

**ALASKA PUBLIC OFFICES COMMISSION
MINUTES
REGULAR COMMISSION MEETING
SEPTEMBER 13-14, 2007**

A regular meeting of the Alaska Public Offices Commission came to order at 09:00 a.m. on September 13, 2007. The meeting was held at 2221 E. Northern Lights, Room 128, Anchorage, Alaska.

Brackets [] indicate an agenda item number and that an information packet is included in the meeting binders.

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

In Attendance:

COMMISSION: Roger E. Holl- Chair
Elizabeth J. Hickerson, - Vice Chair
Larry Wood, - Commissioner
Claire VanSciver Hall, - Commissioner
Shirley Dean - Commissioner

STAFF:

Brooke Miles- Executive Director
Christina Ellingson- Assistant Director
Kim Wilson- Candidate Administrator
Jeff Berliner- Investigator
Rebecca Schneider- Acting Secretary

Attendance:

Senator Wielechowski	
Representative Gardner	
Representative LeDoux	
Dr. Theresa Obermeyer	
Barry Valentine	Interwest Technology
Edward Knock	Interwest Technology
Mr. John Binkley	Alaska Railroad
Jennie Osnis	w/ Rep. Craig Johnson
Annette Kreitzer	DOA Commissioner
Rachael Petro	DOA Deputy Commissioner
Dave Jones	Assistant Attorney General
Judy Bockman	Department of Law
Terry Rasmussen	ETS (Telephonically)
Michelle Siedeman	w/ Senator Wielechowski (Telephonically)

ON RECORD 9:00 A.M.

Chair Holl introduced himself and the other four commissioners. Ms. Miles introduced staff and other attendees that were present in person or telephonically.

Approval of Agenda

Chair Holl approved staff and the commissioners' recommendations for the day's agenda. He requested that the commission discuss personnel issues at 1:00 p.m. in executive session.

Commission members adopted Chair Holl's request to go into executive session to discuss a personnel matter.

Approval of Minutes [1]

Commissioner Hall moved to accept the minutes as submitted.

Commissioner Wood seconded the motion.

With no objection, the motion passed 5-0 in favor.

Guide to the Public Official Financial Disclosure Law [2]

Jeff Berliner presented a report on his Public Official Financial Disclosure Guide.

Commissioner Hickerson moved to have the Department of Law check into the process necessary for the commission to adopt the POFD guide as well as other guides and, manuals.

Commissioner Wood seconded the motion.

The motion passed 5-0 in favor.

Commissioner Hall moved to approve the draft of the guide prepared by Mr. Berliner, subject to the response from the Department of Law.

Commissioner Wood seconded the motion.

Commissioner Hickerson amended the motion to approve the continuation of this project subject to the guidance received from the Department of Law.

Commissioner Wood seconded the amendment.

The motion passed 5-0 in favor.

OFF RECORD 10:21 A.M.

BREAK

ON RECORD 10:31 A.M.

Judy Bockman Assistant Attorney General, Executive Branch Ethics, presented Ethics training. The training was required as a result of the passage of the comprehensive ethics act signed by the Governor in July.

Review of the revised POFD Form [3]

Ms. Miles presented the revised POFD form for the commission to review, edit and approve.

The Commission discussed several revisions to the form.

In response to Commissioner Hickerson's request to hold approval of the revised form to the next day, Commissioner Wood moved that the forms, with the revisions discussed today, be brought before the Commission the following day for approval, with all revisions.

Commissioner Hall seconded the motion.

Commissioner Hickerson requested that staff present a cleanly typed form for the Commission to review.

The motion passed 5 to 0 in favor.

Clean Election [4]

Senator Wielechowski, Representative Gardner and Representative LeDoux presented an overview of HB 261 and SB 182; two pieces of legislation that they had introduced just before the end of session. A ballot issue, although not yet approved, is expected to gather enough signatures to be on the 2008 ballot.

**OFF RECORD 11:55 A.M
LUNCH
ON RECORD 1:00 P.M**

Discussion of Application of the Public Official Financial Disclosure Law to New Boards and Commission [5]

Personal appearance by John E. Binkley, Chairman, Alaska Railroad Corporation

Commissioner Wood disclosed that 16 years ago he was the legal counsel for the Alaska Railroad. The other Commission members stated that they did not believe there was a conflict.

Chair Holl asked Ms. Miles to introduce Mr. Binkley.

Mr. Binkley asked the Commission to extend the filing deadline for filing his required 2007 POFD Statement. HB 109 added five new boards and commissions to AS 39.50, one of them being the Alaska Railroad Corporation. Mr. Binkley is a member of this board. Mr. Binkley asked that the Commission waive the requirement under 39.50 for a report to be filed within 30 days and allow filers to meet the annual filing deadline of March 15, 2008 or to file a report upon resigning from the board or commission.

Commissioner Hickerson moved that, based on the changes to AS 39.50 that require the new boards to file a report for 2007 within 30 days of the effective date of the law that was included in HB 109, and that time has run, that the Commission extend the deadline to file the required 2007 reports. The reports will be considered timely filed if they are filed within 30 days of this Commission meeting, and no penalty will be assessed.

Commissioner Dean seconded the motion.

The motion passed 5 to 0 in favor.

Commissioner Hall moved to reconsider the vote that was just taken due to a misunderstanding of semantics.

Commissioner Wood seconded the motion.

The motion passed 4-1 to reconsider the previous motion. Commissioner Dean was the dissenting vote.

Commissioner Hickerson moved the previous motion with the clarification that all commission and board members on the new boards and commissions that were under AS 39.50 as a result of the passage of HB 109, that do not already have a disclosure on file, are required to file a disclosure form within 30 days after the Commission approves the new POFD disclosure form.

Commissioner Dean seconded the motion.

The motion passed 3-2 in favor. Commissioner's Wood and Hall dissented.

Electronic Filing Update [6]

Personal appearance: Ed Knoch and Barry Valentine, contractors.

Telephonic appearance: Teri Rasmussen, Project Manager ETS.

Ed Knoch and Teri Rasmussen gave a status report on the electronic filing program.

Executive Session [*]

Commissioner Hickerson made a motion that the Commission move into executive session for the purposes of an update on items in litigation.

Commissioner Hall seconded the motion.

The motion passed 5-0 in favor.

**OFF Record 4:40 P.M
EXECUTIVE SESSION
ON Record 5:22 P.M.**

Commissioner Hickerson moved that the Commission recess.

Commissioner Wood seconded the motion.

The motion passed 5-0 in favor.

The commission was in recess until 9:00 A. M. September 14, 2007.

OFF RECORD 5:25 P.M.