

ALASKA PUBLIC OFFICES COMMISSION
MINUTES
REGULAR COMMISSION MEETING
JANUARY 24, 2019

A regular meeting of the Alaska Public Offices Commission (APOC) came to order at 9:00 am on January 24, 2019. The meeting was held in the Elizabeth J. Hickerson Hearing Room 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-Person Attendance:

Commission: Anne Helzer, Chair
Robert Clift, Vice Chair
Irene Catalone, Commissioner
Jim McDermott, Commissioner
Rick Stillie, Commissioner

Staff: Heather Hebdon, Executive Director
Thomas Lucas, Campaign Disclosure Coordinator
Madeline Scholl, Paralegal I
Michael Schwahn, Paralegal I
Meagan MacDonald, Law Office Assistant II

Dept. of Law: Laura Fox, Assistant Attorney General
Mary Lynn Macsalka, Assistant Attorney General

Attendees: Eugene Haberman, Observer
Jeff Landfield, Alaska Landmine

Group CPAs and Referrals

Will Hurr, Abbott Loop Democrats
Pixie Siebe, Abbott Loop Democrats

Motion for Stay re: Civil Penalty Appeal, Complaint 18-11-CD

Paula DeLaiarrio, Walker Mallott for Alaska, Complainant

Complaint 18-12-CD

Paula DeLaiarrio, Walker Mallott for Alaska, Complainant

Complaints 18-06, -07, -08-CD

Lee Baxter, Holland & Knight, Complainant
Jack McKenna, Birch Horton Bittner & Cherot, Respondents
Meghan Cavanaugh, The Alaska Center, Respondent

Motion for Attorneys Fees, Complaint 18-03-CD

Jack McKenna, Birch Horton Bittner & Cherot, Complainant
Thomas Amodio, Reeves Amodio LLC, Respondent

Telephonic Attendance:

Staff: Heather Dalberg, Paralegal II

Attendees: **Candidate CPAs and Referrals**
Liz Vasquez

AO 18-04-LOB

Ashley Reed, Requester

Motion for Stay re: Civil Penalty Appeal, Complaint 18-11-CD

Molly Magestro, Holmes Weddle & Barcott, Respondent

Complaint 18-10-CD

Paula DeLaiarro, Walker Mallott for Alaska, Complainant

Complaint 18-12-CD

Les Gara, Complainant

Molly Magestro, Holmes Weddle & Barcott, Respondent

Motion for Attorneys Fees, Complaint 18-03-CD

Holly Wells, Birch Horton Bittner & Cherot, Complainant

ON RECORD 9:00 A.M.

Chair Helzer took a roll-call of Commissioners present and called the meeting to order.

Approval of the Agenda [*]

Commissioner Catalone moved to approve the agenda as written.

Commissioner Clift seconded the motion.

The Commission voted 5-0 to approve the agenda as written.

Approval of Meeting Minutes [1]

September 14, 2018

September 24, 2018

September 25, 2018

October 2, 2018

October 4, 2018

November 2, 2018

Commissioner Catalone moved to approve the meeting minutes as written.

Commissioner Clift seconded the motion.

The Commission voted 5-0 to approve the meeting minutes as written.

Consent Agenda, Candidate Civil Penalty Appeals [2]

The staff recommendations were presented by Michael Schwahn, APOC staff.

At the request of APOC staff, item number 2 was removed from the consent agenda due to legislative immunity. It was also noted that the consent agenda contained a numerical error; there was no item number 3.

At the request of the filer, item number 4 was removed from the consent agenda to be considered individually by the Commission.

Commissioner Catalone moved to approve items 1 and 5 on the consent agenda for candidate civil penalties.

Commissioner Clift seconded the motion.

The Commission voted 5-0 to approve items 1 and 5 on the consent agenda for candidate civil penalties.

Liz Vazquez	2018 State Primary Election
LATE REPORT:	7 Day State Primary Report
MAXIMUM CIVIL PENALTY:	\$500
STAFF RECOMMENDATION:	\$250

Liz Vazquez gave a brief statement and answered questions of the Commission.

Commissioner Catalone moved to take item number 4 under advisement.

Commissioner Clift seconded the motion.

The Commission voted 5-0 to take item number 4 under advisement.

Consent Agenda, Candidate Referrals to the Attorney General's Office [2]

The staff referrals were presented by Michael Schwahn, APOC staff.

At the request of APOC staff, item number 2 was removed from the consent agenda and moved to the next regular meeting and item number 4 was removed from the consent agenda because the penalty was paid and the matter resolved.

Commissioner Catalone moved that items 1, 3, and 5 – 7 on the consent agenda be referred to the Attorney General's Office for collection.

Commissioner Clift seconded the motion.

The Commission voted 5-0 to refer items 1, 3, and 5 – 7 on the consent agenda be referred to the Attorney General's Office for collection.

Consent Agenda, Group Civil Penalty Appeals [3]

The staff recommendations were presented by Michael Schwahn, APOC staff.

At the request of the filer, item 1 was removed from the consent agenda to be considered individually by the Commission.

At the request of APOC staff, items 2 and 3 were removed from the consent agenda because the penalties were paid and the matters were resolved.

Will Hurr
LATE REPORT:

Abbott Loop Democrats
2017 Registration
2017 Year End Report

MAXIMUM CIVIL PENALTY:
STAFF RECOMMENDATION:

\$35,450
\$23,000

Will Hurr gave a brief statement and answered questions of the Commission.

Commissioner Clift moved to take item 1 under advisement.
Commissioner Stillie seconded the motion.
The Commission voted 5-0 to take item 1 under advisement.

Consent Agenda, POFD Civil Penalty Appeals [4]

The staff recommendations were presented by Madeline Scholl, APOC staff.

Commissioner Clift moved to approve items 1 – 2 on the consent agenda for POFD civil penalty appeals.
Commissioner Catalone seconded the motion.
The Commission voted 5-0 to approve items 1 – 2 on the consent agenda for POFD civil penalty appeals.

Consent Agenda, POFD Referrals to the Attorney General's Office [4]

The staff referrals were presented by Madeline Scholl, APOC staff.

At the request of APOC staff, item 6 was removed from the consent agenda and moved to the next regular meeting.

Commissioner Clift moved that items 3 - 5 on the consent agenda be referred to the Attorney General's Office for collection.
Commissioner Catalone seconded the motion.
The Commission voted 5-0 to refer items 3 - 5 on the consent agenda to the Attorney General's Office for collection.

Consent Agenda, Lobbying Civil Penalty Appeal [5]

The staff recommendation was presented by Heather Dalberg, APOC staff.

Commissioner Clift moved to approve item 1 on the consent agenda for lobbying civil penalties.
Commissioner Catalone seconded the motion.
The Commission voted 5-0 to approve item 1 on the consent agenda for lobbying civil penalties.

OFF RECORD 9:45 A.M.
RECESS
ON RECORD 9:49 A.M.

AO 18-04-LOB – Ashley Reed [6]

The draft opinion was presented by Heather Dalberg, APOC staff. Ashley Reed gave a brief statement and answered the Commission's questions.

Commissioner Catalone moved to take the matter under advisement.

Commissioner Stillie seconded the motion.

The Commission voted 5-0 to take the matter under advisement.

OFF RECORD 10:09 A.M.

RECESS

ON RECORD 10:15 A.M.

**Motion for Stay re: Civil Penalty Appeal, Complaint 18-11-CD,
Walker Mallott for Alaska v. Families for Alaska's Future- Dunleavy [7]**

Molly Magestro, counsel for Respondent, appeared by telephone, gave a statement in support of the Motion for Stay and answered questions of the Commission. Mary Lynn Macsalka, Assistant Attorney General appeared in-person on behalf of APOC staff, gave a brief statement in response to the Motion for Stay, and answered questions of the Commission.

Commissioner Clift moved to take the matter under advisement.

Commissioner Catalone seconded the motion.

The Commission voted 5-0 to take the matter under advisement.

OFF RECORD 10:34 A.M.

RECESS

ON RECORD 10:45 A.M.

**Complaint 18-10-CD,
Walker Mallott for Alaska v. Republican Governors Association [8]**

The staff report was presented by Michael Schwahn, Paralegal. Paula DeLaiarro appeared in-person, gave a brief statement on behalf of Walker Mallott for Alaska, and answered questions of the Commission.

Commissioner Stillie moved to approve the staff report as written.

Commissioner Clift seconded the motion.

The Commission voted 5-0 to approve the staff report as written.

OFF RECORD 10:58 A.M.

RECESS

ON RECORD 11:15 A.M.

Complaint 18-12-CD, Les Gara v. Families for Alaska’s Future- Dunleavy [9]

The staff report was presented by Michael Schwahn, Paralegal. Les Gara, Complainant, appeared by telephone, gave a statement and answered questions of the Commission. Molly Magestro, counsel for Respondent Families for Alaska’s Future- Dunleavy appeared by telephone, gave a brief statement, and answered questions of the Commission.

Commissioner Clift moved to approve the staff report as written.

Commissioner Stillie seconded the motion.

Commissioner McDermott objected.

Commissioner McDermott moved to take the matter under advisement.

Commissioner Catalone seconded the motion.

The Commission voted 5-0 to take the matter under advisement.

Executive Director Report & Approve FY20 Meeting Schedule [10]

The Executive Director Report and the proposed FY20 meeting schedule were presented by Heather Hebdon, APOC staff.

Commissioner Catalone moved to approve the FY20 meeting schedule.

Commissioner Clift seconded the motion.

The Commission voted 5-0 to approve the FY20 meeting schedule.

OFF RECORD 11:45 A.M.

LUNCH

ON RECORD 1:00 P.M.

Complaints 18-06-CD, 18-07-CD, & 18-08-CD,

Stand for Alaska – Vote No on One v. Yes for Salmon- Vote Yes on One, The Alaska Center, Stand for Salmon [11]

The staff report was presented by Mary Lynn Macsalka, Assistant Attorney General on behalf of APOC staff. Holly Wells, counsel for Respondents Yes for Salmon- Vote Yes on One, The Alaska Center, and Stand for Salmon appeared by telephone, gave a statement, and answered questions from the Commission. Jack McKenna, counsel for Yes for Salmon – Vote Yes on One appeared in-person, gave a statement and answered questions from the Commission. Lee Baxter, counsel for Complainant Stand for Alaska – Vote No on One appeared in-person, gave a statement, and answered questions from the Commission.

Commissioner Stillie moved to take the matter under advisement.

Commissioner Clift seconded the motion.

The Commission voted 5-0 to take the matter under advisement.

Motion for Attorney Fees, Complaint 18-03-CD,

Stand for Salmon v. Stand for Alaska – Vote No on One [12]

Jack McKenna, counsel for Stand for Salmon appeared in-person, gave a statement, and answered questions from the Commission. Thomas Amodio, counsel for Respondent Stand for Alaska – Vote No on One appeared in-person, gave a statement and answered questions from the Commission.

Commissioner Clift moved to take the matter under advisement.

Commissioner Catalone seconded the motion.

The Commission voted 5-0 to take the matter under advisement.

Public Comment [*]

Jeff Landfield and Eugene Haberman appeared in-person to speak during the public comment period.

OFF RECORD 2:38 P.M.

RECESS

ON RECORD 2:46 P.M.

Commissioner Stillie moved to adjourn until January 25, 2019 at 9:00 A.M.

Commissioner McDermott seconded the motion.

The Commission voted 5-0 to adjourn until January 25, 2019 at 9:00 A.M.

OFF RECORD 3:04 P.M.

EXECUTIVE SESSION

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

Public meeting is adjourned.