

ALASKA PUBLIC OFFICES COMMISSION  
MINUTES  
REGULAR COMMISSION MEETING  
JULY 16, 2014

A regular meeting of the Alaska Public Offices Commission came to order at 8:45 a.m. on Wednesday, July 16, 2014. 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 binder. Asterisks \* indicate that no information was included in the meeting binder.

**In Attendance:**

**Commission:** Kenneth Kirk – Chair  
Elizabeth J. Hickerson – Commissioner  
Ronald King – Commissioner  
Irene Catalone – Commissioner

**Staff:** Paul Dauphinais – Executive Director  
Jerry Anderson – Assistant Director  
Joan Mize – Juneau Program Coordinator (Telephonic)  
Heather Hebdon – Campaign Disclosure Coordinator, Candidates  
Thomas Lucas – Campaign Disclosure Coordinator, Groups  
July Lam – Financial Disclosure Coordinator  
Delight Mellis – Paralegal II  
Tamara Douglas – Paralegal II  
Maria Bulfa – Law Office Assistant II

**In-Person Attendees:**

John Ptacin – Assistant Attorney General Office, Dept. of Law  
Reggie Drummond – Administrator, Legislative Ethics Committee  
Representative Chris Tuck – Respondent, 13-11-CD APOC v Tuck  
Devin Kelly – Reporter, Alaska Dispatch  
Alexandra Gutierrez - Reporter, Alaska Public Media  
Vince Beltrami – Complainant, 14-03-CD Beltrami v Sullivan  
Jason Brandeis - Council for Campaign Group IBEW and NEA  
Kris Lira - Controller for Teamster Local 959  
Amy Erickson – Division Director, DMV  
James Mosley – Board Member, Assessment Rev. Board (SARB)  
Betty Valdez – Self  
Ryan Lasher – Self

**Telephonic Attendees:**

Kay Brown – Executive Director, AK Democratic Party  
Richard Seifert – Self, Statement of Contribution 15-5  
Michael Salazar - Board Member, Assessment Rev. Board (SARB)  
Kevin Fitzgerald – Board Member, Alaska Judicial Council  
John Bringhurst - School Board Member, Petersburg Borough

**ON RECORD: 8:45 a.m.**

Chair Kirk called the meeting to order.

**Approval of the Agenda [\*]**

The Commission approved the agenda as written.

**Approval of Meeting Minutes [1]**

**June 4, 2014 – meeting minutes**

**Commissioner King moved to approve the meeting minutes as written.**

**Commissioner Hickerson seconded the motion.**

**The Commission voted 4-0 to approve the June 4, 2014 meeting minutes as written.**

**Executive Director’s Report [9]**

The executive director’s report was presented by Paul Dauphinais, APOC staff.

**OFF RECORD: 9:45 a.m.**

**Break**

**ON RECORD: 9:55 a.m.**

The Commission continued the discussion on the executive director’s report.

**Public Comment Regarding Proposed Regulations Package [2]**

The Commission opened up the public record for comments regarding the proposed regulations from 8:50-11:00. While the time was available for public comment other business was conducted in the interests of using time efficiently. Although the Chair announced several times that this was the period for public comments regarding the proposed regulations package no oral comments from the public were received.

**Handling of non-requirement POFD Report [10]**

The handling of non-requirement POFD report was presented by John Ptacin, Assistant Attorney General, Department of Law and Paul Dauphinais, APOC staff.

**Proposed New POFD Form for 2015 Paper Filers [8]**

The proposed new POFD form for 2015 paper filers was presented by July Lam, APOC staff.

During the discussion the commission agreed to hold the matter until after the Department of Law reviews the proposed new POFD form. Staff intends to resubmit the form at the August 13, 2014 Commission meeting.

### **Complaint**

#### **Vince Beltrami v. Mayor Dan Sullivan 14-03-CD [4]**

Respondent was not present and did not attend telephonically. The Staff report and recommendations was presented by Heather Hebdon, APOC staff. Vince Beltrami, Complainant appeared in person and gave statement.

**The Commission took the above matter under advisement.**

### **Advisory Opinion Request**

#### **Alaskans for Mallott, AO 14-09-CD [5]**

The staff draft advisory opinion was presented by Heather Hebdon, APOC staff.

**The Commission took the above matter under advisement.**

**OFF RECORD: 11:20 a.m.**

**Deliberation**

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

After deliberation on **Vince Beltrami v. Mayor Dan Sullivan 14-03-CD** the Commission asked additional questions for staff and Mayor Sullivan. Staff was requested to report back to the Commission by 12:30 p.m. on the following issues:

1. What was the methodology used for the initial calculation of the assessed civil penalty?
2. Verify how long the press release was up on the website.

### **COMPLAINT**

#### **APOC v. Rep. Chris Tuck 13-11-CD [4]**

The Consent agreement was presented by Delight Mells, APOC staff. Representative Chris Tuck, Respondent appeared in person and gave a statement regarding the above complaint and the Consent Agreement.

**Commissioner Hickerson moved to approve the Consent Agreement as written.**

**Commissioner King seconded the motion.**

**The Commission voted 4-0 to approve the motion.**

The Commission revisited the Vince Beltrami v. Mayor Dan Sullivan 14-03-CD, and staff reported their answers to the issues raised by the Commission. Mayor Sullivan did not participate.

**OFF RECORD: 11:55 a.m.**

**Deliberation/Lunch**

**ON RECORD: 12:35 p.m.**

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

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

The Commission removed the following item from the Consent Agenda on request of the filer:

#10 Richard Seifert

The Commission reviewed and approved the remaining items on the consent agenda:

#1 ARCADIS US, Inc.

#2 Edward Rasmusson

#3 Hames Corporation

#4 IBEW PAC

#5 Kashim Inc.

#6 Kenai Peninsula CHARR

#7 MTM, Inc.

#8 & 9 NEA Alaska PACE

#11, 12, & 13 Teamsters Local 959

#14, 15, & 16 USKH Inc.

**Commissioner Hickerson moved to approve the staff recommendations for the remaining items on the consent agenda.**

**Commissioner Catalone seconded the motion.**

**The Commission voted 4-0 to approve the remaining items on the consent agenda.**

**Richard Seifert**

LATE REPORT:

Statement Contribution 15-5

MAXIMUM CIVIL PENALTY:

\$300 as filed 6 days late @\$50 a day

STAFF RECOMMENDATION:

Reduce by \$250 to \$50

Richard Seifert appeared telephonically and gave statement.

**The Commission took the above matter under advisement.**

**OFF RECORD: 12:45 p.m.**

**Break**

**ON RECORD: 1:30 p.m.**

**Consent Agenda, POFD Civil Penalty Appeals & Referrals to Attorney General Office [7]**

The staff recommendations regarding the consent agenda were presented by July Lam, APOC staff.

The Commission removed the following items from the Consent Agenda:  
#1 thru #9, and #12.

The Commission approved the remaining items on the consent agenda:  
#10 Scott Arndt, Planning and Zoning Commission, Kodiak Island Borough  
#11 Terry Sikvayugak, Planning and Zoning Commission, North Slope Borough

**Commissioner Hickerson moved to approve the staff recommendations on referrals to attorney general.**

**Commissioner King seconded the motion.**

**The Commission voted 4-0 to approve the motion for referrals to the attorney general office.**

The following individuals were removed from the consent agenda for the Commission to consider separately:

**State Filer:**

**James Mosley**

LATE REPORT:

MAXIMUM CIVIL PENALTY:

STAFF RECOMMENDATION:

**2011 Public Official Financial Disclosure**

Initial Public Official Statement

\$10,400 as filed 1040 days late @\$10 a day

Reduce by 95% to \$520

**James Mosley**

LATE REPORT:

MAXIMUM CIVIL PENALTY:

STAFF RECOMMENDATION:

**2012 Public Official Financial Disclosure**

Annual Public Official Statement

\$7,660 as filed 766 days late @\$10 a day

Reduce by 95% to \$383

**James Mosley**

LATE REPORT:

MAXIMUM CIVIL PENALTY:

STAFF RECOMMENDATION:

**2013 Public Official Financial Disclosure**

Annual Public Official Statement

\$4,080 as filed 408 days late @\$10 a day

Reduce by 95% to \$204

**James Mosley**

LATE REPORT:

MAXIMUM CIVIL PENALTY:

STAFF RECOMMENDATION:

**2014 Public Official Financial Disclosure**

Initial Public Official Statement

\$460 as filed 46days late @\$10 a day

Reduce by 95% to \$23

James Mosley, Board Member, SARB appeared in person and gave a statement.

**The Commission took the above matter under advisement.**

<b>Michael Salazar</b>	<b>2013 Public Official Financial Disclosure</b>
LATE REPORT:	Annual Public Official Statement
MAXIMUM CIVIL PENALTY:	\$3,710 as filed 371 days late @\$10 a day
STAFF RECOMMENDATION:	Reduce by 95% to \$185.50

<b>Michael Salazar</b>	<b>2014 Public Official Financial Disclosure</b>
LATE REPORT:	Annual Public Official Statement
MAXIMUM CIVIL PENALTY:	\$40 as filed 4 days late @\$10 a day
STAFF RECOMMENDATION:	Reduce by 95% to \$2

Michael Salazar, Board Member, SARB appeared telephonically and gave a statement.

**The Commission took the above matter under advisement.**

<b>Amy Erickson</b>	<b>2014 Public Official Financial Disclosure</b>
LATE REPORT:	Annual Public Official Statement
MAXIMUM CIVIL PENALTY:	\$560 as filed 56 days late @\$10 a day
STAFF RECOMMENDATION:	Reduce by 35% to \$364

Amy Erickson, Division Director, DMV, appeared in person and gave a statement.

**The Commission took the above matter under advisement.**

<b>Kevin Fitzgerald</b>	<b>2014 Public Official Financial Disclosure</b>
LATE REPORT:	Annual Public Official Statement
MAXIMUM CIVIL PENALTY:	\$350 as filed 35 days late @\$10 a day
STAFF RECOMMENDATION:	Uphold

Kevin Fitzgerald, Board Member, Alaska Judicial Council appeared telephonically and gave a statement.

**The Commission took the above matter under advisement.**

The Commission removed the following items from the Consent Agenda: #9.

**Municipal Filer:**

<b>John Bringhurst</b>	<b>2014 Public Official Financial Disclosure</b>
LATE REPORT:	Annual Public Official Statement
MAXIMUM CIVIL PENALTY:	\$270 as filed 27 days late @\$10 a day
STAFF RECOMMENDATION:	Reduce by 50% to \$135

John Bringhurst, School Board Member, Petersburg Borough appeared telephonically and gave a statement.

**The Commission took the above matter under advisement.**

The Commission removed the following item from the Referrals to Attorney General Consent Agenda: #12.

**Calvin Moto**

LATE REPORT:

MAXIMUM CIVIL PENALTY:

STAFF RECOMMENDATION:

**2014 Public Official Financial Disclosure**

Annual Public Official Statement

\$1,200 as filed 120 days late @\$10 a day

Refer to Attorney General Office

**After discussion the Commission took the above matter under advisement.**

**OFF RECORD: 3:33 p.m.**

**Executive Session/Deliberation**

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