

ALASKA PUBLIC OFFICES COMMISSION  
MINUTES  
REGULAR COMMISSION MEETING  
FEBRUARY 24-26

A regular meeting of the Alaska Public Offices Commission came to order at 9:40 a.m. Thursday, February 25, 2010. The meeting was held on the 10<sup>th</sup> Floor of the State Office Building, Commissioner's Conference Room, 333 Willoughby Street, Juneau, Alaska.

Brackets [] indicate an agenda item number and that an information packet is included in the meeting binders.

Asterisk \* indicates no information was included in the meeting binders.

**In Attendance:**

**COMMISSION:** Elizabeth Hickerson – Chair  
Kathleen Frederick – Vice Chair (Absent)  
Shirley Dean – Commissioner  
Kathleen (Kate) Ballenger – Commissioner  
Kathleen King – Commissioner

**Staff:** Holly R. Hill – Executive Director  
Jerry Anderson – Assistant Director  
Jason Brandeis – Associate Attorney II (via teleconference)  
Vullnet Greva – Paralegal II (via teleconference)  
Heather Hebdon – Paralegal I (via teleconference)  
Patty Ware – Project Coordinator Juneau Office  
Joan Mize – Paralegal I  
Rochelle Rogers – Recording Secretary

**Attendees:** Kevin Brooks – Deputy Commissioner, Dept. of Admin.  
John Ptacin – Assistant Attorney General, Dept. of Law (via teleconference)  
Ed Sniffen – Assistant Attorney General, Dept. of Law  
Jackie Garnick – Webmaster, Enterprise Technology Services, Dept. of Admin.  
April Smith – Data Processing Manager, Enterprise Technology Services, Dept. of Admin.  
Steven Becke – Systems Programmer, Enterprise Technology Services, Dept. of Admin. (via teleconference)  
Randy Ruedrich – Chair of the Alaska Republican Party (via teleconference)  
Susan Aspelund – POFD Respondent

**Public Comment Period:**

Gary Hutchison – Public

**ON RECORD 9:40 a.m.**

Chair Hickerson called the meeting to order.

**Discussion on AS 45.48, formerly HB 65 [16]**

Mr. Anderson and Assistant Attorney General Ed Sniffen presented the information regarding HB 65 to the Commission members and staff.

**Advisory Opinion Request, AO-09-15-CD (Republican Party) [10]**

Mr. Brandeis presented the Advisory Opinion request from the Alaska Republican Party and staff's proposed response, as included in the meeting packet.

Randy Ruedrich, Chair of the Alaska Republican Party, appeared via teleconference in support of his Advisory Opinion request.

Assistant Attorney General John Ptacin appeared telephonically in support of staff and to answer any questions that the Commission might have regarding the opinion request and staff's proposed answer.

**Commissioner Ballenger made a motion to adopt the staff recommendation on the Advisory Opinion request filed by the Alaska Republican Party.**

**Commissioner King seconded the motion.**

**The Commission voted 4-0 in favor of the motion. The Advisory Opinion is approved.**

**Update on HB 401 [\*]**

Ms. Ware presented an update on HB 401 that was introduced to the Commissioners during their offsite meetings with the legislators.

**OFF RECORD 10:35 a.m.**

**Break**

**ON RECORD 10:50 a.m.**

**Update on Posting of Online Orders [14]**

Ms. Ware and Webmaster Jackie Garnick of Enterprise Technology Services presented the Update on Posting of Online Orders.

Systems Programmer Steven Becke appeared via teleconference and Data Processing Manager April Smith appeared in person in support of staff and to answer any questions

that the Commission might have regarding the status of the Hickory project and the progress of being able to post orders to the APOC web site.

### **Staff Opinion on Reconsideration [12]**

#### **Advisory Opinion Reconsideration, AO-09-09-POFD (Aspelund)**

Mr. Anderson presented the advisory opinion reconsideration request from Department of Administration and staff's proposed recommendation as included in the meeting packet.

Susan Aspelund appeared in person and gave oral statement discussing her position description.

Deputy Commissioner Kevin Brooks appeared in person in support of the Administration and to answer any questions that the Commission might have regarding the request for reconsideration and staff's proposed recommendation.

**Commissioner Ballenger made a motion to reconsider the previous decision on the Advisory Opinion.**

**Commissioner King seconded the motion.**

**The Commission granted motion to reconsider.**

**Commissioner Dean made a motion to adopt the staff recommendation to reverse the original decision in Advisory Opinion 09-09-POFD, filed by Susan Aspelund, and will not require Division Operations Managers to file a POFD Statement.**

**Commissioner King seconded the motion.**

**The Commission voted 4-0 in favor of the motion. The revised Advisory Opinion is approved.**

### **Discussion Regarding Posting of POFD/LFD Statements [21]**

Ms. Hill presented the Discussion Regarding the Posting of POFD/LFD Statements to the APOC web site to the Commission members and staff.

Commissioner Hickerson advised APOC staff to place warnings on all APOC forms and manuals and to post notice on the APOC website that information included on forms submitted to APOC is available to the public.

**Commissioner King made a motion to delay the decision of posting POFD/LFD Statements online for at least a year, tentatively scheduling re-evaluation of the decision to the September 2010 Commission Meeting.**

**Commissioner Ballenger seconded the motion.**

**The Commission voted 4-0 in favor of the motion.**

**OFF RECORD 12:15 p.m.**

**Lunch**

**ON RECORD 2:05 p.m.**

**Referrals to Attorney General [8]**

<b>RESPONDENT:</b>	<b>Holland America Line</b>
STATUS:	Employer of Lobbyist
LATE REPORT:	2009 3 <sup>rd</sup> Quarter Employer of Lobbyist Report
MAXIMUM CIVIL PENALTY:	<b>\$430</b>
REVISED STAFF RECOMMENDATION:	Waiver of the civil penalty due to confirmed technical error.

The Affiant Gloria Teves of Holland America Line presented documents to Ms. Mize that showed that the 2009 3<sup>rd</sup> Quarter Report had been completed timely.

Ms. Mize proposed that the Commission reconsider the prior staff recommendation for Referral to the Attorney General and approve the revised staff recommendation of waiving the civil penalty of \$430.

**Commissioner Dean made a motion to reconsider the matter.**

**Commissioner King seconded the motion.**

**The Commission granted motion for reconsideration.**

**Commissioner Dean made a motion to accept the revised staff recommendation to waive the civil penalty of \$430.**

**Commissioner Ballenger seconded the motion.**

**The Commission voted 4-0 in favor of the motion.**

**Email Technology Update for Staff and Commissioners [\*]**

Mr. Anderson presented the Email Technology Update for the Commission members and staff.

**Executive Session – Personnel Issues [\*]**

**Commissioner Dean made a motion to go into executive session to discuss personnel issues.**

**Commissioner King seconded the motion.**

**The Commission voted 4-0 in favor of the motion.**

**OFF RECORD 2:20 p.m.**

**Executive Session**

**ON RECORD 4:33 p.m.**

The Commission came out of executive session.

**Public Comment Period [\*]**

**Appearances by: Gary Hutchison.**

**The Commission recessed until Friday, February 26, 2010 at 9:00 a.m.**

**OFF RECORD 5:00 p.m.**