

ALASKA PUBLIC OFFICES COMMISSION
MINUTES
REGULAR COMMISSION MEETING
JUNE 4, 2014

A regular meeting of the Alaska Public Offices Commission came to order at 8:34 a.m. on Wednesday, June 4, 2014. 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: Kenneth Kirk – Vice Chair
Vance Sanders – Commissioner
Elizabeth J. Hickerson – Chair (Telephonic)
Ronald King – Commissioner
Irene Catalone – Commissioner

Staff: Paul Dauphinais – Executive Director
Jerry Anderson – Assistant Director
Joan Mize – Juneau Program Coordinator (Telephonic)
Heather Hebdon – Campaign Disclosure Coordinator, Candidates
Thomas Lucas – Campaign Disclosure Coordinator, Groups
July Lam – Financial Disclosure Coordinator
Delight Mells – Paralegal II
Tamara Douglas – Paralegal II

Department of Law: Assistant Attorney General Office
Bill Milks (Telephonic)
John Ptacin

In-Person Attendees:

Ruby Denison – Secretary, Your Vote Counts
Carla Burkhead – Member, Airport Heights PTA
Linda Lord-Jenkins – Ombudsman, State of Alaska
Jim Sawhill – President, Lounsbury & Associates Inc.
Jason Brandeis – Council for Fairbanks Central Labor Council
Jenith Flynn – Deputy Treasurer, Davis Construction/Vote Yes
Mike Boots – Controller, Cornerstone General Contractors, Inc.
Pauline Henriques-Perry – Auditor, Division of Legislative Audit
Lou Theiss – Treasurer, School Bonds Yes!

Gavin Wasserman – Observer, California Fair Political Practices Commission
Benjamin Amos – Self, Statement of Contributions 15-5
David G. Calderone – Corporate Secretary, F. Robert Bell & Associates
Scott Hansen – Treasurer, Carpenters Legislative Improvement Committee
Bruce Schulte – Deputy Treasurer, The Coalition for Responsible Cannabis Leg.
Jane Anvik, Self, Statement of Contributions 15-5

Vote Yes! Repeal the Giveaway

Vic Fisher – Chair
Roselyn Cacy – Treasurer
Jack Roderick – Deputy Treasurer

Vote No on One

Cheryl Frasca – Campaign Finance Administrator
Tom Amodio – Counsel

Telephonic Attendees:

Marie Subwaydia – Self
Monte Brice – Judge/Magistrate
Jan Davis – Controller, Livingston Slone
Trevor Hill – Office Holder, Municipal Official
Blair Martin – Office Holder, Municipal Official
Wilda Laughlin – Department Legislative Liaison, Department of Health and Social Services
Rebecca Logan – Chair, We are Alaska – No on One

ON RECORD 8:34 a.m.

Vice Chair Kirk acting as chair called the meeting to order.

Approval of the Agenda [*]

The Commission approved the agenda as written.

Approval of Meeting Minutes [1]

May 1, 2014 – meeting minutes

Commissioner Sanders moved to approve the meeting minutes as revised.

Commissioner Catalone seconded the motion.

The Commission voted 5-0 to approve the May 1, 2014 meeting minutes as revised.

March 12, 2014 – meeting minutes

Commissioner Sanders moved to approve the meeting minutes as revised.

Commissioner King seconded the motion.

The Commission voted 5-0 to approve the March 12, 2014 meeting minutes as revised.

Consent Agenda, Group Civil Penalty Appeals & Referrals to Attorney General Office [2]

The staff recommendations regarding the consent agenda were presented by Thomas Lucas and Tamara Douglas, APOC staff.

The Commission removed the following items from the Consent Agenda:
3, 4, 5, 6 and 7.

The Commission reviewed and approved the remaining items on the consent agenda:

- #1 Airport Heights PTA
- #2 Anchorage Sand & Gravel
- #8 Employees Political Action Committee
- #9 Environmental Health Services-Alaska
- #11 Fairbanks Central Labor Council
- #12 Fairbanks Fire Fighters
- #13 First Bank
- #14 Granite Construction Company
- #15 & #16 Hattenburg Dilley & Linnell
- #17 Jane Anvik
- #18 Kinney Engineering LLC
- #19 & #20 Koonce Pfeffer Bettis Inc.
- #21 & #22 Kurt Hulteen
- #23 Livingston Slone Inc.
- #24 Lounsbury & Associates Inc.
- #25 PDC, Inc.
- #26 & 27 Professional & Technical Services
- #28 R&M Consultants
- #29 Rodney Kinney & Associates
- #31 RSA Engineering
- #32 The Boutet Company
- #33 Victor Fischer
- #34 West High PTA

Commissioner King moved to approve the staff recommendations for the remaining items on the consent agenda.

Commissioner Sanders seconded the motion.

The Commission voted 5-0 to approve the remaining items on the consent agenda.

Statement of Contributions 15-5, Consent Agenda Part 1

During the discussion the Commission asked staff to modify the staff recommendation to apply a check mark on the inexperienced filer box of the following groups:

- #3 Carpenters Advancement Fund
- #4 Corvus Design

- #5 CRW Engineering Group
- #6 Davis Construction and Engineers
- #7 DOWL LLC

Commissioner King moved to approve the staff recommendations as revised. Commissioner Sanders seconded the motion. The Commission voted 5-0 to approve the consent agenda on the statement of contributions 15-5 part 1.

Statement of Contributions 15-5, Consent Agenda Part 2

All of the Consent Agenda items were removed from the second consent agenda for the Commission to consider separately:

During the discussion the Commission asked staff to modify/alter the consent agenda to apply the flat rate of \$50 civil penalty to the following groups:

- #1 Benjamin L. Amos
- #2 Cornerstone General Contractors, Inc.
- #3 Davis Constructors and Engineers
- #4 Girdwood School PTA
- #5 Lounsbury & Association, Inc.
- #6 Mat-Su Health Foundation
- #7 Pruhs Constructions Company
- #8 RSA Engineering, Inc.

Commissioner Sanders moved to approve the staff recommendations on the consent agenda as revised. Commissioner King seconded the motion. The Commission voted 3-2 to approve the consent agenda on the statement of contributions 15-5 part 2.

Year-end Report, Independent Expenditure Reports 15-6, and Campaign Disclosure Reports, Consent Agenda Part 3

All of the Consent Agenda items were removed from the third consent agenda for the Commission to consider separately:

Alaska Nurses Association	February 15 Campaign Disclosure Report
LATE REPORT:	2013 Year End Report
MAXIMUM CIVIL PENALTY:	\$250 as filed 5 days late @\$50 a day
STAFF RECOMMENDATION:	Waive
The Commission took the above matter under advisement.	

Building and Construction Trades South Central Alaska	February 15 Campaign Disclosure Report
LATE REPORT:	2013 Year End Report
MAXIMUM CIVIL PENALTY:	\$350 as filed 7 days late @\$50 a day

STAFF RECOMMENDATION: Reduce by \$300 to \$50
The Commission took the above matter under advisement.

IAFF L1264 PAC **2014 State Election**
LATE REPORT: Independent Expenditure 15-6 Report
MAXIMUM CIVIL PENALTY: \$300 as filed 6 days late @\$50 a day
STAFF RECOMMENDATION: Reduce by \$200 to \$100
The Commission took the above matter under advisement.

**International Union of Painters and Allied Trades Political
Action Together Political Committee** **2013 Municipal Election**
LATE REPORT: 24 HR Report
MAXIMUM CIVIL PENALTY: \$72,500 as filed 145 days late @\$500 a day
STAFF RECOMMENDATION: Reduce by 99.5% to \$364
The Commission took the above matter under advisement.

Keep Alaska Competitive Vote No on 1 **2014 State Election**
LATE REPORT: Independent Expenditure 15-6 Report
MAXIMUM CIVIL PENALTY: \$1400 as filed 28 days late @\$50 a day
STAFF RECOMMENDATION: Waive
The Commission took the above matter under advisement.

The Coalition for Responsible Cannabis Legislation **2014 State Election**
LATE REPORT: Independent Expenditure 15-6 Report
MAXIMUM CIVIL PENALTY: \$1050 as filed 21 days late @\$50 a day
STAFF RECOMMENDATION: Reduce by 90% to \$80

Bruce Schulte – Treasure for The Coalition for Responsible Cannabis Legislation,
appeared in person and gave a statement.
The Commission took the above matter under advisement.

Vote No on One Part A & B **2014 State Election**
LATE REPORT: Independent Expenditure 15-6 Report
MAXIMUM CIVIL PENALTY: \$450 as filed 9 days late @\$50 a day
STAFF RECOMMENDATION: Reduce by 50% to \$225

Tom Amodio – Attorney for Vote No on One, appeared in person and gave statement.
The Commission took the above matter under advisement.

Your Vote Counts **2013 Municipal Election**
LATE REPORT: 24 Hour Report
MAXIMUM CIVIL PENALTY: \$77,500 as filed 155 days late @\$500 a day
STAFF RECOMMENDATION: Waive

Ruby Denison Treasurer for Your Vote Counts appeared in person and gave statement.
The Commission took the above matter under advisement.

OFF RECORD: 10:07 a.m.

Break

ON RECORD: 10:13 a.m.

Consent Agenda, POFD Civil Penalty Appeals & Referrals to Attorney General Office [3]

The staff recommendations regarding the consent agenda were presented by July Lam, APOC staff.

The Commission removed the following items from the Consent Agenda:
1, 3, 4, and 10.

The Commission approved the remaining items on the consent agenda:

#2 John Duggan – Magistrate

#5 Linda Lord-Jenkins – Legislative Director

#6 Wilda Laughlin – Department Legislative Liaison, DHSS

#7 Donna Erickson – Board/Commission Member, Council on Domestic Violence and Sexual Assault

#8 Amy Humphreys – Board/Commission Member, Alaska Seafood Marketing Institute

#9 Robert McCoy – Board of Directors – AK Aerospace Corporation

#11 Patrick Corkey – Board/Commission Member, AK Broadcasting Commission

Commissioner Sanders moved to approve the staff recommendations for the remaining items on the consent agenda.

Commissioner King seconded the motion.

The Commission voted 5-0 to approve the remaining items on the consent agenda.

The following individuals were removed from the consent agenda for the Commission to consider separately:

Monte Brice

LATE REPORT:

MAXIMUM CIVIL PENALTY:

STAFF RECOMMENDATION:

2013 Public Official Financial Disclosure

Annual Public Official Statement

\$3,530 as filed 353 days late @\$10 a day

Reduce by 85% to \$529.50

Monte Brice, Magistrate, appeared telephonically and gave a statement.

The Commission took the above matter under advisement.

Amy Oravec

LATE REPORT:

MAXIMUM CIVIL PENALTY:

STAFF RECOMMENDATION:

2012 Public Official Financial Disclosure

Initial Public Official Statement

\$6,230 as filed 623 days late @\$10 a day

Waive

The Commission took the above matter under advisement.

The Commission reviewed and approved the remaining items on the consent agenda:

- #1 Ron Devon – 2012 State General Election
- #2 John Eberhart – 2013 Statewide Municipal Election
- #3 Pete Nolan – 2014 Anchorage Election
- #4 Cliff Russell – 2012 Statewide Municipal Election
- #5 Brad Snowden – 2014 State Primary Election
- #6 Rivkah Stanfield – 2014 State Primary Election
- #8 & # 9 Vivian Stiver – 2013 Statewide Municipal Election
- #10 Anne Sudkamp – 2012 State General Election

Commissioner Sanders moved to approve the staff recommendations for the remaining items on the consent agenda.

Commissioner Catalone seconded the motion.

The Commission voted 4-0 to approve the remaining items on the consent agenda.

The following individuals were removed from the consent agenda for the Commission to consider separately:

Gary Stevens

LATE REPORT:

MAXIMUM CIVIL PENALTY:

STAFF RECOMMENDATION:

2014 State Election

POET Account Report

\$250 as filed 5 days late @\$50 a day

Uphold

The Commission took the above matter under advisement.

Bill Thomas

LATE REPORT:

MAXIMUM CIVIL PENALTY:

STAFF RECOMMENDATION:

2014 State Election

February 15 Campaign Disclosure Report

\$250 as filed 5 days late @\$50 a day

Reduce by 90% to \$25

The Commission took the above matter under advisement.

Kelly Lee Williams

LATE REPORT:

MAXIMUM CIVIL PENALTY:

STAFF RECOMMENDATION:

2014 State Election

February 15 Campaign Disclosure Report

\$350 as filed 7 days late @\$50 a day

Refer to Attorney General Office

The Commission took the above matter under advisement.

Guidance regarding non-required POFD filings [8]

The request for guidance regarding the non-required POFD filings was presented by Paul Dauphinais, APOC staff and John Ptacin, Assistant Attorney General Office.

Regulation Review [9]

The regulation review was presented by Jerry Anderson, APOC staff.

Public Comment Period [*]

The following individuals appeared in person to speak during the public comment period.

- Lou Theis

- David Culdor

OFF RECORD: 12:30 p.m.

Lunch

ON RECORD: 1:00 p.m.

COMPLAINT

APOC v. Rep. Chris Tuck 13-11-CD [5]

The Consent agreement was presented by Delight Mells, APOC staff. Representative Chris Tuck appeared in person and gave a statement regarding the above complaint and the Consent Agreement.

During the discussion the Commission agreed to hold the matter in abeyance for further discussion until the July 16, 2014 commission meeting for the parties to resolve issues arising from the provisions in the Consent Agreement.

Commissioner Sanders moved to continue the Consent Agreement consideration until the July 16, 2014 commission meeting.

Commissioner King seconded the motion.

The Commission voted 5-0 to approve the motion.

Advisory Opinion Request

Vic Fischer, AO 14-07CD [6]

The staff draft advisory opinion was presented by Thomas Lucas, APOC staff. Vic Fischer and Jack Rodrick appeared in person and gave a statement regarding the above Advisory Opinion Request.

The Commission took the above matter under advisement.

Advisory Opinion Request

Clare Ross, AO 14-07CD [7]

The staff draft advisory opinion was presented by Heather Hebdon, APOC staff. Tom Amodio, Requestor's Attorney appeared telephonically and gave a statement regarding the above Advisory Opinion Request.

The Commission took the above matter under advisement.

Election of Officers [*]

Commissioner Hickerson nominated Commissioner Kirk as the new Chair of the Commission and Commissioner Sanders as the new Vice-Chair of the Commission.

Commissioner King seconded the nominations.

The Commission voted 5-0 to elect Commissioner Kirk as Chair and Commissioner Sanders as Vice-Chair for the next year.

GO INTO EXECUTIVE SESSION

Commissioner Sanders moved to go into executive session to discuss personnel matters and to deliberate on pending matters.

**Commissioner Catalone seconded the motion.
The Commission voted 5-0 to go into executive session for personnel matters followed by deliberations.**

OFF RECORD: 2:50 p.m.

Executive Session/Deliberation

The Commission did not return to the public record after executive session.