

ALASKA PUBLIC OFFICES COMMISSION  
MINUTES  
REGULAR COMMISSION MEETING  
JUNE 6, 2012

A regular meeting of the Alaska Public Offices Commission came to order at 8:30 a.m. on Wednesday, June 6, 2012. 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:** Elizabeth Hickerson - Chair  
Kathleen King - Vice-Chair  
Kenneth Kirk - Commissioner  
Vance Sanders - Commissioner

**Staff:** Paul Dauphinais - Executive Director  
Jerry Anderson - Assistant Director  
Joan Mize - Program Coordinator II - Juneau (Telephonically)  
Martha Tansik - Associate Attorney II  
Vullnet Greva - Associate Attorney II  
Kim Wilson - Associate Attorney I  
Heather Hebdon - Paralegal II  
Ramona Nicori - Law Office Assistant I (Recording Secretary)

**Telephonic Attendees:**

**Assistant Attorney General, Department of Law**  
John Ptacin  
Bill Milks

**Department of Administration, Admin. Services**  
Gary Zepp, Deputy Director/Finance Officer  
Sabrina Nelson, Accounting Tech II – Commission Travel Desk  
Matt Arnoldt, Accounting Tech II

**Advisory Opinion Request, 12-09-CD**  
Tim McKeever – Counsel

**In person Attendees:**

**Advisory Opinion Request**

Scott Kendall – Counsel, 12-07-CD

Peter A. Giessel, Treasurer, Re-Elect Giessel, 12-11-CD

Hal Gazaway, 2012 State Candidate, 12-08-CD

**Public**

Dr. Theresa Obermeyer, Self, Public Comment Period

**ON RECORD 8:30 a.m.**

Chair Hickerson called the meeting to order.

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

**The Commission approved the agenda as revised.**

**Approval of the Meeting Minutes [1]**

April 5, 2012 – Meeting Minutes

Commissioner King moved to approve meeting minutes.

Commissioner Kirk seconded the motion.

The Commission voted 4-0 approval the April 5, 2012 meeting minutes.

**Civil Penalty Appeals [2]**

**Public Official Financial Disclosure Statement**

The Staff recommendations were presented by Kim Wilson, APOC staff.

The following individuals were removed from the consent agenda:

- Bob Harcharek
- Naomi Itta-Thomas
- Robert Nageak
- City of St. Micheals:
  - Bob Andrews
  - Darren Billingsley
  - Elsie Cheemuk
  - Johanna Cheemuk
  - Milton Cheemuk
  - Pauline Hunt
  - Hellen Laws

Commissioner Sanders moved to approve the remaining Consent Agenda items.

Commissioner King seconded the motion.

The Commission voted 4-0 of the motion.

The Commission then considered the items removed from the Consent Agenda:

<b>Bob Harcharek</b>	<b>City of Barrow - Mayor</b>
Late Report:	2012 Annual POFD Statement
Maximum Civil Penalty:	\$270.00 as filed 27 days late @ \$10 a day
Staff Recommendation:	Reduced by 90% to \$27

**Commissioner Kirk moved to approve the staff recommendations.**

**Commissioner Sanders seconded the motion.**

**The Commission voted 4-0 to approve the assessed civil penalty.**

<b>Naomi Itta-Thomas</b>	<b>City of Barrow - Council Member</b>
Late Report:	2012 Annual POFD Statement
Maximum Civil Penalty:	\$170.00 as filed 17 days late @ \$10 a day
Staff Recommendation:	Reduced by 70% to \$51

**Commissioner King moved to approve the staff recommendations with modifications.**

**Commissioner Kirk seconded the motion.**

**The Commission voted 4-0 to approve the assessed civil penalty.**

<b>Robert Nageak</b>	<b>Council Member</b>
Late Report:	2012 Annual POFD Statement
Maximum Civil Penalty:	\$110.00 as filed 11 days late @ \$10 a day
Staff Recommendation:	Reduced by 70% to \$33

<b>Bobbi Andrews</b>	<b>City of St. Michaels - Council Member</b>
Late Report:	2012 Annual POFD Statement
Maximum Civil Penalty:	\$240 as filed 24 days late @ \$10 a day
Staff Recommendation:	Reduced by 90% to \$24

<b>Darren Billingsley</b>	<b>City of St. Michaels - Council Member</b>
Late Report:	2012 Annual POFD Statement
Maximum Civil Penalty:	\$180 as filed 18 days late @ \$10 a day
Staff Recommendation:	Reduced by 90% to \$18

<b>Elsi Cheemuk</b>	<b>City of St. Michaels - Council Member</b>
Late Report:	2012 Annual POFD Statement
Maximum Civil Penalty:	\$380 as filed 38 days late @ \$10 a day
Staff Recommendation:	Reduced by 90% to \$38

<b>Johanna Cheemuk</b>	<b>City of St. Michaels - Council Member</b>
Late Report:	2012 Annual POFD Statement
Maximum Civil Penalty:	\$190 as filed 19 days late @ \$10 a day
Staff Recommendation:	Reduced by 90% to \$19

**Milton Cheemuk** **City of St. Michaels - Council Member**  
Late Report: 2012 Annual POFD Statement  
Maximum Civil Penalty: \$380 as filed 38 days late @ \$10 a day  
Staff Recommendation: Reduced by 90% to \$38

**Pauline Hunt** **City of St. Michaels - Council Member**  
Late Report: 2012 Annual POFD Statement  
Maximum Civil Penalty: \$260 as filed 26 days late @ \$10 a day  
Staff Recommendation: Reduced by 90% to \$26

**Helen Laws** **Cit of St. Michaels - Council Member**  
Late Report: 2012 Annual POFD Statement  
Maximum Civil Penalty: \$260 as filed 26 days late @ \$10 a day  
Staff Recommendation: Reduced by 90% to \$26

During the discussion, the Commission asked staff to revise the staff recommendation deleting the “Staff Error” from the staff findings of the staff report.

**Commissioner Kirk moved to approve the staff recommendations as revised.**  
**Commissioner King seconded the motion.**  
**The Commission voted 4-0 to approve the assessed civil penalties**

**Candidate Campaign Disclosure:**

The Staff recommendations were presented by Heather Hebdon, APOC staff.

**Pete Fellman** **2012 State Candidate**  
Late Report: 2012 August 28, State Primary Election  
Maximum Civil Penalty: \$250 as filed 7 days late @ \$50 a day  
Staff Recommendation: Reduced by 90% to \$25

**Commissioner Kirk moved to accept staff’s recommendation.**  
**Commissioner King seconded the motion.**  
**The Commission voted 4-0 to reduce the assessed civil penalty.**

**Group Campaign Disclosure:**

The staff recommendations were presented by Vullnet Greva, APOC staff.  
The Commission approved the Consent agreement as presented.

**Commissioner Kirk moved to approve the staff recommendations.**  
**Commissioner King seconded the Motion.**  
**The Commission voted 4-0**

**Advisory Opinion Request, Jerry Mackie, AO 12-06-CD [5]**

The staff draft advisory opinion was presented by Martha Tansik, APOC staff.

**Commissioner Sanders moved to approve staff draft advisory opinion.  
Commissioner King seconded the motion.  
The Commission voted 4-0 to approve advisory opinion AO 12-06-CD.**

**Executive Director's Report [7]**

The director's report was presented by Paul Dauphinais, Executive Director; Joan Mize, Program Coordinator II Juneau Office, appeared telephonically and presented proposed revision regarding the online Lobbying training currently posted on the APOC website for public use. The Commission asked Mr. Dauphinais to present a solution regarding the Lobbying training at the August 2012 Commission meeting.

**Legislative Update [8]**

Presented by APOC Paul Dauphinais, Executive Director

**OFF RECORD 9:15 a.m.**

**Break**

**ON RECORD 9:27 a.m.**

**Advisory Opinion Request, Gillam, RBG, RRC, AO 12-07-CD [3]**

The staff draft advisory opinion was presented by Vullnet Greva, APOC staff

- Scott Kendall, Robert Gillam, RBG, RRC Counsel, appeared in-person and gave a statement about the request.
- John Ptacin, Assistant Attorney General, Department of Law, appeared telephonically to give a brief statement concerning advisory opinion in support of the staff.

**OFF RECORD 10:15 a.m.**

**Break**

**ON RECORD 10:20 a.m.**

**Advisory Opinion Request, Alaska Deserves Better, AO 12-05-CD/ AO 12-09-CD [4]**

The staff draft advisory opinion was presented by Vullnet Greva, APOC staff.

- Mr. McKeever requested that the Commission withdraw the earlier advisory opinion request designated as AO 12-05-CD.
- Tim McKeever, Alaska Deserves Better Counsel, appeared telephonically and gave a statement about the request

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

**Commissioner Sanders moved to go into executive session to discuss AO 12-09-CD with the Commission's counsel.**

**Commissioner Kirk seconded the motion.**

**The Commission voted 4-0 in favor of the motion to go into executive session.**

**OFF RECORD 10:40 a.m.**  
**Executive session/Deliberation**  
**ON RECORD 11:25 a.m.**

After the deliberation the Commission re-visited advisory opinion request AO 12-07-CD and clarified the Commission vote on AO 12-07-CD for the public record. Additionally they also, deliberated on the 12-09-CD, Advisory Opinion requested by Alaska Deserves Better.

**Advisory Opinion Request, Gillam, RBG, RRC, AO 12-07-CD [3]**  
**Commissioner King moved to reject staff draft advisory opinion.**  
**Commissioner Kirk seconded the motion.**  
**The Commission voted 4-0 to DISAPPOVE advisory opinion AO 12-07-CD.**

**Advisory Opinion Request, Alaska Deserves Better, AO 12-05-CD/ AO 12-09-CD [4]**  
**Commissioner Sanders moved to approve staff's recommendation.**  
**Commissioner King seconded the motion.**  
**The Commission voted 4-0 to approve advisory opinion AO 12-09-CD.**

**Updated Travel Procedures [\*]**

The State Travel Procedures was presented by Gary Zepp, Deputy Director/Finance Officer, Department of Administration-Division of Administrative Services.

The following individuals appeared telephonically and gave a brief presentation of the State of Alaska Travel Procedures to the Commission and staff and to answer questions of the Commission.

- Gary Zepp, Deputy Director/Finance Officer
- Sabrina Nelson, Accounting Tech II
- Matt Arnoldt, Accounting Tech II

**Public Comment [\*]**

- Dr. Theresa Obermeyer appeared in person for public comment.

**OFF RECORD 12:15 p.m.**  
**Lunch**  
**ON RECORD 1:25 p.m.**

**Review of Proposed Regulation Revisions [6]**

The review of proposed regulations was presented by Jerry Anderson, Assistant Director

The Commission asked Staff to provide more information on statutory section change to AS 24.45.061 and regulatory change to 2 AAC 50.329 at the next Commission meeting.

**Advisory Opinion Request, Senator Cathy Giessel, AO 12-11-CD [9A]**

The draft advisory opinion was presented by Martha Tansik, APOC staff

- Peter Giessel, Treasurer, Re-Elect Senator Cathy Giessel, appeared in person to give a statement in support of Senator Giessel advisory opinion request.

**During the discussion, the Commission asked staff to revise the opinion and return the revised advisory opinion back to the Commission for another review.**

**Advisory Opinion Request, Hal Gazaway, AO 12-08-CD [10]**

The draft advisory opinion was presented by Martha Tansik, APOC staff

- Hal Gazaway, Candidate for State House in 2012, appeared in person and gave a statement.

**Commissioner Sanders moved to approve staff draft advisory opinion.**

**Commissioner King seconded the motion.**

**The Commission voted 4-0 to approve advisory opinion AO 12-08-CD.**

**Advisory Opinion Request, Bryce Edgmon, AO 12-10-CD [9B]**

The draft advisory opinion was presented by Martha Tansik, APOC staff

**Commissioner King moved to approve staff draft advisory opinion as revised.**

**Commissioner Sanders seconded the motion.**

**The Commission voted 4-0 to approve advisory opinion AO 12-10-CD as revised**

**OFF RECORD 2:55 p.m.**

**Break**

**ON RECORD 3:05 p.m.**

**Continued Review of Proposed Regulation/Statute Revisions [6]**

The continuation of the review of proposed regulation/statutes revision was presented by Jerry Anderson, Assistant Director

**Advisory Opinion Request, Peter Giessel, AO 12-11-CD [9A]**

The revised staff draft advisory opinion was presented by Martha Tansik, APOC staff

The Commission revisited the advisory opinion request and reviewed the staff's revisions.

**Commissioner Sanders moved to approve revised staff draft advisory opinion, as revised.**

**Commissioner King seconded the motion.**

**The Commission voted 4-0 to approve revised advisory opinion AO 12-11-CD.**

**Election of Officers [\*]**

**Commissioner Sanders nominated Commissioner Hickerson as Chair of the commission and Commissioner King as the Vice-Chair.**

**Commissioner Kirk Seconded the nomination.**

**The Commission voted 4-0**

**Commissioner King moved to adjourn.**

**Commissioner Sanders seconded the motion.**

**Adjourned**

**OFF RECORD 4:20 p.m.**