

ALASKA PUBLIC OFFICES COMMISSION  
MINUTES  
REGULAR COMMISSION MEETING  
NOVEMBER 17-19, 2010

A regular meeting of the Alaska Public Offices Commission came to order at 9:05 a.m. on Thursday, November 18, 2010. 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 binders. Asterisks \* indicate that no information was included in the meeting binders.

**In Attendance:**

**Commission:**

Elizabeth Hickerson – Chair  
Kathleen Frederick – Vice Chair (Arrived 9:10 a.m.)  
Shirley Dean – Commissioner  
Kathleen (Kate) Ballenger – Commissioner  
Kathleen King – Commissioner

**Staff:**

Holly R. Hill – Executive Director  
Jerry Anderson – Assistant Director  
Patricia Ware – Project Coordinator, Juneau Office (Telephonically)  
Amy H. Robinson – Associate Attorney II  
Barbara Dreyers – Associate Attorney II  
Kim Wilson – Associate Attorney I  
Vullnet Greva – Paralegal II  
Joan Mize – Paralegal II, Juneau Office (Telephonically)  
Heather Hebdon – Paralegal I  
Maria Bulfa – Law Office Assistant II

**Attendees:**

Rachael Petro – Deputy Commissioner, Dept. of Admin.  
John Ptacin – Assistant Attorney General, Dept. of Law  
Cheryl Lowenstein – Division Director, Dept. of Admin. Services (Telephonically)  
Steven Becke – System Programmer II, Division of Enterprise Technology Services (Telephonically)

**ON RECORD 9:05 a.m.**

Chair Hickerson called the meeting to order.

**POFD/LFD Manual Review, First Draft [2]**

Ms. Wilson presented the first draft of the POFD/LFD Manual.

The Commissioners gave Ms. Wilson their comments and instructed her to revise the Manual and present it at a later meeting.

**Consent Agenda, Request to Reduce or Waive Civil Penalty Assessments for late Campaign Disclosure Reports [3]**

Carl Gatto – 30 Day General Report

**Commissioner Ballenger moved to accept staff recommendation and waive the assessed civil penalty of \$30 due to personal catastrophe based on the mitigation criteria.**

**Commissioner Frederick seconded the motion.**

**The Commission voted 5-0 in favor of the motion**

**Group Guide Review [\*]**

Ms. Robinson presented a memo that summarized minor changes staff made to the 2008 draft group guide.

**The Commissions directed staff to remove the 2008 Group Guide from the website and to direct filers to the new statute and a statement that the Group Guide is being updated.**

**OFF RECORD 9:37 a.m.**

**Break**

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

**Public Records Denial of Request Procedure, APOC Notice Requirements, and Memo Agreement for Adjudication [4]**

Mr. Ptacin presented a proposed order on procedures regarding the denial of a public records request.

The Commission suggested changes to the proposed order and instructed staff to incorporate these changes and present the revised version at a future Commission meeting.

**Orders Referring Late Filers to Attorney General's Office [5]**

**Commissioner Frederick made a motion to go into executive session to discuss issues related to attorney client privilege.**

**Commissioner Dean seconded the motion.**

**The Commission voted 5-0 in favor of the motion.**

The following staff were requested to stay during the executive session: Ms. Hill, APOC Executive Director, Mr. Anderson, APOC Assistant Director, Ms. Robinson, Mr. Ptacin, Asst. Attorney General.

**OFF RECORD 10:00 a.m.**

**Executive Session**

**ON RECORD 10:13 a.m.**

**After executive session, Commissioner Dean moved to accept staff's recommendations. The following individuals are to be referred to the Attorney General's office for collection:**

- Jeffrey Brown            2010 State Candidate
- Alan Dick                 2010 State Candidate
- Urban Raho              2010 State Candidate
- Donald Wright          2010 State Candidate
- Thomas Biss             Lobbyist

**Commissioner Frederick seconded the motion.**

**The Commission voted 5-0 in favor of the motion.**

**Advisory Opinion Request, AO 10-36-CD, Prosperity Alaska [6]**

Mr. Anderson and Mr. Ptacin presented the advisory opinion requested by Scott Hawkins, Chairman for Prosperity Alaska, and staff's proposed response.

The Commission requested that staff provide more information to further evaluate the proposed advisory opinion.

**Commissioner Frederick moved to defer the requested advisory opinion decision until staff provides the following information to the Commission: the company's actual revenue and expenditures (budget) for the previous 3 years.**

**Commissioner Dean seconded the motion.**

**The Commission voted 5-0 in favor of the motion.**

**OFF RECORD 11:45 a.m.**

**Break**

**ON RECORD 11:58 a.m.**

**Biennial Report [7]**

Mr. Anderson presented the draft 2009-2010 Biennial report.

Staff was instructed to apply the Commission's suggestions and changes as discussed and present the report at the next regular Commission meeting.

**OFF RECORD 12:25 p.m.**

**Lunch**

**ON RECORD 1:05 p.m.**

**Audit Update [\*]**

Staff gave a quick oral report on audits pertaining to the following reports:

- Candidate & Group Campaign Disclosure Reports
- Lobbyist and Employer of Lobbyists Reports
- Public & Legislative Official Financial Disclosure Statements

**New Legislation to Recommend [8]**

The Commission reviewed possible additions to the legislative proposal list previously approved at the August Commission meeting. Five legislative proposals were reviewed and discussed. None of the proposed changes were supported by the Commission.

**Minutes Template Review [9]**

Ms. Ware presented the draft meeting minutes template. The Commission offered comments regarding the templates and specific verbiage to be used but stated that the use of a template was up to staff if they found it useful.

**Executive Director Report [10]**

Mr. Anderson presented the executive director report and budget.

Ms. Robinson presented the Anchorage office report, including reporting on the status of open complaints.

Ms. Ware presented the Juneau office report.

GoToMeeting was also presented to the Commission and will be used as necessary for future telephonic Commission meetings.

**OFF RECORD 2:37 p.m.**

**Break**

**ON RECORD 2:48 p.m.**

Ms. Lowenstein appeared telephonically and answered questions regarding the APOC FY11 budget.

**Complaint Form Review [12]**

Ms. Ware presented the revised Complaint Form with the expedited review information and instructions included. The Commission instructed staff to create a separate form for expedited complaints and present this at the next regular Commission meeting.

**Insight Project Update with Chart [11]**

Ms. Ware presented updates on the Insight and Interim Reporting System (IRS) related to **Candidate/Group Financial Disclosure, Public Official/Legislative Official Financial Disclosure, Complaints, and Advisory Opinions** posted on line for public review.

**Advisory Opinion Request, AO 10-25-LOB [13]**

Ms. Mize presented the advisory opinion requested by Steven Burk on behalf of Jeff Cook and staff's proposed response.

**Commissioner Dean moved to adopt staff's response to AO 10-25-LOB.**

**Commissioner Ballenger seconded the motion.**

**The Commission voted 5-0 in favor of the motion.**

**Commissioner Hickerson stated the Commission will go into executive session to discuss personnel issues and will not be back on record.**

**OFF RECORD 3:30 p.m.**

**Executive Session**

**The Commission recessed until Friday, November 19, 2010 at 9:00 a.m.**