

State of Alaska  
Department of Law

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**NEWS RELEASE**



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*Protecting Alaska's Future*

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**State Personnel Board Dismisses Ethics Complaint Against  
Attorney General David Márquez**

(Anchorage) – Today Attorney General David Márquez authorized the release of a decision by the State Personnel Board dismissing an ethics complaint requesting that the attorney general recuse himself from all Alaska gas line contract negotiations.

"I am pleased that the Board reached this decision," said Márquez. "It independently affirms an earlier determination by the ethics experts within the Department of Law, which I requested before accepting my appointment as attorney general. That opinion also determined that I am not under any ethical constraint to participate as a member of the state team in negotiations over a natural gas pipeline contract."

Any contract developed during the negotiation process will be approved by the Governor. The contract and findings of the Commissioner of the Department of Revenue will go through a public notice and hearing process and submitted to the Legislature for approval.

Prior to appointment as Attorney General, Márquez asked the ethics attorneys in the Department of Law to review his personal investments in order to determine whether his official duties would be limited under the Ethics Act in the event he was appointed Attorney General.

On March 24, 2005 the state's ethics attorneys provided Márquez with a confidential opinion that concluded under the Ethics Act that his deferred compensation plans do not constitute conflicts of interest that would preclude him from taking official action affecting BP, ConocoPhillips or other oil companies.

Márquez immediately waived his right to confidentiality as to this decision. On March 31, 2005 Governor Murkowski held a press conference appointing Márquez as Attorney General. At this event he provided copies of the Department of Law opinion and responded to questions from the media regarding the decision.

Prior to the end of the legislative session Márquez appeared before the judiciary committees of the House and Senate in confirmation hearings and responded to questions. The legislature subsequently unanimously confirmed Márquez as the state's attorney general in early May.

On October 3<sup>rd</sup> Márquez was served with a complaint that had been filed with the Personnel Board on August 4, 2005. The complaint alleged that Márquez's participation in negotiations pertaining to a proposed natural gas pipeline on behalf of the State of Alaska violated the Alaska Executive Branch Ethics Act. The complaint asked that Márquez recuse "himself from all Alaska gas line negotiations or contracts" based on Márquez's deferred compensation from his previous employment in the oil industry – the same issue that was addressed in the Department of Law's March 24<sup>th</sup> opinion. On December 30, 2005 the Personnel Board dismissed this complaint.

"I have been a resident of Alaska and a member of the Alaska bar for 32 years. I accepted this appointment as Attorney General with my pledge to serve to the utmost limits of my abilities the best interests of this state," said Márquez. "I will continue to honor this commitment as long as I serve in this capacity."

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