

ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672
7224 HOUSE STATE AFFAIRS

KEY POLICY ISSUES CONFRONTING THE AGENCY

Short range issues:

1. Of special importance is the Agency's emergency response partnership with DCEO, and appropriate funding to accomplish this additional responsibility as a result of HIGGEM. Increased staff requirements necessitated with duties and increased risk of disaster.
Strategies:
 - * Expedited negotiations between DECA/DEB/DMA/VA.
 - * Proposed legislative changes need session.
 - * What will DCEO take us what they want us to do and how much they are willing to provide from the Spill Response Fund to perform this function.**Recommended Strategy:**
 - * Continue good-faith negotiations to achieve mutually beneficial compromise.

Long range issues:

1. State organization for emergency response and disaster management, emergency response coordination in disaster management (e.g. debris, etc.) w/ oil spill and hazardous substances support network.
Strategies:
 - * Good-faith negotiations between DECA/DEB/DMA/VA.
 - * Proposed legislative changes need session.
 - * What will DCEO define management priorities and review our agency role within standards.**Recommended Strategy:**
 - * Continue good-faith negotiations between agencies and Governor's Office for legislative executive agent body on emergency response and disaster management.
2. Disaster emergency communications required due to increased frequency and magnitude of events.
Strategies:
 - * All departments need proportional investments to support system development.
 - * DMA/VA/DEB submit complete system program.
 - * Offer unit next catastrophic event and pursue through disaster funds as that time.**Recommended Strategy:**
 - * All departments need prioritized proportional budget investments to develop and maintain statewide emergency communications system.

LEGISLATIVE TRENDS

None at this time.

APPENDICES

Reference: The Tradition Continues Vision 2010, The Alaska Army National Guard Long Range Plan is available for review in the Department of Military and Veterans Affairs Administrative and Support Services Division, 5th Floor, Goldstein Building, Juneau, AK 99811.

HISTORY OF THE ALASKA AIR NATIONAL GUARD

Organized in November 1952 at Elmendorf AFB as the 8144th Air Base Squadron, the first unit was comprised of 16 men and a single T-6 trainer aircraft. Since then, the name, size, and mission have changed to provide necessary support for the federal worldwide mission as well as the state commitment.

The unit designation of the Alaska Guard changed several times during the years to describe the changing mission as well as the increased size of the unit. In July 1955, aircraft were updated with the F-86 Sabre. The name of the unit was then changed to the 144th Fighter Intercept Squadron. In 1957, the mission of the Alaska Air National Guard changed to that of airlift support and its aircraft were changed to C-47 transports. The name of the squadron was then redesignated as the 144th Air Transport Squadron (light). In 1960, the designation of the squadron became the 144th Air Transport Squadron (medium) when it was re-equipped with Fairchild C-123J aircraft. On April 1, 1969, the unit was upgraded to Group status upon federal recognition of the 176th Tactical Airlift Group, with the 144th Tactical Airlift Squadron as the flying squadron. In July 1982, the aircraft were again updated, this time to C-130H.

In 1986, a new flying squadron was added to the Alaska Air National Guard as federal recognition was received for the 168th Air Refueling Squadron, located at Eielson Air Force Base near Fairbanks, Alaska. As a result, the Group was renamed the 176th Composite Group to reflect the combined air refueling and air transport missions. In August 1990, the 168th received Group status. For training and wartime operations, the Group is gained by the Military Airlift Command (MAC) while the 168th Air Refueling Group is gained by the Strategic Air Command (SAC). In fiscal year 1990, the unit received four Pavehawk helicopters to assume search and rescue operations in Alaska, a task formerly accomplished by the Air Force. This resulted in the activation of the 210th Air Rescue Squadron.

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SHORT TERM ISSUES

1. Within the past six years the Alaska Air National Guard has grown from one flying unit to three, from 750 positions to 1632 positions, and from 200 to 629 fulltime personnel. There has been no growth in the state management staff in the State Headquarters for the Air Guard. Lack of staffing is seriously impairing our ability to consolidate the current gains and to plan for future growth. The Air Guard is an excellent means of bringing federal dollars to the state since one state dollar equates to approximately eighty federal dollars. With the drawdown of active duty troop strength, now is the perfect opportunity to expand the Guard. Recommend three additional positions be assigned to the Air National Guard State Headquarters to permit continued growth and development and better command and control.

2. The Alaska Air Guard has a worldwide commitment. The Air Guard flies missions worldwide both with its KC 135 aerial refueling aircraft and its C 130 cargo aircraft. This gives the Air Guard high public visibility. This visibility will increase with the assumption of the Search and Rescue mission.

LONG TERM ISSUE

Recruiting will be one of the most critical long term issues facing the Air National Guard. Failure to recruit personnel could result in a loss of units along with their employment authorizations. State incentives have been very helpful and will continue to be an important facet of our recruiting program.

There are no Legislative Issues.

Audit Report

DEPARTMENT OF MILITARY
AND VETERANS AFFAIRS
VETERANS SERVICE OFFICER PROGRAMS

November 16, 1990



Audit Control Number:

09-4379-91

Division of Legislative Audit
P.O. Box W, Juneau, Alaska 99811-3300

STATE OF ALASKA

AUDIT DIVISION
PO. BOX W
JUNEAU, ALASKA 99811-3300

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

August 10, 1990

Members of the Legislative Budget
and Audit Committee:

In accordance with the provisions of Title 24 of the Alaska Statutes, the attached report is submitted for your review.

A SPECIAL REPORT ON THE
DEPARTMENT OF MILITARY AND VETERAN AFFAIRS
VETERANS SERVICE OFFICER PROGRAMS

November 16, 1990

Audit Control Number

09-4379-91-S

The purpose of this audit was to evaluate the appropriateness and the legality of the Department of Military and Veterans Affairs' (DMVA) procedures in awarding veterans service officer funds during FY 90. In addition, a review was done to determine why no administrative regulations have been adopted for awarding monies to various service organizations.

The audit was conducted in accordance with generally accepted governmental performance auditing standards. Audit scope and methodology will be discussed in the Report Objectives, Scope, and Methodology section of this report.

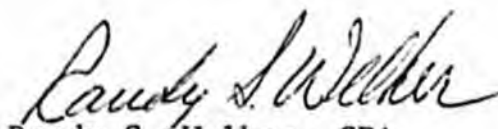

Randy S. Welker, CPA
Legislative Auditor

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REPORT OBJECTIVES, SCOPE, AND METHODOLOGY

In accordance with Title 24 of the Alaska Statutes and a special request of the Legislative Budget and Audit Committee, we reviewed the circumstances and background issues surrounding the dissatisfaction various military service organizations had with the procedures utilized by the Department of Military and Veterans Affairs (DMVA) in awarding FY 90 funds appropriated for the veterans service officer programs.

The policy and audit approach utilized by the Division of Legislative Audit for special and performance reports can best be described as "audit by exception." This methodology focuses the audit effort on areas of an auditee's operation that have been identified by a preliminary survey as having a high degree of probability for needing improvements.

Therefore, by design, finite audit resources are used to identify where and how improvement can be made, and little time is devoted to reviewing well-run operations or programs. Consequently, this report does not emphasize those operations and programs that are properly functioning.

Discussion of report objectives, scope, and methodology of our review follows.

Our first objective was to review the appropriateness and the legality of DMVA's procedures in awarding veterans service officer funds during FY 90.

A second objective was to determine why the department has not adopted administrative regulations in contracting for veterans services from veterans service organizations.

We reviewed program-enabling legislation, audit reports, the grant award process used by DMVA, correspondence from service organizations, and legal appeals and pleadings. In addition, we reviewed documentation relating to service organizations' involvement in drafting administrative regulations.

We met or spoke with DMVA's administrative and program staff, the attorney representing the State, and auditors from the Office of Management and Budget within the Office of the Governor.

ORGANIZATION AND FUNCTION

Alaska Statute 26.10.040 provides that DMVA may reimburse veterans organizations for their expenditures in employing full-time service officers for purposes of performing rehabilitation work for veterans, including the prosecution of their claims and solutions of their problems arising out of military service. In addition, AS 44.35.020 states, in part, that DMVA will cooperate with the federal government in matters of mutual concern pertaining to the welfare of Alaska veterans, including establishing, extending, or strengthening services for veterans in the State.

This responsibility has been assigned by DMVA to its Division of Veteran Affairs. The director and staff of this division are stationed in Anchorage. The director has the task of maintaining ongoing communications with Alaska and national service organizations, and coordinates and monitors services provided by Alaska and national service organizations and the federal government.

In FY 90, DMVA was allocated \$252,000 in the Division of Veteran Affairs' budget for veterans service programs.

ISSUES BACKGROUND

In response to the special audit request, we have formatted our report to answer the two areas of concern identified in the Report Objectives, Scope, and Methodology section.

Were the veterans service officer FY 90 appropriations properly and legally awarded to various veterans services organizations?

Years prior to FY 90, the Department of Military and Veterans Affairs (DMVA) entered into agreements with two service organizations: the American Legion (AL) and the Veterans of Foreign Wars (VFW). Even though money was appropriated as contractual, DMVA did not utilize the state procurement code. Money was disbursed to the two organizations upon receipt of monthly claims for operations and expenses associated with services to veterans specified under AS 26.10.040.

In May of 1989, OMB published an audit report entitled Review of Veterans Service Officer Contracts, Department of Military and Veterans Affairs (see Appendix A) which, in part, found that DMVA has never issued a Request for Proposal (RFP) and recommended that they comply with the procurement code in issuing contracts for service officers.

The Legislature approved a \$367,600 appropriation for FY 90 and included an intent note which stated:

It is the intent of the Legislature that the contracts for veterans services be issued to the Veterans of Foreign Wars and the American Legion in the amount of \$126,000 each.

The Governor vetoed this intent language. In a June 17, 1989 letter to the Speaker of the House, he asserted that legislative intent may not be used to substantially change provisions of law. In this case he said the intent served to exclude specific contractors from a competitive procurement process, contrary to procurement code requirements.

The veto placed DMVA in the position of awarding funds using a competitive process since two additional veterans organizations had made requests for service officer funding. Since there was insufficient time before the beginning of FY 90 to conduct a competitive process without disrupting veterans services, the department entered into three month (July through September) interim agreements with VFW and AL under conditions similar to the previous year. For this transition period, they allocated \$63,000 of the \$252,000 to reimburse the two service organizations.

With revised program approval from the Governor's Office of Management and Budget (OMB), DMVA transferred funds from contractual services to grants in their budget with the condition that they must use a competitive process to award the grants. DMVA proceeded with the competitive grant award process which included contacting the four veterans organizations that had demonstrated interest in the service funding. They included the AL, VFW, Disabled American Veterans (DAV), and the Marine Corps League (MCL). An advisory board was established to review proposals and hear oral presentations which resulted in VFW being ranked first, MCL second, DAV third, and AL fourth. The board recommended that the organizations receive the following amounts:

VFW	\$93,555
MCL	\$54,488
DAV	\$40,956
AL	\$ -0-

On September 22, 1989, DMVA held a meeting with the respective commanders and service officers of the competing organizations and announced that the board recommendations would be modified. Justification for the changes, according to DMVA, were based on the close ranking of the second, third, and fourth place competitors. The following dollar amounts were derived by DMVA by taking approximately 55%, 50%, and 45% of amounts requested by the second, third, and fourth place applicants.

VFW	\$93,500
MCL	\$32,300
DAV	\$22,500
AL	\$40,800

The attendees were also informed of appeal procedures which basically gave them one week to submit appeals to the commissioner of DMVA.

On September 26, 1989, both DAV and AL submitted an appeal to the commissioner of DMVA. The appeals basically questioned whether the procedures under which DMVA awarded reimbursement grants to the service organizations were fair and provided due process. In addition, AL claimed that DMVA was bound by the vetoed statement of legislative intent to pay AL \$126,000. The commissioner of DMVA denied both appeals and a subsequent AL reconsideration of the appeal decision on November 8, 1990. On November 16, 1989, AL filed a notice in superior court to appeal the denial.

On August 9, 1990, the Superior Court acknowledged that a "semblance of a competitive procedure" was utilized by DMVA in awarding funds. In addition, the court affirmed the

commissioner of DMVA's decision to uphold the denial of a contract in the amount of \$126,000 to AL. The service organization did not appeal the judge's decision.

Why hasn't DMVA adopted administrative regulations for veterans service programs?

Historically, only AL and VFW provided professional services with state funding and shared equally in appropriations for veterans services. As pointed out in the May 1989 OMB audit report, DMVA has not issued contracts in compliance with the state procurement code. In addition, other veterans service organizations recently have activated or reactivated their presence in Alaska and are eligible under Alaska law to participate in state funding.

With the increase in parties soliciting state funding, it is essential that clear and concise communications be achieved to minimize disagreements and misunderstandings and to afford due process to all contractors. DMVA has recognized this and has adopted administrative regulations that were effective July 1, 1990.

AUDITOR'S COMMENTS

Due to the Governor's veto, DMVA was placed in a position to put in place a competitive granting process in a short period of time in order to minimize the adverse impact on program services. As a result, and as pointed out in the OMB's audit report, disagreements developed due to a lack of clear and concise criteria and lack of time afforded the competitive process.

With the development of effective administrative regulations, and DMVA's awareness that these services must be purchased on a competitive basis, better planning and communication with interested parties should be achieved.

Appendix A

Review of
Veterans Service Officer Contracts
Department of Military and
Veterans Affairs

Audit 09-26

May 1989
Division of Audit and Management Services

OMB

STATE OF ALASKA

STAFF PAPERS AND REPORTS

OFFICE OF MANAGEMENT AND BUDGET

STEVE COWPER, GOVERNOR

OFFICE OF THE GOVERNOR
OFFICE OF MANAGEMENT AND BUDGET
DIVISION OF AUDIT & MANAGEMENT SERVICES

P.O. BOX AM
JUNEAU, ALASKA 99811-0199
PHONE: (907) 465-3568

May 25, 1989

The Honorable Steve Cowper
Governor
Pouch A
Juneau, Alaska 99811

Dear Governor Cowper:

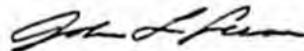
This report summarizes our review of the Veterans Service Officer Contracts administered by the Department of Military and Veterans Affairs (DMVA). Based on our findings we recommend that DMVA:

- ° comply with the provisions of the state procurement code;
- ° develop specific contract monitoring and evaluation procedures.

The Department of Military and Veterans Affairs concur with the report, and will take steps to implement our recommendations.

The Governor's Audit Committee has reviewed and approved this report.

Sincerely,



John L. Lucas
Director

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 the provision of veterans service officers
 comply with the provisions of the procurement
 code (AS 36.30) 6

 DMVA should develop specific contract monitoring
 and evaluation procedures 7

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EXECUTIVE SUMMARY

The purpose of the review was to evaluate the Department of Military and Veterans Affairs' (DMVA) contracting and monitoring procedures for implementation of AS 26.10.040 - AS 26.10.050.

Under AS 26.10.040 the state may reimburse service organizations for employing full time service officers. The service officers are to assist veterans in receiving the appropriate benefit from the federal government.

At this time, the American Legion and the Veterans of Foreign Wars each employ two service officers and one clerk/assistant service officer. Each organization maintains an office in the Veterans Administration (VA) building in Anchorage and travel to other areas of the state. Each organization receives \$126,000 per year from DMVA.

The DMVA has never issued a Request for Proposal (RFP) for the provision of service officers. Thus we are recommending that DMVA comply with the state procurement code in issuing contracts for service officers.

Current contractual agreements for the service officers do not incorporate adequate reporting requirements or evaluation criteria for monitoring and assessing the two providers receiving state funds. Thus we are recommending that DMVA develop specific criteria for monitoring and evaluating these services to veterans.

The Department of Military and Veterans Affairs has reviewed the report and their response is included. The department concurs with our recommendations.

PURPOSE AND SCOPE

The purpose of the review was to evaluate the Department of Military and Veterans Affairs' contracting and monitoring procedures for implementation of AS 26.10.040 - AS 26.10.050. These statutes allow the state to reimburse veterans service organizations for expenses related to providing full time veterans service officers.

In addition we reviewed the other functions of the Division of Veterans Affairs which include Death Gratuity payments (AS 26.10.080) and the publication of a newsletter entitled Vet's Forum.

This review included the following:

- ° Review of contracting procedures used by DMVA.
- ° Interviews with DMVA staff, contractor staff, staff of the federal Veteran's Administration and other Alaskan veteran organizations.

INTRODUCTION

AS 44.35.020 gives the Department of Military and Veterans Affairs the duty to establish, extend or strengthen services for veterans in Alaska. DMVA assigns this responsibility to the Division of Veterans Affairs.

The division consists of the director and one clerical staff based in Anchorage. The director has the responsibility of maintaining contact with local and national veterans organizations, publishing the newsletter and coordinating veterans services with the federal government.

In addition to the functions performed by the director, the division also provides funding to veterans service organizations under AS 26.10.040 - AS 26.10.050. Under AS 26.10.040 the state may reimburse service organizations for employing full time service officers. The service officers are to assist veterans in receiving the appropriate benefit from the federal government.

These funds are awarded to the American Legion and the Veterans of Foreign Wars.

A certified service officer is to provide assistance to any veteran regardless of whether the veteran is a member of the sponsoring service organization.

Service Officers

The service officer's main function is to assist the veteran, the veteran's surviving spouse and/or the veteran's surviving children in learning of and claiming the benefits they are entitled to as the result of the veteran's military service.

Each service organization provides support and training to their service officers. The most comprehensive training would be for the National and Department service officer. The National organization maintains a staff of attorneys and service officers that can assist Department service officers as well as provide direct help for the veteran. The Department service officer assists the Post service officer as well as provides direct assistance to the veteran.

If the veteran wishes a service officer to represent him before the VA, the veteran signs a Power of Attorney to the organization. The certified service officer may then represent that veteran at all levels of the VA regarding this application. Representation may include attending informal meetings, securing additional backup information, review of the VA files, filing of written appeals, and appearing on behalf of the veteran at the final appeal hearing. It is the National organization staff that would most often appear before the VA final appeal hearing to represent the veteran.

Federal statute Title 38 § 3402(a)(2)(b)(1) and § 3403(1) state that service officers certified by the VA may not charge or receive any compensation for the services they perform.

Federal statute Title 38 § 3402(a)(2) also allows the VA to furnish office space for the use of full time paid service officers. This space is free as long as the service officer is certified by the service organization and the VA. In Alaska free office space has been made available to both the American Legion and the Veterans of Foreign Wars.

Other States' Experience

Alaska has opted to provide for service officers by reimbursing service organizations. In other states, service officers are state employees.

Given the uniqueness of service officers, we contacted four other states. In three of the states (Montana, Idaho, Oregon) service officers are state employees. However, in addition to these state employees, county governments also employ service officers using local tax dollars.

In Oregon, the state will reimburse a portion of the cost of the service officer employed by the county. In one state (Washington) the service officers are employed by 5 different veterans service organizations under contract to the state.

In all four states, there are National service officers employed by the service organization and paid for by the service organization's national office.

Alaska's Experience

Both the American Legion and the Veterans of Foreign Wars indicated that they have received state funds since the early 1960's. We could trace state budget documents back to FY 75 for both groups.

The service officers were based in Juneau until the VA offices moved to Anchorage in 1980. At that time, the service officers also moved to Anchorage.

In 1984 Executive Order #58 transferred the authority for these services from the Department of Commerce and Economic Development to the Department of Military and Veterans Affairs.

At this time, the American Legion and the Veterans of Foreign Wars each employ two service officers and one clerk/assistant service officer. Each organization maintains an office in the VA building in Anchorage and travels to other areas of the state. Each organization receives \$126,000 per year from DMVA.

The American Legion and the Veterans of Foreign Wars are the only two organizations in Alaska that have certified service officers based in Alaska. Funding for these service officers comes from the DMVA. Neither of these organization have National service officers based in Alaska.

The Disabled American Veterans (DAV) has recently re-activated the local chapter. The DAV receives assistance from a National service officer from Seattle, Washington who visits Alaska once every two months. In addition, the Marine Corps League also works out of the DAV facility and they have a service officer to represent that group.

RECOMMENDATIONS

RECOMMENDATION NO. 1

The Department of Military and Veterans Affairs should assure that contracts issued for the provision of veterans service officers comply with the provisions of the procurement code (AS 36.30).

The DMVA has never issued a Request for Proposal (RFP) for the provision of service officers. The DMVA (and the Department of Commerce and Economic Development before them) have provided funds to the American Legion and the Veterans of Foreign Wars exclusively for more than 25 years.

Contracting for professional services does not require a competition on price alone. DMVA has the option of competitive sealed proposal in which evaluation criteria are developed to score each application. Price can then be reviewed with other evaluation criteria in choosing a single or multiple contractors.

DMVA also has the option of requesting an alternate procurement process such as limited competition procurement or sole source procurement.

The benefit in issuing an RFP is that all parties have knowledge of what the DMVA wishes to purchase and how this purchased service will be evaluated. At the time of this audit, DMVA has a signed Memorandum of Agreement (used in lieu of a state contract form) with only one provider. The other provider disagrees with the proposed Memorandum of Agreement (MOA) and had not signed. DMVA has continued to pay and the provider has continued to serve veterans.

The majority of the disagreements would not be issues if DMVA had issued an RFP specifying what services it wanted to purchase, how the service was to be provided and how DMVA would monitor the contractor. DMVA has the obligation to specify this information prior to requesting any potential provider to respond.

RECOMMENDATION NO. 2

The DMVA should develop specific contract monitoring and evaluation procedures which include written definitions of data to be collected and how that data will be used.

Current contractual agreements for the service officers do not incorporate adequate reporting requirements or evaluation criteria for monitoring and assessing the two providers receiving state funds.

The data collected by DMVA is based on information required by one provider to be submitted to its National office. The department has not utilized this data for any review or evaluation purpose. Currently the DMVA is attempting to change the reporting requirements and provide more meaningful information. This effort has been supported by one provider but not the other.

DMVA and the two current providers were asked to define six of the current data elements being collected to monitor the veterans services. Based on our interviews, there was sufficient disagreement between the three parties that a clear definition of data needs to be established prior to collection or evaluation by the DMVA.

The incorporation of written reporting and compliance requirements within the service contracts will provide DMVA with the ability to require the providers to accumulate and report needed information. This information will be used to assess the services currently being provided veterans within the state and to evaluate the performance of the providers.

ADDITIONAL COMMENTS

DMVA may want to seek advice regarding either budget or statutory changes so that this service can be funded as a grant rather than a contract. When identical services are provided to identical populations in the same geographic area, the normal funding is through a grant program. In addition, the services being provided are to the veterans living in Alaska, not services to a governmental agency. The normal mechanism for funding such a service is through a grant program. An RFP should still be developed, and an evaluation and monitoring procedure established.

DMVA should also look to the future and prepare for additional service organizations that may seek state funds. The VA will be moving to a larger office area in 1991. They have been notified by the American Legion, Veterans of Foreign Wars, Disabled American Veterans, Marine Corps League and AMVETS that they would like space in that facility for service officers.

DEFINITION OF TERMS

- Department:** The veterans service organization administrative group above the Post. This is generally the statewide organization and consists of elected officers and may also include some paid staff. The dues paid at the local level help support the Department activities.
- National:** Term used to signify the veterans organization National administrative group above the Department. These National groups have elected officers and paid staff. The dues paid at the local level help support the National activities.
- Post:** The veterans organization local community facility. An example would be the local American Legion Post in Fairbanks or Ketchikan. There maybe more than one Post in a local community. Financial support is from dues, fund raisers, and often a bar.
- Service Officer:** The individual persons appointed as a volunteer or hired by a service organization to assist veterans in prosecuting their claims before the federal government. There are Post, Department and National service officers.
- Service Organization:** Groups such as the American Legion, Veterans of Foreign Wars, Disabled American Veterans, The Military Order of the Purple Heart, The Marine Corps League and others groups organized for the benefit of veterans.

MEMORANDUM

State of Alaska

TO John L. Lucas, Director
Division of Audit and Management Services
Office of Management and Budget

DATE May 17, 1989

TELEPHONE NO 249-1565

FROM John W. Schaeffer *JWS*
Major General
Alaska National Guard
The Adjutant General

SUBJECT Audit on
Veterans
Service
Contracts

We have reviewed your draft audit on the Veterans Service Officer Contracts (audit 09-26), forwarded in your memo of May 5, and offer the following responses to your audit recommendations.

Recommendation No. 1: The Department of Military and Veterans Affairs should assure that contracts issued for the provision of veterans service offices comply with the provision of the procurement code (AS 36.30)

Response: We concur. Until this issue was raised during the audit, it had not occurred to our department to apply the new procurement statutes to these contracts. In FY90, we plan to comply with the statutes by requesting a Request for Alternate Procurement (RAP) from the Commissioner of Administration to approve a limited competition procurement, to limit the award of service officer contracts to the Veterans of Foreign Wars and the American Legion. Attached is a copy of a portion of the FY90 operating budget which includes legislative intent to that effect. It is also our intent to solicit help from the Division of General Services and Supply to develop a more standard contract format.

Recommendation No. 2: The DMVA should develop specific contract monitoring and evaluation procedures which include written definitions of data to be collected and how that data will be used.

Response: We concur. We had hoped to receive your advice regarding the adequacy of the current contract and determine what changes, if any, in terms of definitions, administration (monitoring) and evaluation would provide the most effective use of the state's limited resources. We will continue working to standardize definitions and reporting requirements.

We would appreciate any additional information you have concerning the difference between treating a contracted service as a grant rather than a contract. If both require an RFP, and both require definitions of terms and reporting of performance to ensure accountability for the expenditure of public funds, then there seems to be little essential difference between the two, except their names. How would treating these contracts as grants relieve us of any requirements we now have? If we determined that grants would be more appropriate than contracts, would your office find any fault if we simply changed our procedures, transferred the authorization to the grants account (with OMB approval), and executed grant documents instead of contracts?

Your audit also contained a comment concerning the potential for additional service organizations seeking state funds in the future. We did request an increment for funding the Disabled American Veterans for a small amount in FY90, but the increment did not survive the budget process. We will probably continue to request additional funds for veterans services in future budgets.

We appreciate the time and effort you and Loren Jones have devoted to this audit. When a new Director is appointed, these matters will receive his immediate attention.

DEPARTMENT OF MILITARY
AND VETERANS AFFAIRS

P.O. BOX L
JUNEAU, ALASKA 99811-0900

RECEIVED
FEB 15 1991

February 12, 1991

Randy S. Welker
Legislative Auditor
P.O. Box W
Juneau, AK 99811-3300

LEGISLATIVE AUDIT

Dear Mr. Welker,

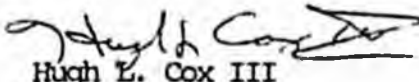
This letter is our department's written response to your preliminary audit report on the DMVA Veterans Service Officer Programs, dated November 16, 1990.

The report contained no recommendations, and was factually correct in all of the information presented. There was one significant omission in the "Issues Background" section of the report.

In the explanation of the reasons why the Director of Veterans Affairs modified the recommendations of the advisory board concerning the dollar amounts to be awarded to the competing veterans organizations, the only reason stated in your report was that the second, third, and fourth place organizations were very closely ranked. An additional consideration for changing the board's recommendation was that the American Legion, under the board's recommendation, would have had to adjust very quickly to a complete cessation of state funding for a function that they had been doing for a long number of years. It was believed that the revised amount provided a better opportunity for the American Legion to adjust to a reduced level of support for the remainder of the fiscal year.

Thank you for the opportunity to comment on your preliminary audit report. Please do not hesitate to contact our department further if you require any additional information.

Sincerely,



Hugh L. Cox III
Major General
Alaska National Guard
The Adjutant General

cc: Jeff Morrison, Director, Administrative and Support Services Division

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Confirm.

J. Allemann

Human Rights

Commission

BOARDS & COMMISSIONS

DEC 2 1989

TO INTERESTED PARTIES:


SUMMARY RESUME

(JACK)

I, JOHN F. ALLEMAN, and Betty Loraine were married in Kansas City, Kansas 43 years ago, and have two sons; John Jr., Electronics Engineer, and Karl W., Chemical Engineer.

I was Born in Eldon, Iowa August 18, 1922, was an Amateur Welterweight boxer in Oskaloosa, Iowa 1940-41. Came to Dutch Harbor, Alaska as construction worker on Alaska Steamship Columbia May 14, 1942, returned to States and Joined Army Air Corps December 1942, then served 24 years as aircraft pilot and civil engineer in Alaska, Europe, Labrador, and United States; before leaving active duty as Lt. Colonel. in 1967. Graduated University of Colorado Bachelor of Science in Civil Engineering, and University of North Dakota Master of Science in Civil Engineering. Registered Professional Engineer and Land Surveyor in Louisiana, Wisconsin, and Puerto Rico. At present eligible for Alaska registration by examination. Consulting Engineer in Wisconsin 1967 to 1980, when returned to Alaska to enlarge cabin at Harding Lake and work in Construction Engineering in North Pole, Fairbanks, and Delta Junction. Signed on with DOT&PF as Construction Engineer in 1985 at Fairbanks; Construction Engineer on projects at Deadhorse, Nome, and numerous rural communities. December 1989 transferred to Juneau as Engineer Coordinator for Petroleum storage program at DOT&PF Headquarters.

Sincerely,


John F. Alleman

326 4th Street, Apt. 307
Juneau, Ak 99801

Daytime Phone 465-2957
Home Phone 463-2619

December 9, 1990

John F. Alleman

RESUME UPDATE

December 8, 1989 to this date in charge of Under Ground Storage Tank Program for State of Alaska DOT&PF.

Attended National Conference Hydrocarbons in Soil and Groundwater, Newport Beach, Calif. February 19-23, 1990.

Attended FHWA Hazardous Materials Effect on Highway Project Preparation in Portland, Ore. April 23-28. 1990

DOT&PF representative on work group rewriting "State and Regional Oil and Hazardous Substance Discharge Prevention and Contingency Plan."



STATE OF ALASKA EMPLOYMENT APPLICATION

1. JOB CLASS TITLE OR CLASS SERIES FOR WHICH YOU ARE APPLYING

Environmental Engineer IV

OFFICE USE ONLY

2. SOCIAL SECURITY NUMBER

483-12-3469

3. ALASKA RESIDENT

Yes No
Since 07 / 1981

4. NAME

Last: Alleman, First: John M.I.: P.

5. MAILING ADDRESS

Street or P.O. Box: 326-4th Street Apt. 307
City, State: Juneau, Alaska ZIP Code: 99801

6. TELEPHONE NUMBERS

Home: () Business or Message: (907) 465-2957

8. VALID ALASKA DRIVER'S LICENSE

Yes No
Number: 5961641

9. EMPLOYMENT ELIGIBILITY

Do you have a legal right to accept employment in the United States? Yes No

7. STATE OF ALASKA EMPLOYMENT STATUS

I have never been employed by the State of Alaska.
 Not employed by the State now, but I have been in the past.
Employed by the State now as: (see definitions on instruction sheet)
 PE Permanent Classified Employee
 PR Probationary Classified Employee
 NP Nonpermanent Classified Employee
 EX Exempt Employee
 PX Partially-Exempt Employee

10. OTHER NAMES

Name(s) under which previously employed by the State:

11. CONVICTIONS

A. Have you ever been convicted of a felony? No Yes
B. Have you been convicted of a misdemeanor within the past five years? No Yes
If yes to one or both of the above questions, you must explain on a separate sheet of paper and attach it to this application, even if you received a suspended imposition of sentence.

12. I LEARNED OF THE JOB CLASS FROM

(E) Job Service (R) Radio Announcement
 (F) Personal Friend (T) TV Announcement
 (S) State Employee (N) Newspaper
 (P) Div. of Personnel (D) Dept. Personnel Office
 (O) Other

13. JOB TYPE YOU WILL ACCEPT (See Definitions on Front Cover)

(A) Permanent full-time (B) Permanent part-time (C) Permanent seasonal (D) Nonpermanent

14. LOCATIONS WHERE YOU WILL WORK

Anchorage Juneau Other _____ Other _____
 Fairbanks Other _____ Other _____

15. CERTIFICATION - IMPORTANT - PLEASE READ BEFORE SIGNING

I certify that the information I have entered on this form is true and complete to the best of my knowledge. I understand that if I deliberately conceal or enter false information on this form, that my name may be removed from the eligible list or that I may be removed from my job; that the information in this application may be released in an authorized legal investigation; and that for the purpose of this certification, a photocopy of my original signature shall have the same force and effect as my original signature. I agree that the State of Alaska, or its agents, may contact current or former employers or other persons who know me in order to obtain additional information.

Signature: John D. Alleman Date: December 10, 1990
If not signed, this application will be returned to you.

SUBMIT TO THESE ADDRESSES UNLESS OTHERWISE STATED ON THE RECRUITMENT BULLETIN:
Department of Administration
Division of Personnel
JUNEAU: P.O. Box C Juneau, Alaska 99611-0201 (907) 465-4430
FAIRBANKS: 675 - 7th Avenue, Station H Fairbanks, Alaska 99701 (907) 451-2847
ANCHORAGE: P.O. Box 240488 Anchorage, Alaska 99524-0488 (907) 643-0200

ADDITIONAL WORK HISTORY

APPLYING FOR: (Use Official Job Class Title Only)			
NAME	(Last)	(First)	M.I.
ALLEMAN	John	F.	
SOCIAL SECURITY NUMBER		483-12-3469	
ADDRESS	(Street or PO Box)	(City)	(State) (Zip Code)

EMPLOYER: Alaska DOT & PF ADDRESS: 2301 Peger Road, Fairbanks, AK 99707	JOB TITLE: Engineering Ass't	FROM: 3 / 1 / 89	TO: 12 / 8 / 89
DUTIES: Supervised construction of a Bridge and several minor projects under the Jobs Bill program in Northern Alaska. Then concurrently was Resident Engineer on two highway improvement projects on the high way east of Fairbanks. Trained personnel in several Alaskan Villages to perform the administrative, supervisory, and construction laborer and operator work on these projects. Maintained records, files, and performed inspections.		HOURS PER WEEK: <input checked="" type="checkbox"/> Full Time 37.5 hrs <input type="checkbox"/> Part Time	STARTING SALARY: \$3400
		FINAL SALARY: Same	
		No. of Employees Supervised: 0-20	
		Name of Your Supervisor: J. Weed	
		Supervisor's Title: Gp Chief	
		Reason for Leaving: Transfer	
FOR OFFICE USE ONLY			

EMPLOYER: Alaska DOT & PF ADDRESS: 2301 Peger Road, Fairbanks, Ak 99707	JOB TITLE: Engineering Assistant	FROM: 3 / 15 / 88	TO: 12 / 2 / 88
DUTIES: Fulltime assignment setting up and managing LSR&T Local Service Roads and Trails - Jobs Bill Projects in Northern Region. Prepared agreements for individual projects, set up files, and prepared pertinent correspondence. Performed reconnaissance surveys, inspections and project designs; established and reviewed status reports and financial reports; prepared PDA requests, encumbrance memos; and reviewed reimbursement requests. Coordinated with other DOT & PF sections and other government agencies at various levels. Became familiar with plans and programs of HUD, PHS, DEC, and some other agencies impinging on the LSR&T program.		HOURS PER WEEK: <input checked="" type="checkbox"/> Full Time 37 hrs <input type="checkbox"/> Part Time	STARTING SALARY: \$3400
		FINAL SALARY: Same	
		No. of Employees Supervised: 0-20	
		Name of Your Supervisor: J. Weed	
		Supervisor's Title: Gp Chief	
		Reason for Leaving: Seasonal layoff	
FOR OFFICE USE ONLY			

EMPLOYER: Alaska DOT & PF ADDRESS: 2301 Peger Road, Fairbanks, AK 99707	JOB TITLE: Engineering Ass't	FROM: 5 / 1 / 87	TO: 12 / 2 / 87
DUTIES: Research survey of 700 miles of failures of paved highways in Norther half of Alaska. Design of 0-30 mile Tok Cutoff Improvements. Ass't Res. Eng'r 10th Avenue Signals (Downtown Fairbanks). Special project to find discrepancies and help clear up CIP financial records for Northern Region. Design of Boundary Airport Improvements.		HOURS PER WEEK: <input checked="" type="checkbox"/> Full Time 37 hrs <input type="checkbox"/> Part Time	STARTING SALARY: \$3400
		FINAL SALARY: same	
		No. of Employees Supervised: none	
		Name of Your Supervisor: J. Weed	
		Supervisor's Title: Group Chief	
		Reason for Leaving: Seasonal Layoff	
FOR OFFICE USE ONLY			

WORK HISTORY

Give your entire work history. Start with your present or most recent job and work back. Include full and part-time paid and volunteer (unpaid) work, military experience, and summer jobs. Full-time is considered 35 hours per week or greater. If you worked less, you worked part-time. Please specify the number of hours worked per week. If you worked for the Federal Government or were in the armed forces, provide G.S. ratings and/or military ranks. Give accurate and complete information about the duties and responsibilities you had in each job. If you supervised anyone, explain who they were (typists, technicians, etc.) and describe what kind of supervisory duties you had (direct the work, hire, promote, fire, etc.). Incomplete answers may cause your application to be rejected or given a low score. A complete description of your duties is essential; use separate sheets of paper if necessary. A resume may be attached if all questions in the work history block are answered.

It is the responsibility of the applicant to demonstrate possession of the minimum qualifications at the time of application.

EMPLOYER Alaska DOT & PF	JOB TITLE Engineering Assistant III	FROM 5 / 13 / 86	TO 12 / 2 / 86
ADDRESS 2301 Peger Road, Fairbanks, Ak 99707		HOURS PER WEEK 37.5 <input checked="" type="checkbox"/> Full Time <input type="checkbox"/> Part Time	STARTING SALARY \$3400
DUTIES: Two months designing Elim and Golovin airport improvement projects under supervision of design engineer. Then went to Nome TDY as bridge inspector, grade inspector, and assistant Resident Engineer. Enforced job contract plans and specifications. Dealt directly with contractor on bridge construction and kept R.E. informed. Supervised work force in R.E. absence. Project involved excavation and backfill, blasting, C.M.P. culverts, surface course crushing and stockpiling for future use, in addition to construction of two-span bulb-tee girder bridge and abutments. Location of this work was 42 to 53 mile Council Road. Total cost about \$6.5 million. Enforced environmental Protection provisions in plans and specs.		FINAL SALARY same	REASON FOR LEAVING seasonal layoff
		No. of Employees Supervised 0	Name of Your Supervisor EO Brown
		Supervisor's Title Resident eng	FOR OFFICE USE ONLY

EMPLOYER Alaska DOT & PF	JOB TITLE Engineering Assistant III	FROM 5 / 30 / 85	TO 10 / 22 / 85
ADDRESS 2301 Peger Road, Fairbanks, AK 99707		HOURS PER WEEK 37.5 <input checked="" type="checkbox"/> Full Time <input type="checkbox"/> Part Time	STARTING SALARY \$3400
DUTIES: Ass't R.E. for construction of taxiway, road, parking apron, tie-downs, airfield lighting etc. at Deadhorse. Enforced contract. kept records of job progress, devised job changes in the field for approval of R.E. and designer review and approval. Kept backup records for contractor partial pays. Prepared weekly reports and project diary. Project also involved asphalt paving of the taxiway and slurry seal of a portion of existing taxiway. Performed a high percent of the inspection and participated in the surveying required for work quality and quantity for pay purposes. Project involved approximately \$3.5 million. Enforced Environmental Protection provisions in plans and specifications.		FINAL SALARY same	REASON FOR LEAVING seasonal layoff
		No. of Employees Supervised 0	Name of Your Supervisor Sally Brown
		Supervisor's Title Resident eng	FOR OFFICE USE ONLY

EMPLOYER Roen Design Associates	JOB TITLE Owner's Representative (Construction)	FROM 1 / 8 / 82	TO 11 / 84
ADDRESS 1028 Aurora, Fairbanks, AK 99701		HOURS PER WEEK 37.5 <input checked="" type="checkbox"/> Full Time <input type="checkbox"/> Part Time	STARTING SALARY \$1500
DUTIES: Enforced job contract specifications and plans on construction projects in City of North Pole. Projects included sewer, force mains, lift stations, water mains, unpaved roads, paved roads, parking lots, street lighting systems, foundations for portable school buildings, parks and bike paths, firefighting pump stations. Prepared weekly status reports, contractor's partial pay estimates field design of changes in work. Also acted in same capacity for paved road and bike path in Delta Junction and emergency repairs of sewer main in Fairbanks.		FINAL SALARY weekly same	REASON FOR LEAVING DOT projects looked more interesting
		No. of Employees Supervised 0	Name of Your Supervisor Nietzner
		Supervisor's Title Project eng	FOR OFFICE USE ONLY

HISTORY

Give your entire work history. Start with your present or most recent job and work back. Include full and part-time paid and volunteer (unpaid) work, military experience, and summer jobs. Full-time is considered 35 hours per week or greater. If you worked less, you worked part-time. Please specify the number of hours worked per week. If you worked for the Federal Government or were in the armed forces, provide G.S. ratings and/or military ranks. Give accurate and complete information about the duties and responsibilities you had in each job. If you supervised anyone, explain who they were (typists, technicians, etc.) and describe what kind of supervisory duties you had (direct the work, hire, promote, fire, etc.). Incomplete answers may cause your application to be rejected or given a low score. A complete description of your duties is essential, use separate sheets of paper if necessary. A resume may be attached if all questions in the work history block are answered.

It is the responsibility of the applicant to demonstrate possession of the minimum qualifications at the time of application.

EMPLOYER Self	JOB TITLE Engineer and Surveyor	FROM 11/71	TO 7/82
ADDRESS RR 1, Amherst, Wi 54406		HOURS PER WEEK <input type="checkbox"/> Full Time <input checked="" type="checkbox"/> Part Time 30 hrs	STARTING SALARY \$10/hr
DUTIES: Managed business, made engineering decisions, dealt directly with clients, other engineers, and public officials. Constructed bridges, dams, buildings, parking lots, sewage and water treatment facilities and other projects. Submitted numerous project documents to governmental bodies for approval of grants. Constructed several churches. Designed and laid out several subdivisions. Performed numerous lot surveys. Appeared as expert witness. Designed and performed dredging projects with draglines and hydraulic dredges.		FINAL SALARY \$25/hr	No. of Employees Supervised 0 - 25
		Name of Your Supervisor none	
		Supervisor's Title n/a	
		Reason for Leaving desired to look after property in Alaska.	
FOR OFFICE USE ONLY			

EMPLOYER Midstate Technical Institute	JOB TITLE Instructor Civil Technology	FROM 8/68	TO 10/71
ADDRESS Wisconsin Rapids, Wi 54494		HOURS PER WEEK <input checked="" type="checkbox"/> Full Time <input type="checkbox"/> Part Time 40 hrs	STARTING SALARY \$12,000
DUTIES: Trained Civil Engineering Technicians for employment in the highway construction and maintenance field. Developed course outlines, lectured and supervised laboratories, evaluated performance of each student. Attended a NSF program in water resources management. Submitted grant requests and research papers. Counseled students upon entry in to the field and at each juncture of their program. courses included surveying, soils testing, concrete testing, blueprint reading, and the rudiments of design in each of these fields related to highway construction.		FINAL SALARY \$15,000	No. of Employees Supervised 1
		Name of Your Supervisor Anhalt	
		Supervisor's Title T & I Coord	
		Reason for Leaving lack of challenge, desired more growth potent.	
FOR OFFICE USE ONLY			

EMPLOYER self	JOB TITLE Construction Contractor	FROM 2/67	TO 8/68
ADDRESS Amherst, Wi 54406		HOURS PER WEEK <input checked="" type="checkbox"/> Full Time <input type="checkbox"/> Part Time 48 hrs	STARTING SALARY \$8,000
DUTIES: Managed business, made technical decisions, dealt with clients, suppliers, employees, and public officials. Estimated costs, assessed material availability, kept up on zoning and building codes and market changes. Sought out inovative construction techniques, supervisory techniques, bargaining procedures, and methods of interface with other fields.		FINAL SALARY \$10,000	No. of Employees Supervised 2 - 5
		Name of Your Supervisor none	
		Supervisor's Title n/a	
		Reason for Leaving Teaching seemed more interesting.	
FOR OFFICE USE ONLY			

1. WORK HISTORY (Continued)

EMPLOYER USAF	JOB TITLE Base Civil Engineer and utility pilot	FROM 1 4 / 51	TO 1 7 / 67
ADDRESS VARIOUS AIR FORCE BASES IN ALASKA, U. S. A. and Labrador		HOURS PER WEEK <input checked="" type="checkbox"/> Full Time <input type="checkbox"/> Part Time 40 hrs	STARTING SALARY \$6,000
DUTIES: The details varied greatly from base to base, but generally consisted of proficiency flying as pilot and performance of base engineer functions from programming thru construction supervision, maintenance, preventive maintenance and repair. Performed full scope of base assigned officer duties such as mess officer, motor pool officer, supply officer, etc. Part of flying consisted of operating C-47s into Alaskan bush strips. Acquired Arctic and sub-arctic engineering knowledge. Also acquired some tropical knowledge. Assigned as Command Sanitary Engineer for Second Air Force (SAC) in 1965, 66, and part of 1967. Supervised water and Sewage Treatment plant operations and maintenance at 14 ICBM and Air Bases in central United States		FINA. SALARY \$10,000	
		No of Employees Supervised 1	
		Name of Your Supervisor	
		Supervisor's Title COMMANDER	
		Reason for Leaving longevity retirement	
FOR OFFICE USE ONLY			

EMPLOYER	JOB TITLE	FROM	TO
ADDRESS		1 / /	1 / /
DUTIES:		HOURS PER WEEK <input type="checkbox"/> Full Time <input type="checkbox"/> Part Time hrs	STARTING SALARY
		FINA. SALARY	
		No of Employees Supervised	
		Name of Your Supervisor	
		Supervisor's Title	
		Reason for Leaving	
FOR OFFICE USE ONLY			

EMPLOYER	JOB TITLE	FROM	TO
ADDRESS		1 / /	1 / /
DUTIES:		HOURS PER WEEK <input type="checkbox"/> Full Time <input type="checkbox"/> Part Time hrs	STARTING SALARY
		FINA. SALARY	
		No of Employees Supervised	
		Name of Your Supervisor	
		Supervisor's Title	
		Reason for Leaving	
FOR OFFICE USE ONLY			

16. VETERANS' PREFERENCE CLAIM

The State Personnel Act provides that veterans receive preference for entry into the classified service. Once hired into a permanent position in the classified service, a veteran is no longer eligible for veterans' preference. Veterans' preference points are only added to passing scores. Please provide a copy of your DD214 form along with this application.

A maximum of five (5) veterans' preference points are awarded if one of the following conditions is met:

You have completed 181 days or more of active duty (other than for training purposes) in the United States Armed Forces during war periods: April 6, 1917, to December 1, 1919; September 16, 1940, to December 31, 1947; June 27, 1950, to October 14, 1976, and you were discharged under honorable conditions; Yes No

You were honorably discharged from active service in the United States Armed Forces after serving at least 181 days during any period and were awarded a campaign badge or expedition medal, or the Purple Heart or other award or decoration for heroism or gallantry in action; Yes No

a maximum of ten (10) veterans' preference points are awarded if:

You are entitled to compensation under laws administered by the United States Veterans Administration, or are a person who was honorably discharged or released from active duty because of a service connected disability. Yes No

Service Branch	Date Entered	Date Discharged	Rank at Discharge	Type of Discharge

17. LIST RELATIVES EMPLOYED BY THE STATE OF ALASKA

Name	Relationship	Department
Name	Relationship	Department

18A. LIST CURRENT PROFESSIONAL LICENSES, CERTIFICATES, REGISTRATIONS 18B. LIST ELECTRONIC OR MECHANICAL EQUIPMENT YOU:

Louisiana Professional Engineer & RLS Date Obtained o/a 1965	Operate	Repair
Wisconsin Professional Engineer & RLS Date Obtained o/a 1967	Operate	Repair

EDUCATION

19A. Do you have a high school diploma or GED Certificate? Yes No Date Received _____

19B. College, University, Graduate School

Name and Location of School	Dates Attended	Put "G" if Graduate Credit			Major or Subjects Taken	Degree Type and Year		Office Use Only
		# Qtr. Hrs.	# Sem. Hrs.	Other				
Univ of Colorado Boulder	From: 1947 To: 1951				Hydraulics & Hydrology	BSCE	1951	
Univ of North Dakota Grand Forks	From: 1961 To: 1963				Sewage & Water Plant Design	MSCE	1963	
	From: To:							

19C. Other Education/Training (vocational, technical or other)

Name and Location of School	Kind of School	Dates Attended	Course Completed	Subjects Taken	Date Awarded		Office Use Only
					Cert.	Degree	
		From: To:	<input type="checkbox"/> Yes <input type="checkbox"/> No				
		From: To:	<input type="checkbox"/> Yes <input type="checkbox"/> No				
		From: To:	<input type="checkbox"/> Yes <input type="checkbox"/> No				

Transcripts are:

Enclosed Requested from my school On file with the Division of Personnel

Name as it appears on transcript:

20. TYPING CERTIFICATION

I can type at a speed equal to, or faster than, _____ words per minute with fewer than _____ total errors during a period of at least five minutes. I understand that if I cannot type at this speed, I may be removed from an eligible list or from my job.

COLLEGE COURSE LIST - PERTINENT TO JOB DESCRIPTION

SOCIAL SECURITY NUMBER	NAME	University of Colorado, Boulder
483-12-3469	John F. Alleman	
		Credits Qtr hrs
Surveying and Mapping		5
Calculus 4A		4
Engineering Physics		4
Calculus 4B		4
Calculus 4C		4
Curves and Earthwork		3
Strength of Materials		5
Highway Engineering		5
Fluid Mechanics		3
Applied Geology		3
Hydraulic Machinery		2
Structural Analysis		4
Reinforced Concrete		3
Engineering Geology		3
City Planning		4
Hydrology		4
Open Channel Flow		3
Concrete Structures		3
Concrete Design		2
Water Supply and Sewerage		5
		University of North Dakota, Grand Forks
Differential Equations		3 Semester hours (Graduate School)
Soil Mechanics and Foundations		3
Advanced Soil Mechanics		3
Advanced Sanitary Engineering		3
Sewerage and Sewage Disposal		3
Municipal Engineering		3
Sanitary Engineering Lab		4
Advanced Sanitary Engineering		3
General Microbiology		4

Alaska State Legislature



Representative Eugene Kubina

March 5, 1991

During Session:
State Capitol
P.O. Box V
Juneau, Alaska 99811
(907) 465-4859

During Interim:
P.O. Box 2463
Valdez, Alaska 99686
(907) 835-2111

Chairman
State Affairs
Committee

Legislative Council

Transportation
Committee

Honorable Walter J. Hickel, Governor
State of Alaska
P.O. Box A
Juneau, Alaska 99811-0101

Dear Governor Hickel:

I wish to express my concern regarding the screening protocol for selecting appointees to various state boards and commissions. As chairman of the House State Affairs Committee, I have two appointments which have been referred to my committee for confirmation hearings - Seaborn Buckalew, Jr., for the Personnel Board, and John Alleman, for the Human Rights Commission.

I've received only brief information from the boards and commissions staff on either of these gentlemen. So far, I have a scant one-page resume for Mr. Buckalew and a State of Alaska employment application with a resume summary and update for Mr. Alleman. With only this information to consider, I have no indication of what qualifies these men for their appointed positions. I also have no idea of what interest Mr. Buckalew or Mr. Alleman may have in being a member of either the Personnel Board or the Human Rights Commission. A transmittal cover letter from Boards and Commissions outlining the strengths and unique qualifications of each applicant would be very helpful for confirmation purposes.

This brings me to my primary concern: what guidelines are being used to screen and consider people who apply for appointments to state boards and commissions? I don't mean to nit-pick, I'm just concerned that the new people working in the boards and commissions office are not taking sufficient care to evaluate and screen applicants. Since the boards and commissions office hasn't provided the House State Affairs Committee with good, comprehensive information on appointees, it would appear that there are no criteria for evaluating applicants. With so little information, I can hardly expect the members of my committee to make informed decisions regarding Mr. Buckalew's and Mr. Alleman's confirmations.

— DISTRICT SIX —

• Chenega Bay • Chitina • Cooper Landing • Cordova • Hope • Moose Pass • Seward • Tatitlek • Valdez • Whittier •



I hope to hear from you and get a clearer idea of the criteria and requirements for making appointments to state boards and commissions. I appreciate your time and your attention to this matter.

Sincerely,

Representative Gene Kubina

cc: Rep. Ben Grussendorf
Rep. Max Gruenberg
Senator Pat Rodey

NEWS CLIPPINGS IN

Anchorage Daily News

Rights commissioner wants to halt state 'hammering on white people'

Date: Mar. 5 1991

P. 1

BY DAVID POSTMAN
Daily News reporter

JUNEAU — Gov. Walter Hickel's appointee to the state Human Rights Commission said at his first meeting with the group that he was there to represent the other side of human rights.

Jack Alleman followed up his introduction at last week's meeting with an ethnic slur against the Japanese, a compliment to a Hispanic member of the commission for losing her accent, a proposal to stop state enforcement of federal fair-housing laws and a claim that he has "suffered as a white male and as a landlord" because of anti-

discrimination laws.

In an interview Monday, Alleman tried to clarify his positions, saying he wants the state to stop "hammering on white people."

"I'm not a human rights activist," he said. "I am what you might say is an equal rights activist. We aren't doing what the Alaska Constitution and Alaska statutes say. They say we are all equal."

The Hickel administration was quick to disavow Alleman's statements.

"We wouldn't support comments of that nature in any way, shape or form," said Deputy Press Secretary Eric Rehmann.

Alleman said he got a report Monday from Hickel's director of boards and commissions, Don Tanner.

"It was made real firm to me that that is not the way the Hickel administration wants me to act," Alleman said.

Alleman's comments also drew criticism from commission members who said they were shocked to hear his comments at the meeting last week.

"It's not the kind of thing you expect to hear at a human rights commission meeting," said Chairwoman

Please see Back Page, RIGHTS.

RIGHTS COMMISSIONER:

Continued from Page A-1

Esther Wunnicke.

Wunnicke said she was surprised by Alleman's introductory comments and again when he "introduced resolutions indicating to me he was not sympathetic to those classes protected against discrimination under the law."

Commissioner Katie Hurley, who was chairwoman until the end of Friday's meeting, said it was clear Alleman "was insensitive to human rights and what the commission is all about."

But nobody criticized him, she said. "Because we wanted to wait and see if he would realize this was not appropriate language."

Alleman, 66, is an environmental engineer with the state Department of Transportation and Public Facilities. He said Monday he got his commission appointment because of his strong ties with the Alaskan Independence Party, the fringe political party Hickel joined to make his run for governor. Alleman is the party's

Greater Juneau Area Precinct Chairman.

Alleman's appointment was never announced publicly. Commission members said they didn't learn until just before their meeting that they had a new member.

But it wasn't long into the meeting at a Juneau hotel that Alleman made his positions clear.

"I have no real prior involvement in human rights or civil rights as an activist," he said when it was his turn to introduce himself. "But I feel that I kept up as much as the general public has on the issues and I maybe will give a little bit of the other — outside — ... view on the ... deliberations."

It was also in his introduction that Alleman said he came to Alaska during World War II when he was working at Dutch Harbor.

"I was there when the Japs attacked," he said.

Monday, Alleman defended his language.

"I was at Dutch Harbor when the Japanese, or whatever you want to call them, attacked for two days in a

Office of the Governor

Anchorage, Alaska

Date: Mar. 5 1991
A.2

NEWS CLIPPINGS IN
Anchorage Daily News

Hickel appointee says he's there to represent other side

row," he said. "My recollection is of Japanese Zeros coming over the hills and the bombs falling ... and whenever I recall that I call them Japs."

When Commissioner Sandra Henricks of Fairbanks was introducing herself, she was interrupted by Alleman after she said she was originally from Cuba.

"My wife and I spent quite a bit of time in Puerto Rico and ... you've gotten rid of most of the Latin, uh, accent from that neighborhood."

Henricks: "Oh, do you think so? I still have my accent and I really like my accent."

Alleman said Monday that he noticed only a slight accent and was just trying to make Henricks feel comfortable.

"I thought she was self-conscious and I thought I would make her feel more at ease," he said. "Hell, I go out of my way to make people feel good in a personal way. I sure don't try to make people feel bad and if I gave you that impression, as apparently I gave Don

Tanner, I'm sorry." It was during a preview of a workshop called Reducing Racism that Alleman made his comments about anti-discrimination laws at Friday's meeting.

He disagreed with presenter Tina Martin when she said a woman may be discriminated against because of her sex but "she is definitely going to also probably pay a price if she is a minority."

Said Alleman: "You're stating these things as fact and all-pervasive. What are these items you're bringing up here? They're relatively unfamiliar to me and I've been around for a great number of years. Is this your personal experience you're giving here or is it a lecture of some sort?"

Martin: "Are you talking about the white skin privileges?"

Alleman: "I'm talking about the way you're putting all of these things out. You apparently have suffered as an individual and your suffering has been very unique, it sounds to me."

When another woman said

she, too, had suffered, Alleman shot back, "Yeah, and I've suffered as a white male and as a landlord and as various other things. But I'm not going to get up here and lecture for an hour to people as though that were the norm."

Alleman said Monday he was upset because "this girl (Martin) and a couple of ladies" are planning to present the workshop around the state. He said the workshop was not appropriate because it only shows the "dark side of the problem."

As one of his first official actions as a commissioner, Alleman introduced a resolution calling on the state to stop enforcing federal fair housing laws.

His resolution says that the regulations are hard to understand and that "there is no known urgent documented need for these rules."

Alleman was the only commissioner to vote for his resolution.

Alleman said Monday he put in his application to Tanner, who interviewed him and reviewed his re-

sume before giving him the appointment two weeks ago. Alleman said Tanner didn't go into any depth in the interview.

"They just wanted somebody with the right philosophy to be on the commission," he said. But Alleman didn't want to talk about whether he thought Hickel shared his views.

"If we keep going on about this ... we are going to embarrass the governor and a bunch of other people," he said.

Deputy Chief of Staff Malcolm Roberts said last week that Tanner does the initial screening of applicants and then takes the names to Chief of Staff Max Hickel. Tanner then presents the nominees to Hickel.

Rehmann said he thinks that's how the process worked when Alleman was appointed, although he said it is unclear how much Hickel knew about the man.

"He obviously doesn't have time to interview everyone and he really does rely on the advice of his top advisers," Rehmann said.

Anchorage, Alaska

Office of the Governor

'White male' advocate loses human rights seat

By DAVE PATRICK
and JAY CROFT

NEWS WRITERS

JUNEAU — A newly appointed member of the state Human Rights Commission on Tuesday was asked by the Hickel administration to resign for making racially offensive remarks during his first meeting as a panel member.

Jack Alleman was appointed two weeks ago by Gov. Walter J. Hickel.

Alleman said his comments had generated "way too much heat" for the governor.

"It might be better if he didn't have that heat," he said. "I figured either way he could fire me or I could resign."

Harry Gamble, Hickel's acting press secretary, said the governor asked for Alleman's resignation after legislators expressed outrage.

"The governor thought it was an un-

fortunate comment or series of comments," said Gamble.

Alleman during the commission meeting Friday in Juneau referred to Japanese as "Japs," complimented a Hispanic commission member for losing her accent, proposed the state drop its enforcement of federal fair-housing laws and said he has been discriminated against as a "white male and as a landlord."

Alleman, 66, of Juneau, is a Department of Transportation and Public Facilities engineer and the Juneau representative of the Alaskan Independence Party.

He did not apologize Monday for his comments, saying the commission is made up of activists who favor minority groups.

"Each one of these people on that
See Rights, page B3

Rights

Continued from page B1

commission is interested in ... special rights, not equal rights," Alleman said after his firing.

"I was there for equal rights for the rest of the people, mostly white people. White males."

Alleman said his comment about commission member Sandra Henricks' accent was not intended as a slight.

"This business of people's accents being a mark of racism, it never entered my mind," Alleman said.

Henricks said Tuesday that

Alleman was not thinking when he made his comments.

"I just ignore these remarks because that's just ignorance even though they're not the right thing to say," said Henricks, a native of Culu.

The seven-member State Commission for Human Rights was established to prevent and eliminate discriminatory practices. Members are appointed for five-year terms and are subject to confirmation by the Legislature.

"The commission was set up so that people's rights would be protected and he (Alleman) doesn't seem to want to do that," said Rep. Bettye Davis, D-An-

chorage, the state's only black lawmaker.

Gamble said he thought the revamping of the state's 160 boards and commissions was proceeding as it should, despite the furor over Alleman's unannounced appointment and other controversial moves.

Hickel had not talked to Alleman before he was appointed or when he was fired, Gamble said.

Alleman said he was interviewed twice in person before his appointment by Don Tanner, Hickel's director of boards and commissions.

Tanner would not comment, Gamble said.

When asked why Tanner

would not comment, Gamble said, "You'll have to ask Mr. Tanner."

Alleman said he originally sought a seat on the Alaska Public Utilities Commission.

But when Hickel filled that seat, Alleman said he sought a seat on the Human Rights Commission.

"My interpretation of human rights is not inciting black, brown or red people to blame all their discomfort on white people," Alleman said. "This is supposed to be a quasi-judicial body."

The Associated Press contributed to this report.

Confirm.

J. Anderson

APOC



Alaska State Legislature

HOUSE OF REPRESENTATIVES

House State Affairs Committee

Official Business

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

May 7, 1991

The Honorable Ben Grussendorf
Speaker of the House of Representatives
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

The House State Affairs Committee has considered the appointment of John M. Anderson to the position of Commission Member, Alaska Public Offices Commission.

The following members were present and recommend as follows:

Do Recommend

Other Recommendations

David [Signature] NR

Gene Kubina DNR

Tom Meyer Do Not Rec

Sam [Signature] No Rec

Mike Miller No REC

Wes [Signature] DNR

David [Signature] No Rec

[Signature] DNR

Sincerely:

Gene Kubina
Representative Gene Kubina, Chair
House State Affairs Committee

DNR is Do Not Recommend.



Official Business

Alaska State Legislature

HOUSE OF REPRESENTATIVES

House State Affairs Committee

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

On June 6, 1991, I took from Room 102 of the Alaska State Capitol the original witness register of the House State Affairs Committee meeting held on May 7, 1991. This document was given to me by Anne L. Damitio, House State Affairs Committee secretary, who stated that she had received prior approval from Dave Dierdorff, the Revisor of Statutes.

Roy D. Holland #28 AST

Anne L. Damitio 6/6/91
Anne L. Damitio



House State Affairs Committee

Representative Gene Kubina, Chair

DATE: May 7, 1991

PLACE: Capitol, Room 102

SUBJECT OF MEETING:
 Confirmation Hearings:
 Jack Anderson - Alaska Public Offices Commission
 James Hamilton - Human Rights Commission

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
Howard Scaman	SEER	Box 22825	99802	364-2205	364-2202	Y	N CONFIRMATION 'ANDERSON'
John M. Jack Kudim	AIP	1430 W 12th Ave Hillside	99501	272-9243 299-8000	279-1000	(Y)	N ANDERSON CONFIRMATION
						Y	N
						Y	N
						Y	N
						Y	N
						Y	N
						Y	N
						Y	N
						Y	N
						Y	N

WALTER J. HICKEL
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

April 10, 1991

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Representative Grussendorf:

In accordance with AS 39.05.080 and Article III Sections 25 and 26 of the Alaska Constitution, I submit the following names for legislative confirmation of appointment to the position noted:

Judicial Council

Dapcevich, David - Sitka

Appointed 4/6/91 to term beginning 5/19/91 Expires 5/18/97

Dittrick, Paul, M.D. - Anchorage

Term began 4/6/91 Expires 5/18/95

Alaska Public Offices Commission

Anderson, John M. 'Jack' - Anchorage

Appointed 4/6/91 to a term beginning 5/15/91 Expires 2/1/96

The resumes for these appointments are attached.

Sincerely,

Walter J. Hickel

Walter J. Hickel
Governor

Attachments

JOHN M. (JACK) ANDERSON
1430 WEST 12TH AVENUE
ANCHORAGE, ALASKA 99501
(907) 272-9293

Resident of Alaska since 1939. Married to Lucille Tollefson in 1947; raised four children in Alaska. Served 25 years as *Alaska Manager* for Hallmark Cards.

As the *General Sales Manager* for Hallmark Cards, carried lines of Native Alaskan-made arts and crafts and presently continues friendships with gift, curio and craft stores throughout Alaska.

As *General Sales Manager* of the Flying Tiger Organization, the company enjoyed a record profit year in 1978 under Anderson's sales and marketing management.

In 1979, the Sun Oil Company placed two \$65 million roll-on, roll-off container ships in the Seattle/Alaska water transportation service under the name of Totem Ocean Trailer Express. Appointed *Alaska Sales Manager* of that firm; organized and established a sales force that impacted the Alaskan transportation network.

Has been responsible for developing the transportation studies and the transportation support papers necessary for both local and state *Chamber of Commerce* presentations in route matters as related to Alaska, before the *Civil Aeronautics Board*.

Anderson founded the *Military Affairs Committee* of the *Anchorage Chamber of Commerce* and served as its chairman for 15 years. Anderson served as a member of the *Civilian Advisory Board for the Alaskan Air Command* and served as *Vice Chairman* for 27 years. Anderson is credited for the extra-ordinary relationship that exists between the military and the civilian communities in Alaska yet today.

Recognized as an outstanding citizen of Alaska with a long background of public service awards from national, state and local agencies and organizations such as the *Anchorage Petroleum Club*, *Rotary*, *Chamber of Commerce*, and the *Alaska State Chamber of Commerce*.

Anderson served on the *Steering Committee* as the founder of the Alaska/Pacific University and raised the greatest amount of money that has ever been raised by an individual for that educational institution. Anderson was honored in June 1989 at a luncheon at the Alaska Pacific University Campus for his outstanding contribution to the university.

Served 5 years on the Yukon and Kuskokwim Stern Wheel Riverboats as deck officer; included extensive mutually respectful relations with the Alaska Native people.

The Anderson family is highly respected and Jack is well-known throughout Alaska as an outstanding citizen and a leader in both local and statewide responsibilities, whose public service record is partially detailed on the attached.

Recognized business and marketing consultant.

John M. (Jack) Anderson
Page Two

CURRENT CLUB AND ORGANIZATIONAL AFFILIATIONS

Member:

Air Force Association
Navy League of the United States
National Defense Transportation Association
Greater Anchorage Chamber of Commerce
Washington Athletic Club, Seattle, Washington
Order of St. Luke
Alaska State Chamber of Commerce
Board of Directors - Humana Hospital
Governor's Prayer Breakfast Committee

Principal Awards:

Anchorage Gold Pan Award for Outstanding Community Citizen
Leadership Award, Greater Anchorage Chamber of Commerce
Outstanding Citizen of Alaska Award, Alaskan Command
Man of the Year for Alaska

Training:

Professional Transportation Tariff Analysis and Marketing
Graduate, Xerox Professional Sales Management Course (Xerox)
Graduate/Instructor, Abney Sales Management by Objective

PAST POSITIONS HELD IN COMMUNITY SERVICE

Founder/First President, Alaska State Chamber of Commerce.
President, Greater Anchorage Chamber of Commerce, 1952-53, 1962-63.
President, Anchorage Chapter, Alaska Crippled Children's Association.
President, Greater Anchorage United Funds
President, Community Hospital Association.
President/State President, Navy League of the U.S.
Regional Vice President for Alaska, Pacific N.W. Trade.
Member, Anchorage City Council.
Chairman, Aviation Route Committee, Greater Anchorage Chamber of Commerce (9 terms).
Chairman, Military Affairs Committee, Anchorage Chamber of Commerce (11 terms).
Listed in Who's Who In The West.
Member, Alaskan Air Command Civilian Advisory Board (27 years-retired 1987).

A recognized expert in transportation and sales management; maintains personal friendship with State and Federal legislators. Accomplished public speaker with strong basic background in public relations.

REVISION DATE: 1/15/91

BOARD: PUBLIC OFFICES COMMISSION, ALASKA

BOARD IDENTIFICATION NUMBER: 87

TITLE: Alaska Public Offices Commission

DEPT: Department of Administration AUTHORITY: AS 15.13.020

STATUS: ACTIVE TERM: 5 years

REQUIREMENTS: LEGISLATIVE CONFIRMATION AND FINANCIAL DISCLOSURE

PROHIBITIONS: Limited to one full term (a person appointed to fill the unexpired term of a predecessor may be appointed to a successive full five-year term); may not hold or campaign for elective office or make contributions; see AS 15.13.020(e) for additional restrictions.

DESCRIPTION: 5 members appointed by Governor: 2 from each of the two political parties whose candidate for Governor received highest number of votes in the most recent preceding general election at which Governor was elected; from list of four names submitted by central committee of each party; 1 member nominated by majority vote of the members of the Commission; members elect chair; vacancies filled within 30 days.

SPECIAL FACTS: Quorum - 3 members; biennial report to Legislature. Quasi-judicial, regulatory agency.

FUNCTION: Administers laws upholding the public's right to know the financial affairs of lobbyists and their employees, and of candidates and public officials at the state and municipal level. Adopts regulations, issues formal advisory opinions, recommends legislative changes, adjudicates requests to reduce civil penalties assessed by staff for late filing of disclosure reports. Assesses penalties for substantial noncompliance with reporting requirements, recommends removal from the ballot or office in accordance with law, and adjudicates complaints through approval of settlements and through public hearings under the Administrative Procedure Act.

COMPENSATION: \$50/day plus standard travel/per diem.

MEETINGS: 5 times per year; 15 days maximum.

***FOR FURTHER INFORMATION CONTACT:** Executive Director, Alaska Public Offices Commission, 2221 E. Northern Lights Blvd., Room 128, Anchorage, AK 99508 PHONE: 276-4176 (Revised 1/14/91)

PUBLIC OFFICES COMMISSION

<u>MEMBER</u>	<u>APPT</u>	<u>REAPPT</u>	<u>REAPPT</u>	<u>TERM</u>
Jane Behlke Box 8-2230 Fairbanks 99708 AFOC Nomination	89/04/14	0/00/00	0/00/00	94/02/01
Winston S Burbank 711 Gaffney Road Fairbanks 99701 Public/Restricted/R FAX 456-1137	90/01/18	0/00/00	0/00/00	93/02/01
William B Carey 3003 Minnesota Drive Anchorage 99503 Public/Restricted/D	90/06/21	0/00/00	0/00/00	92/02/01
Annie Laurie Howard 3220 Amber Bay Circle Anchorage 99515 Public/Restricted/R	86/02/05	0/00/00	0/00/00	91/02/01
Denton J Pearson P.O. Box 336 Sitka 99835 Public/Restricted/D	90/04/06	0/00/00	0/00/00	95/02/01

NOTES TO DECISIONS

Constitutionality. — In the case of *First Nat'l Bank v. Bellotti*, 435 U.S. 765, 98 S. Ct. 1407, 65 L. Ed. 2d 707, rehearing denied, 438 U.S. 997, 98 S. Ct. 3126, 67 L. Ed. 2d 1160 (1978), the supreme court of the United States has indicated in unmistakable terms that state disclosure laws pertaining to ballot issues are constitutional. *Messeri v. State*, Sup. Ct. Op. No. 2236 (File No. 4326), 626 P.2d 81 (1980).

When there is no showing that an individual must remain anonymous with respect to advertising as to ballot propositions because of the possibility of being subject to reprisals, economic or otherwise, the state campaign disclosure laws are not unconstitutional as applied to a contributor hoping to influence the outcome of a ballot issue, because the objective of an informed electorate is sufficiently compelling to overcome an interest in anonymous political expression.

Messeri v. State, Sup. Ct. Op. No. 2236 (File No. 4326), 626 P.2d 81 (1980).

Initiative substantially similar to ch. 76, S.L.A. 1974, correctly withheld from ballot. — Substantial similarity existed between ch. 76, S.L.A. 1974, which enacted this chapter, relating to election campaigns, and an initiative relating to campaign contributions and expenditures, which was filed with the lieutenant governor prior to the regular 1974 session of the legislature. The act effectively displaced the initiative, and the lieutenant governor was correct in withholding the initiative from the ballot. *Warren v. Boucher*, Sup. Ct. Op. No. 1205 (File No. 2315), 643 P.2d 731 (1975).

For comparison of ch. 76, S.L.A. 1974, and the initiative, see *Warren v. Boucher*, Sup. Ct. Op. No. 1205 (File No. 2315), 643 P.2d 731 (1975).

Sec. 15.13.011. Inapplicability to presidential primary. [Repealed, § 1 ch 2 SLA 1984.]

Sec. 15.13.020. Alaska Public Offices Commission. (a) There is created in the Department of Administration the Alaska Public Offices Commission consisting of five members.

(b) The governor shall appoint two members of each of the two political parties whose candidate for governor received the highest number of votes in the most recent preceding general election at which a governor was elected. The two appointees from each of these two parties shall be chosen from a list of four names to be submitted by the central committee of each party.

(c) The four members selected under (b) of this section shall, by a majority vote, appoint the remaining fifth member of the commission.

(d) Members of the commission serve staggered terms of five years, or until a successor is appointed and qualifies. The terms of no two members who are members of the same political party may expire in consecutive years. A member may not serve more than one term. However, a person appointed to fill the unexpired term of a predecessor may be appointed to a successive full five-year term.

(e) A member of the commission, during tenure, may not

- (1) hold or campaign for elective office;
- (2) be an officer of a political party, political committee or group;
- (3) permit the member's name to be used, or make any contributions whatsoever, in support of or in opposition to a candidate or proposition or question that appears on any ballot in the state including

but not limited to that of a municipality; however, contributions may be made to a candidate for the office of President of the United States;

(4) participate in any way in an election campaign or participate in or contribute to any political party; or

(5) lobby, employ or assist a lobbyist.

(f) Members of the commission shall receive compensation of \$50 a day while attending commission meetings and shall be entitled to travel expenses and per diem authorized by law for members of other boards and commissions.

(g) The members shall elect a chairman. Three members of the commission constitute a quorum. A vacancy does not impair the powers of the remaining members to exercise all of the powers of the commission.

(h) A vacancy on the commission shall be filled by the appropriate appointing authority within 30 days of the occurrence of the vacancy. The appointee shall serve for the remaining term of the appointee's predecessor.

(i) The commission may employ an executive director and other employees it considers necessary. Neither the executive director nor an employee may have a vote.

(j) The commission shall establish an office, which may be called a regional office, in each senate district in the state to keep on file for public inspection copies of all reports filed with the commission by candidates for statewide office and by candidates for legislative office in that district; however, where one municipality contains more than one election district, only one commission office shall be established in that municipality. The regional office shall make all forms and pertinent material available to candidates. All reports shall be filed by candidates, groups and individuals directly with the commission's central district office. The commission shall insure that copies of all reports by statewide and legislative candidates in each senate district are forwarded promptly to that district or regional office.

(k) The commission shall insure that copies of reports filed by candidates for municipal office are made available for public inspection in the appropriate municipality. (§ 1 ch 76 SLA 1974; am § 23 ch 25 SLA 1975; am §§ 3 — 10 ch 189 SLA 1975; am E.O. No. 41 § 2 (1980); am § 24 ch 85 SLA 1988)

Effect of amendments. — The 1988 amendment, in subsection (d), deleted obsolete references to terms of initial members and rewrote the subsection for clarity.

NOTES TO DECISIONS

Subsection (j) requires forms to be made available in a regional office in each senate district. *Silides v. Thomas*, Sup. Ct. Op. No. 1362 (File Nos. 3019, 3020, 3021), 659 P.2d 80 (1977).
Furnishing forms to Nome regional

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DIVISION OF ELECTIONS

- Region I Elections Office
- Region II Elections Office
- Region III Elections Office
- Region IV Elections Office

MEMORANDUM

DATE: May 1, 1991

TO: Mary Mc Burney
House State Affairs Committee
Capitol Room 102

FROM: Sean Edwards, Clerk III *SE*
Division of Elections, Region I
Office of the Governor
Mail Stop 0106

SUBJECT: Voter History

Your request for voter history on the individual(s) is as follows:

1. **Name:** John M. Anderson

Residence Address: 1430 W. 12th Ave.
Anchorage, Ak. 99501

Original Registration: 4/28/59

Voting History:

Mr. Anderson has voted in the following elections since 1982. The primary and general elections 1982, 1984, 1986, 1988, and 1990. He also has voted in all of the municipal elections since 1982.

Party Affiliation: Alaskan Independent
Since 11/13/90
Formerly a Republican

His Last registration change was made at the Division of Elections office in Anchorage and was witnessed by the Administrative Assistant Vicki Bukovick.

Region I Elections Office
PO. Box AF, MS 0106
Juneau, Alaska 99811-0106
Phone: (907) 465-3021

Region II Elections Office
1313 East Third Avenue
Anchorage, Alaska 99501-2879
Phone: (907) 276-8683

Region III Elections Office
675 7th Ave., Station H
Fairbanks, Alaska 99701-4594
Phone: (907) 451-2835

Region IV Elections Office
PO. Box 577
Nome, Alaska 99762-0577
Phone: (907) 443-6285

01-A3LH

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

P.O. Box Y, Juneau, Alaska 99811
(907) 465-3867 or 465-2450
FAX (907) 465-2029

Deliveries to: 240 Main Street
Court Plaza, Room 500
Mail Stop 3101

MEMORANDUM

May 6, 1991

SUBJECT: Governor's appointee to APOC

TO: Representative Gene Kubina
Chair, House State Affairs Committee
Attn: Mary McBurney

FROM: John B. Gaguine *JBG*
Legislative Counsel

You have asked for an analysis of AS 15.13.020(b), as it applies to Governor Hickel's nominee to the Alaska Public Offices Commission. AS 15.13.020(b) provides, "The governor shall appoint two members of each of the two political parties whose candidate for governor received the highest number of votes in the most recent preceding general election at which a governor was elected. The two appointees from each of these two parties shall be chosen from a list of four names to be submitted by the central committee of each party." As I understand it, the governor has nominated a person who is a member of the Alaskan Independence Party (the party whose nominee received the highest number of votes in the last gubernatorial election), but who was not on a list of names submitted by the party's central committee. I understand that the central committee was not consulted.

The statute is quite clear: the governor must consult the party and choose a nominee from a list submitted by the party. Thus the governor's nomination is, if my understanding of the facts is correct, in violation of the statute. However, there is a significant question about the constitutionality of the portion of the statute requiring the governor to appoint a member on the party's list.

The Attorney General, in a 1981 informal opinion (copy attached), advised that a similar requirement relating to the Council on Domestic Violence and Sexual Assault - that members of the council be appointed from a list submitted by the Network of Domestic Violence and Sexual Assault - unconstitutionally impinged on the governor's appointment powers. Our office has cited this opinion on several occasions. However, it may not be correct. It seems to me that if the governor has the option of rejecting all the names submitted to him, and requiring the list-making entity to prepare a new list for his or her consideration, there may be no unconstitu-

Representative Gene Kubir

May 6, 1991

Page 2

tional impingement. However, because this procedure may lead to deadlocks (as almost happened earlier this year with regard to the Fish and Game Commissioner, who under AS 44.39.030 must be appointed from a list of persons nominated jointly by the Boards of Fisheries and Game, "subject to the right of the governor to request additional nominations"), a court might still find a constitutional violation.

Courts in other states have held that statutes requiring the governor to appoint from a list submitted by a private entity are constitutional. Welch v. Key, 365 P.2d 154 (Okl. 1961) (upholding statute that required governor to make appointments to state election board from lists submitted by two leading political parties); Humane Society of the United States v. New Jersey Fish and Game Council, 362 A.2d 20, 27-28 (N.J. 1976). These cases have upheld the statutes even without construing them to allow the governor to reject all names, and ask for a new list. I am inclined to think that, because of the strong gubernatorial appointment power provisions of the Alaska constitution, Alaska courts would not follow these cases, at least as far as they do not allow rejection of all names. However, they certainly do lend support to an argument that AS 15.13.020(b) is constitutional, if construed to give the governor the power to reject and ask for resubmission. (Note that the attached Attorney General's opinion does not discuss these cases.)

In addition, AS 15.13.020(c) is significant on this constitutional question. Prior to 1989 this subsection provided that the four members of APOC named under AS 15.13.020(b) would pick the fifth member. Because of the constitutional considerations regarding the governor's appointment powers, this subsection was amended in 1989 to provide that the four members would nominate a fifth, and that the governor could either appoint the nominee or ask the four members to pick a new nominee. Governor Cowper signed the change into law. While his act of course does not make the subsection constitutional, the fact that it was signed into law does suggest that the procedure - requiring the governor to choose from a list, but allowing him to ask for new names if he or she does not like anyone on the list - may be all right.

This question is a major constitutional one, which the legislature may wish to have resolved by the courts. If the legislature rejects the APOC nominee, and makes clear that its rejection is not based on the nominee's qualifications, but on the governor's lack of compliance with AS 15.13.020(b), the governor might bring a declaratory judgment action seeking to test the validity of that statute. Thus the issue could be resolved.

To sum up, then: the governor's appointment of the APOC nominee was clearly in violation of AS 15.13.020(b). However, it is not clear whether AS 15.13.020(b) is

Representative Gene Kubina

May 6, 1991

Page 3

constitutional, and strong arguments can be made for both its constitutionality and its unconstitutionality.

Please let me know if I can be of further assistance.

JBG:gc

91-253.glc

Enclosure

MEMORANDUM

State of Alaska

Hon. Helen D. Beirne
Commissioner
Department of Health & Social
Services

DATE: April 23, 1981

FILE NO: J-66-698-81

TELEPHONE NO: 465-3600

FROM: WILSON L. CONDON
ATTORNEY GENERAL

SUBJECT: Proposed Council on
Domestic Violence
and Sexual Assault

By:

Rodger W. Pegues
Assistant Attorney General

You have asked whether establishment of a proposed Council on Domestic Violence and Sexual Assault poses any legal problems.

In the form proposed by the draft bill for an Act relating to domestic violence and sexual assault, the proposal violates the state constitution in two ways. */

The first constitutional infirmity in the proposed bill is that it unduly impairs the appointment authority of the chief executive, transferring it, as it were, to a special interest group under proposed AS 18.66.030(3). The proposed council's job is to carry out the law, and that function is vested by the constitution in the governor. To perform that function, he appoints subordinates to assist him. While reasonable qualifications may unquestionably be prescribed by law for those appointments, the power of selection cannot be shared except as the constitution itself provides. Bradner v. Hammond, 553 P.2d 1 (Alaska 1976).

Accordingly, in order to conform with the dictates of the state constitution, the requirement in proposed AS 18.66.030(3) that appointments be from a list should be changed to a requirement for consultation with the Network of Domestic Violence and Sexual Assault. (We are concerned that the network may lack a formal, corporate status, thereby making even consultation haphazard.)

The second constitutional infirmity is that the bill gives the council tenure and also the authority to super-

*/ There are other existing and proposed councils on ad hoc subjects which share one or both of these constitutional defects, for example, CSHB 198 (Fin), establishing a seafood market council.

April 23, 1981

wise and direct a unit of state government in carrying out a significant part of the law which, under the constitution, is expressly a function and responsibility of the governor. We are not dealing here with a regulatory or quasi-judicial council, the members of which under the constitution, need not serve at the chief executive's pleasure. Humphrey's Executor v. United States 295 U.S. 602 (1935); Buckley v. Valeo, 424 U.S. 1, 140-141 (1976) (dicta). We are dealing rather with persons who are being placed in charge of carrying on the duties of an executive department of the government, and such officers must be responsible to the chief executive. Myers v. United States, 272 U.S. 52 (1926); cf., Alaska State Operated School System v. Mueller, 536 P.2d 99 (Alaska 1975), Walker v. Alaska State Mtg. Ass'n, 416 P.2d 245 (Alaska 1966).

Accordingly, in order further to conform the bill with the dictates of the state constitution, the last sentence of proposed AS 18.66.040 should be amended to delete after the word "members," the words "shall be limited to no" and insert "serve at the pleasure of the governor and may not serve" instead.

There are other, technical changes which should be made. For example, the Attorney General, rather than the Chief Prosecutor, should be named to retain the parallelism. The Attorney General would have the option of naming a designee. It makes no sense to appoint a subcabinet, non-statutory officer to a statutory council.

Finally, experience teaches that the establishment of a line division on domestic violence and sexual assault in whichever department should handle the subject (with an advisory council of concerned and involved citizens) will have much more effect than the establishment of a separate council which will not be part and parcel of either department's operations. That is a practical matter rather than a legal one, and we do not insist on a change, but we strongly recommend one.

RWP/pjg

cc: Hon. W.R. Nix, Commissioner
Department of Public Safety

Hon. Donald Clocksin
House of Representatives

Howard Scaman - Box 22046-Juneau, AK 99802 - 364-2205

May 7, 1991

State Affairs Committee
House of Representatives
State of Alaska

RE: "Nomination" of "Jack" Anderson to the Alaska Public Offices Commission.

It is my understanding that Walter Hickel has "nominated" a Mr. Jack Anderson for a seat on the Alaska Public Offices Commission to represent the Alaskan Independence Party, and you will hold hearings on that nomination today May 7, 1991.

Please refer to AS 15.13.020. You will note that the governor nominates two individuals from a list of four people who are nominated *by the State Central Committee of the party.*

To my knowledge there has not been a valid legal meeting of the State Central Committee of the Alaskan Independence Party for several years. There was an attempt to hold a legal meeting of the State Central Committee on February 16, 1991. Mr. Vogler refused to hold that meeting.

The Alaskan Independence Party like other political parties, has written published bylaws. *The bylaws of any political party in Alaska are a part of state law. They are mentioned no less than eleven times in state statutes.* The fact that Joe Vogler, Walter Hickel, and Jack Coghill want to nominate Mr. Anderson has no relationship to law. Mr. Vogler may believe he has dictatorial power to act as he sees fit, however state law dictates that party bylaws are a part of statutes. None of the political party's bylaws including AIP confer the right make nominations of any sort to a chairman.

It would be appropriate to ask to see the minutes of the State Central Committee which nominated Mr. Anderson and the other three candidates. In fact, there was no State Central Committee meeting, and this is simply another blatant public example of Mr. Vogler, Mr. Hickel and Mr. Coghill ignoring State Law, and again using the machinery of the Alaskan Independence Party in an illegal and unlawful manner. This is a deliberate attempt to present a fraudulent nomination to the legislature.

This is a situation almost identical to the fraudulent unilateral nomination of Walter Hickel and Jack Coghill by Joseph Vogler, on September 19th 1990. On that date Mr. Vogler submitted "nominating" petitions to the Division of Elections attesting to the nominations by the State Central Committee of the Party. There was no State Central Committee meeting, and no one except Mr. Vogler was a party to that action. Had the then Lieutenant Governor asked to see, or been required to verify the documentation of the nomination, Walter Hickel and Jack Coghill would not have been on the ballot.

I formally request that the committee be given the opportunity to view a three minute segment of a news interview from Channel 11 in Fairbanks last week in which Mr Vogler publicly admits he does not need bylaws...."I nominated Walter Hickel ". It will make clear that the Alaskan Independence Party is not now, and was not in September of 1990 a

legally constituted entity, and the Chairman of the party had and has no intention of following state law.

This alleged "nomination" of Mr. Anderson is not simple constructive fraud. Mr. Vogler *is aware* of the requirement for the State Central Committee to nominate, Walter Hickel through Mr. Don Tanner *is aware* of this requirement, Jack Coghill *is aware* of the requirement, and the party's "legal counsel" Mr. Boyko *is aware* of the law. The State Central Committee of the Alaskan Independence Party has every right to nominate anyone they choose for these positions. Joe Vogler, Walter Hickel and Jack Coghill do not have that right and *they know it*.

Can they produce verification of a legally constituted State Central Committee meeting prior to the Governor submitting Mr. Anderson's name to the Legislature for confirmation? If not, this would appear to be an example of active fraud.

This instance is only a part of a documented pattern of illegal actions within the Alaskan Independence Party. These illegalities need to be dealt with publicly, and formal complaints filed with the division of Elections requesting an investigation of the illegalities have been ignored. The Lieutenant Governor is in charge of investigating the activities which charge that he is one of the perpetrators.

We request that you deny confirmation to Mr. Anderson and or any other nominees presented to you by the Alaskan Independence Party until an impartial investigation of the Party's legal status is completed.

Thank you.

Howard Scaman

Attachment: J. Alleman letter to Vogler 5/3/91

JACK ALLEMAN
307 Mendenhall Building
326 4th Street
Juneau, Alaska 99801

May 6, 1991

Mr. Joe Vogler, Chairman
Alaskan Independence Party
Box 40, Fairbanks, Alaska

Dear Joe:

Please consider this letter formal notification that you have again violated the bylaws of the Alaskan Independence Party.

You have apparently somehow "nominated" a Mr. Jack Anderson to represent the Alaskan Independence Party on the Alaska Public Offices Commission. These nominations must be made by the State Central Committee.

Would you please advise me how the State Central Committee made this nomination. I would like to see the notice of the meeting and the minutes.

While you seem to change your mind about who is or isn't a member of the State Central Committee depending on circumstances. It would be difficult to claim I am not a member of the State Central Committee since I have letters of appointment from you and Mr. Norton who you sometimes recognize as Chairman of the Organization Committee. Would you please send me a list of who is a member of the State Committee, how they were appointed or elected (if appointed by whom) and on what dates these elections or appointments were made. By copy of this letter to Mr. Norton I am requesting that he furnish this same information to me.

We have not had a State Central Committee meeting ever to my knowledge. The one the District Chairmen tried to call on February 16th you ignored. I intend to add my name to the complaint filed by Frenchy asking the Division of Elections and/or the Legislature to investigate the totally inappropriate and unlawful actions taken by you in the Party's name before and after the Hicke/Coghill "nominations".

Sincerely,


Jack Alleman

Copies: AIP State Central Committee Members

John F. Alleman, District Chairman
Alaskan Independence Party
326 4th Street, Apt. 307
Juneau, Alaska 99801

December 7, 1990

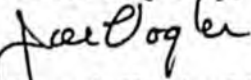
Dear Mr. Alleman;

This letter will convey authority from the Central Committee of the Alaskan Independence Party, Fairbanks headquarters, for you, John F. Alleman, to act as temporary chairman of the Alaskan Independence Party, Juneau district.

We trust that the Juneau area members of the Alaskan Independence Party might convene at an early date for the purpose of installing you as District Chairman, and to conduct Party business, namely, the nominating and election of district officers.

The members of the Central Committee are pleased that you have elected to accept this important position. We wish you well, and trust that under your guidance and leadership as Chairman of the Juneau District, the Alaskan Independence Party shall grow and expand in scope and influence, throughout the state.

Yours very truly,



Joseph E. "Joe" Vogler, State Chairman
Alaskan Independence Party
P.O. Box 40
Fairbanks, Alaska 99707
(907) 479-2344

SENT BY:ALASCOM

: 5-13-91 :11:12AM :

9072648499-

:# 1



Telegram

04001 FAIRBANKS ALASKA 53 05-13 0910A ADT

PMS

GENE KUBINA, CHAIRMAN STATE AFFAIRS COMMITTEE

102 CAPITOL BLDG

465-4853

JUNEAU AK

000519

BT

I WM. M. "FRENCHY" DE RUSHE AM THE VICE-CHAIRMAN OF THE ALASKAN INDEPENDENCE PARTY NOT EDGAR PAUL BOYKO. THERE WAS NO STATE COMMITTEE MEETING OF THE ALASKAN INDEPENDENCE PARTY TO NOMINATE A P O C CANDIDATES. BOYKO'S NOMINATION LETTER FOR ANDERSON IS A DELIBERATE LIE. ASK HIM TO DOCUMENT THE NOMINATION AND HIS ELECTION.

WILLIAM M. "FRENCHY" DE RUSHE

VICE CHAIRMAN, ALASKAN INDEPENDENCE PARTY



The Alaskan Independence Party

State Organization and Registration Committee

Virgil E. Norton, Chairman

P.O. Box 74993 Fairbanks, Alaska 99707 (907) 451-8304

I, Virgil E. Norton, State Chairman of Organization and Registration of the Alaskan Independence Party, as authorized under ARTICLE IV, ORGANIZATION, 4.18, AIP BYLAWS, 1988 Rev. Edition, hereby appoint the following named individual as temporary District CHAIRMAN 4-A as provided in the aforementioned rules:

Name of Appointee JOHN F. ALLEMAN.

Address #307 MENDENHALL BLDG.

326 4th ST
JUNEAU, AK. 99801

Telephone:

Residence 463-2619

Work 465-2957

Signature, State Chairman, Organization and Registration

Virgil E. Norton

Virgil E. Norton

Date

1-20, 19 90

Appointee Signature

John F. Alleman

Date

2-9, 19 91

ALASKAN INDEPENDENCE PARTY

P.O. BOX 48

Fairbanks, Alaska 99707

By Edgar Paul Boyko, State Vice Chairman
Edgar Paul Boyko, Vice Chairman

January 23, 1991

**Hon. Don Tanner,
Director, Boards and Commissions
Office of the Governor
P.O. Box A
Juneau, Alaska 99811**

RE: Alaska Public Offices Commission

Dear Sir:

Please be advised that the Central Committee of the Alaskan Independence Party has duly nominated the following members from the Third Judicial District to be considered for appointment by the Governor to the Alaska Public Offices Commission:

**John ("Jack") Anderson, Anchorage
Jim A. Arneson, Anchorage
Paul R Tennison, Anchorage
(Ms) Sandra Stillon, Fairbanks
(Mrs) Rosalyn Stowell, Fairbanks**

Appropriate resumes of the candidates are being submitted to you under separate cover. Thank you for your courtesy and consideration.

Respectfully yours,

Joe Vogler, State Chairman

By:

Edgar Paul Boyko, State Vice Chairman

cc: Joe Vogler

This is the text of the memo presented at the Anchorage Assembly meeting on March 8, 1988 by Assemblyman Pat Parnell.

TO: ASSEMBLY

FROM: PAT

RE: APPOINTMENT OF JACK ANDERSON TO TRANSPORTATION COMMISSION

I will vote no and encourage us to do so unanimously.

My personal experience with this person leads me to believe his performance on any board, commission or any other body where there is a designated mode of leadership with voting and a pecking order plus motions and followthrough on those motions would be nothing short of disruptive, disrespectful and in constant motion circumventing the committee, board, commission process.

My experience also with the person is that he misrepresents the will of the body, misrepresents the intent of the body and is not respectful of designated people who are appointed to do the contacting on behalf of a decision or request, when being carried to another person or group of people.

Further, you may recall the Broadside letters he has submitted against our former Mayor and Administration with no fact to back up or document his assertions.

In addition, regardless of his good intentions, his numerous contacts and all of his connections in the community I cannot help but feel that his addition to this or any post in "PUBLIC SERVICE" would not lend itself to serving the public in any way, shape or form.

Please return this to me. Thank you.



Assembly turns down 4 appointees

By DAVID POSTMAN
Daily News reporter

In a rare show of legislative muscle and with very little explanation, the Anchorage Assembly Tuesday rejected a man Mayor Tom Fink wanted to appoint to the Transportation Commission.

Three other appointees, for the Historical and Fine Arts Commission, also were rejected, with assembly members saying they would have replaced people who should stay on.

But the overwhelming 10-1 vote against Jack Anderson for the transportation post was the big surprise of the assembly meeting, shocking even Chairman John Wood, the lone vote in favor of Anderson.

"When this is all over I want someone to explain the vote on" Anderson, Wood asked his colleagues.

There was no debate, questions or comments except when Assemblyman Pat Parnell said he did not think it would be "appropriate" for



Daily News file photo

Jack Anderson

the commission that regulates taxi service in the city.

After the vote, most assembly members wouldn't say why they voted against Anderson, except to say that they did so at the urging of Parnell.

In a memo to assembly

APPOINTEES: 4 rejected

Continued from Page C-1

members, Parnell wrote a vague attack against Anderson, claiming his "addition to this or any post in 'PUBLIC SERVICE' would not lend itself to serving the public in any way, shape or form."

Anderson, a retired businessman and former Anchorage city council member, was shocked by the assembly vote.

"I was in bed with my pajamas on when you called, Wheel of Fortune was about to come on," Anderson said after changing his PJs for pinstripes and arriving at the assembly chambers.

Assembly members could not remember rejecting any appointees during the two terms of former Mayor Tony Knowles.

The vote was orchestrated by Parnell, an assemblyman who rarely plays the role of powerbroker.

Parnell refused all evening to comment on his involvement and would not make public his memo until reporters filed a freedom of information request and he was told by a deputy municipal attorney to give it up.

It is not clear from the one-page memo exactly what Parnell's objection was.

"My personal experience with this person leads me to believe his performance on any board, commission or any other body where there is a designated mode of leadership with voting and a pecking order plus motions and follow through on those motions would be nothing short of disruptive, disrespectful and in constant motion circumventing the committee, board, commission process," the memo said.

Parnell also said that Anderson wrote letters critical of former Mayor Tony Knowles "with no fact to back up or document his assertions."

Anderson, who said he is aware Parnell doesn't like him, acknowledged they have had several run-ins.

The two men serve together on the Governor's Prayer Breakfast Committee and have argued over whether Anderson, the board secretary, should record minutes in military or civilian time.

Anderson said Parnell has also been angry that board minutes are copied at Kinko's Copies instead of at Parnell's copy center.

"Or he might be insanely jealous," Anderson said. Anderson came to the assembly

chambers armed with a scrapbook of pictures of him with top Navy brass here and in Washington, D.C.

"If I were such a bad guy why would Cap Weinberger send me a picture?" Anderson asked reporters, flashing a picture showing him with the former defense secretary.

"My reputation and integrity has been attacked with (an) unprovoked unfounded letter," Anderson wrote in a letter of his own adressed to Wood.

"I demand a hearing to set the record straight and expose the vendetta of Parnell; a left handed, unfounded slap at the mayor. . . . I request a vote to reconsider and hold a public hearing on the appointment."

"I guess people didn't like Jack Anderson," said Yvonne Alford, Fink's assistant in charge of boards and commissions.

Alford said she did not think that was a valid reason for rejecting the mayor's nominee.

"The man desperately wants to be involved. I think it's sad that the assembly doesn't have any more feelings for someone who was once a very important member of this community."

Assemblyman Joe Evans was the only assembly member who would explain his vote against Anderson.

Evans said he got telephone calls this week from people opposing the appointment.

APPOINTEES: 4 rejected

Continued from Page C-1

"They said Mr. Anderson was an antagonist. Someone who, instead of working with groups, . . . he would be combative and not an addition to the commission," Evans said.

Evans said he also knew of letters Anderson writes to local newspapers. "Some of his positions are extremely negative and that would be carried to the commission."

Fink said he thought the vote on Anderson was "roughly handled."

But he was more concerned about the rejection of the three appointments to the Historical and Fine Arts Commission: Lyle Perrigo, Ralph Godwin and Robert Shaw.

Assembly members were unhappy that board members Lydia Lou Hays and Joan Kimura were being replaced. Assemblywoman Heather Flynn said Kimura is a "fine artist in her own right" and Hays was important because she represents Cook Inlet Regional Inc., the Native corporation that has donated much time, money and artwork to the museum.

...SAY EVENING, MARCH 9, 1988

ANCHORAGE

AY EVENING, MARCH 9, 1988

Council rejects 4 appointees

Associated Press

The Anchorage Assembly Tuesday turned down four appointments of Mayor Tom Fink.

To everyone's surprise, the assembly rejected the appointment of retired businessman and former city councilman Jack Anderson to the Transportation Commission. The assembly also turned down three appointments to the Historical and Fine Arts Commission.

Assembly members said they couldn't remember any of Tony Knowles' appointees being turned down during his six years in office.

There was virtually no discussion or debate before the 10-1 vote against Anderson. Afterward, most assembly members wouldn't say why they voted against him, except that they did so at the urging of Assemblyman Pat Parnell.

In a memo to his colleagues, Parnell argued Anderson's "addition to this or any post in 'PUBLIC SERVICE' would not lend itself to serving the public in any way, shape or form."

Parnell refused to comment, and he would not make public his memo until reporters filed a freedom of information request and he was told by a deputy municipal attorney to give it up.

Anderson said he was aware Parnell doesn't like him but said he was shocked by the vote.

"My reputation and integ-

Reject

Continued from page A-1

rity has been attacked with (an) unprovoked unfounded letter," Anderson said in a letter to Assembly Chairman John Wood.

"I demand a hearing to set the record straight and expose the vendetta of Parnell; a left-handed, unfounded slap at the mayor. . . . I request a vote to reconsider and hold a public hearing on the appointment."

Assemblyman Joe Evans was the only assembly member who would explain his vote against Anderson.

Evans said he got telephone calls this week from people opposing the appointment.

"They said Mr. Anderson was an antagonist. Someone who, instead of working with groups, . . . would be combative and not an addition to the commission," Evans said.

Fink said he thought the vote on Anderson was "roughly handled."

But he was more concerned about the rejection of Historical and Fine Arts Commission appointees Lyle Perrigo, Ralph Godwin and Robert Shaw. The commission oversees operations of the city museum.

Assembly members were unhappy that board members Lydia Lou Hays and Joan Kimura were being replaced.

AIP member takes public offices seat

The Associated Press

JUNEAU — Gov. Wally Hickel has picked an Alaskan Independence Party member to serve on the Alaska Public Offices Commission.

Jack Anderson replaces Annie Laurie Howard of Anchorage, a Republican whose five-year term expired Feb. 1, Hickel spokesman John Manly said Thursday. Anderson's term is effective May 15 and lasts until February 1996.

Anderson has served 25 years as Alaska manager for Hallmark Cards. He also is a former Anchorage councilman and member of the Alaska State Chamber of Commerce and the Governor's Prayer Breakfast Committee.

The public offices commission is the state's campaign finance watchdog agency. The commissioners are nominated by the political parties whose candidates for governor get the highest and second highest number of votes in the most recent general election. Alaska Independence candidate Hickel was the top vote-getter, with Democrat Tony Knowles coming in second.

ADN 5-4-91

DATE: SUNDAY March 13, 1988
PAGE: 63
SECTION: Front Page
SOURCE: by Mike Doogan

EDITION: FINAL
LENGTH: Medium

"SPITE" SINKS ONE OF MAYOR TOM'S APPOINTMENTS

Along with empty slogans and rubber chickens, American politics provides a steady stream of spite stories. One of my favorites is the one told on and by Ben Bradlee.

Before he went on to The Washington Post and widespread fame, Bradlee was the lead Washington reporter for Newsweek during the White House tenure of one L.B. Johnson. Johnson didn't like Bradlee all that much because Ben had been tight with the Kennedys when *John* was president. So Bradlee was happy to get a real scoop out of the Johnson White House: LBJ was going to hold a press conference the following week to announce the retirement of FBI Director J. Edgar Hoover.

Bradlee didn't have time to write a full story, so he wrote an item for the tipster column the magazine ran in those days. LBJ read it and went ballistic.

When the press conference rolled around, Bradlee stood with the rest of the

RANK 12 OF 25, PAGE 2 OF 4. DB AD2. DOCUMENT 3687
press corps and watched as Johnson got up and announced that he was appointing Hoover FBI director for life. Then he turned to the staffer he thought was responsible for leaking the story. "'And tell Ben Bradlee I said bleep you,'" said the president of the United States.

If presidents aren't immune, it's not surprising mere mortals are stricken with spite. "'Don't get mad, get even,'" is one of the pillars of American politics. The other is: "'What goes around, comes around.'"

Something came around for *Jack* Anderson at the Anchorage Assembly last week. *Anderson* is a guy who's been in Anchorage almost 50 years. He was, at one time, a member of the city council. The Fink administration wanted to put him on the commission that regulates taxis and limos, not exactly the heart of the government.

Tuesday, *Anderson's* appointment and a bunch of others came to the assembly for approval. That approval had, in the past, been forthcoming with a regularity for which the term "'rubber stamp'" was coined. None of Tony Knowles' appointments was rejected. I can't remember, or find anybody else who remembers, any of George Sullivan's getting blown away. To this point the assembly had been perfectly willing to let Mayor Tom pick his own *people,* regardless of their qualifications.

But four appointments out of last week's batch developed problems. Three were to that juggernaut of the political power, the Anchorage Historical and Fine Arts Commission. The fourth was *Anderson's.*

When the assembly members were asked about the*Anderson*appointment, most of them clammed up.

"Ask Pat," they said.

Pat is Kevin "Pat" Parnell. He is a member of the assembly. And he has some deep, if inarticulate, dislike for*Jack*Anderson.*He wrote a memo that expressed that dislike, but didn't specify its cause. When questioned, he refused to elaborate.

*Anderson,*for his part, explained it as animosity over whether he should be keeping the minutes of the Governor's Prayer Breakfast Committee of which Parnell is a member and*Anderson*is recording secretary in military or civilian time. I'm not kidding.

This is the sort of behavior that keeps the small in small town politics. Excepting only*John*Wood, who voted for*Anderson,*and Joe Evans, who said he had his own reasons for opposing the appointment, the assembly behaved shabbily.

It's not that they put the wood to the sort of grandfatherly fellow Wilfred Grimley is always playing. I know*Anderson*myself, from Democratic Party dos and*letters*to the editor, and he's a thorny old dude.

But all he wanted was a seat on a fairly obscure commission, something to prove he could still contribute. And eight other members of the assembly deprived him of that for no other reason than to satisfy the spite of Pat Parnell.

This is richly ironic. Except for age, Parnell is not all that different from*Anderson.*They both want to be somebody and both chose politics as a way to do that. Both have been moderately successful and neither is likely to do much better.

So I guess Pat better hope that, if he lives as long as*Jack,*he doesn't find another Pat to humiliate him. And eight spineless wonders to help.

But the odds are good he will. After all, what goes around, comes around. Mike Doogan is assistant city editor of the Anchorage Daily News.
END OF DOCUMENT.

0113-20

RANK 13 OF 25, PAGE 1 OF 5, DB AD8, DOCUMENT 3459
ANCHORAGE DAILY NEWS

DATE: WEDNESDAY March 9, 1988
PAGE: C1
SECTION: Local/Metro
SOURCE: By DAVID POSTMAN
Daily News reporter

EDITION: FINAL
LENGTH: Medium

ASSEMBLY TURNS DOWN 4 APPOINTEES

In a rare show of legislative muscle and with very little explanation, the Anchorage Assembly Tuesday rejected a man Mayor Tom Fink wanted to appoint to the Transportation Commission.

Three other appointees, for the Historical and Fine Arts Commission, also were rejected, with assembly members saying they would have replaced *people* who should stay on.

But the overwhelming 101 vote against *Jack* Anderson* for the transportation post was the big surprise of the assembly meeting, shocking even Chairman *John* Wood, the lone vote in favor of *Anderson*.

"When this is all over I want someone to explain the vote on" *Anderson*," Wood asked his colleagues.

There was no debate, questions or comments except when Assemblyman Pat

RANK 13 OF 25, PAGE 2 OF 5, DB AD8, DOCUMENT 3459
Parnell said he did not think it would be "appropriate" for *Anderson* to be appointed to the commission that regulates taxi service in the city.

After the vote, most assembly members wouldn't say why they voted against *Anderson* except to say that they did so at the urging of Parnell.

In a memo to assembly members, Parnell wrote a vague attack against *Anderson* claiming his "addition to this or any post in 'PUBLIC SERVICE' would not lend itself to serving the public in any way, shape or form."

Anderson a retired businessman and former Anchorage city council member, was shocked by the assembly vote.

"I was in bed with my pajamas on when you called. Wheel of Fortune was about to come on," *Anderson* said after changing his PJs for pinstripes and arriving at the assembly chambers.

Assembly members could not remember rejecting any appointees during the two terms of former Mayor Tony Knowles.

The vote was orchestrated by Parnell, an assemblyman who rarely plays the role of powerbroker.

Parnell refused all evening to comment on his involvement and would not make public his memo until reporters filed a freedom of information request and he was told by a deputy municipal attorney to give it up.

It is not clear from the onepage memo exactly what Parnell's objection was.

"My personal experience with this person leads me to believe his performance on any board, commission or any other body where there is a

designated mode of leadership with voting and a pecking order plus motions and follow through on those motions would be nothing short of disruptive, disrespectful and in constant motion circumventing the committee, board, commission process," the memo said.

Parnell also said that Anderson wrote letters critical of former Mayor Tony Knowles "with no fact to back up or document his assertions."

Anderson, who said he is aware Parnell doesn't like him, acknowledged they have had several run-ins.

The two men serve together on the Governor's Prayer Breakfast Committee and have argued over whether Anderson, the board secretary, should record minutes in military or civilian time.

Anderson said Parnell has also been angry that board minutes are copied at Kinko's Copies instead of at Parnell's copy center.

"Or he might be insanely jealous," Anderson said. Anderson came to the assembly chambers armed with a scrapbook of pictures of him with top Navy brass here and in Washington, D.C.

"If I were such a bad guy why would Cap Weinberger send me a picture?" Anderson asked reporters, flashing a picture showing him with the former defense secretary.

Anderson thought his rejection was unfair.

"My reputation and integrity has been attacked with (an) unprovoked unfounded letter," Anderson wrote in a letter of his own addressed to Wood.

"I demand a hearing to set the record straight and expose the vendetta of Parnell; a left handed, unfounded slap at the mayor. . . . I request a vote to reconsider and hold a public hearing on the appointment."

Fink administration officials were surprised by the vote and said it was unfair to reject Anderson.

"I guess people didn't like Jack Anderson," said Yvonne Alford, Fink's assistant in charge of boards and commissions.

Alford said she did not think that was a valid reason for rejecting the mayor's nominee.

"The man desperately wants to be involved. I think it's sad that the assembly doesn't have any more feelings for someone who was once a very important member of this community."

Assemblyman Joe Evans was the only assembly member who would explain his vote against Anderson.

Evans said he got telephone calls this week from people opposing the appointment.

"They said Mr. Anderson was an antagonist. Someone who, instead of working with groups. . . . he would be combative and not an addition to the commission," Evans said.

Evans said he also knew of letters Anderson writes to local newspapers. "Some of his positions are extremely negative and that would be carried to the commission."

Fink said he thought the vote on Anderson was "roughly handled."

But he was more concerned about the rejection of the three appointments to the Historical and Fine Arts Commission: Lyle Perrigo, Ralph Godwin and Robert Shaw. The commission oversees operations of the city museum.

Assembly members were unhappy that board members Lydia Lou Hays and Joan Kimura were being replaced. Assemblywoman Heather Flynn said Kimura is a "fine artist in her own right" and Hays was important because she represents Cook Inlet Regional Inc., the Native corporation that has donated much time, money and artwork to the museum.

Fink said he will not reappoint those members and may resubmit the three names rejected Tuesday.

END OF DOCUMENT.

Confirm.

R. Burton

... Dept. of
Public Safety



Alaska State Legislature

HOUSE OF REPRESENTATIVES

House State Affairs Committee

Official Business

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

April 29, 1991

The Honorable Ben Grussendorf
Speaker of the House of Representatives
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

The House State Affairs Committee has considered the appointment of Richard Burton to the position of Commissioner, Department of Public Safety.

The following members were present and recommend as follows:

Do Recommend

Other Recommendations

<u>Gene Kubina</u>	_____
<u>Tom Meyer</u>	_____
<u>E. Brudner</u>	_____
<u>James Walker</u>	_____
<u>Mid. Reschke</u>	_____
<u>W. G. Muntz</u>	_____
_____	_____

Sincerely:

Gene Kubina
Representative Gene Kubina, Chair
House State Affairs Committee

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

LEGISLATIVE REFERENCE LIBRARY

POUCH 7 - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

Senate State Affairs 4-17-91

Alaska State Legislature



Representative Eugene Kubina

During Session:
State Capitol
P.O. Box V
Juneau, Alaska 99811
(907) 465-4859

During Interim:
P.O. Box 2163
Valdez, Alaska 99686
(907) 835-2111

Chairman
State Affairs
Committee

Legislative Council

Transportation
Committee

May 9, 1991

Mr. Dick Burton, Commissioner
Department of Public Safety
Mail Stop 1200
Juneau, Alaska 99811

Dear Dick:

I'd like to thank you for your patience and taking the time to testify before the House State Affairs Committee. Your confirmation hearing for Commissioner of the Department of Public Safety went well and I want to complement you for being so frank with the committee. You handled yourself and the committee's questions very well.

I appreciated your candor in addressing issues related to the budget and sharing your views on public safety and the Department's operations. I realize that we may not always agree on various issues, but I respect your honesty and look forward to working with you in the future.

Sincerely:

A handwritten signature in cursive script that reads "Gene".

Representative Gene Kubina

— DISTRICT SIX —

• Chenega Bay • Chitina • Cooper Landing • Cordova • Hope • Moose Pass • Seward • Tatitlek • Valdez • Whittier •



STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF THE COMMISSIONER

P.O. BOX N
JUNEAU, ALASKA 99811-1200
PHONE: 465-4322

Sove

April 30, 1991

The Honorable Gene Kubina
Alaska State Representative
Chair
House State Affairs Committee
P.O. Box V
Juneau, AK 99811

Dear Representative Kubina:

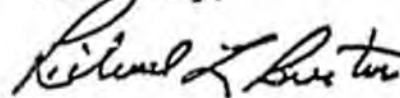
The attached training needs assessment is the result of the contract I gave to a "friend": Retired Major M. Korhonen.

Since training has been almost non-existent for the past five years, this assessment was vital and timely. I needed the services of someone who could be objective, knowledgeable, and on whom I could rely fully.

I think that after reviewing Major Korhonen's qualifications and his report, both the State and the Department received value for the money spent.

Please feel free to share this information with members of your committee and any "anonymous" legislator.

Sincerely,



Richard L. Burton
Commissioner

attachments: Report
Resume