

ALASKA PUBLIC OFFICES COMMISSION
MINUTES
SPECIAL COMMISSION MEETING
JULY 19, 2012

A special meeting of the Alaska Public Offices Commission came to order at 2:05 p.m., on Thursday, July 19, 2012. The meeting was held at the Anchorage APOC office at 2221 E. Northern Lights Blvd., Room 128, Anchorage, Alaska.

Brackets [] indicate an agenda item number and that an information packet is included in the meeting binder. Asterisks * indicate that no information was included in the meeting binder.

In Attendance:

Commission:

Elizabeth Hickerson - Chair
Kathleen King - Vice-Chair
Kenneth Kirk - Commissioner
Vance Sanders - Commissioner (Telephonically)
Carol Brenckle - Commissioner (Telephonically)

Staff:

Paul Dauphinais - Executive Director
Jerry Anderson - Assistant Director
Joan Mize - Project Coordinator II Juneau Office (Telephonically)
Martha Tansik - Associate Attorney II
Heather Hebdon - Paralegal II
Amanda McDonald - Paralegal I
Maria Bulfa - Law Office Assistant II

Attendees:

Assistant Attorney General, Dept. of Law

- John Ptacin
- William Milks - Telephonically

12-01-CD Mike Sweeley v. Friends of Kim Skipper

- Kim Skipper
- Gilberto Ramos

Advisory Opinion Request AO 12 -16- CD

- Max F. Gruenberg - Requestor
- Timothy McKeever - Holmes Weddle & Barcott PC (Telephonically)

Public

- Ted Madson - Self

ON RECORD 8:35 a.m.

Chair Hickerson called the meeting to order.

Approval of the Agenda [*]

The Commission approved the agenda.

Mike Sweeley v. Friends of Kim Skipper 12-01-CD, Consent Agreement [1]

- Martha Tansik, Associate Attorney, presented the Staff report and recommendations to the Commission.
- Jerry Anderson, Assistant Director gave brief statement in support of the staff report.
- Kim Skipper, Respondent, appeared in person and gave brief statement.

Commissioner Sanders moved to approve staff recommendations with the amendment of reducing the \$500 assessed civil penalty to \$113.

Commissioner Brenckle seconded the motion.

Commissioner Kirk moved to amend the first motion to waive the civil penalty.

Mr. Milks, Assistant Attorney General, Dept. of Law appeared telephonically and briefly discussed the procedures in approving a consent agreement.

Commissioner Kirk moved to withdraw the amended motion.

The Commission recessed from 2:28 p.m. until 2:32 p.m. to allow time for the parties to discuss and prepare a revised consent agreement. The staff and parties came back on record and presented the revised consent agreement back to the Commission.

Commissioner Kirk moved to approve staff recommendation with the revisions.

Commissioner Sanders seconded the motion.

The Commission voted 5-0 to approve the consent agreement for Ms. Skipper regarding complaint 12-01-CD with the revision.

The Staff recommendation regarding Gilbert Ramos was presented by Martha Tansik, APOC staff. The Respondent Gilbert Ramos appeared in person and gave brief statement.

Respondent:	Gilbert Ramos, for Jalapeños, Inc.
Late Report:	2012 State Primary Election
Maximum Civil Penalty:	\$10, 650 as filed 213 days late @\$50 a day
Staff Recommendation:	Reduced Civil Penalty up to 91% to \$1000

Commissioner King moved to approve the staff recommendation with the reduction of \$500.

Commissioner Brenckle seconded the motion.

The Commission voted 3-2 to approve the revised \$500.00 civil penalty assessment.

Advisory Opinion Request, Jordan Shilling, AO 12-14-CD, [2]

The Staff draft advisory opinion was presented by Martha Tansik, APOC staff.

Commissioner Sanders moved to approve Staff draft advisory opinion.

Commissioner Kirk seconded the motion.

The Commission voted 5-0 to approve advisory opinion AO 12-14-CD.

OFF RECORD 10:00 a.m.

Break

ON RECORD 11:07 a.m.

Advisory Opinion Request, Bob Klein, AO 12-14-CD, [3]

The Staff draft advisory opinion was presented by Martha Tansik, APOC staff.

Commissioner Kirk moved to approve Staff draft advisory opinion.

Commissioner King seconded the motion.

The Commission voted 5-0 to approve advisory opinion AO 12-12-CD.

Advisory Opinion Request, Max Gruenberg, AO 12-16-CD, [4]

The Staff draft advisory opinion was presented by Martha Tansik, APOC staff; John Ptacin, Assistant Attorney General, Department of Law appeared and gave a statement and answered questions from the Commission. Representative Max Gruenberg appeared in person and gave statement in support of his advisory opinion request.

Commissioner Kirk moved to approve Staff draft advisory opinion as revised.

Commissioner Brenckle seconded the motion.

The Commission voted 5-0 to approve revised advisory opinion AO 12-16-CD.

OFF RECORD 3:20 p.m.

Break

ON RECORD 3:25 p.m.

Review of Proposed Statute Revision [5]

Presented by Jerry Anderson, APOC Assistant Director and John Ptacin Assistant Attorney General, Department of Law

Commissioner Sanders moved to approve staff proposed recommendations under AS 24.45.061 (a).

Commissioner Kirk seconded the motion.

The Commission voted 5-0 to approve submission of proposed statute revisions to the Department of Administration.

Commissioner King moved to approve staff proposed recommendations under AS 24.45.116.

Commissioner Kirk seconded the motion.

The Commission voted 5-0 to approve submission of proposed statute revisions to the Department of Administration.

Commissioner Kirk moved to approve staff proposed recommendations under AS 15.13040(n) and AS 39.50.0509 (a).

Commissioner King seconded the motion

The Commission voted 5-0 to approve submission of proposed statute revisions to the Department of Administration.

Discussion of Public Records Request Matter [6]

Presented by John Ptacin – APOC Staff Attorney, Assistant Attorney General, Dept. of Law. Timothy McKeever – Attorney from Holmes, Weddle, & Barcott PC appeared telephonically and participated in the discussion.

Discussion of Citizens United Montana Case [07]

Presented by John Ptacin – APOC Staff Attorney, Assistant Attorney General, Dept. of Law

Commissioner Sanders moved to go into executive session to discuss potential litigation matters.

Commissioner King seconded the motion.

The Commission voted 5-0 in favor of the motion to go into executive session.

OFF RECORD 3:45 p.m.

Executive Session

The meeting adjourned at 4:05 p.m. After deliberation the Commission did not go back to the public record.