

ALASKA PUBLIC OFFICES COMMISSION
MINUTES
REGULAR COMMISSION MEETING
SEPTEMBER 18, 2019

A regular meeting of the Alaska Public Offices Commission (APOC) came to order at 9:00 am on September 18, 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
Suzanne Hancock, Commissioner
Van Lawrence, Commissioner
Richard Stillie, Commissioner

Staff: Heather Hebdon, Executive Director
Thomas Lucas, Campaign Disclosure Coordinator
Meagan MacDonald, Law Office Assistant II

Dept. of Law: Kimber Rodgers, Assistant Attorney General
Rachel Witty, Assistant Attorney General

Attendees: Eugene Haberman, Observer

Candidate CPAs and Referrals

Robin Phillips, Treasurer for Mead Treadwell
Adam Schwemley, Deputy Treasurer for Mead Treadwell

Group CPAs and Referrals

Carolyn Covington, Alaska Democratic Party
Lindsay Kavanaugh, Alaska Democratic Party
Casey Steinau, Alaska Democratic Party
Charleen Knight, Anchorage Central Labor Council PAC
Holly Wells, Anchorage Central Labor Council PAC
Randy Ruedrich, Families for Alaska's Future and Families of the Last Frontier
Christy Strutz, Families for Alaska's Future and Families of the Last Frontier
Khalial Withen, Working Families of Alaska

Reconsideration of POFD Civil Penalty, Kim Guay

Kim Guay

Telephonic Attendance:

Staff: Heather Dalberg, Paralegal II

Attendees: **Reconsideration of POFD Civil Penalty, Anne Weske**
Anne Weske

Advisory Opinion 19-04-CD, Bags for Change
Michelle Putz

Expedited Complaint Request 19-04-CD, Smith v. Quick
Todd Smith
John Quick

ON RECORD 9:00 A.M.

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

Approval of the Agenda [*]

At the request of staff, Tab 11 was removed from the agenda because the issue was closed.

Commissioner Clift moved to approve the agenda as written without Tab 11

Commissioner Stillie seconded the motion.

The Commission voted 5-0 to approve the agenda as written without Tab 11.

Approval of Meeting Minutes [1]

June 27, 2019

Commissioner Stillie moved to approve the meeting minutes as written.

Commissioner Lawrence seconded the motion.

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

Consent Agenda, Candidate Civil Penalty Appeals and Referrals [2]

The staff recommendations were presented by Tom Lucas, APOC staff.

At the request of the filer, item 2 was removed from the consent agenda to be considered individually by the Commission.

Commissioner Hancock moved to approve items 1 and 3 on the consent agenda for candidate civil penalty appeals and referrals.

Commissioner Clift seconded the motion.

The Commission voted 5-0 to approve items 1 and 3 on the consent agenda for candidate civil penalty appeals and referrals.

Mead Treadwell

LATE REPORT:	24-Hour Campaign Disclosure Report
MAXIMUM CIVIL PENALTY:	\$93,000
STAFF ASSESSED PENALTY:	\$4,000
STAFF RECOMMENDATION:	Reduction

Robin Phillips and Adam Schwemley appeared and gave brief statements on behalf of the Mead Treadwell Campaign and answered questions from the Commission.

Commissioner Stillie moved to take item 2 under advisement.

Commissioner Clift seconded the motion.

The Commission voted 5-0 to take item 2 under advisement.

Consent Agenda, Lobbying Civil Penalty Appeal [3]

The staff recommendations were presented by Heather Dalberg, APOC staff.

Commissioner Stillie moved to approve the one item on the consent agenda for the Lobbying civil penalty appeals.

Commissioner Clift seconded the motion.

The Commission voted 5-0 to approve the one item on the consent agenda for the Lobbying civil penalty appeals.

Recommendation re: Independent Expenditure 24-Hour Reporting [4]

The staff recommendation was presented by Thomas Lucas, APOC Staff.

Commissioner Lawrence moved to take the matter under advisement.

Commissioner Stillie seconded the motion.

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

Consent Agenda, Group Civil Penalty Appeals and Referrals [5]

The staff recommendations were presented by Thomas Lucas, APOC Staff.

At the request of the parties, items 1, 2, and 4 were removed from the consent agenda.

At the request of the Commission, items 3, 5, and 7 were removed from the consent agenda.

Commissioner Stillie moved to approve item 6 from the consent agenda for the Group civil penalty appeals.

Commissioner Hancock seconded the motion.

The Commission voted 5-0 to approve item 6 from the consent agenda for the Group civil penalty appeals.

Alaska Democratic Party

LATE REPORT	24-Hour Campaign Disclosure Report
MAXIMUM CIVIL PENALTY	\$38,000
STAFF ASSESSED PENALTY	\$6,500
STAFF RECOMMENDATION	Uphold

Lindsay Kavanaugh, Casey Steinau, and Carolyn Covington appeared on behalf of the Party. Ms. Covington and Ms. Steinau gave brief statements 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.

Anchorage Central Labor Council PAC

LATE REPORT	24-Hour Campaign Disclosure Report
MAXIMUM CIVIL PENALTY	\$10,000
STAFF ASSESSED PENALTY	\$5,000
STAFF RECOMMENDATION	Uphold

Holly Wells and Charleen Knight appeared on behalf of the PAC, gave brief statements, and answered questions from the Commission.

Commissioner Clift moved to take the matter under advisement.

Commissioner Lawrence seconded the motion.

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

Commissioner Lawrence moved to hear items 3-5 and 7 concurrently.

Commissioner Clift seconded the motion.

The Commission voted 5-0 to hear items 3-5 and 7 concurrently.

Begich for Alaska

LATE REPORT	24-Hour Campaign Disclosure Report
MAXIMUM CIVIL PENALTY	\$54,000
STAFF ASSESSED PENALTY	\$5,000
STAFF RECOMMENDATION	Withdraw

Families for Alaska's Future – Dunleavy

LATE REPORTS	(2) 24-Hour Campaign Disclosure Reports
MAXIMUM CIVIL PENALTY	\$106,500
STAFF ASSESSED PENALTY	\$16,500
STAFF RECOMMENDATION	Withdraw

Randy Ruedrich and Christy Strutz appeared on behalf of the group and gave brief statements.

Families of the Last Frontier

LATE REPORT	24-Hour Campaign Disclosure Reports due on November 1, 2018 and March 28, 2019
MAXIMUM CIVIL PENALTY	\$108,000
STAFF ASSESSED PENALTY	\$16,650
STAFF RECOMMENDATION	Withdraw

Randy Ruedrich and Christy Strutz appeared on behalf of the group and gave brief statements.

Working Families of Alaska

LATE REPORT	24-Hour Campaign Disclosure Report due on October 30 and November 2, 2018
MAXIMUM CIVIL PENALTY	\$19,500
STAFF ASSESSED PENALTY	\$7,800
STAFF RECOMMENDATION	Withdraw

Khalial Withen appeared on behalf of the group and gave a brief statement.

**Commissioner Lawrence moved to remand items 3-5 and 7 to staff.
The motion was not seconded.**

**Commissioner Clift moved to take the matter under advisement.
Commissioner Hancock seconded the motion.
The Commission voted 5-0 to take the matter under advisement.**

Consent Agenda, POFD/LFD Civil Penalty Appeals and Referrals [6]

The staff recommendations were presented by Heather Hebdon, APOC staff.

By the request of staff, items 8 and 18 were removed from the consent agenda as the matters had been resolved.

**Commissioner Stillie moved to remove items 3-5 from the consent agenda.
Commissioner Lawrence seconded the motion
The Commission voted 5-0 to remove items 3-5 from the consent agenda.**

**Commissioner Stillie moved to approve items 1, 2, 6, 7, and 9-17 on the consent agenda.
Commissioner Clift seconded the motion
The Commission voted 5-0 to approve items 1, 2, 6, 7, and 9-17 on the consent agenda.**

Evelyn Falzerano

LATE REPORT	Commission Member, Human Rights Initial Public Official Financial Disclosure
MAXIMUM CIVIL PENALTY	\$60
STAFF ASSESSED PENALTY	\$45
STAFF RECOMMENDATION	Reduce by 50%

**Commissioner Stillie moved to approve the staff recommendation as written.
Commissioner Clift seconded the motion
The Commission voted 5-0 to approve the staff recommendation as written.**

Hans Zigmund	Division Director, DOA
LATE REPORT	Initial Public Official Financial Disclosure
MAXIMUM CIVIL PENALTY	\$70
STAFF ASSESSED PENALTY	\$52.50
STAFF RECOMMENDATION	Reduce by 50%

**Commissioner Clift moved to approve the staff recommendation as written.
Commissioner Stillie seconded the motion
The Commission voted 5-0 to approve the staff recommendation as written.**

Avaiyak Burnell	Commission Member, NSB Zoning Commission
LATE REPORT	Annual Public Official Financial Disclosure
MAXIMUM CIVIL PENALTY	\$250
STAFF ASSESSED PENALTY	\$125
STAFF RECOMMENDATION	Waive

**Commissioner Stillie moved to approve the staff recommendation as written.
Commissioner Clift seconded the motion
The Commission voted 5-0 to approve the staff recommendation as written.**

Reconsideration of POCD Civil Penalty, Kim Guay [7]

The staff recommendation was presented by Heather Hebdon, APOC staff. Kim Guay made a brief 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 approve the motion to take the matter under advisement.**

Reconsideration of POFD Civil Penalty, Anne Weske [8]

The staff recommendation was presented by Heather Hebdon, APOC staff. Anne Weske made a brief statement and answered questions from the Commission.

**Commissioner Lawrence moved to take the matter under advisement.
Commissioner Clift seconded the motion
The Commission voted 5-0 to approve the motion to take the matter under advisement.**

**OFF RECORD 10:54 A.M.
RECESS
ON RECORD 11:02 A.M.**

Complaint 19-03-CD, APOC Staff v. INSURPAC [9]

The consent agreement was presented by Thomas Lucas, APOC staff.

Commissioner Clift moved to approve the consent agreement.

Commissioner Hancock seconded the motion.

The Commission voted 5-0 to approve the motion to approve the consent agreement.

Advisory Opinion 19-04-CD, Bags for Change [10]

The draft advisory opinion was presented by Thomas Lucas, APOC staff. Michelle Putz made a brief statement and answered questions from the Commission.

Commissioner Stillie moved to take the matter under advisement.

Commissioner Lawrence seconded the motion.

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

Executive Director's Report [12]

The Executive Director's Report was presented by Heather Hebdon, APOC staff.

OFF RECORD 12:16 P.M.

LUNCH

ON RECORD 1:04 P.M.

Public Comment [*]

Eugene Haberman appeared to speak during the public comment period.

Commissioner Clift moved to hear the request for expedited complaint at 3:00 P.M.

Commissioner Lawrence seconded the motion.

The Commission voted 5-0 to hear the request for expedited complaint at 3:00 P.M.

Litigation Update [*]

The litigation update was presented by Kimber Rodgers, Assistant Attorney General.

Commissioner Lawrence moved to go into executive session until 3:00 P.M.

Commissioner Clift seconded the motion.

The Commission voted 5-0 to go into executive session until 3:00 P.M.

OFF RECORD 1:47 P.M.

EXECUTIVE SESSION

ON RECORD 3:30 P.M.

Hearing on Request for Expedited Consideration of Complaint 19-04-CD, Smith v. Quick [*]

Complainant Todd Smith and Respondent John Quick made brief statements and answered questions from the Commission.

**Commissioner Lawrence moved to go into executive session for 10 minutes.
Commissioner Clift seconded the motion.
The Commission voted 5-0 to go into executive session for 10 minutes.**

**OFF RECORD 4:00 P.M.
EXECUTIVE SESSION
ON RECORD 4:16 P.M.**

The Commission announced its decision to approve the request for expedited consideration of complaint 19-04-CD, Smith v. Quick. The Commission announced the hearing would be held at 10:30 A.M. on September 19, 2019.

**Commissioner Lawrence moved to adjourn.
Commissioner Clift seconded the motion.
The Commission voted 5-0 to adjourn.**

ADJOURNED