

1 STATE OF ALASKA

2 DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

3 DIVISION OF INSURANCE

4  
5 In re: )  
6 APPLICATION FOR LICENSE )  
7 OF PHYLLIS A. MARTIN, )  
8 1561 Muldoon Road )  
9 Anchorage, AK 99504. )  
\_\_\_\_\_ )

10 Case No. LD96-01

11 STATEMENT OF ISSUES

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13 Marianne K. Burke, Director, Division of Insurance (division),  
14 Department of Commerce and Economic Development, State of Alaska, states:

- 15 1. On or about September 25, 1995, the division received an  
16 application for an insurance producer license from Phyllis A. Martin, (Martin).  
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18 2. In searching the Alaska Public Safety Information Network,  
19 one of the division's investigator learned that Martin has been convicted of a  
20 motor vehicle infraction and two misdemeanors. Specifically, on April 14, 1981,  
21 Martin, under the married name of Phyllis A. Abbas, was convicted of leaving  
22 the scene of a motor vehicle accident involving an unattended vehicle or property,  
23 Anchorage Municipal Code (AMC) 09.10.050(A). She also was convicted of failure  
24 to give immediate notice of accident, AMC 09.10.060(A), which is a misdemeanor  
25 under AS 28.40.050(c). A \$50 fine was imposed. The third conviction was for  
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disorderly conduct, AS 11.61.110(a)(2) on May 16, 1988, also under the name of Abbas. A sentence of five days in jail, with five days suspended subject to no criminal violations for one year, alcohol screening, and counseling at AWAIC shelter or similar organization was imposed.

3. On March 18, 1982, Martin, under the name of Phyllis Ann Abbas a/k/a Reed, was convicted of theft in the second degree, AS 11.46.130(1) and 11.46.980(c), and an order suspending imposition of sentence and providing for probation for a period of five years was issued. Special conditions of the probation required Martin to make restitution in the amount of \$19,000 and to perform 250 hours of community service. This conviction arose out of an incident whereby Martin, while employed by VECO, Inc., falsified payroll records to show that an individual was a company employee working at Prudoe Bay, when in fact that person was not employed by VECO, Inc. at all. Martin issued nine payroll checks in an amount exceeding \$32,500 to the fictitious employee who cashed all of them. The total loss to VECO, Inc. was approximately \$56,800, which included the payroll checks and federal withholding. On February 16, 1995, Judge Karen Hunt issued an order of discharge after suspended imposition of sentence, thus setting aside Martin's conviction.

4. Martin's misdemeanor convictions and her actions leading to the suspended imposition of sentence demonstrate untrustworthy behavior that precludes issuance of a license under AS 21.27.020(a).

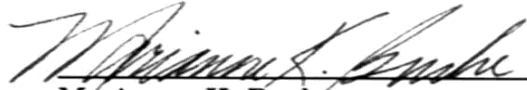
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5. Pursuant to AS 21.27.020(a), and 21.27.020(b)(4) and (6), the application of Phyllis A. Martin for an insurance producer license is hereby DENIED.

DATED this 5<sup>th</sup> day of January, 1996.

  
Marianne K. Burke  
Director  
Division of Insurance

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