

ALASKA PUBLIC OFFICES COMMISSION
MINUTES
SPECIAL COMMISSION HEARING
MAY 1, 2015

A special hearing of the Alaska Public Offices Commission came to order at 5:15 pm, on Friday, May 1, 2015. The meeting was held at the Anchorage APOC office at 2221 E. Northern Lights Blvd., Room 128, Anchorage, Alaska.

In Attendance:

Kenneth Kirk – Chair
Mark Fish – Commissioner
Irene Catalone – Commissioner (Telephonic)

Staff:

Paul Dauphinais – Executive Director
Heather Hebdon – Campaign Disclosure Coordinator, Candidates
Thomas Lucas – Campaign Disclosure Coordinator, Groups
Maria Bulfa – Recording Clerk

Attendees:

Steve Strait – Strait Media

Assistant Attorney General, Department of Law

Mary Lynn Macsalka
Kevin Wakley (Telephonic)

David Nees v. Ethan Berkowitz, 15-01-CD

David Nees – Complainant (Telephonic)
Thomas Amodio – Respondent’s Counsel, Reeves Amodio, LLC
Susanne Fleek– Green – Representative for Berkowitz Campaign

ON RECORD: 5:15 p.m.

Chair Kirk called the hearing to order.

Chair Kirk disclosed on the public record that he recently accepted an award from KTUU based on a viewers poll; there was no financial involvement and he did not feel it would affect his decisions regarding this matter.

Commissioner Fish moved to allow David Nees, the complainant, to participate as a party during the hearing proceeding.

Commissioner Catalone seconded the motion.

The Commission voted 3-0 to allow the complainant to participate during the hearing.

HEARING

The Alaska Public Offices Commission held a hearing concerning complaint 15-01-CD, *David Nees v. Ethan Berkowitz* to decide if it should be held on an expedited basis.

David Nees v. Ethan Berkowitz, 15-01-CD [*]

The complaint filed against Mr. Ethan Berkowitz alleges a violation of the Alaska Public Offices Commission Campaign Disclosure Law, under AS 15.13.400, definition of “Contribution” (a) accepting illegal in-kind contributions from a corporation for using copyrighted KTUU newscasts in campaign adds without disclosing the contribution on their campaign reports.

The following individuals presented their arguments, gave a statement and answered questions of the Commission on the above complaint.

- David Nees – Complainant, telephonic
- Thomas Amodio – Respondent Counsel
- Susanne Fleek-Green – Representative for Berkowitz Campaign

OFF RECORD: 5:40 p.m.

Deliberations

ON RECORD: 6:00 p.m.

The Commission voted 3-0 to deny complaint 15-01-CD.

OFF RECORD: 6:04 p.m.

Adjourn