



# ALASKA PUBLIC OFFICES COMMISSION

WINTER 2015

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### *A Word From the Executive Director*

The upcoming year will be busy, fast paced, and difficult for everyone. Busy because there will be much to do, fast paced because there is only so much time, and difficult because resources, including time, will be in short supply. To paraphrase an old saying, “We work in interesting times.”

While the incredibly busy 2014 election is over, there are still things to do to end that election’s activity. Please remember you need to close out your election with a report (AS 15.13.110), there are specific ways to distribute unused campaign funds (AS 15.13.116), and you need to keep your records for six years (AS 15.13.111). If you are new to office there are POFDs to file (AS 39.50.020 and AS 24.60.210), if you are not new to office there are still POFDs to file. Lobbyists, remember to register and get your annual training (AS 24.45.031 and AS 24.45.041).

In past years APOC has worked to contact filers to remind them of filing deadlines and requirements. Because of anticipated budget cuts we cannot guarantee that all the contacts will happen this year, although we will do our best. Time is just as precious a resource for staff as it is for you, maybe even more so this year. Please

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mark your calendars in advance of each reporting deadline to help ensure you submit your reports in a timely manner. Also, use the calendar on the APOC website to remind yourself of reporting deadlines and other APOC matters.

I like to think that over the past few years staff has developed some good relationships with many filers through telephone and e-mail contact. I would like to see those relationships maintained. Please, if you have questions call or e-mail us. Please be patient as we may not get back to you immediately, but we will get back to you. We want to help you to file correctly and on time and to answer your questions.

Let us all strive to have a productive and prosperous new year together.



## RECENT GROUP COMPLAINTS AND ADVISORY OPINIONS

### GROUP COMPLAINTS:

14-05-CD Campaign to Regulate Marijuana Like Alcohol vs. Big Marijuana. Big Mistake. Vote No on 2

14-06-CD Campaign to Regulate Marijuana Like Alcohol vs. Northwest Strategies

In these two Complaints, the Complainant, Campaign to Regulate Marijuana Like Alcohol, alleges that the group, Big Marijuana Big Mistake Vote No on 2 (Big Marijuana) and Northwest Strategies (Northwest) violated AS 15.13 in two ways: (1) failing to report the activities of Kristina Woolston as a non-monetary contribution to Big Marijuana; and (2) failing to report non-monetary contributions allegedly made by Northwest to Big Marijuana. The Commission agreed with staff's recommendation that the complaints be dismissed. It agreed that Ms. Woolston's volunteer time and use of her own equipment did not constitute a contribution. The Commission agreed that there was insufficient evidence to conclude that Northwest made unreported non-monetary contributions to Big Marijuana because the investigation disclosed that Northwest charged Big Marijuana a normal market rate for its services.

Greene/Egbe Objection to Subpeona

APOC Staff served a subpoena seeking documents and information regarding whether the Respondent (Charlo Greene/Charlene Egbe) had accepted contributions or made expenditures or communications to influence the outcome of Ballot Measure 2 (the marijuana initiative). The Respondent filed an objection to the subpoena. A hearing was held on the objection on November 19, 2014. The Commission ruled that it has the authority to issue a subpoena in support of an investigation to determine whether Alaska's campaign finance laws have been violated. The Commission directed the Respondent to comply with the subpoena.

### GROUP ADVISORY OPINIONS

AO 14-14-CD was requested by Holmes, Weddle & Barcott on behalf of Renewable Resources Coalition, Inc.

This advisory opinion concerned whether the airing of a proposed television advertisement would result in a reporting or disclaimer requirement. The Commission determined that because the Renewable Resources Coalition's proposed advertisement did not advocate a position on the pending initiative and is susceptible to interpretations other than an exhortation to vote for or against the initiative, it does not trigger a reporting or disclosure requirement under AS 15.13.

AO 14-15-CD was requested by Sue Hull of the Fairbanks North Star Borough School Board

This advisory opinion concerned whether the Fairbanks North Star Borough School Board may pass a resolution taking a position on a ballot proposition and publicize that position through its usual and customary means of announcing a resolution without an appropriation of funds for that specific purpose. The Commission determined that the proposed resolution may be considered, passed and distributed through the School Board's customary means and that any costs associated to the passage and dissemination of the resolution must be disclosed on a report to APOC.

AO 14-17-CD was requested by Vince Beltrami on behalf of Putting Alaskans First Committee

This advisory opinion concerned three things: (1) whether the Putting Alaskans First Committee (PAFC) is required to change its name since it anticipates spending over one half of its expenditures in support of a candidate; (2) if they must change their name, must they use their entire new name on the paid for by identifiers; and (3) does AS 15.13.070(b)(1) limit contributions to an independent expenditure group that spends over half its funds on a single election race. The Commission concluded that the group must change its name if it will expend over one-third of its expenditures in support of a candidate; a paid for by identifier containing the full new name of the group is required; and the group, as an independent expenditure group, is allowed to accept unlimited contributions.



## RECENT CANDIDATE COMPLAINTS AND ADVISORY OPINIONS

### CANDIDATE COMPLAINTS

14-07 CD Peter Giessel v. Harry Crawford, Jr.

The complaint was filed on August 22, 2014. On October 21, 2014, the Commission approved a consent agreement reached between staff and the respondent. The parties agreed that expenditures made by a campaign staff member who was not a registered deputy treasurer violated provisions of AS 15.13. Terms of the agreement require Mr. Crawford to pay a civil penalty in the amount of \$150 and to ensure all future expenditures are made in compliance with statute.

14-11 CD Alaska District 36 Republicans v. Daniel Ortiz

The Complaint was filed on October 20, 2014. Awaiting Commission action.

14-13 CD Peter Giessel v. Harry Crawford, Jr.

The Complaint was filed on October 30, 2014. Awaiting Commission action.

14-14 CD Kristine Klein v. Daniel Ortiz

The Complaint was filed on November 14, 2014. Awaiting Commission action.

### CANDIDATE ADVISORY OPINIONS

14-16 CD – Requested on behalf of Walker/Mallott

The Mallott For Lt. Governor Campaign sought to clarify whether it could accept contributions from contributors who had already given their annual contribution limit to the Mallott For Governor Campaign. The Commission held that the Mallott For Lt. Governor Campaign could accept contributions from contributors who already contributed their annual limit to the Mallott For Governor Campaign. Further, the Mallott For Governor Campaign must disburse leftover funds and assets consistent with AS 15.13.116. (Commission decision on October 24, 2014)

14-18 CD – Requested by French For Lt. Governor Campaign

Sen. French sought to confirm his proposed disbursements of leftover contributions from his campaign for Lt. governor were consistent with statute. The Commission held that transferring to a future campaign account, donating to a political party and a charitable organization, and repaying contributors were all permissible disbursement methods. (Commission decision on November 19, 2014)



## UPCOMING TRAININGS

(All in the Anchorage APOC conference room unless otherwise noted—call 276-4176 to sign up.)

### POFD TRAINING SCHEDULE

Tuesday, January 6	9 AM
Thursday, January 29	2 PM
Monday, February 23	1 PM
<i>(This will be specifically for clerks and will be a Go-To-Meeting only.)</i>	
Wednesday, March 4	4 PM

### GENERAL (G) AND INDEPENDENT EXPENDITURE (IE) GROUP TRAINING

(G)Friday, January 30	12 PM
(IE)Friday, February 27	12 PM
(G)Friday, March 13	12 PM
(IE)Friday, April 17	12 PM
(G)Friday, May 22	12 PM
(IE)Friday, June 19	12 PM
(G)Friday, July 17	12 PM



### CANDIDATE TRAINING

This training is for candidates and treasurers and will provide general guidance regarding initial filing requirements, campaign basics, and electronic filing.

Friday, January 23	12-2 PM
Friday, February 20	12-2 PM
Friday, March 6	12-2 PM

To participate, please email [Delight.Mells@alaska.gov](mailto:Delight.Mells@alaska.gov) and your email address, the date you would like to attend, and whether you would like to attend in person or online.

### LOBBYING ETHICS TRAINING

#### JANUARY

6th	1:30 - 4PM Combined ( <b>Anchorage</b> )
7th	9 - 11:30AM Combined ( <b>Anchorage</b> )
7th	1:30 - 4PM Combined ( <b>Anchorage</b> )

13th	9 - 11:30AM Combined ( <b>Juneau</b> )
13th	1:30 - 4PM Combined ( <b>Juneau</b> )
14th	9 - 11:30AM Combined ( <b>Juneau</b> )
14th	1:30 - 4PM Combined ( <b>Juneau</b> )

### APOC TRIVIA QUESTION:

WHAT STATUTE IMPOSES CRIMINAL PENALTIES ON THOSE WHO BREAK LOBBYING LAWS?

.....ANSWER AT BOTTOM OF LAST PAGE



## MARK YOUR CALENDAR

### January

Thursday, January 1: New Year, State Holiday

Friday, January 9: Initiative group and initiative entity 4th quarter reports are due

Monday, January 12: POFD/LFD deadline for public members of the Select Committee on Legislative Ethics

Monday, January 19: State Holiday, Martin Luther King Jr.'s Birthday

Tuesday, January 20: 2014 Statewide Municipal 105 Day Reports Due

### February

Sunday, February 1: Date by which 2014 State Candidates Must Disburse Leftover Campaign Funds

Monday, February 2: Lobbyist and Employer of Lobbyist 4th Quarter 2014 Reports Due

Wednesday-Thursday, February 11-12: APOC Commission meeting in Anchorage

Sunday, February 15: 2014 State Candidate Year-End/Final Reports Due (considered timely if filed next business day)

Sunday, February 15: 2015 Municipal Candidate Year Start Reports Due

Sunday, February 15: Annual POET and Future Campaign Account Reports Due

Sunday, February 15: Group Year-End Reports Due (considered timely if filed next business day)

Monday, February 16: State Holiday, President's Day

### March

Monday, March 2: Lobbyist January Report Due

Friday, March 6: Last day 2015 Anchorage Municipal Candidates may give or loan their campaign more than \$5000

Monday, March 9: 2015 Anchorage Municipal Election Candidates/Groups 30-Day Reports

Sunday, March 15: Annual POFD/LFD filing deadline (considered timely if filed next business day)

Sunday, March 29: Anchorage Municipal Election 24-Hour Report Period Begins (ends April 6)

Monday, March 30: State Holiday, Seward's Day

Tuesday, March 31: 2015 Anchorage Municipal Election Candidates/Groups 7-Day Reports

Tuesday, March 31: Lobbyist February Report Due