

**ALASKA PUBLIC OFFICES COMMISSION
MINUTES
REGULAR COMMISSION MEETING
FEBRUARY 6-7, 2008**

A regular meeting of the Alaska Public Offices Commission came to order at 10:30 a.m. Wednesday, February 6, 2008. The meeting was held on the 10th Floor of the State Building in the large Conference room on the Commissioners side in Juneau, Alaska.

Brackets [] indicates an agenda item number and an information packet could be included in the meeting binders.

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

In Attendance:

COMMISSION: Roger Holl - Chair
Elizabeth Hickerson - Vice Chair
Shirley Dean - Commissioner
Larry Wood - Commissioner
Claire SciverHall - Commissioner (Absent)

Staff: Brooke Miles – Executive Director
Chris Ellingson – Assistant Executive Director (Rec. Sec.)
Jeff Berliner – APOC Investigator
Patty Ware – Administrator Juneau Office

Attendees: Jan DeYoung Dept. of Law
Margaret Paton -Walsh Dept. of Law
Larry Labolle - (Rep. Foster)
Michael J. Labolle
Hurley- ConocoPhillips Ak. Inc,
Theresa Obermeyer - (Tele-conference)
Annette Kreitzer - DOA Commissioner
Rachael Petro - DOA Deputy Commissioner,

ON RECORD 10:30 A.M.

Roger Holl called the meeting to order.

Approval of Agenda [*]

Ms. Miles went over the legislative schedule. She also let the commission know who would be appearing from administration and ETS. during these presentations. In addition, Ms. Miles let the commissioners know that Commissioner Kreitzer has obtained four tickets to hear Chief Justice Dana Fabe speak.

Commissioner Dean moved to approve the agenda with changes.

Commissioner Wood seconded the motion.

The motion passed 4 to 0

The commission recessed to attend Judge Fabe's speech.

OFF RECORD 11:35 A.M.

RECESS

ON RECORD 1:15 P.M.

Public Comment Period [*]

Personal appearance: Larry LaBolle

Mr. LaBolle, staff for Representative Richard Foster, presented the Commission with letters from three legislators requesting that no civil penalty be assessed for late Year-End campaign disclosure report due February 15 and the Financial Disclosure statement that is due March 15, 2008. Representatives Foster, Gruenberg and Lynn have all been hospitalized due to serious illness.

Telephonic appearance
Dr. Theresa Obermeyer

Dr. Obermeyer asks that the Commission post all of the Permanent Fund Trustees members Financial Disclosure Statements on the web page immediately.

Policy Discussion regarding online publishing of Financial Disclosure Statements [1]

Ms. Miles gave an oral presentation on staff's proposal to prioritize the scanning of the Financial Disclosure Statements for 2008.

Commissioner Dean moved to direct staff to find out how much it would cost to hire a part time person to scan the reports to the web.

Commissioner Wood seconded the motion.

Commissioner Hickerson made a friendly amendment to include accepting staff's recommendations regarding prioritizing which reports are scanned and published on the Web.

The motion passed 4 to 0 in favor.

Commissioner Hickerson moved to direct staff to post instructions on the Web in bold large letters letting users know that information will be available electronically through the website and at the commission offices.

Commissioner Dean seconded the motion.

The motion passed 4 to 0 in favor.

Review of Legislation [2]

Commissioner Wood distributed the sub-committee report on the Clean Elections Bill.

Commissioner Hickerson moved that the Commission take no position on the clean elections initiative and legislation. In addition the Commission will take no position against the substance of the legislation and the initiative, except to ensure that the Commission will be given authority to hire an administrator to carry out the functions created under the legislation and initiative and to increase the number of days under section AS 15.72.50(c) so that the Commission has 10 days to hold a hearing after an appeal is filed and notices is given to the appellant and any candidate in the house of district, and to attach the other issues for consideration contained in the email authored by Larry Wood, which is the sub-committee report on the proposed Clean Elections Act.

Commissioner Wood seconded the motion

The motion passed 4 to 0 in favor.

Commissioner Hickerson moved to amend the Fiscal Note attached to the Clean Elections Legislation to include a full time hearing officer, travel and per diem expenses for the Commissioners to participate in activities associated with the Clean Elections Legislation and that the hearing officer could be used to assist the Commissioners in other legal matters, such as drafting regulations.

Commissioner Wood seconded the motion.

The motion passed 4 to 0 in favor.

Advisory Opinion Request AO 08-01-LOB

Personal appearance: Michael Hurley

Ms. Miles presented staff's recommended advice.

Commissioner Wood moved to adopt staff's recommended advice.

Commissioner Hickerson seconded the motion

The motion passed 4 to 0 in favor.

Executive Session

Commissioner Hickerson moved to go into executive session for the purpose of discussing litigation.

Commissioner Wood seconded the motion.

The motion passed 4 to 0 in favor.

**OFF RECORD 3:25 PM
EXECUTIVE SESSION
ON RECORD 3:45 P.M**

Review of Legislation (Con't) [2]

Ms. Miles presented her report on the Clean Elections legislation and reviewed HB 281, a bill to extend the statute of limitations.

Commissioner Hickerson moved that the Commission support the retention of the word "Person" under AS 15.13.380(b), because the legislation should not limit who may file a complaint when a violation occurs.

Commissioner Wood seconded the motion.

The motion passed 4 to 0 in favor.

Commissioner Hickerson moved that the Commission go on record regarding HB 281, as opposing any, limitation on staff from participating in a proceeding of the commission set relating to a complaint that they have filed. It should be noted that the staff will not and does not participate in the decision making on any matter that it files.

Commissioner Dean seconded the motion.

The motion passed 4 to 0 in favor.

The Commission directed Ms. Miles to take this matter up at the house judiciary meeting on Friday, February 8, 2008.

Commissioner Hickerson moved to recess

Commissioner Wood seconded the motion.

The motion passed with unanimous consent.

Commissioner Hickerson moved that the Commission recess.

Commissioner Wood seconded the motion.

The motion passed 4-0 in favor. The commission was in recess until 9:00 A.M. February 7, 2008.

OFF RECORD 5:20 P.M