

National Association of Secretaries of State

2008 Summer Conference

July 25-28, 2008 – Grand Rapids, Michigan



ACR Speaker Biographies

JEAN BRANSCUM

Jean Branscum was appointed Deputy Secretary of State in January, 2005, and quickly joined the ACR ranks that summer in St. Paul. In her position, she provides management oversight of the Administrative Rules and Notary Services under Secretary of State Brad Johnson. In 2006, Jean launched the ARMI technology initiative to develop a database solution to publish online and print copies of the ARM and Register, automate the state agency submittal process, and provide enhanced online tools for public and private sector customers. The ARMI project team was selected for the Governor's Excellence in Performance Award in 2007.

Jean has been employed by the State of Montana government for over 17 years. Prior to her appointment as Deputy, Jean served as a policy advisor to Governor Judy Martz and Governor Marc Racicot covering the policy areas of labor, corrections, health and human services, transportation and agriculture. Jean earned a B.S. at Iowa State University in Agriculture Business with a specialty in Public Policy. She is a graduate of the inaugural class of the statewide Leadership Montana program. She is the current program chair for the 2008 ACR summer conference.

MIKE BROSCHINSKY

Mike Broschinsky, occasional ACR member, full-time gadfly at the Utah Division of Administrative Rules, and political philosopher wannabe is a part-time communist and purveyor of pointed pokes at people in power. Having worked for his division for the past 15 years (can it be true?), Mike's greatest claim to fame is that he is Ken Hansen's worst hiring decision (except maybe for that intern who was bad with numbers). Mike serves as the division's administrative code editor which is just a fancy way of saying that he does pretty much whatever Ken asks him to do (though he will occasionally argue). Mike is responsible for codifying all changes to the administrative code and making the HTML version of the code available on a monthly basis for posting on the web. Mike works closely with Utah's Department of Technology Services in bringing eRules version 2 into being. eRules is the division's web-based filing and publication system. Mike also serves as the chair of the Information Technology Quality Team for his division's parent organization, the Department of Administrative Services. Mike has a bachelor's and master's degree from the University of Utah. He and his wife Korral have been married for 22 years (his proposal to her, while not spectacularly romantic, was nevertheless the single most intelligent thing he has ever done) and has three teenage daughters.

AMY BUNK

Amy Bunk is the Director of Legal Affairs and Policy for the Office of the Federal Register. Prior to taking this position, Amy worked in the Office of Regulations and Administrative Law, Office of the Judge Advocate General, United States Coast Guard from November 2005 until October of 2007. While at the Coast Guard, she has worked closely on a number of high-visibility merchant mariner rulemaking projects. She was highly praised for her support of Ninth District field regulations involving weapons training areas. Before her job at the Coast Guard, Amy worked as an Attorney-Advisor for the National Archives and Records Administration's Office of the Federal Register. She received her JD *cum laude* from Syracuse University College of Law and is a member of the Justinian Honorary Law Society. Amy is admitted to practice in New York.

SCOTT CANCELOSI

Scott Cancelosi (pronounced Cancel-oh-see) has been a member of ACR since his first NASS conference in Mobile, Alabama in the summer of 1997. Last year he chaired the ACR Robert J. Colborn Award Committee. Scott is a founding member of ACR's esteemed Rullettes and maintains the underground website ACR AfterDark. He has been with the Arizona Secretary of State's office since 1996 and is currently Director of the Public Services Division under Secretary Janice K. Brewer. You long time ACR members may recall that Scott used to work with Mimi Griffiths back in the day when there was no Internet access to rules. Some might even remember Scott serving as Administrative Code Editor (aka Code Boy) and Special Projects Manager (SPaM Man). Scott has a Bachelor's degree in journalism and public relations from Northern Arizona University in Flagstaff. He is a Cancer, sings and plays the guitar, and enjoys off-road racing. He has been married to his lovely wife Anne for nine years and they reside in Phoenix. They have one child, a black Labrador retriever, and are expecting their first baby - currently referred to as baby Cancelosi - in December 2008.

JANE CHAFFIN

Jane Chaffin is a career state employee having been employed by the Commonwealth of Virginia for over 30 years. Prior to joining the Division of Legislative Services, she held positions with the Department of Health and the Department of Information Technology.

The Division of Legislative Services hired Jane in January 1987 to work in the Virginia Code Commission section as an editor and proofreader of the *Virginia Register of Regulations*. During her 21 years working for the Division, she has served as Assistant Registrar, Deputy Registrar, and currently as Registrar. The Virginia Code Commission appointed Jane Registrar of Regulations in July 1998. In addition to staffing the Virginia Code Commission, she is responsible for the publication of the Virginia Register of Regulations and Virginia's administrative code of regulations.

Jane is an active member of the Administrative Codes and Registers Section of the National Association of Secretaries of State serving as regional representative of the South Atlantic Region from 1998-2002, Secretary-Treasurer from 2002-2004, Vice President from 2004-2006, and currently serving as President of the organization.

LIZ CLOUD

Liz Cloud is the Program Administer for the Administrative Code and Weekly Section with the Secretary of State's office, Division of Library and Information Services. This section has 6 full time and 2 part-time employees. Florida's Code contains over 21,000 permanent adopted rules and 20,000 pages.

Liz has worked for the Secretary of State since 1966 and for 30 years has been responsible for managing the publication of the Florida Administrative Code and the Florida Administrative Weekly pursuant to Chapter 120 of the Florida Statutes.

Liz is one of the beginning members of ACR and served as ACR President from 1996-98.

JOSEPH J. DELUCA, JR.

Joe DeLuca has been with the North Carolina Rules Review Commission for more than 17 years and served as staff director during its days as an independent agency as well as serving as Commission Counsel. Among a variety of undergraduate schools he primarily attended Boston College and UNC-Wilmington. He graduated from N.C. Central School of Law in 1981, and was admitted to the North Carolina State Bar that same year. He has been attending ACR Conferences and making life difficult for conference planners and other attendees since 1992. He and his wife live in Raleigh along with their two teenage sons while their daughter is a junior at Fordham University in the Bronx, NY, who gets to drive a 15 passenger Ram Van all around the streets of NYC for pay.

KATHLEEN ELY

Kathleen Ely is the Web Developer for the Montana Secretary of State's office. She maintains the Secretary of State's website and forms downloaded from the site. She was originally hired to bring up-to-date and manage the 16,000 HTML pages of the Administrative Rules website with 5% of those pages being changed out every three months "by hand". The Administrative Rules of Montana Initiative has made this job easier by the development of state-of-the-art database for the rules. Ms. Ely was part of the team leading this effort which was given the Governor's Award for Excellence in 2007. As a private contractor, she developed over 600 websites, including those of the Helena Independent Record and the Montana Standard. She holds a Bachelor of Arts degree in English Literature from Rocky Mountain College.

LINDA EMRY

Linda Emry is the Management Assistant to the Idaho Transportation Department's Office of Budget, Policy, and Intergovernmental Relations. One of her primary duties is that of the Administrative Rules Coordinator for the department. Linda has been with the State of Idaho for 26 years, with ITD for 16 years, and in this position for the last 12 years. When interviewing for the current position, she had to ask the panel, "What are Administrative Rules?" She was immediately immersed in the process and within a short time, a fully baptized "word nerd," and assigned responsibility for the program throughout the department. Linda will oversee the development of a department-wide, web-based application for the internal rule-making process. This will provide a centralized, shared environment for review, approval, and analysis of the rule-making, and supporting documentation including a detailed fiscal impact. This will interface with the existing Legislative Tracking System to provide revenue and budget information which may impact the Department's appropriation request.

KENNETH A. HANSEN

Kenneth A. Hansen began working in Utah state government in 1978. The decision to take that summer high school job with the Utah State Archives was a watershed decision. Thirty years later, he is the director of Utah's Division of Administrative Rules and Deputy Director of the Department of Administrative Services. His years in public service have been all about public access to government information. The last 21 years have focused on accessibility of regulatory information and agency compliance with the Utah Administrative Rulemaking Act (Utah Code Ann., 1953, Title 63G, Chapter 3). Since 1994, Utah has provided free electronic access to rules publications. Utah was also one of the first states to dabble in electronic filing of rules. This year, Utah will implement its fifth-generation electronic rule filing application.

Ken has grown up (well, mostly ... OK ... maybe not) in the Administrative Codes and Registers (ACR) Section. In 2000, Ken completed a two-year term as President of ACR. He has also served as the assistant program chair (1993 Cleveland), as program chair (1994 Kalispell), and ACR Vice President (1998-2000). In 2004, Ken was asked to represent ACR as an official observer at the National Conference of Commissioners for Uniform State Laws Model State Administrative Procedure Act drafting committee. This year, Ken is also chairing the ACR Nominations Committee.

Ken has Bachelor of Science degrees in history and political science, and a Master of Public Administration degree, all from the University of Utah. He is a member of Pi Alpha Alpha, the national honors society for students of public affairs and administration. Ken is also a member of the American Society for Public Administration. Since 2000, Ken has taught administrative law as an adjunct instructor of political science at the University of Utah. In 2007, the university's Master of Public Administration Student Association (MPASA) awarded Ken the Wendy Edwards Rice Award which annually recognizes a faculty member for extracurricular contributions, leadership, and service to public administration students, and the program in general. In January 2009, Ken will team-teach a cohort of public administration students from Hainan, China.

CANDY HERRING

Candy Herring is the Administrative Rules Program Manager for the Colorado Secretary of State's office. Prior to being hired for her current position, she was Operations Manager for a legal/commercial publishing firm that printed Colorado's Administrative Code and Register. As Program Manager, she is responsible not only for publishing the Code and Register electronically and in print, but also for the continued development of the eRules web application, which supports electronic filing of rules and publishes the official code and register online. Under Ms. Herring's stewardship, the Colorado Administrative Rules Program was awarded the prestigious Robert J. Colborn, Jr. Innovation Award in 2007.

Candy has been a member of ACR since 2005. She served as program chair at the 2006 summer conference. She now represents the Mountain West region as a member of the executive committee and is also a member of the ACR Website Committee. She holds a Bachelor of Science degree in Computer Information Systems from Metropolitan State College of Denver.

JIM HOGAN

Jim Hogan is one of five Chief Information Officers within Michigan's Department of Information Technology (DIT). The Department provides IT supporting services to all State Agencies. Mr. Hogan directs all IT efforts for Michigan's business regulatory and licensing agencies, economic development agencies, education agencies, and the Governor's Office. Jim is also the Director of the e-Michigan Office, supporting the State's award winning web site: www.michigan.gov. Mr. Hogan's teams have directed the development of a number of key projects that have been recognized with five consecutive #1 best practice awards from the National Association of State Chief Information Officers (NASCIO) between 2003-2007.

CLIFF LI

Cliff Li is the Chief Executive Officer of CommerNet, Inc. He has over 10 years experience in software architecture design and project management in the field of ePublishing. He was an advisory member of Electronic Committee of American Business Media, and a current member of Small and Minority Business Advisory Council, the State of Florida.

NORENE LIND

Norene Lind is the Administrative Rules Manager of the State Office of Administrative Hearings and Rules (SOAHR), an independent agency within the Michigan Department of Labor and Economic Growth. In this position, she reviews proposed rules, coordinates the processing of rules by all state agencies, and works with agencies to streamline the rulemaking process and to improve public access. Prior to her current position, she was the Regulatory Affairs Officer for the Department of Labor and Economic Growth, Office of Policy and Legislative Affairs. In that position, she assisted the director in the promulgation of rules and the policy analysis of legislation. Norene began her regulatory career in state government 21 years ago, working for the Michigan Department of State in the driver training and testing program areas.

JOHN MARTINEZ

John Martinez is the Director of the Administrative Law Division of the New Mexico Commission of Public Records - State Records Center and Archives. He earned his Bachelor of Arts, Magna Cum Laude, in History with a minor in Spanish from Brigham Young University. After graduation he attended the University of Texas at Austin where he earned a Master of Arts in U.S. History, with a focus on the American Southwest. After leaving Texas, he found employment with a large financial institution in California where he worked for four years in Human Resources and Corporate Security. While with that company, he participated in the writing the company's Business Continuity Plan as required by the Federal Office of the Comptroller of the Currency. In 2000, Mr. Martinez accepted a position at the New Mexico State Records Center and Archives. In 2002, he was appointed to be his agency's Disaster Preparedness and Recovery Committee Chairperson and has managed the agency's disaster plan since. In addition to working with vital records management issues around the state, Mr. Martinez is currently involved with the Intergovernmental Preparedness for Essential Records (IPER) program with the Council of State Archivists and with the Coordinated Statewide Emergency Preparedness (CoStEP) program with the Northeast Document Conservation Center.

KEN MORDAN

Ken Mordan works as a "Rules Specialist" within the Administrative Procedures Section of the Idaho Department of Health and Welfare (IDHW). His job entails writing administrative rules in collaboration with two other rules specialists and program specialists. Ken has been employed by the IDHW for almost 7 years now. Previously, he worked for the State of Montana, Department of Public Health and Human Services, as a Program Officer in the Substance Abuse and Mental Health program. Part of his duties there was to promulgate rules for the State of Montana.

Ken was originally hired by the IDHW as a Program Specialist in the Substance Abuse Program within the Division of Behavioral Health. He was hired as one of the Rules Specialists when the Rules Unit was formed, and brings his experience in program design, policymaking, grant writing, and contracts to the Unit.

This is the first NASS conference attended by Ken.

GREGORY L. OGDEN

Gregory L. Ogden is a professor of law at Pepperdine University where he has taught since 1978. He teaches administrative law, civil procedure, professional responsibility, and remedies. He is a graduate of UCLA, (BA, cum laude) UC Davis school of Law (JD, Law Review Editor), and he has two LL.M.s, one from Temple University in legal education, and one from Columbia University in administrative law. He has been an administrative law consultant to the Administrative Conference of the United States, and to the California Law Revision Commission. He has taught administrative law for 30 years, and was the principal author of California Public Agency Practice, (three volumes, Matthew, Bender & Co., Inc., 1989), and California Public Administrative Law (two volumes, Matthew Bender & Co., Inc. 1997), the leading treatise on California administrative law. He prepares treatise updates five times per year and the treatise is available both in print version, and online on Lexis-Nexis. In Fall 2005, he completed a major revision of a State Administrative Law in California chapter (200 pages) for a multi volume treatise on California Environmental Law and Land Use Planning (Manaster & Selmi, Matthew Bender & Co.). He has authored several articles in the administrative law field including, most recently, the following article in the Journal of the NAALJ: Ogden, Gregory L., The Role of Demeanor Evidence in Determining Credibility of Witnesses in Fact Finding: The Views of ALJs, @ 20 Journal of NAALJ 1 (2000). Professor Ogden was the 1999 NAALJ Fellowship recipient, and he presented his fellowship paper on demeanor evidence at the 1999 NAALJ Conference in Asheville, North Carolina.

Professor Ogden has been the faculty editor of the Journal of the NAALJ since the 2000-2001 academic year, when the Journal editorial responsibilities was taken over by Pepperdine University School of Law. He was on the planning committee for the Evidence for ALJs program hosted at Pepperdine Law School in May, 2001. Since 2000, Professor Ogden has spoken at numerous continuing judicial education conferences on current developments in administrative law, evidence basics for administrative law judges, demeanor evidence and credibility determinations, and judicial ethics for ALJs. His topics have been presented at programs sponsored by the California Office of Administrative Hearings (OAH), the National Association of

Hearing Officials (NAHO), the Association for Administrative Law Judges (AALJ), the National Association of Administrative Law Judges (NAALJ), and the Arkansas, Iowa, and South Carolina NAALJ affiliate organizations. He has also presented programs on legal ethics for government attorneys for the SEC and for the state administrative law section of the Arkansas State Bar Association. Ogden has been retained as a consultant to several law firms needing administrative law expertise. In 2006, Ogden was appointed Reporter for the Drafting Committee of the Model State Administrative Procedure Act revision project sponsored by the National Conference of Commissioners for Uniform State Laws (NCCUSL). Ogden will continue to serve in that capacity until the model act project is completed in 2009. As reporter, Ogden has made several presentations related to the Model Act to law related groups, including the American Bar Association section on administrative law.

ELIZABETH PALEN

Elizabeth Palen is the Executive Director of the Joint Commission on Administrative Rules, the Administrative Law Advisory Committee and the Virginia Housing Commission for the Virginia Division of Legislative Services. The Joint Commission on Administrative Rules provides a bi-partisan arena for regulatory dispute resolution. The Administrative Law Advisory Committee studies and offers recommendations to the Virginia Code Commission concerning regulatory process.

Elizabeth provides legal counsel, staffs meetings and drafts bills dealing with regulatory or housing issues.

Prior to her employment with the Division of Legislative Services, Elizabeth was the Executive Director of a Community Development Corporation, a lobbyist, legal researcher for the Virginia Senate, and a staff member for the Clerk of the Virginia House of Delegates.

Elizabeth was awarded a Bachelor of Arts degree from Mary Baldwin College in Political Science and Art and a juris doctor from the T.C. Williams School of Law, University of Richmond.

MOLLY PETERSEN

Molly Petersen is the Editor for the Administrative Rules of Montana and the Montana Administrative Register. She was hired in 2002 as the Editorial Assistant, and was subsequently hired as Editor in 2006. In 2007, Ms. Petersen received the Governor's Award for Excellence in Performance for her work as part of the Administrative Rules of Montana Initiative (ARMI) team. Ms. Petersen previously served as her bureau's Records Custodian, and is the rulemaking coordinator for the Secretary of State's office. This is Ms. Petersen's second ACR conference; she also attended the 2007 Winter Conference. Ms. Petersen earned degrees in English and Religion from St. Olaf College.

MARY JANE PORIES

Mary Jane Pories, Master of Arts in Teaching and alumna of the renowned comedy theater *The Second City*, is an award-winning actor/improviser and writer. In 1999, she founded Fishladder Inc., a company devoted to using improvisation to improve teambuilding, communication, and creativity in the workplace and beyond. Fishladder Inc. serves clients in the areas of manufacturing, engineering, marketing, sales, health, and education including Alticor, Steelcase, Herman Miller, National Association of Realtors, VHA of Michigan and Grand Valley State University.

In addition to corporate training, Fishladder Inc. also offers customized scripted shows for entertainment and training, and adult classes in improvisation. Fishladder was nominated for the 2005 Business of the Year award from the Grand Rapids Area Chamber of Commerce. Fishladder also won the Business of the Year Award from GROW (Grand Rapids Opportunities for Women) in November 2003. Her one woman show entitled *Epiphany 3:29 a.m.* has played sold out houses and is comprised of original songs, scripts, and stand-up comedy.

Other awards and recognition include the Women of Achievement Tribute Award 2004, the Silver Townie Award for Best Improv Troupe in 2003, 2004, 2005 and 2006; Ernst & Young Entrepreneur of the Year, 2003, 2004 nominee; 2002 Neighborhood Business Award: Best Reuse of a Building; 2001 Neighborhood Business Award: Best Response to an Idea or Need; Theater Excellence Award, The Second City, Detroit ACR Biographies – July 2008

Free Press Theater Awards, 1999 Nominee; Ben Franklin Award, Actors' Theatre for original play Lakefront Property.

Mary Jane received a scholarship to attend Leadership Grand Rapids, an organization intended to groom future leaders in the community, and serves as past president of the board of Grand Rapids Opportunities for Women.

Professional memberships include:

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| <input type="checkbox"/> Actor's Equity Association | <input type="checkbox"/> National Speaker's Association |
| <input type="checkbox"/> Better Business Bureau | <input type="checkbox"/> Grand Rapids Area Chamber of Commerce |
| <input type="checkbox"/> Grand Rapids Convention and Visitors Bureau | <input type="checkbox"/> Association of Training of Development |

DAN PROCTER

Dan Procter is the director of the Texas Register, a section of the Office of the Secretary of State.

He is a graduate of the University of Central Oklahoma, in Edmond, a small town known as the location of the first official postal incident.

The term "going postal" is attributed to crimes committed on August 20, 1986, by Patrick Sherrill who came to work dressed in his regular blue uniform and mail bag carrying two .45 caliber pistols and a .22 caliber handgun with over 300 rounds of ammunition. Sherrill killed 15 fellow postal employees in 10 minutes.

That same year Dan began work with the Secretary of State in Austin, Texas, and struggled with an administrative code that was out of date and out of print. Twenty-two years later Dan continues to struggle with the administrative code. The challenges change over the years, but Dan remains resolute that firearms absolutely have no place at the office.

KERRY RADCLIFF

Kerry Radcliff is the editor of the Washington State Register and the production manager for the publication of the Washington Administrative Code. She started working in the office of the code reviser in 1977 as a bill drafting typist in the Revised Code of Washington section. In 1982, she moved to the Washington Administrative Code area as the assistant editor of the "Register." In 1988, she became the editor and has held that position since that time. Kerry reflects "I have seen the Administrative Procedure Act evolve several times and have been very involved in assisting the agencies in complying with the filing procedures of the APA. I also have been involved with the computer technology upgrades to make the agencies' rule changes more accessible to the public and the agencies, not only with the publishing aspect of the WAC and Register, but also helping the information get onto the internet in a more user friendly way. I have been very involved with the creation of the CR forms, explanatory material to make the APA filing procedure clearer, and recently, the implementation of E-filing."

KRIS SHOMPER

Kris Shomper is Director of Administration/Comptroller with the Independent Regulatory Review Commission. She has worked for the Commonwealth of Pennsylvania since 1975. After working for the Department of Health for seven years, she then transferred to the Independent Regulatory Review Commission.

Kris came to the Commission during its infancy and has been an integral staff member throughout its development and operation. Both she and the Commission celebrated their 25th anniversary this year.

The first ACR conference she attended was in Montana in 1994, and she has been actively involved in ACR since that time, presenting information on Pennsylvania's regulatory review process and serving as chairman of the nominating and Colburn award committees.

She and her husband live in Millersburg and have six children and four granddaughters.

DENNIS STEVENSON

Dennis Stevenson is the Administrative Rules Coordinator for the State of Idaho with the Department of Administration. Dennis started with the Office of the Administrative Rules Coordinator as the Assistant Rules Coordinator in 1992 when the office was created and has worked for the State of Idaho for 20 years.

Dennis is the managing editor of both the Idaho Administrative Code and the Idaho Administrative Bulletin and is the legislative and agency liaison for the office. He also conducts workshops for the legislature, state employees, and the public in administrative law, rule promulgation, rule writing, and Idaho Administrative Procedure Act compliance.

Dennis has been a member of ACR since 1995, was the summer conference program chairman in Little Rock, Arkansas in 2001, and has served as the ACR Mountain West Regional Representative. He is the immediate past president of ACR and currently holds emeritus status in ACR.

Dennis holds a Bachelor of Arts degree in History from Boise State University and is a Certified Public Manager and member in good standing of the Idaho Society of Certified Public Managers and the American Academy of Certified Public Managers.

JULIE YAMAKA

Julie has managed the Publications Unit of the Archives Division of the Oregon Secretary of State since 1997. The Publications Unit is charged with filing and publishing the Oregon Administrative Rules, and compiling and publishing the Oregon Blue Book. She has worked for the Oregon Secretary of State since 1990.

She is currently serving as Vice President of the Administrative Codes and Registers (ACR) section of the National Association of Secretaries of State, and has been a member of ACR since 1998. She served as the ACR Pacific West regional representative from 2000 to 2004, and was the 2002 Summer Conference Chair in Providence, Rhode Island. She was ACR Secretary/Treasurer from 2004 to 2006.

Julie earned her Bachelor of Arts degree in German Language from the University of Oregon. Now that her son and daughter are grown, she hopes to dust off that degree and fritter away accrued vacation time traveling in Europe with her husband Dave.

ACR extends a thank you to the above individuals for their participation in this year's program.