



ALASKA PUBLIC OFFICES COMMISSION

2011 FINANCIAL DISCLOSURE STATEMENT

Covering the reporting period Jan. 1, 2010 – Dec. 31, 2010



INFORMATION & INSTRUCTIONS for FILERS

PUBLIC OFFICIALS, LEGISLATORS & CANDIDATES MUST FILE FINANCIAL DISCLOSURES

FUNDAMENTAL PRINCIPLES of ALASKA'S PUBLIC DISCLOSURE LAW

- Public office is a public trust that should be free from the danger of conflict of interest
- Disclosure requirements develop accountability in government and confidence in public officials
- A compelling state interest requires those in public service to report financial and business interests
- Alaskans have a right to know financial and business interests of those who seek or hold public office
- Disclosure gives the public access to information to help judge the credentials and performance of those who seek and hold public office

APOC FINANCIAL DISCLOSURE STATEMENTS ARE PUBLIC DOCUMENTS – DO NOT INCLUDE CONFIDENTIAL INFORMATION (I.E. SOCIAL SECURITY NUMBERS, ACCOUNT NUMBERS)

ALL DISCLOSURE STATEMENTS MUST BE SIGNED BY THE FILER

YOUR SIGNATURE CERTIFIES THAT THE DISCLOSURE IS CORRECT, COMPLETE and TRUE

DETAILED INSTRUCTIONS, FORMS, SAMPLES, GUIDES, LAWS & FAQ: www.apoc.alaska.gov

REQUIRED FILERS	All 3 branches of state government: Executive, Legislative, Judicial All state candidates for elective office. Local officials & candidates Members of 41 state boards & commissions	For full list of filers, see Alaska Statutes cited below or contact APOC
EXECUTIVE	Gov.; Lt. Gov.; commissioners, directors & their deputies; special assistants	39.50.200(a)(9)
LEGISLATIVE	Legislators, Legis. Ethics Committee, Legis. division directors, ombudsman	24.60.200 & .990(10)
JUDICIAL	Supreme court justices, all judges and magistrates	All judges
BOARDS	Appointees to 41 state boards and commissions	39.50.200(b)
LOCAL	Mayors, city/borough mgrs, assemblies/councils, boards. Contact APOC for <i>exempt</i> communities.	

DISCLOSURES: WHAT to FILE – WHEN to FILE – WHERE to FILE

INITIAL	File initial disclosure statement within 30 days of taking office (and annually thereafter). State officials file with APOC; local officials file with the borough or city clerk. (Taking office means: the first day of paid work or the day the filer takes an oath of office – whichever occurs first.)
ANNUAL	File annual disclosure statement by March 15, 2010.
FINAL	File final disclosure statement within 90 days of leaving office. (Final reports must cover the period from the date of the last report on file up to the day the official leaves office.)
CANDIDATE	File disclosure when filing for election. State candidates file to Div. of Elections. Local candidates file to borough/city clerk. (State candidates with current state disclosures on file do not need to file a new one)
DEADLINE	Disclosure deadlines are strictly enforced – no extensions, no exceptions. Late filers face penalties. If you file directly to APOC, file by mail, fax, e-mail or hand delivery. If mailed, the postmark is the filing date. If you file to the Division of Elections or a local clerk, follow their rules for filing forms.

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2010 DISCLOSURES COVER CALENDAR YEAR 2009

Complete the entire 12 page form. Use extra pages if needed. Give detailed descriptions where required.

- **Each section begins with brief instructions.** More detailed instructions are given here & in the laws.
- **Check all boxes that apply.** For example, if filer and spouse own property jointly, check both boxes.
- **If you have nothing to report** or a section does not apply, check the box NONE above the section.
- **Exemptions, exceptions & extra requirements.** Some filers are exempt from disclosing certain data; others are required to disclosure additional information. Examples: Local officials are exempt from disclosures for domestic partners. State board & commission members and local officials are exempt from reporting financial relationships (Schedule G). Legislators must give more detail about loans and debts (Schedule E). Legislative filers must include data for non-dependent children living with them.
- **Allow sufficient time** to complete your disclosure, taking into account the amount & complexity of data you must disclose. This may take several hours, more or less, but this will be different for every filer.
- **Disclosures must be legible** to be accepted. Illegible disclosures will be returned for re-filing.
- **Signed & certified.** Every disclosure must be signed and dated by the filer and certified as true.
- **Filers are solely responsible** for submitting complete, accurate, truthful disclosures by deadline.

BASIC FILER INFORMATION – PAGE 1 of the FINANCIAL DISCLOSURE STATEMENT

- **APOC must be able to contact you** by mail, phone & e-mail. Identify your contact information: Work address or home mailing address? Identify telephone numbers as home, work, cell or fax.
- **Immediate family members** are subject to the same disclosure requirements as filers under the law. Filers should report family financial affairs to the extent that they are ascertainable by the filer.
- **Spouse/domestic partner.** Domestic partner means a person cohabiting in a relationship like marriage but that is not a legal marriage. *Local officials are exempt from domestic partner disclosure.*
- **Dependent children.** All filers must disclose income and financial data for their dependent children. State the number of dependent children. You do not need to give names.
- **Non-dependent children.** **ONLY legislative branch filers** must report non-dependent children *living with the filer* – the number and their names. Legislative filers must disclose the income and finances for non-dependent children living with them. *All other filers are exempt from this requirement.*
- **Child means** biological child, adoptive child and stepchild.
- **The child checkbox** [Child] appears throughout the form and means dependent child for all filers. For legislative filers, “child” **ALSO** includes disclosure for non-dependent children living with the filer.

WHY ARE YOU FILING?

- **Office holder or candidate? Be specific.** Identify the district, the borough or the city. State the name of the office you hold and/or the name of the office you are running for in an election.
- **Type of disclosure – initial, annual, final or candidate?** Check the box that defines your disclosure.

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INFORMATION & INSTRUCTIONS for FILERS

SOURCES of INCOME OVER \$1,000 – SCHEDULE A

Income means gross earnings and covers all forms of compensation, including deferred compensation.

SECTION # 1: SALARIED EMPLOYMENT

- **Source of income:** If employed by another, the employer is the source of income. List each employer who paid you and any family member more than \$1,000.
- **Terms of employment:** Report work status, dates employed and amount of time worked for the income.
- **Detailed description of services provided:** The financial disclosure law requires “a description sufficient to make clear to a person of ordinary understanding the nature of each service performed.” *Do NOT give one-word answers or vague phrases. One-word answers such as “consultant” or “researcher” are NOT acceptable. Provide a clear, detailed description of the work.*

SECTION # 2: SELF-EMPLOYMENT – NON-RETAIL

- **Self-employment includes** sole proprietorships, partnerships, limited liability companies (LLC) and professional corporations (PC). Self-employment also includes corporations where the filer and/or family members, individually or together, hold a controlling interest (more than 50 %).
- **Source of income is the origin of the payment:** the client or customer of the sole proprietorship, LLC, partnership, PC, or corporation where filer and/or family hold a controlling interest. If the origin of payment is not the same as the client for whom the service is performed, both are considered the source of income, and both must be reported. Example: A realtor must report the real estate company that pays him/her and the clients the agent represented. **Source of income full legal definition:** AS 39.50.200(10)
- **Terms of employment:** Report work status, dates employed and amount of time worked for the income.
- **Identify clients & customers** by name, address and the amount of income from this source.
- **Detailed description of services provided.** The financial disclosure law requires “a description sufficient to make clear to a person of ordinary understanding the nature of each service performed.” *Do NOT give one-word answers or vague phrases. One-word answers such as “consultant” or “researcher” are NOT acceptable. Provide a clear, detailed description of the work.*
- **Exemptions.** Filers may be exempt from reporting a source of income if (1) the information is legally confidential and disclosure would violate the source’s legal rights; or (2) a filer meets specific exemption criteria described in detail in APOC regulations. **Filers seeking an exemption** from disclosing a source of income must submit a written request with facts that show how the filer meets the qualifications for an exemption. **Examples:** Medical practitioners required by law to protect patient privacy under HIPAA (the federal Health Insurance Portability and Accountability Act); tax preparers adhering to the IRS Code of Confidentiality; lawyers protecting client confidentiality in certain cases, such as those involving a minor. **APOC will grant or deny a request** based on whether the facts and circumstances qualify the filer for an exemption. For detailed **exemption qualifications, criteria and requirements**, consult the following APOC regulations. For public officials and candidates: 2 AAC 50.100-102. For legislators: 2 AAC 50.780.

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INFORMATION & INSTRUCTIONS for FILERS

SECTION # 3: SELF-EMPLOYMENT – RETAIL

- **Source of income:** List each self-employment retail business in which you earned more than \$1,000.
- **Reporting clients and customers:** Filers are *NOT* required to report individual clients and customers with three exceptions: (1) a client or customer who has a line of credit extending two or more billing cycles, (2) a client or customer who has an ongoing contract for goods and services, (3) a client or customer who receives discounts not available to the public. *Disclose clients/customers in those categories*
- **Report terms of employment:** Work status, dates employed, amount of time worked for the income.
- **Detailed description of services provided:** The financial disclosure law requires “a description sufficient to make clear to a person of ordinary understanding the nature of each service performed.” Do **NOT** give one-word answers or vague phrases. Provide a clear, detailed description of the work.

SECTION # 4: RENTAL INCOME

- **Tenants:** List each tenant who paid you or family members more than \$1,000. List the annual amount.
- **Agents:** For rentals outside of Alaska managed by an agent, list the agent/manager instead of tenants.

SECTION # 5: DIVIDENDS & INTEREST

- **Permanent Fund Dividend.** If the PFD exceeds \$1,000, it must be reported. Enter on line 1.
- **Native corporation shareholder dividends** totaling more than \$1,000 must be reported.
- **Include interest from bank accounts, certificates of deposit and money market accounts.**

SECTION # 6: OTHER INCOME

- **Report the source and amount of any other income over \$1,000 not reported elsewhere.**
- **Include** sale of goods or property, capital gains, pensions, IRA cash-outs, government entitlements, alimony or child support payments, honorariums, and payments not otherwise accounted for.

SECTION # 7: GIFTS WORTH MORE THAN \$250

- **Public Official Filers ONLY-** Legislative filers are **NOT** required to fill in this section. Legislators must disclose additional information to the Legislative Ethics Committee.
- **Include** goods and services, travel expenses, tickets and discounts not available to the public.
- **Loans and debts that have been forgiven** or paid by a third party must be reported as gifts.
- **Family exemptions:** Filers are **NOT required** to report gifts from the following family members: spouse, domestic partner, parent, child, sibling, grandparent, aunt, uncle, niece and nephew.
- **Type, source & value** of gifts worth over \$250. Include multiple gifts from one source if they exceed \$250

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INFORMATION & INSTRUCTIONS for FILERS

BUSINESS INTERESTS & INVESTMENTS – SCHEDULE B

- **Disclose all business interests** – whether or not they were sources of income.
- **Include non-profit** businesses and organizations.
- **The nature of the interest** includes owner, director, officer, partner, proprietor or stockholder (investor).
- **How to report stock investments.** There are generally two types of investors: **(1)** those who manage their own portfolios, make their own decisions and control their own investments; and **(2)** those that have an investment company or a fund or some third party manage their money and make investment decisions on their behalf. **Exempt:** Stocks worth under \$1,000 in publicly traded corporations
- **(1) Filers who exercise full control** of their individual investments should list each company in which they invest and the company address. **Examples:** XYZ, Inc., 1500 Alphabet Blvd., Houston, TX. or U.S. Long-term Treasury Bond or Metals Management Exchange via E-Trade (with the URL address).
- **(2) Filers who do not manage their own investments**, who do not decide where to invest, must report the name of the investment company that holds and manages their assets. **Example:** Inlet Investors, 100 Fourth Ave, Anchorage, AK. In addition to the investment firm, these filers should identify the fund by name or type, *if known*. **Examples:** S&P 500, Blue Chip Fund, Tech Holdings, Energy Group, Real Estate Pool, Medium Yield Pool, or if unknown, diversified portfolio, or mixed stocks and bonds.
- **Blind trusts:** If any assets are in a blind trust, see Alaska Statute 39.50.040 for compliance rules.
- **Filers who earn over \$1,000** from business & investments must also report the income in Schedule A.
- **Filers are NOT required to report the value of the business interests and investments.**

REAL ESTATE / REAL PROPERTY INTERESTS – SCHEDULE C

- **Include** home, rent-to-own home, rental property, vacant land or property, recreational property, options to buy and property held in a limited partnership, trust or LLC. State the nature of the ownership.
- **If property is jointly owned**, check all boxes that apply.
- **Property sales.** Report property owned at any time during the year – even if it was sold.
- **Filers who earn over \$1,000** from the sale of property must also report the income in Schedule A # 6.
- **Filers are NOT required to report the value of the real estate property.**

BENEFICIAL INTERESTS – SCHEDULE D

- **Identify each trust, fund, retirement account and beneficial interest** valued at more than \$1,000.
- **Include** PERS, TRS, JRS, 401(k)s, IRAs, employee benefit plans, profit-sharing trusts, family trusts, education trusts, deferred comp plans, defined contribution plans, annuity plan, trust funds. If you manage your own funds, identify the fund and the account. **Example:** PERS – Alaska Balanced Trust.
- **Filers are NOT required to report the value of the fund, trust, account, retirement plan or asset.**
- **Blind trusts:** If any assets are in a blind trust, see Alaska Statute 39.50.040 for compliance rules.

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LOANS, LOAN GUARANTEES & DEBTS– SCHEDULE E

SECTION # 1: LOANS, DEBTS & FINANCIAL OBLIGATIONS OVER \$1,000

- **Identify each lender, creditor and guarantor** – for every financial obligation.
- **Identify the debtor** – for every financial obligation.
- **Financial obligations include** mortgages, business loans, personal loans, student loans, vehicle loans, boat loans, medical bills, delinquent taxes, alimony and child support.
- **All types of loans.** Report all types of loans: signature loans, promissory notes, secured loans, unsecured loans and contingent loans. Include loans signed or co-signed by the filer and/or family members. Include loan guarantees on behalf of filer or family.
- **Repaid loans.** If the amount owed was more than \$1,000 *at any time* during the reporting period, the loan, debt or obligation must be disclosed. No matter when a debt was incurred, even if it has been repaid, it must be disclosed if it exceeded \$1,000 during the period covered by this report.
- **Forgiven loans are gifts.** Any amount of a loan or debt that has been forgiven becomes a gift. All gifts with a value greater than \$250 must be reported as gifts in Schedule A, Section #7. A loan or debt that is forgiven, in whole or in part, is a gift. A loan that has been reduced without a payment is a gift.
- **Joint loans**, such as a filer-spouse mortgage, should be identified by checking all boxes that apply.
- **Credit cards & charge accounts** are exempt from disclosure. Do **NOT** report credit card debts and revolving charge accounts.
- **Filers are NOT required to list the amount of indebtedness**, but must report obligations over \$1000

SECTION # 2: LEGISLATIVE BRANCH FILERS ONLY – MORE LOAN DATA REQUIRED

- **Report the terms** of every loan over \$1,000 from a source with a substantial interest in legislative, administrative or political action. Report the amount of the original loan, the balance owed, duration of the loan, the interest rate, and whether there is a written loan agreement.
- **Identify each lender, creditor and guarantor** – by name and address. Identify each debtor.
- **Lenders with “substantial interest” include** lobbyists; those who have or seek contracts with a state agency for goods and services worth more than \$10,000; and those who will be affected financially by legislative, administrative or political action or where the financial impact is greater than for others.
- **“Legislative action”** means developing, sponsoring, supporting or opposing a law, amendment, resolution, report, nomination or other matter affected by legislative action or inaction.
- **“Administrative action”** includes rules, regulations, policies and license/permit/franchise proceedings
- **“Political action”** means using an official position or political contact to influence legislation or officials
- **For full details, see:** AS 24.60.200(3), definitions in AS 24.60.990 and regulations 2 AAC 50.740-745.

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LEASES & CONTRACTS – SCHEDULE F

SECTION # 1: LEASES with STATE or LOCAL GOVERNMENTS

- **List** all contracts and offers to contract with any state or local government agency.
- **Report the lease/contract status:** held, bid or offered by the filer, family member or business interest.
- **Type of interest:** individual, sole proprietor, family, partnership, LLC, PC or through controlling interest in a corporation. Controlling interest means filer and/or family members hold more than 50%.
- **Identify** the contract, bid or offer by contract name, number, agency and contract description.

SECTION # 2: NATURAL RESOURCE LEASES

- **Disclose all mineral, timber, oil, natural gas and other natural resource leases or offers.**
- **Include all information** requested about government leases in Section #1: the status of the lease or contract (bid, held, offer), the leaseholder or bidder, the type of interest and contractor. Describe lease.

CLOSE ECONOMIC ASSOCIATIONS – SCHEDULE G

SECTION # 1: FINANCIAL RELATIONSHIPS

- **Executive branch public officials** must report close economic associations with legislators, lobbyists and other public officials *except* local government officials and state board & commission members.
- **Exempt: State board & commission members & local government officials are exempt from reporting economic associations. If you are exempt, do NOT complete this section; check NONE.**
- **“Close economic association”** means **financial relationship** between public officials and legislators, lobbyists and other public officials who are required to file disclosures (except those exempted above).
- **“Financial relationship”** includes sharing financial interests in an association, partnership, business or corporation. This includes officials serving as consultant, advisor or representative to the interest.
- **Describe** economic associations in sufficient detail so a reader can ascertain the nature of the relation
- **Changes: Report new close economic associations within 60 days** after their formation.

SECTION # 2: PUBLIC OFFICIALS with LOBBYIST SPOUSE or DOMESTIC PARTNER

- **Executive branch public officials – who have a lobbyist spouse or domestic partner – must ALSO disclose** the name and address of each employer of the lobbyist and the total compensation.
- **Changes: Report changes in the employer of a lobbyist spouse/domestic partner within 48 hours.**

CERTIFICATION Sign & date your disclosure

Your signature certifies your disclosure is complete, accurate & truthful

Filers may be penalized filing late, incomplete, inaccurate, untruthful or non-compliant disclosures. Knowingly filing false statements is perjury.

REMINDER: YOUR DISCLOSURE STATEMENT IS A PUBLIC DOCUMENT: DO NOT INCLUDE CONFIDENTIAL INFORMATION (i.e., SOCIAL SECURITY NUMBERS, ACCOUNT NUMBERS) ON YOUR FORM.

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