

ALASKA LEGISLATIVE COMMITTEE FILES 1900-1900 00/2

3631 HSTA CAMPAIGN FINANCING (FILE 2) 507

twenty-eight

Tim Kelly cont.

Sam Kito	500
Knakanen Corp.	1000
Lynden, Inc.	300
Pacific Seafood Processors Assn.	500
Ed Rasmuson	300

Jay Kerttula (I)

Did not run in the 1982 election

Pappy Moss (J)

AK Build PAC	500
AK Environmental Action Comm.	250
AK Public Employees Assn., Statewide	1000
AK Realtors PAC	500
AK International Constructors	500
AK Interantional Energy Corp.	500
AK Laborers Pol. & Ed. Comm. Local 942	1000
AK State Dist. Council of Laborers	250
Teamsters Local 959	1000
Anaconda Minerals	250
Arco Alaska, Inc.	250
CIRI PAC	500
Ice Block Committee	500
NEA- Alaska PACE	975
Sohioans Civic Contri. Fund	500
Troll PAC	100
Anch. Education Assn. PACE	1000
Ebasco Services	500
Fairbanks Education Assn. PACE	950
Classified Personnel Organization PAC	25
Arbitration Consultants	1000
Kent Dawson	500
Lewis Dischner	1000
Frank Moolin & Assoc.	500
Vickie Gillespie	453
D.A. McGoldrick	1000
Earl M. Miller	500
VECO, Inc.	500

Bob Mulcahy (N) incumbent

AK Acre Committee	200
AK Business PAC	100
AK Dental PAC	300
AK Environmental Action Comm.	250
AK Life Underwriters PAC	300
AK Medical PAC	100
AK Public Employees Assn., Statewide	1000
AK Realtors PAC	500

Bob Mulcahy cont.

AK State Hospital PAC	100
Teamsters Local 959	500
Anaconda Minerals	500
Assoc. General Contractors PAC	1000
CIRI PAC	500
Ice Block Committee	500
Shell Oil	400
Standard Oil of CA	200
Troll PAC	100
Union Oil of CA	300
Philip C. Anderson	270
Brechan Enterprises, Inc.	900
F. & R. Inc.	1000
Donna Gottschalk	400
Rolland Jones	355
Earl M. Miller	500
Alfred Owen	300
Pacific Seafood Processors Assn.	500
Peninsula Airways, Inc.	1000
Elmer Rasmuson	300
Sweeney Insurance, Inc.	490
Tuluksak Dredging, LTD	1000

Fritz Pettyjohn (E-A)

AC Investments, Inc.	1000
AK Build PAC	500
AK Business PAC	1000
AK Dental PAC	300
AK Life Underwriters PAC	300
AK Aircraft Sales, Inc.	500
Alaskans for Alaska	1000
Alaskan Village, Inc.	1000
Anaconda Minerals	500
Arco Alaska, Inc.	500
Assoc. General Contractors PAC	1000
CIRI PAC	250
Multivisions, Inc.	500
Shell Oil	500
Sohioans Civic Contri. Fund	1000
Standard Oil of CA	300
Tesoro Alaska	500
Union Oil of CA	300
Ebasco Services	1000
Olympic, Inc.	500
Anchorage Excavating, Inc.	500
Anch. Rep. Women's Club	425
William D. Artus	1000
Artus & Choquette, P.C.	700
The Bush Co.	350
Lee Carlson	300
Carla Choquette	1000
William L. Choquette	300

twenty-nine

Fritz Pettyjohn cont.

	\$
Cosmic Enterprises, Inc.	1000
Kent Dawson	500
Diversified Floor Covering	1000
Frank Moolin & Assoc.	1000
Charles & Virginia Hawksley	500
Huffman Hill Development Co.	1000
Jadon, Inc.	1000
K & L Distributors, Inc.	300
C. B. Miller	500
Mitchell D. Gravo, Inc.	1000
Russell Pace	750
John Piggot	600
Pool Co.	1000
Quadrant Development Co.	300
Republican Dist 9	1175
Republican Party of Alaska	4000
Royal Krest Construction, Inc.	350
S & C Inc.	1000

Bill Ray (C) incumbent

AK Build PAC	500
AK Environmental Action Comm.	250
AK Public Employees Assn., Statewide	1000
AK Realtors PAC	250
AK State Hospital PAC	100
AK International Energy Corp.	1000
AK Lumber & Pulp	300
AK State Dist. Council of Laborers	500
Teamsters Local 959	500
Assoc. General Contractors PAC	250
CIRI PAC	500
NEA- Alaska PACE	500
Plumbers & Pipefitters 262	100
Donald B. Abel, Jr.	500
Kent Dawson	500
Linda Dawson	500
Greater Juneau Demo. Precinct Comm.	1000
Dupere & Associates	500
Enserch Exploration, Inc.	1000
Holden & Assoc.	400
Lynden Transport, Inc.	500

Pat Rodey (F-B) incumbent

AK Build PAC	750
AK Business PAC	100
AK Credit Union PAC	100
AK Dental PAC	300
AK Environmental Action Comm.	500

Pat Rodey cont.

AK Medical PAC	100
AK Public Employees Assn., Statewide	1000
AK Realtors PAC	500
AK International Air	1000
AK International Constructors	500
AK Laborers Local 341 PEC	500
Alaskans for Alaska	636
AK State Dist. Council of Laborers	1000
Teamsters Local 959	1000
Assoc. General Contractors PAC	750
CIRI PAC	1000
IBEW Local #1547	1000
Ice Block Committee	500
Multivisions, Inc.	500
NEA- Alaska PACE	950
Plumbers & Pipefitters 375	500
Plumbers & Pipefitters 367	1000
Public Employee Local 71 Pol. Arm	250
Suhioans Civic Contri. Fund	500
Standard Oil of CA	200
Consulting Engineers PAC	250
Citizens for Alaskan Progress	1000
Ebasco Services	500
National Electric Contractors	750
Olympic, Inc.	1000
Anchorage Freight Service	1000
Arctic Alaska Drilling Co.	500
Betty Ann Baer	1000
Paul E. Baer	1000
CBS Real Estate Co., Inc.	1000
Joseph P. Cange	500
Charles Cole	500
Kent Dawson	500
Lewis Dischner	1000
Dynamic Realty	830
Eagle Co.	370
Arnold Espe	1000
Fischer Properties	900
Terri Fischer	900
Frank Moolin & Assoc.	500
Gene's Realty	265
Guaranty Mortgage	1000
J.B. Gottstein & Co.	1000
Management Consultants, Inc.	1000
Earl M. Miller	500
Sandy Mintz	1000
Security Title & Trust Co. of AK	1000
Robert J. Sparks, Jr.	1000

The number of Representatives who received the largest portion of their special-interest monetary contributions from:

Unions:	17
PACs:	19
Native-interest:	3
Oil:	0

The number of Senators who received the largest portion of their special-interest monetary contributions from:

Unions:	7
PACs:	7
Native-interest:	2
Oil:	2

While the unions and PACs played the biggest role in monetary contributions, the oil companies spent the most on lobbyists. Oil companies paid 39 lobbyists a total amount of over \$700,000. Unions paid 30 lobbyists under \$200,000 total, while native-interests paid 14 lobbyists about \$200,000.

<u>John Sackett (M) incumbent</u>	\$
AK Build PAC	500
AK Dental PAC	300
AK Medical PAC	100
AK Public Employees Assn., Statewide	1000
AK State Hospital PAC	100
AK International Air	1000
AK International Constructors	1000
AK International Energy Corp.	1000
AK International Industries	1000
AK State Dist. Council of Laborers	250
Teamsters Local 959	500
Anaconda Minerals	500
Arco Alaska, Inc.	500
Assoc. General Contractors PAC	250
CIRI PAC	1000
Ice Block Committee	1000
Multivisions, Inc.	500
Sohioans Civic Contr. Fund	400
Uchitel Co.	500
Consulting Engineers PAC	250
Citizens for Alaskan Progress	200
Ebasco Services	1000
Olympic, Inc.	500
Arctic Slope Regional Corp.	500
Charlie & Associates	300
Craig D. Comartin	500

<u>John Sackett cont.</u>	\$
Kent Dawson	500
Linda Dawson	1000
Lewis Dischner	1000
Doyon, LTD	500
Enserch Exploration, inc.	1000
Martin A. Farrell	1000
Frank Moolin & Assoc.	300
Lloyd S. Fulford	1000
Gana-a' Yoo Limited	1000
Gibson Co.	1000
H.W. Blackstock Co.	500
Harolds Air Service	300
Robert James	1000
Jim Johnson	900
Kadow & Assoc.	1000
Keyway Enterprises, Inc.	500
Allen McDonald	500
Carl Mathisen	1000
Earl M. Miller	500
Mitchell D. Gravo	1000
Olympic Prefabrication	500
Paul's Hair Fashions	1000
Charles Robinson	1000
Edward Selin	500
Stoneway Electric Supply, Inc.	500
Totem Electrical Enterprises	500
Uresco Construction Materials, Inc.	500
Evelyn Varon	1000

<u>Arliss Sturgulewski (F-A) incumbent</u>	
AK Build PAC	250
AK Business PAC	150
AK Credit Union PAC	100
AK Environmental Action Comm.	500
AK Public Employees Assn., Statewide	1000
AK Realtors PAC	250
AK State Hospital PAC	100
AK Women's Political Caucus PAC	500
AK Laborers Local 341 PEC	500
Anaconda Minerals	500
Arco Alaska, Inc.	500
Assoc. General Contractors PAC	1000
CIRI PAC	250
NEA- Alaska PACE	250
Shell Oil	400
Sohioans Civic Contr. Fund	500
Standard Oil of CA	250
S.W. Pilots PAC	200
Anch. Rep. Women's Club	50
Margo Armistad	500
Atkinson, Conway, Bell & Gagnon, Inc.	500

thirty-one

Arliss Sturgulewski cont.

David Beal, MD	300
Daye C. Buckingham	500
CBS Real Estate Co., Inc.	1000
King Cherrie	300
Costly Investments	500
Arnold Espe	500
Friends of the Chugach Region	100
Golden Threads	300
Richard Holden	500
Jack White Co.	300
Manog's Isle #2	500
John I. Miller	500
National Women's Political Caucus	400
William Pargeter	600
Ed Rasmuson	400
Republican Dist. 11	250
Charles Robinson	500
Roger F. Holmes, Inc.	695
John Seawell	1000
Unit Co.	500
Wohlforth & Flint	500

Robert Ziegler (A) incumbent

AK Build PAC	400
AK Dental PAC	300
AK Medical PAC	100
AK Public Employees Assn., Statewide	1000
AK Skies Assn., Local	300
AK Realtors PAC	1000
AK State Hospital PAC	100
AK International Constructors	1000
AK State Dist. Council of Laborers	250
Teamsters Local 959	500
Anaconda Minerals	250
Arco Alaska, Inc.	250
Assoc. General Contractors PAC	1000
Sohioans Civic Contri. Fund	500
Standard Oil of CA	400
Union Oil of CA	500
Ebasco Services	1000
Cape Fox Corp. PAC	300
Demo. Legislative Committee	250
Frank Moolin & Assoc.	1000
Bill Miles	500
Pacific Seafood Processors Assn.	500

\$

The following list of contributions to Sheffield, McAlpine and Sheffield/McAlpine uses the following symbols:

* = Sheffield
** = McAlpine
no symbol = Sheffield/McAlpine

ABC World Movers, Inc.	*500
ABC World Movers, Inc.	500
A & G Stock & Grove, J.V.	*500
A.L. French Co.	500
Donald Abel, Jr.	*1000
Accents on Flowers by Suzanne	*441
Gary Ackerman	*1000
Jan Ackerman	*600
Al Adams	1000
Affiliated Development, Inc.	*500
Lloyd Ahvakana	1000
Airland Transport	450
AK Build PAC	*1000
AK Dental PAC	*200
AK Environmental Action Comm.	*1000
AK Public Employees Assn., Statewide	*1000
AK Public Employees Assn., Statewide	1000
AK Realtors PAC	*1000
AK Realtors PAC	1000
AK Skies Assn., Local	**300
AK Skies Assn., Local	*1000
AK Skies Assn., Local	700
AK Broadcast Services	*700
AK Distributors Co.	*1000
AK Distributors Co.	1000
AK Explorations Holidays	*954
AK Fresh Seafoods	1000
AK Herring Corp.	2000
AK Independent Fishermen	1000
AK International Air	*1000
AK International Constructors	*1000
AK International Constructors	**1000
AK International Energy Corp.	*1000
AK International Industries	**1000
AK International Industries	*1000
AK Laborers Local 341 PEC	**1000
AK Laborers Local 341 PEC	*1000
AK Laborers Pol. & Ed. Comm. Local 942	**1000
AK Laborers Pol. & Ed. Comm. Local 942	*1000
AK Lumber & Pulp Co., Inc.	*500
AK Marine Lines	*1000
AK Mayflower Moving Service	*350
AK Mayflower Moving Service	1000
AK National Financial Corp.	*1000
AK National Insurance Co.	*1000

AK Gold Cache	*310	Arctic Gulf Marine	**1000
Alaskan Village, Inc.	*1000	Arctic Hosts, Inc.	**1000
AK Oilfield Services, Inc.	*1000	Arctic Utilities, Inc.	*1000
AK Orient Express	1000	Arctic Slope Regional Corp.	*500
AK Overload, Inc.	*275	Arctic Whitney Construction, Inc.	*1000
AK 100 Insurance, Inc.	2000	Arrow Distributors, Inc.	*250
AK State AFL-CIO	2000	Arrowhead Transfer, Inc.	*1000
AK State Dist. Council of Laborers	*1000	J.L. Arsenault	*878
AK State Dist. Council of Laborers	**1000	Atco Seafoods, Inc.	*1000
AK State Pipe Trades Assn.	*834	Atkinson, Conway Bell & Gagnon, Inc.	*1000
AK State Pipe Trades Assn.	**834	Atkinson, Conway Bell & Gagnon, Inc.	1000
AK Texas Freight, Inc.	500	Atlas Aircraft Corp.	300
AK Title Guaranty Agency	*1000	Atlas Association	*600
AK Totem Electrical Enterprises, Inc.	**500	Atlas Association	250
AK Totem Electrical Enterprises, Inc.	*1000	Atlas Fishing & Trading Co.	*600
AK Trailer Court Assn.	*800	Atwood, Inc.	*500
AK Traffic Consultants	*500	B.C. Cable Co.	500
AK Unlimited	*1000	B & E Investments	1000
AK West Express	*500	B.M. Behrends Bank	*1000
AK Yukon Motorcoaches, Inc.	1000	Bachner & Assoc.	*1000
Alcan Electrical & Engineering, Inc.	*1000	Carolyn Bachner	*1000
Doretta Aleccia	*500	Carl Bachner	*700
Aleut Corp.	500	Al Baffone	*900
Walter Alexander	*450	Saul Baker	**500
Teamsters Local 959	*1000	Saul Baker	500
All-Alaska Weekly	510	Barnes Development Co.	*500
Betty Allen	*500	Barrett Co., Inc.	1000
Roy Alley	**280	Mike Barry	2000
Allways Travel, Inc.	*995	Ralph Bartholomew	*500
Alyeska Electrical, Inc.	*385	Karen Beckman	**1000
H. Amaya	*800	Margaret Begich	*600
H. Amaya	200	Corrine Beirne	*300
Amaya/Spreng Partnership	*1000	Corrine Beirne	700
Anaconda Minerals	*1000	Wayne Bennett	**500
Anaconda Minerals	**1000	Wayne Bennett	500
Anchorage Amusements	*1000	William Bergenthal	*320
Anchorage Amusements	1000	Ronald Bergt	**300
Anch. Central Labor Council	*1000	Ronald Bergt	*1000
Anch. Central Labor Council	**1000	Bering Sea Fishermen's Assoc.	*1000
Anch. Chemical Co., Inc.	500	Best for Less Construction	1500
Anch. Cold Storage, Inc.	*750	Earl Billingslea	*500
Anch. Excavating Inc.	**1000	Clifford Bishop	*500
Anchorage Vault Co.	*300	Theresa Bishop	500
Ed Anders	500	Bishop Trucking	*700
Earl Anderson	1000	William Bishop	*1250
A.G. Andrikopoulos	*1000	William Bittner	*500
Richard Angell	*300	Black Angus, Inc.	1000
Annette Island Packing Co.	500	Gary Black	**500
Jane Angvik	*500	Joe Blackard	*1000
Arco Alaska, Inc.	*1000	Donna Blair	500
Arco Alaska, Inc.	**1000	Robert Blair	*1250
Arctic Alaska Drilling Co.	*1000	Judy Blake	*1000
Arctic Gulf Marine	500	H.R. Blood	**500

thirty-three

\$

Board of Trade, Inc.	2000	Jim Campbell	*500
David Bolz	1000	Jim Campbell	1000
Irene Boner	*500	Rachel Campbell	*500
Bonney Garland & Co., Inc.	*1000	Kenneth Cannon	*500
James B. Boren	*500	Patricia Cannon	*1000
Nancy Borg	*250	Patricia Cannon	500
Hal Borrego	*400	Cape Fox Corp. PAC	**200
Alice Bosshard	**540	Cape Fox Corp. PAC	*500
James Boudreaux	*765	CAPP Rent	*500
Donald C. Bovee	*1000	Robert Capps	*500
Bracepep	*500	Carey Holmes	*500
Joan Bradley	1000	Ernest Carlson, Jr.	500
Lawrence Bradley	*1000	L.J. Carr	*1000
Brian D. Bresett	*1000	Carr's Quality Centers, Inc.	*1000
Bresett Construction LTD	*1000	Burton Carver	*1000
J. Craig Bresett	*1000	Burton Carver	1000
James H. Bresett	*1000	Burton Carver Transportation	*1000
Janet M. Bresett	*1000	Daniel Casey	200
Heienka Brice	*800	Catalone Consulting	*353
Brice, Inc.	*850	Gordon Catching	*1000
Alec W. Brindle	*250	Grace Cates	*500
Alec W. Brindle	1000	CATV Cable Consultants of AK	1000
Joe Brock	1000	Alice Chadwick	*500
Robert Brophy	*1000	Jerry Chadwick	*1000
A.L. Brosio	*1000	Ken Chang	*470
A.L. Brosio	1000	Channel Inc.	500
Alma Brosio	*1000	James Chapman	*656
Alma Brosio	1000	Charles Pool & Assoc., Inc.	*300
Eugene Brower	1000	Jean Charney	*843
Kay Brown	*500	Linda Chase	*880
Brown & Root, Inc.	*500	Linds Chase	35
Bulk Energy Transportation Inc.	1000	David Chatfield	*600
Lloyd A. Burgess	*1000	Chris Berg, Inc.	400
Burgess Interstate, Inc.	*1000	Chris Berg, Inc.	*650
Burgess Interstate, Inc.	500	Diane Chistopherson	*1000
Michael John Burke	**260	Thelma Chistuffersen	*1000
Clayton Bush	**300	Joseph Chuckwuk	*1000
T.W. Bushey	500	Cook Inlet Region, Inc. PAC	*1000
Carolyn Bushey	500	Cook Inlet Region, Inc. PAC	1000
The Butcher Shoppe	*600	Citizens for Alaskan Progress	*1000
Robert Butt	*550	Citizens for Texas Comm.	*300
Richard C. Button	1000	City Electric	*1000
CBS Real Estate Co., Inc.	*1000	Kristina Clapp	*1000
CSM Inc.	*1000	Norton Clapp	*1000
CH2M Hill Engineering Co.	300	William Clapp	*1000
CNM Contractors Inc.	1000	William Clapp	1000
C W Contracting	**500	Annette Clark	1000
Trudy Cain	*700	Arthur Clark	*570
Kenneth Calhoon	500	Walter Clark	1000
Callison Partnership	*300	Classified Personnel Organization PAC	*25
Henry Camarat	*1000	Harold Cloud	600
Al Camasso	*1000	Club Paris	*500
B.A. Campbell	*1000	Club Paris	100

thirty-four

\$

Coastal Alaska Lines, Inc.	*1000	Aase Jelaney	*286
David Coffman	1000	Louis DeLong	500
Charles Cole	1000	Demo. National Comm. Non-Federal Acct.	*5000
Richard Collins	*1000	Demo. National Committee	*25000
Columbus Distributing Co., Inc.	*1000	Democratic Dist. 15	*400
Craig Comartin	1000	Dist. 16 Demo. Executive Comm.	1000
Combes Insurance Agency	1000	Greater Juneau Demo. Precinct Comm.	*3000
Commission Sales Corp.	500	Greater Juneau Demo. Precinct Comm.	538
Communication Construction Inc.	1000	Greater Ketchikan Demo. Prect. Comm.	516
Bythel Compton	**482	Denali Bar, Inc.	1250
Comtec, Inc.	*955	Amanda Denham	500
Conagra Inc./Sealaska Products	*1000	Robert Denham	*500
Consolidated Services Inc.	*1000	Margot Denny	*1000
Consulting Traffic Services Inc.	**1000	Robert Denny	*1000
Charles Conway	*1000	Carol Derfner	*520
John Conway	*1000	Carol Derfner	98
Coogan Construction Co.	300	Design Assoc.	1000
Audrey Copenhaver	*400	Design Lab., Inc.	*1000
Copper Spike Travel	**308	Design Studios	*700
Copper Valley Telephone	**500	Paul Desrocher	200
Cordova Dist. Fisheries Union	*500	Dennis DeWitt	*500
Cordova Independent Gillnetters	1000	Passy Dex	*525
Corroon & Black/Dawson & Co., Inc.	*1000	The Diamond-Shamrock Vol. Pol. Fund	1000
Costly Investments	*1000	Lewis Dickinson	*500
Costly Investments	250	Dick Jacobson, Inc.	500
Al Courtney	*1000	Robert Dickson	500
E.N. Courtney	*600	Robert Dickson	*500
Carolyn Covington	*500	Joe Di Gangi	*845
Garris Covington	*450	Allen Dill	*800
Maurice Coyle	*1000	Dillingham Corporation	*300
Linda Crabb	*1000	Lewis Dischner	1000
Craig Enterprises, Inc.	*1000	Lewis Dischner	**1000
John Crew	**300	Edweena Dodge	*745
John Crew	400	Kristen Doherty	**1000
Edwin Crittenden	1200	Anne Donahue	*1000
The Crossroads Lounge	500	Dale Donahue	*1000
DJG Development Co.	1600	Ellen Donahue	*1000
Gosta Dagg	400	William Donahue	*1000
Norman Dahl	200	Donald & Martin Madsen Rental Acct.	*1000
Mrs. Norman Dahl	*500	Door Distributors, Inc.	2000
David Dahlke	*450	Carol Douthit	1000
Daniel Boone Paints, Inc.	*600	Doyles Fuel Service	*400
Philip Daniel	*1000	Doyles Fuel Service	250
Daniels & Assoc.	1000	Mrs. James Drew	*400
Dapcevich Campaign Fund	*500	Dudley & Ekness	2000
David G. Bolz & Assoc.	*500	Bob Duncan	**400
David G. Bolz & Assoc.	1500	Bob Dunkin	**400
David Green House of Coats	*500	Dupere & Assoc.	1000
Phillip Davidson	*500	Kathryn Dupere	1000
Don Davis	*1000	Robert Dupere	1000
Don Davis	125	Duty Free Shoppers LTD	*1000
Sandra Davis	*500	Donald Dwiggin	*610
Eloise Elaine Deater	*300	Dwyre & Co.	500
Walter & Gloria Day	**500	Peggy Dyson	*500
Norman Dahl	500		

thirty-five

E.C. Phillips & Sons Inc.	500	Karla Fowler	300
East Side Storage Inc.	*1000	Keir Fowler	300
Hank Eaton	*500	Kevin Fowler	800
Economy Leasing Inc	500	Kurtis Fowler	800
Ebasco Services	**1000	Sheila Fowler	300
Bud Eddy	*500	Frank Moolin & Assoc.	**1000
Robert Eden	**360	Frank Moolin & Assoc.	*1000
Jesse Edenfield	*660	Candy Frankel	*720
Paul Edstrom	**300	Marvin Frankel	*706
Martha Edwards	*1000	Robert I. Fraser	*300
Phillip Eide	500	Frontier Building	1000
Eklutna, Inc.	*1000	Frontier Equipment Co.	1000
Elbow Room	*500	Frontier Transport	*1000
Elbow Room	400	Peggy Frost	*270
C.R. Elder, Jr.	*500	Jack Fuller	264
C.R. Elder, Jr.	100	M.C. Fuller	*1000
Elfs Den	500	G & G Leasing Co.	1000
Elmer Eller	*500	Kenneth Gain	*350
Elmer Eller	200	Kenneth Gain	1000
Elliot Diedrich, Inc.	*1000	Galco Building Products	*637
Ely Guess & Rudd	*1000	Mike Gallagher	**600
Robert Ely	*500	Mike Gallagher	200
Werner Emmengger	*900	Gary W. Gantz	500
Werner Emmengger	100	Trudy Gantz	700
James Engeldinger	*1000	John Garner	*750
Hazel Enner	*300	Gateway Consolidators	1000
Enserch Exploration, Inc.	*1000	Louie Gaurilovich	400
Environmental Services LTD	500	A.E. Gay	*1000
William Erwin	*500	Kirk Gay	*1000
Arnold Espe	*500	Marilyn Gay	*1000
Cliff Ezell	**1000	Martha Gay	*1000
Robert Ezell	**1000	Hubert Gellert	*400
The 515 Club	*500	Allein C. George	*500
F & R Inc.	*300	Allein C. George	1000
Fairbanks AFL-CIO COPE	2000	Gerkin & Assoc.	*314
Fairbanks Education Assn. PACE	*250	Andrew & Carol Gialobsos	1000
Fairbanks Feed & Fuel	**500	Gibson Co.	*1000
Gregory Favretto	*300	Gibson Co.	*1000
Geoffrey Feiler	1000	Edward Gibson	1000
Helen Fischer	*1000	Lori Giersdorf	*1000
Fischer Properties	*1000	Robert Giersdorf	*1000
Terry Fischer	*1000	Paul Gighilliant	450
Vic Fischer	*1000	Caroline Coughlin Gill	*825
Helen Fisher	200	William Gillard	650
Helen Fisher	*100	Joseph Gillespie	*1000
Theodore Fleischer	*500	Gittins Construction Inc.	*1000
Flippers	*1000	Gittins Construction Inc.	1000
Flippers	1000	Thomas Gittins	1159
Food Mart	**500	Glass Sash & Door	*500
Alexis G. Foote-Jones	1635	Jon Godfrey	*1000
Forest Edge Condos, Inc.	*1000	Patricia Godfrey	*822
Fortune Enterprises, Inc.	*300	Dencil Gold	*265
Bertha Fowler	800	Duane Goebel	**455
Carolyn Fowler	1000	Rollie Goebel	**325
Goeffrey Fowler	1000	The Gold & Diamond Co.	1000

While a number of legislators contributed no personal funds to his or her own campaign, several used sizeable amounts of their own money. At times, their own contributions amounted to more than the money they received from other monetary contributions. The figures shown here are the amounts of personal money the legislators spent by the end of the 1982 campaign. Some candidates spent personal funds in the primary but later fully or partially repaid themselves. If they fully repaid themselves, no contributions of personal funds is reflected. If the repayment was partial, only the outstanding funds are shown.

The 5 Senators who contributed the most personal funds to their own campaigns.

	<u>Personal Funds</u>	<u>Monetary Contributions</u>
J. Faiks	\$24,500	\$65,946
P. Fischer	\$11,385	\$16,900
P. Rodey	\$10,000	\$47,095
F. Pettyjohn	\$6,195	\$58,280
P. Moss	\$6,115	\$21,481

Senators who contributed no personal funds in 1982 (does not include any starting balance).

R. Ziegler	D. Bennett	B. Mulcahy
B. Ray	B. Fahrenkamp	
D. Gilman	F. Ferguson	
A. Sturgulewski	J. Sackett	

The 10 Representatives who contributed the most personal funds to their own campaigns.

	<u>Personal Funds</u>	<u>Monetary Contributions</u>
C. Bussell	\$39,000	\$52,806
S. Pestinger	\$31,000	\$21,502
B. Lacher	\$28,563	\$19,147
J. Lindauer	\$22,619	\$16,921
N. Koponen	\$21,512	\$21,853
J. Ward	\$19,253	\$13,532
T. Martin	\$16,004	\$21,495
J. Cowdery	\$12,694	\$16,658
W. Furnace	\$8,000	\$33,956
J. Liska	\$7,472	\$11,724

Representatives who contributed no personal funds in 1982 (does not include any starting balance).

B. Grussendorf	M. Tischer	A. Adams
J. Duncan	R. Bettisworth	J. Ringstad
M. Fritz	J. Flood	M.M. Miller
M. Abood	D. Clocksin	

thirty-seven

\$

Elaine Goodwin	*500	Richard Helm	*400
Elaine Goodwin	1000	Richard Helm	600
Frank Gorham	1000	Paul Hendricks	*100
Norman Gorsuch	*900	Paul Hendricks	250
Norman Gorsuch	1000	Anna Herlick	*280
B.J. Gottstein	*1000	Laura Herman	*846
GOUCHI	*1000	H.A. Heyer	*500
Steven Godreau	**300	John Higgins	700
Katherine Graham	*1000	Dona Hill	*700
Duncan Gray	900	Donald Hill	*1000
Robert Gray	500	Donald Hill	300
Harold & Margaret Green	*500	Glenn Hill	**500
Perry Green	*700	Charles Hinson	1000
Perry Green	1000	D. Max Hodel	*500
Johnny Gregg	*500	Holden & Assoc.	*1000
Jack Griffin	*525	Holden & Assoc.	**1000
Jack Griffin	1000	Holden & Assoc., Inc.	*314
Don Grimes	**700	Hollingsworth-Wiley Corp.	*500
Don Grimes	300	Eager Holloway	*1000
Paul Gronholt	*1000	O. Charles Honig	*500
Edward Guiragos	*1000	Hoteco	1000
H. E. Inc.	500	Betty Hotes	*1000
H & J Corp.	*300	Doug Hotes	*500
H & S Forwarders	1000	Winthrop Hovey	*1000
H.W. Blackstock Co. Inc.	**1000	James Howard	*634
L.R. & Frances Haag	*500	Barbara Hrubec	1000
L.R. & Frances Haag	1000	Warne Hulbert	*700
Hagans, Brown & Gibbs	*1000	Douglas Hulen	500
Hagans, Brown & Gibbs	530	Ben Humphries	*500
Richard Hall	*500	E.W. Hundley	500
Hanks Excavation, Inc.	*900	Alfred Hutchinson	**1000
Susan Hansen	*350	Helen Hutchinson	**1000
Sally Hanson	1000	Kim Hutchinson	**1000
Harbor Plumbing & Heating	500	Kim Hutchinson	250
Ol Harder	*300	IBEW Local 1547	2000
Alex Hargis	*500	Ice Block Committee	*1000
Hargis Engineers	*1000	Ice Block Committee	1000
Hargis Engineers (WA)	*500	Icicle Seafood, Inc.	*1000
Joan Harrel	720	Igloo Enterprises	*1000
Fred Haskell	1000	Irving Igtanloc	600
Murray Haskell	**1000	Myron Iglantoc	*500
Arnie Haugen	1000	Myron Igtanloc	100
Arthur Hauver	*515	Iliamna Barge & Trucking	*1000
Roger Haxby	*300	Iliamna Barge & Trucking	500
Jess Hay	**100	Imig Video IV	*1000
Dorothy Haynes	*500	Inlandboatmens Union	300
Kathleen Healy	*500	Inlet Distributors	*264
Thomas Healy	*1000	International Assn. of Hotel	*350
Thomas Healy	1000	Int. Union of Operating Engineers	*1000
Jeff Hearns	*1000	Frank & Helen Irick	*1000
Lawrence Heiner	1000	Mike Irick	*500
Joseph Heintz	*1000	Irish Setter	300
Joseph Heintz	1000	Irving J. Levine & Sons	*1000
Marlys Heintz	*525	M.E. Isleib	*1000
		J.B. Gottstein & Co.	*1000
		Jackovich Tractor & Equipment	*1000
		Jackovich Tractor & Equipment	500

thirty-eight

	\$		
W.C. Jackson	**800	Patrick Kneip	*500
W.C. Jackson	200	Barry Koch	*1000
Locke Jacobs	*1000	David Koivvniemi	*400
Kenneth Jacobus	**1000	Al Kramer	*500
Jadon, Inc.	1000	Richard Krautz	*825
Jamestown Bay Warehousing, Inc.	*1000	Kubick Interprises	*691
Charlene Jeffry	*1000	Sharon Kubick	*300
Leroy Jeffry	*1000	Sharon Kubick	100
Rita Jensen	*500	Kuskokwim Inn	*500
Thomas Jensen, Jr.	*1000	Ray Kusler	*700
Jermain Dunnagan & Owens	1000	Daie Kuykendall	*340
William Jermain	*350	Dalc Kuykendall	609
John Graham Co.	*400	L & D Investments	*500
John Graham Co.	250	L & F Investments Co.	*1000
J.L. Young & Assoc., Inc.	*1000	L & N Consultants	**600
C. Johnson	*600	LHD & Assoc.	*500
Gerald Johnson	**350	LHD & Assoc.	1000
J.E. Johnson	*500	Laborers Pol League Ed. Fund PAC	*500
Jenette Johnson	*100	Jack Lambert	*900
Jenette Johnson	600	Lawrence Landry	500
John Johnson	600	Norma Lange	*377
Johnson-Johnson Enterprises	*500	Marc Langeland	*500
Lee Johnson	550	LANOGA Corp.	1000
Johnson Sand & Gravel	**260	Roona Larkin	1000
Wayne Johnson	700	Wayne Larkin	1000
William A. Johnson	*275	James Larson	500
W.L. Johnson	*500	Bill Lawrence	500
Carolyn Jones	*550	Bill Lee	**500
V. Carole Jones	1000	Richard Lee	1000
Juneau Central Labor Council	2000	Henry Legrue	*300
Juneau Education Assn. PACE	*443	Leisure Tours	*698
K & A Inc.	*1000	Lens Unlimited	*500
KANC	*338	James Lentine	1000
K & D Construction	*500	David Lett	1000
KJNO	500	Stanley Levine	*1000
K & L Distributors, Inc.	*183	Mark Lewis	1500
K & L Distributors, Inc.	1500	Willy Lewis	700
K & W Trucking Co., Inc.	*500	Lighting Systems & Accessories	*800
Moses Kadish	*1000	Greg Linck	500
Norman F. Kaelber	*500	Marc Lee Linck	*500
George Kallish	*500	Ling Plumbing & Heating	1000
Paul Kautzman	**280	Richard Listowski	*500
Ralph Kavorkian	*250	Janice Livingston	*1000
Ralph Kavorkian	750	Thomas Livingston	*1000
M. Kechner	500	Local *302	1800
Henry Keller	500	Wayne Locke	*1000
Kenai Food Center	*500	Richard Lobe	*750
Ken Brady Construction Co., Inc.	*500	D.W. Lohse	*550
Bruce Kendall	*358	W. Boyd London, Jr.	500
James F. Kerley, Jr.	**700	Glen Loomis	350
James F. Kerley, Jr.	1000	Glen Loomis	**380
Ketchikan Air Service, Inc.	*1000	Paul Lowe	**1000
Fred Kincaid	**390	I.Aimes Luse	*1000
Timothy Kirshbaum	*650	Rondo Ludwig	*1000
Tony Kdepec	*500	Carmen Lunde	*300

thirty-nine

\$

Lyles Hardware	*500	Joe Mendola	*500
Lynden Inc.	500	Ed Merdes	885
Lynden Transport, Inc.	*500	Norma Merdes	885
McAlpine Trading Co.	*877	Merrill Lynch, Pierce, Fenner & Smith	*1000
McAlpine Trading Co.	135	Alfred Meyer	2000
Minona McBirney	*1000	Margaret Meyer	2000
Robert McClesky	*300	Neil Meyers	*400
James McCoolum	*500	Nafla Michael	*1000
McCool, McDonald Inc.	*1000	Mike Millar	500
C. Rader McCulley	**800	Alex Miller	*1000
William S. McDermott	1000	Alex Miller	**500
Allen McDonald	1000	Alfred Miller	1000
Eleanor McDonald	2000	Dennis Miller	*850
McDonald Independent Aalska, Inc.	300	Jo Ann Miller	*750
Kathryn McGready	*1000	Ralph Miller	400
Harold McInroe	**500	Robert Miller	800
Bruce McKnight	**400	Brideen Milner	1000
Jim McMahan	**400	Miner Publishing Co.	*320
Ed McRory	*353	Miro Supermarkets, Inc.	*1000
Ed McRory	225	Mitchell D. Gravo, Inc.	*1000
M & D Rentals	**300	Montana Club	1000
Bret Mackie	*1000	Montana Club	*500
Brett Mackie	300	Ann Moore	1000
Gary Maclead	*500	Charles Moore	1000
Madden, Inc.	300	Teresa Moore	1000
Michael Madden	700	Morpac Inc.	*1000
Madsen Development Corp.	*1000	Morpac Inc.	1000
Donald Madsen	*1000	Mount Juneau Trading Post	*1000
Arline Maither	*400	Multivisions, Inc.	*912
Brian Maither	*1000	Marlene Mungle	*1000
Dennis Maloney	*375	Marlene Mungle	1000
Management Consultants, Inc.	1000	Tom Mungle	*1000
Management Services, Inc.	*500	Tom Mungle	1000
Darrell Maple	*400	Major S.E. Murphy	*1000
Robert Marhenke	*1000	Gerald Myers	1000
Mark Lewis & Co.	*500	Mystrom Advertising	*500
Mark Lewis & Co.	500	N.C. Machinery Co.	1000
Nancy Markley	*293	NEA- Alaska PACE	**950
Martin Victor Furs	*635	H. Willard Nagley II	*975
Martin Victor Furs	1365	H. Willard Nagley II	995
Robert Martinson	2000	NANA Development Corp.	*1000
James Massart	*200	NANA Oilfield Services, Inc.	*1000
James Massart	125	National Electric Contractors	*1000
Ernestine Massey	500	George Navarre	*500
Masters, Mates & Pilots Pol. Fund	*500	Rosemary Navarre	*500
Matanuska Maid	*816	Rev. Nathaniel Neal	500
Carl Mathisen	*1000	Neeser Construction	*460
Carl Mathisen	**1000	Dean Nelson	*208
Matthew G. Norton Co.	*1000	Dean Nelson	200
George Maudowsky	**450	Louis Nelson	*500
May Contracting	*500	Gary Neumann	*770
M.H. Mayr	*200	Marlene Neve	*576
M.E.B.A. Political Action Fund	*500	Gary Newmann	*520
Donald Mellish	*1000	New Treadwell Assn.	*350
Susan Mellish	*1000	Nexus	750

forty

\$

Rick Nichols	**300	Robert Peterson	**400
Rick Noethlich	1000	Robert Peterson	600
Northern Oilfield Service, Inc.	300	Timmie Peterson	1000
North Pacific Marine Services	*1000	William Peterson	*870
North Pole Fuel Co.	*1000	William Peterson	130
Northwest Building Corp.	*1000	Brad Phillips	*650
Northwest Constructors, Inc.	*1000	Helen Phillips	*700
Northwest Energy PAC	500	Phillips Scale Co., Inc.	*500
Northwest Leasing Co.	*1000	Piazza & Assoc.	*950
Nossaman, Krueger & Knox	*500	Robert Piazza	*973
Oaken Keg	491	Patrick Piermattei	1000
Milton Odom	*1000	Pines Club	**500
Roy O'Leary	*1000	Pioneer Brokerage & Sales, Inc.	1000
Thomas Olson	*1000	Pioneer Club	*1000
Olympic, Inc.	*350	Pioneer Electric Carpet Co.	500
Olympic Prefabrication	2000	Pioneer Oilfield Services, Inc.	*1000
O'Neill Security Service	*500	Pioneer Van Lines, Inc.	*600
Tony Ortiz	390	Plumbers & Pipefitters 262	**1000
Patrick Owen	*500	Plumbers & Pipefitters 262	*1000
P & J Sales Inc.	**600	Plumbers & Pipefitters 375	**1000
P & J Sales Inc.	*1000	Plumbers & Pipefitters 375	*1000
PJ & S, Inc.	*1000	Plumbers & Steamfitters 367	**1000
Jeri Pace	*400	Plumbers & Steamfitters 367	*1000
Russell Pace	*400	Mike Plumkett	*500
Vicky Pace	*400	Polar Bar	500
Pacific Carpets	*1000	Polaris Travel Service	*300
Pacific Lighting Corp.	*500	Harold Pomeroy	*1000
Pacific Lighting Corp. PAC	*500	Pool Co.	**1000
Painters Union Local 1551	1000	Pool Co.	*1000
The Palladium Co.	*1000	John Porsley	1000
Judy Palmer	*1000	Dan Potash	1000
Pan Custodial Services	258	Premium Acceptance Corp.	*1000
Charles Parker	*350	Prescott Equipment Inc.	*800
Al Parrish	*950	Charles Price	1000
Al Parrish	100	Margaret Prichard	500
Ann Parrish	*900	Princess Tours	*1000
Party Time Liquors	1500	Pro-Con Services	840
George Patterson	1000	Billy Prior	*500
Jean Patterson	500	Jane Prior	500
Kenneth Paulson	*500	Richard Prior	500
George Pearson	300	Public Employees 71	**1000
Bill Pedrick	*825	Public Employees 71	*1000
Peggy Jo Inc.	*500	Quadrant Co.	*691
Pelex Sales Co.	*1000	Quadrant Engineering	*350
Pelican Cold Storage	*1000	R.C.P. Inc.	*1000
Richard Peluso	*1000	Keith Ragsdale	1000
Penco Alaska	*850	C.W. Rainwater	750
Peninsula Marketing Assoc.	2000	Valentine Rader	*1000
Peninsula Shippers Assoc.	1000	Ranier Ban Corporation	*500
Penn-Van Inc.	500	Ranchos de los Arboles	*1000
P.J. Penny	*1000	Arlene Raney	*500
Robert Penney	*500	Arlene Raney	100
Penney & Jenson Inc.	*750	Queen Fisheries	1000
M.B. Troy Peratrovich	*390	Purcell Services	*1000
Keith Peterson	*400	Carrol Raney	*500
R.E. Peterson	2000	Mrs. Ed Rasmuson	*500
Matthew Norton	*1000	Carrol Raney	100
		Queen Fisheries	1000

forty-one

\$

Ed Rasmuson	2000	Dorothy Scott	*298
Elmer Rasmuson	2000	Kitty Scott	*500
Mary Louise Rasmuson	2000	Norma Scott	*500
Red Salmon Cannery	*1000	William Scott	*1000
Ashley Reed	*900	William Scott	1000
John Reekie	*1000	Willy Scott	*500
John Reekie	200	Scotty's Igloos	500
Yvonne Reeves	1000	Delores Sczudlo	*500
Bill Renno	**270	Walter Sczudlo	*500
John Rense	*275	Sea-Land Service, Inc.	*1000
John Rense	100	SEA PAC	*750
Glenda Rhodes	*1000	Carol Seibel	*620
Dave Ribacchi	*500	SEIU COPE Fund International	*1000
John Ribacchi	*260	Edward Selin	1000
Trudy Ribacchi	*500	Edward & Barbara Selin	**1000
Julian & Dorothy Rice	*1000	Wanda Serrano	300
Julian & Dorothy Rice	900	Michael Serwold	*400
Robert Richards	*1000	John Sexton	**500
Robert Richardson	*500	Louise Shattuck	500
Volney Richmond	*700	Eva Shaw	*492
Ray Roady	*500	John Shaw	*1000
Edward Robb	*627	John Shaw	200
Robert J. Lucurell Co.	*353	Michael Shearn	*500
David Roderick	*1000	Shellabarge Flying Service	500
Fred & Rita Rosenberg	*480	Shell Oil	*1000
Michael Rosenberg	*500	Shell Oil	1000
Rowan Northwestern Decorations	500	Patrick Shely	**900
Royal Baron	800	Rebecca Shields	**1000
Royal Krest Construction Inc.	*691	Violet Shimek	*1000
Edna Rude	*1000	Robert Shimek	*1000
Olin Rude	*1000	Carolyn Shogrin	*1000
David Ruehemann	*600	Frank Shogrin	*1000
Mrs. John E. Ryan	*1000	Milton Simmons	*300
Mrs. John E. Ryan	700	Barbara Simpson	*1000
John Ryan	*1000	Donald Simpson	*600
SKW-Clinton Inc.	500	Donald Simpson	200
SKW Eskimos Inc.	500	Sites & Co.	*400
SLM, Inc.	*1000	Sitka Charr	500
S & S Enterprises	1000	Paul Skoglund	500
Sam Kito, Jr. & Assoc.	*1000	Donald Slone	1000
Sam Kito, Jr. & Assoc.	1000	Linda Slone	1000
Sam Kito, Jr. & Assoc., Inc.	*1000	Francis Smith, Jr.	*1000
Sam Kito, Jr. & Assoc., Inc.	1000	Fred Smith	1000
Kathy-Kerr Sanders	*325	Joe Smith	*1000
Pat Sanders	1000	T.E. Smith	*1000
Sandstrom & Sons, Inc.	**300	Thomas Smith	500
Sandstrom & Sons, Inc.	1700	Thomas R. Smith	*1000
Sandy's Maintenance Service	481	Gillian Smythe	1000
SAVE Way Equipment & Supply	*1000	Snake River Construction, Inc.	500
John Schaedler	500	Diana Snowden	*1000
Grace Berg Schaible	*1000	Stanley Sobocienski	**300
Charles F. Scherer	*600	Stanley Sobocienski	500
Michael Schneider	500	Sohioans Civic Contr. Fund	**1000
W.B. Schoephoester	*539	Sohioans Civic Contr. Fund	*1000

Four Senatorial candidates, A. Sturgulewski, R. Halford, F. Ferguson and J. Sackett, were unopposed both in the 1982 primary and general elections. Nevertheless, the four spent a total of \$111,461 on their campaigns.

A. Sturgulewski	\$42,734
J. Sackett	\$30,602
F. Ferguson	\$29,427
R. Halford	\$8,698

Most of this money was spent on traveling expenses, postage, brochures and public outreach. A smaller amount was used to buy pants, boots, a spice rack, a boat propellor and various other items.

Ways a surplus balance in a campaign account can be used:

- 1) the money may be given to a charity
- 2) the money may be used to repay contributors
- 3) a candidate may use the money as income if it exceeds the amount he or she has contributed to the campaign; however, it must be reported as income received for federal tax purposes
- 4) a candidate may use the money to repay himself or herself for personal contributions
- 5) a candidate may leave the money in the campaign account until the next time he or she runs for office
- 6) the money can be given to another candidate's campaign, a political party or to a ballot issue campaign
- 7) a winning candidate may transfer the money into his or her office allowance fund.

At the end of the 1982 campaigns, \$138,287 were left over from Senate races and \$88,697 remained from House races for a total amount of \$226,984. (These figures do not include campaigns that were in debt.)

Solly's in Kodiak	*1000	Marguerite Stanley	300
Solly's in Kodiak	1000	Stan Stevens Charters	*600
Joe Sonneman	*610	John Stelling	**300
Peter Soronson	*850	John Stelling	200
The Sorrento Hotel	*600	John Stern	*300
S.E. Stevedoring Corp.	500	John Stern	600
S.W. Land Title Co.	*500	Lorna Stern	*570
S.W. Pilots PAC	**200	Lorna Stern	100
S.W. Pilots PAC	200	Stoneway Electric Supply	**1000
Spenard Builders Supply, Inc.	*280	Stoneway Electric Supply	1000
Sandy Spencer	1000	W. Stuart Storie	1000
Sports Page	*1000	Richard Straub	*500
Gary Spreng	*200	Suddock & Hart	500
Gary Spreng	800	Richard Sweezey	*1000
Standard Oil of CA	*500	Justin Swift	*800
E.D. Stanley, Jr.	1000	Will Sykes	*1000
James Stanley	*545	Will Sykes	1000

forty-three

\$

TIP Educational Fund PAC	*1000	Valdez Engineering Inc.	**300
TIP Educational Fund PAC	1000	Valdez Engineering Inc.	*500
TMT Corp.	*500	Valdez Maritime Services	**300
Charles Taylor	**600	Valdez Market	**1000
Walter Teeland	*600	Valdez Market	*1000
Eugene Thayer	**500	Valdez Motor Corp.	**386
Thibodeau's Inc.	*500	Valley Center Development	400
Thomas Allen Lighting Systems	*975	VECO, Inc.	*1000
Jamsie Thomas	*1000	Louise Vicente	*465
Jamsie Thomas	500	R.B. Vickery	**300
Joe Thomas	*1000	Video Plex	*1000
Joseph Thomas	*1000	Visione Internacional	1000
Michael Thomas	500	Vorco Consultants	250
Ramon Thompson	*500	Richard Wagner	*1000
Mrs. James L. Thurman	**500	Richard Wagner	1000
Time Out Lounge, Inc.	500	Wesley Wallace	**400
Time Out Lounge, Inc.	**500	WAL PAC	2000
Mel Tipton	*500	Evelyn Walters	500
Mel Tipton	1000	George Walton	*1000
Tomann Investment Co.	*400	Washington-AK Group Services, Inc.	*500
Tom Thumb Montessori	*660	Washington Fish & Oyster Co.	600
Tona, Inc.	1000	Waterkist Corp.	**500
Felix Toner	*300	Ray Waters	*500
Felix Toner	1700	Bill Weimar	1000
Totem Inr.	**700	Chuck Weir	*900
Trans Alaska Helicopters, Inc.	*500	Charles Wells	*1000
Trans World Enterprises	1000	Wende's Hair Design	*510
Travalaska Tours	1000	Wende's Hair Design	200
Samuel Trivette	300	Mark Wertman	*700
Troll PAC	*1000	Charles West	*1000
Charles Tryck	750	Western AK Cooperative Marketing Assn	*300
UAW Region 6 PAC	1000	Westours Inc.	*1000
UFCW Active Ballot Club	1000	Westours Inc.	1000
Uchitel Co.	*1000	Westours Motorcoaches Inc.	*1000
Robert Uchitel	*1000	Westours Motorcoaches Inc.	1000
Unalakleet Native Corp.	500	White Buffalo	500
Union Building Co.	1250	Donna White	2000
United Auto Supply	*619	J.T. White	1000
United Cook Inlet Drift Assn.	500	Peter White	1000
United S.E. Alaska Gillnet Assn. PAC	*500	Stuart Whitehead	*300
U.S. Borax & Chemical Corp.	*1000	Stuart Whitehead	250
U.S. Borax & Chemical Corp.	1000	Melvin Wick	*400
University Mechanical Cont. Inc.	*500	Charles Wilder	1000
Linda Upton	*300	Wilder Construction	400
Uresco Construction Materials, Inc.	**1000	Keith Wildes	500
Uresco Construction Materials, Inc.	*1000	Joseph Wiley	1000
Uresco Construction Materials, Inc.	500	James Williams, Jr.	2000
Ted Vadman	600	George Williams	*300
Valdez Airlines	**585	Joseph Wilson	*500
Valdez Airlines	1000	Wilson & Wilson	*300
Valdez Amusements & Vending	*1000	Milton Wiltse	500
Valdez Amusements & Vending	1000	Tom Wimmer	*1000
		Rick Winther	*1000

Wohlforth & Flint	*500
Caroline Wohlforth	*300
Eric Wohlforth	*300
Donn Wonnell	*1000
Woronzof West, Inc.	*1000
H.E. Wright	*1000
Mrs. H.E. Wright	*1000
Virginia Wright	1000
Wrightway Auto Carriers, Inc.	*1000
Dave Wunsch	*796
William Wyatt	*1000
Laura Wyse	*523
Yellow Cab	986
Don Young	**1000
Don Young	*370
Joneen Young	*400
Margo Young	**1000
Young & Sanders, Inc.	1000
Yukon Alaska Holding LTD	*830
Yukon Distributors, Inc.	*1000
Yukon Distributors, Inc.	1000
Yukon Office Supply	*1000
Yukon Office Supply	1000
Phil Zarro	*550
Phil Zarro	150
Robert Ziegler	*269
Charlene Zint	*600

METHODOLOGY

All the figures used in this study came from the Alaska Public Offices Commission's (APOC) 1982 Contributors' Listing and the APOC's 1982 Annual Report. Our calculations either are the actual figures from the APOC or, in the case of sidebars, are based upon them.

The APOC's Contributors' Listing is structured around the contributors and to whom they gave money. The listing included here reverses this structure--it centers on the recipient and from whom they received money.

Neither listing contains ALL of the contributors for each legislator. The APOC identifies only political parties and their subdivisions, political action committees and any individual, business, corporation or organization that contributed over \$250 to a campaign. AkPIRG used the same definitions as did the APOC.

All references to monetary contributions in sidebars include only funds from contributors--personal funds, starting balances or equivalents of non-monetary contributions are not included. In the candidate-by-candidate listing, however, both monetary and non-monetary (in kind) contributions are listed.

There are two Mike Millers in the House of Representatives--Mike Miller from Juneau and Mike W. Miller from North Pole. The APOC distinguishes between the two by designating Mike M. Miller as Mike Miller and Mike W. Miller as Michael W. Miller. AkPIRG uses this distinction in its own list except in two places where it was obvious that "Mike Miller" was suppose to be "Michael W. Miller" (these changes are substantiated by the candidates' own contribution reports):

- 1) Fairbanks Education Assn. PACE
- 2) Republican District 18

In 1982, all Senate positions were open except for two, those held by Jay Kerttula and Richard Eliason. A reapportionment of precincts occurred in 1981 so that Vic Fischer, Don Gilman, Pat Rodey and John Sackett had to run for office in 1982 even though they had been elected in 1980. Normally Senators are elected every four years. Another court-ordered reapportionment process is underway in preparation for the '84 elections.

The Alaska Public Interest Research Group (AkPIRG) is a non-profit non-partisan research organization which is directed and supported by citizens of Alaska. In addition to producing such reports as this, AkPIRG represents Anchorage consumers on utility issues at the Alaska Public Utilities Commission through the Alaska Consumer Advocacy Program, publishes quarterly consumer guides and works on state economic issues.

Other AkPIRG publications:

Chaos in the Capital, by Richard Fineberg, 1982--\$5

What You Can Do About Your Utility's Rates and Services, 1983--free

Guide to Anchorage Banking Services, 1983--\$1

Alaskan Child Care Guide, 1983--\$1

While every effort was made to ensure the accuracy of this study, AkPIRG does not deny the possibility of error or omission on our part or on the part of the APOC. Since only winning candidates are included, AkPIRG does not intend this study to be the complete picture of the contribution practices of all PACs and special interest groups. Rather, we wish to give a more accurate indication of campaign contributions in Alaskan politics.

YES, I SUPPORT AKPIRG'S WORK!

I have enclosed my tax-deductible contribution for:

\$25 (regular membership)

\$100 (sponsorship)

\$10 (low income or student)

\$ _____ other

Name: _____

Address: _____

Telephone: _____

AkPIRG, P.O. Box 1093, Anchorage, Alaska 99510, Telephone (907) 278-3661



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

Pouch Y, State Capitol
Juneau, Alaska 99811
(907) 465-3991

December 13, 1984

MEMORANDUM

TO: Representative-Elect Katie Hurley

FROM: Heidi Borson Paine ^{HBP}
Legislative Analyst

RE: Fair Campaign Practices Legislation
Research Request 85-054

You requested information on state and federal legislation designed to prevent slanderous political campaigns. You also indicated specific interest in California fair campaign practices legislation. This memorandum presents an overview of federal and state statutes, as well as case laws which involve fair campaign practices. The conclusion of this memorandum discusses alternatives for Alaska.

To respond to this request, I contacted several national organizations including the National Conference of State Legislatures, Council of State Governments, Common Cause, and the American Bar Association. I also contacted the Federal Elections Commission and elections administrators in numerous states.

Federal Law

The Federal Election Campaign Act of 1971 (FECA) was the first major federal election reform law enacted since 1925. However, FECA regulation of campaign speech is limited and the law only addresses the issue of slander indirectly. Title 2, Section 441d of the United States Code requires anyone paying for a political statement in a newspaper, other publication or on any broadcasting station to state the name of the person, committee or organization paying for the communication and whether or not the candidate authorized the communication. According to Todd Johnson of the Federal Election Commission, there are no other federal laws concerning fair campaign practices.

Case Law

The First Amendment of the U.S. Constitution guarantees the right to free political expression. The Fourteenth Amendment protects this right

type of speech under the First Amendment of the Constitution. Mr. Peck contends that candidates in most states rely on general statutes concerning libel and slander for protection.

However, according to the National Conference of State Legislatures (NCSL), twenty states have statutes which address the use of deceptive speech in campaigns. Over half of the laws prohibit false statements made knowingly which challenge a candidate's character. For example, according to Montana Statute 13.35.234, it is unlawful to make or publish false statements about a candidate's character or morality or to knowingly misrepresent a candidate's voting record or positions on public issues. According to Jack Lowe of the Montana Department of Elections, this is the first statute in Montana which addresses false statements. He contends that the statute is rarely used because of the constitutional questions involved.

Statutes in some states prohibit specific types of statements in campaign speech. For example, Minnesota statutes prohibit erroneous statements of party support. Ohio statutes also forbid false statements such as remarks about an opposing candidate's incumbency, voting record, education, criminal and mental confinement record, and education.

I found that most state statutes concerning campaign ethics focus on literature disclosure and campaign tactics. These statutes do not directly regulate the content of political speech, but may help to prevent slanderous or unfair campaigns. For example, twenty-three states have statutes which require all political advertisements to include the name of the sponsoring person or group. Seven other states, California, Florida, Maine, Michigan, Pennsylvania, Texas and West Virginia, require that an advertisement indicate whether it has been officially endorsed by a candidate.

Other state statutes which regulate campaign practices focus on political espionage, undue influence of voters, and campaign "dirty" tricks. For example, Montana bans all political advertisements on election day in an effort to prevent unfair tactics. New York law prohibits placing agents in campaign organizations, bribing an opponent's staff, and wire-tapping. Other states prohibit theft of campaign materials.

Because of the protection given campaign practices under the First Amendment, enforcing statutes which regulate campaign practices is difficult. In most states, violations of campaign practices statutes are considered misdemeanors and are punished by a fine, imprisonment or both. Some states including Alabama, California, Kansas, Kentucky, Maryland, Minnesota, Montana, North Carolina, and Wisconsin also provide that a person convicted of a campaign violation is ineligible for public office for a specified period of time. In these states, a convicted elected official must resign.

from abridgment by state law. Because of these constitutional guarantees, state laws regulating political campaigns, and especially campaign speech, are subject to close scrutiny by the courts. Over the past 20 years, much case law has been developed to protect First Amendment rights in state political campaigns. Two of the most important cases are New York Times v. Sullivan, 84 S.Ct. 710 (1964), and Vanasco v. Schwartz, 410 F. Supp. 87 (1975).

In New York Times v. Sullivan, the U.S. Supreme Court established the "malice standard" by which the constitutionality of state laws regulating political campaign practices is judged. In its ruling, the court stated that:

The constitutional guarantee of freedom of speech and press prohibits a public official from recovering damages for a defamatory falsehood relating to his official conduct unless he proves that the statement was made with "actual malice", that is, with knowledge that it was false or with reckless disregard of whether it was false or not...¹

Furthermore, in explaining the New York Times' decision as it relates to campaign speech, the Supreme Court stated that the First Amendment "has its fullest and most urgent application in speech by candidates for public office."²

In Vanasco v. Schwartz, the U.S. Supreme Court ruled unconstitutional a mandatory New York Fair Campaign Code because of its "chilling effect" on free speech. The New York Fair Campaign Code prohibited the misrepresentation of a candidate's qualifications, position, or party affiliation and outlawed any attack on a candidate based on race, sex, religious affiliation, or ethnic background. The Supreme Court upheld a lower court ruling that state statutes concerning deceptive campaign speech must adhere to the malice standard established in New York Times v. Sullivan.

State Law

According to Robert Peck of the American Bar Association, few states have laws directly regulating the content of political speech because of the possibility of infringing upon First Amendment rights of free speech. He points out that political speech is the most well protected

¹New York Times v. Sullivan, 84 S.Ct. at 710 (1964).

²Romig, Candice. "Fair Campaign Practices", State Legislative Report, Vol. 8, No. 4, April 1983.

Furthermore, California and Montana have included voluntary campaign ethics codes in their statutes. These codes address malicious campaign speech and other unfair political practices. Reportedly, when only one candidate in a race chooses to sign the agreement, the opponent's refusal often becomes a major campaign issue in these states.

California Law

In June of 1984, the California electorate narrowly adopted Proposition 20. This constitutional amendment provides that a person making libelous or slanderous statements against an opposing candidate shall resign the seat to which elected where judicially found that: 1) the libel or slander was a major contributing cause in the defeat of an opposing candidate; and 2) the statement was made with knowledge that it was false or with reckless disregard of whether it was false or true.³

As you requested, I have attached copies of California's voluntary code of campaign ethics, Proposition 20, and the two bills proposed in the 1983-1984 session of the California Legislature. Assembly Bill 331 would have added a pledge to the code of ethics requiring the release of campaign-related advertisements to opponents 48 hours before dissemination. Assembly Bill 406 would have required candidates to sign a fair campaign practices agreement to be eligible to receive public campaign funds generated through tax returns. Neither bill passed.

Alternatives for Alaska

Currently, political candidates in Alaska are protected against libelous and slanderous campaigns under AS 15.56.010 (3). This statute specifically prohibits the circulation of false information in a campaign. Knowingly circulating false information which could damage a candidate's reputation is a class A misdemeanor. Under AS 15.56.110, the election of a candidate to the State legislature or municipal office who knowingly committed a corrupt campaign practice such as circulating false information is voidable. Alaska Statutes also require paid advertisements to be so marked and require the identification of the party responsible for any campaign literature. In addition, AS 15.56.020-.035 prohibits undue influence on elections and interference with voting.

³A similar measure was introduced during the 1983 session of the Illinois Legislature, but it did not get out of committee. Instead of removal from office, the penalty for libelous or slanderous statements would have been a 30-day jail term or a \$500 fine or both.

Representative-Elect Hurley
December 13, 1984
Page 5

These statutes are designed to help prevent unfair campaign practices. Alaska could consider additional measures for reducing the incidence of slanderous political campaigns. For example, Alaska could establish a commission or give authority to an existing agency to investigate complaints of libelous campaign literature and slanderous campaign speech. Robert Peck of the American Bar Association suggested assigning this duty to the agency which enforces the financial reporting requirements for political campaigns in Alaska, the Alaska Public Offices Commission. Alaska could also adopt a voluntary campaign ethics code. However, it appears that any proposed legislation which regulates political speech must be carefully scrutinized so as not to conflict with the constitutional rights of free speech and press.

* * * * *

I hope the information presented in this memorandum is helpful. Please contact me again if you have any additional questions.

HBP

Attachments

ELECTIONS CODE

ELECTIONS CODE

12513.

Chapter 6. Fair Campaign Practices

Article 1. General Intent

12500. Intent of legislature.

The Legislature hereby declares that the purpose of this chapter is to encourage every candidate for public office in this state to subscribe to the Code of Fair Campaign Practices.

It is the ultimate intent of the Legislature that every candidate for public office in this state who subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play in order that, after vigorously contested, but fairly conducted campaigns, the citizens of this state may exercise their constitutional right to vote, free from dishonest and unethical practices which tend to prevent the full and free expression of the will of the voters.

The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and to encourage candidates to discuss issues instead of untruths or distortions.

(Added by Stats. 1982, c. 855, §1.)

Article 2. Definitions

12510. Interpretation of chapter.

Unless otherwise indicated, the definitions set forth in this article shall govern the interpretation of this chapter.

(Added by Stats. 1982, c. 855, §1.)

12511. Definition of campaign advertising or communication.

"Campaign advertising or communication" means a communication authorized by a candidate or a candidate's controlled committee, as defined in Section 82016 of the Government Code, or by a committee making independent expenditures, as defined in Section 82031 of the Government Code, for the purpose of advocating the election or defeat of a qualified candidate through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type of general, public, political advertising.

(Added by Stats. 1982, c. 855, §1.)

12512. Definition of candidate for public office.

"Candidate for public office" means an individual who has qualified to have his or her name listed on the ballot of any election, or who has qualified to have written votes on his or her behalf counted by election officials, for nomination for, or election to, any state, regional, county, municipal, or district office which is filled at an election. The provisions of this chapter do not apply to candidates for federal office.

(Added by Stats. 1982, c. 855, §1.)

12513. Definition of code.

"Code" means the Code of Fair Campaign Practices.

(Added by Stats. 1982, c. 855, §1.)

12520.

ELECTIONS CODE

Article 3. Code of Fair Campaign Practices

12520. Subscription to code; form.

At the time an individual files his or her declaration of candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, the county clerk, shall give the individual a blank form of the Code of Fair Campaign Practices and a copy of the provisions of this chapter. The county clerk shall inform each candidate for public office that subscription to the code is voluntary.

In the case of a committee making an independent expenditure within the meaning of Section 12511, the Secretary of State shall provide a blank form and a copy of the provisions of this chapter to the individual filing, in accordance with Title 9 (commencing with Section 81000) of the Government Code, an initial campaign statement on behalf of the committee.

The text of the code shall read, as follows:

CODE OF FAIR CAMPAIGN PRACTICES

There are basic principles of decency, honesty, and fair play which every candidate for public office in the State of California has a moral obligation to observe and uphold, in order that, after vigorously contested, but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

(1) I SHALL CONDUCT my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponents or political parties which merit such criticism.

(2) I SHALL NOT USE OR PERMIT the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his or her personal or family life.

(3) I SHALL NOT USE OR PERMIT any appeal to negative prejudice based on race, sex, religion, national origin, physical health status, or age.

(4) I SHALL NOT USE OR PERMIT any dishonest or unethical practice which tends to corrupt or undermine our American system of free elections, or which hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting.

(5) I SHALL NOT coerce election help or campaign contributions for myself or for any other candidate from my employees.

(6) I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE support deriving from any individual or group which resorts, on behalf of my candidacy or in opposition to that of my opponent, to the methods and tactics which I condemn. I shall accept responsibility to take firm action against any subordinate who violates any provision of this code or the laws governing elections.

(7) I SHALL DEFEND AND UPHOLD the right of every qualified American voter to full and equal participation in the electoral process.

ELECTIONS CODE

ELECTIONS CODE

12526.

I, the undersigned, candidate for election to public office in the State of California or treasurer or chairman of a committee making any independent expenditures, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.

Date	Signature
<i>(Added by Stats. 1982, c. 855, §1.)</i>	

12522. Supply of forms.

The Secretary of State shall print or cause to be printed, blank forms of the code. The Secretary of State shall supply the forms to the county clerks in quantities and at times requested by the clerks.

(Added by Stats. 1982, c. 855, §1.)

12523. Retention of forms; public inspection.

The county clerk shall accept, at all times prior to the election, all completed forms which are properly subscribed to by a candidate for public office and shall retain them for public inspection until 30 days after the election.

(Added by Stats. 1982, c. 855, §1.)

12524. Public record.

Every code subscribed to by a candidate for public office pursuant to this chapter is a public record open for public inspection.

(Added by Stats. 1982, c. 855, §1.)

12525. Voluntary.

In no event shall a candidate for public office be required to subscribe to or endorse the code.

(Added by Stats. 1982, c. 855, §1.)

12526. Operative date of chapter.

This chapter shall be operative only until January 1, 1989, and as of that date is repealed.

(Added by Stats. 1982, c. 855, §1.)

Elected Officials. Disqualification for Libelous or Slanderous Campaign Statements

Official Title and Summary Prepared by the Attorney General

ELECTED OFFICIALS. DISQUALIFICATION FOR LIBELOUS OR SLANDEROUS CAMPAIGN STATEMENTS. LEGISLATIVE CONSTITUTIONAL AMENDMENT. Adds a section to the Constitution providing that no person who is found liable in a civil action for making libelous or slanderous statements against an opposing candidate during an election campaign shall retain the seat to which elected where it is judicially found that: (1) the libel or slander was a major contributing cause in the defeat of an opposing candidate and (2) the statement was made with knowledge that it was false or with reckless disregard of whether it was false or true. Contains other provisions. Summary of Legislative Analyst's estimate of net state and local government fiscal impact: Adoption of this measure would have no direct fiscal effect on the state or local governments. If, however, a successful candidate were disqualified from assuming or holding office as a result of the measure, local governments could incur additional costs if an election had to be held to fill the vacancy. These costs could be significant if the election did not coincide with a regularly scheduled election.

Final Vote Cast by the Legislature on ACA 74 (Proposition 20)

Assembly: Ayes 75
Noes 0

Senate: Ayes 29
Noes 5

Analysis by the Legislative Analyst

Background

The first amendment to the Federal Constitution guarantees the right of free speech. Article I of the State Constitution contains a similar provision. Neither Constitution, however, protects a person who makes libelous or slanderous statements. Libel and slander are broadly defined as untrue written or oral communications which have a natural tendency to injure a person's reputation, either generally or with respect to his or her occupation. Anyone so injured may file a lawsuit against the person alleged to have committed the libel or slander. Under certain circumstances, however, spoken and written communications are considered "privileged" and therefore exempt from civil liability. This is true of communications that occur in connection with legislative, judicial or other official proceedings.

Under current law, libel or slander actions are given "special precedence" (that is, priority consideration) by the court system over other civil actions. The penalty levied against a person found to have made a libelous or slanderous statement is a monetary award, payable to the injured party.

Proposal

This measure adds to the State Constitution a provision that would prevent any successful candidate for the U.S.

Senate, the U.S. House of Representatives, a state elective office or a local elective office in California from holding that office, if

- that person is found in a civil action to have made a libelous or slanderous statement against an opposing candidate during the course of the election campaign.
- the libelous or slanderous statement was a major contributing cause in the defeat of the opposing candidate, and
- the statement was made with actual knowledge that it was false or with reckless disregard of whether it was false or true.

The measure specifies that the vacancy in the public office shall occur only after the trial court decision has become final. Vacancies created as a result of this measure would be filled in the manner provided by existing law.

Fiscal Effect

Adoption of this measure would have no direct fiscal effect on the state or local governments.

If, however, a successful candidate were disqualified from assuming or holding office as a result of the measure, local governments could incur additional costs if an election had to be held to fill the vacancy. These costs could be significant if the election did not coincide with a regularly scheduled election.

Text of Proposed Law

This amendment proposed by Assembly Constitutional Amendment 74 (Statutes of 1982, Resolution Chapter 181) expressly amends the Constitution by adding a section thereto; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED AMENDMENT TO ARTICLE VII

SEC. 10. (a) No person who is found liable in a civil action for making libelous or slanderous statements against an opposing candidate during the course of an election campaign for any federal, statewide, Board of Equalization, or legislative office or for any county, city and county, city, district, or any other local elective office shall retain the seat to which he or she is elected, where it is established that the libel or slander was a major contributing cause in the defeat of an opposing candidate.

A libelous or slanderous statement shall be deemed to have been made by a person within the meaning of this section if that person actually made the statement or if the person actually or constructively assented to, authorized, or ratified the statement.

"Federal office," as used in this section means the office of United States Senator and Member of the House of Representatives; and to the extent that the provisions of this section do not conflict with any provision of federal law, it is intended that candidates seeking the office of United States Senator or Member of the House of Representatives comply with this section.

(b) In order to determine whether libelous or slanderous statements were a major contributing cause in the defeat of an opposing candidate, the trier of fact shall make a separate, distinct finding on that issue. If the trier of fact finds that libel or slander was a major contributing cause in the defeat of an opposing candidate and that the libelous or slanderous statement was made with knowledge that it was false or with reckless disregard of whether it was false or true, the person holding office shall be disqualified from or shall forfeit that office as provided in subdivision (d). The findings required by this section shall be in writing and shall be incorporated as part of the judgment.

(c) In a case where a person is disqualified from holding office or is required to forfeit an office under subdivisions (a) and (b), that disqualification or forfeiture shall create a vacancy in office, which vacancy shall be filled in the manner provided by law for the filling of a vacancy in that particular office.

(d) Once the judgment of liability is entered by the trial court and the time for filing a notice of appeal has expired, or all possibility of direct attack in the courts of this state has been finally exhausted, the person shall be disqualified from or shall forfeit the office involved in that election and shall have no authority to exercise the powers or perform the duties of the office.

(e) This section shall apply to libelous or slanderous statements made on or after the effective date of this section.

AMENDED IN SENATE SEPTEMBER 6, 1983

AMENDED IN SENATE AUGUST 26, 1983

AMENDED IN ASSEMBLY MAY 4, 1983

AMENDED IN ASSEMBLY APRIL 21, 1983

CALIFORNIA LEGISLATURE—1983-84 REGULAR SESSION

ASSEMBLY BILL

No. 311

Introduced by Assemblyman Connelly

January 19, 1983

An act to amend Section 12520 of, and to add Section 12521 to, the Elections Code, relating to elections; and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 311, as amended, Connelly. Elections: Code of Fair Campaign Practices.

Existing law provides for a voluntary subscription by candidates for state or local office to a Code of Fair Campaign Practices which contains specified pledges.

This bill would add a pledge to the code regarding the release of campaign-related advertisements to opponents 48 hours prior to dissemination, as specified.

This bill also specifies under which circumstances the code would apply and would require that the election official responsible for preparation of the ballot note on the sample and official ballots whether a candidate has signed the code, and would provide for penalties under specified circumstances.

This bill would impose a state-mandated local program by requiring local election officials to perform specified tasks.

The bill appropriates \$3,000 to reimburse local agencies and school districts for their costs.

This bill would provide that notwithstanding Section 2231.5 of the Revenue and Taxation Code, this act does not contain a repealer, as required by that section; therefore, the provisions of the act would remain in effect unless and until they are amended or repealed by a later enacted act.

Vote: $\frac{2}{3}$ majority. Appropriation: ~~yes~~ no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12520 of the Elections Code is
2 amended to read:

3 12520. At the time an individual files his or her
4 declaration of candidacy, nomination papers, or any
5 other paper evidencing an intention to be a candidate for
6 public office, the clerk, shall give the individual a blank
7 form of the Code of Fair Campaign Practices and a copy
8 of the provisions of this chapter. The clerk shall inform
9 each candidate for public office that subscription to the
10 code is voluntary. Any candidate who has not properly
11 executed and delivered the code to the appropriate
12 election official in the county of the candidate's residence
13 within five days following the filing of nomination papers
14 in the case of a primary election or within five days
15 following the primary election in the case of the general
16 election shall be deemed to have refused to sign the code.

17 In the case of a committee making an independent
18 expenditure within the meaning of Section 12511, the
19 Secretary of State shall provide a blank form and a copy
20 of the provisions of this chapter to the individual filing, in
21 accordance with Title 9 (commencing with Section
22 81000) of the Government Code, an initial campaign
23 statement on behalf of the committee.

24 The text of the code shall read, as follows:

25 CODE OF FAIR CAMPAIGN PRACTICES

26 There are basic principles of decency, honesty, and fair
27 play which every candidate for public office in the State
28 of California has a moral obligation to observe and
29 uphold, in order that, after vigorously contested, but
30

1 fairly conducted campaigns, our citizens may ex-
2 their constitutional right to a free and untram-
3 choice and the will of the people may be fully and
4 expressed on the issues.

5 THEREFORE:

6 (1) I SHALL CONDUCT my campaign open
7 publicly, discussing the issues as I see them, pres-
8 my record and policies with sincerity and frankne-
9 criticizing without fear or favor the record and pol-
10 my opponents or political parties which meri-
11 criticism.

12 (2) I SHALL NOT USE OR PERMIT the
13 character defamation, whispering campaigns,
14 slander, or scurrilous attacks on any candidate or
15 her personal or family life.

16 (3) I SHALL NOT USE OR PERMIT any ap-
17 negative prejudice based on race, sex, religion, na-
18 origin, physical health status, or age.

19 (4) I SHALL NOT USE OR PERMIT any disho-
20 unethical practice which tends to corrupt or unde-
21 our American system of free elections, or which ha-
22 or prevents the full and free expression of the will
23 voters including acts intended to hinder or preve-
24 eligible person from registering to vote, enrolling t
25 or voting.

26 (5) I SHALL provide to my opponents, a
27 addresses they specify on their Code of Fair Cam-
28 Practices form, and for public inspection t
29 appropriate election official in the most populous c
30 in the district in which I am seeking election or
31 Secretary of State if I am a candidate for statewide
32 48 hours prior to dissemination by me or my con-
33 committee, the text of any campaign advertisi-
34 communication which refers to my opponent by na-
35 innuendo.

36 (6) I SHALL NOT coerce election help or can-
37 contributions for myself or for any other candidat-
38 my employees.

39 (7) I SHALL IMMEDIATELY AND PUBLI-
40 REPUDIATE support deriving from any individ

1 group which resorts, on behalf of my candidacy or in
2 opposition to that of my opponent, to the methods and
3 tactics which I condemn. I shall accept responsibility to
4 take firm action against any subordinate who violates any
5 provision of this code or the laws governing elections.

6 (8) I SHALL DEFEND AND UPHOLD the right of
7 every qualified American voter to full and equal
8 participation in the electoral process.

9 I, the undersigned, candidate for election to public
10 office in the State of California or treasurer or chairman
11 of a committee making any independent expenditures,
12 hereby voluntarily endorse, subscribe to, and solemnly
13 pledge myself to conduct my campaign in accordance
14 with the above principles and practices.

15	_____	_____
16		
17	Date	Signature
18		
19	_____	
20	Campaign address	
21		

22 SEC. 2. Section 12521 is added to the Elections Code,
23 to read:

24 12521. (a) Provision 5 of the Code of Fair Campaign
25 Practices shall only apply as follows:

26 (1) In primary elections if all candidates seeking the
27 nomination of the political party for a particular office
28 sign the Code.

29 (2) In General Elections if all candidates for a
30 particular office, representing the political parties which
31 comprise 10 percent or more of the registered voters in
32 the state, sign the Code.

33 (3) In local and nonpartisan races or elections if all
34 candidates for a particular office sign the Code.

35 (b) The election official responsible for preparation of
36 the ballot shall cause to be printed, at each election in
37 which candidates' names are printed on the ballot, an
38 asterisk (*) a check (-) next to the name of each
39 candidate who has signed the Code of Fair Campaign
40 Practices on both the sample ballots and the official

1 ballots.

2 The instructions to the voters shall be revised to r
3 an explanation of the use of the asterisk in those ele
4 in which it is used. These instructions shall be print
5 the sample ballots and on each page or card on the o
6 ballots on which candidates' names are printed or on
7 page of the votomatic device on which candidates' n
8 appear.

9 (c) Any person, who after agreeing to sign the
10 publicly distributes, either personally or through
11 her controlled committee, any campaign-r
12 advertisements or communication in violatio
13 provision 5 of the code shall be liable in a civil
14 brought by the district attorney in the county whe
15 violation occurred for an amount up to five hu
16 dollars (\$500) or the full cost of the productio
17 distribution of that communication, whichever is gr

18 SEC. 3. Notwithstanding Section 2231.5 o
19 Revenue and Taxation Code, this act does not con
20 repealer, as required by that section; therefor
21 provisions of this act shall remain in effect unle
22 until they are amended or repealed by a later ac
23 act.

24 SEC. 4. The sum of three thousand dollars ~~(\$2,~~
25 hereby appropriated from the General Fund :
26 Controller for allocation and disbursement in accor
27 with Section 2231 of the Revenue and Taxation C
28 local agencies and school districts to reimburse th
29 costs mandated by the state and incurred by
30 pursuant to this act.

O

AMENDED IN SENATE AUGUST 15, 1983

AMENDED IN SENATE JUNE 27, 1983

AMENDED IN ASSEMBLY MAY 11, 1983

AMENDED IN ASSEMBLY MAY 3, 1983

CALIFORNIA LEGISLATURE—1983-84 REGULAR SESSION

ASSEMBLY BILL

No. 406

Introduced by Assemblymen Davis, Chacon, Elder, Farr,
Harris, Hauser, Hayden, Katz, Klehs, Peace, and
Vasconcellos

(Coauthors: Senators Dills, Garamendi, Leroy Greene,
McCorquodale, Presley, Robbins, Torres, and Watson)

January 31, 1983

An act to amend Sections 32002 and 32004 of, and to add Sections 32001.5 and 32005 to, the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 406, as amended, Davis. Elections: public campaign financing.

Under existing law, the California Election Campaign Fund Act permits individuals to designate on the applicable tax return the payment of specified various amounts, in addition to their tax liability, to the California Election Campaign Fund. The act provides for the disbursement of the moneys in that fund to qualified political parties, as specified, and prescribes the procedures and allocation of those funds by those parties to candidates for state office at statewide general elections.

This bill would create a Fair Campaign Practices Agreement, as specified, and would require candidates to sign

agreement to be eligible to receive public campaign
 is bill would also provide that the state assures those
 iduals who elect to make payment for campaign
 ibutions on their tax returns that their contributions
 only be made or transferred to candidates who sign the
 ment.
 is bill would specify civil penalties which would be
 sed on those candidates who sign the agreement and
 e specified provisions of the agreement.
 te: majority. Appropriation: no. Fiscal committee: yes.
 -mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 32001.5 is added to the Elections Code, to read:

32001.5. The Legislature further finds and declares that this act also seeks to encourage public participation and to encourage individuals to make small contributions and thereby participate in political campaigns by promising and providing assurances that all funds collected by the state for disbursements to political parties will, in turn, be contributed or transferred only to candidates who have agreed to conduct their campaigns in an ethical, fair, open, and honest fashion.

SEC. 2. Section 32002 of the Elections Code is amended to read:

32002. (a) Every individual, who is lawfully able to make contributions to qualified political parties in California, may designate the payment of one dollar (\$1), five dollars (\$5), ten dollars (\$10), or twenty-five dollars (\$25), in addition to his or her income tax liability to be paid over to the California Election Campaign Fund in accordance with the provisions of this chapter. In the case of a joint return of individuals, each spouse may separately designate that one dollar (\$1), five dollars (\$5), ten dollars (\$10), or twenty-five dollars (\$25), shall be paid to that fund.

(b) For the purposes of subdivision (a), the California

1 income tax liability of an individual for any taxable year
 2 is the amount of his or her total income tax liability for
 3 that taxable year pursuant to the applicable provisions of
 4 the Revenue and Taxation Code.

5 (c) If an individual chooses to contribute an amount as
 6 provided for in subdivision (a) to the California Election
 7 Campaign Fund under subdivision (a), he or she shall
 8 designate on the applicable California tax return which of
 9 the qualified political parties of the State of California the
 10 contribution shall benefit. The Franchise Tax Board shall
 11 revise the forms for reporting California tax liability in
 12 accordance with this section.

13 (d) The state shall assure all persons making political
 14 contributions pursuant to this section that no such
 15 contribution shall be made or transferred by a political
 16 party to a candidate who has failed to sign the Fair
 17 Campaign Practices Agreement specified in subdivision
 18 (f) of Section 32004. The following statement shall appear
 19 in any instruction manual prepared by the Franchise Tax
 20 Board to explain the provisions of this section to the
 21 taxpayer:

22 "The state assures that no political contribution
 23 collected by the Franchise Tax Board for disbursement to
 24 official political parties will be contributed or transferred
 25 to any candidate who has failed to sign the Fair Campaign
 26 Practices Agreement."

27 SEC. 3. Section 32004 of the Elections Code is
 28 amended to read:

29 32004. On or before each calendar year, the Secretary
 30 of State shall forward to the Franchise Tax Board a list of
 31 qualified political parties. Qualification in the State of
 32 California shall be determined in accordance with
 33 Section 6430 of the Elections Code from the most recent
 34 election for which officially canvassed results are
 35 available. Any sums designated to a political party which
 36 are not qualified pursuant to this section shall be retained
 37 by the state for its General Fund.

38 (a) The Chair of the State Central Committee of each
 39 political party receiving payments pursuant to this
 40 division shall segregate those moneys and disburse them

only upon his or her determination that a majority of a committee composed as follows concurs in each such disbursement:

(1) Chair of that party.

(2) As to the majority party of the Assembly, its Speaker; or, as to each minority party of the Assembly, that party's Minority Leader.

(3) As to the majority party of the Senate, its President pro Tempore; or, as to each minority party of the Senate, that party's Minority Leader.

(b) As to any party unrepresented by both paragraphs (2) and (3) of subdivision (a), its chair shall be the sole member of the committee provided for in subdivision (a).

(c) As to any party unrepresented by one, but not both, of the categories specified in paragraphs (2) and (3) of subdivision (a), the two members of that committee provided for by subdivision (a) shall choose a third member to serve for each calendar year.

(d) Any funds received by a committee's political party which are disbursed by the committee to candidates shall be disbursed only to candidates for state office in connection with a statewide general election who have signed the Fair Campaign Practices Agreement specified in subdivision (e).

However, this provision shall not apply to a candidate who signs the Fair Campaign Practices Agreement but is opposed by a candidate who declines to sign the Fair Campaign Practices Agreement.

(e) The text of the Fair Campaign Practices Agreement shall read as follows:

FAIR CAMPAIGN PRACTICES AGREEMENT

I. Fair Campaign Pledge

I pledge to conduct my campaign for public office openly and fairly. I also will not use or permit the use of any campaign advertisement which falsifies the facts regarding my opponents. In addition I will publicly repudiate support deriving from any individual or group

1 who uses or permits the use of any campaign
2 advertisement which falsifies the facts regarding my
3 opponents.

4 II. Specific Agreements

6 I further agree to the following specific conditions:

7 (1) I will clearly identify myself (or my campaign
8 committees) as the sender of all my campaign
9 advertisements.

10 (2) During the campaign I agree to provide to my
11 opponent and to the newspapers of two newspapers of
12 the widest general circulation within the district which
13 newspapers were most recently used by the county clerk
14 in publishing notices pursuant to Section 6588 of the
15 Elections Code, the text of all campaign advertisements
16 which name or make either direct or indirect reference
17 to my opponent at least 24 hours before they are placed
18 in the mail and 48 hours before they are broadcast or
19 otherwise published.

21 III. Submission of Advertisements

22 I shall designate one individual and one delivery
23 address to receive campaign advertisements which name
24 or make either direct or indirect reference to my
25 candidacy within 24 hours following my certification as
26 the candidate of my party for the general election.

27 I agree to submit the text of any campaign
28 advertisement which names or makes either direct or
29 indirect reference to my opponent, to the individuals
30 designated by my opponent and to the newspapers
31 referred to above, at least 24 hours before the
32 advertisement is placed in the mail and 48 hours before
33 they are broadcast, or otherwise published.

34 In addition, I agree that the text of any campaign
35 advertisement which names or makes either direct or
36 indirect reference to my opponent, and which will be
37 received in the mail, broadcast, or otherwise delivered
38 during the last seven days of the campaign, will be
39 furnished to my opponent and to the newspapers
40 referred to above at least 48 hours before it is mailed.

1 broadcast, or otherwise published.

2 I acknowledge that I am civilly liable for failure to
3 comply with the advance notice requirement of this
4 agreement.

5
6 Signature _____ Signature _____
7 Date _____ Date _____

8
9 (f) For purposes of the Fair Campaign Practices
10 Agreement "campaign advertisement" means a
11 communication authorized by a candidate or a
12 candidate's controlled committee, as defined in Section
13 82016 of the Government Code, for the purpose of
14 advocating the election or defeat of a qualified candidate
15 through any broadcasting station, newspaper, magazine,
16 outdoor advertising facility, direct mailing, or any other
17 type of general, public, political advertising, including,
18 but not limited to, recorded telephone messages and
19 printed materials which are publicly distributed.

20 SEC. 5. Section 32005 is added to the Elections Code,
21 to read:

22 32005. Any person who after signing the Fair
23 Campaign Practices Agreement fails to provide
24 campaign advertisements as required by the agreement
25 shall be liable in a civil action brought by the Attorney
26 General or by a person residing within the jurisdiction of
27 the candidate in question for an amount of ten thousand
28 dollars (\$10,000) or three times the amount of the cost of
29 the campaign advertisement, whichever is greater.

30 SEC. 6. In the event that the Franchise Tax Board
31 redesigns the tax form so that space is available to print
32 the statement, "The state assures that no political
33 contribution collected by the Franchise Tax Board for
34 disbursement to official political parties will be
35 contributed or transferred to any candidate who has
36 failed to sign the Fair Campaign Practices Agreement"
37 on the tax form, the statement shall also be printed on the
38 tax form.

House Research Agency
Pouch Y, State Capitol
Juneau, Alaska 99811
465-3991

Fair Campaign Practices
KEY WORD: Legislation

Research Request Number: 85-054

RESEARCH EVALUATION

TO: Representative-Elect Katie Hurley
FROM: David Teal, Director
RE: Evaluation of Research Products

To assist us in improving the quality of our research services, we would appreciate your response to the following questions.

- Was the information unbiased?
- Did it provide answers to (or, at least, useful information on) all the questions you posed?
- Was the research completed and delivered to you in a timely manner?
- Was it clearly written?
- May we release this information to the public?
 - I approve the release of this information.
 - I approve the release of this information, but please remove my name.
 - I do not approve the release of this information; maintain confidentiality.

Date

Signature

Please be assured that we will take your comments seriously in performing future research for you.

Please return to House Research Agency, Mail Stop 3100.

Lidia Basou Aine

Legislative Analyst
Thank you.

MEMORANDUM

State of Alaska

[3]

TO: APOC Members

DATE: June 17, 1985

FILE NO:

TELEPHONE NO:

FROM: Chris Johansen
Associate Coordinator
Campaign Disclosure

SUBJECT: APOC Case 85-2-CD
Clossey, McConkey, Norris

RECOMMENDATION

The staff requests this Commission order the issuance of notice to the respondents and a separate hearing be scheduled prior to the next Commission meeting to determine whether some or all of the matters contained in this staff memorandum or any subsequent notice be criminally referred to the District Attorney or for final assessment of a civil penalty.

PROCEDURAL HISTORY

This matter commenced when the staff received depositions by Ms. Sarah Clossey and Mr. Joe Norris in the matter of Flood v. Clossey, 3 AN-84-10829 Civil, Superior Court, Third Judicial District; at 3 - 129. From the staff's review, it was clear the circulation of the attached flyer (at 130 - 131) expressly advocated the defeat of a clearly identified candidate, Mr. Joe Flood. Staff demanded the filing of the appropriate reports by Mr. William McConkey, Ms. Sarah Clossey and Mr. Joe Norris, persons identified in the depositions as being actively involved in the financing and issuance of the Flood flyer. Staff Correspondence at 132 - 133.

Upon their failure to file reports in a timely manner, the staff commenced a preliminary investigation pursuant to 2 A.A.C. 50.460(a). Notice of the charges, together with subpoena duces tecums, was given on May 31, 1985. 2 A.A.C. 50.460(a)(2). Staff Correspondence at 134 - 142, without exhibits. On June 3, 1985, separate written responses were received indicating the activity was reportable as an independent expenditure on a Form 15-6 by Ms. Sarah Clossey. McConkey Response, at 143; Clossey Response, at 144 - 145; Norris Response, at 145. Mr. Norris and Ms. Clossey have retained an attorney, Mr. John Wood, Esq. Mr. McConkey has also retained an attorney and filed an additional written response, dated June 14, 1985, at 147 - 165.

2 A.A.C. 50.460(d) requires the staff to recommend continued investigation, dismissal or notice and hearing for an appropriate referral disposition. The staff sees no justification for dismissal of this matter, no need for continued investigation (other than the normal discovery procedures pursuant to the notice and hearing), and recommends the matter be reviewed by a hearing officer at a separate hearing, with findings of fact and conclusions of law, together with a recommended disposition issued to the Commission at the next regularly scheduled meeting.

The staff believes it presently has some evidence to justify a reasonable person to conclude this matter should be dealt with by the District Attorney in a criminal court, whether he or she be convinced there is sufficient cause to proceed against all or some of the respondents. A.S. 15.13.120 contains somewhat clear criminal sanctions against persons failing to file reports, dealing with cash in excess of \$100 in a campaign, making excessive contributions to a clearly identified candidate, failing to file group reports, and failing to register as a deputy treasurer.

Although the list of possible criminal sanctions is by no means complete (a notice of hearing may contain more or less), the conduct is sufficiently culpable in staff's opinion to justify further proceedings and, hopefully, a final decision by the Commission, whether it be dismissal of the criminal and civil penalty allegations, or referral to the Department of Law for court proceedings.

SUFFICIENT EVIDENCE EXISTS TO JUSTIFY NOTICE AND HEARING
FOR DISMISSAL, CRIMINAL REFERRAL AND FINAL CIVIL PENALTY ASSESSMENT

The staff is not prepared at this time, nor should it be required, to prove each and every criminal and civil penalty matter raised in this matter at this Commission meeting. The staff takes the position there is some evidence of possible criminal conduct to justify notice and hearing.

The evidence which staff believes justifies notice and hearing is the failure of Ms. Clossey to file reports. A.S. 15.13.120(a)(1). The evidence the staff has in its possession that indicates criminal intent is a staff memorandum regarding a phone conversation the undersigned had with Ms. Vickie Rippie, an employee of the Daily News at the time this matter occurred. It is the staff belief Ms. Rippie will testify at the hearing she informed Ms. Sarah Clossey in person of her obligation to report her contemplated activities to the APOC in a timely manner. Ms. Rippie is a former deputy director of the APOC. Staff Memorandum at 166 - 167.

The evidence staff believes justifies further proceedings against Mr. Norris is contained in the depositions and his conversations with the undersigned. In the depositions he has stated that he borrowed the money for the flyer from an unidentified person, and loaned the money to Ms. Clossey for the ad. Further, he has stated that he made a cash payment in the amount of \$1,920. for the flyer to Mr. McConkey. Staff Memorandum at 166 - 167. These actions and failures to act are believed by staff to be sufficiently culpable to justify further proceedings on whether contributions were made in the name of another, excessive contributions were made, and excessive cash payments. A.S. 15.13.120(a), A.S. 15.13.070(b)-(e).

Likewise, sufficient evidence exists at this preliminary stage for further proceedings concerning Mr. William McConkey, the campaign consultant for the Senator Abood campaign. In Mr. McConkey's written responses he has repeatedly denied consulting with or cooperating with the Abood campaign in the issuance of the flyer.

The staff takes a different position. Staff will argue before a hearing

officer and subsequently before this Commission that a campaign consultant retained by the Senator Abood campaign financed, received, and passed on an excessive contribution to the Abood senatorial campaign. Staff will argue it is impossible as a matter of law for a campaign consultant in Mr. McConkey's situation to assist another to make an independent expenditure. Regulation 2 A.A.C. 50.351 provides that payments made in cooperation with a candidate's "campaign committee" are contributions, not independent expenditures.

Secondly, Ms. Linda Weifred, a reporter for Channel 2 News, has assured staff she will testify she appeared at the Legislative Information Office in Anchorage prior to the issuance of the flyer, met with Senator Abood in a public place, and was handed a stack of legal documents by him containing the same information that formed the basis for the Clossey flyer. This fact deserves further development by the staff at a hearing and shows, as a preliminary matter, factual evidence in staff's opinion of cooperation and consultation with the Abood campaign.

Through his attorney, Mr. McConkey repeats his assertion he was assisting Ms. Clossey to make an independent expenditure. The staff considers this assertion as premature and not justifying dismissal of this matter at this initial stage. The basis for the staff request for a hearing is to test through the fact-finding process whether Mr. McConkey has indeed committed any criminal or civil penalty offenses, and his assertion he was merely assisting another to make an independent expenditure may justify dismissal at a later stage. However, the staff considers the hearing regulations of the APOC as suitably adopted for these type of factual and legal disputes, and staff suggests a notice of hearing should issue so that the matter can be explored further.

Mr. McConkey's written response also raises a defense the APOC staff is acting without subject matter jurisdiction. Again, this is a defense that could be appropriately raised before a hearing officer, and then before the Commission upon review, not before the Commission has determined whether notice should issue in the first instance. However, the staff feels this activity expressly advocated the defeat of a clearly identified candidate, was reportable in some fashion, and has been pursued by staff with narrowly drawn and limited subpoena duces tecums. The staff has sought and Mr. McConkey has, in part, supplied documents concerning a single transaction. We do not consider objections regarding already produced documents as being ripe for Commission review at the June 24-25th meeting.

It is the staff opinion at this stage of investigation that the evidence at a hearing and a recommendation by a hearing officer will conclude Mr. McConkey's conduct was sufficiently culpable to justify referral of this matter to the District Attorney for further proceedings, and we recommend herein that the notice and hearing procedures be initiated.

FURTHER PROCEEDINGS

If this Commission believes the matter should proceed pursuant to the notice and hearing regulations, the staff requests power to

take appropriate depositions, issue all necessary and proper subpoenas, and authority to direct the Attorney General to take any enforcement proceedings to compel discovery. The staff recommends a request for a staff attorney, and a request by the Commission for the appointment of a hearing officer.

JERMAIN, DUNNAGAN & OWENS

ATTORNEYS AT LAW

3000 A STREET, SUITE 300
ANCHORAGE, ALASKA 99503

TELEPHONE
AREA CODE 907
563-6644

WILLIAM K. JERMAIN
CHARLES A. DUNNAGAN
BRADLEY D. OWENS
RANDALL G. SIMPSON
HOWARD S. TRICKET
GREGORY C. TAYLOR

GARY C. SLEEPER
GEORGE T. FREEMAN
JERALD M. REICHLIN
CONSTANCE E. LIVSEY

ERIC OLSON
OF COUNSEL

May 8, 1985

ARRIVED

Chris Johansen
Alaska Public Offices Commission
610 C Street, Suite 211
Anchorage, Alaska 99501

MAY 8 1985

APOC-ANCH
PM HC

RE: Sara Clossey

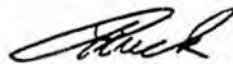
Dear Chris:

I enclose copies of two depositions taken in the recently-dismissed case of Flood v. Clossey. Clossey allegedly paid Bill McConkey \$2,000.00 to give her help in preparing the flier which she mailed in opposition to Joe Flood's candidacy. The money was apparently borrowed from Joe Norris who claims to have borrowed it from a source which he refuses to disclose. This and other matters throughout the depositions weave a story which reasonable men might find suspect. I invite you to give the depositions independent review. Perhaps you will decide that further investigation of this matter is warranted.

Although I have discussed my actions with Joe Flood, I did not request his consent in contacting you. I am acting independently in that regard.

Best regards,

JERMAIN, DUNNAGAN & OWENS



Charles A. Dunnagan

CAD/jv
Enclosures
cc: Joe Flood

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

JOSEPH FLOOD,

Plaintiff,

vs.

SARAH CLOSSEY,

Defendant.

Case No. 3AN-84-10829 Civil

ARRIVED

MAY 8 1985

APOC-ANOH
PM HC

DEPOSITION OF SARAH A. CLOSSEY

Friday, February 1, 1985, 9:30 A.M.

Anchorage, Alaska



420 L Street, Suite 501
Anchorage, Alaska 99501
272-2733 / 272-6134

ALASKA STENOTYPE REPORTERS

Fred M. Getty, RPR
Rick D. McWilliams, RPR



1 IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
2 THIRD JUDICIAL DISTRICT AT ANCHORAGE

3
4 JOSEPH FLOOD,

5 Plaintiff,

6 vs.

7 SARAH CLOSSEY,

8 Defendant.

9 Case No. 3AN-84-10829 Civil

10
11
12
13 DEPOSITION OF SARAH A. CLOSSEY,

14 taken on behalf of Joseph Flood, pursuant to notice, at
15 the law offices of Jermain Dunnagan & Owens, 3000 A
16 Street, Suite 300, Anchorage, Alaska, before Georganna L.
17 Baker, Shorthand Reporter for Alaska Stenotype Reporters
18 and Notary Public for the State of Alaska.

A P P E A R A N C E S

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For the Plaintiff:

JERMAIN DUNNAGAN & OWENS
By: Charles A. Dunnagan
3000 A Street, Suite 300
Anchorage, Alaska 99503

For Defendant:

PESTINGER & PETTYJOHN
By: Sam Pestinger
605 West 2nd Street
Anchorage, Alaska 99501

Reported By:

Georganna L. Baker

I N D E X

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Examination By:

Page

Mr. Dunnagan

5

Exhibits:

1	Copy of flier	15
2	Copy of police report on Mary Norris through Alaska State Troopers. (7 pages)	25
3	Copy of rough draft of flier	30
4	Copy of documents obtained through Alaska State Court. (193 pages)	35
5	Copy of check to J. Norris from S. Clossey, dated 11/5/84	42
6	Copy of S. Clossey's resume. (3 pages)	67

5

2 1 Anchorage, Alaska, Friday, February 1, 1985, 9:30 A.M.

2
3 SARAH A. CLOSSEY,

4 called as a witness herein on behalf of
5 Joseph Flood, being first duly sworn upon
6 oath by Georganna L. Baker, Notary Public,
7 was examined and testified as follows:

8
9 EXAMINATION

10 BY MR. DUNNAGAN:

11 Q. Will you state your name.

12 A. Sarah A. Clossey.

13 Q. Your address?

14 A. 6710 Zurich.

15 Q. Ms. Clossey, have you ever had your
16 deposition taken before?

17 A. Yes.

18 Q. So you understand that you may stop and ask
19 me to clarify my questions any time anything is not clear,
20 and that you have the right to consult with your counsel
21 at any time that you wish during the deposition.

22 I don't know what your previous deposition
23 was like. My preference is to conduct it in a
24 conversational like manner. Please feel free to make any
25 comments or any replies that you feel are appropriate and

1 necessary so that I will get a complete understanding of
2 the things that I'm going to be asking.

3 Ms. Clossey, are you currently married?

4 A. No, I'm not.

5 Q. Have you been married?

6 A. From 1961 to 1978.

7 Q. That was one marriage?

8 A. Yes.

9 Q. Were you married prior to 1961?

10 A. No.

11 Q. You've only had one marriage?

12 A. Yes.

13 Q. Who is your ex-husband?

14 A. Robert F. Clossey.

15 Q. What was your maiden name?

16 A. Sarah Ann Nelson.

17 Q. N-e-l-s-o-n?

18 A. Yes.

19 Q. Where does Robert Clossey now reside?

20 A. Anchorage, Alaska.

21 Q. Do you know how he's employed?

22 A. He's self-employed. He's a carpenter.

23 Q. Are you currently involved with anyone?

24 MR. PESTINGER: Define involvement.

25 / /

1 BY MR. DUNNAGAN:

2 Q. Do you currently live with anyone other than
3 your children?

4 A. Yes, I live with Joe Norris.

5 Q. What relationship do you have with Joe
6 Norris?

7 A. He's my fiance.

8 Q. Would you repeat that.

9 A. My fiance.

10 Q. Do you have a marriage date set?

11 A. No, we do not.

12 Q. From your answer, I take it you do plan to
13 marry him; is that correct?

14 A. Yes, I do.

15 Q. What kind of person is Joe Norris?

16 MR. PESTINGER: Relevance?

17 THE WITNESS: I don't know how to answer
18 that. Can you reask it?

19 BY MR. DUNNAGAN:

20 Q. What are the most significant personal
21 qualities that you see in Joe Norris?

22 A. His honesty and his fairness.

23 Q. Are there any other qualities that come to
24 mind?

25 A. Nice personality.

1 Q. Are you currently employed?

2 A. I am now self-employed. I'm not currently
3 employed by anyone else.

4 Q. What do you do?

5 A. I have just decided that I would like to work
6 as a consultant as of the month of December.

7 Q. In what field would you consult?

8 A. Computer systems, industrial engineering,
9 accounting, marketing.

10 Q. Do you as yet have any clients?

11 A. No, I have not.

12 Q. Have you advertised for clients?

13 A. Not as yet.

14 Q. What background do you have in computers?

15 A. Certified innovation systems analyst.

16 Q. Would you explain what that is.

17 A. Engineering systems, software applications
18 for engineers.

19 Q. Where does that certification come from?

20 A. Management Sciences, Incorporated.

21 Q. What is that?

22 A. That's a consulting firm that uses and
23 generates industrial engineering software combined with
24 Texas Instruments' largest main frames.

25 Q. How long does it take to get this

1 certification?

2 A. 21 hours of a written exam.

3 Q. 21 hours and written exam?

4 A. 21 hours of a written examination.

5 Q. You took an exam that took 21 hours?

6 A. Correct.

7 Q. What kind of preparation did you do for the
8 exam?

9 A. Probably eight weeks of actual application.

10 Q. Where?

11 A. J.I. Case, Drott Division.

12 Q. Where is that?

13 A. Wausau, Wisconsin.

14 Q. What other computer background do you have?

15 A. Sell Sony systems, or I did for Benson
16 Business Machines.

17 Q. What background do you have in industrial
18 engineer?

19 A. Employed as an industrial engineer for J.I.
20 Case, Drott Division, Wausau, Wisconsin. Extracorporeal,
21 which is a division of Johnson & Johnson, Pinellas Park,
22 Florida.

23 MR. DUNNAGAN: Off record.

24 (Off-record discussion)

25 / /

1 BY MR. DUNNAGAN:

2 Q. You were talking about industrial
3 engineering, J.I. Case, and then you said something else.

4 A. Drott Division. Extracorporeal Medical
5 Specialties.

6 Q. Would you spell Extracorporeal?

7 A. If I can. Just like it sounds.

8 E-x-t-r-a-c-o-r-p-o-r-e-a-l Specialties, Incorporated. A
9 division of Johnson & Johnson, located in Pinellas Park,
10 Florida.

11 Q. Did you work in Florida?

12 A. Yes, I did. I was overall operations
13 engineer.

14 Q. Where?

15 A. For that company.

16 Q. Which company?

17 A. Extracorporeal Medical Specialties,
18 Incorporated.

19 Q. At the address that you indicated in Florida?

20 A. Yes. Also for Black & Decker, Wisconsin,
21 Knife Works Division, Beloit, Wisconsin.

22 Q. What's your background in accounting?

23 A. Two years as a cross data linesman for Jarp,
24 J-a-r-p, Corporation, Wausau, Wisconsin.

25 Q. When was that?

1 A. Prior to J.I. Case.

2 Q. What is your marketing experience?

3 A. Marketing and sales.

4 Q. What experience would that be?

5 A. I'm not going to fill those positions.

6 Q. Okay. Let me get a time line. Let me start
7 with now. How long have you lived in Alaska?

8 A. Almost two years.

9 Q. Prior to coming to Alaska, what was your last
10 job you held?

11 A. I worked as a consultant, computer software
12 management consultant for MSI, Incorporated, which is a
13 consulting firm that's based in Carson City, Nevada,
14 Atlanta, Georgia and Appleton, Wisconsin.

15 Q. Where were you based?

16 A. I was based out of -- I just flew of Chicago.

17 Q. How long did you work for this firm?

18 A. Probably six months on a temporary
19 assignment.

20 Q. What was the nature of your assignment?

21 A. To teach computer systems to engineering
22 groups on a consultant basis. Worked for Sheller-Globe,
23 General Motors.

24 Q. These are groups that you met with during the
25 time you were employed by MSI?

1 A. These were companies that I traveled to,
2 General Motors in Warren, Ohio; General Motors in Jackson,
3 Mississippi.

4 Q. Prior to your six months with MSI, how were
5 you employed?

6 A. I was employed by Black & Decker as an
7 industrial engineer.

8 Q. Prior to your work with Black & Decker, how
9 were you employed?

10 A. As an overall operations engineer for J & J.

11 Q. How long were you employed with Black &
12 Decker?

13 A. 18 months.

14 Q. How long were you employed with J & J.

15 A. Six months. I had to leave because of
16 allergies. I couldn't live in Florida.

17 Q. Prior to J & J?

18 A. I worked for J.I. Case.

19 Q. Something that is curious to me: You were
20 divorced two years ago?

21 A. 1978, May 12th.

22 Q. But you came to Alaska two years ago?

23 A. Yes.

24 Q. And your ex-husband is also in Alaska?

25 A. Yes, he is.

1 Q. But you were married to him during the time
2 that you were doing all the jobs that we've been
3 discussing; is that correct?

4 A. That is incorrect. I was divorced from him
5 during the time I worked for J.I. Case. No, Jarp
6 Corporation, excuse me.

7 Q. Is that the job before J.I. Case?

8 A. Yes.

9 Q. Were you a resident of Alaska prior to 1978,
10 before?

11 A. No, I'm from Wisconsin.

12 Q. I'm just curious as to how you and your
13 ex-husband both ended up in Alaska. That seems unusual to
14 me.

15 A. Three of my four children are residing here.

16 Q. Let's focus on your two years in Alaska.
17 About when did you get to Alaska?

18 A. I think it was in June.

19 Q. The season would be fine.

20 A. Summer, or early summer.

21 Q. Of what year?

22 A. It would be 1983.

23 Q. Have you been employed since you got here?

24 A. Yes.

25 Q. Would you give me your employment history

1 since you got here?

2 A. I worked for Waterbed Warehouse.

3 Q. In what capacity?

4 A. January of -- I worked in sales.

5 Q. The dates?

6 A. January, February, March and April, 1983.

7 Q. If you got here the summer of --

8 A. 1984, pardon me. I was unemployed from the
9 time of my arrival until then.

10 Q. Any other employment?

11 A. Benson Business Machines, May 1st, 1984, and
12 I gave my resignation for October 31st, 1984. I was a
13 marketing representative for Sony Computer Systems.

14 Q. Why did you resign?

15 A. They changed my commission schedule from 20
16 percent to 8 percent.

17 Q. Who was your main supervisor?

18 A. President of the company, Michael Kelly.

19 Q. Why did he change your commission schedule?
20 You don't know?

21 A. I really don't, whatever the purpose of their
22 nature of business was.

23 Q. We have to ask from time to time that you
24 make verbal statements as the machine will not pick up
25 your gestures.

1 Have you had any other jobs --

2 A. Since October 31st?

3 Q. Yes.

4 A. No.

5 Q. Have you been employed in any other way?

6 A. No. I think that Sam has a copy of my resume
7 in his possession, if you would like to have that for
8 verification to be exact.

9 Q. Certainly.

10 Can we have a copy made of that, Sam?

11 MR. PESTINGER: Sarah, I don't know if in the
12 documents, pursuant to the request for production, if I
13 brought your resume or not.

14 But you can have a copy of it, Chuck, and
15 I'll send you a copy of it.

16 (Exhibit 1 marked
17 for identification.)

18 BY MR. DUNNAGAN:

19 Q. Miss Clossey, I'm handing you what has been
20 marked as Exhibit Number 1. It is a single page with the
21 front and back copied. Do you recognize the document?

22 A. I do.

23 Q. What is it?

24 A. It's a flier that I am responsible
25

1 Q. At the bottom of your flier, you indicate
2 that you're a counselor for abused woman. When was this
3 [REDACTED]

4 A. [REDACTED]

5 Q. [REDACTED] OF 1984?

6 A. [REDACTED] Yes.

7 Q. Would you describe in what way you were a
8 counselor for abused women in 1984.

9 A. I registered with the Women's Resource Center
10 to work as a volunteer in October. And the counseling
11 that I have done has been on a no-fee paid basis.

12 Q. How much counseling have you done?

13 A. I've worked with three different families.

14 Q. What background do you have for counseling?

15 A. I was an abused wife for 18 years. Spent six
16 years in Al-Anon.

17 Q. Pardon me?

18 A. I spent six years in Al-Anon.

19 Q. What is that?

20 A. That's a spouse support group for alcoholics.

21 Q. Are you an alcoholic?

22 A. My ex-husband is an alcoholic.

23 I worked with the alcohol abuse center in
24 Wausau, Wisconsin. Spent one year being counseled myself
25 by an alcoholic psychologist as a rehabilitation and

1 readjustment program. For my family also, there was
2 family group counseling. I also helped to establish
3 what's called the Saves, which is domestic abuse, sexual
4 abuse group; it's a community action group in Wausau,
5 Wisconsin, Marathon County, which is the largest county in
6 the state, Wisconsin.

7 Q. Explain what this group was.

8 A. Community contribution.

9 Q. What did this group do?

10 A. Counseled and gave support to sexually and
11 domestically abused individuals.

12 Q. Did you have members?

13 A. I don't know if they were members, but they
14 supported the community in Wausau on an as-needed basis.

15 Q. How much need was there?

16 A. That's a hard question to answer.

17 Q. From your job description, it sounds like you
18 were fairly busy with your job, and you had four children?

19 A. I was also going to college three days a
20 week. My home was one of the first shelter homes
21 available to abused women. It was open on a 24-hour
22 basis, seven days a week.

23 Q. That would be after 1978?

24 A. Yes.

25 Q. How many abused women did you shelter?

1 A. May I say several, I don't know an exact
2 amount.

3 MR. DUNNAGAN: Can we go off record.

4 (Off-record discussion)

5 (Record read)

6 BY MR. DUNNAGAN:

7 Q. What six years did you work with Al-Anon?
8 Just generally.

9 A. I would say the six years prior to 1978.

10 Q. Were you trying to save your marriage at this
11 time?

12 A. Yes, I was.

13 Q. When did you work with the alcohol abuse
14 center?

15 A. Where?

16 Q. When.

17 A. 1977, '78, if my memory is correct. A
18 considerable amount of time.

19 Q. When were you counseled for a year by an
20 alcoholic psychologist?

21 A. Would have been 1978.

22 Q. When did you attend family group counseling?

23 A. The year of 1978.

24 Q. The same psychologist?

25 A. Pardon?

19

1 Q. Was it the same psychologist? Did he do
2 both?

3 A. Yes.

4 Q. The one-year counseling by the alcoholic
5 psychologist and the family counseling, are they the same
6 things?

7 A. Yes, sir. They're singular and then there's
8 group.

9 Q. Did your ex-husband participate?

10 A. No.

11 Q. You set up your home as a shelter home in
12 1978; is that correct?

13 A. Yes, it would have been '78, '79.

14 Q. You had several women stay at that home
15 during times of crises; is that correct?

16 A. That is correct. There were not any shelters
17 available nor did they have the funds at that time to own
18 property, so myself and several other women, as a part of
19 that community group, gave our homes as intermediate or
20 temporary situations, crisis centers.

21 Q. Other than your volunteer work at the Women's
22 Resource Center, have you done counseling or volunteer
23 work for any other group since you came to Alaska?

24 A. No, other than on a personal basis.

25 Q. What have you done on a personal basis?

1 A. Counseled a Cindy and Darrell Nelson.

2 Q. Who are they?

3 MR. PESTINGER: Do you have any privilege or
4 considerations here?

5 THE WITNESS: Yes, I would.

6 MR. DUNNAGAN: I will honor those.

7 Q. Let me ask you something a different way.
8 Well, have you counseled anyone other than a Cindy and
9 Darrell Nelson?

10 A. Yes, two other females. And no, I have not
11 collected any fees.

12 Q. Is the nature of your -- Explain to me the
13 nature of your outside counseling, the kind of counseling
14 you do.

15 A. Abuse, domestic abuse.

16 Q. How did the Nelsons come to you for
17 counseling?

18 A. They were friends of my daughter and
19 son-in-law.

20 Q. The other two females?

21 A. One was a neighbor lady across the street and
22 the other was a co-worker.

23 Q. A typical counseling session, how would that
24 be conducted by you?

25 A. Some in my home, some in their home.

1 Q. Well, what was the structure of the session?

2 A. To help them to seek counseling on a
3 professional basis and recognize the need to do something.

4 Q. You felt that your job was to talk with them
5 and help them to see a need for professional counseling?

6 A. Correct.

7 Q. Did you see yourself as a professional
8 counselor giving professional advice?

9 A. I'm an experienced individual.

10 Q. Have you done any other, other than the
11 Women's Resource Center and the one couple, the two
12 females, have you done any other counseling work in
13 Alaska?

14 A. No.

15 Q. When you volunteered for the Women's Resource
16 Center, were you given any kind of job description?

17 A. No.

18 Q. What exactly did you tell them you were
19 volunteering for?

20 A. I can't remember exactly. I filled out a
21 form.

22 Q. Would they have that on file?

23 A. Yes.

24 Q. On the form, the Exhibit 1, the Joe Flood
25 flier, in the last line, next to the last line, it says

1 that you're a counselor for abused women. Were you saying
2 that -- You're saying, "I am now a counselor for abused
3 women."

4 Is there anything other than the Women's
5 Resouce Center and these three individual cases that you
6 were talking about?

7 A. Yes.

8 Q. What?

9 A. Pardon?

10 Q. You've told me that all the counseling that
11 you've done since you came to Alaska was the abused center
12 and the one couple and the two women.

13 A. I said I registered to be a volunteer to be
14 available for the Women's Resource Center, and I said that
15 I have counseled independently for three different
16 families.

17 Q. That's right. Is there anything else that
18 you were talking about when you made that statement?

19 A. No.

20 Q. My understanding is that you have neither
21 asked for nor received any fees from any source for
22 counseling since you've been in Alaska.

23 A. I do not work as a professional counselor for
24 a fee basis, no, not at this time.

25 Q. I've heard it said that one of the problems

1 with abuse is that people tend to repeat their mistakes.

2 Am I correct in that?

3 A. In what way?

4 Q. I think that I've read or heard that
5 sometimes abused women tend to get into situations very
6 similar to the ones that they have left. And that my
7 thinking would be as a part of the counseling for an
8 abused women would be for her to realize the kinds of
9 situations that she's liable to get into and not to get
10 into another situation where she's likely to be abused.

11 A. That is correct.

12 Q. That would be -- Again, I'm not a counselor
13 and I'm sort of -- But you've had a great deal of training
14 of recognizing a difficult situation, both having been in
15 one and then you've been counseled, and you would not get
16 into another situation like that I take it?

17 A. That is absolutely correct.

18 Q. And you've received counseling and training
19 in that regard?

20 A. That is correct.

21 Q. This is the counseling and training that you
22 employ when you deal with others; is that correct?

23 A. Yes.

24 Q. Are you aware that your fiance is a wife
25 beater?

1 MR. PESTINGER: You know, I think we better
2 object to the form here and object to the relevance. It's
3 pretty easy to have a pending divorce and to go see the
4 other --

5 MR. DUNNAGAN: I would like this marked as
6 Exhibit 2.

7 MR. PESTINGER: Well, I don't see the
8 relevance, counsel. You have a party here which you have
9 pled a case against.

10 MR. DUNNAGAN: The pictures are on the second
11 page.

12 MR. PESTINGER: Yes. Whatever the pictures
13 depict, I don't see the relevance here. This is not the
14 issue of the case. If you would like to judge the issues
15 of the case, fine.

16 MR. DUNNAGAN: Your objection is noted.

17 Q. Are you aware that your husband punches, I
18 guess his current wife, in the face?

19 A. I don't have a husband.

20 Q. Pardon me?

21 A. I don't have a husband.

22 Q. Your fiance.

23 MR. PESTINGER: What is the relevance?

24 MR. DUNNAGAN: Off record.

25 / /

1 (Exhibit 2 marked
2 for identification.)

3 MR. DUNNAGAN: Back on record.

4 Q. This is Exhibit 2, Ms. Clossey. The pictures
5 of your fiance's current wife would be on the second page.
6 A complete police report is there and includes her
7 statements, it includes his statement and it includes the
8 observations of the police. I encourage you to look
9 through it and read it. Would you please do so now.

10 MR. PESTINGER: While she's reviewing the
11 document, would you state the relevance of the document to
12 the issues in this case.

13 MR. DUNNAGAN: I will as soon as she's done.
14 Why don't we go off record until she's finished.

15 (Off-record discussion)

16 MR. DUNNAGAN: Ms. Clossey claims to be a
17 counselor. She claims to be trained in recognizing
18 situations. She acknowledges that abused women, studies
19 have shown that abused women tend to sometimes fall back
20 into the same situations that they've come out of.

21 The police report is graphic evidence, and
22 there's also personal evidence that Joe Norris is an
23 abuser of women. He has a long history of abusing women.

24 The reason for presenting the police report
25 and questioning Ms. Clossey in this regard is to determine

1 whether or not her training has, in effect, had any
2 significant results in her own way of whether or not her
3 training has prepared her to acknowledge this.

4 I'm curious as to whether or not, number one,
5 she knew that he had been accused of punching his current
6 wife, beating her face. By her comments off record, I'm
7 curious if she believes this is true or if she's heard a
8 different story about this.

9 MR. PESTINGER: The issues in this case are
10 defamation as to Mr. Flood, publication of the defamation,
11 the reputation of Mr. Flood and privilege. The
12 relationship of Ms. Clossey to Mr. Norris - Mr. Norris is
13 not a party to the case - is out there. It's out there,
14 and if you want to evaluate the quality of counselor she
15 is, that per se, I would say that's not an issue of the
16 case. While it's interesting reading, I'm not satisfied
17 that it's likely to lead to relevant evidence, and we'll
18 let the document speak for itself and instruct the witness
19 not to answer any questions on the document.

20 BY MR. DUNNAGAN:

21 Q. Isn't it true that you were warned that Joe
22 Norris was abusive?

23 MR. PESTINGER: Objection, relevance. I'll
24 have a standing objection as to relevance.

25 MR. DUNNAGAN: That's fine.

1 Q. Would you please answer the question.

2 A. Would you please repeat it.

3 Q. Isn't it true that you were warned that Joe
4 Norris was abusive?

5 A. I have never been warned by anyone.

6 Q. Isn't it true that Mary Norris called you and
7 told you that he had beaten her on occasion?

8 MR. PESTINGER: I'm going to instruct the
9 witness not to answer. I think parties who are not -- I
10 think other people that are not parties to this action, I
11 think their domestic relations are not relevant to this
12 case.

13 MR. DUNNAGAN: Are you going to instruct the
14 witness not to answer as well?

15 THE WITNESS: May I say that Mr. Norris has
16 never, in any sense of the word, been abusive to me, nor
17 has in any way shown a loss of his ability to be stable.
18 If he were to be abusive, I would not be with Mr. Norris.

19 MR. DUNNAGAN: So far so good.

20 THE WITNESS: What's happened in his past
21 life, I don't know. I can only base my opinion on the
22 type of individual that he's been in my relationship with
23 him.

24 BY MR. DUNNAGAN:

25 Q. Is it your professional opinion that -- You

1 indicated in the flier that not only were you an abused
2 wife, but that your husband did not pay. What did you
3 mean by that?

4 A. Has not paid support.

5 Q. Is he under an order to pay support?

6 A. Yes, he is.

7 Q. How much?

8 A. \$100 a week.

9 Q. Total?

10 A. Correct.

11 Q. Is that for you or for the children?

12 A. For the children.

13 Q. Is that order in effect in this state?

14 A. No, it is not.

15 MR. PESTINGER: I might object. That calls
16 for a legal conclusion. Perhaps under the Uniform Child
17 Enforcement Act, it may be.

18 THE WITNESS: Yes, it is on record here.

19 BY MR. DUNNAGAN:

20 Q. Do you know the --

21 A. It was transferred by the district attorney's
22 office from Garden Lane in Beloit, Wisconsin, and a
23 warrant was issued to the State of Alaska to order him to
24 appear in court to show justification in order to show
25 cause why he had not ever paid any support from the time

1 of the initial divorce order as of May 12th, 1978, to
 2 date, 1982. That order was issued in April of 1982, from
 3 the district attorney's office in Beloit, Wisconsin.

4 I was not here at the time that that warrant
 5 or that order was issued to do the follow-up, and have
 6 just received the documentation from my divorce
 7 proceeding, the original support order within the last two
 8 months, to initiate a follow-up order to show cause on why
 9 he has not paid support, one support payment since 1978.

10 My ex's nonsupport balance to date due would
 11 be approximately 25 to \$28,000, to date.

12 Q. When did you move in with Joe Norris?

13 A. October 14th, 1984.

14 Q. Had you been dating prior to that?

15 A. Yes.

16 Q. How long had that gone on?

17 A. Since January, 1983.

18 Q. Were you intimately involved with Joe Norris
 19 then in January of 1984?

20 A. I met at 1984, pardon me. Can I rectify that,
 21 January, 1984.

22 Q. Certainly.

23 MR. PESTINGER: Yes.

24 BY MR. DUNNAGAN:

25 Q. How did you meet?

1 A. He lives in his own apartment.

2 Patricia Louise Markley, 20.

3 Q. Does she live at home?

4 A. She resides in Beloit, Wisconsin.

5 Ricky William Clossey, 14, resides with me.

6 Q. Do any other children reside in your
7 household?

8 A. Pardon?

9 Q. Do any other children reside in your
10 household?

11 A. Joe's son, John.

12 Q. How old is he?

13 A. 15.

14 Q. Let me invite your attention to what's been
15 marked as Exhibit 3. Do you recognize that?

16 A. Yes, I do.

17 Q. What is that?

18 A. It's a rough draft for the flier.

19 Q. Did you prepare that?

20 A. No, I did not.

21 Q. Who did prepare that?

22 A. William F. McConkey.

23 Q. How did you meet Bill McConkey?

24 A. I met him at his office.

25 Q. [REDACTED]

1 A. Well, let's see. [REDACTED]

2 [REDACTED]

3 Q. [REDACTED] when McConkey showed you the rough
4 draft?

5 A. The first meeting was when we initially put
6 together the information to do this rough draft.

7 Q. That was in the first week of October of
8 1984?

9 A. Approximately. I can't remember exactly the
10 date.

11 Q. Had McConkey already gotten the information
12 from the Washington, Oregon divorces?

13 A. I don't know that.

14 Q. Did you get that information together?

15 A. Yes.

16 Q. Let me understand. What did you do to get
17 the information from Washington?

18 A. Went to -- I don't remember any information
19 about Washington.

20 Q. Did you actually compile that or did somebody
21 else compile that and give it to you, the case numbers and
22 the court files and so on?

23 A. I went to the courthouse.

24 Q. What courthouse?

25 A. The [REDACTED] courthouses.

1 Q. What [REDACTED] re?

2 A. [REDACTED] I could find
3 pertinent to Joe Flood.

4 Q. What did you find in the Anchorage courthouse
5 on Joe Flood?

6 A. Order to show cause. I can't remember. It's
7 in the packet of information.

8 Q. Why don't we go ahead --

9 A. I brought it with me.

10 Q. Fine.

11 MR. PESTINGER: I think those are all of
12 them. Maybe you should identify them for the record.

13 BY MR. DUNNAGAN:

14 Q. Your counsel just handed you a large packet
15 of materials. You're looking through, and I've asked you
16 to tell me what you got at the courthouse in Anchorage.

17 MR. PESTINGER: Sarah, you may not be
18 familiar with court pleadings. If we could just say, you
19 have the first one here, it's in the District Court, State
20 of Alaska, Third Judicial District.

21 MR. DUNNAGAN: Let's do it a little bit
22 differently. If Sarah could identify it, and you can read
23 it into the record, I'd like to go ahead and make it an
24 attachment to the exhibit.

25 MR. PESTINGER: Sarah, if you could just

1 read -- He wants you to identify it. The way to identify
2 it is, here's your court; and here's your party.

3 MR. DUNNAGAN: I have an easier solution.
4 Why don't you just hand me stuff that you got out at the
5 courthouse, and Sam and I will identify it on the record
6 if we need to.

7 MR. PESTINGER: I request that it be marked
8 as an exhibit. Either now or later.

9 MR. DUNNAGAN: Let's get it out first.

10 MR. PESTINGER: These are copies we brought
11 for the court reporter. There's several cases against Mr.
12 Flood in our state court system.

13 MR. DUNNAGAN: That's fine.

14 MR. PESTINGER: Do you want to do that off
15 record?

16 MR. DUNNAGAN: Sure.

17 (Off-record discussion)

18 BY MR. DUNNAGAN:

19 Q. Ms. Clossey, you've handed me a pile of
20 documents about three-quarters of an inch thick. Did you
21 get all of this from the Anchorage courthouse?

22 A. Yes, as well as I can remember.

23 Q. What do they charge per copy; do you remember
24 that?

25 MR. PESTINGER: If you don't remember, just

1 say so.

2 THE WITNESS: It was a very small amount.

3 BY MR. DUNNAGAN:

4 Q. Like how much per page, do you remember that?

5 A. No, I don't.

6 Q. Do you recall discussing with the clerk
7 whether you do get a special bulk rate or anything like
8 that?

9 A. No, I did not discuss that with the clerk.

10 Q. They charged you the same rate they would
11 have charged anybody else, as far as you know?

12 A. I didn't know there was any other rate.

13 Q. All right. Is there anything else that you
14 got from the Anchorage courthouse other than these
15 documents here that you've handed me that I'm about to
16 hand to the court reporter?

17 A. I have submitted to you everything that I
18 have in my possession.

19 MR. DUNNAGAN: If you'll make that entire
20 group an exhibit to the deposition.

21 (Exhibit 4 marked
22 for identification.)

23 MR. DUNNAGAN: Off record.

24 (Off-record discussion)

25 / /

1 BY MR. DUNNAGAN:

2 Q. [REDACTED]
3 [REDACTED] the stuff about Joe's Washington divorce, was
4 that in the [REDACTED] was that listed in the material that you
5 got in the courthouse in Anchorage?

6 A. I don't remember.

7 Q. The stuff about his Oregon divorce, was that
8 listed in the materials that you got from the courthouse
9 in Anchorage?

10 A. I really don't remember.

11 Q. Do you know where else you might have gotten
12 this information if it wasn't in the courthouse?

13 A. I have to answer. I really don't remember.

14 Q. What information did Bill McConkey give you
15 in addition to what you already had?

16 A. I don't remember Mr. McConkey having anything
17 different than what I had.

18 Q. He had the same stuff you had?

19 A. Yes.

20 Q. Did you --

21 A. I'm not sure. I mean he knew what I had.

22 That's all I know. I really can't say what Mr. McConkey
23 had. I don't know that.

24 Q. Is it Mr. McConkey that told you that Joe

25 [REDACTED] failure to

1 pay child support?

2 A. As of [REDACTED] it was not [REDACTED].

3 Q. [REDACTED]?

4 A. Sherry Johnson.

5 Q. Who is she?

6 A. Chairperson for the child support agency for
7 Anchorage, Alaska.

8 Q. When did she tell you this?

9 A. I don't remember that date either. It would
10 have been prior to October. Perhaps September, early
11 September.

12 Q. When was it, about, that you pulled this
13 information from the court system?

14 A. It would have been early October.

15 Q. Was Joe Flood behind in his child support
16 payments at that time?

17 A. Not according to the documentation that I
18 read.

19 Q. Would you tell me how this whole thing
20 evolved? Let me prompt you. You had a talk with Sherry
21 Johnson with the child support agency and you found that
22 Joe Flood had been, in the past, behind in his child
23 support; is that correct?

24 A. That is correct.

25 Q. Sometime in early October, you met Bill

1 McConkey. [REDACTED]

2 [REDACTED] right?

3 A. [REDACTED]

4 Q. You were not. What was the nature of your
5 meeting with McConkey, the first time you met him?

6 A. Joe told me that he worked as a consultant
7 for campaigns, for both democratic and republican
8 candidates, and that he would be a likely person to help
9 me support my issue.

10 Q. Your issue?

11 A. For the reason that I chose to expose
12 whatever this flier represents. That I could contact him
13 for a fee.

14 Q. And he would do what for a fee?

15 A. Help me to do whatever I wanted to do in
16 regards to how I wanted to expose this information.

17 Q. So you already had the information when you
18 talked to McConkey the first time?

19 A. Yes, I did. I went to him specifically to
20 request a service from him.

21 Q. I see. Concerning Joe Flood?

22 A. Yes.

23 Q. Tell me how that conversation went.

24 A. I just told him that I felt very strongly
25 about the issues of nonsupport, and that I didn't feel

1 [REDACTED] 6
2 [REDACTED]
3 [REDACTED] forward to the public as I could. Would he
4 help me to do that?

5 Q. What did he say?

6 A. He said he had some information regarding Joe
7 Flood. At that time I had just said, "This is the
8 information that I have regarding Joe Flood, would you
9 help me in determining how best to do this." I said, "I
10 have \$2,000 in my possession."

11 And the first thing he asked me to do, he
12 said, "Why don't you contact the Anchorage Daily News if
13 you would like to publish anything that you feel that you
14 want to say to the public, or the Anchorage Times, either
15 one."

16 So I did that. I made an appointment and I
17 went to the Anchorage Daily News and asked them to submit
18 the information that I had, and that I was willing to pay
19 a thousand dollars for a full page distribution of that
20 information. At which time they refused, based on the
21 fact that they were afraid of a liable suit. I again
22 stressed that I was not asking them to say anything that
23 was not true. They refused to publish the information for
24 me.

25 So then I went to the managing head of

1 advertising at the [REDACTED] Times; at which time I was
2 also given a [REDACTED] to publish the information publicly.
3 The Anchorage Times told me that they felt that Joe Flood
4 didn't have an equal amount of time to respond, and this
5 was probably three weeks prior to the election date. At
6 which time I said that I would gladly pay a thousand
7 dollars for the adjoining page for Mr. Flood to answer in
8 the same amount of time before their deadline date; that I
9 wanted to make public the information that I had.

10 Q. Do you recall who you talked to at the Times?

11 A. I don't remember his name.

12 Q. It was a man?

13 A. Yes, it was a man.

14 Q. Do you recall his job title?

15 A. I cannot. I can guess where his office was.

16 Q. You can or can't?

17 A. I can.

18 Q. Where was that?

19 A. You had to go to the third floor, down a long
20 hallway, to a receptionist. There were three single
21 offices in a row and his was the front office of the
22 three. He submitted the information to the editor or to
23 the staff for approval for publishing it. They declined
24 publishing it because they were fearful of a liable suit.

25 Q. So then what did you do?

10

1

A.

2

this information public that way, what other alternatives

3

He told me what some of my alternatives were.

4

I don't remember them exactly, other than he said that we

5

could do a distribution flier to the district. I said, "I

6

would like to do that. How much would you charge me to

7

help me organize this?" He gave me a fee to assist me.

8

Q. How much? What was the fee?

9

A. I paid him \$1,920. I told him I only had

10

\$2,000 and would he take care of the printer for me, and

11

he said, yes. Will you take care of the lithographer, and

12

he said, yes. I said, "If it's over and above that, I'm

13

in trouble; that's all I have."

14

He asked me to secure the bulk mailing

15

permit, which I did, and that was \$80 of the balance of

16

the \$1,920 that I paid to Mr. McConkey as a fee for his

17

services as a consultant.

18

Q. Did you bring the canceled check?

19

A. Yes, I have it.

20

Q. May I see it?

21

A. A copy of the draft.

22

MR. PESTINGER: Sarah, you still have another

23

copy of this? This isn't your only copy of it, is it?

24

THE WITNESS: Do I have the original?

25

MR. PESTINGER: Yes, do you?