

**ALASKA PUBLIC OFFICES COMMISSION
MINUTES
REGULAR COMMISSION MEETING
FEBRUARY 10, 2016**

A regular meeting of the Alaska Public Offices Commission (APOC) came to order at 9:02 a.m. on Wednesday, February 10, 2016. 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:

Kenneth Kirk – Chair
Ronald King – Commissioner

Telephonic Attendance

Commission:

Vance Sanders – Vice Chair
Irene Catalone – Commissioner
Mark Fish – Commissioner

In person Attendance

Staff:

Paul Dauphinais – Executive Director
Heather Hebdon – Campaign Disclosure Coordinator
Delight Mells – Paralegal II¹
Tamara Douglas – Paralegal II¹
Michael Schwahn – Recording Clerk

Telephonic Attendance

Staff:

Heather Dalberg – Paralegal I

In person Attendance

Department of Law:

Assistant Attorney General
Tom Dosik
Jon Woodman

¹ Attended via GoTo Meeting and in person for presentations.

In person Attendees:

Alex DeMarban – Alaska Dispatch News
Rick Schleyer – KTUU
Travis Khachatoorian – KTUU
Claire Pywell – Strategies 360

15-09-CD, APOC v. Your Future Alaska

Tom Amodio – Counsel for Respondent
Anand Dubay - Self

Group Civil Penalty Appeals and Referrals

Art Hackney – Anchorage Likes Coffey

Exemption Request – NEA ALASKA PACE

Kim Dunn – Counsel for Requestor

Telephonic Attendees:

Tom Temple – APOC Commissioner Nominee
Richard Helms – Observer

Group Civil Penalty Appeals and Referrals

James Price – Alaskan’s for Grocery Tax Relief Now

Candidate Civil Penalty Appeals and Referrals

Karl Kassel – Filer

Lobbying Civil Penalty Appeals and Referrals

Ian Fisk - Filer

ON RECORD 9:02 a.m.

Chair Kirk called the meeting to order.

Approval of the Agenda [*]

Commissioner King moved to approve the agenda as written.

Commissioner Catalone seconded the motion.

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

Approval Meeting Minutes [1]

November 12, 2015 – meeting minutes

Commissioner Sanders moved to approve the meeting minutes as revised.

Commissioner King seconded the motion.

The Commission voted 5-0 to approve the November 12, 2015 meeting minutes as revised.

November 19, 2015 – meeting minutes

**Commissioner Sanders moved to approve the meeting minutes as revised.
Commissioner King seconded the motion.
The Commission voted 5-0 to approve the November 19, 2015 meeting minutes as revised.**

COMPLAINT

15-09-CD, APOC v. Your Future Alaska [2]

The consent agreement was presented by Heather Hebdon, APOC staff. Tom Amodio, Counsel for respondent, appeared in person, gave a statement and answered questions from the Commission.

**Commissioner Sanders moved to approve the consent agreement as written.
Commissioner King seconded the motion.
Motion failed.
Commissioner Fish requested the matter be taken under advisement.**

The above matter was taken under advisement.

Approve FY17 Meeting Schedule [7]

The Fiscal Year 2017 tentative Commission meeting schedule was presented by Paul Dauphinais, APOC staff.

On the public record, Chair Kirk asked that APOC Commissioner Nominee Tom Temple be included in the discussion of the above matter.

**Commissioner Sanders moved to approve the Fiscal 17 tentative Commission meeting schedule as revised.
Commissioner Fish seconded the motion.
The Commission voted 5-0 to approve the Fiscal 17 tentative Commission meeting schedule as revised.**

Discussion of Actual Costs [9]

Chair Kirk gave an oral presentation regarding the above matter and no materials provided for this tab.

Consent Agenda, Group Civil Penalty Appeals & Referrals to Attorney General Office [3]

The staff recommendations regarding the consent agenda were presented by Tamara Douglas, APOC staff.

The Commission approved the following items on the consent agenda.

- #1 Alaskans for Grocery Tax Relief Now
- #2 Citizens for a Better Kodiak
- #3 Citizens for Clean Air – No on Proposition 1
- #4 Friends of the Interior
- #5 Not Tammie

#6 Thomas Senter

Commissioner King moved to approve the staff recommendations for the above items on the consent agenda.

Commissioner Sanders seconded the motion.

The Commission voted 5-0 to approve the staff recommendations for the above items on the consent agenda.

The following item was removed from the consent agenda for the Commission to consider separately.

Anchorage Likes Coffey	2015 Anchorage Municipal Election
LATE REPORT:	24 Hour Report
MAXIMUM CIVIL PENALTY:	\$64,000 as filed 128 days late @\$500 a day
STAFF RECOMMENDATION:	Referral to Attorney General Office

Arthur Hackney, Chair for Anchorage Likes Coffee's Campaign, appeared in person and gave a statement.

During the discussion the Commission agreed to take the above matter under advisement for further discussion.

The Commission took the above matter under advisement.

OFF RECORD 9:40 a.m.

BREAK

ON RECORD 9:50 a.m.

Consent Agenda, Candidate Civil Penalty Appeals & Referrals to Attorney General Office [4]

The staff recommendations regarding the consent agenda were presented by Delight Mells, APOC staff. Commissioner King recused himself from participating on item #1 Mayor Karl Kassel.

The Commission approved the following items on the consent agenda.

#1 Mayor Karl Kassel

#2 Jimmy Pearson

Commissioner Sanders moved to approve the staff recommendations for items #1 and #2 on the consent agenda.

Commissioner Fish seconded the motion.

The Commission voted 4-0 to approve the staff recommendations for item #1 and 5-0 to approve the staff recommendation for item #2 on the consent agenda.

Item #3, Mayor Charlotte Brower, was removed from the referral to the attorney general for collection because the assessed penalty was paid in full before the meeting.

Executive Director's Report [11]

The Executive Director's report was presented by Paul Dauphinais, APOC Staff.

Acknowledgement of Commissioner Kirk's Departure from APOC [*]

On the public record the Commission acknowledged Commissioner Kirk's departure, his 5 years of service, dedication and hard work during his time as an APOC Commissioner. He was presented with a plaque.

Consent Agenda, POFD Civil Penalty Appeals & Referrals to Attorney General Office [5]

The staff recommendations regarding the consent agenda were presented by Paul Dauphinais, APOC staff.

The Commission approved the following items on the consent agenda. Due to the aberration of the page number of the items on the consent agenda the Commission voted on them separately.

- #1 Ina Christine Ashenbrenner
- #2 Lynn Casto
- #4 Martha Indreland
- #5 Herbert Holcomb

Item #3, Vernon Edwardsen, was removed from the consent agenda because the assessed penalty was paid in full before the meeting.

Commissioner Sanders moved to approve the staff recommendations for items #1 and #2 on the consent agenda

Commissioner Fish seconded the motion.

The Commission voted 5-0 to approve the staff recommendations for items #1 and #2 on the consent agenda.

Commissioner King moved to approve the staff recommendations for items #4 and #5 on the consent agenda.

Commissioner Sanders seconded the motion.

The Commission voted 5-0 to approve the staff recommendations for items #4 and #5 on the consent agenda.

Approve Report re APOC Operations [8]

The APOC operations report was presented by Paul Dauphinais, APOC staff.

Commissioner Fish moved to approve the APOC operations report.

Commissioner Sanders seconded the motion

The Commission voted 5-0 to approve the report APOC operations reports.

OFF RECORD 10:26 a.m.

BREAK

ON RECORD 10:33 a.m.

Consent Agenda, Group Civil Penalty Appeals & Referrals to Attorney General Office [3]

The staff recommendation was presented by Tamara Douglas, APOC staff. James Price, Treasurer for Alaskans for Grocery Tax Relief campaign appeared telephonically, and requested that the above case will be removed from the consent agenda for the Commission to reconsider separately. Mr. Price gave a statement and answered questions from the Commission.

The following item was removed from the consent agenda for the Commission to consider separately.

#1 – Alaskans for Grocery Tax Relief	2015 Statewide Municipal Election
LATE REPORT:	24 Hour Report
MAXIMUM CIVIL PENALTY:	\$1,500 as filed 3 days late @\$500 a day
STAFF RECOMMENDATION:	Reduce by 95% to \$75

Commissioner King moved to approve to remove item #1 from the consent agenda for the Commission to reconsider separately.

The Commission voted 5-0 to approve to remove item #1 from the consent agenda for the Commission to reconsider separately.

The Commission took the above matter under advisement.

Consent Agenda, Lobbying Civil Penalty Appeals & Referrals to Attorney General Office [6]

The staff recommendations regarding the consent agenda were presented by Heather Dalberg, APOC staff.

The Commission approved the following items on the consent agenda.

- #1 Iditarod Area School District
- #2 Ian Fisk

Commissioner Fish moved to approve the staff recommendations for items #1 and #2 on the consent agenda.

Commission Sanders seconded the motion.

The Commission voted 5-0 to approve the staff recommendations for items #1 and #2 on the consent agenda.

The Commission approved the following item on the referral to attorney general office.

- #3 ClinicalCannabisAlaska

Commissioner King moved to approve the staff recommendation for Item #3 on the referral to the attorney general office.

Commissioner Fish seconded the motion.

The Commission voted 5-0 to approve the staff recommendation for Item #3 on the referral to attorney general office.

OFF RECORD 10:56 a.m.

BREAK

ON RECORD 11:02 a.m.

NEA ALASKA PACE, Exemption Request [10]

The staff response was presented by Tamara Douglas, APOC Staff. Kim Dunn, General Counsel for NEA Alaska PACE appeared in person, gave a statement and answered questions from the Commission.

The Commission took the above matter under deliberations.

Consideration of Eberhart Supreme Court Appeal [10a]

Chair Kirk gave a verbal presentation of the consideration of Eberhart Supreme Court Appeal. The following APOC staff appeared in person, gave a statement and answered questions of the Commission Paul Dauphinais, Executive Director, Heather Hebdon, Associate Attorney II, and Delight Mells, Paralegal II.

Public Comment [*]

No public comments were received.

Executive Session

Commissioner King moved to go into executive session to discuss personnel issues, and deliberate on pending matters. Commissioner Fish seconded the motion. The Commission voted 5-0 to go into executive session to discuss personnel issues, and deliberate on pending matters.

OFF RECORD 12:30 p.m.

Adjourn.

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