

ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672
7493 SENATE LABOR & COMMERCE

1 thORIZED in an appropriations Act.

2 The foregoing analysis shows that the legislature can-
3 not vest the legislative duty of confirmation in a discrete
4 group of legislators. To sanction the delegation would allow
5 the legislature to operate without the procedural safeguards
6 established in article II of the Alaska Constitution. The gov-
7 ernor will show in the next subdivision of this memorandum that
8 the legislature may act only when it is assembled in session and
9 by recorded vote.

10
11 IV. CONFIRMATION IS A LEGISLATIVE DUTY REQUIRING FORMAL
ACTION

12 Under the governor's theory of this case, the court is
13 asked to render a declaratory judgment concerning the formality
14 with which the legislature must exercise legislative powers.
15 The court is requested to determine if duties assigned by law to
16 a house of the legislature, or a part of it, must be exercised
17 by a formal vote during a session of the senate. Plaintiffs
18 would have the court validate a procedure where an appointee to
19 high government office is divested of any right to that office
20 by unofficial action by individual senators acting in their of-
21 ficial capacities separately from the senate. The election code
22 requires the confirming body to be members of the legislature
23 and the state senate. AS 15.40.330(a). These institutions of
24 the legislative branch of state government exist as corporate
25 bodies and not through individuals elected to serve in those
26 bodies.

ATTORNEY GENERAL, STATE OF ALASKA
STATE CAPITOL
P.O. BOX K, JUNEAU, ALASKA 99811
PHONE 465-3600

1 It is only when the houses of the legislature are law-
2 fully assembled that they constitute the legislature of the
3 state. Mason's, § 780(13) (citing Ex Parte Hague, 147 A. 220
4 (N.J. 1929). Mason also observes: "The decision of a delibera-
5 tive body can be made only by the taking of a vote at a meeting.
6 The fact that members have individually expressed opinions on a
7 question is not a decision of the body and is of no effect."
8 Mason's, § 520(1). At best, the report of the caucus meeting
9 held in Anchorage to consider the qualifications of Mrs. Bennett
10 should be accorded no more force than a report of a standing
11 committee of the senate. Those powers are to study and analyze
12 the subject matter referred to the caucus and to report back to
13 the parent body. The report by the caucus should be considered
14 advisory only. The binding decision is made by the senate or a
15 part of it after it reconvenes.

16 The election code pertaining to legislative vacancies
17 specifies an appointment procedure that includes confirmation as
18 the final step. AS 15.40.330(a). During the appointment strug-
19 gle of 1963, Governor Egan demanded that if the senate Republi-
20 cans desired to reject his appointment, a vote must be taken on
21 the question of confirmation in open session with the vote re-
22 corded in the journal. 1963 Senate J. 74. The senators attempt-
23 ed to record the rejection by reading a report from the caucus
24 into the Senate Journal. The demand for direct action during
25 regular session was based on an interpretation of the election
26 code advanced in an opinion of the attorney general. 1963 Inf.

ATTORNEY GENERAL, STATE OF ALASKA
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P.O. BOX K, JUNEAU, ALASKA 99811
PHONE 485-3800

1 Op. Att'y Gen. (Feb. 12; Gross), Exh. 5. The senate acceded to
2 the governor's demand by correcting the journal and taking ac-
3 tion in open session to vote on the question of confirmation.
4 1963 Senate J. 85.

5 The attorney general opined that the term "confirma-
6 tion" should be construed to mean a formal process undertaken by
7 the appropriate house of the legislature culminatin~~e~~ in a vote
8 on the question. Since 1963, the legislature has been informed
9 of a formal interpretation of AS 15.40 by the attorney general.
10 During that period, the legislature has undertaken major revi-
11 sions to the election code. See ch. 100, SLA 1980. However,
12 the provisions under review in this action were not changed to
13 alter the effect of the attorney general's construction of AS
14 15.40. The interpretation was announced within three years
15 after the appointment provisions were enacted and has remained
16 in effect for 24 years.

17 The longstanding interpretation announced by the at-
18 torney general is entitled to great weight. State, Dept. of
19 Revenue v. Alaska Pulp America, Inc., 674 P.2d 268 (Alaska
20 1983). However, this is not to say that the attorney general is
21 infallible, nor that opinions of the attorney general are always
22 controlling. The court is the final authority on important
23 questions of statutory construction. Trustees for Alaska v.
24 Watt, 524 F. Supp. 1303 (D.C. Alaska 1981); aff'd 690 F.2d 1279
25 (9th Cir. 1982). The court should adopt the attorney general's
26 interpretation because it is consistent with the provisions of

1 the election code and legal authority concerning the manner in
2 which the legislature must transact legislative business.

3 Even if the governor were to concede for the purpose
4 of argument that a part of the senate could be authorized to
5 confirm, the Republican senators may only exercise their dele-
6 gated powers when the senate is assembled in lawful session.
7 The election code does not contain an express authorization for
8 the senators to meet during the interim. Rather, the code im-
9 plies that confirmation will take place during the session. The
10 governor contends that formality is necessary to ensure deliber-
11 ation before action is taken, to ensure that the requisite ma-
12 jority of the house votes to confirm or reject, and to provide a
13 public record of the vote of each legislator. It must be remem-
14 bered that the qualifications of a prominent citizen of the
15 state to hold office is ultimately at issue here.

16 Under the election code, the governor must appoint a
17 successor if the term is less than two years and five months, or
18 if a special election cannot be held before the legislature re-
19 convenes. An appointment can be defeated in two ways. First,
20 by rejection through the confirmation process, if the predeces-
21 sor in office was "a member of a political party." AS 15.40.-
22 330(a). Second, by election of a person other than the appointee
23 to fill the vacancy. AS 15.40.380. The election code provides
24 for the "date of office" of an appointee. AS 15.40.340. Sec-
25 tion 340 states that the date of office of an appointment not
26 subject to confirmation is, in this case, the date the legisla-

1 ture reconvenes. However, if the appointment is subject to con-
2 firmation, the clear implication is that the "date of office" is
3 later; i.e., a date, after the reconvening of the legislature,
4 on which the appointment is confirmed.

5 The term "confirmation" has a commonly understood
6 meaning when used to describe a legislative procedure. The term
7 connotes a formal process that is performed by a vote taken on
8 the record during a session of the confirming body. The state
9 constitution provides that executive appointments are confirmed
10 during joint session. Alaska Const. art. III, §§ 25 and 26.
11 The legislature implemented the confirmation power by establish-
12 ing a procedure for the consideration of all executive appoint-
13 ments made by the governor. This procedure requires a formal
14 vote by all members. AS 39.05.080(4); see also Rule 46, Uniform
15 Rules of the Alaska State Legislature. The provisions imple-
16 menting the procedures for confirmation of appointments to exec-
17 utive office are in pari materia with AS 15.40 and should be
18 used to interpret the meaning of the provision under review
19 here. There is no basis for a more liberal interpretation of
20 the term "confirmation."

21 Because the legislature does not meet during the in-
22 terim, there is no institutional need to provide for an earlier
23 confirmation. Even the election code provides that an appoint-
24 ee's office does not begin until confirmation. AS 15.40.340.
25 If the legislature perceives a need to confirm an appointee dur-
26 ing the interim, a special session could be called to take up

ATTORNEY GENERAL, STATE OF ALASKA
STATE CAPITOL
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1 the question. See Alaska Const. art. II, § 9. Apparently, the
2 leadership of the house of representatives had no interest in
3 calling such a session. Exh. 6. The senate Republican caucus
4 also requested the governor to call a special session to resolve
5 this dispute. However, the governor declined to exercise his
6 discretionary power to do so under article III, section 17 of
7 the Alaska Constitution. Exh. 7.

8
9 V. CONCLUSION

10 The governor contends that AS 15.40.330(a) is invalid
11 because that statute purports to delegate the power to determine
12 the qualifications of an appointed senator to a few legislators
13 serving in the senate. This function may only be performed by
14 the entire senate. The statute purports to require the governor
15 to share his appointment power with individual legislators.
16 Once a power of appointment is assigned by statute to the gover-
17 nor, the legislature cannot attempt to also exercise that power.
18 The Republican senators carry the grant of the confirmation
19 power too far when they attempt to exercise it during the inter-
20 im. To be valid at all, confirmation must be decided when the
21 senate is assembled in session. The vote of each senator per-
22 mitted to vote must be recorded in the senate journal.

23 For the reasons set out in this memorandum, the gov-

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ernor is entitled to judgment on all counts set out in his
complaint.

DATED: November 25, 1987

GRACE BERG SCHAIBLE
ATTORNEY GENERAL

By: James L. Baldwin
Assistant Attorney General

ATTORNEY GENERAL, STATE OF ALASKA
STATE CAPITOL
P.O. BOX K, JUNEAU, ALASKA 99811
PHONE 465-3600

Alaska State Legislature



House of Representatives House Judiciary Committee

P. O. Box V
State Capitol
Juneau, Alaska 99811
(907) 465-4990
(907) 465-4712

February 6, 1991

James L. Baldwin
Department of Law
P.O. Box K
Juneau, AK 99811

Dear Mr. Baldwin:

Thank you very much for your participation in the House Judiciary Committee hearing on February 4, 1991.

The following is a summary of the information that you committed on behalf of the Department of Law to provide to the committee:

The legal authority for the Attorney General's position that transmittal to the legislature of the name of an individual who has been appointed to a Section 26 board, under AS 39.05.080, is a discretionary act on the part of the governor.

The legal authority for the position that, until the name of such an appointee has been formally transmitted by the governor to the legislature, the legislature is powerless to exercise its confirmation powers with respect to that appointee.

The legal authority for the position that the removal provision for APUC Commissioners, AS 42.05.035, is invalid.

An historical summary of appointments to the law, engineering, finance, accounting or business administration, and consumer chairs on the APUC, as prescribed by AS 42.05.040.

The informal Attorney General's opinion stating that an executive appointee, once confirmed by the legislature, need not be resubmitted to the legislature after being reappointed to either the same or a different position.

The results of your research on the question of what constitutes a "regulatory" board under Article III, Section 26, of the Alaska Constitution.

Copies of the cases that reached an opposite holding to that of McChesney v. Sampson, 232 Ky 395, 23 S.W.2d 584 (1930).

A copy of the settlement agreement between the state and Michael Whitehead after he was removed from the Commercial Fisheries Entry Commission.

Because the committee would like to receive the above-requested information by February 15, 1991, your prompt attention to this request will be greatly appreciated.

Sincerely,



Dave Donley, Chair
House Judiciary Committee

DD/hk

Alaska State Legislature



House of Representatives House Judiciary Committee

P. O. Box V
State Capitol
Juneau, Alaska 99811
(907) 465-4990
(907) 465-4712

January 28, 1991

The Honorable Charles E. Cole
Attorney General
P.O. Box K
Juneau, Alaska 99811

Re: House Judiciary Hearing
February 4, 1991

Dear Attorney General Cole:

On February 4, 1991, the House Judiciary Committee will be holding a hearing to review constitutional issues related to the appointment authority of the Governor. Because the committee has several questions to ask the Department of Law, we would request that an attorney from the department attend the February 4 meeting prepared to answer questions from committee members.

Enclosed with this letter is an opinion we recently received from our Legislative Counsel which concludes that an appointment to the Alaska Public Utilities Commission made by Governor Cowper is binding on the new administration and may not be withdrawn by the new governor prior to confirmation by the legislature. Although this opinion appears to conflict with attorney general's opinions issued in 1979 and 1983, it is possible, given the development of the law in this area, that the Department of Law may now agree with the Legislative Counsel's legal conclusions.

One of the questions the committee would like answered on February 4 is whether the department agrees with the enclosed opinion from Legislative Counsel, and if not, the legal basis for the disagreement. Another question is whether the state settled a lawsuit brought by Michael Whitehead after he was removed from the Commercial Fisheries Entry Commission under the circumstances described by the Legislative Counsel, and if so, what were the terms of the settlement. (In Anchorage School District v. Anchorage Daily News, 79 P.2d 1191 (Alaska 1989), the court ruled that public agencies may not circumvent statutory public record

disclosure requirements by agreeing to keep the terms of a settlement agreement confidential.)

In addition to discussing the specific issues raised in the Legislative Counsel's opinion, the committee is also interested in a variety of issues related to the Governor's authority to appoint, and to revoke appointments, to the Board of Fish, the Board of Game, the Board of Education, and the Board of Trustees of the Permanent Fund Corporation. It would be helpful if the attorney attending the February 4 meeting is prepared to discuss appointments to these entities.

Thank you in advance for your cooperation.

Very truly yours,

Dave Donley, Chair

DD:lho

MEMORANDUM

State of Alaska

TO: Lori Svensson
Administrative Officer
AK Seafood Marketing Institute


DATE: February 17, 1982

FILE NO: J66-377-82

TELEPHONE NO: 465-3600

DM: WILSON L. CONDON
ATTORNEY GENERAL

SUBJECT: Terms of office of of-
ficers of Alaska Sea-
food Marketing Inst.

By: 
Kenneth E. Vassar
Assistant Attorney General

You have asked whether the term of office of a member of the board of directors of the Alaska Seafood Marketing Institute who is also an officer of the institute may be construed to begin on the date of the first meeting of the board following the officer's appointment. It may not.

Under AS 16.51.020, the governor appoints members of the board of directors, and, under AS 16.51.030, the members of the board serve staggered three-year terms of office. Nothing in the statutes expressly states when a board member's term of office begins. In this situation, the general rule is that the term of office begins to run from the date of the appointment. 63 Am.Jur.2d, Public Officers and Employees, § 151. The power to determine when an appointee's term will begin is part of the appointing power which, under AS 16.51.020, is assigned to the governor. The suggested construction would make that power dependent upon the will of the board rather than that of the governor.

You have also asked whether the by-laws of the institute should be amended to address the situation in which the term of office of a board member who is an officer of the institute and who is not reappointed, expires leaving the institute with a vacancy in that office. Certainly, the by-laws could consider this contingency, and there are undoubtedly several methods of addressing the problem. However, the simplest method would seem to be for the staff of the institute to maintain a list of the board members who are officers and the expiration dates of their terms as board members. Then, a meeting of the board can be scheduled to follow shortly after the expiration date of a director's term so that any vacancy which arises can be filled without undue delay; or, at the last meeting before the expiration date, another director can be elected to take the office if the first director is not reappointed.

KEV/pjg

APR 18 1991

Peter Sokolov
11100 Magnolia Street
Anchorage, AK 99516
April 17, 1991

Senator Drue Pearce
P.O. Box V
Juneau, AK 99811

RE: Confirmation of Peter Sokolov's Reappointment to the
Alaska Public Utilities Commission

Dear Senator Pearce:

I am writing to request your vote to confirm my reappointment to the engineering seat on the Alaska Public Utilities Commission. I joined the Commission in 1976 as a Utilities Engineer, became Chief Engineer in 1979 and, in 1987, was appointed by Governor Cowper to serve out the remaining term on the Engineering seat that ended on October 31, 1990. On December 1, 1989 I was appointed Chairman and on October 23, 1990, Governor Cowper reappointed me to the engineering seat for a new 6-year term that began on Nov 1, 1990.

On reappointment by Governor Cowper in 1990, my name was properly submitted to the Legislature for confirmation. However, Governor Hickel has attempted to "withdraw" my name from consideration by the Legislature, to prevent it from exercising its constitutional confirmation powers. Governor Hickel has also wrongfully removed me from the Commission, in violation of a statute which provides that I may not be removed from office without the Legislature's consent.

Despite Governor Hickel's actions, the House Judiciary Committee has concluded that my name is properly before the Legislature for confirmation. I respectfully request your favorable vote.

Governor Hickel Has Attempted to Nullify the Legislature's Confirmation and Removal Powers. I was timely reappointed by Governor Cowper to a term that began on November 1, 1990. A copy of the letter of appointment (attached) was sent to the Chief Clerk of the House of Representatives and to the Senate Secretary, to permit the Legislature to carry out its confirmation powers under Article III, Section 26 of the Alaska State Constitution.

The Legislature has clearly provided that an APUC Commissioner may be removed only "by and with the consent of a majority of the legislature" (AS 42.05.035). Despite that statute, In January of this year Don Tanner in Governor Hickel's office

informed me by letter (attached) that my appointment had been "withdrawn," and that I was to vacate my office. As Mr. Tanner's letter also states, Governor Hickel is attempting to appoint Don Schroer, who is not an engineer, to serve out the remainder of my six-year term.

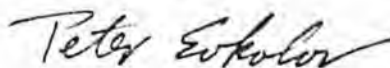
Legislative counsel has advised, in a written legal memorandum dated December 26, 1990, that once an appointment to the APUC is complete, the appointee may be removed only if the Legislature fails to confirm the appointment, or if the Legislature consents to removal under AS 42.05.035. Neither has occurred in my case. The effect of Governor Hickel's "withdrawal" of my appointment, if the Legislature allows it to stand without challenge, is to nullify the Legislature's constitutional and statutory powers.

Governor Hickel's Action May Affect the Decision-Making Process of the APUC. I believe strongly in an APUC that is impartial and sheltered to some extent from the short-term upheavals of partisan politics, while maintaining the power of the elected government officials to set the policies over the longer term. Governor Hickel's removal of a duly appointed APUC Commissioner without cause and without legislative consent constitutes a precedent that places the Commission's decision making process under increased political pressure. Since all APUC Commissioners' terms expire on October 31 or November 1, it seems that there was a clear intent to isolate commissioners from the outcome of gubernatorial elections and allowing the incumbent Governor to decide on APUC reappointments.

I Am Well-Qualified to Serve on the APUC. The Legislature by statute has required that one APUC seat must be filled by an engineer (AS 42.05.040). I have highly relevant work experience in both the private sector and the APUC, as summarized in my resume. I have been with the APUC as an engineer for more than fourteen years and thus am well acquainted with Alaskan utilities and the problems they face, especially in rural areas.

I wish to continue serving on the APUC and complete the work that I have already begun on the important issues before the Commission. I would deeply appreciate your support, and your vote in favor of my confirmation.

Sincerely,



Peter Sokolov

RESUME OF:

Peter Sokolov
11100 Magnolia Street
Anchorage, Alaska 99516
Phone: (907) 346-2480

PROFESSIONAL EXPERIENCE:

Alaska Public Utilities Commission (APUC), Chairman, December 1989 - February, 1991. Responsible for coordinating the work of the five Commissioners in establishing agency policies and priorities, and in effectively adjudicating matters that are before the Commission.

APUC, Commissioner (Engineering seat), July 1987 - February 1991. Participated in hearings and provided engineering expertise to my colleagues in the adjudication of cases.

APUC, Chief Engineer, 1979 - July 1987. The primary responsibility was to assure that the section developed well founded positions on engineering issues and presented effective testimony before the Commission. I also carried my own case load of the more substantive cases, thus gaining an in-depth knowledge of Alaskan utilities and the unique problems they encounter in rural areas.

APUC, Utilities Engineer III, 1976 - 1979. In 1979, I served as a member of the Federal Communications Commission Joint Board Staff and advocated Alaska's position on national telecommunications issues.

New York Telephone, District Engineering Manager, Data TV and Radio. 1975 - 1976. Supervised 60 engineers who were responsible for the design of all voice, wideband data and network television terminal equipment installations in Manhattan.

New York Telephone, District Engineering Manager, Central Office, 1974 - 1975. Supervised 140 engineers and support personnel. Responsible for all central office engineering for downtown Manhattan (i.e. the financial district).

Bell System Center for Technical Education, Lisle, Illinois, Instructor, 1971 - 1974. On special assignment to teach the Central Office equipment and the Statistics/Operations segments of the "Elements of Communications Technology" (ECT) program. This program was part of the Bell System's Management Development Program where promising employees throughout the United States and Canada were given an introduction to the technical aspects of telephone company management.

New York Telephone, Supervising Engineer, Engineer, Assistant Engineer, 1965 - 1971. Progressed through various sections of the company's engineering department.

United States Information Agency, Technical Exhibit Guide 1964 - January 1965. Toured the Soviet Union with the United States Information Agency's "Communications USA" Exhibit. Because of my engineering background and fluency in Russian, I was assigned to the Technical Director's office to assist in answering questions that required in-depth technical responses.

EDUCATION:

Northwestern University, Evanston, Illinois.

Bachelor of Science in Electrical Engineering - 1960.

Master of Science (Electrical Engineering) - 1963.

University of Connecticut, Stamford, Connecticut.

Master of Business Administration - 1975.

Bell System. Completed ECT program and courses in Microwave Circuit Design, Data Circuit Testing, Central Office Maintenance Administration, #5 Crossbar Design, #1 ESS, and Engineering Economics.

OTHER:

Registered Professional Engineer - Alaska & New York.

Born: June 29, 1936, in Leghorn, Italy.

U.S Citizen

Married

January 31, 1991

SENT VIA TELECOPIER

Don Tanner, Director
Boards and Commissions
Office of the Governor
State of Alaska
P.O. Box A
Juneau, Alaska 99811-0101

Dear Mr. Tanner:

This is in response to your January 29, 1991 letter, in which you informed me that Governor Hickel is attempting to withdraw my reappointment to the Alaska Public Utilities Commission, and to replace me on the Commission effective January 23, 1991.

I was lawfully appointed to the Commission, and may not be summarily removed. Furthermore, the Alaska State Legislature has the right and the responsibility to decide whether or not to confirm my appointment. I believe that my appointment has already been submitted to the Legislature for confirmation, and I request that no action be taken to prevent the Legislature from carrying out its responsibilities. If my name has not been submitted, then I request that it be submitted, as the law requires.

While I believe that the action taken by the Governor's Office is illegal, I also do not believe that it is in the public interest to become involved in a personal confrontation with the Governor's Office. I will therefore physically vacate the premises where my office is located, as you request. I also will comply with any reasonable request for my continued assistance in seeing that the duties and responsibilities of the Commission are carried out. At the same time, I reserve all of my rights under law, including the right to be reinstated to my position on the Commission. I will immediately resume the performance of my duties on the Commission upon notification of my reinstatement.

Sincerely yours,

Peter Sokolov

WALTER J. HICKEL
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR

JUNEAU
January 29, 1991

Mr. Peter Sokolov
Alaska Public Utilities Commission
1016 West 6th Avenue
Anchorage, AK 99501

Dear Mr. Sokolov:

On behalf of the people of Alaska, I would like to thank you for your dedicated service to Alaska as a member of the Alaska Public Utilities Commission.

It is with regret that I must confirm Governor Hickel's decision to withdraw your reappointment to the Alaska Public Utilities Commission. Your name will not be forwarded to the legislature for confirmation of your appointment by former Governor Cowper. Effective January 23, 1991, Governor Hickel appointed Don Schroer to serve out your remaining term. Your replacement's name will be forwarded to the legislature for confirmation during this session.

Please take all reasonable and prudent actions to vacate this office quickly so that Governor Hickel's new appointee can assume his duties. I trust that you will assist him with the difficult transition that he faces in assuming the substantial duties as chairman of the Alaska Public Utilities Commission.

Your continued involvement with state issues and your commitment to public service is deeply appreciated.

Best regards,

A handwritten signature in cursive script that reads "Don Tanner".

Don Tanner
Director
Boards and Commissions

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

November 8, 1990

Mr. Peter Sokolov
11100 Magnolia Street
Anchorage, AK 99516

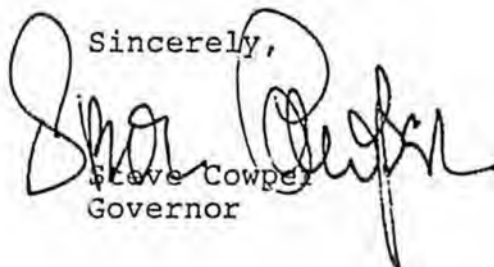
Dear Peter,

I want to express my sincere appreciation for the many hours which you have given to the State of Alaska as a member of Alaska Public Utilities Commission. I am pleased to re-appoint you to another term ending October 31, 1996. Again, you will possess the authority to exercise the powers and perform the duties of your office pending confirmation by the Legislature. With this reappointment, you will continue in the position of Chair of APUC until your Chair term expires on December 1, 1993.

Enclosed is an updated identification card to facilitate your travel as a board member. Please use these card privileges only during official state business. If you should resign your appointment before your term expires, please return the card to my Boards and Commissions Office.

We Alaskans appreciate your continuing and important contribution to our citizens and state. Thanks for doing your part.

Sincerely,


Steve Cowper
Governor

Enclosure

November 8, 1990

Mr. Peter Sokolov
11100 Magnolia Street
Anchorage, AK 99516

Dear Peter,

I want to express my sincere appreciation for the many hours which you have given to the State of Alaska as a member of Alaska Public Utilities Commission. I am pleased to re-appoint you to another term ending October 31, 1996. Again, you will possess the authority to exercise the powers and perform the duties of your office pending confirmation by the Legislature. With this reappointment, you will continue in the position of Chair of APUC until your Chair term expires on December 1, 1993.

Enclosed is an updated identification card to facilitate your travel as a board member. Please use these card privileges only during official state business. If you should resign your appointment before your term expires, please return the card to my Boards and Commissions Office.

We Alaskans appreciate your continuing and important contribution to our citizens and state. Thanks for doing your part.

Sincerely,

S/S Steve Cowper

Steve Cowper
Governor

Enclosure

bcc: Lt. Governor's Office
Regional Offices
Contact: Ted Moninski
Juneau Information Office
Chief Clerk of the House
Anchorage Information Office

APOC
Barbara Whiting
Senate Secretary
Rep. Ron Larson
EEO

1 IN THE HOUSE

2 HOUSE JOINT RESOLUTION NO.

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 Proposing an amendment to the Constitu-
6 tion of the State of Alaska relating to
7 legislative confirmation of the board
8 members of public corporations of the
9 state.

0 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

1 * Section 1. Article III, sec. 26, Constitution of the State of Alaska,
2 is amended to read:

3 SECTION 26. BOARDS AND COMMISSIONS. When a board or commission
4 is at the head of a principal department, [OR] a regulatory or quasi-
5 judicial agency, or a public corporation established by law, its
6 members shall be appointed by the governor, subject to confirmation by
7 a majority of the members of the legislature in joint session, and may
8 be removed as provided by law. They shall be citizens of the United
9 States. The board or commission may appoint a principal executive
0 officer when authorized by law, but the appointment shall be subject
1 to the approval of the governor.

2 * Sec. 2. The amendment proposed by this resolution shall be placed
3 before the voters of the state at the next general election in conformity
4 with art. XIII, sec. 1, Constitution of the State of Alaska, and the elec-
5 tion laws of the state.
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ETRO

FRIDAY
TION E Jan. 25, 1991

S TROUBLE



JIM LAVRAKAS / Anchorage Daily News
Officer Allan Tesche.

vage effort

Because the security company is required to turn over everything it collects, this pile of trash ends up at my hall, in the cash management office, supervised by Hambrook until '89.
"There was a lot of American money that had been cut in half," she said, "put on a railroad track, washed up. They had been shot, had hole in them, been filed down. ... Some of it was in a fire."
Hambrook says she was told to consider this stuff "slugs" and throw

Hickel names Fink partner to utility seat Schroer says he's no lackey

By STEVE RINEHART
Daily News reporter

Gov. Walter Hickel has appointed Mayor Tom Fink's campaign treasurer, business partner and duck-shack buddy to the Alaska Public Utilities Commission.
The appointment of Don Schroer was made on Wednesday, the governor's office confirmed, though it was not announced. Schroer said Thursday he had gotten a call the day before from Don Tanner, who is Hickel's boards and commissions director.

"What he said was 'Congratulations,'" Schroer said.
Schroer, 64, was named to one of the two consumer seats on the five-member commission. The commission has authority over electric, gas, telephone, water and other utility rates in Anchorage and the rest of the state.
But it also has far-reaching authority over other utility questions, including some that have a direct bearing on the municipality and that are at the core of Fink's political agenda.

For example, the commis-

sion would have to approve the sale of the city-owned Anchorage Telephone Utility. Selling ATU is a Fink priority.

The APUC also would have to approve of self-regulation, sought by Fink and the assembly. Self-regulation would allow the city to set phone and electric rates at ATU and Municipal Light & Power and decide how much utility income to skim off as dividends to pay for other city government services.

The APUC has strictly limited, and in some cases refused to allow, such dividends. And last year it rejected the city's self-regulation plan. The city took the case to court but lost early this month. Meanwhile, it has submitted a new self-regulation proposal to the APUC.

Schroer said he has a personal opinion about those issues but would not say what it is.

With his 22-year partnership with Fink in the life insurance business, their

Please see Page E-3, SCHROER

Flowers readies third try at Delo

What other people tell me at handling complaints, consumer investigating. And I found a pattern of illegal of a time doing anything to accuse anyone of a do.

Police opens consumer complaints it just sends people a letter they might find help. Then, an assistant attorney general the chief of Consumer Protection act of opening the letters to notice a situation the police no one keeps statistics on a fairly dramatic case on said.

For the citizens of Alaska, only course, is that even now, advantage of the absence of

901, Anchorage, 99514-9001.

She undertook her first big, Alaska dogsled adventure over the winter of 1981 and 1982 when she completed the Iditarod Trail Sled Dog Race. More demanding dogsled travels followed: A

has cleared the financial hurdles. A \$54,000 budget and a change in logistics have provided for a resupply flight every two weeks, she said.

The logistical change in-

Last summer she worked on a trawler in the North Pacific. Tough work under bad conditions, she said, but the pay was good. She left the trawler to begin training her three dogs in October.

beauty of the wilderness overwhelm them.

"It's a blank, beautiful nothing," Flowers said. "It never makes me feel insignificant. It almost gives you a sense of power."

SCHROER: Hickel names Fink partner to utility commission

Continued from Page E-1

friendship and political alliance, Schroer said he knows critics will assume he is Fink's man on the APUC. That's not so, he said.

"I'm not going on there as Tom Fink's lackey. I'm not following Tom Fink's line on this," he said.

Schroer said he applied for the job about a month

ago. He said that after six years on the state Real Estate Commission and his current term on the city's Water and Wastewater Advisory Commission, he at least knows the meeting process.

No specific credentials are required for the two consumer seats on the APUC. Under law, the other three must be filled by people with specific training in engineering, business and law.

"Somebody asked me, 'What do you know about it?' I told them I know how to ask why," he said.

Assemblyman John Wood said he thought Schroer would improve the APUC.

"He's a common-sense, straight-forward type of per-

son," he said. "He is not going to be a puppet of Tom Fink. You see the two of them together and you'll see neither one controls the other."

In appointing Schroer, Hickel replaced Peter Sokolov, the commission's chairman. Sokolov is at the end of his six-year term. He had been reappointed by outgoing Gov. Steve Cowper in October, but had not yet been reconfirmed by the legislature.

He was said to be on vacation Thursday and could not be reached for comment.

Other public utility commissioners were still gauging the change on Thursday. To make room for Schroer,

Hickel shifted Commissioner Mark Foster from a consumer chair to fill Sokolov's engineering seat. Foster is a civil engineer.

Susan Knowles, the APUC's senior member and wife of the former Anchorage mayor, said that in her 15 years on the commission she had never seen seats shuffled by executive order.

"I don't think it's ever been considered," she said.

Both said the commissioners holding the consumer seats owe particular attention to consumer issues.

"We need to remember there are real people in real communities out there, paying real bills," Knowles said.

Groups step up pressure on Hickel

Groups like him.

Edgar Blatchford, a Native corporation leader who is heading Hickel's Department of Community and Regional Affairs, said Natives are overreacting to the choice, and said Somerville's past stands are not necessarily the views of the gover-

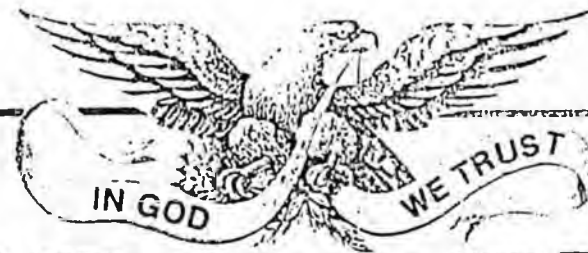
nor.

Hickel wants the boards to reconsider, although board members said this week that support still seems slim. Hickel has said if the boards don't approve Somerville now, he may try to make him commissioner anyway.

The Family of
Barbara A. Singleton Pettis

would like to thank all our friends for their support, prayers, cards, food and flowers which were of great help during our time of loss.

Lawrence Pettis,
Julius & Winston Singleton



BREWSTERS

Pendleton

Sale

WARRANTED TO BE A
PENDLETON

STATE OF ALASKA THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY LEGISLATIVE REFERENCE LIBRARY

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

Feb. 20, 1991	House Judiciary Standing Committee	1:30 pm
April 2, 1991	House Labor + Commerce Standing Comm.	12:00 pm
April 2, 1991	" " " "	1:00 pm
not dated	#JUD91-13, side A #67 partial minutes House Judiciary - adjourned	3:20 pm

#3

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 10, 1992

The Honorable Richard I. Eliason
President of the Senate
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear President Eliason:

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 positions noted:

Alaska State Board of Public Accountancy

Elaine Damm - Kodiak
Term began 11/14/91 expires 4/25/92
Bruce J. Ogle, CPA - Anchorage
Term began 8/14/91 expires 4/25/92
Jean B. Schmitt, CPA - Fairbanks
Term began 11/4/91 expires 4/25/93
Bradley L. Shaffer, CPA - Sitka
Term began 8/14/91 expires 4/25/93
Joanne Stoots - Fairbanks
Term began 1/27/92 expires 4/25/95
John C. Swalling, CPA - Anchorage
Term began 7/17/91 expires 4/25/95

L + C

Alcoholic Beverage Control Board

William M. Bishop - Kodiak
Term began 1/14/92 expires 1/31/93
W.E. "Brad" Bradley - Anchorage
Term began 1/31/92 expires 1/31/95
James B. Elkins - Ketchikan
Term began 6/12/91 expires 1/31/94
James J. McNamee - Fairbanks
Term began 6/12/91 expires 1/31/94

FIN

The Honorable Richard I. Eliason

February 10, 1992

Page 2

State Board of Registration for Architects, Engineers, and Land Surveyors

Phil R. Holdsworth, P.E. - Juneau

Original term began 9/2/88 reappointed 7/22/91

expires 7/1/95

B. David Spell - Fairbanks

Term began 9/20/91 expires 7/1/95

Mike Taurainen, P.E. - Soldotna

Term began 7/1/91 expires 7/1/93

L+C

Athletic Commission

Earl W. Davis - Anchorage

Term began 6/6/91 expires 5/14/96

John N. Hansen - Juneau

Term began 8/15/91 expires 5/14/92

Ward M. Merdes - Fairbanks

Term began 7/22/91 expires 5/14/92

L+C

Board of Governors of the Alaska Bar

Patricia B. Browner - Anchorage

Term began 7/26/91 expires 6/30/94

Ethel Staton - Sitka

Term began 7/25/91 expires 6/30/93

JUD

Board of Barbers and Hairdressers

Elmo O. Kienbaum - Ketchikan

Term began 9/30/91 expires 7/1/93

Jerry R. Mayfield - Anchorage

Term began 6/15/91 expires 7/1/92

Mariann Stoffel - Wasilla

Term began 10/9/91 expires 7/1/93

Barbara Watkins - Anchorage

Term began 8/14/91 expires 7/1/95

L+C

Big Game Commercial Services Board

Peter R. Buist - Fairbanks

Term began 8/1/91 expires 6/30/95

Susan Entsminger - Tok

Term began 8/1/91 expires 6/30/93

Thomas N. Scarborough - Fairbanks

Term began 8/1/91 expires 6/30/93

Eric C. Stirrup - Kodiak

Term began 9/24/91 expires 6/30/95

RES

The Honorable Richard I. Eliason
February 10, 1992
Page 3

Board of Chiropractic Examiners

Lou Ann Hedden, D.C. - Soldotna
Term began 11/29/91 expires 7/15/94
William F. Risch, D.C. - Anchorage
Term began 10/1/91 expires 7/15/93

L+C

Alaska Commercial Fisheries Entry Commission

Frank M. Homan - Juneau
Term began 8/5/91 expires 7/1/95

RES

Board of Dental Examiners

T. Greg Remaklus, DMD - Anchorage
Term began 6/7/91 expires 2/1/95
Royann Royer, RDH - Anchorage
Term began 1/21/92 expires 2/1/95
Louis J. Thornley, DDS - Fairbanks
Term began 6/7/91 expires 2/1/95

L+C

Board of Dispensing Opticians

Alicia L. Musser - Anchorage
Term began 6/7/91 expires 6/14/93

L+C

Board of Education

John E. Hotzfield - Wasilla
Term began 5/31/91 expires 1/31/94
Patricia Norheim - Petersburg
Original term began 1/7/91 reappointed 1/31/92
expires 1/31/97

HES

Board of Electrical Examiners

Aaron H. Downing, P.E. - Palmer
Term began 10/30/91 expires 7/1/94
Ralph W. Perdue - Fairbanks
Term began 1/21/92 expires 7/1/95

L+C

Board of Fisheries

Trefon Angasan, Jr. - Anchorage
Term began 1/31/92 expires 1/31/95
Larry Edfelt - Auke Bay
Term began 7/23/91 expires 1/31/93
Thomas M. Elias - Anchorage
Term began 7/23/91 expires 1/31/94

RES

The Honorable Richard I. Eliason
February 10, 1992
Page 4

State Commission for Human Rights

Edna DeVries - Palmer
Term began 2/1/92 expires 1/31/97

SA

Commission on Judicial Conduct

Patrick T. Brown - Fairbanks
Original term began 4/10/87 reappointed 7/17/91
expires 4/28/95
Susan A. Burke - Juneau
Term began 7/17/91 expires 4/28/95
Sharon Nahorney - Anchorage
Original term began 7/16/91 reappointed 1/1/92
expires 12/31/95
Kenneth E. Peavyhouse - Anchorage
Term began 11/14/91 expires 12/31/94

JUD

Judicial Council

Jim A. Arneson - Anchorage
Term began 10/4/91 expires 5/18/95

JUD

Alaska Labor Relations Agency

James W. Elliott - Anchorage
Term began 1/22/92 expires 6/30/94

L+C

Board of Marine Pilots

Dale O. Collins - Ketchikan
Term began 6/12/91 expires 6/1/95
Keith Greba - Sitka
Term began 6/12/91 expires 6/1/95
Robert M. Watt - Ketchikan
Term began 7/22/91 expires 6/1/94

L+C

Board of Mechanical Examiners

Jack B. Wilbur, Sr. - Fairbanks
Term began 7/17/91 expires 6/9/94

L+C

State Medical Board

Noel W. DeVries - Palmer
Term began 12/9/91 expires 8/13/92

L+C

The Honorable Richard I. Eliason
February 10, 1992
Page 5

Board of Nursing

Susan S. Gass, RN - Ketchikan
Term began 1/14/92 expires 3/31/95

L+C

Board of Nursing Home Administrators

Kathy S. Lockhart - Ketchikan
Term began 7/22/91 expires 10/1/92
Gary L. Sheridan - Palmer
Term began 7/23/91 expires 10/1/94

L+C

Occupational Safety and Health Review Board

Wayne A. Gregory - Fairbanks
Term began 11/27/91 expires 8/1/95

L+C

Alaska Public Offices Commission

Marjorie A. O'Reilly - Kenai
Term began 2/2/92 expires 2/1/97
Sandra Stillion - Fairbanks
Term began 6/6/91 expires 2/1/96

SA

Board of Certified Real Estate Appraisers

Joseph P. Donahue - Kenai
Term began 11/27/91 expires 6/30/95
Ken E. Kincaid - Anchorage
Term began 6/13/91 expires 6/30/92
Thomas P. King - Juneau
Term began 1/31/92 expires 6/30/94
William K. Simon - Fairbanks
Term began 6/13/91 expires 6/30/93

L+C

Real Estate Commission

Terence L. Duszynski - Fairbanks
Term began 8/7/91 expires 1/31/95
Alice R. Hartig - Anchorage
Term began 6/12/91 expires 1/31/95
Ronald J. Johnson - Kenai
Original term began 6/15/87 reappointed 11/14/91
expires 1/31/95
Terral F. Wanzer - Ketchikan
Term began 12/6/91 expires 1/31/93

L+C

The Honorable Richard I. Eliason
February 10, 1992
Page 6

Violent Crimes Compensation Board

Robert E. Congdon - Anchorage
Term began 7/23/91 expires 12/15/93

SA

Alaska Workers' Compensation Board

John Giuchici - Fairbanks
Term began 10/10/91 expires 7/1/93
Steve Hagedorn - Anchorage
Term began 8/19/91 expires 7/1/93
Don Koenigs - Fairbanks
Term began 8/20/91 expires 7/1/94
Michael McKenna - Anchorage
Term began 11/15/91 expires 7/1/94
Robert W. Nestel - Eagle River
Term began 8/14/91 expires 7/1/93
Darrel F. Smith - Anchorage
Original term began 8/19/88 reappointed 8/20/91
expires 7/1/94
Marc D. Stemp - Copper Center
Term began 8/14/91 expires 7/1/94
Jeffery A. Wertz - Anchorage
Term began 8/20/91 expires 7/1/94

L & C

In accordance with AS 39.05.080 and Article III, Section 19, I submit the following name for legislative confirmation of appointment to the position noted.

Alaska Air National Guard

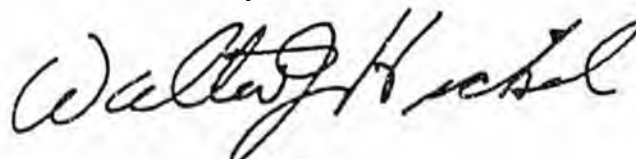
Commander Alaska Air National Guard, Brigadier General Kenneth M. Taylor, Jr. - Anchorage.

SA

As for these appointments are attached.

With best regards.

Sincerely,



Walter J. Hickel
Governor



OFFICIAL BUSINESS

Alaska State Legislature Senate

Office of the Secretary

STATE CAPITOL
JUNEAU, ALASKA 99801-1182
(907) 465-3701
FAX: 465-2832

April 3, 1992

M E M O R A N D U M

TO: Senator Pearce, Chair
Labor and Commerce Committee

FROM: Nancy Quinto
Secretary of the Senate

RE: Resignation of Governor's Appointee

Mr. Ward Merdes has notified the Governor that he has resigned from the Athletic Commission, effective March 18, 1992. Please delete his name from your list.

Athletic Commission

Ward M. Merdes - Fairbanks
Term began 7/22/91

Thank you.

NQ/hc

Sen. Kertulis

Alaska State Legislature

3111 C Street, Suite 150
Anchorage, Alaska 99503
(907) 561-2038
FAX: (907) 561-4194

During Session:
P.O. Box V
Juneau, Alaska 99811
(907) 465-4993
FAX: (907) 463-5352

Senator Drue Pearce
District G

MAR 05 1992

MEMORANDUM

To: All Senate Labor and Commerce Committee Members
From: Drue Pearce, Chair *Drue Pearce*
Date: March 5, 1992
Re: Governor's Appointments

Attached are two more of the Governor's nominations to various boards and commissions. Also attached are the resumes attendant to the nominations.

Please review the nominations. If you have questions, comments, or would like the full Labor and Commerce Committee to hold a confirmation hearing on any nominee, please advise me by March 13.

Drue MAR 10 is good!

Alaska State Legislature

Senator Drue Pearce, Chair
Senator Virginia Collins, Vice Chair
Senator Shirley Craft
Senator Rick Halford
Senator Jay Kerttula



WHILE W. JUNEAU
ALASKA STATE SENATE
STATE CAPITOL
JUNEAU, ALASKA 99801-1182
(907) 455-3344

SENATE LABOR AND COMMERCE COMMITTEE

3111 C STREET, SUITE 535
ANCHORAGE, ALASKA 99503
(907) 557-2038


Date: April 27, 1992

The Honorable Richard I. "Dick" Eliason
President of the Senate
State Capitol
Juneau, AK 99801-1182

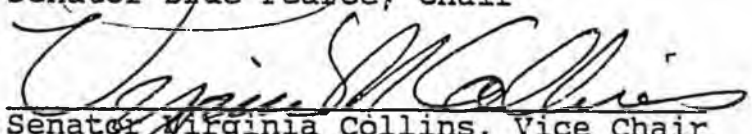
Dear President Eliason:

In accordance with AS 39.05.080, the Senate Labor and Commerce Committee has reviewed the qualifications of Ronald L. Martinelli, DDS recently nominated to the Board of Medical Examiners. There were no stated objections to legislative confirmation by committee members. This does not reflect an intent by any of the members to vote for or against this appointee during further legislative deliberations.

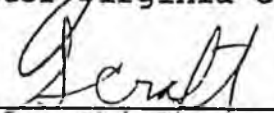
Respectfully,



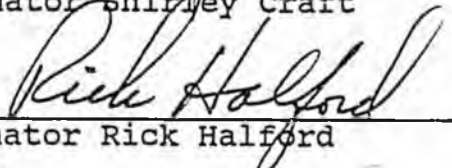
Senator Drue Pearce, Chair



Senator Virginia Collins, Vice Chair



Senator Shirley Craft



Senator Rick Halford

Senator Jay Kerttula

Alaska State Legislature

Senator Drue Pearce, Chair
Senator Virginia Collins, Vice Chair
Senator Shirley Craft
Senator Rick Halford
Senator Jay Kerttula



WHILE IN JUNEAU
ALASKA STATE SENATE
STATE CAPITOL
JUNEAU, ALASKA 99801-1182
(907) 465-3844

SENATE LABOR AND COMMERCE COMMITTEE

3111 C STREET, SUITE 535
ANCHORAGE, ALASKA 99503
(907) 561-2038

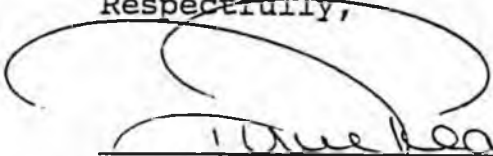
Date: April 27, 1992

The Honorable Richard I. "Dick" Eliason
President of the Senate
State Capitol
Juneau, AK 99801-1182

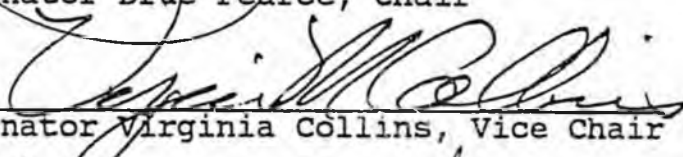
Dear President Eliason:

In accordance with AS 39.05.080, the Senate Labor and Commerce Committee has reviewed the qualifications of Randall W. Christiansen recently nominated to the Board of Examiners in Optometry. There were no stated objections to legislative confirmation by committee members. This does not reflect an intent by any of the members to vote for or against this appointee during further legislative deliberations.

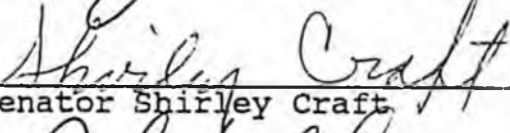
Respectfully,



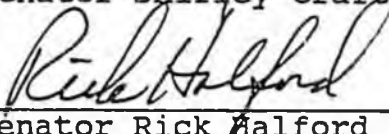
Senator Drue Pearce, Chair



Senator Virginia Collins, Vice Chair



Senator Shirley Craft



Senator Rick Halford

Senator Jay Kerttula



Official Business

Alaska State Legislature

SENATE

State Capitol
Juneau, Alaska 99801-1182
(907) 465-3701

March 18, 1992

M E M O R A N D U M

TO: Senator Pearce, Chair
Labor and Commerce Committee

FROM: Nancy Quinto *NQ*
Secretary of the Senate

RE: Confirmation of Governor's Appointees

Pursuant to AS 39.05.080, President Eliason has referred the positions noted to your committee for a hearing, recommendation and report:

Board of Medical Examiners

Ronald L. Martinelli, DDS - Soldotna
Term began 3/12/92 expires 2/1/95

Board of Examiners in Optometry

Randall W. Christiansen, OD - Fairbanks
Term began 3/12/92 expires 6/15/94

Resumes for the above appointments are enclosed.

NQ/hc

Enclosures

SOLDOTNA DENTAL CLINIC

155 SAITHI WAY

SOLDOTNA, ALASKA 99669

(907) 262-1080

PERSONAL RESUME

Ronald L. Martinelli DDS SSN 552-74-7730

Box 2035 Soldotna, Alaska 99669

Phone: (907) 262-5325 home; 262-6595 office

D.O.B. 02-16-48 Birthplace: Oakland, California

Spouse: Karen Ann D.O.B. 04-17-59

Children: Jennifer Ann D.O.B. 11-10-79

Education:

Miramonte High School, Orinda, California June, 1965

University of California, Berkeley Sept. 1965- June 1969

University of California, San Francisco, School of Dentistry Sept. 1969- June 1973

DDS Degree June, 1973

Military Service:

United States Navy, Dental Corps June 1973- July, 1977

Rank: LCDR Honorable Discharge

Professional:

Montana State Dental Board Exam, June, 1973

Alaska State Dental Board Exam, June, 1976

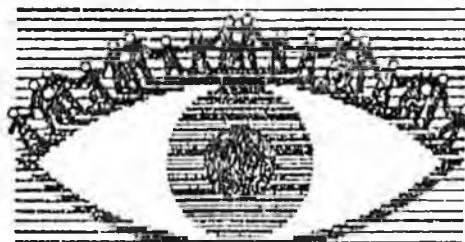
Private Practice, Soldotna Dental Clinic, February, 1978- present, General Dentistry
Member, American Dental Association, Alaska Dental Society, Kenai-Kodiak Chapter

Alaska Residency: Since August 2, 1977

Health: Excellent

BRUCE J. WOLF, M.D.
Diplomate, American Board of Ophthalmology

ROBERT P. HAMMOND, O.D.
Diplomate, National Board of Optometry



SAMUEL A. McCONKEY, M.D.
Diplomate, American Board of Ophthalmology

RANDALL W. CHRISTIANSEN, O.D.
Diplomate, National Board of Optometry

EYE CLINIC of FAIRBANKS

Randall W. Christiansen
725 Darrell Drive
Fairbanks, AK 99709
(907) 479-5060

Born: April 21, 1950
Height: 6'0"
Weight: 220 pounds
Married: 3 children, ages 12,5,3

EDUCATION

1964-1968 Slayton High School, Slayton, Minnesota. Diploma May 1968
1968-1970 Gustavus Adolphus College, St. Peter, Minnesota. Pre-Optometry
1970-1974 Pacific University College of Optometry, Forest Grove, Oregon.
BS Degree May 1972; Doctor of Optometry Degree May 1974
1974 Passed National Boards in Optometry
1975 Passed Minnesota Optometry Board - License # 1615
1984 Passed Alaska Optometry Board - License # 109

EXPERIENCE

1974-1976 Optometrist, U.S. Navy, Long Beach, California
1977-1984 Optometrist, U.S. Army, Leavenworth, Kansas; San Antonio, Texas;
and Fairbanks, Alaska.
1984-Present Optometrist, Eye Clinic of Fairbanks, Fairbanks, Alaska
1987-Present Optometrist, Alaska Air National Guard, Kulis ANGB, Anchorage, Alaska

PROFESSIONAL & CIVIC ORGANIZATIONS

American Optometric Association
Alaska Optometric Association - Treasurer
Armed Forces Optometric Society
Air National Guard Optometric Society
Fairbanks Kiwanis Club - Board of Directors

REFERENCES

Dr. Bruce Wolf, Eye Clinic of Fairbanks, Fairbanks, Alaska (907)456-7760
Dr. Laurance Marshburn, Commander, 176th USAF Clinic, Kulis ANG Base, Anchorage,
Alaska (907)249-1276
Dr. Marvin Bergeson, Tanana Valley Clinic, Fairbanks, Alaska (907)452-1611

INTERESTS Include fishing, hunting, camping and golfing

MEMORANDUM

To: All Senate Labor and Commerce Committee Members
From: Drue Pearce, Chair
Date: February 26, 1992
Re: Governor's Appointments

Attached are two lists of Governor Pickel's nominations to various boards and commissions. Also attached are the resumes attendant to the nominations.

Please review the nominations. If you have questions, comments, or would like the full Labor and Commerce Committee to hold a confirmation hearing on any nominee, please advise me by March 5.



Alaska State Legislature Senate

Office of the Secretary

OFFICIAL BUSINESS

PO BOX V
CAPITOL BUILDING
JUNEAU, ALASKA 99811

Date Apr. 29, 1991

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

Dear President Eliason:

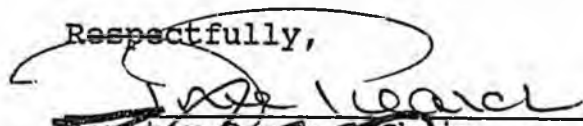
In accordance with AS 39.05.080, the Senate Labor and Commerce Committee reviewed the following with regard to confirmation of the Governor's appointment:

Board of Registration for Architects, Engineers, and Land Surveyors


Davidson, George W. - Juneau
Term began 6/15/90 expires 7/1/94

There were no stated objections to the confirmation of the named individual by committee members. This does not reflect an intent by any of the members to vote for or against the individual during any further sessions.


Respectfully,



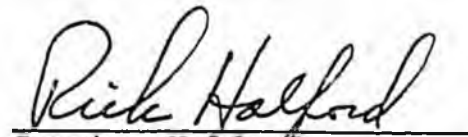
Senator Pearce, Chair



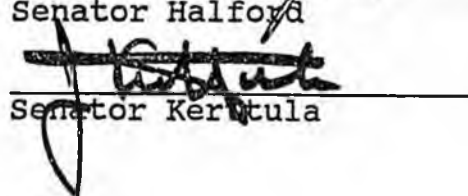
Senator Collins, Vice-Chair



Senator Eliason



Senator Halford



Senator Kerutula

R E S U M E

GEORGE W. DAVIDSON, P.E., L.S.

EDUCATION

B.S.C.E. - Cleveland State University (Fenn College) - Cleveland, Ohio
1961

EXPERIENCE

Director of Alaska Marine Highway System, 2/87 - 11/89

- Supervise 1000 employees - with 7 unions
- Operation and maintenance of 9 ocean vessels
- Design of vessel rehabilitation
- Design, operation & maintenance of 32 separate port facilities
- Manage a \$65,000,000 annual operating budget
- Manage annual revenues of \$37,000,000

Owner/President - EMPS Engineering, 1976 - 1987

- Copper River Highway - Survey and design - Cordova, Alaska
- Knik Arm Crossing Study - Anchorage, Alaska
- Basin Road Trestle Design - Juneau, Alaska
- Coal Barge Offloading Facility - Skagway, Alaska
- Barge transfer port, with floating bridge - Haines Alaska
- Major bridge between Kodiak and Near Island - Kodiak Alaska
- Greens Creek Mines survey control and topo surveys - Juneau Alaska
- Shacwak Highway -25 miles of survey and design of road - Yukon Territory
- Incinerator facilities for solid waste -Juneau and Sitka, Alaska

Consulting Engineer - Davidson Engineering/CH2M Hill, Inc., 1967 - 1976

- City & Borough of Juneau interceptor sewer, pump station, and wastewater treatment plant project
- Fire Lake Fish Hatchery (structural)
- Juneau waterfront planning project
- U.S. Coast Guard Kodiak Base complete water and sewer facilities
- Frazier Fish Hatchery Ladder & Diversion Structure (structural)
- Dock design - Homer, Alaska

Sanitary Engineer -

Alaska Department of Health & Environmental Conservation, 1966 - 1967

- Establishment of Water Pollution Control Regulations for the State of Alaska
- Review of utility plans (water, sewer, & storm) for all areas of Alaska

City Engineer & Public Works Director - City & Borough of Juneau, 1964 - 1966

- Establishment of City of Juneau Public Works Department
- Design, construction, operation & maintenance of all city facilities

Resume

George W. Davidson, P.E., L.S.

Bridge Design Engineer -

Alaska Department of Transportation & Public Facilities, 1963 - 1964

- ° Designer on ASCE outstanding Knik-Matanuska River Crossing Bridges
- ° Design replacement or repair of approx. 100 earthquake damaged bridges

Bridge Design Engineer - Trumbell County, Ohio, 1961 - 1963

- ° Designed standard bridge and culvert sections for entire county road system

Assistant City Engineer - Painesville, Ohio, 1954 -1961

- ° All field control, layout, and inspection for major city interceptor sewer, pump station, tunnels, and wastewater treatment plant project.
- ° Building inspection, utility map, property map and property research

REGISTRATIONS

Alaska - Professional Engineer, 1964

Alaska - Registered Land Surveyor, 1972 (part of P.E. prior to 1972)

Ohio - Professional Engineer, 1963

PROFESSIONAL AFFILIATIONS

City & Borough of Juneau Assembly & Deputy Mayor (Current)

National Society of Professional Engineers

Alaska State Chapter President, Vice President, Secretary (Past)

American Society of Civil Engineers

American Public Works Association

Alaska State Charter Member

Alaska State Officer, President, Vice President (Past)

Alaska State Chamber of Commerce - Board of Directors (Past)

Southeastern Conference of Cities - Board of Directors & President (Past)

City & Borough of Juneau Hospital Board of Directors (Past)

City & Borough of Juneau Planning Commission (Past)

Juneau Chamber of Commerce - Board of Directors (Past)

City & Borough of Juneau Code Review Committee (Buildings, Fire, Plumbing, Mechanical, Electrical, Dangerous Buildings - Past)

Licensed as a private pilot - single engine land and sea



Alaska State Legislature

Senate

OFFICIAL BUSINESS

Office of the Secretary

PO BOX V
CAPITOL BUILDING
JUNEAU, ALASKA 99811

Date April 29, 1991

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

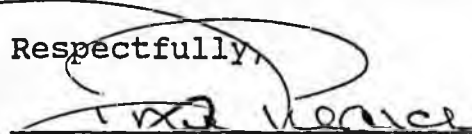
Dear President Eliason:


In accordance with AS 39.05.080, the Senate Labor and Commerce Committee reviewed the following with regard to confirmation of the Governor's appointments:

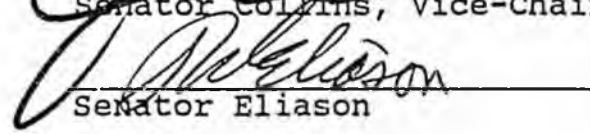
Alaska Labor Relations Agency
Williams, H.O. "Red" - Fairbanks
Term began 7/16/90 expires 6/30/91
Johnson, B. Gil - Anchorage
Term began 2/6/91 expires 6/30/93
Smith, Darrell - Anchorage
Term began 2/6/91 expires 6/30/92


There were no stated objections to the confirmation of any of the named individuals by committee members. This does not reflect an intent by any of the members to vote for or against the individuals during any further sessions.

Respectfully,


Senator Pearce, Chair


Senator Colkins, Vice-Chair


Senator Eliason


Senator Halford


Senator Kerttula

RESUME

H.O. Williams
1048 Norris Lane
Fairbanks, Alaska 99712

Age: 74
Married

(907) 457-4979

Education

A.B., Miami University, Oxford, Ohio.
M. Sc., University of Alaska, Fairbanks

Vita

- Fifty year Alaska resident
- Elementary teacher in Tee Harbor, Nikolai, Fort Yukon, and Cantwell
- Secondary teacher in Fairbanks
- Elementary school administrator in Fairbanks
- Central Office administrator in Fairbanks
- Superintendent of Schools in Valdez and Nenana
- Airline Transport Pilot with Commercial Privileges
 - Pan American World Airways
 - TransOcean Airlines
 - Overseas National Airways
 - U.S. Fish and Wildlife Service
 - Fairbanks Air Service
- Military Service
 - Army Air Corps
 - Naval Air Corps
- School Board Member nine years in Fairbanks

Labor Experience

- Two time president, Fairbanks Education Association
 - Twice spokesperson for contract negotiations
 - Member, Fairbanks School Board negotiations committee
 - Three times spokesperson for contract negotiations
 - Trainee at numerous negotiations workshops and clinics for both labor and management.
-

1-11-91

B. Gil Johnson
1691 Crescent Drive
Anchorage, Alaska 99508
(907) 562-2811/563-6145

BOARDS & COMMISSIONS

JAN 30 1991

BACKGROUND

Born: Spokane, Washington
Grade School: Adams Elementary School
High School: Lewis & Clark High School
College: Gonzaga University
Law School: Gonzaga Law School

D/3/F/10

PERSONAL

Married, four grown children, three grandchildren, all residents of Alaska.

MILITARY SERVICE

1942 - 1944 United States Navy: Service all in Southwest Pacific; honorable discharge with service connected disability.

EMPLOYMENT

1954: After graduation from law school moved from Spokane, Washington, to Fairbanks and worked for Independent Lumber Company, Bill Ellis, Manager; Burgess Construction, Lloyd Burgess, Owner.

1957 - 1958: Returned to Washington and worked as house counsel for Grange Insurance, Mayflower Insurance and Rocky Mountain Fire Insurance.

April 1959: Returned to Alaska as Administrative Assistant to Alaska Commissioner of Labor.

1960 Appointed Commissioner of Labor by William A. Egan, Governor.

1967 - present: Moved to Anchorage to practice law. Have remained in Anchorage practicing law to present. Presently semi-retired.

RECEIVED
JAN 24 1991

Dept. of Administration
Commissioner's Office

EXPERIENCE

While employed by the State of Alaska, mediated scores of labor management disputes such as: between local labor unions and their international unions; between local unions and individual employers, as well as multiemployer groups (A.G.C., etc.); disputes between longshore unions and longshore employers, including the old Alaska Steamship Company; between labor and oil employers in the Swanson River fields; fisherman and canneries all over the State: teamsters and employers such as Sealand; many disputes between the railroad workers and the White Pass and Yukon Railroad. During this period, the White Pass workers were affiliated with three different international unions, finally settling on affiliation with the Teamsters Union. Mediated many jurisdictional disputes between various craft unions. There were so many labor management disputes during the period following statehood that I finally called all the unions and employers together to settle matters down. The meetings were quite succesful to the point that the Alaska State Senate passed a resolution (Senate Resolution No. 36, SLA 1962) commending the participants in the conference for what we were attempting to do.

Since 1967, in the private practice of law, I have continued in the labor field, not only in mediation but in arbitration. I have arbitrated disputes between pharmacists and their employers, as well as architects who had contractual disputes. As a practicing attorney, I have drawn many trust documents covering health and welfare agreements, as well as many covering retirement. I have drawn documents starting unions. I have served as an arbitrator for the Alaska Bar Association. Participated in many unfair labor charges under the National Labor Relations Act and have participated in many such cases in court.

At one time or another, in the labor field, I have represented the following: Airline Pilots Association, Pharmacists Association, Teamsters Union, Pulp Workers Union, Oil Workers Union, Longshore Union, virtually all Craft Unions, trustees of almost all Craft Union Trusts (trustees were made up of labor and management).

PROFESSIONAL AFFILIATIONS

Washington State Bar:	1954
Alaska State Bar:	1966
American Bar Association:	1957
American Arbitration Association:	1975
U.S. Conciliation and Mediation Service:	1990
U.S. Supreme Court:	1972
U.S. District Court Eastern District Washington:	1954
U.S. Court of Appeals Ninth Circuit:	1959
U.S. District Court Alaska:	1967
U.S. Customs Court:	1972



STATE OF ALASKA
OFFICE OF THE GOVERNOR
Pouch A
Juneau, Alaska 99811

BOARDS AND COMMISSIONS RESUMÉ

INSTRUCTIONS

A separate application is required for each position for which you apply. Complete and specific answers will aid in rapid and accurate processing of your resumé. The initial determination of whether you qualify for the position specified will be based on this application.

Please type or print legibly in ink. Forward to the above address. Be sure your answers are true. A willfully false answer may result in your disqualification or removal from office if you are appointed.

Position for which I am applying:

Alaska Worker's Compensation Board

Please list any other Board or Commission on which you serve:

NONE

Name Darrell F. Smith		Previous Name applied under
Mailing Address 610 West 54th. Street		Residence Address 8147 Lloyd dr.
City, State and Zip Code Anchorage, Alaska. 99518		Anchorage, Alaska. 99502
Home Telephone (907) 248-9548		Business or Message Telephone (907) 562-2810

REPORT ADDRESS AND TELEPHONE CHANGES PROMPTLY

AS 39.05.100 requires that a person appointed to a board or commission be a registered voter before the last general election:

Are you a registered voter? YES NO

Voter Registration Number (Optional) 177859

Social Security Number (Optional) 549-48-2798

Have you ever been convicted of a misdemeanor within the past five years or a felony within the past ten years? YES NO

If "YES", explain the circumstances on a separate sheet of paper and attach it to this application. A conviction is not necessarily grounds for disqualification. The number of convictions, nature, recency and relationship to the board position applied for will be evaluated and a determination will be made after a review of all relevant facts.

A policy in the Governor's Office pertaining to boards and commissions is that a member attend at least 75% of the meetings. Are there any circumstances in either your professional or personal life which would prevent you from participating at the required authorized meetings? YES NO

If "YES", explain on a separate sheet of paper and attach to this application. None, except for work scheduling.

This position may require that the member travel to either urban or rural (or both) areas. Are there any circumstances which would prevent you from participating? Same as above.

CONFLICTS OF INTEREST. Certain Boards and Commissions require full disclosure of personal financial data under AS 39.50.010. If required for the Board or Commission for which you are applying, are you willing to do so? YES NO

Could you or any member of your family be affected financially by decisions to be made by the Board or Commission for which you have applied? YES NO If "YES", explain.

The Office of the Governor will not discriminate against an applicant for a Board or Commission based on Sex, Age, National Origin, Marital Status, Pregnancy, Handicap, Religion or Parenthood.

TRAINING & EXPERIENCE. (If résumé attached, not necessary to complete items A-D)

A. List any professional licenses, certifications, or registrations and dates obtained that may be used as qualifying criteria:

State of Alaska Journeyman Plumbers Lic. # 000006
 Municipality of Anchorage Journeyman Plumber Lic. #JP-0427
 International Foundation of Employee Benefits Plan # 066998 (labor trustee)

B. List both formal and informal education and training experiences: (Use additional paper if necessary)

1956 Graduate Anchorage High School
 1962 Graduate Plumber Apprentice Training Program

C. List any community service positions, municipal government positions, state positions held, and list any awards received. These include both compensated and uncompensated positions (for example, president of a service organization or a mayor). Also include length of time served in the positions.

Executive Board Member Resource Development Council. 1987.
 Department of Labor Seminar's. Federal 1985. State of Alaska 1986.

D. Employment work history: paid, unpaid or voluntary: (Use additional paper if necessary)

31 year member of Plumbers & Pipefitters Union Local 367. Of which, 19 year's as an officer, including 9 years as a Business Representative and 4 year's as the elected Business Manager.
 Lobbied in Juneau and Washington D.C. on issues concerning labor including the recent changes to the Workmans Compensation Law this past session.

The Office of the Governor and the State of Alaska have an Affirmative Action Equal Employment Opportunity Program. To assist in the program, you are asked to voluntarily answer the following questions to provide the information necessary for reporting purposes. Under State and Federal law, the information you provide will not be used to illegally discriminate against you.

SEX Male Female
 ETHNIC BACKGROUND White Black Hispanic Alaska Native Asian or Pacific Islander American Indian (partial)

Date of Birth July 25, 1937 Military Service (if applicable, give dates) California Nat. Guard 1953/55. Alaska Army Reserve 1956/62

CERTIFICATION: I swear that the information I have entered on this form is true to the best of my knowledge. I understand that if I deliberately conceal or enter false information on the form my application may be rejected, I may be removed from the list of eligible candidates or I may be removed from the position. I agree that the Office of the Governor may contact present or former employers or other persons who know me to obtain additional information about my skills and abilities. I understand that the information on this application is public information and may be released through a legal request for such information.

Signature in Ink

Date

August 2, 1988



Alaska State Legislature

Senate

Office of the Secretary

OFFICIAL BUSINESS

PO BOX V
CAPITOL BUILDING
JUNEAU, ALASKA 99811

Date April 29, 1991

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

Dear President Eliason:

In accordance with AS 39.05.080, the Senate Labor and Commerce Committee reviewed the following with regard to confirmation of the Governor's appointments:

Board of Certified Real Estate Appraisers

Ferrara, Alfred J. - Anchorage

Term began 11/2/90 expires 6/30/94

Sutton, Sue G. - Juneau

Term began 11/26/90 expires 6/30/91

There were no stated objections to the confirmation of any of the named individuals by committee members. This does not reflect an intent by any of the members to vote for or against the individuals during any further sessions.

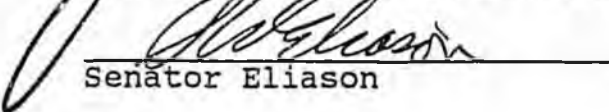
Respectfully,



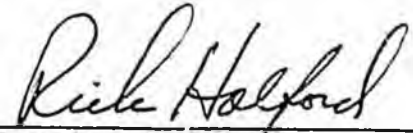
Senator Pearce, Chair



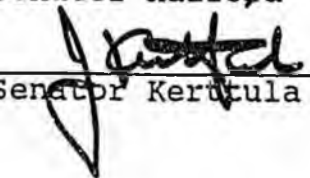
Senator Collins, Vice-Chair



Senator Eliason



Senator Halford



Senator Kerttula

QUALIFICATIONS
ALFRED J. FERRARA, SRPA, MAI

EDUCATION

A.B.A. Degree, Business Major, University of Alaska,

Completed Courses I, II, IV, VII and 2-2, conducted by the American Institute of Real Estate Appraisers, and Courses 101, 102, 201 and 301 by the Society of Real Estate Appraisers

Completed numerous short courses on condominium appraising, income properties, multiple regression analysis, statistics, leasehold valuation, report writing, market extractions, professional standards and others

EMPLOYMENT HISTORY

Employed in the Land Office of the Bureau of Land Management, U.S. Department of Interior, prior to Statehood.

From 1959 to 1966 employed by the Alaska Department of Natural Resources, involved in the selection, management and disposal of lands throughout Alaska. Three years of that time was as a Realty Officer in Juneau, Alaska in charge of management, appraisal and disposal of State land throughout Southeastern Alaska.

From 1966 to 1969 as Appraiser and Consultant in Real Estate with Simmons and Wakeland in Anchorage, Alaska

Since 1970 an Appraiser and Consultant in Real Estate with Alaska Valuation Service, Inc., being president of the company since 1981.

PROFESSIONAL AFFILIATIONS

Adjunct Professor with the University of Alaska and Anchorage Community College for Appraisal Teaching, 1974 thru the present. Qualified instructor nationally for the Society of Real Estate Appraisers Course 101 and 102. These courses are taught at the UAA/ACC Anchorage.

During the past 10 years officer or director positions have been held in the Alaska Chapter of the Society of Real Estate Appraisers 8 times including chapter presidency in 1975 & 1981. President of the American Institute of Real Estate Appraisers Alaska Chapter 57 for 1980 and member of the Board of Directors for several years.

1983-1988 Govenor and Member of Board of Directors of Society of Real Estate Appraisers, with responsibility of Washington, Idaho, Alaska, Alberta and British Columbia.

1989-1990 National Vice President for the Society of Real Estate Appraisers and member of that organization's executive committee.

Chairman and Member of the Board of the SREA Education Foundation, 1986-1987.

ALASKA VALUATION SERVICE, INC.

Member and holder of MAI designation #5342 with the American Institute of Real Estate Appraisers (currently recertified).

Member and holder of SRPA designation with the Society of Real Estate Appraisers (currently recertified).

Member and holder of the SRA designation with the Society of Real Estate Appraisers (currently recertified).

Associate member, American Right-Of-Way Association

Associate member, Anchorage Board of Realtors

BUSINESS AFFILIATIONS

Member of the Board of Directors of the State Homebuilders Association

Member of Steering Committee for Energy Rated Homes of Alaska, Inc.

Member of Anchorage East Rotary Club since 1972

Frequent guest speaker and moderator at seminars and meetings related to appraising and real estate

TYPICAL ASSIGNMENTS

Feasibility studies and appraisal for numerous condominium projects in Anchorage, Fairbanks and Juneau areas

Service Station sites for Standard Oil Company, Texaco, Inc., Union Oil Company and Tesoro Petroleum in Central Alaska

School site and other appraisals for State and commercial clients

Condemnation and property sale appraisals for the Alaska Department of Transportation, Municipality of Anchorage, U.S. Fish and Wildlife Service and other agencies

Tide and submerged land appraisals and use studies for private and public clients

Lodge, hotel, motel and restaurant appraisals for business loan purposes for various clients and the Small Business Administration

Land acquisition appraisals for U.S. Coast Guard and Postal Service

Going concern business valuations for a variety of clients

Industrial leaseholds for private and governmental clients

Fish processing plant appraisals for both public and private clients

Easements for the Municipality of Anchorage, State of Alaska and other Federal and Municipal clients

Multi-family, residential and commercial appraisals for all Alaska banks and mortgage companies and several outside banks including Seattle First National Bank, Bank of America, Wells Fargo, First National Bank of Oregon, Mellon Bank and Crocker National

Land and improved property appraisals throughout the State of Alaska for various clients including village corporations and towns, regional Native Corporations, other private clients and state and federal agencies.

Other clients include: ALASCOM, IBM Corporation, U.S. Steel, Homequity Corporation, TICOR Relocation Management Company, American Machine and Foundary, General Foods Corporation, Uniroyal, CSX Corporation, Weyerhouser Mortgage and various others

Qualified expert witness in Masters Hearings, Superior Court, District Court, Bankruptcy Court, Grand Jury and have served as both master and arbitrator in realty matters

Experienced in all types of appraising, including business valuations, condemnation proceedings, estate and historic values, feasibility studies, investment analysis, right-of-way appraisals, subdivision analysis, tax and assessment reviews.

Sue Goodale Sutton

9450 Patricia Place
Juneau, AK 99801
789-5621

RESUME

Work Experience

8/81 to Present **Executive Secretary II/III to Chief of Staff**
PROFS Administrator
Project Coordinator - Employee Recognition Program
State of Alaska, Office of the Governor

Duties: Provide secretarial and administrative support to the Chief of Staff. Responsibilities include scheduling meetings, drafting correspondence, screening calls and walk-in visitors, making referrals, legislative relations, coordinating staff and cabinet meetings. Due to the length of time in this position, am relied upon to provide historical information and guidance throughout State government. Act as liaison between agencies and Chief of Staff. PROFS Administrator duties include training, programming for, and customizing PROFS accounts. In September 1988, designed, implemented and currently manage the Governor's Employee Recognition Program. (This position was upgraded from Executive Secretary II to III in 1982, and presently is more administrative than secretarial.)

Special computer skills:

- Developed and implemented standard formats for Displaywriter correspondence to streamline word processing in Governor's Office
- Self-taught on Macintosh SE; most applications
- Self-taught on PROFS Electronic Mail; taught other members of staff and regional offices; currently PROFS Administrator for Governor's Office
- Developed and implemented PROFS correspondence tracking system between Governor's Office and line agencies
- Developed and/or streamlined existing instructions for PROFS, document transfers from PROFS to various computer systems and vice-versa, and all other computer functions as necessary

11/80 to 8/81 **Executive Secretary I**
State of Alaska, Office of the Governor

Duties: Provided Secretary II support for One Special Assistant and Secretary I support for an additional Special Assistant and a Secretary II. Responsibilities included scheduling meetings, drafting correspondence, screening calls and walk-in visitors, making referrals and other miscellaneous duties as assigned.

6/80 to 11/80 **Legal Secretary**
Robertson, Monagle, Eastaugh & Bradley
Attorneys at Law

Duties: Secretarial/administrative, including word processing (Digital).

Sue Goodale Sutton

2

7/71 to 6/80

Legal Secretary
(out of state)

Nine years as a legal secretary, some as a self-employed free lancer. Four years were spent with a corporate law firm specializing in real estate law, joint ventures and limited partnerships. During this time, was also a sales representative for an automobile dealership and insurance company, and route parcel delivery person for United Parcel Service.

Education

1963-1967

Juneau-Douglas High School

1967-1969

University of Puget Sound, Tacoma, Washington

References available upon request



Alaska State Legislature

SENATE

Official Business

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

Date

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

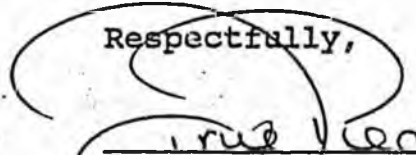
Dear President Eliason:

In accordance with AS 39.05.080, the Labor and Commerce Committee reviewed the following with regard to confirmation of the Governor's appointment:

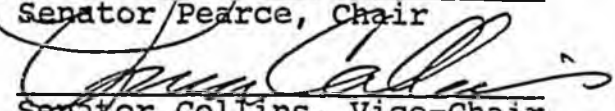
Board of Pharmacy
Coursey, Chris E. - Anchorage

There were no stated objections to the confirmation of the named individual by committee members. This does not reflect an intent by any of the members to vote for or against him during any further sessions.

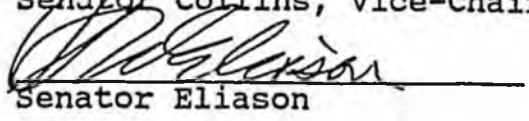
Respectfully,




Senator Pearce, Chair



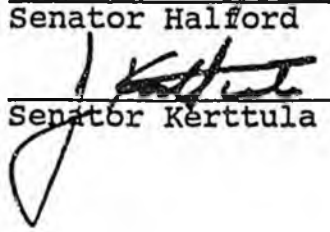
Senator Collins, Vice-Chair



Senator Eliason



Senator Halford



Senator Kerttula



Alaska State Legislature

Senate

Office of the Secretary

PO BOX V
CAPITOL BUILDING
JUNEAU, ALASKA 99801

OFFICIAL BUSINESS

April 26, 1991

M E M O R A N D U M

TO: Senator Pearce, Chair
Labor and Commerce Committee

FROM: Nancy Quinto
Secretary of the Senate

RE: Confirmation of Governor's Appointees

Pursuant to AS 39.05.080, President Eliason has referred the position noted to your committee for a hearing, recommendation and report:

Board of Pharmacy

Coursey, Chris E. - Anchorage
Term began 4/23/91 expires 4/1/95

w/attached resume

RESUME OF QUALIFICATIONS

CHRIS B. COURSEY

Department of Pharmacy Services
Humana Hospital Alaska
2801 DeBarr Road
Anchorage, Alaska 99508
(907) 264-1138

PROFESSIONAL OBJECTIVE

An administrative position in a progressive health care environment offering development and management of comprehensive pharmacy services and personnel.

EDUCATION

Washington State University, College of Pharmacy
B. Pharmacy, 1977

Residency in Clinical Pharmacy
Veterans Administration Hospital
Palo Alto, California 2000 beds
7/77 - 7/78

EXPERIENCE

Director of Pharmacy Services
Humana Hospital Alaska
Anchorage, Alaska 238 beds
7/82 to present

- Department financial management
- Inventory control
- Staffing control/productivity standards
- Personnel management/staff development
- Clinical services/drug information center
- Conversion to computerized pharmacy operations
- Implementation of separate retail pharmacy operations
- Multi-hospital Pharmacy and Therapeutics Committee
- Member of Medical Staff Quality Assurance Committee, Safety Committee, Institutional Review Committee
- Co-Chairman, Hospital Quality Review Committee
- Chairperson, Nursing/Pharmacy/Dietary Committee
- Member, Hospital JCAHO Task Force
- Co-editor, Drug Information newsletter
- Outpatient diabetic education instructor
- Assisted in development of hospital wide merit performance appraisal system
- Community service- TV, radio talk shows - Drug information

Assistant Director of Pharmacy
Humana Hospital Tacoma
Tacoma, Washington 155 beds
7/78 - 7/82

Activities and accomplishments included:

- Participation in CPR code team
- Management/teaching of Level A Pharmacy Assistant state approved training program
- Guest lecturer- Washington State Lung Association
- Guest lecturer- Univ. of Puget Sound PT/OT School
- Development of hospital chemotherapy administration standards

Resident in Clinical Pharmacy
Veterans Administration Hospital
Palo Alto, California 2000 beds
7/77 - 7/78

Activities and accomplishments included:

- Management of outpatient Anticoagulation Clinic- supervised maintenance therapy of 30-35 patients; warfarin dosing, lab monitoring, counseling
- Preceptor for clinical clerkship program of University of Pacific Pharm.D. candidates-development of role models, supervision, and teaching
- Member of CPR code team
- Participation in outpatient clinic services-Medication Refill Clinic, Hypertension, and Oncology clinics
- Guest lecturer-DeAnza Community College nursing school
- Practical clinical training as a member of the medical team on medical rotations

HONORS

Pharmacy Leadership Award, 1988 National Association of Retail Druggists

McKesson Leadership Award, 1988

Presidents Award for Outstanding Service, 1987
Alaska Pharmaceutical Association

Hospital Pharmacist of the Year Award, 1986
Alaska Pharmaceutical Association

Invited Participant-Western Regional Conference on Clinical Pharmacy, Coto de Caza, California, Jan. 1987

Delegate-Hospital Pharmacist Delegation to the Peoples Republic of China, October 1985

Outstanding Employee of the Year, 1980
Humana Hospital Tacoma

PUBLICATIONS Author-"The Psychotomimetic Side Effects of Pentazocine," Drug Intelligence and Clinical Pharmacy 12:342-346, June 1976

PRESENTATIONS Management Case Study: Clinical Antibiotic Surveillance, American Society of Hospital Pharmacists, Midyear Clinical Convention, Las Vegas, 1986

ORGANIZATIONS & APPOINTMENTS American Society of Hospital Pharmacists
Member-Special Interest Group on Administration
State Chairman-Education Advisory Working Group 1984-1985

American Pharmaceutical Association
House of Delegates 1988

Alaska Pharmaceutical Association
President 1988
Convention Chairman 1987, 1988
Board of Directors 1985 - 1989

Washington State Society of Hospital Pharmacists
Secretary/Treasurer, Region II 1980-1982

Advisory Council to State of Alaska Health Sciences Library 1988

State of Alaska Pharmacy Medicaid program, Proposal Evaluation Committee 1988

Member, Alaska State Task Force on Prescription Abuse Data Synthesis 1987-1989

LICENSES Registered Pharmacist, State of Alaska AA0725
Registered Pharmacist, State of Washington PL10420
Registered Pharmacist, State of California 31566

Alaska State Legislature

Senator Drue Pearce, Chair
Senator Virginia Collins, Vice Chair
Senator Shirley Craft
Senator Rick Halford
Senator Jay Kerttula



WHILE IN JUNEAU
ALASKA STATE SENATE
STATE CAPITOL
JUNEAU, ALASKA 99801-1182
(907) 465-3844

SENATE LABOR AND COMMERCE COMMITTEE

3111 C STREET, SUITE 535
ANCHORAGE, ALASKA 99503
(907) 561-2038

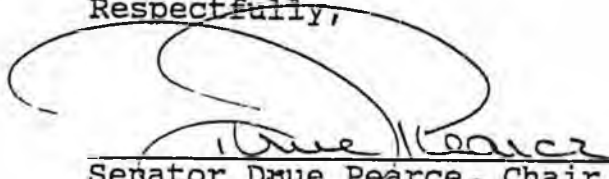
Date: April 27, 1992

The Honorable Richard I. "Dick" Eliason
President of the Senate
State Capitol
Juneau, AK 99801-1182

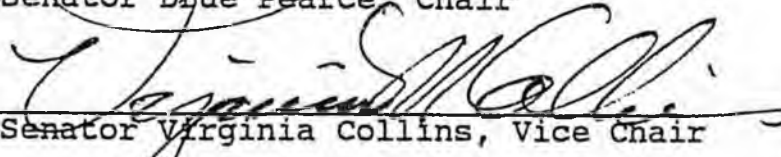
Dear President Eliason:

In accordance with AS 39.05.080, the Senate Labor and Commerce Committee has reviewed the qualifications of Charles W. Mahlen recently nominated to the Commissioner of the Department of Labor. There were no stated objections to legislative confirmation by committee members. This does not reflect an intent by any of the members to vote for or against this appointee during further legislative deliberations.

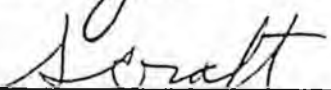
Respectfully,



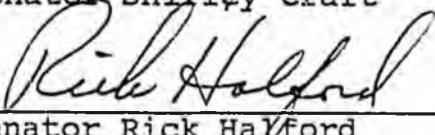
Senator Drue Pearce, Chair



Senator Virginia Collins, Vice Chair



Senator Shirley Craft



Senator Rick Halford

Senator Jay Kerttula

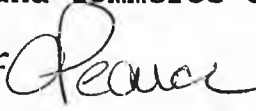
Alaska State Legislature

3111 C Street, Suite 150
Anchorage, Alaska 99503
(907) 561-2038
FAX: (907) 561-4194

During Session:
P.O. Box V
Juneau, Alaska 99811
(907) 465-4993
FAX: (907) 463-5352

Senator Drue Pearce
District G

MEMORANDUM

To: All Senate Labor and Commerce Committee Members
From: Drue Pearce, Chair 
Date: March 2, 1992
Re: Governor's Commissioner of Labor Nominee

Attached is the resume of Charles W. Mahlen, the Governor's nominee as Commissioner of Labor. The Labor and Commerce Committee will hold a confirmation hearing in April on Mr. Mahlen's nomination.

989 Cranberry Ridge Drive
Fairbanks, Alaska 99712
December 20, 1991

Charles W. Mahlen

RESUME UPDATE

Personal Information:

Married - 5 Children, 8 grandchildren all Fairbanks area residents.

Employment history:

Upon retirement after 13 years as Field Representative and Organizer for Local 302, Jim Thurmond of Earthmovers of Alaska called me in Hawaii, while I was on vacation and recruited me to a contract of "Project Manager for the Alyeska Pipeline Maintenance Contract" from Prudhoe Bay to Valdez for a period of less than two years. I agreed to the job although my Union Retirement was later suspended while I worked on the union project. For this reason I would not accept an extension and retired again after the agreed contract.

Earth Movers of Fairbanks

January 1989 to November 1990

Title:

Project Manager, Alyeska Pipeline maintenance contract.

Status:

Exempt - Straight salary for 6 or 7 day week as required by the job. (no hourly or overtime)

Scope:

Linewide - Pump Stations Prudhoe to Valdez Terminal, Van Horn Facility, Nordale Storage Facility and Project Office at Fairbanks.

Responsibility:

All Management, including Labor Negotiations, Contract Administration, Site Manning, R & R schedule, Safety Program and awards, work orders, purchase orders and payroll.

Personnel:

Up to 250 union heavy duty mechanics, teamster drivers, warehousemen, partsmen and laborers.
Safety Department Supervisor
Secretaries
Timekeepers
Payroll Clerks
Logistics Manager

RESUME'

Charles W. Mahlen

Personal Information:

Married - 5 Children

989 Cranberry Ridge Drive
Fairbanks, AK 99712
(907) 457-5357

Security Clearance:

Top Secret -- Last certified by the Defense Industrial Security Clearance Office (DISCO), Columbus, Ohio, 25 April 1968. (This clearance not presently active after my departure from Northrop-Page.)

Education:

1950 = John Marshall High School - St. Paul, Minnesota
1951-1952 = University of Minnesota, Business Administration
1953 = Marine Corps Institute - Post Exchange Operation
Accounting and Bookkeeping

Special Training Schools:

5/60 = Federal Electric Corp. - Diesel Electric School
Diesel electric prime power theory, operation, maintenance repair and troubleshooting.

4/61 = Western Electric Corp. - Switchgear School
Operation of Western automatic transfer and synchronizing repeater station switchgear.

9/61 = Nordberg Diesel School
Operation and maintenance institute for 1450 BPH's, 1020 KW, 1275 EVA, 2400 volt diesel generator units.

11/61 = Federal Pacific Switchgear School
Operation of 2400 volt switchgear to handle four 1020 KW diesels, utilizing synchroscope and LSG-10 electronic load sensing governors.

12/61 = Woodward Governor Company - Rockford, Illinois
Training on LSG-10, electro-hydraulic load sensing and mechanical-hydraulic speed sensing governor, UG-8 and PSG governors.

Employment History:

International Union of Operating Engineers
October 1975 to October 1988

Field Representative and organizer covering the Prudhoe Bay area for nine years nine months from October 1975 to July 1984 with travel from Prudhoe Bay to Valdez linewise for various assignments. Covered Fairbanks area bases and commercial accounts in the same capacity from June 1984 to October 1988.

Page Communications Alaska, Inc.
September 1974 to October 1975

Project Manager for Page Communications Alaska, Inc. newly formed to implement contract TAPS/866 for the provision of a communication system for pipeline construction from Valdez to Prudhoe Bay complete with relay stations, mobile units, 24-hour radio rooms manned with FCC licensed operators and technicians at all designated camps and locations linewise.

Page Communications Engineers, Inc.
October 1973 to August 1974

Program Manager working out of the Vienna, Virginia, home office on field trip implementation tasks for CNT (Canadian National Telecommunications) to establish a tropo link from Inuvik, N.W.T. to the Arctic Red River site south of Inuvik on the Upper Mackenzie River.

The next assignment was Program Management work in south Florida doing "911" communications plan for the police and sheriffs departments of Monroe, Dade, Broward and Palm Beach counties from Key West to West Palm Beach.

Self Employed
June 1972 to September 1973

Incorporated as Agent/Owner/Operator of "Charlie's Lazy Bar Incorporated", a retail on/off sale liquor and bar business in Danbury, Wisconsin.

Page Communications Engineers, Inc.
July 1970 to June 1972

Installation Manager of the Integrated National Telecommunications System Project of Iran with prime responsibility for the installation and erection of all equipments of this 200 million dollar project.

Manager of INTS Project, Area 05, Tehran, responsible for installation, erection and civil construction. Overall management of the implementation, budget, planning and scheduling for the 78 sites of Area 05.

Project Manager of the Iranian Microwave Project 063 Phase II Responsible for overall contract management of the 3-1 system, linking Tehran, Asadabad and Kermanshah.

Page Communications Engineers, Inc.

February 1969 to July 1970

Project Manager of the Heirloom Project of Greece. Implementation of the hard site project networks, for the war headquarters command and control systems of the Royal Hellenic Navy.

Construction and Installation Manager of the Greek National Television System. Constructed, installed and put the first four Greek TV stations at Athens, Gerania, Pillion and Salonika into operation.

Construction and Installation Manager in the Program Management Department, Europe, Africa and Middle East of Page's Operation Directorate, Atlantic. Mr. Mahlen managed all construction and installation for seven tropospheric and microwave sites under a Page contract for the SHAPE Relocation Program. His areas of responsibility covered the implementation of civil engineering, locating and screening of subcontractors, definition of tasks, writing work statements and requests for quotes, award subcontracts, monitoring the activities of subcontractors, paying contract invoices, control and disperse installation materials, supervise antenna and tower construction and supervising the installation of all equipment.

Page Communications Engineers, Inc.

December 1966 to February 1969

Field Project Manager of the SHAPE Relocation Project; sell off and contract close out.

Project Manager of the Edzel, Scotland, Thurso, Scotland and Marathon, Greece tower and antenna projects for the U.S. Navy.

Federal Electric Corporation/International Standard Engineering Co.

April 1966 to December 1966

Assigned to Pasco, Washington, for troubleshooting diesel units, debugging control boxes, test equipment, completing and proving-out test procedures. When sustained production was achieved by the 12 Unit Test Console, Mr. Mahlen was assigned the task of setting up for Air Force approval and implementing the refurbishment of 900,000 pounds of government furnished equipment, including 269 diesel engines received from defaulted contractors.

Mr. Mahlen was then placed in charge of coordinating all changes in the manufacture of the five sizes of MB-Teen generator sets. This task led to a supplementary contract where he utilized an average of five student draftsmen and in four months corrected the 975 manufacturing drawings for the complete component and final assembly manufacture of the 50/60 cycle skid and wheel mounted MB-Teen generator series of 5 KW, 30 KW, 60 KW, 100 KW and 150 KW units. Mr. Mahlen reviewed each drawing with the Air Force engineers and SAMAMA head draftsman signing with them on acceptance. This manufacturing master drawing package on mylar was reproduced by the Government for 1967 bids and future power unit procurement.

Mr. Mahlen was Assistant to the Engineering Manager in charge of drafting, reproduction, configuration change approval, a member of the material review board, and initiating engineering change proposals for product improvement and/or cost reduction.

Federal Electric Corporation/International Standard Engineering Co.
May 1962 to April 1966

Assigned Rome, Italy, European project operation as Sector Supervisor, Italy for implementation of EMT/486L sites. Responsible for all phases of field activity installation and test in Italy, including budget preparation, cost control measures, work planning and scheduling, management and direction of field personnel. Review of all engineering change requests originating at Italian sites. Supervise logistic and transportation specialists to assure site/project requirements are fulfilled. Check performance of site installation effort by frequent administrative and technical on-site inspections.

At completion of the Italian Sector Installation Task, Mr. Mahlen was assigned to the Field Engineering Department as a member of the Drawing Configuration Control Program to assist in finalization of the system drawing package, inspecting, correcting drawings and writing engineering reports on 486L sites in Spain, Italy, Greece and Turkey.

On December 3, 1966, Mr. Mahlen was requested and made available as Power Consultant to the Electronic Systems Division Site Activation Task Force Europe to identify and resolve power system problems, participate in plant acceptance tests, train operating crews and provide management consultation and advise to U.S. Air Force SATAF.

Completing the Air Force Consultant job, site acceptance phase, Mr. Mahlen declined an extension request to accept a job of Test Engineer at the New Pasco, Washington, power generator manufacturing facility.

In 1963, prior to his EMT assignment, Mr. Mahlen directed the successful test and acceptance of all the diesel power generating units on the U.S. Air Force BR11/TMP Project in Greece and Italy and advised on air conditioning and heat exchanger problems.

FEC: Titan Project, Larson AFB, Washington
October 1961 to July 1962

Duties: Complex Maintenance Foreman. Directed 40-60 personnel performing powerhouse maintenance and operation, maintenance and operation of electrical and mechanical systems of Missile Site 1-C. Trained Air Force power production and maintenance personnel to accept and maintain the Titan complex. Complex C power generation equipment consisted of four 1020 KW Nordberg diesel generator sets, vapor phase systems, Royal Pacific switchgear, various heating and cooling water systems, chilled water system and air conditioning equipment, hydraulic systems, pneumatic control systems, radiation air protective safety devices, elevators, etc. This powerhouse at Complex 1-C received praise by inspecting Air Force Generals as the finest observed.

FEC: (Subsidiary Northern Services, Inc.) Anchorage, Alaska
October 1958 to October 1960

In charge of operation and maintenance of diesel electric power generator at Pedro Dome, White Alice communication site. Duties included operation and maintenance of diesel prime power generators, boilers, refrigeration equipment, air conditioning, chlorinators, water stills, routine maintenance and stock records. This power plant received many citations for its outstanding record of operation without any outage during Mr. Mahlen's assignment.

Other Experience

Universal Services, Inc., Anchorage, Alaska
July 1960 to October 1961

Duties: Lead Mechanic. Supervision of mechanics in the operation and maintenance of Alaska Ballistic Missile Early Warning prime power sites and power houses.

Morrison-Knudsen Co., Fairbanks, Alaska
October 1957 to October 1958

Duties: In charge of operation and maintenance of diesel electric power generation at Pedro Dome White Alice Station. Responsibilities and achievements were as described previously.

Peed and Martin Co., Fairbanks, Alaska
April 1957 to October 1957

Duties: Foreman. Supervision of construction crew building White Alice communication station near Fairbanks, Alaska. Supervised progress, originated and maintained records regarding time and cost control approved and/or originated construction/engineering changes.

Morrison-Knudsen Co., Fairbanks, Alaska
April 1956 to April 1957

Duties: Foreman. Supervision of construction crew at Eielson AFB, Fairbanks, and of the Arctic White Alice communications site at Cape Lisborne.

Foley Brothers Construction Co., Aurora, Minnesota
July 1954 to April 1956

Duties: General Labor Foreman. Supervision of construction crews at a taconite plant. Work included blasting, scaling, skip loading, hauling, clearing and general construction work.

Military Service

U.S. Marine Corps
February 1952 to February 1954

Post Exchange Steward, Camp Pendleton, California. P.X. operation and supervision of civilian personnel, inventories, stock control and time keeping. Continued in this position for three months after discharge.

Alaska State Legislature



House of Representatives House Judiciary Committee

P. O. Box V
State Capitol
Juneau, Alaska 99811
(907) 465-4990
(907) 465-4712

January 28, 1991

The Honorable Charles E. Cole
Attorney General
P.O. Box K
Juneau, Alaska 99811


Re: Constitutionality of AS 44.39.030

Dear Attorney General Cole:

In reviewing recent press accounts of the controversy involving the appointment of the Commissioner of Fish and Game, I was interested to read you have concluded that AS 44.39.030 (which requires the commissioner to be appointed from names submitted to the Governor by the Boards of Fish and Game) is an unconstitutional infringement on the power of the executive. Because I am very interested in the contours of the relationship between the executive and legislative branches of government, I would appreciate receiving a copy of any written opinion in which you or a member of your staff conclude the statute is unconstitutional. If a written opinion on this subject does not exist, please advise me of the legal basis for your conclusion that the statute is unconstitutional.

Thank you in advance for your prompt attention to this request.

Very truly yours,


Dave Donley, Chair

DD:lho

MEMORANDUM

State of Alaska
Department of Law

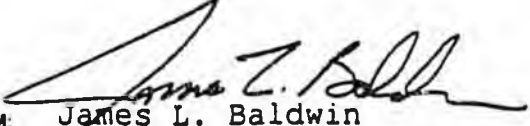
TO: Charles E. Cole
Attorney General

DATE: January 10, 1991

FILE NO: 663-91-0252

TEL. NO 465-3600

SUBJECT: Governor's power to
appoint commissioner of
fish and game


FROM: James L. Baldwin
Assistant Attorney General

You directed me to research the following question:

May the governor appoint the Commissioner of the Department of Fish and Game without being limited in his consideration to the nominees submitted to him by the Boards of Fisheries and Game under AS 44.39.030?

As requested, set out below is a brief legal analysis of the validity of the statute conferring the power of nomination on the boards.

BACKGROUND

The Department of Fish and Game is established by law as a principal department of state government. AS 44.39. The "principal executive officer" of the department is the commissioner of fish and game. AS 44.39.010. Certain regulatory functions of the department are assigned by law to the Boards of Fisheries and Game. AS 16.05.251 and 16.05.255. However, the boards may not exercise powers over administration, budgeting, or fiscal matters. AS 16.05.241. The boards are somewhat autonomous in that the members have a fixed term and arguably may only be removed for cause. AS 39.05.055; AS 16.05.280. The Alaska Constitution gives the governor the power to appoint the heads of principal department heads. Alaska Const. Art. III, Sec. 25. However, in addition to the board's regulatory powers, the boards are given statutory power to nominate persons for appointment by the governor to the office of the commissioner of fish and game. The statute provides:

The governor shall appoint the commissioner of fish and game from a list of qualified persons nominated by the Board of Fisheries and Board of Game meeting in joint session, subject to the right of the governor to request additional nominations.

AS 44.39.030. Once appointed by the governor, the commissioner must be confirmed by the legislature sitting in joint session. Alaska Const. Art. III, Sec. 25.

FACTS

The boards will not allow the governor to appoint his choice as commissioner of the Department of Fish and Game. The board has defeated the governor's appointment of the commissioner of Fish and Game by not nominating the governor's choice.

ARGUMENT

The Alaska Constitution confers the power to appoint executive department heads exclusively on the governor. The state constitution provides:

The head of each principal department shall be single executive unless otherwise provided by law. He shall be appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session, and shall serve at the pleasure of the governor.... The heads of principal departments shall be citizens of the United States.

Alaska Const. Art. III, Sec. 25. The power of appointment of high-level policymaking officials is an executive function. Bradner v. Hammond, 553 P.2d 1, 6 (Alaska 1976). Under the state constitution, there are separate and distinct powers granted to each of the three branches of state government. This division of power leads by implication to the separation of powers doctrine recognized by the Alaska Supreme Court. Public Defender Agency v. Superior Court, Third Judicial District, 534 P.2d 947, 950. Under that doctrine, powers conferred exclusively upon one branch of government cannot be encroached upon by another branch of state government.

As a matter of constitutional interpretation, the power to appoint the head of a principal executive department is an executive function that may not be further delegated except as permitted by the Alaska Constitution. Bradner 6, 7. To allow the power of appointment of principal policy-makers to be shared with other entities, including regulatory boards in the executive branch, would improperly diffuse the executive power of the governor under Art. III Sec.1 of the Alaska Constitution. In effect, the statute authorizing the boards' power to nominate requires the governor to share his power of appointment contrary to the mandate of the Alaska Constitution.

The constitution mandates the creation of principal executive departments headed by single executives, unless specifically provided otherwise by law. Alaska Const. Art. III, Sec. 25. Once the office is created by law, the authority to make

the appointment is expressly conferred on the governor by the Alaska Constitution. Because it expressly delegates the appointment power to the governor alone, the constitution may be construed as precluding any other person from exercising the appointment power or any significant aspect of it. In Bradner v. Hammond, the Alaska Supreme Court stated

... [Article III, Sections 25 and 26 of the Alaska Constitution] delineate the full extent of the constitution's express grant to the legislative branch of checks on the governor's power to appoint subordinate executive officers.

553 P.2d at 7; Cf. Granato v. Occhipinti, 602 P.2d 442 (Alaska 1979) n.8 (confirmation power construed as limited to only officials expressly mentioned in state constitution). Because the text of the Alaska Constitution is clear and unambiguous as to who may appoint principal executive officers, there seems little room for argument that the power of appointment, or any significant aspect of it, may be delegated by law to a subordinate administrative agency similar to Boards of Fisheries and Game.

Case law from other states holds that the method for selection of principal department heads set out in the state constitution may not be altered by law. Opinion of the Justices, 374 A.2d 638, 640, citing Opinion of the Justices, 335 A.2d 642, 643 (N.H. 1975); accord Ahren v. Bailey, 451 P.2d 30, 33 (Ariz. 1969) (governor's power to remove appointees is part of constitutional power to execute the law, and for that reason, may not be altered by legislature). By conferring the power to nominate candidates for the office of commissioner, the legislature encroaches on the executive power of appointment by attempting to delegate part of the governor's appointment power.

Department heads are the principal agents through which the governor carries out his constitutional responsibility for "the faithful execution of the laws." The state constitution confers this power exclusively on the governor. Alaska Const. Art. III, Sec. 16. Any statute which directs the sharing of the power to appoint these officers with others, conflicts with the governor's enforcement power granted by the constitution. Tucker v. State, 35 NE.2d 270, 292 (Ind. 1941). Even though the boards make only nominations to the governor, the screening of candidates which results in the nomination of those qualified is an executive function and an essential element of the power of appointment. Advisory Opinion to the Governor, 276 So.2d 25 (Fla. 1973). It is not difficult to picture the confusion that would be interjected into the administration of a governor that must limit appointments of principal department heads to nominees of the literally scores of administrative boards and commissions created

Hon. Charles E. Cole, Attorney General
AG #663-91-0252

January 10, 1991
Page 4

by law. The powers directly conferred on the governor by the state constitution were intended to avoid this pitfall.

CONCLUSION

Based on the foregoing legal analysis, it appears that substantial legal authority exists to support an action taken by the governor to appoint a commissioner of fish and game without reference to nominations submitted by the Board of Fisheries and the Board of Game.

JLB:cl

ALASKA NATIVE BROTHERHOOD/
ALASKA NATIVE SISTERHOOD
CAMP 14
P.O. BOX 6295
KETCHIKAN, ALASKA 99901

APR 5 1991

POD

March 11, 1991

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

Dear Governor Hickel,

This letter is in OPPOSITION to your appointment of Carl Rosier for Alaska Department of Fish and Game (ADF&G) Commissioner, mainly for his insistence on appointing Ron Somerville as Deputy Commissioner of ADF&G.

I am writing this letter, by unanimous vote, on behalf of ANB and ANS Camp #14. It is our opinion that Mr. Somerville's strong opinions on the subsistence issue render the Commissioner's office incapable of approaching the issue of allocating fish and wildlife resources objectively as long as Mr. Somerville remains Deputy.

An example of Mr. Somerville's lack of objectivity as demonstrated by his working record. In the Fall of 1982, Mr. Somerville led a political rebellion of Game managers in support of the ballot proposition to eliminate the subsistence preference from State law. It got him fired. In the notice of dismissal, his Commissioner stated that Mr. Somerville could no longer "be effective as Director of the Division of Game" because he had "burned too many bridges and alienated too many people".

Mr. Somerville's appointment in any policy making position at ADF&G would serve to polarize Alaskans even further on subsistence, at a time when we should be brought together by a new Governor and ADF&G management staff on this important issue.

Therefore we submit the following qualified people for ADF&G Commissioner for consideration:

- * Robert W. Loescher, Executive Vice President of Resource Management, Sealaska Corporation.
- * Dr. William G. Demmert, immediate past Commissioner of Education and former Deputy Commissioner of ADF&G.

-AND-

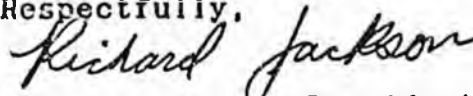
- * Delores A. "Dolly" Garza, now completing her doctorate in fish and game management, marine biology; Assistant Professor, University of Alaska Marine Advisory Program.

It is our opinion these people would fill ADF&G's Commissioner position effectively!

If you have any questions please feel free to contact me Richard Jackson, President-ANB Camp #14, P.O. Box 6295, Ketchikan, Alaska 99901.

Thank you for your time regarding this very important issue.

Respectfully,



Richard Jackson, President
Alaska Native Brotherhood
Camp #14-Ketchikan

c.c. Robert Willard, President
Southeast Native Subsistence Commission

Albert M. Kookesh, Grand Camp President
Alaska Native Brotherhood

Selina Everson, Grand Camp President
Alaska Native Sisterhood

Byron I. Mallot, President/CEO
Sealaska Corporation

All Alaska State Representatives

All Alaska State Senators

Anchorage Daily News

Juneau Empire

Ketchikan Daily News

Alaska State Legislature

HOUSE OF REPRESENTATIVES



RECEIVED JAN 31 1991

REPRESENTATIVE FRAN ULMER

January 29, 1991

The Honorable Walter J. Hickel
Governor, State of Alaska
P.O. Box A
Juneau, AK 99811-1010

Dear Governor,

I am writing to register my serious concern about your recent decision to remove Bernard "Bud" Ivey from the Board of Fish. In his short time on the Board, Bud Ivey has proved himself to be a most capable member, garnering respect from a wide spectrum of Alaskans involved in fishing issues. I am especially disturbed by allegations that this action is part of a broader political agenda.

The reason given for firing Bud Ivey was a technical fishing violation. As I understand it, his net drifted across an unmarked temporary boundary during an opening in Lynn Canal. Governor Steve Cowper reviewed the situation. He chose not to take action against Bud because of the technical nature of the violation and also because a Board member had previously been retained under similar circumstances. Now, some 5 months after the incident, and on the heels of the Board's rejection of some of your candidates for Commissioner, comes this decision. While it may not have been your intention, the decision to fire Bud Ivey has all the appearances of political maneuvering. In any case, I feel this action is ill advised.

The recent turmoil over the appointment of Ron Somerville as Deputy Commissioner has stirred considerable divisiveness. The rejection of Bud Ivey only serves to exacerbate those tensions.

I urge you to reconsider your action.

Respectfully,

A handwritten signature in dark ink, appearing to read "Fran Ulmer".

Rep. Fran Ulmer

District 4B — Juneau

P.O. Box V • Juneau, Alaska 99811-3100 • (907) 465-4947



Recycled Paper

GLENN A. OLDS

Page 1

January 3, 1991

Appointed Commissioner of the Department of Commerce and Economic Development by Governor Walter J. Hickel. This department is responsible for strengthening and diversifying Alaska's economic base in a way that will offer long-term net benefits to all Alaskans. The department administers consumer protection programs and assists in a variety of semiautonomous organizations involved in both regulation and development.

October 1989

President and Chief Executive Officer, Better World Society

October 1987 - 1989

President and Chief Executive Officer, The John E. Fetzer Foundation

January 1988

Adjunct Professor of Philosophy, Western Michigan University, Kalamazoo, Michigan

June 1989

Adjunct Professor of Medical Sciences, The College of Human Medicine, Michigan State University, East Lansing, Michigan

December 1987

President and Professor of Philosophy Emeritus, Alaska Pacific University

May 1986 - November 1986

Candidate, United States Senate from Alaska

July 1977 - January 1988

President and Professor of Philosophy, Alaska Pacific University

September 1971 - July 1977

President and Professor of Philosophy, Kent State University

March 1969 March 1971

U.S. Ambassador - Representative, United Nations Economic and Social Council

May 1968 - February 1969

Special Assistant for Policy and Manpower Development to President Richard M. Nixon

GLENN A. OLDS

Page 2

1965 - 1968

University Dean for International Studies and World Affairs, State University of New York System

1958 - 1965

President, Springfield College, Springfield, Massachusetts

1954 - 1958

Director, Cornell University United Religious Work, Cornell University, Ithaca, New York

1951 - 1954

University Chaplain and Professor, University of Denver, Denver, Colorado

1948 - 1951

Associate Professor of Philosophy and Ethics, Garrett Theological Seminary; Visiting Professor of Philosophy, Northwestern University

1948

Assistant Professor of Philosophy, Depauw University, Greencastle, Indiana

1947

Assistant in Instruction, Yale University, New Haven, Connecticut

BOARDS & COMMISSIONS

JAN 30 1991

NANCY BEAR USERA

4000 Kutcher Drive
Anchorage, Alaska 99516
907/345-5785 Home
907/562-1255 Office

EMPLOYMENT HISTORY:

- 1984 to present: President/CEO, Alaska Credit Union League & Affiliates, a trade association representing all of Alaska's state and federally chartered credit unions.
- 1981 - 1984: President, O2, Inc., a consulting firm specializing in legislative advocacy, conference management, volunteer management and fund raising.
- 1977 - 1981 Project Consultant, Credit Union National Association, Washington, D.C.
- 1972 - 1977 Vice President, William S. Bergman Associates, Inc., Washington, D.C., a multiple association management firm representing national trade and professional associations.
- 1969 - 1972: Executive Assistant, Campaigns, USA, Inc., Washington D.C., a firm specializing in public relations, legislative advocacy, fund raising, campaign and management services.

PROFESSIONAL AFFILIATIONS:

Board Member, Credit Union National Association & Affiliates
Member, Association of Credit Union League Executives
Member, CUNA Governmental Affairs Committee
Member, ACULE NCUA Structure Task Force
Member, ACULE Legislative Response Task Force (1990)
Member, CUNA Federal Legislative/Regulatory Subcommittee (1988)
Member, ACULE, League Services Delivery Committee (1988)
Member, CUNA Human Resource Development Committee (1987)
Member, ACULE League Services Development Committee (1986)

CIVIC AFFILIATIONS:

Board Member, Commonwealth North, an Alaska leadership public policy forum
Member, Commonwealth North, Committee on Federal/State Relations
Member, Commonwealth North, Community Education Committee
Co-Author, Going Up In Flames, The Promises of Alaska Statehood
Board Member, Anchorage Economic Development Corporation
Member, Legislative Committee, AEDC
Chairman and Member, Anchorage Municipal Budget Advisory Commission (1983-1989)
Subcommittee Chairman for Cost containment, Mayor's Task Force on Fiscal Policy (1988)
Treasurer, Anchorage Parent Teacher Association (1984-85)
Board Member, Council of Community School Associations (1982-84)
President, Huffman Elementary School Parent Teacher Association (1982-84)

PERSONAL DATA:

Attended Virginia Polytechnic Institute and State University
Licensed insurance agent, life/health and casualty/property
Birthdate: 9 October 1949
Marital Status: Divorced with three children
Health: Excellent
Social Security: 224-72-2556

Alaska State Legislature

Senator Drue Pearce, Chair
Senator Virginia Collins, Vice Chair
Senator Shirley Craft
Senator Rick Halford
Senator Jay Kerttula



WHILE IN JUNEAU
ALASKA STATE SENATE
STATE CAPITOL
JUNEAU, ALASKA 99801-1182
(907) 465-3844

SENATE LABOR AND COMMERCE COMMITTEE

3111 C STREET, SUITE 535
ANCHORAGE, ALASKA 99503
(907) 561-2038

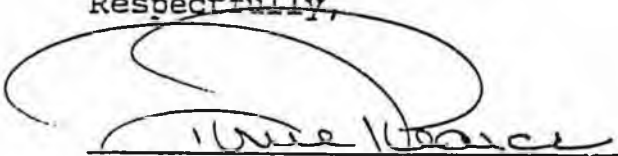
Date: April 27, 1992

The Honorable Richard I. "Dick" Eliason
President of the Senate
State Capitol
Juneau, AK 99801-1182

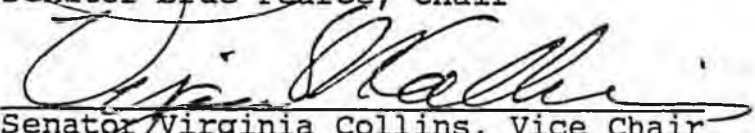
Dear President Eliason:

In accordance with AS 39.05.080, the Senate Labor and Commerce Committee has reviewed the qualifications of B. David Spell recently nominated to the Bd. of Architects, Engineers, & Land Surveyors. There were no stated objections to legislative confirmation by committee members. This does not reflect an intent by any of the members to vote for or against this appointee during further legislative deliberations.

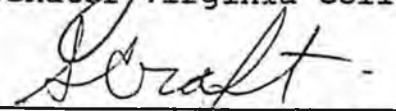
Respectfully,



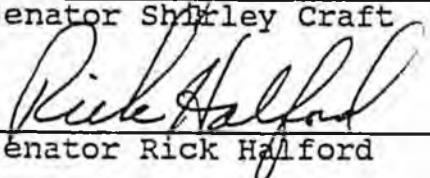
Senator Drue Pearce, Chair



Senator Virginia Collins, Vice Chair



Senator Shirley Craft



Senator Rick Halford

Senator Jay Kerttula

Alaska State Legislature

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WHILE IN JUNEAU
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(907) 465-3844

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3111 C STREET, SUITE 535
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(907) 561-2038

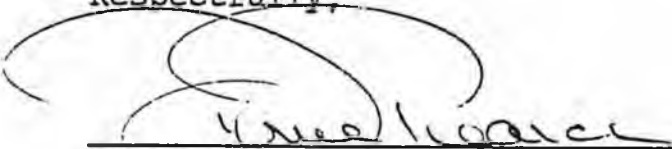
Date: April 27, 1992

The Honorable Richard I. "Dick" Eliason
President of the Senate
State Capitol
Juneau, AK 99801-1182


Dear President Eliason:

In accordance with AS 39.05.080, the Senate Labor and Commerce Committee has reviewed the qualifications of Mike Tauriainen, P.E. recently nominated to the Bd. of Architects, Engineers, & Land Surveyors. There were no stated objections to legislative confirmation by committee members. This does not reflect an intent by any of the members to vote for or against this appointee during further legislative deliberations.


Respectfully,



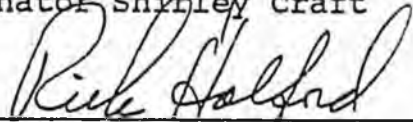
Senator Drue Pearce, Chair



Senator Virginia Collins, Vice Chair



Senator Shirley Craft



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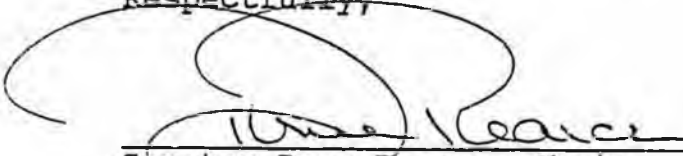
Date: April 27, 1992

The Honorable Richard I. "Dick" Eliason
President of the Senate
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Juneau, AK 99801-1182

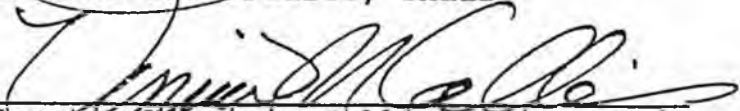
Dear President Eliason:

In accordance with AS 39.05.080, the Senate Labor and Commerce Committee has reviewed the qualifications of Phil R. Holdsworth, P.F. recently nominated to the Bd. for Architects, Engineers, & Land Surveyors. There were no stated objections to legislative confirmation by committee members. This does not reflect an intent by any of the members to vote for or against this appointee during further legislative deliberations.

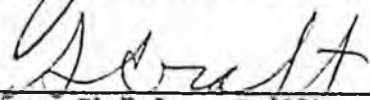
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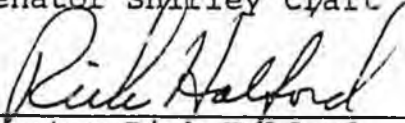
Senator Drue Pearce, Chair



Senator Virginia Collins, Vice Chair



Senator Shirley Craft



Senator Rick Halford

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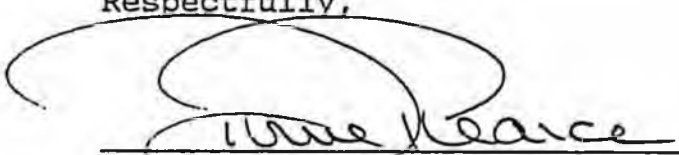
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Juneau, AK 99801-1182

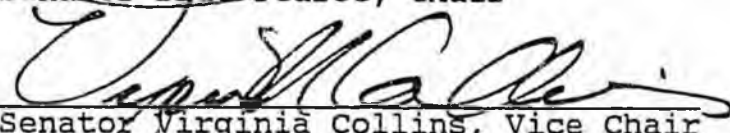
Dear President Eliason:

In accordance with AS 39.05.080, the Senate Labor and Commerce Committee has reviewed the qualifications of Edward P. Young recently nominated to the Board of A. E. L. Surveyors. There were no stated objections to legislative confirmation by committee members. This does not reflect an intent by any of the members to vote for or against this appointee during further legislative deliberations.

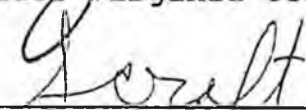
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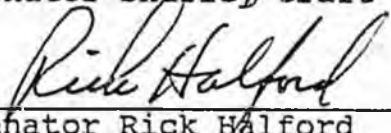
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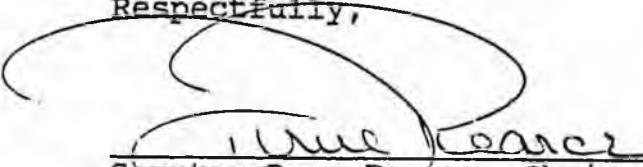
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The Honorable Richard I. "Dick" Eliason
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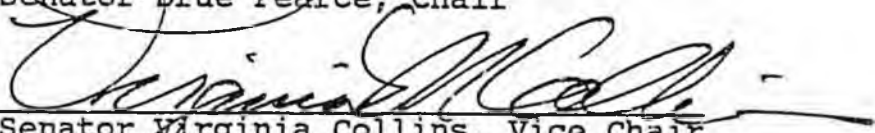
Dear President Eliason:

In accordance with AS 39.05.080, the Senate Labor and Commerce Committee has reviewed the qualifications of Mark Troutman recently nominated to the Athletic Commission. There were no stated objections to legislative confirmation by committee members. This does not reflect an intent by any of the members to vote for or against this appointee during further legislative deliberations.

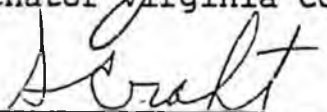
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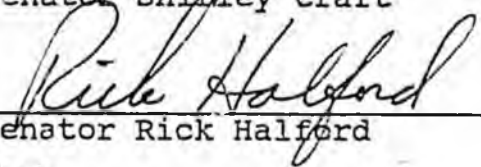
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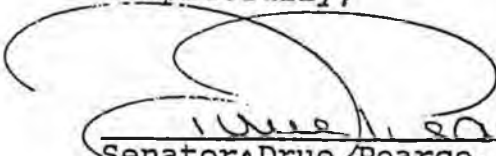
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Juneau, AK 99801-1182

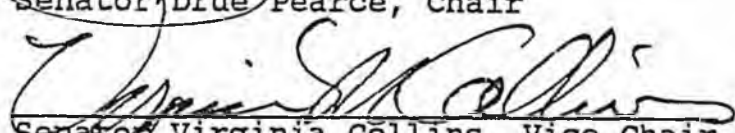
Dear President Eliason:

In accordance with AS 39.05.080, the Senate Labor and Commerce Committee has reviewed the qualifications of John N. Hansen recently nominated to the Athletic Commission. There were no stated objections to legislative confirmation by committee members. This does not reflect an intent by any of the members to vote for or against this appointee during further legislative deliberations.

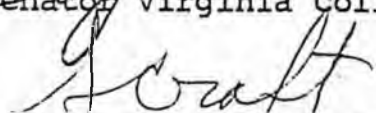
Respectfully,



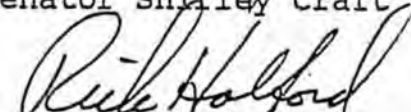
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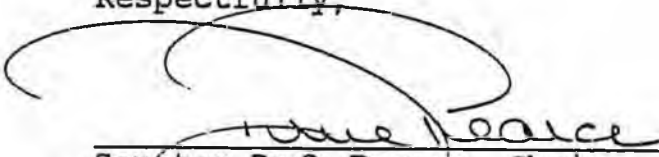
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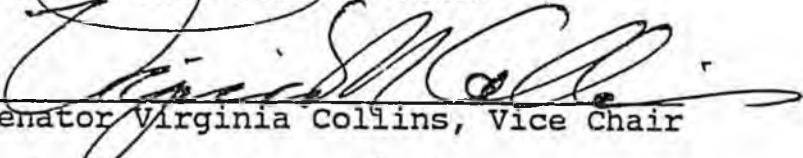
Dear President Eliason:

In accordance with AS 39.05.080, the Senate Labor and Commerce Committee has reviewed the qualifications of Earl W. Davis recently nominated to the Athletic Commission. There were no stated objections to legislative confirmation by committee members. This does not reflect an intent by any of the members to vote for or against this appointee during further legislative deliberations.

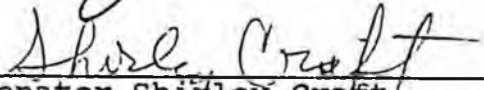
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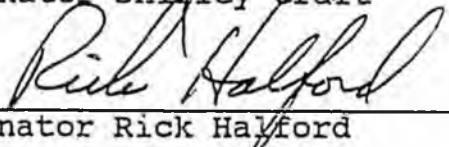
Senator Drue Pearce, Chair



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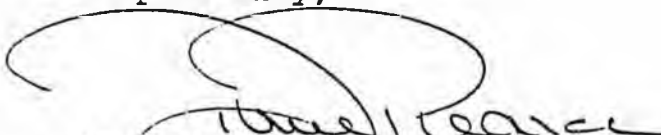
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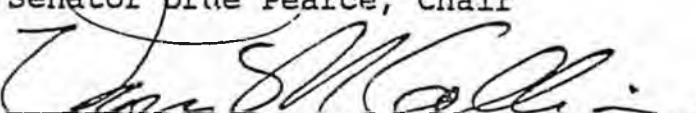
Dear President Eliason:

In accordance with AS 39.05.080, the Senate Labor and Commerce Committee has reviewed the qualifications of Mariann Stoffel recently nominated to the Board of Barbers and Hairdressers. There were no stated objections to legislative confirmation by committee members. This does not reflect an intent by any of the members to vote for or against this appointee during further legislative deliberations.

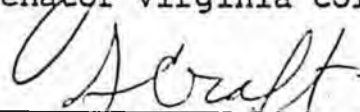
Respectfully,



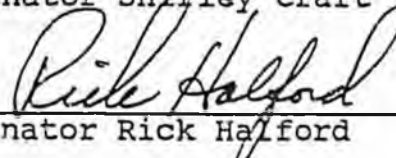
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Senator Jay Kerttula