve many of the problems related to the transition of a
25 culture into the twentieth century and; whereas Senator Hohman

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1 has tirelessly assisted Bethel in planning to meet the demands
2 of the future for Bethel, the region and the State of Alaska and;
3 whereas the City Council of the City of Bethel recognizes and
4 appreciates the support that Senator Hohman has provided the
5 City and the region throughout the years; therefore be it
6 resolved, that the City Council of the City of Bethel requests
7 the members of the State Rules Committee to carefully consider
8 the effect of their decision on the people of the Delta and
9 their future; and be it further resolved that the City Council
10 of the City of Bethel, Alaska respectfully requests the Senate
11 Rules Committee and the Alaska State Senate to take appropriate
12 action to allow Senator George Hohman to continue to represent
13 the citizens of Bethel, the Yukon-Kuskokwim Delta area and the
14 State of Alaska as he has done so admirably for the last 16
15 years. This was passed and approved the 14th day of January,
16 1982, signed by myself as Mayor and Wayne Meyers (ph), City
17 Clerk. Although, gentlemen, a resolution of this sort is
18 probably unprecedented, I feel that it is quite appropriate in
19 this situation. We of the Bethel area and the Yukon-Kuskokwim
20 Delta area are faced with the possibility of having little or
21 no representation, especially now in a time when a lot of cuts
22 are coming down the line and which, incidentally, I feel are not
23 appropriately felt or appropriately dealt with, especially in
24 the Bush area. They don't come down uniformly. Without proper
25 representation, I feel that it would be very detrimental to the

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1 area. With the loss of our Senator, who has done so well for us
2 and represented us so well, I also feel that we would lose a
3 sense of continuity that we have at the present time or the past
4 many years in the Senate. I'd like to introduce you to Lyman
5 Hoffman to add to my statements.

6 MR. HOFFMAN:

7 Thank you. The decision to even consider this resolution and
8 take action, I think, has been prompted more so by the radio
9 station in Anchorage requesting that constituents of Anchorage
10 contact their Senate leaders and inform them that the Senator
11 should be removed. And I think he is not their senator, he's our
12 senator and I think the people of our area wanted to present to
13 the Senate that they are completely satisfied with Senator
14 Hohman's representation. And in a few days, I think, more support
15 will be coming because there is a petition out that is being
16 presented to the people in the area and it will show, I think,
17 an overwhelming endorsement of our senator. I know that the
18 Senate Rules Committee is taking other action, has other issues
19 at hand on ethics and whether or not -- and the procedures to
20 allow a member to sit. But, basically, since it is something
21 that has been well publicized in Anchorage and Anchorage is
22 becoming politically involved through their constituents, we
23 wanted to present this resolution for consideration and inform
24 the Rules Committee and the Senate that any action that they can
25 take in order to allow the Senator to continue to represent us, as

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1 Mayor Guinn has stated, -Bush Alaska is a lot different than even
2 Southeast or Southcentral. We are facing a lot of federal
3 budget cuts because of Reagan and any assistance that we can get
4 through our senator would be -- and allowing you to make the
5 decision to allow him to sit, would be most greatly appreciated.
6 Thank you.

7 SENATOR KELLY:

8 Are there any questions from the Committee to the witnesses?

9 SENATOR DANKWORTH:

10 Mr. Chairman, I just have a question? Are you Nora's son?

11 MR. GUINN:

12 Yes, sir, I am.

13 SENATOR DANKWORTH:

14 I wondered about that, thank you.

15 SENATOR KERTULLA:

16 Mr. Chairman, I was going to ask the same question. This is
17 Judge Nora Guinn, the distinguished jurist from the Bush country?

18 MR. GUINN:

19 Yes, sir.

20 SENATOR KELLY:

21 Gentlemen, thank you very much for being here today. I'm sure
22 that there are other witnesses throughout the state who will
23 disagree with what you've had to say and they will be given
24 ample opportunity to testify in the future. We simply wanted to
25 make certain that, as you were in Juneau and you asked to testify,

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