



TO: APOC Commissioners
DATE: October 22, 2024
FROM: Michael Sargent, Paralegal Specialist I
SUBJECT: Staff Report, Complaint 24-03-CD, *Alaskans for Better Elections v. Alaskans for Honest Elections, Alaskans for Honest Government, Ranked Choice Education Association and Arthur Mathias*

SUMMARY OF COMPLAINT

The Complainant alleges¹ that the Respondents failed to comply with the January 3, 2024, Final Order of the Alaska Public Offices Commission (“Final Order”) in Complaint 23-01-CD in regard to filing of various campaign disclosure reports, registration and the use of correct paid-for-by identifiers in addition to the non-payment of assessed penalty amounts.² Specifically, the Complainant alleges that:

- Alaskans for Honest Elections (AHE) failed to amend its 2023 First, Second and Third Quarterly Report to identify contribution sources; failed to file accurate 2023 Fourth Quarterly and 2024 First, Second and Third Quarterly Reports; failed to accurately identify its three largest contributors; and continues to use incorrect paid-for-by identifiers in video communications.
- Alaskans for Honest Government (AHG) failed to file a 2022 Fourth Quarterly Report and has failed to file an independent expenditure report.
- Ranked Choice Education Association (RCEA) failed to timely register as an entity; failed to file 2022 Fourth Quarterly and 2023 First Quarterly Reports; failed to file accurate independent expenditure reports; and failed to file accurate or timely statements of contributions.

¹ Exhibit 1, Complaint

² Exhibit 2, Commission Final Order 23-01-CD (1/3/2024)

- Arthur Mathias failed to file accurate statements of contributions.

SUMMARY OF ANSWERS TO COMPLAINT

The Respondents, through counsel, dispute the assertions of the Complainant.³ Respondents argue that this, and other complaints involving the respondents are politically motivated, involve claims and issues that have been previously adjudicated or litigated, and assert that:

- AHE filed all the reports in question; that AHE is no longer engaged in the current campaign to pass 22AKHE; and that complainant misrepresents the communications at issue as those of AHE, when in fact, the communications are from an individual (Phillip Izon/907Honest).
- AHG no longer exists and has engaged in no reportable activity since 2022.
- RCEA filed a registration; appealed the Commission order in regard to reporting; and filed an amended contribution report disclosing the \$90,000 contribution from Mathias.
- Mathias filed, under protest, the 15-5 Statement of Contributions identifying himself as the contributor the \$90,000 to AHE originally attributed to RCEA.

Included with the Respondents' reply was a March 8, 2024, filing with the Superior Court for the State of Alaska.⁴ Respondents claim this filing provided notice and details of their compliance with the registration and reporting requirements imposed by the Final Order.

FACTS

As discussed in detail in the APOC staff report in complaint 23-01-CD,⁵ Respondents were involved in advocating and supporting the initiative petition identified as 22AKHE and the subsequent Ballot Proposition 2 that will appear on the state's 2024

³ Exhibit 3, Complaint Response

⁴ Exhibit 4, Appellants Supplemental Notice – Superior Court filing (3/8/2024)

⁵ Exhibit 5, 23-01-CD Staff Report, pages 2-22

General Election ballot. After a hearing, the Commission issued its Final Order directing the Respondents to pay assessed penalties and/or file various reports.⁶ On March 7, 2024, the Commission also issued a status update to the Final Order, noting that none of the Respondents had complied with the Final Order.⁷

On July 29, 2024, Alaskans for Better Elections (ABE) filed the complaint at issue here.⁸ APOC staff initially rejected the complaint because it referred to violations that had already been before the Commission and addressed in the Final Order, rather than new violations of AS 15.13.⁹ ABE requested Commission review of staff's decision¹⁰ and a hearing was held during the Commission's August 29, 2024 meeting. The Commission determined that the violation of a Commission order would violate AS 15.13.380(e) and the failure to follow the instructions issued by the Commission previously beyond the date of the original order constituted new violations of AS 15.13. The Commission issued an order accepting the complaint and remanding to APOC staff for investigation, with the caveat that aspects of the complaint requesting investigation of "any other violations of AS 15.13 that are discovered during this proceeding" were overly broad and did not meet the standards defined in 2 AAC 50.870(c)(3).¹¹

LAW AND ANALYSIS

The Commission, in its Final Order,¹² made the following determinations and orders in regard to the respective parties; The Commission found these orders had not been complied with and were unresolved as of the status update of March 7, 2024.¹³

AHE failed to comply with true source disclosure requirements under AS 15.13.040(b), AS 15.13.074(b) and AS 15.13.110(k) by reporting RCEA as the true

⁶ Exhibit 2, Commission Final Order 23-01-CD (1/3/2024)

⁷ Exhibit 6, Commission Status Update on Final Order re 23-01-CD (3/07/2024)

⁸ Exhibit 1, Complaint

⁹ Exhibit 7, Complaint Rejection Letter

¹⁰ Exhibit 8, Complainant Request for Commission Review

¹¹ Exhibit 9, Commission Order Accepting Complaint

¹² Exhibit 2, Commission Final Order re 23-01-CD (1/3/2024)

¹³ Exhibit 6, Commission Status Update on Final Order re 23-01-CD (3/7/2024)

source of its contributions rather than Mathias. The Commission ordered AHE to correct its previously filed reports to reflect true source contributions within 30 days and to comply with the Commission's determinations on future reporting. To date, the reports for the First,¹⁴ Second,¹⁵ and Third¹⁶ Quarters of 2023 have not been amended. AHE's 2023 Fourth Quarter and 2024 First, Second and Third Quarters are also inaccurate. The Fourth Quarter Report of 2023¹⁷ shows a closing cash on hand (CCOH) amount of \$2,013.83, but the following First Quarter Report of 2024¹⁸ shows a beginning cash on hand (BCOH) amount of zero; this, in turn, skews the accuracy of the subsequent Second¹⁹ and Third Quarterly Reports of 2024.²⁰

Additionally, the Commission ordered AHE to comply with the requirements of AS 15.13.090(a) and (c) in regard to paid-for by identifiers on all future communications. But evidence submitted with the complaint substantiated an incorrect paid-for-by identifier on AHE's website.²¹ Respondent argues that the communications at issue are those of Philip Izon, an individual, and not attributable to AHE. At some point after March 11, 2024, it appears that AHE's website was reorganized and redirected to into a personal website of one of the initiative sponsors, moving away from directly supporting and advocating in support of 22AKHE and focusing more on the broader subject of ranked choice voting.²² While staff is unable to identify the specific date this occurred, the paid-for-by identifier on AHE's website remained inaccurate until at least March 11, 2024.²³

¹⁴ Exhibit 10, AHE First Quarterly Report 2023

¹⁵ Exhibit 11, AHE Second Quarterly Report 2023

¹⁶ Exhibit 12, AHE Third Quarterly Report 2023

¹⁷ Exhibit 13, AHE Fourth Quarterly Report 2023

¹⁸ Exhibit 14, AHE First Quarterly Report 2024

¹⁹ Exhibit 15, AHE Second Quarterly Report 2024

²⁰ Exhibit 16, AHE Third Quarterly Report 2024

²¹ See Ex. 1 at Ex. 12A

²² Alaskansforhonestelections.com now redirects to 907honest.com.

²³ Exhibit 17, March 11, 2024, screenshot of Alaskansforhonestelections.com [<http://web.archive.org/web/20240311213048/https://www.alaskansforhonestelections.com/>]; See also, Exhibit 18, May 23, 2024, screenshot of 907honest.com [<https://web.archive.org/web/20240523014435/https://907honest.com/>] bearing AHE's paid-for-by identifier.

AHG was ordered to file both a 2022 Fourth Quarterly Report and an independent expenditure report within 30 days; to date, AHG has not complied with the Commission's order. Though AHG notes that it has not engaged in reportable activity since 2022, it still had a duty to accurately report its activity before that time. AHG has not done so.

RCEA was ordered to register as an entity and to file required reports including an independent expenditure report for the purchase of its web domain, a 2022 Fourth Quarter Report for its 2022 expenditures, and a 2023 First Quarter Report for its 2023 expenditures in support of 22AKHE, as well as its contributions to AHE with identification of true sources within 30 days. On March 7, 2024, RCEA filed an entity registration,²⁴ an independent expenditure report disclosing a single \$500 non-monetary contribution to AHE,²⁵ and filed a year end campaign disclosure report disclosing the same \$500 activity. RCEA has not filed a 2022 Fourth Quarter or a 2023 First Quarter Report and has not amended any of their previously filed statements of contributions to identify RCEA's true sources.

Mathias was ordered to file a statement of contributions report within 30 days. On March 7, 2024 he filed (under protest) a statement of contributions for a series of contributions made to AHE. The report disclosed 5 transactions totaling \$89,642.²⁶

Respondents' other objections do not obviate their requirements to comply with the Final Order. Their filings in the Superior Court are not a substitute for filing reports with the Commission. Indeed, as the Complainant notes, the Respondents' request for a partial stay of the Final Order was denied, meaning their reporting requirements have never been barred by the ongoing appeal. And whatever the motivations of the Complainant for filing complaints with the Commission, the point is the same: Respondents are obliged, by order

²⁴ Exhibit 19, RCEA Entity Registration (3/7/2024)

²⁵ Exhibit 20 RCEA Independent Expenditure Report (3/7/2024)

²⁶ Exhibit 21, Statement of Contributions (3/7/2024)

of the Commission, to comply with the statutorily and regulatorily mandated campaign finance disclosure requirements, and they have failed to meet this obligation.

CONCLUSION

As Respondents have either failed to comply or have only partially complied with the orders of the Commission, they remain liable for penalties computed and assessed after the 30-day deadline imposed by the Commission (February 2, 2024).

MAXIMUM CIVIL PENALTIES

The maximum civil penalty for each of the violations in this case is \$50.00 per day for each day the violation continues. For purposes of calculating the maximum civil penalties for registration, independent expenditure, quarterly, and statement of contribution report violations, the accrual of penalties was tolled by the date the report was filed or on July 29, 2024, the day the Complaint was filed. The inaccurate paid-for by-identifier is tolled by the latest date archived for AHE’s website. The computed maximum penalty amounts for each of the respondents are as follows:

AHE²⁷

Violation	Dates of Violation	Penalty Days	Max Penalty
2023 1st Quarter Report	2/3/2024 - 7/29/2024	178	\$8,900
2023 2 nd Quarter Report	2/3/2024 - 7/29/2024	178	\$8,900
2023 3 rd Quarter Report	2/3/2024 - 7/29/2024	178	\$8,900
2023 4 th Quarter Report	1/23/2024 - 07/29/2024	189	\$9,450
2024 1 st Quarter Report	4/15/2024 - 07/29/2024	106	\$5,300
2024 2 nd Quarter Report	7/11/2024 - 7/29/2024	19	\$950
Paid-For-By Identifiers	2/3/2024 - 03/11/2024	38	\$1,900
Total:			\$44,300

²⁷ Because AHE’s 2024 Third Quarter Report was due during the investigation of this complaint (10/11/2024), staff recommends no penalty accrual but would recommend the report be amended for accuracy.

AHG

Violation	Dates of Violation	Penalty Days	Max Penalty
2022 4 th Quarter Report	2/3/2024 - 7/29/2024	178	\$8,900
Independent Expenditure Report	2/3/2024 - 7/29/2024	178	\$8,900
Total:			\$17,800

RCEA

Violation	Dates of Violation	Penalty Days	Max Penalty
Registration	2/3/2024 - 3/7/2024	34	\$1,700
Independent Expenditure Report	2/3/2024 - 3/7/2024	34	\$1,700
2022 4 th Quarter Report	2/3/2024 - 7/29/2024	178	\$8,900
2023 1 st Quarter Report	2/3/2024 - 7/29/2024	178	\$8,900
Total:			\$21,200

Arthur Mathias

Violation	Dates of Violation	Penalty Days	Max Penalty
Statement of Contributions Report	2/3/2024 to 3/7/2024	34	\$1,700
Total:			\$1,700

MITIGATION AND RECOMMENDATION

Although there may be mitigation that could be applied for reduction of these penalties, all four Respondents have demonstrated a poor reporting history by filing reports late and/or filing significantly inaccurate reports.²⁸ Additionally, the Respondents failed to comply with the Final Order within the 30-day timeframe specified and only took action to comply after the issuance of the status update of March 7, 2024, and then still failed to meet their reporting and compliance obligations. Given these ongoing aggravating circumstances, staff does not recommend any reduction of the penalties.

Accordingly, staff recommends penalties in the following amounts:

Alaskans for Honest Elections (AHE) - \$44,300

Alaskans for Honest Government (AHG) - \$17,800

Ranked Choice Education Association (RCEA) - \$21,200

Arthur Mathias - \$1,700

²⁸ 2 AAC 50.865(d)(2)

I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered as indicated to the following:	
Scott Kendall Samuel Gottstein Cashion Gilmore & Lindemuth 510 L Street, Suite 601 Anchorage, Alaska 99501 scott@cashiongilmore.com 9489 0178 9820 3021 0774 07	☒ Email ☒ U.S. Mail
Kevin G. Clarkson Law Offices of Kevin G. Clarkson 2223 Latona Drive NE Keizer, Oregon 97303 kclarkson@gci.net 9489 0178 9820 3021 0773 91	☒ Email ☒ U.S. Mail

<u>Michael Sargent</u>	<u>10.22.2024</u>
Signature	Date



Alaska Public Offices Commission



COMPLAINT

FILING A COMPLAINT <i>To be accepted, complaint must include</i>	APOC LAWS ALLEGEDLY VIOLATED <i>Specify section of law or regulation</i>	APOC case name/number/date								
1. Complainant's name + contact info 2. Respondent's name + contact info 3. Laws, regulations allegedly violated 4. Description of allegations 5. Basis of knowledge of alleged facts 6. Documentation to support allegations 7. Notarized signature of the complainant 8. Proof that complaint and all supporting documents were served on respondent	<table border="1"><tr><td>Campaign Disclosure Law</td><td>☒ AS 15.13 ☐ 2 AAC 50.250-405</td></tr><tr><td>Public Official Financial Disclosure</td><td>☐ AS 39.50 ☐ 2 AAC 50.680-799</td></tr><tr><td>Legislative Financial Disclosure</td><td>☐ AS 24.60 ☐ 2 AAC 50.680-799</td></tr><tr><td>Lobbying Regulation</td><td>☐ AS 24.45 ☐ 2 AAC 50.550-590</td></tr></table>	Campaign Disclosure Law	☒ AS 15.13 ☐ 2 AAC 50.250-405	Public Official Financial Disclosure	☐ AS 39.50 ☐ 2 AAC 50.680-799	Legislative Financial Disclosure	☐ AS 24.60 ☐ 2 AAC 50.680-799	Lobbying Regulation	☐ AS 24.45 ☐ 2 AAC 50.550-590	24-03-CD
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Public Official Financial Disclosure	☐ AS 39.50 ☐ 2 AAC 50.680-799									
Legislative Financial Disclosure	☐ AS 24.60 ☐ 2 AAC 50.680-799									
Lobbying Regulation	☐ AS 24.45 ☐ 2 AAC 50.550-590									

If complaint meets requirements for acceptance, APOC will investigate the allegations and notify the respondent of the right to respond. APOC will notify Complainant and Respondent when APOC accepts or rejects a complaint.

☐ APOC ☐ Person ☐ Party ☒ Group	COMPLAINANTS	RESPONDENTS <i>Person or group allegedly violating law</i>
	Alaskans for Better Elections, Inc.	☒ Person ☐ Party ☒ Group
Address City / Zip	510 L St., Ste. 601 Anchorage, AK 99501	Alaskans for Honest Elections; Alaskans for Honest Government; Ranked Choice Education Association; Art Mathias
Phone/Fax	907-222-7932	See attached Complaint, page 1
E-mail	scott@cashiongilmore.com sam@cashiongilmore.com	

COMPLAINANTS' REPRESENTATIVE	RESPONDENTS' REPRESENTATIVES	
If complainant or respondent is political party or group, list contact person. If complainant or respondent is represented by attorney, list name + contact info		
Name/Title	Scott M. Kendall for Complainants	Please see attached Complaint, page 1
Address	510 L Street, Ste. 601	
Phone/Fax	907-222-7932 / 907-222-7938	
E-mail	scott@cashiongilmore.com	

DESCRIPTION or SUMMARY of ALLEGED VIOLATION	Use extra pages if needed	☒ SUPPORTING DOCUMENTS – DESCRIBE:
Please see attached supporting information and documentation.		Please see attached complaint and associated exhibits.

PROOF of SERVICE ATTACHED: ☐ Fax – receipt confirmation ☐ Certified mail – signed receipt
☐ Process server – return of service ☒ E-mail – delivery/read receipt ☐ Other:

COMPLAINANT'S SWORN STATEMENT: To the best of my knowledge and belief, these statements are true

Signature  Title Samuel G. Gottstein Date July 29, 2024
Subscribed and sworn to or affirmed by me at on

Signature  Title Paralegal

APOC COMPLAINTS, RESPONSES, INVESTIGATION REPORTS & COMMISSION ACTIONS ARE PUBLIC DOCUMENTS

APOC ANCHORAGE	APOC JUNEAU	APOC COMPLAINT PROCESS: 2 AAC 50.450 - 476
2221 E. NORTHERN LIGHTS #128 ANCHORAGE, AK 99508 907-276-4176 / FAX 907-276-7018 TOLL-FREE 800-478-4176 WEB: http://doa.alaska.gov/apoc/	240 MAIN STREET #500 P.O. BOX 110222 JUNEAU, AK 99811 465-4864 / FAX 465-4832 APOC FORMS: http://doa.alaska.gov/apoc/forms_all.html	ANSWERING COMPLAINTS: 2AAC 50.880 APOC CRITERIA for ACCEPTING COMPLAINTS: 2 AAC 50.870 INVESTIGATIONS & HEARINGS: 2 AAC 50.875-891 RULES for REQUESTING EXPEDITED CONSIDERATION: AS15.13.380(c) APOC LAWS: http://doa.alaska.gov/apoc/apoclaws.html

From: Jennifer Ditcharo jenn@cashiongilmore.com 
Subject: APOC Complaint
Date: July 29, 2024 at 1:07 PM
To: kclarkson@gci.net
Cc: Scott Kendall scott@cashiongilmore.com, Sam Gottstein sam@cashiongilmore.com



Hello Mr. Clarkson,

Please find attached an APOC complaint. Thank you.

2024.07.29 APOC Complaint.pdf

16.4 MB



Jenn Ditcharo
Paralegal
Cashion Gilmore & Lindemuth
510 L Street, Ste. 601
Anchorage, Alaska 99501
(907) 339-4970
jenn@cashiongilmore.com

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To: Alaska Public Offices Commission
From: Alaskans for Better Elections, Inc., Complainant

Re: Complaint Against Alaskans for Honest Elections, Alaskans for Honest Government, the Ranked Choice Education Association, and Arthur Mathias for Numerous Violations of Campaign Finance Laws (AS 15.13)

Respondents:¹

Alaskans for Honest Elections

2521 East Mtn Village Dr., #904
Wasilla, AK 99654
Telephone: 1-907-802-8116
Kevin Clarkson (counsel for AHE)
kclarkson@gci.net

Arthur Mathias

2511 Sentry Drive, Suite 200
Anchorage, AK 99507
Business Telephone: 907-563-3188
Kevin Clarkson (counsel for Mr. Mathias)
kclarkson@gci.net

Alaskans for Honest Government

4201 Dimond Way, Unit B
Wasilla, AK 99654
Kevin Clarkson (counsel for AHG)
kclarkson@gci.net

Ranked Choice Education Association

2511 Sentry Drive, Suite 200
Anchorage, AK 99507
Kevin Clarkson (counsel for the RCEA)
kclarkson@gci.net

I. Summary of Complaint

On January 3, 2024, the Alaska Public Offices Commission (“APOC” or “the Commission”) issued a Final Order in APOC Complaint 23-01-CD (“Final Order”).² In its Final Order, the Commission ordered Respondents Alaskans for Honest Elections (“AHE”), Alaskans for Honest Government (“AHG”), the Ranked Choice Education Association (“the RCEA”) and Arthur Mathias (collectively “Respondents”) to file

¹ This information is intended to satisfy the required contact information for this APOC Complaint. It has also been relied upon for service of the complaint, with additional documentation to follow. Additional information about the Respondents is included below.

² See generally Final Order in 33-01-CD (Jan. 3, 2024) [hereinafter Final Order] (Exhibit 1).

numerous reports with APOC within thirty (30) days (February 2, 2024), and to comply with Alaska’s disclaimer and disclosure requirements going forward.³

Unfortunately, none of the Respondents have complied with any of the reporting requirements contained within the Commission’s Final Order. As has been explained in a subsequent APOC status update, because Respondents have failed to comply with any of the Commission’s ordered reporting obligations, they are in blatant violation of the Final Order. The Commission should therefore find that Respondents have committed new violations of the law and impose new civil penalties accordingly.⁴

22AKHE, a proposed ballot initiative that would impose closed-party primaries and repeal ranked-choice voting (“RCV”) in Alaska, was first filed with the lieutenant governor in November 2022. Whether 22AKHE should become law is currently slated to be on the ballot in November 2024. And because Respondents have never filed accurate reports with APOC — even after being ordered by the Commission to do so — Alaskans still do not know who funded Respondents’ six-figure effort to change Alaska’s election system.⁵

This Complaint is simple. The Commission ordered Respondents to comply with Alaska’s reporting obligations. None of the Respondents have done so. The Commission

³ See Final Order at 32 (Exhibit 1).

⁴ See Status Update re: Final Order in 23-01-CD (Mar. 7, 2024) [hereinafter Status Update] (Exhibit 2).

⁵ See RCEA’s Statement of Contributions Form 15-5 (Nov. 25, 2023) [hereinafter RCEA’s Nov. 2023 Statement of Contributions] (Exhibit 3) (reporting that the RCEA contributed \$152,000 to AHE in 2023).

can and should easily conclude that all of the Respondents are currently violating the Final Order and the law, and assess civil penalties accordingly.

II. Parties and Allegations

A. Alaskans for Honest Elections

AHE is the ballot group supporting 22AKHE.⁶ 22AKHE is a proposed ballot initiative which, if enacted, would establish closed-party primaries and repeal RCV for statewide elections.

In its Final Order, the Commission found that AHE violated Alaska’s campaign finance laws, and ordered AHE to pay civil penalties and file corrected reports with APOC.⁷ AHE appealed certain aspects of the Final Order, which stayed some of its civil *penalties*.⁸ But *no* part of the Final Order’s *reporting* obligations — including those involving AHE — were stayed.⁹ In fact, the superior court has confirmed that AHE was required to file updated reports,¹⁰ consistent with APOC’s status update in March 2024.¹¹

⁶ See Final Order at 3-6, 14 (Exhibit 1).

⁷ See *id.* at 14, 16-17, 20-21, 31-32.

⁸ See Status Update at 2-3 (Exhibit 2); *see also* 2 AAC 50.860(e).

⁹ See Status Update at 4 (Exhibit 2).

¹⁰ See Order Denying Appellants’ Motion for Partial Stay and Granting Appellee Alaskans for Better Elections Request for Expedited Briefing, 3AN-24-04508CI, at 10 (Mar. 15, 2024) [hereinafter Order Denying Motion for Partial Stay] (Exhibit 4).

¹¹ See Status Update at 4 (Exhibit 2) (“None of the aspects of the Commission’s [Final O]rder instructing the Respondents to correct the violations the Commission found have been stayed, and the Respondents are therefore in violation of the [Final O]rder.”); *see also id.* at 1 (“To date, none of the respondents have complied with any part of the Commission’s order in this matter.”).

The Commission ordered “AHE to correct its previous reports within 30 days[,] and to complete future reporting in accordance with the determinations herein.”¹² Specifically, the Commission ordered AHE to: (1) report the source of its contributions;¹³ (2) report Wellspring Ministries’ in-kind contribution to AHE;¹⁴ (3) amend and re-file all of its prior quarterly reports;¹⁵ and (4) comply with these requirements in subsequent reports and communications.¹⁶ Despite this clear and unambiguous guidance from APOC, AHE has not complied.

AHE has ignored the Commission’s Final Order, and has therefore been out of compliance, since February 3, 2024.¹⁷ Although two of AHE’s quarterly reports were amended “under protest” after APOC provided its status update on March 7, 2024,¹⁸ those quarterly reports are still inaccurate.¹⁹ Additionally, multiple subsequent reports that AHE

¹² See Final Order at 32 (Exhibit 1).

¹³ See *id.* at 16-17, 23-30.

¹⁴ See *id.* at 16-17.

¹⁵ See *id.* at 32.

¹⁶ See *id.*; see also *id.* at 20-21.

¹⁷ Because this Complaint is being filed on July 29, 2024, AHE has failed to comply with the Final Order for 177 days.

¹⁸ See AHE’s Amended 2023 First Quarterly Report (Mar. 7, 2024) [hereinafter AHE’s 2023 First Quarterly] (Exhibit 5); AHE’s Amended 2023 Second Quarterly Report (Mar. 7, 2024) [hereinafter AHE’s 2023 Second Quarterly] (Exhibit 6); see also Status Update at 4-5 (Exhibit 2).

¹⁹ See AHE’s 2023 First Quarterly at 1 (Exhibit 5) (reporting \$25,085.70 in cash on hand at the end of the reporting period); *id.* at 3 (reporting Mr. Mathias as the source of contributions “under protest”); *id.* at 11 (reporting that the RCEA is the source of a substantial (\$2,358) illegal cash contribution); *id.* (reporting that the RCEA is the source of a non-monetary printing contribution); AHE’s 2023 Second Quarterly at 1 (Exhibit 6) (inaccurately reporting \$0 in cash on hand at the start of the reporting period); *id.* at 2

has filed are inaccurate, and have not been filed in a manner consistent with the Final Order.²⁰

i. Alleged violations by AHE.

- a. Failure to accurately amend its 2023 First Quarterly Report, violating AS 15.13.110(g). AHE was ordered by the Commission to amend all of its quarterly reports to indicate the source of its received contributions.²¹ AHE has not done so with respect to its 2023 First Quarterly Report.²² AHE's 2023 First Quarterly Report also contains additional inaccuracies that were identified in the Final Order.²³ Moreover, the Commission

(reporting Mr. Mathias as the source of a check “under protest”); *see also* Final Order at 9 (explaining numerous inaccuracies in reporting; none were corrected by AHE in its amended reports).

²⁰ *See* AHE's 2023 Third Quarterly Report at 1 (Oct. 30, 2023) [hereinafter AHE's 2023 Third Quarterly] (Exhibit 7) (inaccurately reporting the amount of cash on hand at the beginning and end of the reporting period); *id.* at 2 (failing to report the check written by the RCEA to AHE based on an illegal cash contribution); *id.* (improperly listing the RCEA as a contributor); AHE's Amended 2023 Fourth Quarterly Report at 1 (Apr. 30, 2024) [hereinafter AHE's 2024 Fourth Quarterly] (Exhibit 8) (inaccurately reporting the amount of cash on hand at the beginning and end of the reporting period); *id.* at 2 (improperly listing the RCEA as a contributor); AHE's 2024 First Quarterly Report at 1 (Apr. 15, 2024) [hereinafter AHE's 2024 First Quarterly] (Exhibit 9) (inaccurately reporting the amount of cash on hand at the beginning and end of the reporting period); AHE's 2024 Second Quarterly Report at 1 (July 11, 2024) [hereinafter AHE's 2024 Second Quarterly] (Exhibit 10) (inaccurately reporting the amount of cash on hand at the beginning and end of the reporting period); AHE's 2024 Third Quarterly Report at 1 (July 11, 2024) [hereinafter AHE's 2024 Third Quarterly] (Exhibit 11) (inaccurately reporting the amount of cash on hand at the beginning and end of the reporting period).

²¹ *See* Final Order at 16 (Exhibit 1) (“AHE's reports violated AS 15.13.110(g) because they did not identify the true source of the \$90,740 AHE received from [the] RCEA.”); *see also id.* at 32 (ordering “AHE to correct its previous reports within 30 days”).

²² *See* AHE's 2023 First Quarterly at 11 (Exhibit 5) (reporting that the RCEA is the source of a substantial (\$2,358) illegal cash contribution); *id.* (reporting that the RCEA is the source of a non-monetary printing contribution); *see also id.* at 3 (reporting Mr. Mathias as the source of contributions “under protest”).

²³ *See* Final Order at 9 (Exhibit 1); *see also* AHE's 2023 First Quarterly at 3 (Exhibit 5).

ordered AHE to amend this report to include an in-kind contribution from Wellspring Ministries.²⁴ Again, AHE has failed to do so.²⁵

- b. Failure to accurately amend its 2023 Second Quarterly Report, violating AS 15.13.110(g). AHE was ordered by the Commission to amend all of its quarterly reports to indicate the source of its received contributions.²⁶ AHE has not done so with respect to its 2023 Second Quarterly Report.²⁷ AHE's 2023 Second Quarterly Report also contains inaccurate information that was identified in the Final Order.²⁸
- c. Failure to amend its 2023 Third Quarterly Report, violating AS 15.13.110(g). AHE was ordered by the Commission to amend all of its quarterly reports to identify the source of its received contributions.²⁹ AHE has not filed an amended 2023 Third Quarterly Report, and that report continues to contain inaccuracies.³⁰
- d. Failure to file accurate Quarterly Reports, violating AS 15.13.110(g). AHE was ordered by the Commission to comply with the Final Order for all of its subsequent reports.³¹ AHE has not done so with respect to its

²⁴ See Final Order at 16-17 (Exhibit 1).

²⁵ See generally AHE's 2023 First Quarterly (Exhibit 5).

²⁶ See Final Order at 16 (Exhibit 1) ("AHE's reports violated AS 15.13.110(g) because they did not identify the true source of the \$90,740 AHE received from [the] RCEA."); *see also id.* at 32 (ordering "AHE to correct its previous reports within 30 days").

²⁷ See AHE's 2023 Second Quarterly at 1 (Exhibit 6) (inaccurately reporting \$0 in cash on hand at the start of the reporting period); *id.* at 2 (reporting Mr. Mathias as the source of a check "under protest").

²⁸ See Final Order at 9 (Exhibit 1); *see also* AHE's 2023 Second Quarterly at 2 (Exhibit 6).

²⁹ See Final Order at 32 (Exhibit 1) (ordering "AHE to correct its previous reports within 30 days").

³⁰ See AHE's 2023 Third Quarterly at 1 (Exhibit 7) (inaccurately reporting the amount of cash on hand at the beginning and end of the reporting period); *id.* at 2 (failing to report the check written by the RCEA to AHE based on an illegal cash contribution); *id.* (improperly listing the RCEA as a contributor).

³¹ See Final Order at 32 (Exhibit 1) (ordering "AHE . . . to complete future reporting in accordance with the determinations herein").

2023 Fourth Quarterly Report,³² 2024 First Quarterly report,³³ 2024 Second Quarterly Report,³⁴ and 2024 Third Quarterly Report.³⁵

- e. Failure to accurately report three largest contributors, violating AS 15.13.090(a) and AS 15.13.090(c). The Commission found that AHE did not comply with AS 15.13.090 by failing to include proper paid-for-by disclaimers on communications and videos.³⁶ The Commission also ordered AHE to comply with the Final Order for all subsequent communications.³⁷ But because AHE has not accurately filed reports with APOC, AHE has continued to communicate in favor of 22AKHE while improperly listing the RCEA as one of its three largest contributors, rather than Mr. Mathias.³⁸ Additionally, other AHE communications continue to use a demonstrably false and inaccurate paid-for-by disclaimer, and none of AHE's videos contain identifiers "on the screen throughout the videos as required by AS 15.13.090(c)."³⁹

³² See AHE's 2023 Fourth Quarterly at 1 (Exhibit 8) (inaccurately reporting the amount of cash on hand at the beginning and end of the reporting period); *id.* at 2 (improperly listing the RCEA as a contributor).

³³ See AHE's 2024 First Quarterly at 1 (Exhibit 9) (inaccurately reporting the amount of cash on hand at the beginning and end of the reporting period).

³⁴ See AHE's 2024 Second Quarterly at 1 (Exhibit 10) (inaccurately reporting the amount of cash on hand at the beginning and end of the reporting period).

³⁵ See AHE's 2024 Third Quarterly at 1 (Exhibit 11) (inaccurately reporting the amount of cash on hand at the beginning and end of the reporting period).

³⁶ See Final Order at 20-21 (Exhibit 1).

³⁷ See *id.* at 32 (ordering AHE to comply with "the determinations herein").

³⁸ See Screenshots from AHE's Website (Apr. 4, 2024) (Exhibit 12A) (using an inaccurate disclaimer); Screenshot from AHE's Twitter Page (Mar. 14, 2024) (Exhibit 12B) (same); Screenshot from an AHE Tweet (June 28, 2024) (Exhibit 12C) (same).

³⁹ See Final Order at 20 (Exhibit 1); *see also* Screenshot from an AHE Video (Apr. 2, 2024) (Exhibit 13A) (failing to include any disclaimer on screen throughout the video pursuant to AS 15.13.090(c)); Screenshot from an AHE Video (Apr. 2, 2024) (Exhibit 13B) (same); Screenshot from an AHE Video (Apr. 2, 2024) (Exhibit 13C) (same); Screenshot from an AHE Video (Apr. 2, 2024) (Exhibit 13D) (same); Screenshot from an AHE Video (Apr. 3, 2024) (Exhibit 13E) (same); Screenshot from an AHE Video (Apr. 3, 2024) (Exhibit 13F) (same); Screenshot from an AHE Video (Apr. 3, 2024) (Exhibit 13G) (same); Screenshot from an AHE Video (Apr. 3, 2024) (Exhibit 13H) (same); Screenshot from an AHE Video (Apr. 3, 2024) (Exhibit 13I) (same).

- f. Any other violations of AS 15.13. et seq. that are discovered during this proceeding.

B. Alaskans for Honest Government

AHG made some independent expenditures in favor of AHE and 22AKHE starting in 2022.⁴⁰ AHG has never filed *any* report with APOC.⁴¹

In its Final Order, the Commission found that AHG violated Alaska’s registration and reporting requirements.⁴² The Commission ordered AHE to pay some civil penalties,⁴³ and file both an independent expenditure and quarterly report.⁴⁴ AHG never appealed the Final Order.⁴⁵

Relevant here, the Commission ordered AHG to file: (1) an independent expenditure report; and (2) a quarterly report for the fourth quarter of 2022.⁴⁶ AHG has not done so. In other words, AHG has ignored the Commission’s Final Order — and has therefore been out of compliance — since February 3, 2024.⁴⁷

i. Alleged violations by AHG.

- a. Failure to file a fourth quarterly report for 2022, violating AS 15.13.110(g). AHG was ordered by the Commission to file a fourth

⁴⁰ See Final Order at 7-8 (Exhibit 1).

⁴¹ See *id.* at 14-16; see also Status Update at 1, 4-5 (Exhibit 2).

⁴² See Final Order at 11-12, 14-16, 19-20 (Exhibit 1).

⁴³ See *id.* at 31.

⁴⁴ See *id.* at 32; see also *id.* at 31.

⁴⁵ See Status Update at 2 (Exhibit 2) (“AHG did not appeal[.]”).

⁴⁶ See Final Order at 32 (Exhibit 1); see also *id.* at 31.

⁴⁷ Because this Complaint is being filed on July 29, 2024, AHG has failed to comply with the Final Order for 177 days.

quarterly report for 2022 for its independent expenditures in favor of 22AKHE.⁴⁸ AHG has not done so.

- b. Failure to file an independent expenditure report, violating AS 15.13.110(h). AHG was ordered by the Commission to file an independent expenditure report because of its expenditures in favor of 22AKHE.⁴⁹ AHG has not done so.
- c. Any other violations of AS 15.13. et seq. that are discovered during this proceeding.

C. Ranked Choice Education Association

The Commission found that the RCEA made independent expenditures in favor of AHE and 22AKHE through at least July 5, 2023.⁵⁰ Although the RCEA had filed some statement of contributions reports with APOC prior to the issuance of the Final Order,⁵¹ those reports are not accurate.⁵² The RCEA has also filed only one (inaccurate) independent expenditure report and a year-end report “under protest,”⁵³ and has never filed any quarterly reports.

⁴⁸ See Final Order at 32 (Exhibit 1); *see also id.* at 31.

⁴⁹ See *id.* at 32; *see also id.* at 31.

⁵⁰ See *id.* at 17-18; *see also id.* at 12-13. The RCEA appears to remain involved in supporting 22AKHE through today; recent communications by AHE direct would-be contributors to make contributions to the RCEA directly to support 22AKHE. See Screenshot from an AHE Tweet (July 25, 2024) (Exhibit 14A); Screenshot from an AHE Tweet (July 27, 2024) (Exhibit 14B); Screenshot from an AHE Tweet (July 27, 2024) (Exhibit 14C); Screenshot from an AHE Tweet (July 28, 2024) (Exhibit 14D).

⁵¹ See RCEA’s Statement of Contributions Form 15-5 (Sept. 4, 2023) [hereinafter RCEA’s Sept. 2023 Statement of Contributions] (Exhibit 15); RCEA’s Statement of Contributions Form 15-5 (Oct. 30, 2023) [hereinafter RCEA’s Oct. 2023 Statement of Contributions] (Exhibit 16); RCEA’s Nov. 2023 Statement of Contributions (Exhibit 3).

⁵² See Final Order at 8-10, 29-30 (Exhibit 1).

⁵³ See RCEA’s Independent Expenditures Form 15-6 (Mar. 7, 2024) (Exhibit 17); RCEA’s Year End Report (Mar. 7, 2024) (Exhibit 18).

In its Final Order, the Commission found that the RCEA violated Alaska’s campaign finance laws, and ordered the RCEA to pay civil penalties and file accurate reports with APOC.⁵⁴ The RCEA appealed certain aspects of the Final Order, which stayed some of its civil *penalties*.⁵⁵ But *no* part of the Final Order’s *reporting* obligations — including those involving the RCEA —were stayed.⁵⁶ In fact, the superior court confirmed that the RCEA was required to comply with the Final Order,⁵⁷ consistent with APOC’s status update.⁵⁸

The Commission ordered the RCEA “to file required reports . . . within 30 days.”⁵⁹ Specifically, the Commission ordered the RCEA “to register as an entity,”⁶⁰ and “file required reports, including its expenditures in support of 22AKHE . . . , as well as its contributions to AHE and their true sources.”⁶¹ This includes reports that the RCEA must file as a non-group entity because it communicated in support of 22AKHE through at least

⁵⁴ See Final Order at 31-32 (Exhibit 1).

⁵⁵ See Status Update at 3-4 (Exhibit 2); *see also* 2 AAC 50.860(e).

⁵⁶ See Status Update at 4-5 (Exhibit 2).

⁵⁷ See Order Denying Motion for Partial Stay at 5 (Exhibit 4); *see also id.* at 10.

⁵⁸ See Status Update at 4 (Exhibit 2) (“None of the aspects of the Commission’s [Final O]rder instructing the Respondents to correct the violations the Commission found have been stayed, and the Respondents are therefore in violation of the [Final O]rder.”); *id.* at 4-5; *see also id.* at 1 (“To date, none of the respondents have complied with any part of the Commission’s order in this matter.”).

⁵⁹ See Final Order at 32 (Exhibit 1).

⁶⁰ See Status Update at 5 (Exhibit 2); *see also* Final Order at 12-13 (Exhibit 1).

⁶¹ See Final Order at 32 (Exhibit 1).

July 5, 2023.⁶² The RCEA only registered as a non-group entity on March 7, 2024, 33 days after it was ordered to do so by the Commission.⁶³ And despite clear and unambiguous guidance from APOC regarding the RCEA's reporting obligations, the RCEA has not complied with those requirements since February 3, 2024.⁶⁴

i. Alleged violations by the RCEA.

- a. Failure to timely register as a non-group entity, violating AS 15.13.050(a). The RCEA was ordered by the Commission to “register as an entity” by February 2, 2024.⁶⁵ The RCEA did not do so until after APOC provided its status update on March 7, 2024,⁶⁶ which means the RCEA was 33 days late in complying with the Final Order.
- b. Failure to file a fourth quarterly report for 2022, violating AS 15.13.110(g). The RCEA was ordered by the Commission to file a fourth quarterly report for 2022 for its independent expenditures in favor of 22AKHE.⁶⁷ The RCEA has not done so.
- c. Failure to file a first quarterly report for 2023, violating AS 15.13.110(g). The RCEA was ordered by the Commission to file a first quarterly report for 2023, because of its independent expenditures in favor of 22AKHE through July 5, 2023.⁶⁸ Again, the RCEA has not done so.

⁶² See *id.* at 12-13; see also *id.* at 21 (“Through at least July 5, 2023, [the] RCEA identified itself to the public, consistent with its original website, as ‘the group’ behind the 22AKHE effort.”).

⁶³ See RCEA’s 2022 Entity Registration Form (Mar. 7, 2024) (Exhibit 19); RCEA’s 2023 Entity Registration Form (Mar. 7, 2024) (Exhibit 20).

⁶⁴ Because this Complaint is being filed on July 29, 2024, the RCEA has failed to comply with the reporting obligations in the Final Order for 177 days.

⁶⁵ See Final Order at 13, 32 (Exhibit 1); see also Status Update at 5 (Exhibit 2).

⁶⁶ See RCEA’s 2022 Entity Registration Form (Mar. 7, 2024) (Exhibit 18); RCEA’s 2023 Entity Registration Form (Mar. 7, 2024) (Exhibit 19); see also Status Update at 5 (Exhibit 2).

⁶⁷ See Final Order at 17-18, 31-32 (Exhibit 1).

⁶⁸ See *id.*

- d. Failure to file accurate independent expenditure reports, violating AS 15.13.110(h). The RCEA was ordered by the Commission to file independent expenditure reports because of its expenditures in favor of 22AKHE through July 5, 2023.⁶⁹ This was “in connection with the purchase its web domain,”⁷⁰ which occurred on December 22, 2022.⁷¹ However, the RCEA’s independent expenditure and year-end reports inaccurately state that the RCEA purchased its web domain on January 1, 2023, not December 22, 2022.⁷²
- e. Failure to file accurate or timely statements of contributions, violating AS 15.13.040(k) and AS 15.13.074(b). The RCEA was ordered by the Commission to disclose the source of its contributions to AHE.⁷³ Although the RCEA has filed three statements of contributions since it identified Mr. Mathias as the true source of \$90,000 in contributions on June 11, 2023,⁷⁴ the RCEA has not disclosed the true source of contributions for an additional \$62,000 in contributions to AHE.⁷⁵ This conduct implicates two violations of Alaska law.⁷⁶
- f. Any other violations of AS 15.13. et seq. that are discovered during this proceeding.

⁶⁹ See *id.*

⁷⁰ See *id.* at 17.

⁷¹ See *id.* at 8.

⁷² See RCEA’s Independent Expenditures Form 15-6 (Exhibit 16); RCEA’s Year End Report (Exhibit 17).

⁷³ See Final Order at 29, 32 (Exhibit 1).

⁷⁴ See RCEA’s Statement of Contributions Form 15-5 (June 11, 2023) (Exhibit 21) (identifying Mr. Mathias as the true source of \$90,000 of the RCEA’s contributions to AHE).

⁷⁵ See RCEA’s Nov. 2023 Statement of Contributions (Exhibit 3) (reporting that the RCEA contributed \$152,000 to AHE in 2023).

⁷⁶ See AS 15.13.040(k) (concerning the timely and accurate disclosure of statements of contributions); AS 15.13.074(b) (prohibiting the contribution in the name of another). The superior court recently upheld this aspect of the Commission’s decision. See Order Affirming in Part and Reversing in Part Final Order by the Alaska Public Offices Commission Following Petition for Rehearing at 38-39 (July 18, 2024) [hereinafter Superior Court Order on the Final Order] (Exhibit 22). The maximum civil penalty for a violation of AS 15.13.074(b), if the conduct is found to be intentional by the Commission, is three times the amount at issue; here, \$186,000. See AS 15.13.390(a)(1)(3).

D. Arthur Mathias

Mr. Mathias was found by the Commission to have contributed \$90,000 to AHE in the name of another through the RCEA.⁷⁷ This aspect of the Final Order has been upheld on appeal by the superior court.⁷⁸ And, as is the case with all other Respondents, no stay has ever been issued with respect to Mr. Mathias's reporting obligation.⁷⁹

The Commission ordered Mr. "Mathias to file a[n accurate] statement of contribution report."⁸⁰ Mr. Mathias has not done so. Although he has filed an untimely statement of contribution report "under protest,"⁸¹ it is not accurate.⁸² And even if it were accurate, it was not filed by the Commission-ordered deadline of February 2, 2024.⁸³

Mr. Mathias has ignored the Commission's Final Order, and been out of compliance, since February 3, 2024.⁸⁴

i. Alleged violations by Mr. Mathias.

a. Failure to file accurate statements of contributions, violating AS 15.13.040(k). Mr. Mathias was ordered by the Commission to file

⁷⁷ See Final Order 29 (Exhibit 1); *see also* AS 15.13.074(b).

⁷⁸ See Superior Court Order on the Final Order at 32-40 (Exhibit 22).

⁷⁹ See Status Update at 4-5 (Exhibit 2).

⁸⁰ See Final Order at 32 (Exhibit 1).

⁸¹ See Mr. Mathias's Amended Statement of Contributions Form 15-5 (Mar. 7, 2024) [hereinafter Mathias Statement of Contributions] (Exhibit 23).

⁸² See *id.* at 2 (reporting checks to AHE through October 2, 2023); *see* Final Order at 9 (Exhibit 1) (noting inaccuracies in reporting).

⁸³ See Mathias Statement of Contributions (Exhibit 23).

⁸⁴ Because this Complaint is being filed on July 29, 2024, Mr. Mathias has failed to comply with the Final Order for 177 days. Alternatively, Mr. Mathias was at least 33 days late when he filed his statement of contribution "under protest" on March 7, 2024.

statements of contributions for his contributions to AHE.⁸⁵ Mr. Mathias did not file a statement of contribution by the deadline set in the Final Order.⁸⁶ Moreover, the statement of contribution that Mr. Mathias did file is not accurate, is only done “under protest,” and does not satisfy the Commission’s order.⁸⁷

b. Any other violations of AS 15.13. et seq. that are discovered during this proceeding.

III. CONCLUSION

The Commission ordered Respondents to file accurate reports with APOC by February 2, 2024.⁸⁸ Respondents have utterly failed to do so, despite being given numerous opportunities to do so.⁸⁹ Because of their intentional failure to continue to hide who funded a six-figure effort to change Alaska’s election laws, the Commission should conclude that Respondents have not followed its Final Order, and require immediate compliance with APOC’s reporting requirements, and impose civil penalties accordingly.

CASHION GILMORE & LINDEMUTH
Attorneys for Complainant, Alaskans for Better
Elections, Inc.

DATE: July 29, 2024

By: _____


Scott M. Kendall
Alaska Bar No. 0405019
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⁸⁵ See Final Order at 32 (Exhibit 1).

⁸⁶ See Mathias Statement of Contributions (Exhibit 23).

⁸⁷ See *id.* at 2 (reporting checks to AHE through October 2, 2023); see Final Order at 9 (Exhibit 1) (noting inaccuracies in reporting).

⁸⁸ See Final Order at 32 (Exhibit 1).

⁸⁹ See Status Update at 4-5 (Exhibit 2).

BEFORE THE ALASKA PUBLIC OFFICES COMMISSION

Alaskans for Better Elections,	)	
	)	
Complainant,	)	
	)	
v.	)	APOC Case No. 23-01-CD
	)	
Alaskans for Honest Elections, Alaskans for	)	
Honest Government, Wellspring Ministries,	)	
Wellspring Fellowship, Ranked Choice	)	
Education Association, Art Mathias, and Phillip	)	
Izon,	)	
	)	
Respondents.	)	
_____	)	

FINAL ORDER

Alaskans for Better Elections (ABE) alleged violations of AS 15.13 by seven respondents: Alaskans for Honest Elections (AHE), Alaskans for Honest Government (AHG), Wellspring Ministries, Wellspring Fellowship, Ranked Choice Education Association (RCEA), Art Mathias, and Phillip Izon. ABE alleges that the respondents have failed to register with APOC, failed to correctly report contributions and expenditures, failed to provide accurate paid-for-by identifiers on communications, made an unlawful cash contribution, and/or failed to report the true source of contributions to AHE. The allegations all relate to the signature gathering effort for ballot initiative 22AKHE, which seeks to repeal the open primary and top-four ranked choice general election system that Alaska voters enacted by initiative in 2020.

After completing an investigation, the Alaska Public Offices Commission Staff

recommended that the Commission find that the following violations occurred¹:

- Failure to register before making expenditures, in violation of AS 15.13.050(a) by AHE, AHG,² and RCEA
- Failure to file timely and accurate independent expenditure, statement of contribution, and/or quarterly reports, in violation of AS 15.13.040 and 15.13.110(g) & (h) by AHG, RCEA, AHE, and Art Mathias³
- Failure to place compliant paid-for-by identifiers on communications in support of 22AKHE, in violation of AK 15.13.090: AHG, RCEA, AHE
- Making a cash contribution in excess of \$100, in violation of AS 15.13.074(e) by RCEA
- True-source reporting violations of AS 15.13.040 and 15.13.074(b) by RCEA, AHE, and Art Mathias

After a hearing on November 16, 2023, the Commission finds that these violations occurred and imposes civil penalties totaling \$94,610.

I. BACKGROUND

A. Ballot initiative 22AKHE

On November 23, 2022, Phillip Izon, Art Mathias, and Jamie R. Donley filed an application for certification of an initiative entitled “An Act Restoring Political Party Primaries and Single-Choice General Elections.”⁴ The Lieutenant Governor certified the petition,⁵ which was named “Alaskans for Honest Elections” and identified as 22AKHE by its sponsors, on January 20, 2023. The Division of Elections delivered petition

¹ Staff Report at 27-28, available at <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=25421> and <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=25422>.

² This violation is not included in the Conclusion of Staff’s Report. It is discussed at page 15-16 of the Report.

³ Staff’s Conclusion also does not list this violation, which is discussed at page 26 of the Report.

⁴ See AS 15.45.020, AS 15.45.030.

⁵ See AS 15.45.070.

booklets to the sponsors on February 8, 2023. Sponsors' deadline to file them with enough signatures to place the initiative on the ballot is February 7, 2024.⁶

B. Respondents

This matter concerns allegations that the seven respondents failed in various ways to meet their obligations under Alaska's campaign finance laws in connection with support of 22AKHE. The two individual respondents are Art Mathias and Phillip Izon, two of 22AKHE's three primary sponsors. Each of the five other respondents is an organization in which Mathias, Izon, or both serves in a key role.

Two of the five respondent organizations have registered with APOC. First, Alaskans for Honest Government (AHG) registered as an entity on November 1, 2022. AHG's stated purposes were to "help Alaskans with data, information and research" and "[p]rovide polling and other election resources to voters." Phillip Izon was listed as the entity's Record Keeper/Agent. During Staff's investigation, Mr. Izon said in an affidavit that "[AHG] is a Political Action Committee that was formed to make independent expenditures related to the November 2022 general election for Alaska's U.S. House and U.S. Senate seats" and that he registered the entity with APOC by mistake.⁷

Alaskans for Honest Elections (AHE) is an Alaska non-profit corporation created on January 23, 2023. In November 2022, Mr. Izon inquired with APOC Staff about whether AHE had an obligation to register and report its expenditures "prior to the state

⁶ See AS 15.45.140.

⁷ Staff Report Ex. 13 at 1.

approved initiative.”⁸ Staff responded that “[i]t appears that what you are contemplating is a referendum (a ballot proposition to repeal a law), not an initiative,” and “the definition of an expenditure does not include money spent during the signature gathering stage of a referendum (unlike, an initiative).”⁹ AHE did not register at that point.

Then on February 23 and 24, 2023, APOC’s director followed up and advised Mr. Izon that because AHE had filed an initiative proposal application, not a referendum as Staff had mistakenly opined, AHE *did* have reporting obligations during the signature gathering stage and reports were likely overdue by that point.¹⁰ APOC’s director reiterated that “money raised and spent for the purpose of supporting an initiative application must be reported” and “is not contingent on approval of the application.”¹¹

AHE registered as a group with APOC on March 20, 2023, with the stated purpose of “[a]ny lawful election matters.” Phillip Izon is the group’s chairman and a director; Art Mathias is also a director. AHE filed its first quarter report for 2023 on April 10, 2023.¹² That report included a nonmonetary contribution and corresponding expenditure of \$200,000 for Mr. Izon’s “Management Costs/Time.” Mr. Izon explained to Staff that this amount was intended as an estimate of the total value of the services he would contribute

⁸ Staff Report Ex. 23 at 4.

⁹ *Id.* at 2-3.

¹⁰ Staff Report Ex. 24 at 6.

¹¹ *Id.* at 1.

¹² Staff Report Ex. 25; AS 15.13.110(g).

running AHE's initiative campaign all the way through an election.¹³ AHE filed a second quarter report as well. Both quarterly reports disclosed contributions from RCEA.

The oldest of the respondent organizations is Wellspring Ministries, an Alaska nonprofit corporation formed in July 1999. Art Mathias is its president and treasurer. Wellspring Ministries owns a building at 2511 Sentry Drive in Anchorage containing classrooms and a gymnasium, which also serves as an auditorium. Wellspring Ministries leases space in the building to other non-profit organizations. During the investigation, Wellspring Ministries explained that "[b]ecause WM is a non-profit corporation with tax-exempt status, it leases space in its building only to other non-profit organizations and charges those non-profit tenants only the cost associated with operating and maintaining the leased space that the tenant occupies"¹⁴ and that "[c]harging 'fair market value' for the use of the building space is antithetical to non-profit status."¹⁵

One of Wellspring Ministries' non-profit tenants in the Sentry Drive building is Wellspring Fellowship, the fourth of the five organizational respondents. Wellspring Fellowship is a non-profit religious corporation incorporated in Washington on December 8, 2022. Art Mathias is one of its directors, and its address is at the Wellspring Ministries building in Anchorage. Wellspring Fellowship's rent is "only the cost of operation and maintenance associated with [its] leased space."¹⁶ The leased space

¹³ Staff Report Ex. 13.

¹⁴ Staff Report Ex. 37 at 2.

¹⁵ *Id.*

¹⁶ *Id.*

includes the gymnasium, some office space, and a conference room. Wellspring Fellowship uses the gymnasium for worship services.

The fifth and final organizational respondent is Ranked Choice Education Association (RCEA), another Washington non-profit religious corporation. RCEA was incorporated on December 16, 2022. Art Mathias is its president and a director; its other two directors are Phillip Izon and Patricia Mathias. RCEA’s Bylaws state that it is an “Integrated Auxiliary of Wellspring Fellowship” with the same religious purposes as Wellspring Fellowship.¹⁷

The forgoing information about the seven respondents is summarized in the table.

Respondent Name	Organization type	Creation date	APOC registration date	Respondent Officers
Alaskans for Honest Government (AHG)	APOC registered entity	Web domain: October 15, 2022	Nov. 1, 2022 (APOC entity)	Phillip Izon (agent)
Alaskans for Honest Elections	Alaska nonprofit corporation	Jan. 23, 2023	Mar. 20, 2023 (APOC group)	Phillip Izon (chairman, director) Art Mathias (director)
Ranked Choice Education Association	Washington nonprofit religious corporation	Dec. 16, 2022	Has not registered	Art Mathias (President) Phillip Izon (director)
Wellspring Ministries	Alaska nonprofit corporation	July 1, 1999	Has not registered	Art Mathias (president, treasurer)
Wellspring Fellowship	Washington nonprofit religious corporation	Dec. 8, 2022	Has not registered	Art Mathias (director)

¹⁷ Staff Report Ex. 45 at 1; Ex. 58 at 1.

C. Respondents' communications related to 22AKHE

This matter concerns spending on respondents' communications regarding ranked choice voting and 22AKHE in particular. AHE purchased the domain for its website on November 11, 2022. The website promotes AHE's signature gathering effort for 22AKHE. From November 19, 2022 through April 6, 2023, the paid-for-by identifier on the website stated only "Paid for by Alaskans for Honest Elections," naming none of AHE's contributors. By April 21, 2023, the paid-for-by identifier listed Phillip Izon, RCEA, and Carolyn Overstreet as AHE's top three contributors.¹⁸

AHE also posted videos on a YouTube page, nearly all of which urge viewers to reject ranked choice voting and to sign the 22AKHE petition. The paid-for-by identifiers on the videos name only AHE and none of its contributors.

AHG purchased a web domain on October 15, 2022. Though Mr. Izod reported that AHG intended to make expenditures in connection with only federal races, as of November 18, 2022, AHG's website contained only material related to ranked choice voting and efforts to bring 22AKHE to the voters. The landing page displayed a link to "Alaskans for Honest Elections' Ballot Initiative" and a graphic showing the initiative process. As of April 26, 2023, AHG's website also had links to AHE's website and a page where visitors could sign up to receive a petition booklet with language directing visitors to "Click Here to sign The Initiative Today." On July 5, 2023, AHG's website landing page continued to display links to sign the petition. Since its inception, AHG's

¹⁸ Staff Report Ex. 40 & 42.

website has displayed the following paid-for identifier: “paid for by Alaskans for Honest Government. Not authorized by any candidate or candidate’s committee.”

On February 16, 2023, AHE held a petition signing event at Wellspring Ministries’ gymnasium at the building on Sentry Drive. Media reported that the event lasted at least two hours, yielded roughly 300 signatures, and included a fundraising pitch for the signature-gathering effort.¹⁹ During Staff’s investigation, Respondents explained that Wellspring Fellowship charges \$1 to a group called the Greater Alaska Chapter of the Association of Mature American Citizens (AMAC) to use the gymnasium for its monthly meetings. Respondents explained that this group, rather than either Wellspring entity, provided the gymnasium to AHE for the petition signing event.²⁰ AHE’s invitations to the event did not mention that group.²¹

RCEA purchased its first web domain on December 22, 2022, one month after the application for initiative 22AKHE was filed. The website’s landing page was devoted to promoting AHE’s efforts, with a heading reading “Alaska’s Efforts to Repeal Ranked Choice” and a link to AHE’s website. The website also listed locations to sign 22AKHE petition booklets. RCEA’s first website contained no paid-for-by identifier.

RCEA purchased a new web domain on May 23, 2023. The new website does not mention 22AKHE or contain any links to AHE materials. Rather, the website contains material arguing against ranked choice voting in general and describing it as negative and

¹⁹ Staff Report Ex. 1 at 152.

²⁰ Staff Report Ex. 37 at 5.

²¹ Staff Report Ex. 36.

a threat to democracy in all jurisdictions. However, on July 3 and 5, 2023, RCEA published tweets stating that it hopes to get 22AKHE on the ballot so ranked choice voting can be removed from “our state” and identifying itself as “the group behind” the signature collecting effort to repeal ranked choice voting in Alaska.²²

RCEA filed two Statement of Contributions reports with APOC, on May 9 and June 11, 2023, showing \$90,000 in contributions to AHE made in five installments:

- \$1,000 by check on February 6, 2022
- \$75,000 by check on February 8, 2022
- \$2,358 cash on February 22, 2022
- \$1,382 by check on February 23, 2023
- \$10,260 by check on June 11, 2023.²³

Staff’s investigation found a different but similar series of transactions. The \$1,000 contribution was made in January, not February, and RCEA’s reported check number was incorrect. The \$75,000 contribution was made on February 3 by cashier’s check, not regular check. The cash contribution was refunded to RCEA and replaced with a check in the same amount on August 1, 2023. The reported check number for the \$1,382 contribution was incorrect. And no \$10,260 contribution was made on June 11 or otherwise. Instead, RCEA contributed \$11,000 to AHE by check on May 22, 2022. The total of RCEA’s actual contributions to AHE was therefore \$90,740, not \$90,000.

²² Staff Report Ex. 52 & 54.

²³ Staff Report Ex. 55 & 56.

RCEA's May 9 report did not provide a true source for the four contributions it reported. The June 11 report, however, disclosed that Mr. Mathias was the true source of \$90,000 of contributions to AHE, via a donation in that amount from Mr. Mathias to RCEA on December 20, 2022.²⁴ Media reported that at the 22AKHE petition signing event at the Wellspring Ministries building on February 16, Mr. Mathias told attendees he had contributed \$100,000 to the ballot measure group.²⁵

II. LAW AND ANALYSIS

The violations Staff found fall into five categories—registration violations (AS 15.13.050(a)), reporting violations (AS 15.13.040 and AS 15.13.110), paid-for-by identifier violations (AS 15.13.090(a)), a cash contribution violation (AS 15.13.074(e)), and true source violations (AS 15.13.040 and 15.13.074(b)).²⁶ Each is discussed in turn, followed by a summary table showing the maximum statutory penalty calculations for each violation, the penalty assessment amounts produced by application of 2 AAC 50.855, and the Commission's penalty mitigation determinations under 2 AAC 50.865.²⁷

²⁴ Staff Report Ex. 55.

²⁵ Staff Report Ex. 2 at 16 & Ex. 35.

²⁶ The allegation that Mr. Izon should be personally responsible for violations committed by respondent organizations that he directs or controls is dismissed. *See* Staff Report at 26-27.

²⁷ Staff's Report did not apply 2 AAC 50.855, instead making recommendations for the application of 2 AAC 50.865 directly to the statutory maximum penalty amounts. But the statutes and the regulatory framework require the Commission to assess civil penalties in complaint matters in the same manner as in Staff-initiated matters and then to proceed to the mitigation analysis. *See* AS 15.13.390(a)(5) & (b). The starting point for the Commission's discretionary mitigation determinations is always a "civil penalty determined under 2 AAC 50.855." 2 AAC 50.865(a), (b), & (d).

A. Registration violations

The Complaint alleges that three respondents, AHG, RCEA, and AHE, failed to register before making expenditures supporting the 22AKHE application. Each “person other than an individual” must register with APOC “[b]efore making an expenditure in support of or in opposition to . . . an initiative proposal application”²⁸ An “expenditure” is “a purchase or transfer of money or anything of value, or promise or agreement to purchase or transfer anything of value, incurred or made for the purpose of . . . supporting or opposing an initiative proposal application.”²⁹ Expenditure “includes an express communication,” but “does not include an issues communication.”³⁰ And an express communication “is one that when read as a whole and with limited reference to outside events, is susceptible of no other reasonable interpretation but as an exhortation to vote for or against a specific candidate.”³¹ APOC uses that statutory definition to identify expenditures in the ballot proposition and initiative context as well.³²

1. Alaskans for Honest Government

From its inception, AHG’s website was devoted to the subject of ranked choice voting, specifically supporting AHE’s effort to collect signatures for 22AKHE.³³ The Commission agrees with Staff’s conclusion that AHG violated AS 15.13.050(a) by

²⁸ AS 15.13.050(a). “Person” includes APOC entities and groups. AS 15.13.400(16).

²⁹ AS 15.13.400(7)(A)(iv).

³⁰ AS 15.13.400(7)(C).

³¹ AS 15.13.400(8).

³² *See Brief of Appellee, Alaska Policy Forum v. APOC*, 2023 WL 3972969 at *12-21 (Alaska Apr. 4, 2023).

³³ Staff Report Ex. 15-20.

failing to register before making an expenditure on its website.³⁴ AHG registered as an entity on November 1, 2023, 17 days after the expenditure on its website. The statutory maximum penalty for this violation is \$50 per day, totaling \$850.³⁵ But because this is a “late filing of . . . a registration” by “a first-time filer,” no penalty is assessed.³⁶

2. Ranked Choice Education Association

Similarly, RCEA’s website from its inception on December 22, 2022 through May 2023 was devoted to supporting 22AKHE, and respondents do not dispute that the original website was an express communication requiring registration and reporting.³⁷ Staff found, and the Commission agrees, that the website did not stop being an express communication in support of 22AKHE when RCEA purchased a new domain in May 2023. Even though the new website no longer mentions the initiative by name, the website continues to present extensive, non-neutral advocacy against ranked choice voting. RCEA had no pre-22AKHE history of educating the public about the subject. And RCEA’s tweets on July 3 and 5, 2023 identified it as “the group behind the repeal of #RankedChoiceVoting in Alaska,” hoping to “get this on the ballot” and “remove it from our State.” Considering this context—especially RCEA’s own contemporaneous

³⁴ Staff Report at 15-16. The Commission agrees with Staff that AHG is a “nongroup entity,” AS 15.13.400(14), not a group, because AHG was not “organize[d] for the principal purpose of filing an initiative proposal application” and did not file one. AS 15.13.400(9)(C).

³⁵ AS 15.13.390(a).

³⁶ 2 AAC 50.855(b)(2)(A)(i).

³⁷ Staff Report Ex. 44 at 3 ¶ 11, Ex. 48; *see* Respondents’ Response to APOC Staff Report at 16-17, available at <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=25423>.

statements about the group’s mission to repeal ranked choice voting in Alaska and its recent advocacy supporting 22AKHE by name—RCEA’s website as of at least July 5, 2023 was susceptible of no other reasonable interpretation but as a continuation of the group’s pre-existing exhortation to support 22AKHE.³⁸

The Commission therefore concludes that RCEA’s website was an express communication at all times until at least Staff’s tolling of penalties on July 5, 2023. RCEA violated AS 15.13.050(a) by failing to register as an entity during that time, and still has not registered. The maximum penalty for this violation over the period of 195 days is \$9,750. Because this is the first alleged violation against RCEA, the penalty for this incomplete registration is assessed at 50 percent of the maximum, \$4,875.³⁹

The Commission finds that RCEA is entitled to have the portion of this penalty that accrued before February 23, 2023 (63 days, \$1,575) mitigated entirely due to Staff’s incorrect advice about reporting obligations in connection with 22AKHE⁴⁰ and to have the remaining \$3,300 reduced by an additional 50 percent, to \$1,650, because it is an inexperienced filer.⁴¹ Further mitigation is not warranted given RCEA’s continuing failure to register, even though it has conceded making express communications that require registration and reporting.⁴²

³⁸ See AS 15.13.400(7)-(8).

³⁹ 2 AAC 50.855(b)(3)(B).

⁴⁰ 2 AAC 50.865(b)(2)(B).

⁴¹ 2 AAC 50.865(a)(1)(B).

⁴² See Response to APOC Staff Report at 17.

3. Alaskans for Honest Elections

The Commission similarly agrees with Staff that AHE violated AS 15.13.050(a) by failing to register before making expenditures in support of 22AKHE. AHE purchased its web domain on November 11, 2022, and registered as a group on March 20, 2023, a penalty period of 129 days leading to a maximum penalty of \$6,450. Like AHG, AHE cannot be assessed a penalty for this late registration because it was a first-time filer.⁴³

B. Reporting violations

Persons making independent expenditures in support of an initiative application must file independent expenditure reports within ten days of each expenditure.⁴⁴ And a group or entity that receives contributions or makes expenditures exceeding \$500 within a calendar year supporting an initiative must file quarterly reports during the period before an election campaign begins.⁴⁵ The maximum statutory penalty for failure to file both types of reports is \$50 per day.⁴⁶

1. Alaskans for Honest Government

AHG violated these statutes when it failed to file an independent expenditure report in connection with the purchase of its web domain and failed to file a fourth quarter report for 2022. The independent expenditure report was due December 3, 2022—ten days after the 22AKHE application was filed—and penalties were tolled on

⁴³ 2 AAC 50.855(b)(2)(A)(i).

⁴⁴ AS 15.13.040(d)-(e); AS 15.13.110(h).

⁴⁵ AS 15.13.110(g).

⁴⁶ AS 15.13.390(a).

July 5, 2023,⁴⁷ covering a period of 214 days and leading to a maximum penalty of \$10,700. The fourth quarter report was due January 10, 2023, leading to a penalty period of 176 days and a maximum penalty of \$8,800.⁴⁸

Because these reports have never been filed and because they were not AHG's first violation, 2 AAC 50.855 provides no reduction to the statutory maximum.⁴⁹ However, the Commission finds that the portion of these penalties that accrued before Staff's incorrect advice was remedied should be mitigated entirely⁵⁰ and the remaining portion mitigated by fifty percent because AHG is an inexperienced filer.⁵¹ That leads to a penalty of \$3,300 for each of the two missing reports. From there, the Commission waives the independent expenditure report penalty entirely because the value of the expenditure—AHG's web domain—was certainly far less than \$3,300 and is therefore "significantly out of proportion to the degree of harm to the public."⁵² Because AHG has never provided the information that would have been required on a quarterly report,

⁴⁷ Staff Report at 28 n.152.

⁴⁸ ABE argues that Staff neglected to impose a penalty on AHG for failure to file a first quarter report, citing the Staff Report at page 18. It is apparent, however, that Staff intended to describe a *fourth* quarter reporting violation at page 18, consistent with the Conclusion at pages 27 and 29 of the report. APOC received no evidence that AHG received contributions or made expenditures triggering quarterly reporting obligations in 2023. See AS 15.13.110(g); Staff Report Ex. 30 at 4 (describing AHG as inactive for "months and months" as of August 2023).

⁴⁹ 2 AAC 50.855(b)(3)(C).

⁵⁰ 2 AAC 50.865(b)(2)(B).

⁵¹ 2 AAC 50.865(a)(1)(B).

⁵² 2 AAC 50.865(b)(5).

however, that factor cannot be applied to the second penalty and the Commission imposes a \$3,300 penalty for that missing report.

2. Alaskans for Honest Elections

Staff concluded that AHE violated AS 15.13.040(d) and 15.13.110(h) by failing to file three independent expenditure reports, instead reporting the expenditures late on its first quarter report. AHE also violated AS 15.13.110(g) by filing inaccurate first and second quarter reports and filing its second quarter report late. Staff issued civil penalty assessments for these violations. In the context of this complaint matter, they are dismissed without prejudice to be addressed through the civil penalty assessment process.

The Commission notes for purposes of those civil penalty assessment matters that Staff found, and the Commission agrees, that AHE's reports violated AS 15.13.110(g) because they did not identify the true source of the \$90,740 AHE received from RCEA.⁵³ Staff also found, and the Commission agrees, that AHE should have reported a non-monetary contribution from Wellspring Ministries for the use of the gymnasium in its building for a signature drive and fundraising event lasting more than two hours on February 16, 2023.⁵⁴ Wellspring Ministries, which is controlled by Mr. Mathias, leases the space at cost to Wellspring Fellowship, which is also controlled by Mr. Mathias. Wellspring Fellowship allows the Greater Alaska Chapter of the AMAC to use the space for its meetings for \$1. And AMAC allowed AHE, which is also led by Mr. Mathias, to use the gymnasium at no charge. Wellspring Ministries and/or Wellspring Fellowship,

⁵³ See AS 15.13.040(b)-(e) & (q).

⁵⁴ Staff Report Ex. 1 at 152.

not AMAC, was the true source of this non-monetary contribution to AHE⁵⁵ and its value is “the normal market charge for” the use of similar space.⁵⁶

3. Ranked Choice Education Association

Staff concluded that RCEA violated AS 15.13.040(d) and 15.13.110(h) by failing to file an independent expenditure report in connection with the purchase of its web domain. That report should have been filed by January 1, 2023, leading to a penalty period of 185 days and a maximum penalty of \$9,250. And Staff concluded that RCEA violated AS 15.13.110(g) by failing to file a fourth quarter report for 2022 by January 10, 2023, a penalty period of 176 days and a maximum penalty of \$8,800.

Staff’s report overlooked RCEA’s obligation to file a 2023 first quarter report because RCEA contributed to the 22AKHE effort during that period.⁵⁷ The report was due April 10, 2023, leading to a penalty period of 86 days and a maximum of \$4,300.

The Commission applies the same penalty analysis to these three missing reports as to those of AHG. First, 2 AAC 50.855 provides no reduction because the reports remain incomplete and are not RCEA’s first alleged violation.⁵⁸ However, the Commission applies 2 AAC 50.865 to mitigate all penalty accruals prior to February 23,

⁵⁵ AS 15.13.400(19) makes AMAC an “intermediary for the true source” because AMAC received its access to the gymnasium space as a donation or gift.

⁵⁶ 2 AAC 50.250(b)(1)(A). The Commission agrees with Staff that there is insufficient evidence to find an AS 15.13 violation based on AHE’s reporting of a \$200,000 estimated nonmonetary contribution of future services from Mr. Izon.

⁵⁷ AS 15.13.110(g). One of RCEA contributions was a direct expenditure for the petitions themselves, on AHE’s behalf. Staff Report Ex. 56.

⁵⁸ 2 AAC 50.855(b)(3)(C).

2023 due to Staff's incorrect advice about reporting obligations related to ballot initiative campaigns and mitigates the penalties that accrued after that date by 50 percent because RCEA was an inexperienced filer.⁵⁹ That analysis leads to a \$3,300 penalty each for the independent expenditure report and fourth quarter report and a \$2,150 penalty for the first quarter report. The Commission applies 2 AAC 50.865(b)(5) to waive the penalty for the report associated with the web domain expenditure because it is out of proportion to the size of that transaction.⁶⁰ But because of the sizable amounts of RCEA's other transactions, no further mitigation is available for the two quarterly report violations.

4. Art Mathias

Mr. Mathias made a \$90,000 contribution to RCEA on December 22, 2022, which, as discussed below, was a contribution to AHE through RCEA as intermediary. Mr. Mathias was required to file a statement of contributions report by January 21, 2023, 30 days after making that contribution,⁶¹ leading to a penalty period of 165 days and a maximum statutory penalty of \$8,250. 2 AAC 50.855(b)(3)(B) reduces this penalty by 50 percent because the missing report is Mr. Mathias's first alleged violation. The Commission then applies 2 AAC 50.865(a)(1)(B) and (b)(2)(B) to mitigate the penalty entirely through February 23, 2023 and by 50 percent thereafter. That leads to a penalty of \$1,237.50 for this violation.

⁵⁹ 2 AAC 50.865(b)(2)(B); 2 AAC 50.865(a)(1)(B).

⁶⁰ 2 AAC 50.865(b)(5).

⁶¹ AS 15.13.040(k).

C. Paid-for-by identifiers

Alaska’s campaign disclosure law requires all communications to be identified using the words “paid for by” followed by the name and address of the person paying for the communication.⁶² If the communication comes from a person other than an individual or a candidate—like a group or an entity—the identifier must include the name and title of the person’s principal officer; a statement that the principal officer approves the communication; and the name, city, and state of each of the person’s top three contributors.⁶³ Communications requiring these disclosures include websites and videos like those published by AHE, AHG, and RCEA.⁶⁴ The maximum civil penalty for failing to provide the required identifier is \$50 per day.⁶⁵

1. Alaskans for Honest Government

AHG’s website has never identified its principal officer, provided a statement that the principal officer approves the communications on the website, or named its top three contributors. The Commission agrees with Staff that AHG violated AS 15.13.090(a). The penalty period began November 23, 2022, when the 22AKHE application was filed, and ends with Staff’s tolling of penalties on July 5, 2023, a period of 224 days, leading to a statutory maximum penalty of \$11,200. The Commission considers the inaccurate paid-for-by violations analogous to the “error in a registration, statement, or report” provision

⁶² AS 15.13.090(a).

⁶³ *Id.*

⁶⁴ *See* AS 15.13.400(3); 2 AAC 50.306(e)(2).

⁶⁵ AS 15.13.390(a).

of 2 AAC 50.855, which leads to a 50 percent reduction in the penalty assessed because it was AHG’s “first election cycle.”⁶⁶ And the Commission applies 2 AAC 50.865(a)(1)(B) (inexperienced filer) and (b)(2)(B) (Staff error) to mitigate this penalty entirely through February 23, 2023 and by 50 percent thereafter. That leads to a penalty of \$1,650 for this violation.

2. Alaskans for Honest Elections

Between November 23, 2022 and April 6, 2023, the paid-for-by identifier on AHE’s website did not name its principal officer, did not include a statement that the principal officer approves of communications on the website, and did not name any of AHE’s top three contributors. Even after AHE added this information, its paid-for-by identifier remained out of compliance because it listed RCEA instead of Mr. Mathias as a top-three contributor. RCEA was an intermediary for Mr. Mathias, who was the true source of the contribution.⁶⁷ The Commission finds that AHE violated AS 15.13.090(a) during the same 224-day day penalty period as AHG, leading to the same statutory maximum penalty of \$11,200. And the Commission applies the same regulatory provisions—2 AAC 50.855(b)(2)(C)(i), 2 AAC 50.865(a)(1)(B), and (b)(2)(B)—to impose the same penalty of \$1,650 for this violation.

AHE also failed to include compliant paid-for-by identifiers on its videos. The written portions do not contain the required information, and the identifiers do not remain on the screen throughout the videos as required by AS 15.13.090(c). Staff determined

⁶⁶ 2 AAC 50.855(b)(2)(C)(i).

⁶⁷ AS 15.13.090(a); AS 15.13.040(e)(5); AS 15.13.400(19). *See* section II.E below.

based on its investigation that “[t]he combined amount of time that the videos were posted without a compliant paid-for-by identifier” was 1,830 days, resulting in a maximum civil penalty of \$91,500. AHE has not disputed that determination, and the Commission therefore accepts it. The Commission applies 2 AAC 50.855(b)(2)(C) to reduce that penalty by 50 percent. Lacking precise dates for the different videos, the Commission cannot apply full mitigation through February 23, 2023 with precision as it has done for other violations due to Staff error. The Commission therefore uses a rougher estimate and reduces the penalty by 75 percent to account for both Staff error and the fact that AHE is in its first election cycle.⁶⁸ That leads to a penalty of \$11,437.50 for the identifier violations on AHE’s videos.

3. Ranked Choice Education Association

RCEA’s websites had no paid-for-by identifier at all, and RCEA therefore also violated AS 15.13.090(a). Staff recommended imposing a penalty from December 22, 2022 through May 23, 2023 when RCEA purchased its new website.⁶⁹ However, that recommendation is inconsistent with Staff’s and the Commission’s conclusion that RCEA was engaged in express communications even after changing its website. Through at least July 5, 2023, RCEA identified itself to the public, consistent with its original website, as “the group” behind the 22AKHE effort.⁷⁰ The Commission therefore imposes a penalty through that date, a period of 195 days, leading to a statutory maximum penalty

⁶⁸ 2 AAC 50.865(a)(1)(B) & (b)(2)(B).

⁶⁹ Staff Report at 30.

⁷⁰ Staff Report Ex. 52 & 54.

of \$9,750. Because RCEA’s absent identifier is analogous to an incomplete filing rather than a late or erroneous one, 2 AAC 50.855(b)(3) requires a maximum penalty assessment. The Commission then applies 2 AAC 50.865(a)(1)(B) and (b)(2)(B) to mitigate the penalty entirely through February 23, 2023 and by 50 percent thereafter and imposes a penalty of \$3,300 for this violation.

D. Cash contribution

A person or group may not make a cash contribution exceeding \$100.⁷¹ RCEA does not dispute that it violated this provision when it contributed \$2,358 in cash to AHE. When an unlawful cash contribution is discovered, the recipient must return it to the contributor.⁷² Staff found, and the Commission agrees, that AHE remedied this violation by returning the \$2,358 to RCEA. Mr. Izon explained that “[a]s of July 25, 2023, that cash contribution has been corrected by refund to RCEA and the reissuance of an RCEA check in the same amount to AHE.”⁷³

Complainant argues that this approach did not fully correct the problem because RCEA has not identified the true source of the \$2,358 in cash it originally gave to AHE. But RCEA *did* identify the true source of the \$2,358—Mr. Mathias.⁷⁴ Staff could have

⁷¹ AS 15.13.074(e).

⁷² AS 15.13.114(a).

⁷³ Staff Report Ex. 13 ¶ 5. Mr. Izon’s statement was not quite accurate. The \$2,358 check to AHE was actually dated August 1, 2023. Staff Report Ex. 56.

⁷⁴ Staff Report Ex. 56.

recommended a per-day penalty covering the time before the refund was made,⁷⁵ but did not. The Commission declines to impose a separate monetary penalty for this violation.

E. True Source violations

The final type of violation Staff recommended the Commission find in this matter concerns the allegation that Mr. Mathias, RCEA, and AHE all failed to comply with “true source” reporting requirements regarding Mr. Mathias’s \$90,000 contribution to RCEA and RCEA’s contribution, in turn, of almost exactly that amount to AHE. Alaska law prohibits contributing anonymously or using the name of another.⁷⁶ Rather, contributions must be made in the name of the true source of the money or thing of value,⁷⁷ and a person making independent expenditures must report the true source of contributions it receives.⁷⁸ The true source is the contributor “whose contribution is funded from wages, investment income, inheritance, or revenue generated from selling goods or services.”⁷⁹ By contrast, a contributor “who derived funds via contributions, donations, dues, or gifts” is not a true source, but rather, “an intermediary for the true source.”⁸⁰

Respondents argue that true source reporting has “no application to a ballot

⁷⁵ See AS 15.13.390(a).

⁷⁶ AS 15.13.074(b).

⁷⁷ 2 AAC 50.258(a).

⁷⁸ AS 15.13.040(e) & (q).

⁷⁹ AS 15.13.400(19).

⁸⁰ *Id.* “[A] membership organization [that] receives dues or contributions of less than \$2,000 per person per year” can be a true source.

proposition campaign.”⁸¹ They contend that AS 15.13.065(c) makes AS 15.13.074(b) and 2 AAC 50.258 inapplicable to ballot initiative campaigns. AS 15.13.065(c) provides:

Except for reports required by AS 15.13.040 and 15.13.110 and except for the requirements of AS 15.13.050, 15.13.060, and 15.13.112 – 15.13.114, the provisions of AS 15.13.010 – 15.13.116 do not apply to limit the authority of a person to make contributions to influence the outcome of a ballot proposition.

This statute does not exempt any of the respondents from reporting the true source of contributions made and received for the purpose of influencing the outcome of 22AKHE. First, the statute makes clear that the registration and reporting requirements of AS 15.13.040, 15.13.050, and 15.13.110 all *do* apply to ballot propositions. And even without considering AS 15.13.074(b), those statutes require all three parties to report the contributions at issue here and to identify their true source. AHE, a group making expenditures, was required by AS 15.13.040(b), (d), (e), and (q) to report contributions it received and their true sources. RCEA, an entity that made independent expenditures in support of 22AKHE, was required by AS 15.13.040(d), (e), and (q) to report its contributions and expenditures and their true sources. And AS 15.13.040(k) required both Mr. Mathias and RCEA to report Mr. Mathias’s contribution to AHE via RCEA.

Moreover, AS 15.13.074(b) does apply and is an independent statutory source, above and beyond AS 15.13.040 and AS 15.13.110, for Mr. Mathias and RCEA’s obligation to disclose that Mr. Mathias was the true source of \$90,000 RCEA contributed

⁸¹ Respondents’ Response to APOC Staff Report at 5-11; Respondents’ Motion for Partial Summary Judgment, available at <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=25425>.

to AHE. The statute prohibits contributions made “anonymously, using a fictitious name, or using the name of another.” The plain language of AS 15.13.065(c) does not exempt contributions in support of ballot initiatives from that prohibition; the prohibition does not “limit the authority of a person to make contributions to influence the outcome of a ballot proposition” that the person would otherwise have.⁸² Because of the reporting obligations in the parts of the statute that unquestionably do apply, no one has “authority” to contribute anonymously or in the name of another.

Mr. Mathias has “authority” to contribute unlimited amounts to AHE. Requiring him, RCEA, and AHE to disclose that he is the true source of contributions to AHE does not limit that authority in any way. Reading AS 15.13.065(c) as Respondents do would undermine the reporting obligations at the heart of the statutory scheme, which unquestionably apply to ballot initiatives and require true source reporting.⁸³ The Alaska Supreme Court has long confirmed that the law requires transparency about the funding of ballot initiative campaigns, writing that:

[a] ballot measure is often of great importance financially to its proponents, opponents, or both, and multi-million dollar advertising campaigns have been waged. In such circumstances the voter may wish to cast his ballot in accordance with his approval or disapproval, of the sources of financial support.⁸⁴

⁸² AS 15.13.065(c).

⁸³ *Id.*; AS 15.13.040.

⁸⁴ *Messerli v. State*, 626 P.2d 81, 87 (Alaska 1981).

Respondents argue that Alaska’s true source reporting requirements infringe upon the First Amendment associational right of donors to give anonymously to nonprofits.⁸⁵ But the law requires disclosure of who funds *political* advocacy, not nonprofit donors generally. And the U.S. Supreme Court has recognized that a state can require disclosure of funding sources supporting signature collection for ballot initiatives.⁸⁶

In sum, the Commission concludes that Staff correctly applied AS 15.13.074(b) and the true source reporting requirements of AS 15.13.040 to the respondents.

Respondents also make a fact-based argument that Mr. Mathias was not actually the true source of \$90,000 of RCEA’s contributions to AHE, despite RCEA’s June 11, 2023 report to APOC that he was.⁸⁷ They argue that because RCEA had other donors besides Mr. Mathias and because money is fungible, the money RCEA gave to AHE is “not traceable” to him.

The most fundamental problem with this argument is that even if the Commission accepted it, it would not relieve RCEA and AHE of their obligation to disclose the true source of these contributions. Ruling out Mr. Mathias as the true source does not convert RCEA into the true source. Because RCEA derives its funds from “contributions, donations, dues, or gifts,” it is an intermediary and not, by definition, the true source of a

⁸⁵ See, e.g., *Nat’l Ass’n for Advancement of Colored People v. State of Alabama*, 357 U.S. 449, 462–63 (1958).

⁸⁶ *Buckley v. Am. Const. L. Found., Inc.*, 525 U.S. 182, 205 (1999) (explaining that states can “legitimately require[] sponsors of ballot initiatives to disclose who pays petition circulators, and how much”).

⁸⁷ Staff Report Ex. 34.

contribution.⁸⁸ AHE and RCEA must therefore identify the true source of money RCEA contributes, even if it is not Mr. Mathias.⁸⁹

The Commission agrees, however, with Staff's conclusion that Mr. Mathias was the true source of \$90,000 out of the \$90,740 RCEA gave to AHE. Respondents' own statements and the other evidence compel this conclusion. RCEA's June 11 Statement of Contributions report identified Mr. Mathias as the true source of RCEA's contributions to AHE. There can be no coincidence to the fact that RCEA reported contributing the exact amount it received from Mr. Mathias—\$90,000—even though Mr. Mathias overshot slightly, writing the final check to AHE for \$740 more than Mr. Izon had reported.⁹⁰

In a July 20, 2023 letter to APOC Staff, Respondents' attorney plainly acknowledged that Mr. Mathias was the true source, writing that "AHE and Mr. Mathias voluntarily disclosed, in an effort to be candid with the Alaska public, that Mr. Mathias made the first contribution to RCEA that RCEA then contributed to AHE."⁹¹ The letter emphasized, correctly, that Mr. Mathias "would have been perfectly within the law to contribute those funds to AHE directly."⁹² The problem was not the contribution or its amount but rather, its incorrect attribution to an intermediary rather than a true source.

The testimony of Mr. Mathias and Mr. Izon at the hearing did not undermine Staff's conclusion. Mr. Mathias testified at the hearing that he himself makes the

⁸⁸ AS 15.13.400(19).

⁸⁹ AS 15.13.040(d), (e), (q).

⁹⁰ See Staff Report Ex. 33-34 & 56.

⁹¹ Staff Report Ex. 3 at 9.

⁹² *Id.*

decisions about money going out of RCEA. And he personally signed the checks from RCEA to AHE.⁹³ Respondents now describe RCEA’s true source report as a mistake, but offer no explanation for RCEA naming Mr. Mathias as the true source other than the obvious reason—that he was. When asked why he identified Mr. Mathias as the true source, Mr. Izon said only that he “thought it was required.”

Mr. Mathias also acknowledged his contribution to AHE publicly at the February 16, 2023, fundraising and signature gathering event. One media account of his comments described him saying “he’s donated \$100,000 to the effort,” and Mr. Mathias now says that meant “the effort” more broadly, including RCEA’s out of state educational efforts.⁹⁴ But the article as a whole describes the February 16 event as focused on the “signature drive aiming to get rid of ranked choice voting” in Alaska, also calling it “the repeal effort” and quoting Mr. Mathias’s warning about “Outside corporations coming up and buying our candidates and buying our elections.”⁹⁵ RCEA is not mentioned. Another article reported that Mr. Mathias “repeatedly told attendees that he had contributed \$100,000 to the ballot measure group seeking to overturn ranked choice voting.”⁹⁶

The Commission agrees with Staff that the weight of the evidence shows that Mr. Mathias intended his \$90,000 contribution to RCEA to be passed through to AHE as

⁹³ Staff Report Ex. 56.

⁹⁴ Staff Report Ex. 51 at 1 ¶ 4. “The effort” was the reporter’s word choice, not a direct quote attributed to Mr. Mathias. Staff Report Ex. 35.

⁹⁵ Staff Report Ex. 35.

⁹⁶ Staff Report Ex. 2 at 16

needed and that he effectuated that intent. AHE violated AS 15.13.040(b), 15.13.110(g) and 15.13.074(b) by failing to report that Mr. Mathias was the true source of \$90,000 of the contributions it received from RCEA and by failing to report a true source for the remaining \$740 that it received from RCEA.

Mr. Mathias violated AS 15.13.040(k), 15.13.074(b), and 2 AAC 50.258(a) by contributing \$90,000 to AHE in the name of another and failing to report his contribution. The maximum penalty for that violation is \$90,000, the amount of the contribution, which the Commission can treble if an intentional violation is found.⁹⁷

RCEA violated AS 15.13.040(d), 15.13.110(h), 15.13.074(b), and 2 AAC 50.258(a) by failing to disclose the true source of the \$79,740 of contributions to AHE shown on its May 9, 2023 statement of contribution report.⁹⁸ The maximum penalty for that violation is \$79,740, “the amount of the contribution that is the subject of the misreporting or failure to disclose,” and the Commission has discretion to treble the penalty if the violation is shown to have been intentional.⁹⁹ Because the public was ultimately informed about the true source of the \$90,000, the Commission elects not to treble the penalties in this matter.

The Commission accepts Staff’s recommendation to reduce RCEA’s penalty by 75 percent largely because RCEA did report that Mr. Mathias was the true source. APOC’s regulations support that result. First, a delayed true source disclosure can reasonably be

⁹⁷ *Id.*

⁹⁸ Staff Report Ex. 33.

⁹⁹ AS 15.13.390(a)(3).

subject to the “first election cycle” 50 percent reduction to a penalty assessment under 2 AAC 50.855(b)(2)(C)(i). And for the same reason—that it is RCEA’s first election cycle—2 AAC 50.865(a)(1)(B) provides discretion to mitigate RCEA’s assessed penalty by another 50 percent. The Commission exercises that discretion and imposes a \$19,935 penalty for RCEA’s violation.

With respect to Mr. Mathias, the same penalty assessment regulation—2 AAC 50.855(b)(2)(C)(i)—applies to reduce his penalty by half. However, unlike RCEA, Mr. Mathias never reported his contribution, despite being the person who made the decision to contribute to AHE and who wrote the checks from RCEA to AHE. The Commission finds that discretionary mitigation is not warranted and imposes a penalty of \$45,000 for Mr. Mathias’s violation.

All violations found and penalties assessed are summarized in the Table. The penalties for the four respondents found to have committed violations total \$94,610.

Violation	dates of violation	total days¹⁰⁰	max penalty	2 AAC 50.855 assessment	2 AAC 50.865 mitigation
Failure to Register					
AHG	10/15/22 to 11/1/2022	17	\$850	\$0	N/A
RCEA	12/22/2022 to 7/5/2023	195	\$9,750	\$4,875	\$1,650.00
AHE	11/11/2022 to 3/20/2023	129	\$6,450	\$0	N/A
Failure to file reports					
<i>AHG</i>					
Ind. exp. Report	12/3/2022 to 7/5/2023	214	\$10,700	\$10,700	\$0
4Q 2022 Report	1/10/2023 to 7/5/2023	176	\$8,800	\$8,800	\$3,300
<i>RCEA</i>					
Ind. exp. Report	1/1/2023 to 7/5/2023	185	\$9,250	\$9,250	\$0
4Q 2022 Report	1/10/2023 to 7/5/2023	176	\$8,800	\$8,800	\$3,300
1Q 2023 Report	4/10/2023 to 7/5/2023	86	\$4,300	\$4,300	\$2,150
<i>Art Mathias</i>					
Stmt. of Cont. Report	1/21/2023 to 7/5/2023	165	\$8,250	\$4,125	\$1,237.50
Paid-for-by identifiers					
AHG	11/23/2022 to 7/5/2023	224	\$11,200	\$5,600	\$1,650
AHE-website	11/23/2022 to 7/5/2023	224	\$11,200	\$5,600	\$1,650
AHE-YouTube videos		1830	\$91,500	\$45,750	\$11,437.50
RCEA	12/22/2022 to 7/5/2023	195	\$9,750	\$9,750	\$3,300
True Source					
RCEA			\$79,740	\$39,870	\$19,935
Art Mathias			\$90,000	\$45,000	\$45,000
AHG Total					\$4,950
RCEA Total					\$30,335
AHE Total					\$13,087.50
Art Mathias Total					\$46,237.50

III. CONCLUSION

The Commission finds that the violations described in this report occurred and orders Alaskans for Honest Government, Alaskans for Honest Elections, Ranked Choice

¹⁰⁰ The statutory maximum penalty for all per-day penalty calculations in this matter is \$50, as explained in the analysis.

Education Association, and Art Mathias to pay the penalties imposed herein, in the total amounts shown on the table above.

The Commission further orders:

- AHG to file the two reports discussed herein within 30 days.
- RCEA to register as an entity and to file required reports, including its expenditures in support of 22AKHE during the time it was engaged in express communication, as well as its contributions to AHE and their true sources, within 30 days.
- AHE to correct its previous reports within 30 days and to complete future reporting in accordance with the determinations herein.
- Art Mathias to file the statement of contribution report discussed herein within 30 days.

This is a final Commission order. It may be appealed to the superior court within 30 days from the date of this order.¹⁰¹ A request for the Commission to reconsider this order must be filed within 15 days from the date this order is delivered or mailed.¹⁰²

Dated: January 3, 2024.

BY ORDER OF THE ALASKA PUBLIC OFFICES COMMISSION¹⁰³

¹⁰¹ AS 15.13.380(g), AS 44.62.560, Alaska R. App. P. 602.

¹⁰² 2 AAC 50.891(g).

¹⁰³ Commissioners Richard Stillie, Suzanne Hancock, Dan LaSota, and Lanette Blodgett voted to approve this order. Commissioner Eric Feige did not participate in the November 16, 2023 special meeting or the decision.

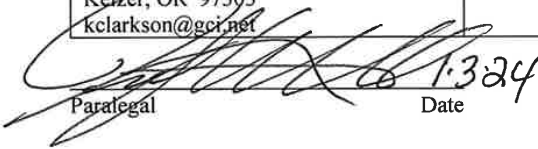
Certificate of Service:

I hereby certify that on this date, I served, by **certified mail** and **email** a true and correct copy of the foregoing in this proceeding on the following:

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Law Offices of Kevin Clarkson
2223 Latona Drive NE
Keizer, OR 97303
kclarkson@gci.net


Paralegal

1.3.24
Date

BEFORE THE ALASKA PUBLIC OFFICES COMMISSION

Alaskans for Better Elections,	)	
	)	
Complainant,	)	
	)	
v.	)	APOC Case No. 23-01-CD
	)	
Alaskans for Honest Elections, Alaskans for	)	
Honest Government, Wellspring Ministries,	)	
Wellspring Fellowship, Ranked Choice	)	
Education Association, Art Mathias, and Phillip	)	
Izon,	)	
	)	
Respondents.	)	
_____	)	

STATUS UPDATE RE: FINAL ORDER

On January 3, 2024, the Commission entered its final order in this complaint matter. Monetary penalties were imposed against four respondents—Alaskans for Honest Government, Alaskans for Honest Elections, Ranked Choice Voting Association, and Art Mathias. And the Commission ordered those same four respondents to correct various registration, reporting, and paid-for-by communication violations found by the Commission within 30 days, by February 2, 2024.

To date, none of the respondents have complied with any part of the Commission’s order in this matter. Three of the respondents who were ordered to pay penalties and correct registration, reporting, and/or paid-for-by violations have appealed the Commission’s order to the superior court, case number 3AN-24-04508CI. The Statement of Points on Appeal identifies two alleged errors in the Commission’s order: (1) the Commission’s application of the true-source requirement of AS 15.13.074(b) to an

initiative campaign generally, and its legal and factual findings regarding the applicability of that statute to Art Mathias's contributions to RCEA and RCEA's subsequent contributions to AHE, *see* Notice of Appeal points 1-10; and (2) the Commission's factual and legal conclusion that AHE should have reported an in-kind contribution from Wellspring Ministries for the use of building space for a signature gathering event. Order at 16-17; Notice of Appeal point 11.

The purpose of this follow-up order is to set forth APOC's view of the effect of that appeal on the various aspects of its order and to identify which aspects are automatically stayed, which cannot be stayed, and which the superior court could stay pending appeal, should Respondents wish to request a stay.

I. PENALTIES

Page 31 of the Commission's order summarizes the monetary penalties imposed.

The status of the penalties is as follows:

Alaskans for Honest Government

- \$3,300 for failure to file 2022 fourth quarter report
- \$1,650 for missing paid-for-by identifiers on its website

AHG did not appeal and has not paid. AHG should pay these two penalties, and if it does not do so, Staff can now refer both for collection.

Alaskans for Honest Elections

- \$1,650 resulting from missing disclosures on its website (11/23/2022 through 4/6/2023) and inaccurate paid-for-by identifier thereafter (4/7/2023 through tolling on 7/5/2023). Order at 20, 31.

AHE conceded before the Commission that the website violation occurred through April 6, 2022. Response to APOC Staff Report at 21. And its notice of appeal touches only the continuing violation that the Commission found after that date; the Commission found that Mr. Mathias should be named as one of AHE's top three contributors, and AHE argues that RCEA is the contributor and is therefore appropriately identified. Technically, this means that only the portion of this penalty that accrued after April 6, 2023 is subject to stay. Nevertheless for simplicity's sake, APOC stays the full amount. *See* 2 AAC 50.860(e).

- \$11,437.50 resulting from missing information on AHE's YouTube videos and failure to have the identifiers on screen throughout, as required by AS 15.13.090(c). Order at 20-21, 31.

AHE has not appealed any issue that could affect the findings underlying the penalty imposed regarding the YouTube videos. Indeed, AHE did not challenge Staff's analysis of this violation before the Commission, Response to APOC Staff Report at 21-22, and has not challenged the penalty amount on appeal. AHE should pay this penalty, and if it does not, Staff can now refer it for collection.

Ranked Choice Voting Association

- \$1,650 for failure to register as an entity. Order at 12-13, 31.
- \$3,300 and \$2,150 for failure to file two quarterly reports. Order at 17, 31.
- \$3,300 for RCEA's failure to include a paid-for-by identifier on its website. Order at 21-22, 31.

RCEA has not challenged these findings or the penalties imposed on appeal. These four penalties should be paid, and if they are not, Staff can refer them for collection.

- \$19,935 for failure to disclose that Mr. Mathias was the true source of its \$79,740 contribution to AHE. (RCEA later made this disclosure, though it now argues it did so in error).

RCEA challenges the factual and legal basis for this penalty on appeal, and it is therefore stayed automatically. 2 AAC 50.860(e).

Art Mathias

- \$1,237.50 for failure to file a statement of contributions report regarding his \$90,740 contribution to AHE, through RCEA. Order at 18, 31.
- \$45,000 for contributing to AHE in the name of another (RCEA) and failing to report the contribution. Order at 29, 31.

Mr. Mathias challenges the factual and legal basis for these penalties on appeal, and they are therefore stayed automatically. 2 AAC 50.860(e).

In sum, four penalties are stayed by reason of the appeal. These are AHE's \$1,650 penalty associated with its website identifiers, RCEA's penalty regarding the true-source violation, and both of Mr. Mathias's penalties related to the same. No other penalties imposed in the Commission's order are stayed.

II. REGISTRATION, REPORTING, AND DISCLOSURES

None of the aspects of the Commission's order instructing the Respondents to correct the violations the Commission found have been stayed, and the Respondents are therefore in violation of the order. Appellants can ask the superior court to stay the obligations implicated by their appeal. These are:

- AHE's obligation to report the true sources of contributions it receives and, where a true source and not an intermediary is one of AHE's top-three contributors, to disclose

that fact accurately in its communications, and to report the in-kind contribution the Commission found it received from Wellspring Ministries;

- RCEA's obligation to report the true source(s) of contributions it makes;
- Mr. Mathias's obligation to file a statement of contributions report.

None of the other actions the Commission ordered Respondents to take are affected by the appeal, and they are therefore not susceptible to a stay pending appeal. These include AHG's registration and reporting obligations, RCEA's registration obligation and reporting obligations other than those listed above, and AHE's obligation to correct past reporting, except for the disputed aspects listed above.

III. CONCLUSION

This is a status update regarding the final Commission order in this matter dated January 3, 2024. It is not intended to modify that order in any way.

Dated: March 7, 2024.

BY ORDER OF THE ALASKA PUBLIC OFFICES COMMISSION¹

¹ Commissioners Richard Stillie, Dan LaSota, Suzanne Hancock, and Lanette Blodgett voted to approve this status update to their final order. Commissioner Eric Feige did not participate in this matter.

Certificate of Service:

I hereby certify that on this date, I served, by **certified mail** and **email** a true and correct copy of the foregoing in this proceeding on the following:

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Angela Hobbs
Law Office Assistant III

March 7, 2024
Date

STATEMENT OF CONTRIBUTIONS FORM 15-5

COMPLETEDSubmission Date: **11/25/2023**

REPORT TYPE

Filing Reason: **Contributions of \$500 or more**Report Year: **2023**Filed As: **Other**

FILING

Filer First Name: **Phil**Filer Middle Name: **A**Filer Last Name: **Izon**Filer Phone: **9078028116**Filer Email: **nevesiltstudio@gmail.com**Filer's Title with Other Entity: **Records Keeper**

BUSINESS INFORMATION

Business Entity Name: **Ranked Choice Education Association**Business Type: **Education Association**Address: **2511 Sentry Dr. STE 2**City: **Anchorage**State: **Alaska****99507**Country: **United States**

CONTACT PERSON INFORMATION

First Name: **Phil**Last Name: **Izon**Phone: **9088028116**Email: **info@rankedchoiceducationassociation.org**

CONTRIBUTIONS

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Contribution Date	Recipient	Form of Contribution	Amount	Total Annual Contribution
11/25/2023	2023 - Alaskans For Honest Elections	Check Check Number: 2041	\$30,000.00	\$152,000.00

REPORT SUMMARY

Number of Contributions Reported with this Report: 1
Total of Contributions Reported with this Report: \$30,000.00

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

ALASKANS FOR HONEST)
ELECTIONS; RANKED CHOICE)
EDUCATION ASSOCIATION,)
ARTHUR MATTHIAS, WELLSPRING)
MINISTRIES,)

Appellants,)

v.)

ALASKA PUBLIC OFFICES)
COMMISSION,)

Appellee.)

Case No. 3AN-24-04508CI

ALASKANS FOR BETTER)
ELECTIONS, INC.,)

Cross-Appellant,)

v.)

ALASKANS FOR HONEST)
GOVERNMENT, WELLSPRING)
FELLOWSHIP, and PHILLIP IZON,)

Cross-Appellees.)

ORDER DENYING APPELLANTS' MOTION FOR PARTIAL STAY AND
GRANTING APPELLEE ALASKANS FOR BETTER ELECTIONS REQUEST
FOR EXPEDITED BRIEFING

The above-referenced matters are administrative appeals of a decision from the
Alaska Public Offices Commission issued on January 3, 2024. Appellants timely-filed

Order Denying Appellants' Motion for Partial Stay and Order Granting Motion for Expedited Briefing
Case No. 3AN-24-04508CI
Page 1 of 11

their appeal on February 2, 2024. Alaskans for Better Elections filed their cross-appeal on February 23, 2024.

There are two pending motions before the Court: Appellee Alaskans for Better Elections' Motion for Expedited Briefing and Appellants' Motion for Partial Stay. The Court has considered these Motions and the corresponding Oppositions. At a hearing on March 6, 2024, the Court invited Appellees' to file replies to Appellant's Opposition to their Motion for Expedited Briefing and the Court has considered the replies as well.

The Court DENIES Appellants' Motion for Stay and GRANTS Appellee Alaskans for Better Elections Motion for Expedited Briefing.

I. Motion for Partial Stay

a. Legal standard

Appellants may seek a stay in much the same manner a party may seek a preliminary injunction.¹ To obtain a preliminary injunction or stay, the moving party must "meet[] either the balance of hardships or the probable success on the merits standard."²

i. Balance of hardships test

Courts apply the balance of hardships test "when three factors are present: '(1) the plaintiff must be faced with irreparable harm;³ (2) the opposing party must be adequately

¹ Alaska R. App. P. 603; *see also Olsen Logging Co. v. Lawson*, 832 P.2d 174, 175 (Alaska 1992).

² *Alsworth v. Seybert*, 323 P.3d 47, 54 (Alaska 2014) (alteration to the original).

³ The Alaska Supreme Court has not specifically defined "irreparable harm," but has cited with approval the definition in Black's Law Dictionary. *State v. Kluti Kaah Native Vill. of Cooper Ctr.*, 831 P.2d 1270, 1273 n. 5 (Alaska 1992). The current edition defines it as "[a]n injury that cannot be adequately measured or compensated by money and is therefore often considered remediable by injunction." *Injury*, Black's Law Dictionary (11th ed. 2019).

protected; and (3) the plaintiff must raise serious and substantial questions going to the merits of the case; that is, the issues raised cannot be frivolous or obviously without merit.”⁴ “The balance of hardships is determined by weighing the harm that will be suffered by the [appellant] if an injunction is not granted, against the harm that will be imposed upon the [appellee] by the granting of an injunction.”⁵ When the balance of harms tips decidedly in the movant’s favor, “it will ordinarily be enough that the plaintiff has raised questions going to the merits so serious, substantial, difficult and doubtful, as to make them a fair ground for litigation and thus for more deliberate investigation.”⁶

ii. Probable success on the merits’ standard

If the moving party does not face a danger of irreparable harm or the opposing party cannot be adequately protected, the moving party must meet “the heightened standard of a ‘clear showing of probable success on the merits.’”⁷

Where the moving party does not stand to suffer irreparable harm or the non-moving party will suffer an injury if the injunction is issued, the court requires “a clear showing of probable success on the merits . . . before preliminary injunctive relief will be accorded.”⁸

⁴ *Alsworth*, 323 P.3d at 54 (quoting *Kluti Kaah*, 831 P.2d at 1273).

⁵ *A.J. Industries, Inc. v. Alaska Pub. Serv. Comm’n*, 470 P.2d 537, 541 (Alaska 1970).

⁶ *Id.*

⁷ *State, Div. of Elections v. Metcalfe*, 110 P.3d 976, 978 (Alaska 2005) (quoting *Kluti Kaah*, 831 P.2d at 1272).

⁸ *A.J. Industries, Inc.*, 470 P.2d at 540.

Because this order is not a ruling on the merits of the appeal, the Court’s analysis “avoid[s] exte[n]sive involvement in the merits of the issues between the parties.”⁹

b. Appellants’ Request for Stay

Appellants have sought a stay of the APOC Final Order that requires “(1) AHE, RCEA, and Matthias to unconditionally report a \$90,000 donation that RCEA made to AHE as having been from Matthias to AHE as the “true source,” or (2) RCEA to disclose the “true source” of that donation other than Matthias.”¹⁰ These donations supported a signature-gathering effort by 22AKHE aimed at repealing ranked choice voting in Alaska.¹¹ Lt. Governor Whether to repeal ranked choice voting will be on the ballot in the November 2024 election.¹²

Appellee APOC does not oppose a stay of the first order identified by Appellants.¹³ Appellee ABE opposes a stay of both (1) and (2).¹⁴ Appellees’ agree with regard to Appellants’ request (2) to stay compliance with the APOC decision directing RCEA to disclose the “true source” of the donation other than Matthias, that Appellant failed to raise that argument as a point on appeal and therefore no stay of that order should issue.¹⁵

⁹ *Id.*

¹⁰ Appellants’ Motion for Partial Stay at 1-2.

¹¹ See Press Release, Lt. Governor Nancy Dahlstrom Announces Preliminary Results of Ballot Initiatives Review (Feb 27, 2024) (announcing that “the preliminary results” of the Division of Elections’ review of 22AKHE suggests that it “will appear on the 2024 general election ballot in November” after it is “determined to have been properly filed”), available at <https://ltgov.alaska.gov/newsroom/2024/02/lt-governor-nancy-dahlstrom-announces-preliminary-results-of-ballot-initiatives-review/>.

¹² Final Order at 12, 18.

¹³ APOC’s Response to Motion for Partial Stay at 2.

¹⁴ ABE Opposition to Motion for Partial Stay at 13-21.

¹⁵ APOC’s Response to Motion for Partial Stay at 2-3; ABE Opposition to Motion for Partial Stay at 14-15.

Appellants' have identified twelve points on appeal.¹⁶ Upon review, none of the points specifically identify the APOC order directing RCEA to disclose the "true source" of donations other than those made by Matthias. The Commission orders: "RCEA to register as an entity and to file required reports, including its expenditures in support of 22AKHE during the time it was engaged in express communication, as well as its contributions to AHE and their true sources, within 30 days."¹⁷ Because Appellant failed to appeal that order, the Court lacks jurisdiction to review those decisions or stay their enforcement. To the extent that Appellant has requested a stay of this Order, that request is DENIED.

The only remaining relief Appellants' seek in their Motion is to stay APOC's decision requiring AHE, RCEA, and Matthias to unconditionally report a \$90,000 donation that RCEA made to AHE as having been from Matthias to AHE as the "true source." That order is properly before the Court in this appeal.

c. Analysis

i. Balance of hardships

In order for the balance of hardships standard to apply, Appellants must show that they stand to suffer an irreparable harm and that APOC and Alaskans for Better Elections would be adequately protected if a stay is issued.

¹⁶ Notice of Points on Appeal dated February 2, 2024.

¹⁷ Final Order at 32.

It is a matter of public record that Art Matthias donated \$90,000 to efforts to repeal ranked choice voting. Under protest, Matthias has registered with APOC and reported that donation.¹⁸ Matthias has also spoken publicly about donating \$100,000 to efforts to repeal ranked choice voting.¹⁹ Appellants ask the Court to stay APOC's order "unconditionally" forcing him to register and report. They contend that "[r]equiring Appellants to remove the 'protest' from their APOC filings related to the source of the \$90,000 donation...would irreparably harm the nonprofit and its donors."²⁰ Appellants cite to U.S. Supreme Court precedent in support of their argument that the First Amendment requires that state requirements compelling the disclosure of the identity of nonprofit donors should be reviewed under exacting scrutiny.²¹

The Court struggles to see how removing "under protest" from Matthias' APOC filings constitutes irreparable harm when he has already spoken publicly about his financial support for repeal of ranked choice voting. At this point, this information is far from a well-kept secret and while the questions raised by Appellants related to whether similar but to date undisclosed information can be compelled presents an interesting question the Court can find no irreparable harm when the information sought to be protected is already publicly-available.

¹⁸ See Exhibits attached to Motion for Partial Stay.

¹⁹ Appellants' Motion for Partial Stay at 4.

²⁰ Appellants' Motion for Partial Stay at 3.

²¹ *Id.*, citing *Americans for Prosperity v. Bonta*, 594 U.S. ___, 141 S. Ct. 2372 (2021); *NAACP v. Alabama*, 357 U.S. 449, 462, 78 S.Ct. 1163 (1958).

On the facts here, the Court finds that Appellees are adequately protected by a stay, but that does not change the fact that Appellants have failed to show irreparable harm. Appellants have publicly filed the information in question, albeit under protest. Appellees' still dispute the accuracy of Matthias and RCEA's reporting,²² but the identity of Matthias as a donor to RCEA is a matter of public record and publicly available to voters who wish to educate themselves as the November 2024 election approaches. The Court does not find harm to Appellants if the Commission's order in question is stayed. In other words, Appellees' are adequately protected by a stay.

Because the Court does not find irreparable harm to Appellants', the Court must apply the heightened standard of clear probable success on the merits.

ii. Probable success on the merits

Where the moving party does not stand to suffer irreparable harm or the non-moving party will suffer an injury if the injunction is issued, the court requires "a clear showing of probable success on the merits . . . before preliminary injunctive relief will be accorded."²³ To obtain relief under this standard, Appellants' must make a clear showing that they would probably succeed on the merits of their contention that contributors to ballot initiatives during the signature-gathering phase can remain anonymous. Because this order is not a ruling on the merits of the appeal, the Court's analysis "avoid[s] extensive involvement in the merits of the issues between the parties."²⁴

²² ABE's Opposition to Appellants' Motion for Partial Stay Pending Appeal at 8.

²³ *A.J. Industries, Inc.*, 470 P.2d at 540.

²⁴ *Id.*

Appellants' contest the applicability of AS 15.13.065(c) and 15.13.074(b) in the context of the signature-gathering phase of a campaign for a ballot initiative. However, these arguments were considered by APOC below and were rejected.²⁵

Alaska Statute 15.13.074(b) provides that "[a] person or group may not make a contribution anonymously, using a fictitious name, or using the name of another." Appellants contend that AS 15.13.074(b) does not apply to signature-gathering campaigns for a ballot initiative.²⁶ The Alaska Supreme Court, however, has previously held that:

The need for an informed electorate applies with full force to ballot issues. Such issues are often complex and difficult to understand. Proper evaluation of the arguments made on either side can often be assisted by knowing who is backing each position...In such circumstances the voter may wish to cast his ballot in accordance with his approval, disapproval, or the sources of financial support.²⁷

It would be a clear departure from *Messerli* to now conclude that the protections of AS 15.13.074(b) do not apply to contributors to a signature-gathering campaign for a ballot initiative.

Appellants' support their Constitutional arguments by citing to U.S. Supreme Court case law that protects the anonymity of donors to nonprofits under the First Amendment.²⁸ While these cases may be instructive, and the level of scrutiny to be applied is the same regardless of "whether the beliefs sought to be advanced by association pertain to political,

²⁵ Final Order at 23-26.

²⁶ Notice of Points on Appeal at 1.

²⁷ *Messerli v. State*, 626 P.2d 81, 87 (Alaska 1980) (footnotes and citations omitted); *see id.* at 85 ("[I]n ballot proposition contests, the message is often the contributor's own.").

²⁸ Appellants' Motion for Partial Stay at 3 (citing *Americans for Prosperity v. Bonta*, 594 U.S. ___, 141 S. Ct. 2372 (2021); *NAACP v. Alabama*, 357 U.S. 449, 462, 78 S.Ct. 1163 (1958)).

economic, religious or cultural matters”²⁹ neither case addresses the public’s need to know the source of a campaign’s financial support.

And Appellants’ fail to acknowledge that the U.S. Supreme Court has recognized that a state can require disclosure of funding sources supporting signature collection for ballot initiatives.³⁰

In their Motion, Appellants’ only make a conclusory statement that the probable success on the merits’ standard is met.³¹ The Court cannot conclude that Appellants have met their burden to show clear, probable success on the merits with a bare assertion that such a standard is met. While Appellants have not satisfied the burden for a stay, there are arguments to be made on both sides of this appeal, which will be further developed when the briefing on the merits is submitted.

II. Expedited briefing

The transcript has been prepared and distributed to the parties and this Court. While the Court did hold a hearing on the Appellees’ Emergency Motion for Expedited Briefing, the Court considered the underlying motion on a non-expedited timeframe and now enters this Order, having considered Appellants’ Timely-Filed Opposition to the Motion for Expedited Briefing, and subsequent replies.

²⁹ *NAACP*, 357 U.S., at 460-461.

³⁰ *Buckley v. Am. Const. L. Found., Inc.*, 525 U.S. 182, 205 (1999) (explaining that states can “legitimately require [] sponsors of ballot initiatives to disclose who pays petitions circulators and how much”).

³¹ Appellants’ Motion for Partial Stay at 5.

The Commission determined that Appellants have failed to properly identify their top three donors in their advertising campaign pursuant to AS 15.13.090(a).³² Appellees' raise arguments that there is ongoing advertising in support of the campaign to repeal ranked choice voting that does not accurately identify the top three contributors as required by law.³³ This constitutes an ongoing violation that must be addressed *prior* to the election.

The scope of this appeal is made unclear because Appellants have raised an issue in their Partial Motion for Stay that is not, on its face, contained in their Points on Appeal. What is clear is that the Appellants wish the Court to answer questions under the Alaska Constitution and statutes related to what information voters are entitled to know in terms of the identities of individual donors and groups financially supporting a ballot initiative. To answer that question after the 2024 election is over raises legitimate concerns for Alaskan voters in their preparation to vote and on Election Day.

The request for an expedited briefing schedule is GRANTED. A separate Order will issue with the schedule.

III. Conclusion

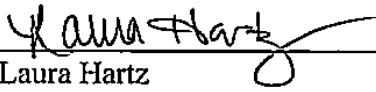
For the foregoing reasons, Appellants' Motion for Partial Stay is DENIED.

The Motion for Expedited Briefing is GRANTED.

³² Final Order at 2, 19-22.

³³ ABE's Opposition at 17; *see* Attachment A.

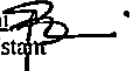
IT IS SO ORDERED this 15th day of March 2024, at Anchorage, Alaska.



Laura Hartz
Superior Court Judge

I certify that on 03.15.24
a copy of the above was emailed to
each of the following:

Clarkson
Demarest
Kendall
Gottstein

Ellen Bozzini 
Judicial Assistant

Order Denying Appellants' Motion for Partial Stay and Order Granting Motion for Expedited Briefing
Case No. 3AN-24-04508CI
Page 11 of 11

CAMPAIGN DISCLOSURE FORM

AMENDMENT

Amendment Description: Updating under protest, currently appealing APOC fines in court.
Court and State required to update this form.

COMPLETED

Submission Date: **03/07/2024**

Filer First Name: **Phillip**

Filer Middle Name: **A**

Filer Last Name: **Izon**

Filer's Title: **Records Keeper**

Report Type: **First Quarterly**

GROUP INFORMATION

Group Name: **2023 - Alaskans For Honest Elections**

Group Abbreviation: **AKHE**

Group Address: **2521 E Mtn Village Dr**

City, State Zip: **Wasilla, Alaska 99654**

REPORT INFORMATION

Election Year: **0**

Election: **N/A**

Report Type: **First Quarterly**

Reporting Period: From **01/08/2023** Through **04/07/2023**

FINANCIAL SUMMARY

THIS PERIOD		ENTIRE CAMPAIGN			
Beginning Cash On Hand:	\$0.00				
[+] ↓		Year To Date Income Total: (From Box A of previous report)		Total Income To Date: (Box A)	
Total Income Reported:	\$293,817.70	[+] ⇒	\$0.00	[=] ⇒	\$293,817.70
[-] ↓		Year to Date Expense Total: (From Box B of previous report)		Total Expense To Date: (Box B)	
Total Expenditures Reported:	\$268,732.00	[+] ⇒	\$0.00	[=] ⇒	\$268,732.00
[=] ↓					
Closing Cash On Hand:	\$25,085.70				
[-] ↓					
Total Debts:	\$0.00				

[=] ↓	
Surplus/Deficit:	\$25,085.70

INCOME

Date Received	Payment Method	Contributor	Details	Amount
01/23/2023	Non-Monetary Website & Domain	Izon, Phillip 13388 E Moosewallow Ave Palmer, Alaska 99645	Occupation: Self Employer: Swarm Intel USA Description:	\$350.00
01/23/2023	Non-Monetary Management Costs / Time In Kind Donation	Izon, Phillip 13388 E Moosewallow Ave Palmer, Alaska 99645	Occupation: Self Employed Employer: Swarm Intel USA Description:	\$200,000.00
01/31/2023	Credit Card	Chambers, Bret 13200 Floral Lane Anchorage, Alaska 99516	Occupation: Retired Employer: Retired Description:	\$50.00
02/01/2023	Credit Card	Angus, George 2420 N Cottonwood Loop Wasilla, Alaska 99654	Occupation: Matsu Borough Employer: Matsu Borough Description:	\$25.00
02/01/2023	Credit Card	Merwin, David PO Box 671624 Chugiak, Alaska 99567	Occupation: Retired Employer: Retired Description:	\$100.00
02/01/2023	Credit Card	Pence, William 3859 Killewich Dr Juneau, Alaska 99801	Occupation: retired Employer: retired Description:	\$50.00
02/02/2023	Credit Card	Sarber, Jon 1285 Bay Ave in Homer, AK Homer, Alaska 99603	Occupation: retired Employer: retired Description:	\$50.00
02/03/2023	Credit Card	Ernster, Renee P.O. Box 3496 Valdez, Alaska 99686	Occupation: DCC LLC Employer: DCC LLC Description:	\$10.00
02/03/2023	Credit Card	Jones, Larry 4710 Kershner	Occupation: Accountant Employer: ACS Description:	\$25.00

		Ave. Anchorage, Alaska 99517		
02/03/2023	Credit Card	Stock, Richard 485 Ballaine Rd Fairbanks, Alaska 99709	Occupation: Retired Employer: Retired Description:	\$50.00
02/05/2023	Credit Card	Moose, Daniel 913 W 14th Ave Anchorage, Alaska 99501	Occupation: Self Employed Employer: Self Employed Description:	\$100.00
02/05/2023	Credit Card	Turner, Fran P.O. Box 646 Nenana, Alaska 99760	Occupation: Retired Employer: Retired Description:	\$100.00
02/06/2023	Check 1007	Matthias, Art 2511 Sentry Dr. Ste 200 Anchorage, Alaska 99507	Occupation: Insurance Employer: Self Description: Updating under protest, currently appealing APOC Fines, court required updates.	\$1,000.00
02/07/2023	Credit Card	Hutchison, Christine 281 Juliussen St Kenai, Alaska 99611	Occupation: Self Employer: Na Description:	\$25.00
02/08/2023	Credit Card	Gregoire, Aaron PO Box 57079 North Pole , Alaska 99505	Occupation: Mechanic Employer: Fairbanks Gold Mining Description:	\$20.00
02/08/2023	Credit Card	Marrs, Kevin 746 cranberry ridge Fairbanks, Alaska 99712	Occupation: Retired Employer: Retired Description:	\$25.00
02/08/2023	Check 0108107251	Matthias, Art 2511 Sentry Drive Ste 200 Anchorage, Alaska 99507	Occupation: Insurance Employer: Self Description: Updating under protest, currently appealing APOC Fines, court required updates.	\$75,000.00
02/08/2023	Credit Card	MODESITT, RICK 1069 RECTOR ROAD PARKERSBURG, West Virginia 26105	Occupation: retired Employer: retired Description:	\$25.00
02/08/2023	Credit Card	Wall, Robert 18849 Timberline Drive	Occupation: Retired Employer: Retired Description:	\$100.00

		Eagle River, Alaska 99577		
02/08/2023	Credit Card	Wall, Robert 18849 Timberline Drive Anchorage, Alaska 99577	Occupation: Retired Employer: Retired Description:	\$20.00
02/09/2023	Credit Card	chung, Dyane 620 w 47th ave apt D Anchorage, Alaska 99503	Occupation: State of Alaska Employer: State of Alaska Description:	\$50.00
02/09/2023	Credit Card	Helton, darrell 22021 fawn ln Chugiak, Alaska 99567	Occupation: Retired Employer: Retired Description:	\$50.00
02/09/2023	Credit Card	helton, darrell 22021 Fawn Lane Anchorage, Alaska 99567	Occupation: Retired Employer: Retired Description:	\$10.00
02/09/2023	Credit Card	Maywald, Linda 9211 Flintlock Street Anchorage, Alaska 99507	Occupation: TA Substitute Employer: ASD Description:	\$51.75
02/09/2023	Credit Card	Milos, Adrienne HC 60 Box 2623 Haines, Alaska 99827	Occupation: retired Employer: retired Description:	\$20.00
02/09/2023	Credit Card	Pempek, Caleb P.O. Box 1542 Palmer, Alaska 99645	Occupation: Journeyman Employer: MEA Description:	\$25.00
02/10/2023	Credit Card	Rupe, Cynthia 35555 Kenai Spur Hwy PMB 199 Soldotna, Alaska 99669	Occupation: retired Employer: retired Description:	\$25.00
02/11/2023	Credit Card	Durham, Carmen 1178 Skyline Dr Fairbanks, Alaska 99712	Occupation: Homemaker Employer: Homemaker Description:	\$37.50
02/11/2023	Credit Card	Rupp, Kenneth 3206 South Cir Anchorage, Alaska 99507	Occupation: Retired Employer: Retired Description:	\$100.00

02/11/2023	Credit Card	Smith, Jane P.O.Box 404 Sutton, Alaska 99674	Occupation: Retired Employer: Retired Description:	\$10.00
02/13/2023	Credit Card	Ilgenfritz, linda 4362 York Ave Fairbanks, Alaska 99709	Occupation: Retired Employer: Retired Description:	\$20.00
02/14/2023	Credit Card	Duncan, Sally P.O. Box 16108 Two Rivers, Alaska 99716	Occupation: Retired Employer: Retired Description:	\$235.00
02/15/2023	Credit Card	Armstrong, Vickie 4544 Drake Street Fairbanks, Alaska 99709	Occupation: Retired Employer: Retired Description:	\$156.00
02/15/2023	Credit Card	Breiner, Linda HC 89 BOX 8182 Talkeetna, Alaska 99676	Occupation: Office manager Employer: IOLA Enterprises Description:	\$12.50
02/15/2023	Credit Card	Breiner, Linda HC 89 Box 8182 Talkeetna, Alaska 99676	Occupation: office manager Employer: IOLA Enterprises Description:	\$50.00
02/15/2023	Credit Card	Carlo, Raven P.O. Box 58062 Fairbanks, Alaska 99711	Occupation: CNA Employer: Foundation Health Description:	\$12.50
02/15/2023	Credit Card	Cruse, Riska PO Box 401 Willow, Alaska 99688	Occupation: Photographer Employer: Self Description:	\$12.50
02/15/2023	Credit Card	Jeff Taylor Box 3076 Anderson, Alaska 99744	Occupation: No Employer: Na Description:	\$33.50
02/15/2023	Credit Card	Mader, Brian PO Box 1794 Kenai, Alaska 99611	Occupation: Construction Employer: Alaska Electrical Description:	\$100.00
02/15/2023	Credit Card	Mitchell, Teresa 3000 Wentworth St Anchorage, Alaska 99508	Occupation: Accountant Employer: Self Description:	\$10.00
02/15/2023	Credit Card	Pearce, David 6275 N. Douglas	Occupation: Retired Employer: N/A Description:	\$7.00

		Hwy Juneau, Alaska 99801		
02/15/2023	Credit Card	Stark, Rhonda PO Box 1452 Palmer, Alaska 99645	Occupation: Office Manager Employer: Alaska Prime Power Description:	\$41.00
02/15/2023	Credit Card	Sunseri-Fichtner, Tiffiany 1271 S Paddy Place Wasilla, Alaska 99623	Occupation: na Employer: na Description:	\$12.50
02/16/2023	Check 1922	Kruckenber, Kateryna PO Box 220591 Anchorage, Alaska 99522	Occupation: Book Keeper Employer: Consistent Book Keeping Description:	\$250.00
02/16/2023	Credit Card	Mathew, john 9200 Emerald St Anchorage, Alaska 99502	Occupation: retired Employer: na Description:	\$100.00
02/16/2023	Credit Card	Musick, Terrence 12220 Rainbow Ave Anchorage, Alaska 99516	Occupation: retired Employer: retired Description:	\$100.00
02/16/2023	Credit Card	Pherson, Sandra 7287 N False Pass Cir Wasilla, Alaska 99654	Occupation: clerk Employer: valley country stores Description:	\$50.00
02/16/2023	Credit Card	Pherson, Sandy 7287 N False Pass Cir Wasilla, Alaska 99654	Occupation: Clerk Employer: Valley Country Stores Description:	\$20.00
02/16/2023	Credit Card	Rosen, Jeffrey 10441 Nabesna Circle Anchorage, Alaska 99577	Occupation: Retired Employer: Retired Description:	\$10.00
02/16/2023	Check 27765	Suter, Mary PO Box 670144 Chugiak, Alaska 99567	Occupation: Retired Employer: Retired Description:	\$500.00

02/16/2023	Credit Card	VanValin, Lenora 6112 North Moose Meadows Road Wasilla, Alaska 99654	Occupation: Retired Employer: Retired Description:	\$20.00
02/16/2023	Credit Card	VavValin, Lenora 6112 N. Moose Meadows Rd Wasilla, Alaska 99654	Occupation: retired Employer: retired Description:	\$10.00
02/16/2023	Check 8886	Warren, J. Kris 900 W 86th Ave Anchorage, Alaska 99515	Occupation: Retired Employer: Retired Description:	\$250.00
02/16/2023	Check 1515	Warren, Dawn 900 W. 86th Ave Anchorage, Alaska 99515	Occupation: Retired Employer: Retired Description:	\$250.00
02/16/2023	Credit Card	Whisamore, John 5921 S Bodenburg Loop Palmer, Alaska 99645	Occupation: retired Employer: retired Description:	\$50.00
02/16/2023	Check 4632	Young, Harry 33081 Eagle Vista Dr Eagle River, Alaska 99577	Occupation: Retired Employer: Retired Description:	\$300.00
02/17/2023	Credit Card	Braham, Roxanna 2120 Badger Road North Pole, Alaska 99705	Occupation: Na Employer: Midstate Equipment Inc. Description:	\$200.00
02/17/2023	Credit Card	Jackson, Tim 3227 216th Pl Bothell, Washington 98021	Occupation: PMF Employer: PMF Description:	\$250.00
02/17/2023	Credit Card	Priestley, Joan 3705 Arctic Boulevard Suite 1332 Anchorage, Alaska 99503	Occupation: Retired Employer: Retired Description:	\$103.50
02/18/2023	Credit Card	Nettels, Chris	Occupation: Retired	\$100.00

		1901 Beaver Place Anchorage, Alaska 99504	Employer: Geotek Description:	
02/19/2023	Credit Card	Helmuth, Carolyn 2062 East Carney Road Wasilla, Alaska 99654	Occupation: Payroll Lead Employer: Calista Corporation Description:	\$115.75
02/19/2023	Credit Card	Urbano, Paul 9160 E Lexington St Palmer, Alaska 99645	Occupation: Retired Employer: Retired Description:	\$12.50
02/20/2023	Credit Card	Clark, Todd 9310 Carlson Road Anchorage, Alaska 99507	Occupation: Owner Employer: TGI Freight Description:	\$100.00
02/20/2023	Credit Card	Mcintosh, Larry N Dartmoor St Wasilla, Alaska 99654	Occupation: Retired Employer: Retired Description:	\$25.00
02/20/2023	Credit Card	McIntosh, Larry 4085 Dartmoor Street Wasilla, Alaska 99654	Occupation: Retired Employer: Retired Description:	\$10.00
02/20/2023	Credit Card	Miller, Robert 902 Noorvik Court Fairbanks, Alaska 99701	Occupation: Army Employer: US Army Description:	\$77.00
02/20/2023	Credit Card	Sell, Rebecca 3224 W 30th Ave Anchorage, Alaska 99517	Occupation: Retired Employer: Retired Description:	\$45.00
02/21/2023	Credit Card	Evans, Brett Po Box 879002 Wasilla, Alaska 99654	Occupation: Retired Employer: Retired Description:	\$50.00
02/21/2023	Check 5159	Franklin, Catherine PO Box 823 Palmer, Alaska 99645	Occupation: Retired Employer: Retired Description:	\$200.00
02/21/2023	Credit Card	Glover, Scott PO Box 871571	Occupation: Retired Employer: Retired Description:	\$42.45

		Wasilla, Alaska 99687		
02/21/2023	Credit Card	Thomas, Harrel 5957 Franklin Drive Anchorage, Alaska 99518	Occupation: Retired Employer: Retired Description:	\$25.00
02/22/2023	Credit Card	Amos, Denise 3717 W 43rd Ave Anchorage, Alaska 99517	Occupation: na Employer: na Description:	\$100.00
02/22/2023	Credit Card	Caffroy, Chandra 35020 Scandinavian Drive/731 Anchor Point, Alaska 99556	Occupation: Manager Employer: AFCR Description:	\$80.00
02/22/2023	Check 841	Cole, Susan 2440 E Tudor Rd Box 811 Anchorage, Alaska 99507	Occupation: Retired Employer: Retired Description:	\$50.00
02/22/2023	Check 279	Crossman, Elsie 1801 Minerva Way Anchorage, Alaska 99515	Occupation: Retired Employer: Retired Description:	\$25.00
02/22/2023	Check 3644	Easterly, Sue 1526 Bannister Dr. Anchorage, Alaska 99508	Occupation: Retired Employer: Retired Description:	\$100.00
02/22/2023	Credit Card	Fogle, Kathy 37065 Steelhead Cir Sterling, Alaska 99672	Occupation: Retired Employer: Retired Description:	\$29.25
02/22/2023	Check 4135	Halverson, Robert 1371 Hillcrest Dr Unit 303 Anchorage, Alaska 99503	Occupation: Retired Employer: Retired Description:	\$200.00
02/22/2023	Check 5925	Heim, Sabah 14440 Old Seward Hwy Anchorage, Alaska 99515	Occupation: Self Employer: Self Description:	\$100.00

02/22/2023	Credit Card	Hill, Linda 12410 Hopa Circle Anchorage, Alaska 99515	Occupation: Retired Employer: Retired Description:	\$27.50
02/22/2023	Credit Card	Hill, Linda 12410 Hopa Cr Anchorage, Alaska 99518	Occupation: Retired Employer: Retired Description:	\$100.00
02/22/2023	Check 6041	Jackson, Sherri 3626 Casper St Anchorage, Alaska 99502	Occupation: Retired Employer: Retired Description:	\$50.00
02/22/2023	Credit Card	Kern, Danny 4901 E 40th Ave Anchorage, Alaska 99516	Occupation: retired Employer: retired Description:	\$100.00
02/22/2023	Credit Card	Leverly, Bradley 3501 N Moose St Wasilla, Alaska 99654	Occupation: retired Employer: retired Description:	\$50.00
02/22/2023	Check 8701	Luhrs, James 3333 Lakeshore Dr Anchorage, Alaska 99517	Occupation: retired Employer: retired Description:	\$200.00
02/22/2023	Credit Card	Metzner, Diamond 4201 Dimond Way Wasilla, Alaska 99654	Occupation: Marketing Employer: Self Description:	\$83.60
02/22/2023	Credit Card	Ordaz, Azabel 806 West 57th Ave Anchorage, Alaska 99518	Occupation: business manager Employer: ak4dy Description:	\$50.00
02/22/2023	Credit Card	Overstreet, Carolyn 8122 Lamplighter Ct Anchorage, Alaska 99502	Occupation: Retired Employer: Retired Description:	\$2,000.00
02/22/2023	Check 678	Pessolano, Jodie 5018 E 43rd Ave #5 Anchorage, Alaska 99508	Occupation: Self Employer: North Star Design Description:	\$100.00

02/22/2023	Credit Card	Phelps, Greg 8501 Skyhills Dr Anchorage, Alaska 99502	Occupation: Self Employer: PHELPS Construction, LLC Description:	\$100.00
02/22/2023	Credit Card	Price, Noreen 20656 Driftwood Bay Dr Eagle River, Alaska 99577	Occupation: retired Employer: retired Description:	\$200.00
02/22/2023	Cash	Ranked Choice Education Association 2511 Sentry Dr. Ste 200 Anchorage, Alaska 99507	Occupation: Education Employer: RCEA Description:	\$2,358.00
02/22/2023	Credit Card	Smith, Dorothy 12411 Caragana Cir Anchorage, Alaska 99515	Occupation: Homemaker Employer: homemaker Description:	\$250.00
02/22/2023	Check 3302	Turner, Linda 1027 S Arza Cir Palmer, Alaska 99645	Occupation: Retired Employer: Retired Description:	\$50.00
02/22/2023	Check 8834	Washburn, Rebecca PO Box 823 Palmer, Alaska 99645	Occupation: Self Employer: Washburn Farm Nursery Description:	\$100.00
02/22/2023	Credit Card	Whisamore, John 5921 S. Bodenburg Lp Palmer, Alaska 99645	Occupation: Retired Employer: retired Description:	\$12.50
02/23/2023	Non-Monetary Printing Services / In- Kind Donation	Ranked Choice Education Association 2511 Sentry Dr. Ste 200 Anchorage, Alaska 99507	Occupation: Education Employer: RCEA Description:	\$1,382.00
02/23/2023	Credit Card	Richeson, Randolph 360 W. KATMAI Soldotna, Alaska 99669	Occupation: retired Employer: retired Description:	\$100.00
02/23/2023	Credit Card	Rosin, Lela 3669 CHINULNA	Occupation: Self Employer: Self Description:	\$200.00

		DRIVE Kenai, Alaska 99611		
02/24/2023	Credit Card	CORBeil, Richard 3336 Doil Dr Anchorage, Alaska 99507	Occupation: Employer: Description:	\$50.00
02/24/2023	Credit Card	Eads, Margaret P.O. Box 19529 Thorne Bay, Alaska 99919	Occupation: Lumberman Employer: Self Employed Description:	\$71.00
02/24/2023	Credit Card	Terry, Desiree 11130 E Equestrian Circle Palmer, Alaska 99645	Occupation: Creekside Church Employer: Creekside Church Description:	\$20.00
02/25/2023	Credit Card	Ducey, Cynthia P.O.Box 220844 Anchorage, Alaska 99522	Occupation: attorney Employer: ducey and associates Description:	\$200.00
02/27/2023	Credit Card	Sherman, Colleen 43420 Kalifornsky Beach Rd Soldotna, Alaska 99669	Occupation: Self Employer: G F Sherman Signs Description:	\$500.00
02/28/2023	Credit Card	McMullen, Kym 4541 E Crane Rd Wasilla, Alaska 99654	Occupation: Na Employer: Na Description:	\$25.00
03/01/2023	Credit Card	Hahn, Deborah 11725 Inspiration Dr Eagle River, Alaska 99577	Occupation: retired Employer: retired Description:	\$100.00
03/01/2023	Credit Card	Heise, Genie 4506 Taft Street Anchorage, Alaska 99517	Occupation: Parole Officer Employer: State of Alaska Description:	\$38.70
03/01/2023	Credit Card	Rapp, Cammie 1555 Bradway Rd. #4 North pole, Alaska 99705	Occupation: Retired Employer: Retired Description:	\$69.00
03/01/2023	Credit Card	Rapp, Cammie 1555 Bradway Rd #4	Occupation: retired Employer: retired Description:	\$50.00

		North Pole, Alaska 99705		
03/02/2023	Credit Card	Johanknecht, Peter 7700 Evander Drive Anchorage, Alaska 99518	Occupation: Retired Employer: Retired Description:	\$20.00
03/04/2023	Credit Card	Rebecca, Washburn PO Box 823 Palmer, Alaska 99645	Occupation: Self Employer: Washburn Family Nursery Description:	\$500.00
03/06/2023	Credit Card	carson, edward 580 W Roy Rd Apt 1 Wasilla, Alaska 99654	Occupation: Quality Control Inspector Employer: NANA Construction Description:	\$30.00
03/07/2023	Credit Card	Donelson, Cecelia 908 R Street Anchorage, Alaska 99501	Occupation: real estate sales Employer: self employed Description:	\$55.00
03/07/2023	Credit Card	Hutchison, Christine 281 Juliussen St Kenai, Alaska 99611	Occupation: Self Employer: Na Description:	\$25.00
03/09/2023	Credit Card	Martin, Brian 6570 E Robinson Cir Wasilla, Alaska 99654	Occupation: Retired Employer: Retired Description:	\$10.00
03/09/2023	Credit Card	Sherman, Colleen 43420 Kalifornsky Beach Rd Soldotna, Alaska 99669	Occupation: Self Employer: GF Sherman Signs Description:	\$500.00
03/11/2023	Credit Card	Holliday, Lola PO Box 551 Garden Grove, California 92842	Occupation: na Employer: na Description:	\$20.00
03/13/2023	Credit Card	Carhart, Steve 3324 Knik Ave Anchorage, Alaska 99517	Occupation: Retired Employer: Retired Description:	\$25.00
03/13/2023	Credit Card	Francine, Sayer	Occupation: retired	\$100.00

		PO Box 10 Homer, Alaska 99603	Employer: retired Description:	
03/16/2023	Credit Card	Anderson, John 3801 Chiniak Bay Dr Anchorage, Alaska 99515	Occupation: Manager Employer: Alaska Abatement Description:	\$250.00
03/16/2023	Credit Card	Baird, Joe 414 Marine Street Sitka, Alaska 99835	Occupation: Retired Employer: Retired Description:	\$50.00
03/18/2023	Credit Card	Curry, Amah POB 210516 Auke Bay, Alaska 99821	Occupation: retired Employer: na Description:	\$12.50
03/18/2023	Credit Card	Durham, Carmen 1178 Skyline Dr Fairbanks, Alaska 99712	Occupation: Homemaker Employer: Homemaker Description:	\$29.25
03/18/2023	Credit Card	Erickson, Arne 368 Hillside Drive Fairbanks, Alaska 99712	Occupation: Commercial Vehicle Inspector Employer: State of Alaska Description:	\$25.00
03/18/2023	Credit Card	Lindsey, Kurt PO Box 92267 Anchorage, Alaska 99509	Occupation: Southside Petro Employer: Southside Petro Description:	\$500.00
03/18/2023	Credit Card	Newman, Larry 4637 Virginia #C Dallas, Texas 75204	Occupation: retired Employer: retired Description:	\$10.00
03/18/2023	Credit Card	Priebe, Mary 4790 Sandy Beach Dr Anchorage, Alaska 99502	Occupation: retired Employer: retired Description:	\$75.00
03/18/2023	Credit Card	Veith, Frank PO BOX 1591 Anchorage, Alaska 99645	Occupation: CONAM Construction Employer: Conam construction Description:	\$50.00
03/19/2023	Credit Card	Melum, Lana 7231 North Park Dr Anchorage, Alaska 99516	Occupation: Retired Employer: Retired Description:	\$100.00
03/20/2023	Credit Card	Mattson, Donald	Occupation: Retired	\$30.00

		730 West Rockside Road Wasilla, Alaska 99654	Employer: Retired Description:	
03/21/2023	Check 31688	Leman, Loren 2699 Nathaniel Ct Anchorage, Alaska 99517	Occupation: Retired Employer: Retired Description:	\$150.00
03/29/2023	Credit Card	Carey, Craig 4109 Lynn Dr Anchorage, Alaska 99508	Occupation: Employer: Description:	\$25.00
03/29/2023	Credit Card	Cooper, Darlene 1300 West 45th Avenue Anchorage, Alaska 99503	Occupation: Retired Employer: Retired Description:	\$62.50
03/29/2023	Credit Card	Olson, Larry PO Box 978 Sterling, Alaska 99672	Occupation: Retired Employer: Retired Description:	\$20.00
03/30/2023	Credit Card	Campbell, Casey 126 E Cook Ave Anchorage, Alaska 99501	Occupation: Realtor Employer: Benson Realty Description: Description:	\$20.00
03/30/2023	Credit Card	Whitford, Sharri 175 n Binkley st #4032 Soldotna, Alaska 99669	Occupation: Retired Employer: Retired Description:	\$41.45
04/01/2023	Credit Card	Carroll, Susanne 1752B Army Rd Fairbanks, Alaska 99709	Occupation: Retired Employer: na Description:	\$12.50
04/01/2023	Credit Card	Hahn, Deborah 11725 Inspiration Dr Eagle River, Alaska 99577	Occupation: Retired Employer: Retired Description:	\$100.00
04/01/2023	Credit Card	Tennis, Jacque 2931 Bennett Ave Anchorage, Alaska 99517	Occupation: Retired Employer: Retired Description:	\$50.00
04/04/2023	Credit Card	Ross, Leroy 3223 E.	Occupation: Three Bears Alaska Employer: Three Bears Alaska	\$100.00

		Lakeview Rd Wasilla, Alaska 99654	Description:	
04/07/2023	Credit Card	Hutchison, Christine 281 Juliussen St Kenai, Alaska 99611	Occupation: Self Employer: Na Description:	\$25.00
		Number of Contributions under \$100:		0
		Sum of Contributions under \$100:		\$0.00
		Income Total:		\$293,817.70

EXPENDITURES

Date	Payment Method	Vendor	Purpose	Amount
01/23/2023	Non-Monetary Website & Domain	Izon, Phillip 13388 E Moosewallow Ave Palmer, Alaska 99645		\$350.00
01/23/2023	Non-Monetary Management Costs / Time In Kind Donation	Izon, Phillip 13388 E Moosewallow Ave Palmer, Alaska 99645		\$200,000.00
02/15/2023	Check 101	Leading Light Advors 4201 E. Dimond Way Wasilla, Alaska 99654	Marketing / Communications	\$20,000.00
02/22/2023	Check 102	Leading Light Advisors 4201 E. Dimond Way Wasilla, Alaska 99654	Marketing / Communications	\$20,000.00
02/23/2023	Non-Monetary Printing Services / In-Kind Donation	Ranked Choice Education Association 2511 Sentry Dr. Ste 200 Anchorage, Alaska 99507		\$1,382.00
03/11/2023	Debit Card	Leading Light Advisors 4201 E Dimond Way Wasilla, Alaska 99654	Merchandise / Marketing	\$2,500.00
03/15/2023	Debit Card	Leading Light Advisors 4201 E Dimond Way Wasilla, Alaska 99654	Merchandise / Marketing	\$3,000.00
03/21/2023	Check 103	Leading Light Advisors 4201 E. Dimond Way Wasilla, Alaska 99654	Marketing / Communications	\$20,000.00
04/01/2023	Debit Card	Leading Light Advisors 4201 E Dimond Way Wasilla, Alaska 99654	Merchandise / Marketing	\$1,500.00
		Expenditure Total:		\$268,732.00

DEBTS

Date Incurred	Name	Description or Purpose	Original Amount	Balance Remaining
No Debts / Nothing to Report				
			Remaining Debt Total:	\$0.00

CAMPAIGN DISCLOSURE FORM

AMENDMENT

Amendment Description: Updating under protest, currently appealing APOC Fines, court required updates.

COMPLETED

Submission Date: **03/07/2024**
 Filer First Name: **Phillip**
 Filer Middle Name: **A**
 Filer Last Name: **Izon**
 Filer's Title: **Records Keeper**
 Report Type: **Second Quarterly Report**

GROUP INFORMATION

Group Name: **2023 - Alaskans For Honest Elections**
 Group Abbreviation: **AKHE**
 Group Address: **2521 E Mtn Village Dr**
 City, State Zip: **Wasilla, Alaska 99654**

REPORT INFORMATION

Election Year: **0**
 Election: **N/A**
 Report Type: **Second Quarterly Report**
 Reporting Period: From **04/08/2023** Through **07/07/2023**

FINANCIAL SUMMARY

THIS PERIOD		ENTIRE CAMPAIGN			
Beginning Cash On Hand:	\$0.00				
[+] ↓		Year To Date Income Total: (From Box A of previous report)		Total Income To Date: (Box A)	
Total Income Reported:	\$10,760.00	[+] ⇒	\$0.00	[=] ⇒	\$10,760.00
[-] ↓		Year to Date Expense Total: (From Box B of previous report)		Total Expense To Date: (Box B)	
Total Expenditures Reported:	\$10,000.00	[+] ⇒	\$0.00	[=] ⇒	\$10,000.00

[=] ↓	
Closing Cash On Hand:	\$760.00
[-] ↓	
Total Debts:	\$0.00
[=] ↓	
Surplus/Deficit:	\$760.00

INCOME

Date Received	Payment Method	Contributor	Details	Amount
04/28/2023	Credit Card	Adickes, William 1401 Edgecumbe Drive Sitka, Alaska 99835	Occupation: Home Maker / Attorney Employer: Retired Description:	\$500.00
06/11/2023	Check 2010	Matthias, Art 2511 Sentry Dr Suite 200 Anchorage, Alaska 99507	Occupation: Insurance Employer: Self Description: Updating under protest, currently appealing APOC Fines, court required updates.	\$10,260.00
			Number of Contributions under \$100:	0
			Sum of Contributions under \$100:	\$0.00
			Income Total:	\$10,760.00

EXPENDITURES

Date	Payment Method	Vendor	Purpose	Amount
06/12/2023	Check 201	Leading Light Advisors 4201 Dimond Way Wasilla, Alaska 99654	Advertising / Communication	\$5,000.00
07/03/2023	Check 202	Leading Light Advisors 4201 Dimond Way	Advertising / Communication	\$5,000.00

	Wasilla, Alaska 99654	
		Expenditure Total: \$10,000.00

DEBTS

Date Incurred	Name	Description or Purpose	Original Amount	Balance Remaining
No Debts / Nothing to Report				
			Remaining Debt Total:	\$0.00

CAMPAIGN DISCLOSURE FORM

COMPLETED

Submission Date: **10/30/2023**
 Filer First Name: **Phillip**
 Filer Middle Name: **A**
 Filer Last Name: **Izon**
 Filer's Title: **Records Keeper**
 Report Type: **Third Quarterly Report**

GROUP INFORMATION

Group Name: **2023 - Alaskans For Honest Elections**
 Group Abbreviation: **AKHE**
 Group Address: **2521 E Mtn Village Dr**
 City, State Zip: **Wasilla, Alaska 99654**

REPORT INFORMATION

Election Year: **0**
 Election: **N/A**
 Report Type: **Third Quarterly Report**
 Reporting Period: From **07/08/2023** Through **10/07/2023**

FINANCIAL SUMMARY

THIS PERIOD		ENTIRE CAMPAIGN			
Beginning Cash On Hand:	\$760.00				
[+] ↓		Year To Date Income Total: (From Box A of previous report)		Total Income To Date: (Box A)	
Total Income Reported:	\$2,000.00	[+] ⇒	\$10,760.00	[=] ⇒	\$12,760.00
[-] ↓		Year to Date Expense Total: (From Box B of previous report)		Total Expense To Date: (Box B)	
Total Expenditures Reported:	\$2,550.00	[+] ⇒	\$10,000.00	[=] ⇒	\$12,550.00
[=] ↓					
Closing Cash On Hand:	\$210.00				
[-] ↓					
Total Debts:	\$0.00				

[=] ↓	
Surplus/Deficit:	\$210.00

INCOME

Date Received	Payment Method	Contributor	Details	Amount
10/02/2023	Check 2032	Ranked Choice Education Association 2511 Sentry Dr Suite 200 Anchorage, Alaska 99507	Occupation: Education Association Employer: RCEA Description:	\$2,000.00
Number of Contributions under \$100:				0
Sum of Contributions under \$100:				\$0.00
Income Total:				\$2,000.00

EXPENDITURES

Date	Payment Method	Vendor	Purpose	Amount
09/11/2023	Check 57	Alaska Support Industry Alliance 406 W. Fireweed Blvd. Suite 200 Anchorage, AK 99503 Anchorage, Alaska 99503	Marketing and Outreach	\$800.00
09/11/2023	Check 58	State of Alaska 2221 E Northern Lights Rm 128 Anchorage, Alaska 99508	Fines	\$1,750.00
Expenditure Total:				\$2,550.00

DEBTS

Date Incurred	Name	Description or Purpose	Original Amount	Balance Remaining
No Debts / Nothing to Report				
			Remaining Debt Total:	\$0.00

CAMPAIGN DISCLOSURE FORM

AMENDMENT**Amendment Description: Check dates update****COMPLETED**

Submission Date: **04/30/2024**
 Filer First Name: **Phillip**
 Filer Middle Name: **A**
 Filer Last Name: **Izon**
 Filer's Title: **Records Keeper**
 Report Type: **Fourth Quarterly Report**

GROUP INFORMATION

Group Name: **2023 - Alaskans For Honest Elections**
 Group Abbreviation: **AKHE**
 Group Address: **2521 E Mtn Village Dr**
 City, State Zip: **Wasilla, Alaska 99654**

REPORT INFORMATION

Election Year: **0**
 Election: **N/A**
 Report Type: **Fourth Quarterly Report**
 Reporting Period: From **10/08/2023** Through **01/07/2024**

FINANCIAL SUMMARY

THIS PERIOD		ENTIRE CAMPAIGN			
Beginning Cash On Hand:	\$210.00				
[+] ↓		Year To Date Income Total: (From Box A of previous report)		Total Income To Date: (Box A)	
Total Income Reported:	\$60,000.00	[+] ⇒	\$12,760.00	[=] ⇒	\$72,760.00
[-] ↓		Year to Date Expense Total: (From Box B of previous report)		Total Expense To Date: (Box B)	
Total Expenditures Reported:	\$58,196.17	[+] ⇒	\$12,550.00	[=] ⇒	\$70,746.17
[=] ↓					

Closing Cash On Hand:	\$2,013.83
[-] ↓	
Total Debts:	\$0.00
[=] ↓	
Surplus/Deficit:	\$2,013.83

INCOME

Date Received	Payment Method	Contributor	Details	Amount
10/24/2023	Check 2035	Ranked Choice EDU, Phil 2511 Sentry Dr Anchorage, Alaska 99507	Occupation: Education Association Employer: Education Organization Description:	\$30,000.00
11/25/2023	Check 2041	Ranked Choice EDU 2511 Sentry Dr Suite 200 Anchorage, Alaska 99507	Occupation: Education Association Employer: Education Association Description: Donation	\$30,000.00
Number of Contributions under \$100:				0
Sum of Contributions under \$100:				\$0.00
Income Total:				\$60,000.00

EXPENDITURES

Date	Payment Method	Vendor	Purpose	Amount
10/09/2023	Check 61	Top Fundraising Solutions 7860 Spruce St Anchorage, Alaska 99507	Election: Management Support, Signature Gathering, Signature Verification	\$3,196.17
10/17/2023	Check 62	Top Fundraising Solutions 7860 Spruce St	Election: Management Support, Signature Gathering, Signature Verification	\$15,000.00

		Anchorage, Alaska 99507		
10/24/2023	Check 63	Leading Light Advisors, Phil 4201 E Dimond Way # B Wasilla, Alaska 99654	Election: Marketing Services, Signature Verification, Signature Gathering, Technology Support, Website Management, Newsletter	\$15,000.00
12/12/2023	Check 59	Leading Light Advisors 4201 E Dimond Way # B Wasilla, Alaska 99654	Election: Management, Marketing Services, Newsletter Management, Signature Verification, Signature Gathering, Petition Book Management	\$25,000.00
Expenditure Total:				\$58,196.17

DEBTS

Date Incurred	Name	Description or Purpose	Original Amount	Balance Remaining
No Debts / Nothing to Report				
			Remaining Debt Total:	\$0.00

CAMPAIGN DISCLOSURE FORM

COMPLETEDSubmission Date: **04/15/2024**Filer First Name: **Phillip**Filer Middle Name: **A**Filer Last Name: **Izon**Filer's Title: **Records Keeper**Report Type: **First Quarterly**

GROUP INFORMATION

Group Name: **2024 - Alaskans For Honest Elections**Group Abbreviation: **AKHE**Group Address: **4201 E Dimond Way # B**City, State Zip: **Wasilla, Alaska 99654**

REPORT INFORMATION

Election Year: **0**Election: **N/A**Report Type: **First Quarterly**Reporting Period: From **01/08/2024** Through **04/07/2024**

FINANCIAL SUMMARY

THIS PERIOD		ENTIRE CAMPAIGN			
Beginning Cash On Hand:	\$0.00				
[+] ↓		Year To Date Income Total: (From Box A of previous report)		Total Income To Date: (Box A)	
Total Income Reported:	\$5,435.00	[+] ⇒	\$0.00	[=] ⇒	\$5,435.00
[-] ↓		Year to Date Expense Total: (From Box B of previous report)		Total Expense To Date: (Box B)	
Total Expenditures Reported:	\$4,000.00	[+] ⇒	\$0.00	[=] ⇒	\$4,000.00
[=] ↓					
Closing Cash On Hand:	\$1,435.00				
[-] ↓					
Total Debts:	\$0.00				

[=] ↓	
Surplus/Deficit:	\$1,435.00

INCOME

Date Received	Payment Method	Contributor	Details	Amount
03/30/2024	Credit Card	Boyd, Gary 8040 Resurrection Dr Anchorage, Alaska 99504	Occupation: Retired Employer: Retired Description:	\$30.00
03/30/2024	Credit Card	Cusack III, John P. 19945 Kirk Ave Eagle River, Alaska 99577	Occupation: Retired Employer: Retired Description:	\$25.00
03/30/2024	Credit Card	Devore, Don Box 591 Talkeetna, Alaska 99676	Occupation: Self Employer: Self Description:	\$15.00
03/30/2024	Credit Card	Dykstra, Nettie 1412 Julie Anna Dr Kenai, Alaska 99611	Occupation: Retired Employer: Retired Description:	\$15.00
03/30/2024	Credit Card	Fichtner, Tiffiany 1271 S Paddy Place Wasilla, Alaska 99654	Occupation: MST Employer: MST Description:	\$5.00
03/30/2024	Credit Card	Hatten, Kathy 2096 Waldron Dr Anchorage, Alaska 99507	Occupation: Self Employer: Self Description:	\$50.00
03/30/2024	Credit Card	Hawley, Ginger 5770 S Hayfield Road Wasilla, Alaska 99654	Occupation: Retired Employer: Retired Description:	\$10.00
03/30/2024	Credit Card	Holliday, Lola 6867 La Palma Ave Buena Park, California 90620	Occupation: Student Employer: Student Description:	\$40.00
03/30/2024	Credit Card	Huskey, Lawrence 7100 Oline Cir Wasilla, Alaska 99623	Occupation: Retired Employer: Retired Description:	\$100.00
03/30/2024	Credit Card	Kennedy, Evan 2505 W 43rd Ct Anchorage, Alaska 99517	Occupation: SouthCentral Foundation Employer: SouthCentral Foundation Description:	\$40.00
03/30/2024	Credit Card	Lindsey, Tamm 1741 W 15th Ave Anchorage, Alaska 99501	Occupation: Retired Employer: Retired Description:	\$2,500.00

03/30/2024	Credit Card	Little, Lawrence 13145 Back Road Anchorage, Alaska 99515	Occupation: Retired Employer: Retired Description:	\$50.00
03/30/2024	Credit Card	Pettijohn, Patton 2350 North Windy Bottom Road Wasilla, Alaska 99623	Occupation: Retired Employer: Retired Description:	\$25.00
03/30/2024	Credit Card	Priestley, Joan 3705 Arctic Blvd Anchorage, Alaska 99503	Occupation: Retired Employer: Retired Description:	\$250.00
03/30/2024	Credit Card	Ray, James 3417 West 84th Ave #A Anchorage, Alaska 99502	Occupation: Retired Employer: Retired Description:	\$100.00
03/30/2024	Credit Card	Richards, Cemal PO Box 5912 Vancouver, Washington 98661	Occupation: Thesis Agency Employer: Thesis Agency Description:	\$100.00
03/30/2024	Credit Card	Swedenburg, Steven 4665 W. Rangeview Dr Wasilla, Alaska 99623	Occupation: Retired Employer: Retired Description:	\$10.00
03/30/2024	Credit Card	Tennis, Jacque 2931 Bennett Ave Anchorage, Alaska 99517	Occupation: Retired Employer: Retired Description:	\$100.00
03/30/2024	Credit Card	Torrison, Clara PO Box 671656 Chugiak, Alaska 99567	Occupation: Self Employer: Self Description:	\$25.00
03/30/2024	Credit Card	Whitford, Roy 36156 Tanner Cir Sterling, Alaska 99669	Occupation: Retired Employer: Retired Description:	\$50.00
03/30/2024	Credit Card	Zenger, Donald 626 5th St Douglas, Alaska 99824	Occupation: Retired Employer: Retired Description:	\$120.00
03/31/2024	Credit Card	Aquino-Bernaldo, Annie 7303 Foxridge Circe Unit 2 Anchorage, Alaska 99518	Occupation: Retired Employer: Retired Description:	\$50.00
03/31/2024	Credit Card	Callistini, Andrew 106 Naomi Kanosh Ln Sitka, Alaska 99835	Occupation: Self Employer: Self Description:	\$20.00
03/31/2024	Credit Card	Haaland, Carl PO Box 864 Petersburg, Alaska 99833	Occupation: Retired Employer: Retired Description:	\$50.00
03/31/2024	Credit Card	Hite, Bari 464 Forest Hills Ct	Occupation: Retired Employer: Retired	\$100.00

		Fairbanks, Alaska 99709	Description:	
03/31/2024	Credit Card	Lichtenberger, John 14 N 14th St Petersburg, Alaska 99833	Occupation: Retired Employer: Retired Description:	\$50.00
03/31/2024	Credit Card	Melarvie, Valerie 12580 B Old Glenn Hwy Eagle River, Alaska 99577	Occupation: Arctec Alaska Employer: Arctec Alaska Description:	\$25.00
03/31/2024	Credit Card	Mercier, Michael 22611 Robinson Rd Chugiak, Alaska 99567	Occupation: Retired Employer: Retired Description:	\$100.00
03/31/2024	Credit Card	Mize, Brendon 200 A St Stop 486 Clear, Alaska 99704	Occupation: HVAC Tech Employer: InDyne, Inc Description:	\$100.00
03/31/2024	Credit Card	Narow, Tom 1787 Old Pioneer Way Fairbanks, Alaska 99709	Occupation: Federal Program Manager Employer: ASRC Description:	\$150.00
03/31/2024	Credit Card	Neetz, David 1584 Heather Dr Fairbanks, Alaska 99709	Occupation: Retired Employer: Retired Description:	\$150.00
03/31/2024	Credit Card	Niemi, John 1520 Douglas Hwy Douglas, Alaska 99824	Occupation: Retired Employer: Retired Description:	\$20.00
03/31/2024	Credit Card	Pfeiffer, Elaine 19022 Sokolof Cir Eagle River, Alaska 99577	Occupation: Retired Employer: Retired Description:	\$50.00
03/31/2024	Credit Card	Sowers, Mark 7362 W Parks Hwy #683 Wasilla, Alaska 99654	Occupation: Matsu Borough Employer: Matsu Borough Description:	\$35.00
04/01/2024	Credit Card	Burley, Joni 19135 Nunivak Cir Eagle River, Alaska 99577	Occupation: Retired Employer: Retired Description:	\$25.00
04/01/2024	Credit Card	Carhart, Steve 4094 Old Yacht Club Rd Wasilla, Alaska 99654	Occupation: Retired Employer: Retired Description:	\$200.00
04/01/2024	Credit Card	Crewdson, James 18368 Amonson Rd Chugiak, Alaska 99567	Occupation: Engineering Employer: Self Description:	\$50.00
04/01/2024	Credit Card	Dunlap, John PO Box 547 Girdwood, Alaska 99587	Occupation: Retired Employer: Retired Description:	\$200.00
04/01/2024	Credit	Frary, David	Occupation: Alaska DOT	\$30.00

	Card	9951 Stephen Richards Memorial Dr Spc 33 Juneau, Alaska 99801	Employer: Alaska DOT Description:	
04/01/2024	Credit Card	Holt, Terrence 3185 Riverview Dr Fairbanks, Alaska 99709	Occupation: Driver Employer: Driver Description:	\$10.00
04/01/2024	Credit Card	Meyen, Kathleen 17180 Hideaway Ridge Dr Eagle River, Alaska 99577	Occupation: Retired Employer: Retired Description:	\$100.00
04/01/2024	Credit Card	Moseley, Tom 1900 N Basin St Palmer, Alaska 99645	Occupation: Retired Employer: Retired Description:	\$30.00
04/01/2024	Credit Card	Rutz, Mary PO Box 672345 Chugiak, Alaska 99567	Occupation: Retired Employer: Retired Description:	\$25.00
04/01/2024	Credit Card	Waters, Phillip 410 N Bliss St Anchorage, Alaska 99508	Occupation: Retired Employer: Retired Description:	\$50.00
04/01/2024	Credit Card	Younkins, Richard 10900 Cange St Anchorage, Alaska 99516	Occupation: Retired Employer: Retired Description:	\$50.00
04/02/2024	Credit Card	Bias, Christopher 4905 N Flying Circus Cir Wasilla, Alaska 99654	Occupation: Retired Employer: Retired Description:	\$25.00
04/02/2024	Credit Card	Gunderson, Jerry 1001 1st St Kenai, Alaska 99611	Occupation: Retired Employer: Retired Description:	\$50.00
04/03/2024	Credit Card	Ernster, Renee PO Box 3496 Palmer, Alaska 99645	Occupation: DCC Employer: DCC Description:	\$5.00
04/03/2024	Credit Card	Mattingly, Brian 4601 Reka Dr Unit 15 Anchorage, Alaska 99508	Occupation: Self Employer: Self Description:	\$25.00
Number of Contributions under \$100:				0
Sum of Contributions under \$100:				\$0.00
Income Total:				\$5,435.00

EXPENDITURES

Date	Payment Method	Vendor	Purpose	Amount
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03/10/2024	Credit Card	Tropic Tundra 13388 E Moosewallow Palmer, Alaska 99645	Marketing and Outreach, Social Media Management, Advertising, Merchandise, Website management	\$4,000.00
Expenditure Total:				\$4,000.00

DEBTS

Date Incurred	Name	Description or Purpose	Original Amount	Balance Remaining
No Debts / Nothing to Report				
			Remaining Debt Total:	\$0.00

CAMPAIGN DISCLOSURE FORM

COMPLETED

Submission Date: **07/11/2024**
 Filer First Name: **Phillip**
 Filer Middle Name: **A**
 Filer Last Name: **Izon**
 Filer's Title: **Records Keeper**
 Report Type: **Second Quarterly Report**

GROUP INFORMATION

Group Name: **2024 - Alaskans For Honest Elections**
 Group Abbreviation: **AKHE**
 Group Address: **4201 E Dimond Way # B**
 City, State Zip: **Wasilla, Alaska 99654**

REPORT INFORMATION

Election Year: **0**
 Election: **N/A**
 Report Type: **Second Quarterly Report**
 Reporting Period: From **04/08/2024** Through **07/07/2024**

FINANCIAL SUMMARY

THIS PERIOD		ENTIRE CAMPAIGN			
Beginning Cash On Hand:	\$1,435.00				
[+] ↓		Year To Date Income Total: (From Box A of previous report)		Total Income To Date: (Box A)	
Total Income Reported:	\$0.00	[+] ⇒	\$5,435.00	[=] ⇒	\$5,435.00
[-] ↓		Year to Date Expense Total: (From Box B of previous report)		Total Expense To Date: (Box B)	
Total Expenditures Reported:	\$1,250.00	[+] ⇒	\$4,000.00	[=] ⇒	\$5,250.00
[=] ↓					
Closing Cash On Hand:	\$185.00				
[-] ↓					
Total Debts:	\$0.00				

[=] ↓	
Surplus/Deficit:	\$185.00

INCOME

Date Received	Payment Method	Contributor	Details	Amount
No Income / Nothing to Report				
Number of Contributions under \$100:				0
Sum of Contributions under \$100:				\$0.00
Income Total:				\$0.00

EXPENDITURES

Date	Payment Method	Vendor	Purpose	Amount
04/15/2024	Credit Card	Leading Light Advisors 4201 E Dimond Way # A Wasilla, Alaska 99654	Website, marketing, presentations	\$1,250.00
Expenditure Total:				\$1,250.00

DEBTS

Date Incurred	Name	Description or Purpose	Original Amount	Balance Remaining
No Debts / Nothing to Report				
			Remaining Debt Total:	\$0.00

CAMPAIGN DISCLOSURE FORM

COMPLETED

Submission Date: **07/11/2024**
 Filer First Name: **Phillip**
 Filer Middle Name: **A**
 Filer Last Name: **Izon**
 Filer's Title: **Records Keeper**
 Report Type: **Third Quarterly Report**

GROUP INFORMATION

Group Name: **2024 - Alaskans For Honest Elections**
 Group Abbreviation: **AKHE**
 Group Address: **4201 E Dimond Way # B**
 City, State Zip: **Wasilla, Alaska 99654**

REPORT INFORMATION

Election Year: **0**
 Election: **N/A**
 Report Type: **Third Quarterly Report**
 Reporting Period: From **07/08/2024** Through **10/07/2024**

FINAL REPORT

FINANCIAL SUMMARY

THIS PERIOD		ENTIRE CAMPAIGN			
Beginning Cash On Hand:	\$185.00				
[+] ↓		Year To Date Income Total: (From Box A of previous report)		Total Income To Date: (Box A)	
Total Income Reported:	\$0.00	[+] ⇒	\$5,435.00	[=] ⇒	\$5,435.00
[-] ↓		Year to Date Expense Total: (From Box B of previous report)		Total Expense To Date: (Box B)	
Total Expenditures Reported:	\$185.00	[+] ⇒	\$5,250.00	[=] ⇒	\$5,435.00
[=] ↓					
Closing Cash On Hand:	\$0.00				

[-] ↓	
Total Debts:	\$0.00
[=] ↓	
Surplus/Deficit:	\$0.00

INCOME

Date Received	Payment Method	Contributor	Details	Amount
No Income / Nothing to Report				
Number of Contributions under \$100:				0
Sum of Contributions under \$100:				\$0.00
Income Total:				\$0.00

EXPENDITURES

Date	Payment Method	Vendor	Purpose	Amount
07/11/2024	Credit Card	Leading Light Advisors, Phil 4201 E Dimond Way # A Wasilla, Alaska 99654	Close out left over business	\$185.00
Expenditure Total:				\$185.00

DEBTS

Date Incurred	Name	Description or Purpose	Original Amount	Balance Remaining
No Debts / Nothing to Report				
			Remaining Debt Total:	\$0.00



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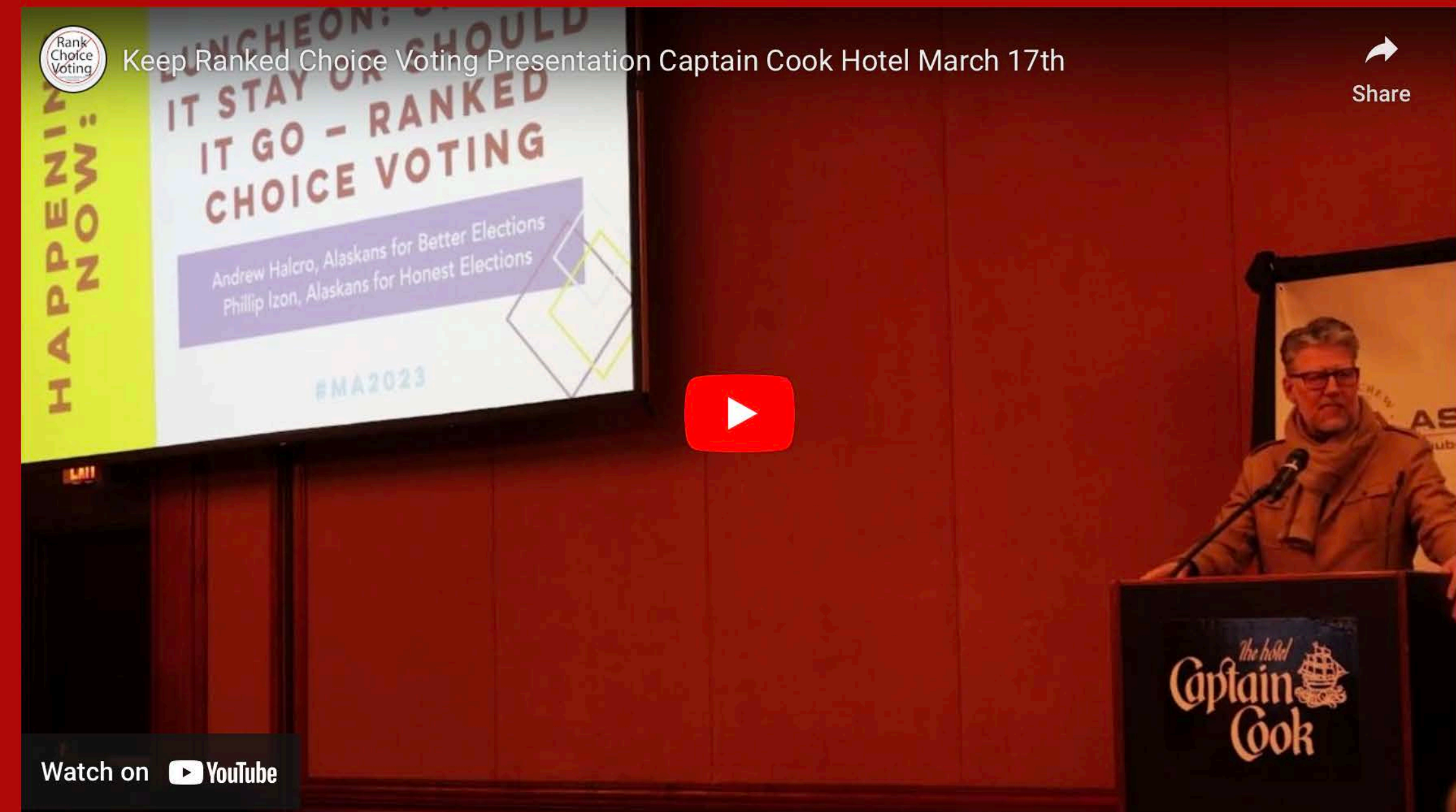
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[Ranked Choice Voting](#)

Watch the Debate / Discussion from March 2023 and Decide for Yourself



Repeal Ranked Choice Voting



Keep Ranked Choice Voting

Repeal Ranked Choice Voting

Keep Ranked Choice Voting



ON THIS EPISODE OF #INTHEDUGOUT: Tyranny in Rhode Island about to be UNMASKED and a discussion on the fight to stop Rank Choice Voting.

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Just got off the phone w/ Alaska.

I've been invited to the 49th state b/c @907Honest was successful in getting enough signatures for an initiative

to REPEAL ranked choice voting.

If you live in Alaska, we'd love your help defeating RCV.

Thank You Alaskans

We Did It, We Are On The Ballot

This Communication Was Paid For By Alaskans For Honest Elections, 2521 E Mtn Village Dr #904 Wasilla, AK 99654 Phillip Izon, Director Approved This Message. The Top 3 Contributors Are Phillip Izon, Wasilla, AK, Ranked Choice Education Association, Anchorage, AK, ; And Carolyn Overstreet, Anchorage, AK

If you live in Alaska, we'd love your help defeating RCV.

(I've never been to AK before!)

10:39 AM · Mar 13, 2024 · 128.3K Views



Lieutenant Governor Nancy Dahlstrom
STATE OF ALASKA

NOTICE OF PROPER FILING

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR FOR THE STATE OF ALASKA, under the provisions of Article XI of the Constitution of the State of Alaska and under the provisions of AS 15.45, hereby provide notice that the initiative petition for "*An Act Restoring Political Party Primaries and Single-Choice General Elections*" which was received on November 23, 2022, and known as 22AKHE, was properly filed.

I have determined that the initiative sponsors have timely filed the petition and that the petition is signed by qualified voters (1) equal in number to 10 percent of those who voted in the preceding general election; (2) resident in at least three-fourths of the house districts in the state; and (3) who, in each of the house districts, are equal in number to at least seven percent of those who voted in the preceding general election in the house district.

In accordance with AS 15.45.190, the Director of the Division of Elections shall place the ballot title and proposition on the election ballot of the first statewide general, special, or primary election that is held after a period of 120 days has expired since the adjournment of the legislative session. Barring any unforeseen special election or adjournment of the current legislative session on or before April 22, 2024, this proposition is scheduled to appear on the general election ballot on the November 5, 2024 general election.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed hereto the Seal of the State of Alaska, at Juneau, Alaska,



Lieutenant Governor Nancy Dahlstrom
STATE OF ALASKA

March 8, 2024

Phillip Izon II
4201 E Dimond Way, Unit B
Wasilla, AK 99654

Re: 22AKHE – Alaskans for Honest Elections

Dear Mr. Izon:

I have reviewed your petition for the initiative entitled "An Act Restoring Political Party Primaries and Single-Choice General Elections" and have determined that the petition was properly filed. My notice of proper filing is enclosed. Specifically, the petition was signed by qualified voters from all 40 house districts equal in number to at least 10 percent of those who voted in the preceding general election; with signatures from at least 30 house districts matching or exceeding seven percent of those who voted in the preceding general election in the house district. The Division of Elections verified 37,043 voter signatures, which exceeds the 26,705 signature requirement based on the 2022 general election. A copy of the Petition Statistics Report prepared by the Division of Elections is enclosed.

With the assistance of the attorney general, I have prepared the following ballot title and proposition that meets the requirements of AS 15.45.180:

An Act Restoring Political Party Primaries and Single-Choice General Elections

This act would get rid of open primary elections and ranked-choice general elections. It would bring back political party primaries and single-choice general elections.

Elections will occur exactly as they did before Ballot Measure 2 became the law in 2021. In the primary election, voters will choose a party's ballot. They will vote for one candidate and the winning candidate will be the party's nominee. In the general election, voters will select one candidate. The candidate with the most votes will win.

This act would also bring back party petitions, special runoff elections, and other processes in place before Ballot Measure 2. It would put all election laws, except campaign finance laws, back the way they were before

Special election or adjournment of the current legislative session on or before April 22, 2024, this proposition is scheduled to appear on the general election ballot on the November 5, 2024 general election.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed hereto the Seal of the State of Alaska, at Juneau, Alaska,

This 8th day of March, 2024.

Nancy Dahlstrom

NANCY DAHLSTROM, LIEUTENANT GOVERNOR

Juneau Office: Post Office Box 110015 • Juneau, Alaska 99811 • 907.465.3520 voice
Anchorage Office: 550 West 7th Avenue, Suite 1700 • Anchorage, Alaska 99501 • 907.269.7460 voice
lg.governor@alaska.gov • lrgov.alaska.gov

Elections will occur exactly as they did before Ballot Measure 2 became the law in 2021. In the primary election, voters will choose a party's ballot. They will vote for one candidate and the winning candidate will be the party's nominee. In the general election, voters will select one candidate. The candidate with the most votes will win.

This act would also bring back party petitions, special runoff elections, and other processes in place before Ballot Measure 2. It would put all election laws, except campaign finance laws, back the way they were before Ballot Measure 2.

Should this initiative become law?

This ballot proposition will appear on the election ballot of the first statewide general, special, or primary election that is held after (1) the petition has been filed; (2) a legislative session has convened and adjourned; and (3) a period of 120 days has expired since the adjournment of the legislative session. Barring an unforeseen special election or adjournment of the current legislative session occurring on or before April 22,

Juneau Office: Post Office Box 110015 • Juneau, Alaska 99811 • 907.465.3520 voice
Anchorage Office: 550 West 7th Avenue, Suite 1700 • Anchorage, Alaska 99501 • 907.269.7460 voice
lg.governor@alaska.gov • lrgov.alaska.gov

Alaskans

Were You Lied To About RCV?



Vote Yes on 2 to Repeal RCV

Phillip Izon
March 8, 2024
Page 2

2024, this proposition will be scheduled to appear on the general election ballot on the November 5, 2024 general election. If a majority of the votes cast on the initiative proposition favor its adoption, I shall so certify and the proposed law will be enacted. The act becomes effective 90 days after certification.

Please be advised that under AS 15.45.210, this petition will be void if I, with the formal concurrence of the attorney general, determine that an act of the legislature that is substantially the same as the proposed law was enacted after the petition has been filed and before the date of the election. I will advise you in writing of my determination in this matter.

Please be advised that under AS 15.45.240, any person aggrieved by my determination set out in this letter may bring an action in the superior court to have the determination reversed within 30 days of the date on which notice of the determination was given.

If you have questions or comments about the ongoing initiative process, please contact my staff, April Simpson, at (907) 465-4081.

Sincerely,

Nancy Dahlstrom

Nancy Dahlstrom
Lieutenant Governor

Enclosures

cc: Treg Taylor, Attorney General
Thomas Flynn, Assistant Attorney General
Carol Beecher, Director of Elections

repeat now

cc: Treg Taylor, Attorney General
Thomas Flynn, Assistant Attorney General
Carol Beecher, Director of Elections

Thank You “By Alaskans, For Alaskans”

Our Mission is to Return Alaskan Elections to Alaskans

Alaska’s Future is in Our Hands

Our Mission is to Return Alaskan Elections to Alaskans

Alaska’s Future is in Our Hands

Donate Today To Help Us Win



This Communication Was Paid For By Alaskans For Honest Elections, 2521 E Mtn Village Dr #904 Wasilla, AK 99654 Phillip Izon, Director Approved This Message. The Top 3 Contributors Are
Phillip Izon, Wasilla, AK, Ranked Choice Education Association, Anchorage, AK, ; And Carolyn Overstreet, Anchorage, AK

Contact Us Here



907Honest ✓

10.4K posts



One Voter, One Vote



*This Communication Was Paid For By Alaskans For Honest Elections,
2521 E Mtn Village Dr #904 Wasilla, AK 99654 Phillip Izon,
Director Approved This Message. The Top 3 Contributors Are
Phillip Izon, Wasilla, AK, Ranked Choice Education Association,
Anchorage, AK, ; And Carolyn Overstreet, Anchorage, AK*



Follow

907Honest ✓

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Dedication page to our Efforts to Remove Ranked Choice Voting in Alaska.

[#RankedChoiceVoting](#) [#FinalFiveVoting](#)



Education



Alaska, USA



alaskansforhonestelections.com



Joined November 2022

APOC Exhibit 1

4,804 Following

3,653 Followers

Exhibit 12B

Page 1 of 1



907Honest

@907Honest

...

Alaska will be the 1st State in the Country to Repeal Ranked Choice Voting.

10 States have Banned Ranked Choice Voting.



↻ 907Honest reposted



907Honest ✓ @907Honest · Apr 2



Who will be next?



↻ 4

♥ 7

||| 286



↻ 907Honest reposted



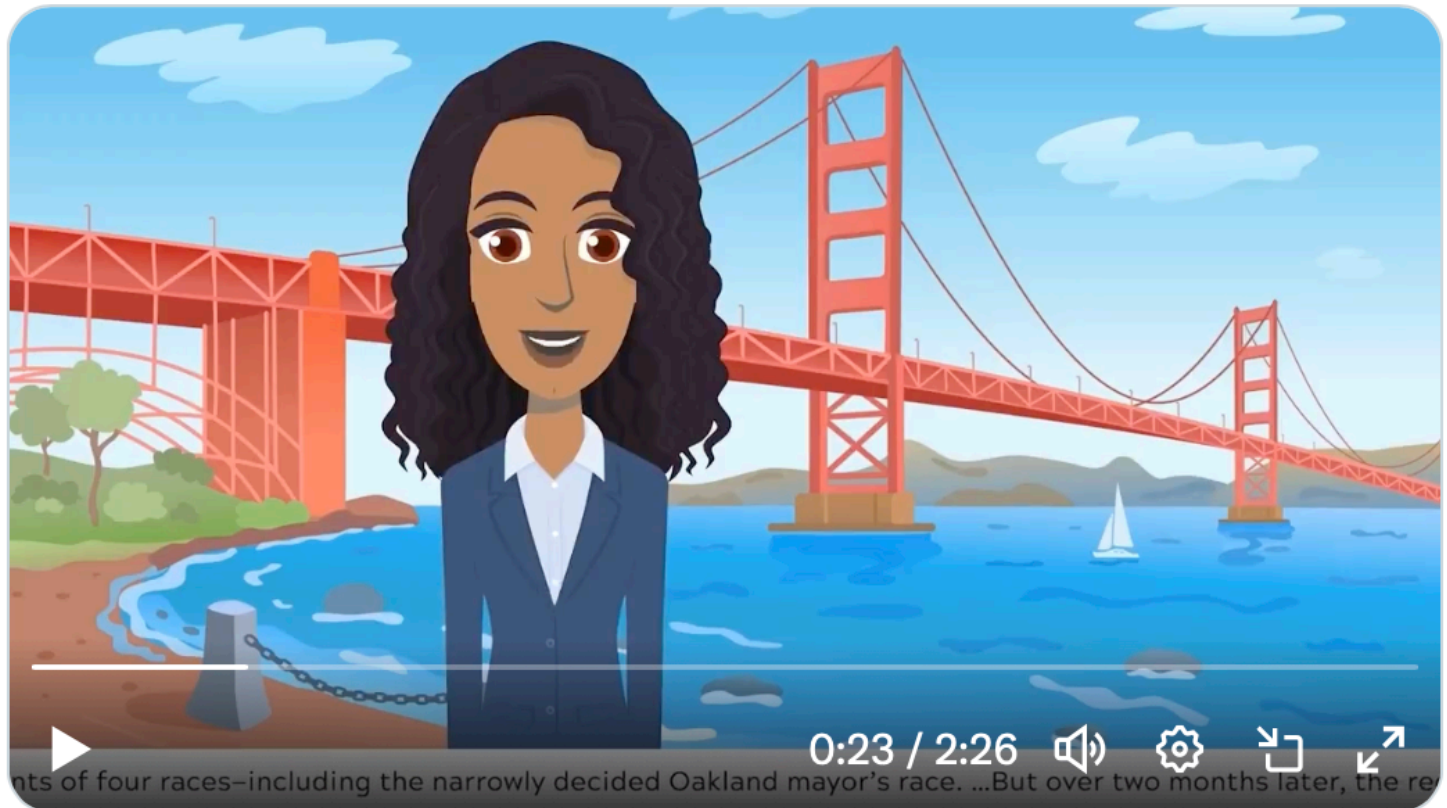
907Honest ✓ @907Honest · Apr 2

...

1. San Francisco 2011:

A report on the 2011 San Francisco Municipal Election examined the usage of ranked choice voting (RCV). The study found that precincts with higher proportions of Asian and Pacific Islander, Latino, and older voters, as well as more progressive precincts,...

[Show more](#)



💬 1

↻ 5

❤ 12

📊 531

🔖 ⬆

↻ 907Honest reposted



907Honest ✓ @907Honest · Apr 2



[#rankedchoicevoting](#) is the ultimate voter suppression!!!



THE LAST STATE for regular election results!

▶ the country for regular election results. 0:19 / 1:00 🔊 ⚙️ 📺 ↗️



↻ 6

♥ 9

📊 286



↻ 907Honest reposted



907Honest ✓ @907Honest · Apr 2



Video from last year, we sure did have a lot of fun beating the Pro-RCV group aka Soros & Friends



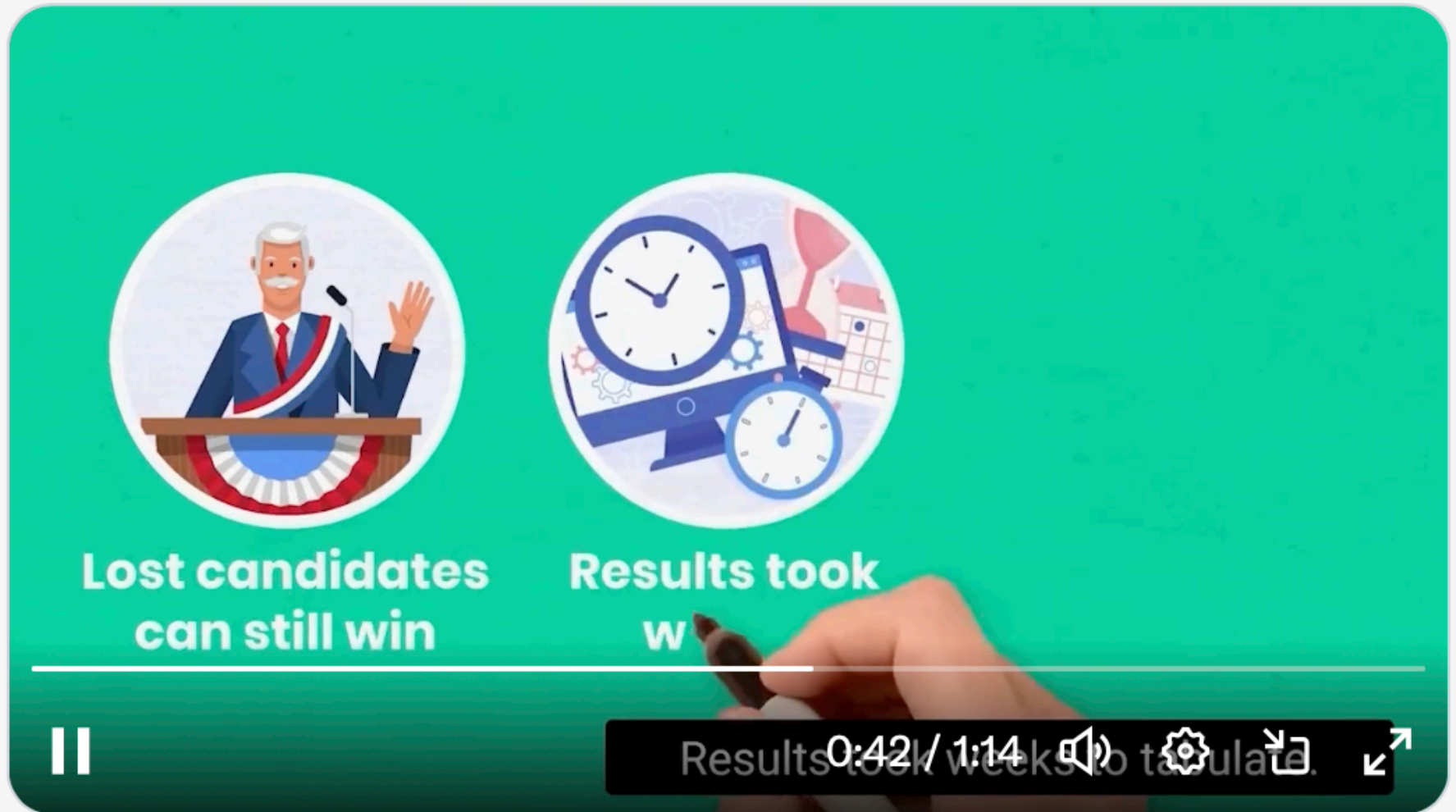
↻ 907Honest reposted



907Honest ✓ @907Honest · Apr 3



Summary of [#RankedChoiceVoting](#) in Alaska



↻ 907Honest reposted



907Honest ✓ @907Honest · Apr 3

Summary of [#RankedChoiceVoting](#) in Alaska



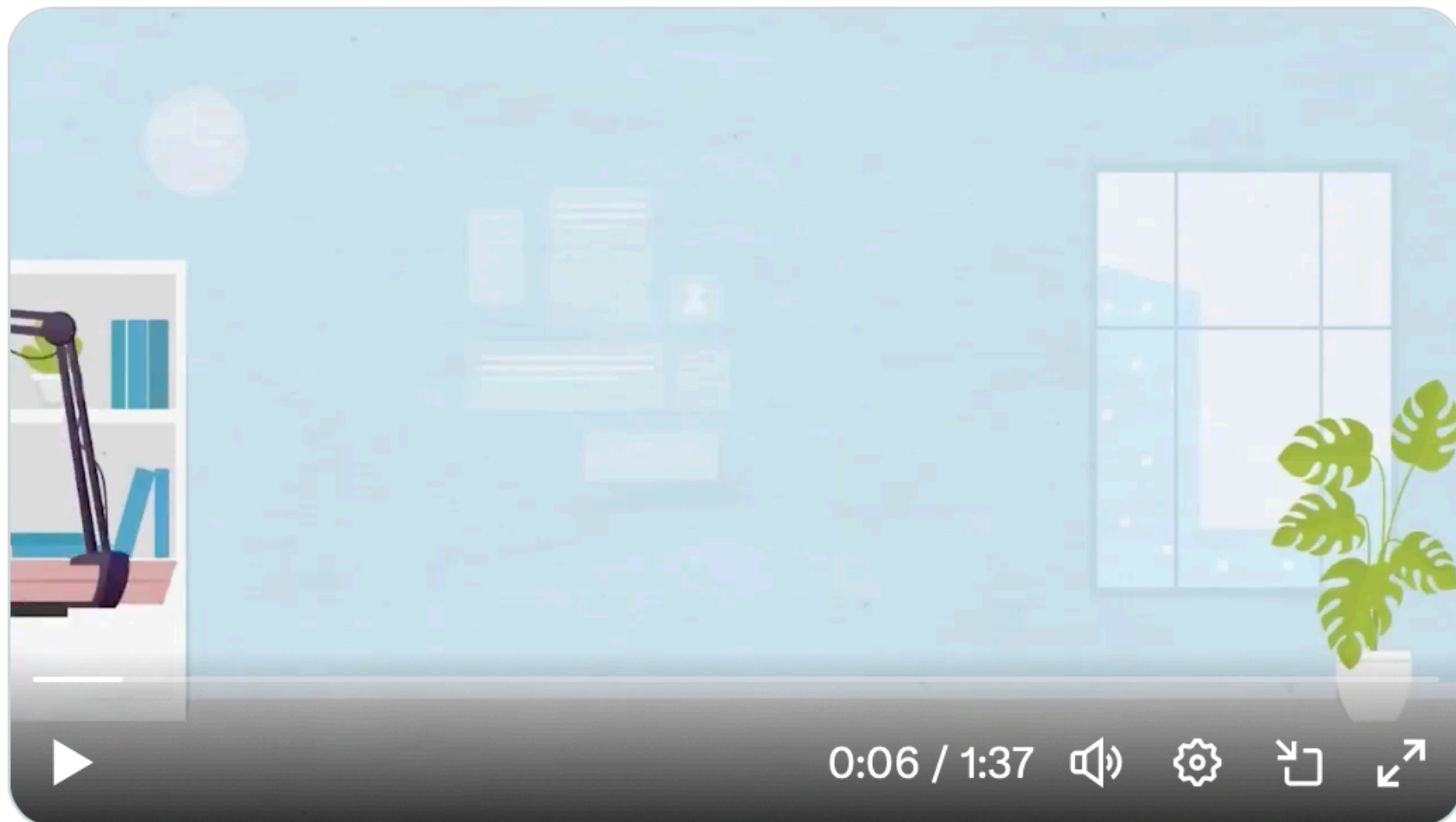
↻ 907Honest reposted



907Honest ✓ @907Honest · Apr 3



Leaders Quotes Regarding [#RankedChoiceVoting](#)



↻ 2

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📊 197



↻ 907Honest reposted



907Honest ✓ @907Honest · Apr 3



Quote from an Alaskan about [#RankedChoiceVoting](#)

"Ranked choice voting is the-product of millions of dollars from non-Alaskan, dark-money advertisements, which were spoon-fed to Alaskans by a barrage of ads before the election."

Dennis & Dorthy Smith

March 5th, 2023



↻ 1

♡ 2

||| 148



↻ 907Honest reposted

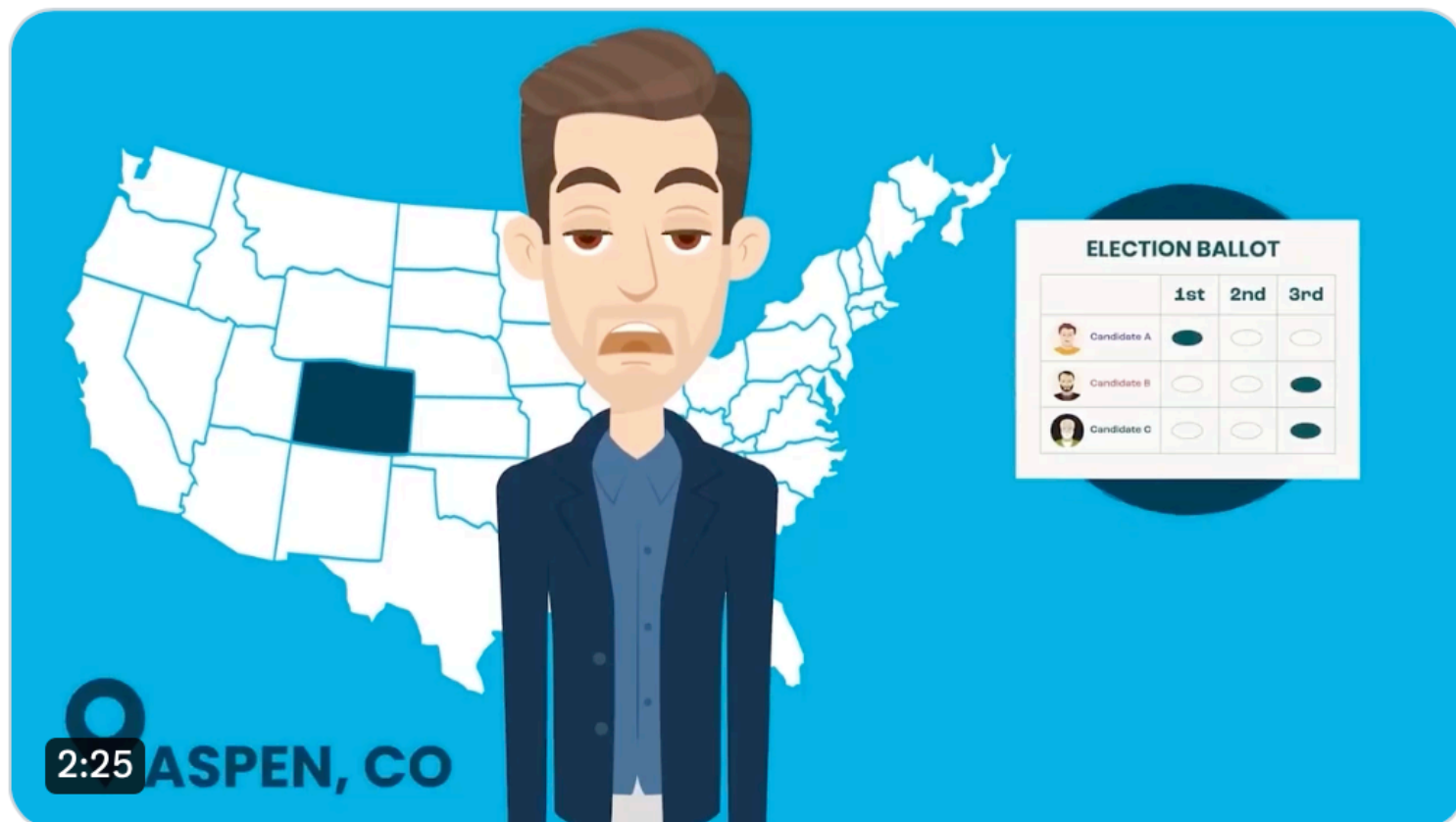


907Honest ✓ @907Honest · Apr 3

...

In Aspen, Colorado (2009) there were significant problems with how Instant Run Off Voting, a type of Ranked Choice Voting, worked. People were confused by the process, the ballots, and the tabulation. They originally voted 70% to get Instant Run Off Voting. After one election...

[Show more](#)



↻ 2

♥ 2

|| 172



↻ 907Honest reposted



907Honest ✓ @907Honest · Apr 3

...

Alaska Elections Issues in 2022: Do you think it would have made a difference if Al Gross's name was on the ballot in the U.S. House Race? The race went from 2 Republicans vs 2 Democrats, to 2 Republicans vs 1 Democrat (allowing the possibility of splitting the Republican Vote)...

[Show more](#)



↻ 1

♥ 1

165



↻ 907Honest reposted



907Honest ✓

@907Honest

...

We have legal bills because we've been attacked, your right to vote to repeal Ranked Choice Voting is being attacked. We beat them, we protected the Repeal. Every Alaskan Voter will get to Vote on this Repeal. They tried to take that from Alaska.

The Ranked Choice Voting group is appealing our Superior court Win to the Alaska Supreme Court as well.

Soros & friends aka Pro-RCV Group is Appealing the Superior Court decision to the Alaska Supreme Court with a decision required by September 3rd, 2024.

They lost in December 2023 when they asked the State to stop our signature gathering. State told them to kick rocks.

They lost in March when the State approved our Repeal initiative.

They lost in July 2024 when the Superior Court Ruled in Our Favor and our initiative remaining on the ballot.

They will lose the Supreme Court appeal

They will then lose in November when we repeal / remove Ranked Choice Voting from Alaska.

Help us pay our legal bills. rankedchoicedu.org/checkout/donat...



907Honest ✓
@907Honest

...

We've raised \$1700 so far to help cover our legal bills.

Our legal bills defending the initiative were significant. Total costs were over \$100,000. If you can chip in and help RCEA continue our education efforts nationwide.

Everyone that donates get a free digital code for a copy of my book. It emails you the code as soon as you donate.

rankedchoiceedu.org/checkout/donat...



Last edited 6:38 PM · Jul 27, 2024 · **767** Views



907Honest ✓
@907Honest

...

We have raised \$2,000+ and counting thank you all for the donations, helps pay our legal bills that we have defending our Repeal of RCV.

Donate today, all donations get a free copy of my book via digital download. Code sent via email (\$25 value)

rankedchoiceedu.org/checkout/donat...



George ✓ @BehizyTweets · Jul 25

BREAKING: An Alaska judge has ruled against Democrats and **REJECTED** their lawsuit against the petition to ban Rank Choice Voting, which they have used to rig Alaska's elections. Soros-funded forces asked the courts to overturn the petition, but the judge saw right through it

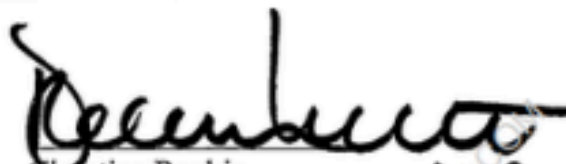
...

[Show more](#)

Now, therefore, **FINAL JUDGMENT** is hereby entered against the plaintiffs, their request for relief is denied, and their claims are resolved in favor of the defendants and Sponsors. The Initiative identified as 22AKHE shall remain on the November 2024 general election ballot consistent with the Court's decisions dated June 7, June 21, and July 19, 2024, and the Division of Elections' subsequent recount of subscribers.

Dated this 24 day of July 2024.

By


Christina Rankin
Superior Court Judge



907Honest ✓

@907Honest

...

We have had 20 donations so far. One donation was over \$1,000.

We spent hundreds of thousands on legal bills fighting to keep the Repeal of Ranked Choice Voting on the ballot.

Chip in and help us continue our nationwide work.

rankedchoiceedu.org/checkout/donat...

Phil's expertise in RCV made his efforts that much more important for the U.S. He has presented to presidential candidates, congressional members, state legislators, and multiple secretaries of state, influencing audiences in Alaska, Arizona, California, D.C., Florida, Hawaii, Idaho, Missouri, Montana, Nevada, Oklahoma, Oregon, Texas, and Utah.



907Honest ✓ @907Honest

Summarize @907honest



Grok ✓ x1 @grok

Alaska politics, known for his efforts to repeal Ranked Choice Voting (RCV) in the state. He wrote the bill to remove electronic voting machines from Alaska's elections and has been involved in a legal battle against out-of-state interests since March. Despite facing challenges, Phil Izon and his team recently won a court case, ensuring that the repeal of RCV will be on the ballot in November. His Twitter account, @907Honest, has gained significant traction, with over 3.6 million views in the last year and a substantial increase in likes and followers in February 2024.

6:07 AM · Jul 28, 2024 · 33 Views

STATEMENT OF CONTRIBUTIONS FORM 15-5

COMPLETEDSubmission Date: **09/04/2023**

REPORT TYPE

Filing Reason: **Contributions of \$500 or more**Report Year: **2024**Filed As: **Other**

FILING

Filer First Name: **Phil**Filer Middle Name: **A**Filer Last Name: **Izon**Filer Phone: **9078028116**Filer Email: **admin@alaskansforhonestelections.com**Filer's Title with Other Entity: **Records Keeper**

BUSINESS INFORMATION

Business Entity Name: **Ranked Choice Education Association**Business Type: **Education Association**Address: **2511 Sentry Dr Ste 2**City: **Anchorage**State: **Alaska****99507**Country: **United States**

CONTACT PERSON INFORMATION

First Name: **Phil**Last Name: **Izon**Phone: **9078028116**Email: **info@rankedchoiceeducationassociation.org**

CONTRIBUTIONS

--	--	--	--	--

Contribution Date	Recipient	Form of Contribution	Amount	Total Annual Contribution
09/02/2023	2023 - Alaskans For Honest Elections	Non-Monetary Description: In Kind Contribution	\$7,479.33	\$97,479.33

REPORT SUMMARY

Number of Contributions Reported with this Report: **1**

Total of Contributions Reported with this Report: **\$7,479.33**

STATEMENT OF CONTRIBUTIONS FORM 15-5

COMPLETEDSubmission Date: **10/30/2023**

REPORT TYPE

Filing Reason: **Contributions of \$500 or more**Report Year: **2023**Filed As: **Other**

FILING

Filer First Name: **Phil**Filer Middle Name: **A**Filer Last Name: **Izon**Filer Phone: **9078028116**Filer Email: **info@rankedchoiceducationassociation.org**Filer's Title with Other Entity: **Records Keeper**

BUSINESS INFORMATION

Business Entity Name: **Ranked Choice Education Association**Business Type: **Education Association**Address: **2511 Sentry Dr Suite 200**City: **Anchorage**State: **Alaska****99507**Country: **United States**

CONTACT PERSON INFORMATION

First Name: **Phil**Last Name: **Izon**Phone: **907-802-8116**Email: **info@rankedchoiceducationassociation.org**

CONTRIBUTIONS

--	--	--	--	--

Contribution Date	Recipient	Form of Contribution	Amount	Total Annual Contribution
10/02/2023	2023 - Alaskans For Honest Elections	Check Check Number: 2032	\$2,000.00	\$92,000.00
10/24/2023	2023 - Alaskans For Honest Elections	Check Check Number: 2035	\$30,000.00	\$122,000.00

REPORT SUMMARY

Number of Contributions Reported with this Report: 2
Total of Contributions Reported with this Report: \$32,000.00

INDEPENDENT EXPENDITURES FORM 15-6

COMPLETEDSubmission Date: **03/07/2024**

FILER INFORMATION

Filer First Name: **Phil**

Filer Middle Name:

Filer Last Name: **Izon**Filer Full Address: **4201 E Dimond Way # B
Wasilla, Alaska 99654**Filer Occupation: **SEALcam.ai**Filer Employer: **Self**Filer's Title with Other Entity: **Records Keeper**

REPORT INFORMATION

Report Year: **2023**Election Year: **-1**Report Type: **Ten Day**Filer Type: **Registered Group**

BUSINESS/OTHER ENTITY INFORMATION

Business/Other Entity Name: **Ranked Choice Education Association**Type of Business or Organization: **Registered Group**Address: **4201 Dimond Way**City: **Wasilla**State: **Alaska****99654**Country: **United States**Business/Other Entity Contact Person: **Phillip Izon**Contact E-mail: **nevesiltstudio@gmail.com**Contact Phone: **19078028116**

ELECTION INFORMATION

Election: **Multiple Elections / Other**

Election Description: **Nothing to Report**

OFFICERS

Name	Full Address	Title
Phillip Izon	4201 Dimond Way Wasilla, Alaska 99654	Chair
Phillip Izon	4201 Dimond Way Wasilla, Alaska 99654	Treasurer

EXPENDITURES

Date	Recipient	Payment Type	Candidate / Proposition	Amount
01/01/2023	Alaskans For Honest Elections 4201 E Dimond Way # B Wasilla, Alaska 99654	Non-Monetary Description: Website Link In Kind Donation	SUPPORT: 22AKHE Election: We had a link on the website that promoted the repeal of Ranked Choice Voting. Added to report under protest, currently under appeal with court.	\$500.00

CONTRIBUTIONS

Contribution Date	Contributor	Details			Amount
01/01/2023	Type: Registered Entity Name: Ranked Choice Education Association 4201 E Dimond Way # B Wasilla, Alaska 99654	Officers / Directors			\$500.00
		Name	Full Address	Title	
		Art Mathias	3900 Arctic Blvd	Director	
		Phil Izon	4201 E Dimond Way B	Director	

DEBTS

Date	Recipient	Candidate /	Amount
------	-----------	-------------	--------

		Proposition
No Debts / Nothing to Report		

REPORT SUMMARY

Number of Expenditures Reported with this Report: 1	
Total of paid Expenditures:	\$500.00
Previous Contributions: \$0.00	
Number of Contributions Reported with this Report: 1	
Total of Contributions Reported with this Report:	\$500.00
Cumulative Contribution Amounts:	\$500.00
Number of Officers: 2	
Number of Debts Reported with this Report: 0	
Total of Debts Incurred but not yet paid:	\$0.00

CAMPAIGN DISCLOSURE FORM

COMPLETEDSubmission Date: **03/07/2024**Filer First Name: **Phillip**Filer Middle Name: **A**Filer Last Name: **Izon**Filer's Title: **Records Keeper**Report Type: **Year End Report**

GROUP INFORMATION

Group Name: **2023 - Ranked Choice Education Association**Group Abbreviation: **RCEA**Group Address: **4201 Dimond Way**City, State Zip: **Wasilla, Alaska 99654**

REPORT INFORMATION

Election Year: **0**Election: **N/A**Report Type: **Year End Report**Reporting Period: From **01/01/2023** Through **02/01/2024**

FINANCIAL SUMMARY

THIS PERIOD		ENTIRE CAMPAIGN			
Beginning Cash On Hand:	\$0.00				
[+] ↓		Year To Date Income Total: (From Box A of previous report)		Total Income To Date: (Box A)	
Total Income Reported:	\$500.00	[+] ⇒	\$0.00	[=] ⇒	\$500.00
[-] ↓		Year to Date Expense Total: (From Box B of previous report)		Total Expense To Date: (Box B)	
Total Expenditures Reported:	\$500.00	[+] ⇒	\$0.00	[=] ⇒	\$500.00
[=] ↓					
Closing Cash On Hand:	\$0.00				
[-] ↓					
Total Debts:	\$0.00				

[=] ↓	
Surplus/Deficit:	\$0.00

INCOME

Date Received	Payment Method	Contributor	Details	Amount
01/01/2023	Non-Monetary Website Link / In Kind Donation - Reported Under Protest, Currently Appealing	Ranked Choice Education Association, Phil 4201 E Dimond Way # B Wasilla, Alaska 99654	Occupation: Education Employer: Self Description: Had a link on our website that directed people to AKHE, reported under protest currently appealing APOC decision in court	\$500.00
		Number of Contributions under \$100:		0
		Sum of Contributions under \$100:		\$0.00
		Income Total:		\$500.00

EXPENDITURES

Date	Payment Method	Vendor	Purpose	Amount
01/01/2023	Non-Monetary Website Link / In Kind Donation - Reported Under Protest, Currently Appealing	Ranked Choice Education Association, Phil 4201 E Dimond Way # B Wasilla, Alaska 99654	Had a link on our website that directed people to AKHE, reported under protest currently appealing APOC decision in court	\$500.00
		Expenditure Total:		\$500.00

DEBTS

Date Incurred	Name	Description or Purpose	Original Amount	Balance Remaining
---------------	------	------------------------	-----------------	-------------------

No Debts / Nothing to Report		
	Remaining Debt Total:	\$0.00

ENTITY REGISTRATION FORM

COMPLETED

Submission Date: **03/07/2024**
Filer First Name: **Phillip**
Filer Middle Name (Optional): **A**
Filer Last Name: **Izon**
Filer's Title with Entity: **Records Keeper**

ENTITY INFORMATION

Election Year: **2022**
Entity Name: **Ranked Choice Education Association**
Abbreviation: **RCEA**
Purpose: **Education and outreach for voters**
State Initiative Support/Oppose: **Yes (Involvement)**
Entity Mailing Address: **4201 Dimond Way**
City, State Zip: **Wasilla, Alaska 99654**

CONTACT

Name: **Phil Izon**
Address: **4201 Dimond Way**
City, State Zip: **Wasilla, Alaska 99654**
Phone: **19078028116**
E-mail: **nevesiltstudio@gmail.com**
Fax (Optional): **Did Not Report**

OFFICERS AND DIRECTORS

Name	Address	Title
Phil Izon	4201 E Dimond Way # B Wasilla, Alaska 99654	Director
Art Mathias	3900 Arctic Blvd Anchorage, Alaska 99503	Director

BANK ACCOUNT / POLITICAL ACTIVITIES ACCOUNT

Name of Bank: **Key Bank**

Bank Address: 101 W Benson

City, State Zip: Anchorage, Alaska 99520

ENTITY REGISTRATION FORM

COMPLETED

Submission Date: **03/07/2024**
Filer First Name: **Phillip**
Filer Middle Name (Optional): **A**
Filer Last Name: **Izon**
Filer's Title with Entity: **Records Keeper**

ENTITY INFORMATION

Election Year: **2023**
Entity Name: **Ranked Choice Education Association**
Abbreviation: **RCEA**
Purpose: **Education and outreach for voters**
State Initiative Support/Oppose: **Yes (Involvement)**
Entity Mailing Address: **4201 E Dimond Way # B**
City, State Zip: **Wasilla, Alaska 99654**

CONTACT

Name: **Phil Izon**
Address: **4201 E Dimond Way # B**
City, State Zip: **Wasilla, Alaska 99654**
Phone: **19078028116**
E-mail: **nevesiltstudio@gmail.com**
Fax (Optional): **Did Not Report**

OFFICERS AND DIRECTORS

Name	Address	Title
Art Mathias	3900 Arctic Blvd Anchorage, Alaska 99503	Director
Phil Izon	4201 E Dimond Way # B Wasilla, Alaska 99654	Director

BANK ACCOUNT / POLITICAL ACTIVITIES ACCOUNT

Name of Bank: **Key Bank**

Bank Address: **101 W. Benson Blvd**
City, State Zip: **Anchorage, Alaska 99520**

COMPLETED

REPORT TYPE

Filed As: **Other**

Filer's Title with Other Entity: **Records Keeper**Country: **United States**

Employer: **Self Employed**

Contribution Date	Recipient	Form of Contribution	Amount	Total Annual Contribution
06/11/2023	2023 - Alaskans For Honest Elections	Check Check Number: 2010	\$10,260.00	\$90,000.00

					Total
--	--	--	--	--	-------

Date	Name	Address	Employment	Amount	Annual
12/20/2022	Name: Art Mathias	Address: 3900 Arctic Blvd STE 102, Anchorage, Alaska 99503 Phone: 907563-3188 Email: info@rankedchoiceeducationassociation.org	Insurance Self Employed	\$90,000.00	\$90,000.00
Received Directly from True Source No Intermediaries					

REPORT SUMMARY

Number of Contributions Reported with this Report: 1
Total of Contributions Reported with this Report: \$10,260.00

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

ALASKANS FOR HONEST
ELECTIONS; RANKED CHOICE
EDUCATION ASSOCIATION,
ARTHUR MATHIAS, WELLSPRING
MINISTRIES,

Appellants,

v.

ALASKA PUBLIC OFFICES
COMMISSION,

Appellee.

Case No. 3AN-24-04508CI

ALASKANS FOR BETTER
ELECTIONS, INC.,

Cross-Appellant,

v.

ALASKANS FOR HONEST
GOVERNMENT, WELLSPRING
FELLOWSHIP, and PHILLIP IZON,

Cross-Appellees.

**ORDER AFFIRMING IN PART AND REVERSING IN PART FINAL
ORDER BY THE ALASKA PUBLIC OFFICES COMMISSION
FOLLOWING PETITION FOR REHEARING**

I. Procedural History

This administrative appeal arises out of a complaint filed by Alaskans for Better Elections with the Alaska Public Offices Commission (“APOC”) on July 5, 2023, alleging failure to comply with APOC registration and reporting requirements

3AN-24-4058CI

Alaskans for Honest Elections et al. vs. APOC/Alaskans for Better Elections vs. Alaskans for Honest Elections et al.
Order Affirming in Part and Reversing in Part Final Order of APOC Following Petition for Rehearing

by Appellants and others. The Complaint led to an investigation by APOC staff who found violations of campaign finance laws by respondents Alaskans for Honest Elections (“AHE”); the Ranked Choice Education Association (“RCEA”); Arthur Mathias (“Mathias”); Wellspring Ministries; Wellspring Fellowship; Alaskans for Honest Government; and, Phillip Izon.¹

Following an administrative hearing on November 16, 2023, the Commission issued a Final Order on January 3, 2024, concluding that the reported violations occurred and imposing civil penalties totaling \$94,610.²

On February 2, 2024, Appellants Alaskans for Honest Elections, the Ranked Choice Education Association, Mathias, and Wellspring Ministries appealed to the superior court. On February 23, 2024, Alaskans for Better Elections (“ABE”) cross-appealed and the appeals were consolidated. The Court granted Alaskans for Better Elections’ motion to consider these appeals on an expedited basis.

This Court has jurisdiction over these appeals from APOC pursuant to Alaska Statute 22.10.020(d) and Alaska R. App. P. 601(b).

Having considered the briefs of the parties, the arguments presented at oral argument, and the parties’ positions on APOC’s Petition for Rehearing the Court now AFFIRMS IN PART and REVERSES IN PART the Final Order of the Alaska Public Offices Commission.

¹ [R. 190-220]

² [Exc. 223-255]

II. Facts

a. Ballot Measure 2: Alaskans vote to adopt ranked-choice voting

In November 2020, Alaskan voters voted in support of Ballot Measure 2 and adopted a top-four open primary system followed by a ranked-choice general election.³ Ballot Measure 2 also included statutory amendments designed to improve transparency related to disclosure of financial contributions for the purpose of influencing the outcome of Alaska elections.⁴ Alaskan voters used ranked-choice voting for the first time in statewide elections in 2022.

b. 22AKHE: the ballot initiative to repeal ranked choice voting

Following the November 2022 general election, Mathias, Izon, and Jamie Donley, undertook efforts to repeal ranked choice voting through a ballot initiative. In recognition of campaign finance laws, Izon reached out to a staff attorney at the Alaska Public Offices Commission for advice on APOC reporting requirements. On November 18, 2022, Tom Lucas of APOC advised Izon:

Phil, [i]t appears that what you are contemplating is a referendum (a ballot proposition to repeal a law), not an initiative. The two are treated differently during the signature gathering stage. For a referendum, any money spent is not considered an expenditure until the referendum becomes a proposition (that is, sufficient signatures were gathered and the Lieutenant Governor has scheduled it for the ballot at an election).

Nevertheless, a group formed to sponsor a referendum must file a report within 30 days after its first filing with the

³ <https://www.adn.com/politics/2020/11/17/alaska-becomes-second-state-to-approve-ranked-choice-voting-as-ballot-measure-2-passes-by-1/>

⁴ See AS 15.13.074(b); AS 15.13.390(a)(3).

Lieutenant Governor and within 10 days after the end of each calendar quarter thereafter.⁵

Lucas concludes his message to Izon by providing him the language of AS 15.13.110 on filing of reports.⁶

Days later, on November 23, 2022, Alaskans for Honest Elections, through Izon, filed a petition application for what would later be designated as 22AKHE—a ballot initiative to repeal ranked-choice voting.⁷ Mathias is a director of AHE.⁸ AHE purchased a website domain in November 2022 to promote 22AKHE.⁹

On December 16, 2022, Articles of Incorporation were filed with the Secretary of State in Washington for the Ranked Choice Education Association (RCEA).¹⁰ Under the Articles of Incorporation, RCEA is a nonprofit religious corporation founded by the Wellspring Fellowship of Alaska.¹¹ Wellspring Ministries of Alaska is a nonprofit corporation led by Mathias.¹² The Ranked Choice Education Association Board of Directors consists of Izon, Mathias, and Mathias' wife, Patricia Mathias.¹³

On December 20, 2022, Mathias donated \$90,000 to RCEA.¹⁴ The check was not deposited until December 23, 2022.¹⁵ Mathias later wrote checks from

⁵ [Exc. 157]

⁶ *Id.*

⁷ [Exc. 224, R. 570]

⁸ [Exc. 150]

⁹ [R. 656-59]

¹⁰ [Exc. 32-37]

¹¹ [Exc. 32]

¹² [Exc. 99]

¹³ [Exc. 33]

¹⁴ [Exc. 119, Tr. 49-50]

¹⁵ [Exc. 219]

RCEA to AHE totaling \$90,740.¹⁶ Mathias testified that he wrote checks out of the RCEA account.¹⁷ Izon later told a reporter that “Mathias had contributed a large donation in a lump sum in December, which was then transferred to the ballot group in several smaller payments over a period of months to meet the group’s needs.”¹⁸ That summer, counsel for Mathias confirmed in a letter to APOC staff that “Mr. Mathias made the first contribution to RCEA that RCEA then contributed to AHE.”¹⁹ Close in time to Clarkson’s letter, RCEA tweeted “[f]rom our organization we only used one donor’s contributions for our efforts in Alaska” in response to a commenter question regarding who was funding the effort to repeal ranked choice voting.²⁰

Lieutenant Governor Nancy Dahlstrom certified 22AKHE’s application for a ballot proposition on January 20, 2023.²¹ Within days, Izon completed an Entity Registration Form on APOC’s website for Alaskans for Honest Elections²² and filed Articles of Incorporation for AHE.²³

In February 2023, signature-gathering for the initiative began with the Division of Elections’ delivery of the petition booklets to sponsors.²⁴ On February 16, 2023, an event was held at Wellspring Ministries’ gymnasium to launch a

¹⁶ [R. 701-05]

¹⁷ [Tr. 66]

¹⁸ [R. 396]

¹⁹ [R. 463]

²⁰ [R. 447]

²¹ [R. 569-570]

²² [Exc. 38]

²³ [Exc. 62, 133]

²⁴ [R. 572]

campaign to repeal ranked choice voting in Alaska.²⁵ At the event, Mathias told the crowd that the campaign to end ranked choice voting had already raised \$400,000 and that he had donated \$100,000 to the effort.²⁶ Mathias would later testify before the Commission that he meant the “effort” was “to educate Americans, that’s the primary focus.”²⁷

Following the signature-gathering event, and in response to public inquiries Heather Hebdon, the Executive Director of APOC, reached out to Izon on February 23, 2023 and clarified:

“Tom [Lucas] appears to have misunderstood the purpose of your group in that he believed you were seeking to file a referendum, when in actuality, you were filing an initiative proposal application...

...Unlike a referendum sponsor, sponsors of an initiative proposal application have reporting obligations during the signature gathering stage. This is because money raised in support of an initiative proposal application meets the definition of a contribution and similarly, money spent to influence an initiative proposal application meets the definition of an expenditure...”²⁸

In response to this communication, on March 20, 2023, Izon amended his earlier APOC submissions on behalf of AHE and completed a Group Registration form on the APOC website for AHE as an initiative proposal group with the goal to repeal ranked choice voting.²⁹

²⁵ [Exc. 30-31]

²⁶ *Id.*

²⁷ [Tr. 61]

²⁸ [Exc. 158]

²⁹ [Exc. 60-61]

In a quarterly report from January 8, 2023 through April 7, 2023, Izon reported contributions to and expenditures of AHE.³⁰ Nowhere in the report of contributions does Mathias' name appear as a donor. There were multiple contributions identified from RCEA, however.³¹ The following contributions were reported and identified as originating from RCEA:

02/06/2023	Check	\$1,000.00
02/08/2023	Check	\$75,000.00
02/22/2023	Cash	\$2358.00
02/23/2023	Check	\$1,382.00

When added together, the first four contributions total \$79,740.³²

On April 24, 2023, following AHE's first quarterly report, Lucas sent two letters to AHE via Izon informing him that the quarterly reports for February 2023 and March 2023 were late-filed, assessing penalties to be paid within 30 days and/or advising him of the right to appeal within 30 days.³³

More than thirty days passed. The penalties were not paid, and no appeal was filed. On June 11, 2023, RCEA reported a \$10,260.00 contribution,³⁴ bringing the total contributions from RCEA to AHE to \$90,000.00. But, the \$10,260 check was misreported by RCEA to APOC. The actual amount of what had been identified as the June contribution was a contribution on May 22, 2023 in the amount of

³⁰ [Exc. 46-59]

³¹ [Exc. 48, 54, 97-98, 153]

³² *Id.*

³³ [Exc. 63-66]

³⁴ [Exc. 207]

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\$11,000.³⁵ When combined with the four figures above, the total amount transferred from RCEA to AHE totaled \$90,740. Even so, on June 20, 2023, RCEA, through Izon, filed a Statement of Contribution in the amount of \$90,000, identifying Mathias as the true source of the funds contributed from RCEA to AHE.³⁶

Alleging a failure to comply with campaign finance laws, Alaskans for Better Elections filed a complaint with the APOC on July 5, 2023.³⁷ Staff at APOC investigated the complaint and issued a detailed report and findings on September 8, 2023.³⁸

c. Administrative hearing

On November 16, 2023, an administrative hearing was held. Mathias and Izon testified before the Commission. When asked if he was trying to hide his donation to AHE or RCEA, Mathias replied: “No. I spoke publicly about it. It was never an intent to hide it in any way, shape or form.”³⁹

Izon testified that he reported Mathias as the source of the funds because he believed it was required on the form.⁴⁰ Izon attempted to walk back his report that Mathias was the true source of the \$90,000 stating “it was not accurate” and he “made a mistake.”⁴¹

³⁵ [Exc. 215]

³⁶ [Exc. 119, Tr. 74]

³⁷ [Exc. 1-29]

³⁸ [Exc. 161-191]

³⁹ [Tr. 64]

⁴⁰ [Tr. 74-75]

⁴¹ [Tr. 75]

There was also a cash donation of \$2358.00 that was attributed to RCEA.⁴² Izon testified that this was the result of cash donations from RCEA to AHE.⁴³ Izon further testified that cash contributions did not go into RCEA's account, but instead directly to AHE in an effort to avoid "check holds."⁴⁴

III. Commission's Final Order

Following an administrative hearing on November 16, 2023, the Commission issued a Final Order on January 3, 2024, concluding that respondents violated the following campaign finance laws and imposing civil penalties totaling \$94,610.⁴⁵ The Commission made the following findings related to violations of Alaska's campaign finance laws:

- Failure to register before making expenditures, in violation of AS 15.13.050(a) by AHE, AHG, and RCEA
- Failure to file timely and accurate independent expenditure, statement of contribution, and/or quarterly reports in violation of AS 15.13.040 and 15.13.110(g) & (h) by AHG, RCEA, AHE, and Mathias
- Failure to place compliant paid-for-identifiers on communications in support of 22AKHE, in violation of AS 15.13.090 by AHG, RCEA, AHE
- Making a cash contribution in excess of \$100, in violation of AS 15.13.074(e) by RCEA
- True-source reporting violations of AS 15.13.040 and 15.13.074(b) by RCEA, AHE, and Mathias⁴⁶

The Commission assessed penalties based upon these violations. A table reflecting the penalties is found in the Final Order at Exc. 253.

⁴² [Exc. 54]

⁴³ [Tr. 82]

⁴⁴ [Tr. 82]

⁴⁵ [Exc. 223-255]

⁴⁶ [Exc. 224]

Appellants timely-appealed to the superior court. Appellants appeal the true source reporting violations found by APOC and the penalties assessed for those violations. Appellants argue that (1) the prohibition in AS 15.13.074(b) against giving in the name of another does not apply to a ballot initiative campaign, and (2) true source reporting statutes violate a donor's First Amendment rights of free speech and association. Mathias asserts that penalties assessed by APOC against him for his failure to comply with "true source" reporting requirements are duplicative of his penalties for his failure to file a report of contribution under AS 15.13.040(k). Mathias further argues he should have received penalty reductions for his true source reporting violation commensurate with those afforded to RCEA based upon RCEA's ultimate reporting of Mathias as the true source of the funds.

In their cross-appeal, ABE asks this Court to affirm the APOC decision below, but assess treble damages against Mathias and RCEA for intentionally concealing source contributions. Better Elections also asks the Court to decide whether APOC erred by failing to impose in these proceedings civil penalties against Honest Elections for violations of AS 15.13.040(b), AS 15.13.074(b), and AS 15.13.110(g).

IV. Standard of review

The superior court applies four principal standards of review in administrative appeals: The "substantial evidence" test is used for questions of fact. The "reasonable basis" test is used for questions of law involving agency expertise. The "substitution of judgment" test is used for questions of law where no expertise

is involved. The “reasonable and not arbitrary” test is used for review of administrative regulations.”⁴⁷

Substantial evidence is defined as “such relevant evidence as a reasonable mind might accept to support a conclusion.”⁴⁸ “Under the substantial evidence standard,...[Courts] will not reweigh conflicting evidence, determine witness credibility, or evaluate competing inferences from testimony, as those functions are reserved to the agency.”⁴⁹

For questions of law involving “agency expertise or the determination of fundamental policies within the scope of the agency’s statutory functions” the court evaluates “whether the agency’s decision is supported by facts and has a reasonable basis in law, even if [the court] may not agree with the agency’s ultimate determination.”⁵⁰ The appellate court upholds the agency’s decision unless it is “arbitrary, unreasonable, or an abuse of discretion.”⁵¹

An agency’s interpretation of its own regulations is reviewed using the reasonable basis standard of review.⁵² This is also referred to as the reasonable and not arbitrary standard of review.⁵³ The court must defer to the agency’s

⁴⁷ *Estate of Basargin v. State, Commercial Fisheries Entry, Com’n*, 31 P.3d 796, 799 (Alaska 2001) (citing *Romann v. State, Dept. of Transp. and Public Facilities*, 991 P.2d 186, 189 (Alaska 1999)).

⁴⁸ *Widmyer v. State, Commercial Fisheries Entry Com’n*, 267 P.3d 1169 (Alaska 2011) (citing *State, CFEC v. Baxter*, 806 P.2d 1373, 1374 (Alaska 1991) ((quoting *Keiner v. City of Anchorage*, 378 P.2d 406, 411 (Alaska 1963))).

⁴⁹ *Pacifica Marine Inc. v. Solomon Gold, Inc.*, 356 P.3d 780, 788 (Alaska 2015).

⁵⁰ *Nicolos v. N. Slope Borough*, 424 P.3d 318, 325 (Alaska 2018) (quoting *Davis Wright Tremaine*, 324 P.3d 293, 299 (Alaska 2014)).

⁵¹ *Griffiths v. Andy’s Body & Frame, Inc.*, 165 P.3d 619, 623 (Alaska 2007).

⁵² *North Slope Borough v. State*, 484 P.3d 106, 113 (Alaska 2021).

⁵³ *State, Dep’t of Health & Soc. Servs., v. North Star Hospital*, 280 P.3d 575, 579 (Alaska 2012).

interpretation “unless its ‘interpretation is plainly erroneous and inconsistent with the regulation.’”⁵⁴ The Court gives more deference to agency interpretations that are “longstanding and continuous.”⁵⁵

For questions of law involving no agency expertise, the court substitutes its “own judgment for that of the agency even if the agency’s decision had a reasonable basis in law.”⁵⁶ The Court adopts the rule of law “most persuasive in light of precedent, reason, and policy.”⁵⁷

The Court reviews questions of law, interpreting and applying constitutional and statutory provisions, *de novo*.⁵⁸

Finally, the Court reviews an agency’s imposition of fines for abuse of discretion.⁵⁹

The Alaska Public Offices Commission is a nonpartisan agency responsible for implementing and enforcing Alaska’s campaign finance laws, including those mandating disclosure of contributions and expenditures.⁶⁰ The Commission uses contributor reports and statements to monitor for potential campaign finance

⁵⁴ *Davis Wright Tremaine*, 324 P.3d 293, 299 (Alaska 2014) (quoting *Kuzmin v. State, Commercial Fisheries Entry Comm’n*, 223 P.3d 86, 89 (Alaska 2009)).

⁵⁵ *Premiera Blue Cross v. State, Dep’t of Commerce, Cmty. & Econ Dev. Div. of Ins.*, 171 P.3d 1110, 1119 (Alaska 2007).

⁵⁶ *Tesoro Alaska Petroleum Co. v. Kenai Pipe Line Co.*, 746 P.2d 896, 903 (Alaska 1987).

⁵⁷ *Republican Governor’s Association v. Alaska Public Offices Commission*, 485 P.3d 545, 549 (2021).

⁵⁸ *Kohlhaas v. State*, 518 P.3d 1095, 1103 (Alaska 2022).

⁵⁹ *Odom v. State, Div. of Corps.*, 421 P.3d 1, 6 (Alaska 2018).

⁶⁰ See AS 15.13.020 (establishing Commission); AS 15.13.030 (setting out duties of Commission); AS 15.13.380 (authorizing enforcement by Commission).

violations and makes the information publicly available to help the electorate make informed voting choices.⁶¹

Because this administrative appeal involves APOC's assessment of campaign finance law violations and penalties, and the Court finds those duties to be within APOC's core function, the Court applies the reasonable basis standard of review. The Court must determine whether the agency's decision is supported by facts and has a reasonable basis in law.

Appellants' arguments that true source reporting laws do not apply to contributions made to a ballot initiative involve questions of law. The Commission argues that the Court should apply reasonable basis review to its longstanding and reasonable interpretation of the statutes. The Court need not decide whether application of the "reasonable basis" standard of review or *de novo* review is required because under the heightened standard, the Court finds that the Commission's interpretation is "the most persuasive in light of precedent, reason, and policy."⁶²

Finally, the Court reviews *de novo* Appellants' First Amendment arguments.

V. Analysis

a. Statutory framework

i. Definitions

⁶¹ *Repub. Govs. Ass'n*, 485 P.3d at 547 citing AS 15.13.030(5) and (7).

⁶² *Repub. Govs. Ass'n*, 485 P.3d at 549 (citing *Alyeska Pipeline Serv. Co. v. DeShong*, 77 P.3d 1227, 1231 (Alaska 2003) (quoting *Guin v. Ha*, 591 P.2d 1281, 1284 n. 6 (Alaska 1979)) (applying the independent judgment standard).

Title 15, Chapter 13 breaks down the types of entities covered by Alaska's campaign finance laws. It is undisputed that RCEA is a nongroup entity;⁶³ Mathias is an individual;⁶⁴ and, AHE is a group⁶⁵ for purposes of Chapter 13.

The definition of "group" expressly references "two or more individuals acting jointly" with the principle purpose of filing or who have filed, "an initiative proposal application."⁶⁶ The definition also encompasses "every state and regional executive committee of a political party"⁶⁷ and "any combination of two or more individuals acting jointly who organize for the purpose of influencing the outcome of one or more elections[...]"⁶⁸

ii. Reporting requirements

1. AS 15.13.040

Alaska Statute 15.13.040 addresses widely the reporting requirements for contributions and expenditures to political campaigns in Alaska, breaking down those requirements by candidates, groups, individuals, and nongroup entities. Some, but not all, of the provisions of .040 expressly apply to ballot initiatives,

⁶³ AS 15.13.400(14) provides: "'nongroup entity' means a person, other than an individual, that takes action the major purpose of which is to influence the outcome of an election, and that

(A) cannot participate in business activities;

(B) does not have shareholders who have a claim on corporate earnings; and

(C) is independent from the influence of business corporations."

⁶⁴ AS 15.13.400(12) defines "individual" as a "natural person."

⁶⁵ Included in the definition of group under AS 15.13.400(9) is "(C) any combination of two or more individuals acting jointly who organize for the principal purpose of filing an initiative proposal application under AS 15.45.020 or who file an initiative proposal application under AS 15.45.020."

⁶⁶ *Id.*

⁶⁷ AS 15.13.400(9)(A).

⁶⁸ AS 15.13.400(9)(B).

while others are more expansive and do not exempt ballot initiatives. Alaska Statute

15.13.040(b) provides:

- (b) Each group shall make a full report upon a form prescribed by the commission, listing
 - (1) the name and address of each officer and director;
 - (2) the aggregate amount of all contributions made to it; and, for all contributions in excess of \$100 in the aggregate a year, the name, address, principal occupation, and employer of the contributor, and the date and amount contributed by each contributor; for purposes of this paragraph, “contributor” means the true source of the funds, property, or services being contributed; and
 - (3) the date and amount of all contributions made by it and all expenditures made, incurred, or authorized by it.

Pursuant to AS 15.13.040(d), “[e]very person making an independent expenditure shall make a full report of expenditures made and contributions received, upon a form prescribed by the commission, unless exempt from reporting.” In making those reports of independent expenditures, AS 15.13.040(e) requires the reporter to provide “an itemized list of all expenditures made” and “the name of the candidate or the title of the ballot proposition or question supported or opposed by each expenditure” among other requirements.

Alaska Statute 15.13.040(j) applies to reporting requirements for nongroup entities “for the purposes of influencing the outcome of an election.”⁶⁹

⁶⁹ The full text of AS 15.13.040(j) provides: (j) Except as provided in (i) of this section, each nongroup entity shall make a full report in accordance with AS 15.13.110 upon a form prescribed by the commission and certified by the nongroup entity’s treasurer, listing

- (1) the name and address of each officer and director of the nongroup entity;
- (2) the aggregate amount of all contributions made to the nongroup entity for the purpose of influencing the outcome of an election;

Alaska Statute 15.13.040(k) applies to “[e]very individual, person, nongroup entity or group, contributing a total of \$500 or more to a group...that has filed an initiative proposal application” within 30 days of the contribution.⁷⁰

2. AS 15.13.110(g) & (h)

Alaska Statute 15.13.110(g) applies specifically to require quarterly reporting by “an initiative committee, person, group, or nongroup entity receiving contributions” in excess of \$500 per year in “support of or in opposition to an initiative on the ballot in a statewide election or an initiative proposal application

(3) for all contributions described in (2) of this subsection, the name, address, date, and amount contributed by each contributor, for all contributions described in (2) of this subsection in excess of \$250 in the aggregate during a calendar year, the principal occupation and employer of the contributor, and for all contributions described in (2) of this subsection in excess of \$2,000 in the aggregate during a calendar year, the true source of such contributions and all intermediaries, if any, who transferred such funds, and a certification from the treasurer that the report discloses all of the information required by this paragraph; and

(4) the date and amount of all contributions made by the nongroup entity, and, except as provided for certain independent expenditures in AS 15.13.135(a), all expenditures made, incurred, or authorized by the nongroup entity, for the purpose of influencing the outcome of an election; a nongroup entity shall report contributions made to a different nongroup entity for the purpose of influencing the outcome of an election and expenditures made on behalf of a different nongroup entity for the purpose of influencing the outcome of an election as soon as the total contributions and expenditures to that nongroup entity for the purpose of influencing the outcome of an election reach \$500 in a year and for all subsequent contributions and expenditures to that nongroup entity in a year whenever the total contributions and expenditures to that nongroup entity for the purpose of influencing the outcome of an election that have not been reported under this paragraph reach \$500.

⁷⁰ AS 15.13.040(k) provides: “Every individual, person, nongroup entity, or group contributing a total of \$500 or more to a group organized for the principal purpose of influencing the outcome of a proposition, and every individual, person, nongroup entity, or group contributing a total of \$500 or more to a group organized for the principal purpose of filing an initiative proposal application under AS 15.45.020 or that has filed an initiative proposal application under AS 15.45.020, shall report the contribution or contributions on a form prescribed by the commission not later than 30 days after the contribution that requires the contributor to report under this subsection is made. The report must include the name, address, principal occupation, and employer of the individual filing the report and the amount of the contribution, as well as the total amount of contributions made to that group by that individual, person, nongroup entity, or group during the calendar year.”

filed with the lieutenant governor.”⁷¹ The provision further requires that the report be filed “within 10 days after the end of each calendar quarter on the contributions received and expenditures made during the preceding calendar quarter.”⁷² Alaska Statute 15.13.110(h) provides the reporting requirements and timing for filing reports of expenditures to support a ballot initiative:

(h) An independent expenditure report required under AS 15.13.040(e) shall be filed with the commission not later than 10 days after an independent expenditure has been made. However, an independent expenditure that exceeds \$250 and that is made within nine days of an election shall be reported to the commission not later than 24 hours after the expenditure is made.

b. True source reporting

Combined, Appellants RCEA and Mathias raise five issues on appeal.

The first issue is whether the prohibition in AS 15.13.074(b) against giving in the name of another applies to a ballot initiative campaign. The second and third issues raised are whether Mathias and separately RCEA can be penalized for intentionally giving donations to AHE where Mathias spoke publicly about his support for “the effort”; RCEA belatedly disclosed Mathias as the “true source” of the funds; and, the contribution cannot be traced to Mathias as opposed to another donor. Finally, the fourth and fifth issues raised go to the penalties assessed against Mathias for his failure to report his \$90,000 contribution.

⁷¹ AS 13.110(g).

⁷² *Id.*

Alaskans for Honest Elections does not appeal the Commission's Final Order as it applies to AHE.

i. Do true source reporting requirements apply to contributors to a ballot initiative campaign?

When interpreting a statute *de novo*, the Alaska Supreme Court considers the language of the statute, its legislative history, and its underlying purpose.⁷³ The Court will “interpret each part or section of a statute” to create “a harmonious whole.”⁷⁴ A statute that is “part of a larger framework or regulatory scheme” should be read “in light of the other portions” of the regulatory structure.⁷⁵ The Court interprets statutes “according to reason, practicality, and common sense, taking into account the plain meaning and purpose of the law as well as the intent of the drafters.”⁷⁶ Questions of statutory interpretation are decided on a sliding scale: “[T]he plainer the language of the statute, the more convincing contrary legislative history must be.”⁷⁷

Appellants raise two statutory arguments in support of their contention that true source reporting requirements do not apply to contributions made to ballot initiatives.

First, Appellant argues that the prohibition in AS 15.13.074(b) against

⁷³ *City of Valdez v. State*, 372 P.3d 240, 248 (Alaska 2016).

⁷⁴ *Alaska Airlines, Inc. v. Darrow*, 403 P.3d 1116, 1127 (Alaska 2017).

⁷⁵ *Id.*

⁷⁶ *Native Village of Elim v. State*, 990 P.2d 1, 5 (Alaska 1999).

⁷⁷ *Alaskans for Efficient Gov't, Inc. v. Knowles*, 91 P.3d 273, 275 (Alaska 2004) (quoting *Ganz v. Alaska Airlines, Inc.*, 963 P.2d 1015, 1019 (Alaska 1998)).

giving in the name of another does not apply to an initiative campaign because contributions for ballot initiatives are exempted in AS 15.13.065(c).⁷⁸ Alaska Statute 15.13.065(c) provides in pertinent part:

Except for reports required by AS 15.13.040 and 15.13.110 and except for the requirements of AS 15.13.050, 15.13.060, and 15.13.112--15.13.114, the provisions of AS 15.13.010--15.13.116 do not apply to limit the authority of a person to make contributions to influence the outcome of a ballot proposition...

The Court disagrees that AS 15.13.065(c) operates to exempt contributors to ballot initiatives from complying with true source reporting requirements. Appellants' interpretation that because the true source reporting statute [AS 15.13.074(b)] falls between AS 15.13.010 and 15.13.116, that true source reporting does not apply to ballot initiatives misreads the admittedly confusing but ultimately plain language of .065(c) and ignores the broader statutory framework referenced in the statute. Appellants' reading of the statute renders meaningless multiple subsections of AS 15.13.040 and 2 AAC 50.352 in full. Courts "generally disfavor statutory constructions that reach absurd results."⁷⁹

In its decision, APOC concluded that based upon the plain language of the statutes that the requirement to give in one's own name "does not 'limit the authority of a person to make contributions to influence the outcome of a ballot proposition' that the person would otherwise have."⁸⁰ In other words, there are no limitations on

⁷⁸ [Apt. Br. 10]

⁷⁹ *Premiera Blue Cross*, 171 P.3d at 1120.

⁸⁰ [Exc. 247]

making a contribution. This is APOC's longstanding interpretation of AS 15.13.065(c).⁸¹

The legislative history is consistent with APOC's interpretation. Alaska Statute 15.13.065(c) was adopted in 1996. The Attorney General's bill review letter explained that the statute meant the campaign finance laws "would not limit the *amount* of contributions that a group could make to influence the outcome of a ballot proposition." (emphasis added).⁸²

"Contribution" is defined in AS 15.13.400(4) and identifies funds "made for the purpose of

- (i) influencing the nomination or election of a candidate;
- (ii) influencing a ballot proposition or question; or
- (iii) supporting or opposing an initiative proposal application filed with the lieutenant governor under AS 15.45.020.

In AS 15.13.040(b), (c), and (j) "contributor" means the "true source of the funds, property or services being contributed."⁸³ And AS 15.13.065(c) is clear at the outset that the reporting requirements of AS 15.13.040 still apply for persons contributing to a ballot initiative. To read .065(c) to mean that contributors to a ballot measure must comply with true source reporting requirements provided in .040, but those same contributors are not subject to .074(b) is an inconsistent reading of the provisions in Chapter 13 and APOC regulations.

⁸¹ See R. 1093-1098.

⁸² Letter from Attorney General Botelho to Governor Knowles re HCS CSSB 191 (FI) am H (May 21, 1996) (AGO File 883-96-0048) at 7.

⁸³ See AS 15.13.040(q).

There is no reference to the true source reporting statute in AS 15.13.065(c). Reading an exemption of the true source reporting requirements into .065(c) is improper and contrary to the demands of the larger statutory and regulatory framework. In addition to the clear applicability of the reporting requirements set forth in AS 15.13.040, at the outset of Title 15, Chapter 13 it states:

Except as otherwise provided, this chapter applies to contributions, expenditures, and communications made for the purpose of influencing the outcome of a ballot proposition or question as well as those made to influence the nomination or election of a candidate.⁸⁴

Since 2009, APOC has rejected the reading advanced by Appellants' here.⁸⁵ In *Renewable Resources Coalition*, the Commission observed that making AS 15.13.074(b) inapplicable to ballot campaigns "does not square with the overall purpose of campaign finance reporting with respect to ballot propositions."⁸⁶ Relying on the Alaska Supreme Court's decision in *Messerli v. State*, the Commission found that the purpose of .074(b) is "to assist the electorate in making a '[p]roper evaluation of the arguments on either side...by knowing who is backing each position.'"⁸⁷ The Commission concluded that to interpret .065(c) for contributions to ballot initiatives to escape reporting requirements "...guts AS 15.13 of the requirement that contributions be reported in the name of those who actually make them" making the "reporting function a paperwork exercise."⁸⁸

⁸⁴ AS 15.13.010(b).

⁸⁵ See *Renewable Resources Coalition, Inc.*, OAH No. 09-0231-APO [R. 1091-1100]

⁸⁶ [R. 1097; see Exc. 247]

⁸⁷ [R. 1097] quoting *Messerli v. State*, 626 P.2d 81, 87 (Alaska 1980).

⁸⁸ *Renewable Resources Coalition, Inc.*, OAH No. 09-0231-APO [R. 1097]

The legislature has given the Commission the authority to “clarify” the provisions of Title 15, Chapter 13 in regulation.⁸⁹ Under 2 AAC 50.258 giving in the name of another is prohibited. 2 AAC 50.352(b) requires a “person making a contribution to” a ballot initiative group to “make the contribution in the name of the true source of the money or thing of value as required under 2 AAC 50.258.” The Commission in *Renewable Resources Coalition* likewise pointed to its own regulations in support of its interpretation of the statutory and regulatory framework.⁹⁰

When viewed in light of the other statutory reporting requirements, the regulations, and APOC’s purpose to provide information to the public for an informed electorate, the Commission’s reading of AS 15.13.065(c) is reasonable and longstanding, but more importantly is the most persuasive.

Second, the Appellants argue that AS 15.13.074(b) applies only to financial support to candidate elections, and not ballot initiatives.⁹¹ To establish the meaning of a statute, the Court examines both its text and its purpose.⁹²

Prior to 2021, AS 15.13.074(b) read: “[a] person or group may not make a contribution anonymously, using a fictitious name, or using the name of another.” With the passage of Ballot Measure 2, Alaska’s true source reporting statute was amended and now provides:

⁸⁹ AS 15.13.030(9).

⁹⁰ *Renewable Resources Coalition, Inc.*, OAH No. 09-0231-APO [R. 1097].

⁹¹ [At. Br. 40; Cross. At. Reply Br. 4-6]

⁹² *Borg-Warner Corp. v. Avco Corp.*, 850 P.2d 628, 633 n. 12 (Alaska 1993) (“Statutory construction begins with an analysis of the language of the statute construed in view of its purpose.”).

(b) A person or group may not make a contribution anonymously, using a fictitious name, or using the name of another. Individuals, persons, nongroup entities, or groups subject to AS 15.13.040(r) may not contribute or accept \$2,000 or more of dark money as that term is defined in AS 15.13.400(5), and may not make a contribution while acting as an intermediary without disclosing the true source of the contribution as defined in AS 15.13.400(19).

Relying on the second sentence, Appellants argue that the reference to AS 15.13.040(r) makes clear that true source reporting only applies to contributions to “candidate elections” and essentially modifies the first sentence of .074(b).⁹³ To read AS 15.13.074(b) to only apply to candidate elections fails to give effect to the entire provision. While there may be overlap between the first group and the second group, the second sentence does not modify the first. The violations by RCEA and Mathias fall under the first sentence: giving in the name of another. The remainder of .074(b) does not apply to this case, but the whole provision need not apply for Appellants to have violated the mandate against giving in the name of another.

“True source” is defined in AS 15.13.400(19) as:

the person or legal entity whose contribution is funded from wages, investment income, inheritance, or revenue generated from selling goods or services; a person or legal entity who

⁹³ AS 15.13.040(r) provides “Every individual, person, nongroup entity, or group that contributes more than \$2,000 in the aggregate in a calendar year to an entity that made one or more independent expenditures in one or more candidate elections in the previous election cycle, that is making one or more independent expenditures in one or more candidate elections in the current election cycle, or that the contributor knows or has reason to know is likely to make independent expenditures in one or more candidate elections in the current election cycle shall report making the contribution or contributions on a form prescribed by the commission not later than 24 hours after the contribution that requires the contributor to report under this subsection is made. The report must include the name, address, principal occupation, and employer of the individual filing the report and the amount of the contribution, as well as the total amount of contributions made to that entity by that individual, person, nongroup entity, or group during the calendar year. For purposes of this subsection, the reporting contributor is required to report and certify the true sources of the contribution, and intermediaries, if any, as defined by AS 15.13.400(19). This contributor is also required to provide the identity of the true source to the recipient of the contribution simultaneously with providing the contribution itself.”

derived funds via contributions, donations, dues, or gifts is not the true source, but rather an intermediary for the true source; notwithstanding the foregoing, to the extent a membership organization receives dues or contributions of less than \$2,000 per person per year, the organization itself shall be considered the true source.

The definition of true source in AS 15.13.400(19) does not address the destination of funds—to a ballot initiative or candidate election—but distinguishes the type of funds used—those from a true source versus those from an intermediary.

The “true source” definition was added to AS 14.13.400 in 2021 with Ballot Measure 2. In applying the statute to this case, Mathias is the true source, and RCEA is an intermediary. In adopting Ballot Measure 2 Alaskan voters found: “it is in the public interest of Alaska to improve the electoral process by increasing transparency, participation, access, and choice.”⁹⁴ True source reporting certainly advances transparency in the electoral process.

The next finding however discusses voter desire to prohibit the use of “dark money” specifically in “candidate elections.”⁹⁵ The Court is not, however, convinced that when considered under the existing statutory framework and APOC’s purpose to make campaign finance information available to voters, that the statutory changes in Ballot Measure 2 were designed to limit true source reporting requirements and associated penalties to candidate elections.

⁹⁴ Alaska 2020 Session Laws, Section 1(1); *See also* Appendix A, P.1 in ABE’s Opening Brief in their Cross-Appeal.

⁹⁵ Alaska 2020 Session Laws, Section 1(2); *See also* Appendix A, P.2 in ABE’s Opening Brief in their Cross-Appeal.

The plain language of AS 15.13.390(a)(3) makes clear that true source reporting penalties may be assessed in both candidate elections as expressed in AS 15.13.040(r) and more generally for giving in the name of another in AS 15.13.074(b). As argued by Ms. Demarest at oral argument, AS 15.13.390(a)(3) distinguishes between violations of AS 15.13.040(r) (which specifically applies to candidate elections) and violations of AS 15.13.074(b) (which applies to giving in the name of another generally) setting them off with “or” rather than “and.”

whether as a contributor or intermediary, misreports or fails to disclose the true source of a contribution in violation of AS 15.13.040(r) or 15.13.074(b) is subject to a civil penalty of not more than the amount of the contribution that is the subject of the misreporting or failure to disclose; upon a showing that the violation was intentional, a civil penalty of not more than three times the amount of the contribution in violation may be imposed; these penalties as determined by the commission are subject to right of appeal to the superior court (emphasis added).

In other words, a contributor can violate AS 15.13.074(b) by giving in the name of another *without* specifically contributing for the purpose of influencing the outcome of a candidate election under AS 15.13.040(r). These two statutes form independent grounds for a true source reporting violation. And as discussed above, throughout the statutory framework it is clear that contributions to ballot initiatives do require reporting. Previously, in 2010, the definition of “expenditure” in AS 15.13.400 was amended to include not just expenditures for “influencing the outcome of a ballot proposition or question” but also for the purpose of “supporting

or opposing an initiative proposal application with the lieutenant governor under AS 15.45.020.”⁹⁶

Having considered the language of AS 15.13.065(c) and .074(b) and having considered the broader statutory and regulatory framework and legislative history, and the purpose of disclosure laws, the Court concludes that true source reporting requirements do apply to contributions in support of a ballot initiative when the contribution is passed from the true source through an intermediary to an initiative sponsor.

ii. Commission’s findings of violations and assessment of penalties

1. RCEA violations

a. Cash contribution

A person or group may not make a cash contribution that exceeds \$100.⁹⁷ When a group receives and accepts a contribution in violation of AS 15.13.074(e), the group must return the excess cash contribution to the contributor immediately.⁹⁸ An anonymous contribution is forfeited to the state unless the contributor is identified within five days of its receipt.⁹⁹

On February 22, 2023, RCEA passed \$2358 in cash to AHE.¹⁰⁰ Subsequently, the cash was exchanged for a check from RCEA to AHE in the same

⁹⁶ 7-9 ch 73 SLA 2010; *See* AS 15.13.400(7)(v).

⁹⁷ AS 15.13.074(e).

⁹⁸ AS 15.13.114(a).

⁹⁹ AS 15.13.114(b).

¹⁰⁰ [Exc. 54]

amount.¹⁰¹ Following the hearing, APOC found that RCEA violated AS 15.13.074(e) when it accepted those cash donations and handed them directly to AHE.¹⁰² The Commission assessed no penalties for the violation.¹⁰³ APOC concluded that the cash contribution came from Mathias.¹⁰⁴ The substantial evidence does not support APOC's conclusion that Mathias was the source of the \$2358 cash contribution.

In front of the Commission, Izon testified that the cash was "from donations that were accumulated up to that point from RCEA"¹⁰⁵ implying that more than one donor made these contributions. Appellants criticize APOC's "unfounded and incorrect conclusion that the money had originated with Mathias."¹⁰⁶ Izon's testimony is consistent with Cross-Appellant ABE's argument in briefing that "the \$2358 originated from cash contributions that had been made to RCEA during the time when the Sponsors were operating under APOC Staff's erroneous advice that they had no registration or reporting obligations."¹⁰⁷

In February 2023, while still under the impression they had no reporting obligations, AHE held signature gathering events, and collected cash donations from donors.¹⁰⁸ It is also established that Mathias' original contribution to RCEA

¹⁰¹ [Exc. 54; 244]

¹⁰² [Exc. 244-25]

¹⁰³ [Exc. 245]

¹⁰⁴ [Exc. 250-251]

¹⁰⁵ [Tr. 81-82]

¹⁰⁶ [Cross-Ae. Br. 38]

¹⁰⁷ *Id.*

¹⁰⁸ [Exc. 30-31]

was in the form of a check, not cash.¹⁰⁹ In its decision, and later in briefing, APOC relies on Mathias' intent to give \$90,000 to AHE and includes the \$2358 in cash as part of Mathias' contribution to AHE.¹¹⁰ The substantial evidence does not support the conclusion that the cash was from Mathias, but rather multiple "cash contributions."¹¹¹

For its part, APOC appeared to understand that the \$2358 in cash was not actually from Mathias, but elected to call it a wash and attribute that amount to Mathias "because the weight of the evidence shows that Mr. Mathias intended his \$90,000 contribution to RCEA to be passed through to AHE and that he effectuated that intent."¹¹² The Court does agree with APOC that the act of writing a check to RCEA in the amount of \$90,000, and then in installments, writing smaller checks to AHE amounting to \$90,740 does manifest an intent by Mr. Mathias to give \$90,000 to AHE. Without question, that was Mathias' intent, but some of the actual funds transferred included unsourced cash in the amount of \$2358, later replaced by a check in the same amount. Just because Mathias intended to give \$90,000 does not change the Court's view that the cash contribution—which was later replaced by a check in the same amount—did not originate with Mathias. With no evidence of the identities of the donors of those cash contributors, those contributions are anonymous as contemplated by AS 15.13.114(b), and are subject to forfeiture. For

¹⁰⁹ [R. 717]

¹¹⁰ [Ae. Br. 54-55]

¹¹¹ [Tr. 81-82]

¹¹² [Exc. 250-251; Ae. Br. 54-55]

the reasons identified below, the Court does not invoke forfeiture under the circumstances presented.

In its Petition for Rehearing, APOC asked the Court to reconsider its decision to reverse APOC's conclusion that Mathias was the source of RCEA's \$2358 cash contribution and remand that issue to APOC to consider what penalties, if any, were appropriate under the circumstances. The Court granted APOC's Petition for Rehearing, and has reconsidered the relevant portions of its original decision. The Court still finds that the substantial evidence does not support that Mathias was the source of the \$2358 cash donation and reverses that factual determination. The Court affirms APOC's finding of violation with regard to the form of the cash contribution, and upholds APOC's decision not to impose penalties for this violation. The decision to forego an assessment of penalties is reasonable due to the fact that Appellants were operating under incorrect advice of APOC staff when they received the cash contributions.

Under the same reasoning, the Court now concludes that APOC acted reasonably in its determination not to assess additional violations for failure to report the *sources* of the cash contributions. Because Appellants relied on incorrect advice from APOC in this timeframe, it would be unjust for APOC or this Court to find violations by Appellants as a result of their reasonable reliance on APOC's own direction.

Because RCEA was operating under incorrect advice from APOC in February 2023, Appellants were not on notice of their reporting obligations and

likely did not advise their contributors that they could not accept cash donations in excess of \$100. This is where the form and the source of funds gets intertwined. Because it is not realistic to after the fact trace multiple cash donations back to their original sources, the Court does not disturb APOC's decision in its Final Order to assess no additional violations or assess any penalties as to the cash contribution. The Commission's analysis of the cash contribution—save for the conclusion that it originated with Mathias—is reasonable and therefore a remand is not necessary.¹¹³

On reconsideration, and given the Court's original findings related to the cash contribution, the Court AFFIRMS APOC's finding that RCEA violated AS 15.13.074(e) by making a cash contribution and does not disrupt APOC's reasonable decision to forego an assessment of penalties for that violation.

Even in light of Mathias' intent to contribute \$90,000 to AHE, the Court reduces Mathias' penalties to reflect the difference between his contribution and the cash contribution. *See* pages 38-40 for a full discussion.

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¹¹³ In its original Order, the Court remanded the matter back to the Commission stating: The Court recognizes that the likelihood of obtaining the names of those cash contributors now is quite low. The Court further recognizes that APOC's ultimate decision not to penalize RCEA for the failure to report and identify the sources of the cash donations is within APOC's discretion and may be best explained by the fact that RCEA reasonably relied on Commission advice that later was determined to be incorrect.

Because the substantial evidence does not support the conclusion that the \$2358 was Mathias' money, the Court REVERSES and REMANDS APOC's findings and orders with regard to the cash contribution so the Commission may determine what penalties, if any, are appropriate for RCEA's failure to disclose the identities of their cash contributors.

b. True source reporting violations

The Commission found that RCEA failed to file timely and accurate reports as required by AS 15.13.040(d) and 15.13.110(h).¹¹⁴ RCEA does not appeal this finding or the imposition of \$5450 in penalties for this violation.

The Commission further found that RCEA violated AS 15.13.040(d), AS 15.13.110(h), AS 15.13.074(b), and 2 AAC 50.258(a) by failing to disclose the true source of its \$79,740 in contributions to AHE reflected on their May 9, 2023 statement of contribution report.¹¹⁵ As discussed above, Appellants argue that true source reporting requirements do not apply to contributions made to a ballot initiative. The Court has found that true source reporting requirements do apply to these contributions.

The Court finds that there is a reasonable basis in law and fact for APOC's conclusion that RCEA as a nongroup entity violated AS 14.13.040(d), AS 15.12.074(b), and 2 AAC 50.258(a) when it failed to timely disclose the true source of the \$90,000 in funds expended to AHE. In their original reports, RCEA identified itself, not the underlying contributors, as the source of each monetary contribution made to AHE, but those funds were "contributions" and not "wages."¹¹⁶ Izon subsequently identified Mathias as the true source of those funds, resulting in a reduction of penalties assessed by the Commission against RCEA.¹¹⁷ In their

¹¹⁴ [Exc. 251]

¹¹⁵ [Exc. 251]

¹¹⁶ [Exc. 48, 54, 97-98, 153] See AS 15.13.400(19).

¹¹⁷ [Exc. 119, Tr. 74]

appeal, RCEA contests the finding of violation, but raises no additional arguments with regard to APOC's penalty assessment.

ii. Mathias violations/penalties

a. Violations

The Commission found that Mathias failed to file timely and accurate reports as required by AS 15.13.040(k), 15.13.074(b) and 2 AAC 50.258(a).¹¹⁸ Mathias does not appeal APOC's assessment of penalties in the amount of \$1237.50 against him for the failure to file reports under AS 15.13.040(k).¹¹⁹

Mathias does appeal the Commission's finding that he violated true source requirements under AS 15.13.074(b) and 2 AAC 50.258(a) by contributing \$90,000 to AHE in the name of another and [by] failing to report his contribution.¹²⁰ Mathias makes two primary arguments here: (1) that at the time of his contribution to RCEA he did not intend to give to AHE¹²¹ and (2) that APOC failed to establish he was the source of the \$90,000.¹²²

Mathias argues that the Commission incorrectly found him in violation of the true source reporting requirements because when he wrote the check to RCEA in December 2022, 22AKHE had not even been established.¹²³ Mathias asks the Court

¹¹⁸ *Id.*

¹¹⁹ [Exc. 253; *see also* oral argument 5/31/24 at 10:27:30-10:28:40]

¹²⁰ [Exc. 251]

¹²¹ [At. Br. 44]

¹²² [At. Br. 47]

¹²³ [At. Br. 44]

to conclude that he could not have intended to give to a ballot initiative that did not yet exist.¹²⁴

The Commission, however, found that “the weight of the evidence show[ed] that Mr. Mathias intended his \$90,000 contribution to RCEA to be passed through to AHE as needed and that he effectuated that intent.”¹²⁵ The Court agrees and the substantial evidence supports the conclusion that Mathias *intended* to give \$90,000. But, as discussed above, Mathias’ contribution fell short of the intended \$90,000 when the cash contribution is deducted—resulting in a contribution from Mathias in the amount of \$88,382. The Commission identified the following evidence in support of Mathias being the true source of the \$90,000¹²⁶:

- Izon submitted RCEA’s June 11, 2023 Statement of Contributions report identifying Mathias as the source of the \$90,000 in contributions to AHE. [Exc. 207-08, 249]
- The Commission pointed out that RCEA’s reports mistakenly included \$90,000 in contributions—the exact amount Mathias gave to RCEA—rather than the \$90,740 Mathias actually transferred from RCEA to AHE. [Exc. 207-08, 249]
- When asked directly by a reporter whether Mathias’ contribution was funding the ballot initiative Izon declined to answer, but also told the

¹²⁴ *Id.*

¹²⁵ [Exc. 250-51]

¹²⁶ The Court ultimately finds Mathias gave \$88,382 to AHE but for purposes of consistency with APOC’s Final Order, the Court refers to Mathias’ contribution in the amount of \$90,000 and addresses that issue in the analysis of the penalty assessment.

reporter “Mathias had contributed a large donation in a lump sum in December, which was then transferred to the ballot group in several smaller payments over a period of months to meet the group’s needs.” [R. 396]

- Izon tweeted in July 2023 from RCEA’s account stating that “[f]rom our organization we only used one donor’s contributions for our efforts in Alaska.” [R. 477]
- Testimony before the Commission that Mathias makes all decisions about money going out of RCEA and that he wrote the checks. [Exc. 249-50; Tr. 66]
- Absence of any alternative explanation for RCEA’s report that Mathias was the source of \$90,000 “other than the obvious reason,” that it was true. [Exc. 250; Tr. 73-74]
- Mathias’ public statements at the February 2023 signature drive to repeal ranked choice voting about his support “to the effort.” [Exc. 30-31, 250]

Mathias argues Izon was not his agent;¹²⁷ and, both men testified to the Commission that Izon was not Mathias’ agent.¹²⁸ The Court recognizes that Mathias may not have authorized Izon to speak on his behalf, but the law does not require authorization by the employer so long as the statement “concerned the employees’

¹²⁷ [At. Br. 45]

¹²⁸ [Tr. 63-64, 73-75]

duties.”¹²⁹ Mathias and Izon held leadership positions in both RCEA and AHE, and Izon was tasked with making reports of contributions and expenditures on behalf of RCEA. It is reasonable to conclude that Izon was speaking for RCEA, and by extension, Mathias, when he made the report.¹³⁰

Mathias further argues it was impermissible for APOC staff to rely upon a statement of his attorney in support of the conclusion that Mathias’ was the true source of the \$90,000.¹³¹ Mr. Clarkson wrote in a letter to the Commission dated July 20, 2023: “[a]lthough not required...AHE and Mr. Mathias voluntarily disclosed, in an effort to be candid with the Alaska public, that Mr. Mathias made the first contribution to RCEA that RCEA then contributed to AHE...”¹³² Mathias argues that the Court should not hold his attorney’s statements against him, but Clarkson’s statement is at some level adopting Mathias’ earlier statement in public. In any event, even when viewed as Clarkson’s statements alone, the Commission did not err in considering these statements because they were made in the course of investigating ABE’s complaint and were “directly related to the management of [the] litigation.”¹³³

¹²⁹ *Lane v. City of Kotzebue*, 982 P.2d 1270, 1273 (Alaska 1999) (finding that the trial court erred in ruling an employees’ statements were inadmissible hearsay when offered against his employer in a negligence action).

¹³⁰ See Alaska R. of Evid. 801(d)(2).

¹³¹ [At. Br. 46-47; Exc. 249]

¹³² [R. 463]

¹³³ *Lightning Lube Inc v. Witco Corp.*, 4 F.3d 1153, 1198 (3d Cir 1993); *United States v. Dolleris*, 408 F.2d 918, 921 (6th Cir.1969) (“[a]n attorney, merely because of his employment in connection with litigation, does not have the authority to make out-of-court admissions for his client, except those which are directly related to the management of that litigation.”).

And even if it was impermissible to consider Clarkson's statement for purposes of determining the true source of the funds, as discussed above, there was still substantial other evidence upon which to conclude that Mathias was the true source. The counter-assertion that there were significant other funds available to make the contribution is heavily outweighed by the multiple pieces of evidence that point to Mathias as the true source of all but \$2358 of the \$90,740 contributed to AHE.

The Commission properly points out that Mathias' violation did not occur when he originally wrote the \$90,000 check to RCEA in December 2022.¹³⁴ The violation occurred when Mathias started writing smaller checks from RCEA to AHE without disclosing the true source of the funds. To read the statutory framework to apply to contributions before a contribution is made is an absurd reading of .074—the violation occurs when one gives in the name of another, not before the transfer of funds is made. Mathias' argument here is particularly not well-taken where he denies he intended to give to AHE, and he was both the contributor to RCEA and ultimately the person writing the checks to AHE in the name of RCEA.

Mathias likewise argues that he should not be found in violation because he announced his donation to "the effort."¹³⁵ The Commission certainly considered these arguments in their assessment of penalties, but as APOC notes in its brief, "APOC's concern is whether a contribution is accurately reported to *APOC*, because

¹³⁴ [Ac. APOC Br. at 26]

¹³⁵ [At. Br. 44-45]

the public has a right to find accurate and complete campaign finance information in one place—*APOC reports*.¹³⁶ The Court agrees. The statutory framework requires reports to APOC “upon a form prescribed by the commission”¹³⁷ and there is no exception for being transparent with members of the public as an alternative to complying with the reporting requirements.

In reference to Mathias’ second argument, that APOC failed to establish that he was the source of the funds, Mathias argues that RCEA had already received \$250,000 from another donor before it received Mathias’ donation, that the funds were commingled, and that APOC cannot “paint the dollars” connecting him as opposed to someone else to the contributions in question.¹³⁸

Turning to the record, Mathias made a \$90,000 contribution on December 20, 2022,¹³⁹ but those funds were not deposited into RCEA’s account until December 23, 2022.¹⁴⁰ In the interim, on December 22, 2022, a \$250,000 contribution was made to RCEA.¹⁴¹ Mathias argues under the “first in, first out” accounting method (FIFO) that the earlier \$250,000 donation would have more than covered the subsequent checks from RCEA to AHE without ever reaching Mathias’ later contribution.¹⁴² The Commission responds that they have not adopted FIFO.¹⁴³

¹³⁶ [Ae. Br. 26]

¹³⁷ AS 15.13.040(a).

¹³⁸ [At. Br. 45-47]

¹³⁹ [Exc. 119, 217]

¹⁴⁰ [Exc. 219]

¹⁴¹ [Exc. 219]

¹⁴² [At. Br. 27]

¹⁴³ [Ae. Br. 43, n. 97]

Regardless of whether APOC has adopted FIFO, RCEA has an obligation to disclose the true source of the contribution made from RCEA to AHE. Because RCEA derives its funds from “contributions, donations, dues, or gifts,” RCEA is an intermediary and not, by definition, the true source of a contribution.

As articulated by the Commission below, AHE and RCEA must identify the true source of the funds contributed from RCEA to AHE, even if the true source is not Mathias.¹⁴⁴ When RCEA belatedly reported Mathias as the “true source” of the \$90,000¹⁴⁵ it simply took the guess-work out of the source of those funds. And coupled with the substantial evidence outlined above, the only logical conclusion that can be drawn is that it was indeed Mathias’ money funding RCEA’s contributions to AHE with the exception of the \$2358 cash contribution.

b. Penalties

i. Matthias’ arguments

With regard to assessment of penalties, Mathias makes two arguments. Mathias argues that APOC penalized him twice, once under AS 15.13.390(a)(1) and a second time under (a)(3) for his reporting violations.¹⁴⁶ The two penalties are for different violations, however. The penalty under AS 15.13.390(a)(1) is for Mathias’ violation of AS 15.13.040(k). As noted above, Mathias does not contest this violation or penalty.

¹⁴⁴ [Exc. 248-49]

¹⁴⁵ [Exc. 119, Tr. 74]

¹⁴⁶ [At. Br. 48]

A violation of AS 15.13.040(k) is found where an individual fails to report a contribution of \$500 or more. Mathias could have given in his own name but not reported the contribution and he would still have violated AS 15.13.040(k). A true source reporting violation under AS 15.13.074(b) occurs where a contributor gives in the name of another. While they are based upon the same underlying facts, the violations are distinct—Mathias violated two separate statutes when he gave in the name of another and subsequently failed to report his contributions to AHE.

The penalty contested by Mathias is under AS 15.13.390(a)(3)—a penalty assessed for his violation of AS 15.13.074(b). Mathias argues that true source reporting under .074(b) does not apply to him because he is not an intermediary.¹⁴⁷ But, penalties under Alaska Statute 15.13.390(a)(3) apply to a person who “whether as a contributor or intermediary, misreports or fails to disclose the true source of a contribution in violation of AS 15.13.040(r) or 15.13.074(b)...” Mathias argues that he did not misreport, but rather he did not report at all until he did so under protest in 2024.¹⁴⁸ The failure to report the true source is itself an independent ground under .390(a)(3), and Mathias’ violation of .074(b) is sufficient to penalize him under that subsection.

In a point heading, Mathias references a due process violation by APOC in their assessment of penalties for his violations of campaign finance laws.¹⁴⁹ Beyond

¹⁴⁷ [At. Br. 48]

¹⁴⁸ [At. Br. 49; At. Reply Br. 2]

¹⁴⁹ [At. Br. 48]

the point heading, no due process argument is made, and the Court therefore does not reach the due process argument, as it is inadequately briefed.

Mathias further argues that the Commission abused its discretion in the penalty phase and should have credited him for Izon's eventual reporting of Mathias as the "true source" of the \$90,000 contribution, as it credited RCEA.¹⁵⁰ However, Mathias had his own reporting obligations, separate from RCEA. Mathias' failure to report his contribution was his own. When Izon belatedly reported Mathias' contribution,¹⁵¹ Mathias did not adopt the disclosure, and instead continued to deny he was the source of the funds.¹⁵² In other words, RCEA came into compliance but Mathias did not. The Commission's assessment of penalties, and refusal to reduce Mathias' penalties as they reduced RCEA's penalty assessment is reasonable.

The Court does, however, find that APOC abused its discretion when it set Mathias' "maximum penalty" at \$90,000.¹⁵³ As discussed above, the Court found that because the substantial evidence did not support the conclusion that Mathias was the source of the \$2358 in cash, Mathias' penalties must be reduced accordingly. Mathias gave \$88,382 in the name of another. The Court reduces this sum by half, consistent with APOC's assessment of penalties for Mathias' true source violation. The new penalty assessment for Mathias is \$44,191.00.

¹⁵⁰ [At. Br. 49]

¹⁵¹ [Exc. 119, Tr. 74]

¹⁵² [Tr. 63-64]

¹⁵³ [Exc. 253]

iii. ABE's request for treble damages

In their cross-appeal, ABE argues that APOC was not harsh enough in assessing penalties, and urges the Court to impose treble damages against RCEA and Mathias as contemplated by AS 15.13.390(a)(3). The civil penalties were incorporated into AS 15.13.390 following Alaskan voters' passage of Ballot Measure 2 in 2020 and became effective on February 28, 2021.

Better Elections argues the Court should apply the substitution of judgment standard to APOC's assessment of penalties.¹⁵⁴ Because AS 15.13.390(a)(3) and the ability to assess treble damages is new, ABE is correct that there is no longstanding agency interpretation of this provision.¹⁵⁵ However, the cases relied on by ABE for application of the substitution of judgment standard do not involve the assessment of penalties, but interpretation of campaign finance laws more generally.¹⁵⁶ Recognizing that assessment of penalties is within APOC's core functions, the Court will apply reasonable basis review to APOC's decision not to assess treble damages against Mathias.

Alaska Statute 15.13.390(a)(3) permits, but does not mandate, assessment of treble damages against persons who violate AS 15.13.040(r) or 15.13.074(b). It reads: [a] person who

whether as a contributor or intermediary, misreports or fails to disclose the true source of a contribution in violation of AS

¹⁵⁴ [Cross-At. Br. 12]

¹⁵⁵ *Id.*

¹⁵⁶ See *APOC v. Not Tammie*, 482 P.3d 386, 388 (Alaska 2021); *Studley v. APOC*, 389 P.3d 18, 24 n.30 (Alaska 2017); *Republican Governor's Ass'n*, 485 P.3d at 549; *Eberhart v. APOC*, 426 P.3d 890, 896 (Alaska 2018).

15.13.040(r) or 15.13.074(b) is subject to a civil penalty of not more than the amount of the contribution that is the subject of the misreporting or failure to disclose; upon a showing that the violation was intentional, a civil penalty of not more than three times the amount of the contribution in violation **may** be imposed; these penalties as determined by the commission are subject to right of appeal to the superior court (emphasis added).

In its decision, the Commission noted that the maximum penalty for both contributor (Mathias) and intermediary (RCEA) is “the amount of the contribution that is subject of the misreporting or failure to disclose,” and that this penalty can be trebled “if an intentional violation is found.”¹⁵⁷ The Commission wrote “the weight of the evidence shows that Mr. Mathias intended his \$90,000 contribution to RCEA to be passed through to AHE as needed and then effectuated that intent.”¹⁵⁸ The Commission did not, however, find, an intentional violation of the law which is required for trebling. The Commission reasons that “[b]ecause the public was ultimately informed about the true source of the \$90,000,” it “elect[ed] not to treble the penalties.”¹⁵⁹

The Court concludes that the Commission’s decision not to apply treble damages has a reasonable basis in law and there is substantial evidence to support it. In reaching this conclusion, the Commission relied on the fact that despite Mathias’ intentional failure to report to APOC his contribution to AHE, Mathias’ open and public disclosure that he provided significant financial support to “the

¹⁵⁷ [Exc. 251]

¹⁵⁸ [Exc. 250-51]

¹⁵⁹ *Id.*

effort” to repeal ranked choice voting did not warrant the assessment of treble damages.¹⁶⁰

Better Elections’ argument that AS 15.13.390(a)(3) *requires* the Commission to first treble RCEA’s and Mathias’ damages before any reduction is contrary to the plain language of the statute given that the statute uses the word *may*, not shall, for purposes of assessing treble damages.

The Court finds the word *may* to be permissive. The word *may* is defined in Black’s Law Dictionary as “to be permitted.”¹⁶¹ The Court recognizes ABE’s arguments that *may* is construed as mandatory in some contexts,¹⁶² and Black’s Law Dictionary references “that in dozens of cases, court have held *may* to be synonymous with shall or must, usually in an effort to effectuate what is said to be legislative intent.” That said, the traditional application of the word *may* is one of permission not mandate.¹⁶³ The Commission’s interpretation of *may* in AS 15.13.390(a)(3) is reasonable. And as argued by APOC, to read .390(a)(3) as ABE does here takes away APOC’s discretion in assessing penalties.¹⁶⁴ Such a reading is plainly at odds with the deferential standard of review applied to APOC penalty assessments.¹⁶⁵

¹⁶⁰ [Exc. 251]

¹⁶¹ Black’s Law Dictionary (11th ed. 2019).

¹⁶² [Cross-At. Br. 15-16]

¹⁶³ See *Gerber v. Juneau Bartlett Mem’l Hosp.*, 2 P.3d 74, 76 (Alaska 2000) (stating that “the term ‘may’ generally denotes permissive or discretionary authority and not mandatory duty”).

¹⁶⁴ [At. Br. 35]

¹⁶⁵ *Odom*, 421 P.3d at 6.

Finally, ABE argues that by failing to assess treble damages, APOC has failed to follow the intent of voters in approving Ballot Measure 2.¹⁶⁶ When courts interpret statutes that were enacted through a ballot initiative, the “sliding-scale approach to statutory interpretation” “requires a slightly different process than interpreting statutes passed by the legislature.”¹⁶⁷ The Alaska Supreme Court has held that when interpreting language from a ballot initiative, “[courts] attempt to place [them]selves in the position of the voters at the time the initiative was placed on the ballot, and...try to interpret the initiative using the tools available to the citizens of this state at that time.”¹⁶⁸ Courts may consider “any published arguments made in support or opposition to determine what meaning voters may have attached to the initiative” but will not “accord special weight to the stated intentions of any individual sponsor that are not reflected in content of the legislation itself.”¹⁶⁹

The language of Ballot Measure 2 as it appeared on ballots, and now as conceded by ABE, does not reference penalties for violations of campaign disclosure laws at all.¹⁷⁰ Turning to the voter intent and findings discussed by the Court above, Ballot Measure 2 was premised on several findings related to the need for transparency in elections, but ABE in its briefing leaves out language in those findings specifically related to “candidate elections” weakening its argument

¹⁶⁶ [Cross-At. Br. 18-22]

¹⁶⁷ *Guerin v. State*, 537 P.3d 770, 780 (Alaska 2023) (citing *Alaskans for a Common Language, Inc. v. Kritz*, 170 P.3d 183, 192-93 (Alaska 2007)).

¹⁶⁸ *Kritz*, 170 P.3d at 193.

¹⁶⁹ *Id.*

¹⁷⁰ See Ballot Measure 2 at 1-2 (ABE Appendix A).

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there.¹⁷¹ Voters did have access to the “full text of a Ballot Measure 2 when they approved it...”¹⁷² and included within the text was AS 15.13.390(a)(3)’s language related to treble damages. But because the Court does not find that this language makes treble damages mandatory as discussed above, the Court is unpersuaded that APOC’s failure to assess treble damages amounts to a failure to follow voter intent.

Finally, as noted by APOC, even if the Commission elected to assess treble damages, nothing would have prevented APOC from still mitigating the damages down to \$45,000 as it did here pursuant to 2 AAC 50.865.¹⁷³ The Court finds APOC acted reasonably and did not abuse its discretion when it declined to assess treble damages. The Commission’s stated reason for not trebling the damages is likewise reasonable and supported by the substantial evidence.

a. Imposition of civil penalties against Honest Elections

Better Elections also asks this Court to impose civil penalties against Honest Elections for violations of AS 15.13.040(b), AS 15.13.074(b), and AS 15.13.110(g).¹⁷⁴ The Commission found violations by AHE but dismissed them without prejudice, so that penalties could be assessed in a separate Staff-initiated penalty assessment.¹⁷⁵ Because assessment of violations and penalties is within the core function of APOC, it would be improper for the Court to usurp APOC’s role where APOC has manifested an intent to address penalties in a separate Staff-

¹⁷¹ [Cross-At. Br. 20]

¹⁷² *Guerin*, 537 P.3d at 781.

¹⁷³ [Ae. Br. 36-37]

¹⁷⁴ [At. Br. 28]

¹⁷⁵ [Exc. 238]

initiated penalty assessment. The Court finds the Commission's decision to handle separately the penalties for AHE is not an abuse of discretion.

iv. Does Alaska's true source reporting statute violate the First Amendment of the U.S. Constitution?

The First Amendment provides in pertinent part: Congress shall make no law ...abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."¹⁷⁶ Implicit in these rights is the right to associate with others.¹⁷⁷

Appellant's challenge Alaska's true source reporting requirement under the federal First Amendment only, and argue that AS 15.13.074(b) has a chilling effect on Alaskans' rights to freedom of speech and association in violation of the U.S. Constitution.¹⁷⁸

a. Standard of review

Exacting scrutiny is applied in cases involving compelled disclosure "whether the beliefs sought to be advanced by association pertain to political, economic, religious or cultural matters."¹⁷⁹ Exacting scrutiny requires that a government-mandated disclosure regime be narrowly tailored to the government's asserted interest, even if it is not the least restrictive means of achieving that end.¹⁸⁰

¹⁷⁶ U.S. CONST. AMEND. I.

¹⁷⁷ *Roberts v. United Jaycees*, 468 U.S. 609, 622 (1984).

¹⁷⁸ [At. Br. 25]

¹⁷⁹ *Americans for Prosperity Found. v. Bonta*, 594 U.S. 595, 608 (2021).

¹⁸⁰ *Bonta*, 595 U.S. at 609-10 (citing *McCutcheon v. Federal Election Commission*, 572 U.S. 185, 188 (2014) (plurality opinion)).

“Because First Amendment freedoms need breathing space to survive, government may regulate in the area only with narrow specificity.”¹⁸¹

At times, Appellants’ argue that strict scrutiny applies because Alaska’s campaign disclosure laws prevent contributions to ballot groups, and laws preventing contributions will only be upheld to prevent *quid pro quo* corruption.¹⁸² Appellants assert that because there can be no *quid pro quo* in the context of a ballot initiative,¹⁸³ Alaska’s true source reporting statute cannot survive strict scrutiny.

The law is clear, however, that the less demanding standard, exacting scrutiny, applies to campaign finance disclosure laws.¹⁸⁴ The U.S. Supreme Court has held that “disclosure requirements may burden the ability to speak, but they ‘impose no ceiling on campaign related activities’ and ‘do not prevent anyone from speaking.’”¹⁸⁵ Because AS 13.15.074(b) operates to mandate *disclosure* and does not act as a ban on campaign contributions, the Court will apply exacting scrutiny.

In order to survive exacting scrutiny review, Alaska’s donor disclosure laws must be narrowly-tailored to the “sufficiently important” government interest in an informed electorate.

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¹⁸¹ *NAACP v. Button*, 371 U.S. 415, 433 (1963).

¹⁸² [At. Br. 27]

¹⁸³ *Buckley v. American Constitutional Law Found. Inc.*, 525 U.S. 182, 203 (1999) (citing *Meyer v. Grant*, 486 U.S. 414, 427-428 (1988) ((citing *First Nat. Bank of Boston v. Bellotti*, 435 U.S. 765, 790 (1978)).

¹⁸⁴ *Bonta*, 594 U.S. at 608 (citing *Buckley v. Valeo*, 424 U.S. 1, 64-68 (1976) (per curiam)). See also *Doe v. Reed*, 561 U.S. 186 (2010) (emphasizing that exacting scrutiny applies where the statute was “not a prohibition on speech, but instead a *disclosure* requirement.”)

¹⁸⁵ *Citizens United v. Federal Election, Com’n*, 558 U.S. 310, 366 (2010).

b. Analysis

i. Alaska's interest in an informed electorate

An informed electorate is “vital to the efficient functioning of the marketplace of ideas, and thus to advancing the democratic objectives underlying the First Amendment.”¹⁸⁶ “By revealing information about the contributors to and participants in public discourse and debate, disclosure laws help ensure that voters have the facts they need to evaluate the various messages competing for their attention.”¹⁸⁷

The U.S. Supreme Court has recognized that a state can require disclosure of funding sources supporting signature collection for ballot initiatives including the “source and amount of money spent by proponents to get a measure on the ballot.” In other words, voters will be informed “who has proposed [a measure],” and “who has provided funds for its circulation.”¹⁸⁸ Courts have recognized that the need for an informed electorate applies fully to ballot measures, which require voters to “act as legislators” and decide “some of the day’s most contentious and technical issues.”¹⁸⁹

And the Alaska Supreme Court has long recognized:

The need for an informed electorate applies with full force to ballot issues. Such issues are often complex and difficult to understand. Proper evaluation of the arguments made on either side can often be assisted by knowing who is backing each position...In such circumstances the voter may wish to cast his

¹⁸⁶ *Human Life of Washington Inc. v. Brumsickle*, 624 F. 3d 990, 1005 (9th Cir. 2010).

¹⁸⁷ *Id.*

¹⁸⁸ *Buckley v. American Constitutional Law Found. Inc.*, 525 U.S. at 203.

¹⁸⁹ *Brumsickle*, 624 F.3d at 1006 (cleaned up); see *N on E Chiu*, 85 F.4th 493, 505 (9th Cir. 2023) (“We have ‘repeatedly recognized an important (and even compelling interest) informational interest in requiring ballot measure committees to disclose information about contributions.’” (citation omitted)).

ballot in accordance with his approval, disapproval, or the sources of financial support.¹⁹⁰

In addition to Alaska's interest in an informed electorate, Alaska may justify its campaign finance disclosure laws with the interest "in deterring the appearance of and actual corruption in elections, as well as foreign influence in elections."¹⁹¹

The Court finds that the government interest in an informed electorate is at minimum a "sufficiently important" interest and is likely a compelling government interest.

ii. Alaska's true source reporting framework is narrowly-tailored to the "sufficiently important" government interest in an informed electorate

When the First Amendment is implicated, "fit matters" but the fit need "not necessarily [be] perfect but reasonable; that represents not necessarily the single best disposition but one whose scope is in proportion to the interest served, that employs not necessarily the least restrictive means but a means narrowly tailored to achieve the desired objective."¹⁹²

The true source reporting statute and related provisions here do not apply to *all* contributions made to a nonprofit. Only contributions exceeding \$500 and made for the purpose of influencing an election, ballot proposition or an initiative proposal require true source reporting under AS 15.13.074(b).¹⁹³

¹⁹⁰ *Messerli v. State*, 626 P.2d 81, 87 (Alaska 1980) (footnotes and citations omitted); *see id.* at 85 ("[I]n ballot proposition contests, the message is often the contributor's own.").

¹⁹¹ *Smith v. Helzer*, 614 F. Supp. 3d 668, 678 n.42 (D. Alaska 2022), *aff'd*, 95 F.4th 1207 (9th Cir. 2024).

¹⁹² *Bonta*, 594 U.S. at 608 (citing *McCutcheon*, 572 U.S. at 218).

¹⁹³ *See* AS 15.13.400(4)(A) "contribution"

Disclosure laws that only burden those engaged in election-related activities are less burdensome alternatives to laws that censor speech or impose ceilings on campaign contributions or expenditures.¹⁹⁴ Appellants' reliance on *Thompson v. Hebdon* is misplaced, as that case involved a \$500 limit on the amount that Alaskans could contribute to a candidate for political office.¹⁹⁵

Appellants' repeatedly refer to the true source reporting statute as a "prohibition" on speech,¹⁹⁶ but the statute only requires reporting of contributions over \$500 for the purpose of influencing the outcome of an election, and does not limit how much one may give nor who may give so long as it is in his or her own name. Moreover, in terms of reporting obligations for a nonprofit receiving contributions from individuals, the nonprofit does not need to report all of its donors, only those giving in excess of \$2,000 per year.¹⁹⁷

The Court concludes that Alaska's true source reporting statute, AS

(A) means a purchase, payment, promise or obligation to pay, loan or loan guarantee, deposit or gift of money, goods, or services for which charge is ordinarily made, and includes the payment by a person other than a candidate or political party, or compensation for the personal services of another person, that is rendered to the candidate or political party, and that is made for the purpose of

(i) influencing the nomination or election of a candidate;

(ii) influencing a ballot proposition or question; or

(iii) supporting or opposing an initiative proposal application filed with the lieutenant governor under AS 15.45.020.

See also AS 15.13.040(k).

¹⁹⁴ *Citizens United*, 558 U.S. at 369 ("The Court has explained that disclosure is a less restrictive alternative to more comprehensive regulations of speech."); *McCutcheon*, 472 U.S. at 223 ("[D]isclosure often represents a less restrictive alternative to flat bans on certain types of speech.").

¹⁹⁵ *Thompson v. Hebdon*, 7 F.4th 811, 822 (9th Cir. 2021) aff'd in part, rev'd in part by 589 U.S. ___, 140 S. Ct. 348, 349 (2019).

¹⁹⁶ [At. Br. 33]

¹⁹⁷ See AS 15.13.400(19) defining "true source" and requiring an intermediary to only report contributions in excess of \$2000 per person per year.

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15.13.074(b), and related provisions 15.13.040(e) and 15.13.040(k) are narrowly tailored to the government's "substantial interest" in an informed electorate by making publicly-available to voters the true source of election funds. Courts have recognized that knowing the sources of election spending ultimately informs voters' decisions, prevents groups from "hiding behind dubious and misleading names" and likewise prevents individuals from hiding in anonymity.¹⁹⁸ The Alaska Supreme Court has likewise held that "[w]hen citizens vote on the basis of misinformation, or a lack of relevant information, the decision-making process on which our government ultimately rests suffers."¹⁹⁹

c. Appellants' facial challenge

For the Court to strike a law down on its face, Appellants must show that a "substantial number of its applications are unconstitutional, judged in relation to the statute's plainly legitimate sweep."²⁰⁰ Appellants claim the law sweeps too broadly because it delves too deep requiring disclosure not just of the non-profit intermediary, but the individual contributors to the non-profit.²⁰¹ But, there is no constitutional right to make anonymous contributions for the purpose of influencing the outcome of an election.²⁰² There is likewise no right to contribute through an

¹⁹⁸ *Citizens United*, 558 U.S. at 367 (quoting *McConnell v. Fed. Election Comm'n*, 540 U.S. 93, 197 (2003)).

¹⁹⁹ *Messerli*, 626 P.3d at 86.

²⁰⁰ *Ams. For Prosperity Found.*, 141 U.S. at 2387.

²⁰¹ [At. Br. 39-40]

²⁰² *Buckley*, 424 U.S. at 69-74, 82-84 (1976); *McConnell*, 540 U.S. at 196-98; *Citizens United*, 558 U.S. at 367-71; *Brunswick*, 624 F.3d 990, 1005-06 (upholding Washington's campaign disclosure laws); *Ctr. For Ind. Freedom v. Madigan*, 697 F.3d 464, 470 & n.1 (7th Cir. 2011) (upholding Illinois's campaign disclosure laws and stating that all other federal courts of appeal (five) that had decided cases challenging campaign disclosure rules had upheld the rules against facial attacks after the U.S. Supreme Court's decision in

intermediary or in the name of another, and the Court declines to create such a right. Despite Appellants' contention in their reply brief,²⁰³ disclosing the source of funds is not a *prohibition* on contributions, it is a requirement that contributions be reported from their true source.

Appellants suggest that the state's interest in an informed electorate would be "satisfied by simply requiring the disclosure of the direct donors to the ballot group."²⁰⁴ In other words, allowing RCEA to pass donor funds to AHE in RCEA's name alone—as RCEA did in its first report to APOC. This approach, however, leaves voters in the dark and deprived of information regarding significant financial contributions made to support or oppose a ballot initiative. Naming the non-profit alone does not tell voters whether the initiative is funded by residents within Alaska or funded by donors outside of Alaska; nor the political affiliation of those sources of support.

Appellants' rely on *Bonta* in asking this Court to find Alaska's true source reporting statute unconstitutional. While *Bonta* provides the correct standard of review in this case ("exacting scrutiny") both the type of disclosure at issue and the government interest in disclosure are different.²⁰⁵ This matter involves a campaign

Citizens United); *Alaska Right to Life Comm. v. Miles*, 441 F.3d 773, 788-94 (9th Cir. 2006) (upholding Alaska's registration requirement, reporting rules for nongroup entities as "not particularly onerous" and surviving strict scrutiny).

²⁰³ [At. Reply Br. 6]

²⁰⁴ [At. Br. 40]

²⁰⁵ *Bonta*, 594 U.S. at 613-15 (here the State of California required the top donors to charitable organizations to be identified. The Court acknowledged a "substantial government interest[] in protecting the public from fraud" but found that the collected disclosures were not ultimately used by the state to investigate fraud, but to promote administrative efficiency. Applying exacting scrutiny, the Court found

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finance law and the mandatory disclosure is in the context of funding an election, not disclosure of charitable contributions more generally.

The Ninth Circuit Court of Appeals has distinguished California's charitable contribution disclosure law in *Bonta* from a recent unsuccessful challenge to Alaska's campaign finance laws explaining "[t]hat case [*Bonta*] involved neither public disclosure of information nor an electioneering matter."²⁰⁶ *Bonta* simply does not form a basis to find true source reporting violates the First Amendment.

Appellants argue that true source reporting "would drive nonprofit donors to refrain from exercising their First Amendment right to associate with RCEA (and other nonprofits) via nonprofit donations, out of concern that the organizations might donate to a ballot group."²⁰⁷ But, the concern that potential donors would "hesitate or refrain" from donating can be addressed by donors earmarking their specific funds for purposes other than supporting a political campaign or ballot initiative. Likewise, any burden on the nonprofit to maintain separate bank accounts to deposit funds that are earmarked for education versus earmarked to support a ballot initiative, is slight and certainly outweighed by the need for an informed electorate. A donor who wishes to remain anonymous may still donate, so long as

that "[t]he lack of tailoring to the State's investigative goals is categorical—present in every case—as is the weakness of the State's interest in administrative convenience.")

²⁰⁶ *Smith*, 95 F.4th at 1217 n.7 (discussing *Ans. For Prosperity Found.*, 141 S.Ct. at 2385-87).

²⁰⁷ *Id.*

the nonprofit places the funds in an account that will not be used for election activities.²⁰⁸

For these reasons, Appellants' facial challenges to Alaska's true source reporting requirements fail.

d. Appellants' as-applied challenge

Mathias' as-applied challenge fails for two reasons: (1) his public statements related to his support of "the effort" to repeal ranked choice voting neutralize the constitutional arguments he raises now that he would face harassment or reprisal if associated with the ballot initiative; and (2) Mathias is not an intermediary—his obligation is to report his contributions, and so long as those contributions are from his own sources of income and wages,²⁰⁹ Mathias in his individual capacity is not revealing the names of other donors.

The Ranked Choice Education Association has acted as an intermediary, and so long as RCEA continues to support ballot initiatives or other political campaigns, they will have an ongoing obligation to report the "true source" of funds passed to a third party for purposes of influencing an election.

Even so, the Appellants' collectively have neither established nor offered

²⁰⁸ The Alaska Center Advisory Op., AO 21-11-CD (approved June 20, 2022), <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=23802>. The Advisory Opinion advises a non-profit organization setting up a separate bank account for contributions that may be used to influence the outcome of a election so that when funds are donated for that purpose the non-profit can comply with the true source reporting requirements.

²⁰⁹ See AS 15.13.400(19).

any evidence of a “reasonable probability” that disclosure of their contributors’ names would subject them to “threats, harassment, or reprisals.”²¹⁰ Generic references to “threats and harassment” are insufficient evidence upon which to meet this standard.²¹¹ Therefore, Appellants’ as-applied challenge fails as well.

VI. Conclusion

For the reasons stated above, the Court AFFIRMS IN PART AND REVERSES IN PART the Final Order reached by APOC. In summary:

1. Alaska’s true source reporting requirements apply to ballot initiatives in the signature-gathering phase and continue to apply once the petition is certified.
2. Mathias appealed APOC’s finding that he violated the true source reporting requirements. APOC’s finding of violation for Mathias is affirmed, insofar as the Court applies APOC’s reasoning in mitigating the penalty but adjusts the amount of Mathias’ contribution to be penalized. Mathias’ penalty assessment is reduced from \$45,000 to \$44,191 because the substantial evidence does not support the conclusion that he was the source of the cash contribution. The Court reverses APOC’s finding that Mathias was the

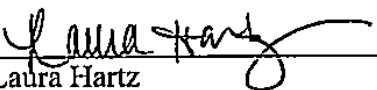
²¹⁰ *Citizens United*, 558 U.S. at 370; see also *Ans. for Prosperity Found.*, 141 S.Ct. at 2389 (stating that if exacting scrutiny is satisfied, the plaintiffs must bear the evidentiary burden of showing that donors to a substantial number of entities will face harassment or reprisals); *Doe v. Reed*, 562 U.S. at 201 (rejecting challenge where plaintiffs offered “scant evidence or argument” to support that disclosure burdened signers of typical initiative petitions).

²¹¹ *ProtectMarriage.com v. Bowen*, 830 F. Supp. 2d 914, 934 (E.D. Cal. 2011), *aff’d in part, dismissed in part sub nom.*, 752 F.3d 827 (9th Cir. 2014) (rejecting plaintiffs’ request for an as-applied disclosure exemption, noting that “picketing, protesting, boycotting, distributing flyers, destroying yards signs and voicing dissent do not necessarily rise to the level of ‘harassment’ or ‘reprisals,’ especially in comparison to acts directed at groups in the past”) (citing and contrasting *NAACP v. Alabama*, 357 U.S. 449, 452 (1958) (striking down as unconstitutional Alabama Attorney General’s demand for the names of donors to the state chapter of the NAACP where donor-members were threatened with violence and economic reprisal)).

source of the cash contribution. All other aspects of APOC's order are affirmed.

3. RCEA appealed APOC's finding of true source reporting violations. APOC's violation against RCEA is affirmed, as is the penalty assessed by APOC in the amount of \$19,935.
4. On reconsideration, the Court does not remand the cash contribution issue back to APOC for consideration of true source reporting violations and assessment of penalties. The Court recognizes that APOC acted reasonably in not pursuing true source reporting violations for the cash contributions given that Appellants relied on incorrect advice furnished by APOC during the signature-gathering phase of their ballot initiative effort. The Court likewise declines to apply forfeiture to the cash contribution because Appellants relied on APOC's incorrect advice early in their signature-gathering efforts.
5. The Court finds that Alaska's true source reporting requirements do not violate the First Amendment to the U.S. Constitution.

DONE this 18th day of July 2024, at Anchorage, Alaska.



Laura Hartz
Superior Court Judge

I certify that on 7/18/24
a copy of the above was emailed to:

Clarkson
Demarest
Kendall
Gottstein

Ellen Bozzuto
Judicial Assistant

STATEMENT OF CONTRIBUTIONS FORM 15-5

AMENDMENT

Amendment Description: Year was incorrect

COMPLETED

Submission Date: 03/07/2024

REPORT TYPE

Filing Reason: Contributions of \$500 or more
Report Year: 2023
Filed As: Individual

FILING

Filer First Name: Art
Filer Middle Name:
Filer Last Name: Mathias
Filer Phone: 907-240-8429
Filer Email: art@rankedchoiceeducationassociation.org
Occupation: Insurance
Employer: Self

INDIVIDUAL INFORMATION

First Name: Art
Last Name: Mathias
Address: 3900 Arctic Blvd
City: Anchorage
State:Alaska
99503
Country: United States
Occupation: Insurance
Employer: Self

CONTRIBUTIONS

Contribution		Form of		Total Annual
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Date	Recipient	Contribution	Amount	Contribution
02/06/2023	2023 - Alaskans For Honest Elections	Check Check Number: 1007 Reported Under Protest	\$1,000.00	\$1,000.00
02/08/2023	2023 - Alaskans For Honest Elections	Check Check Number: 0108107251 Reported Under Protest	\$75,000.00	\$76,000.00
02/23/2023	2023 - Alaskans For Honest Elections	Non-Monetary Description: Printing Services / In-Kind Donation Reported Under Protest	\$1,382.00	\$77,382.00
06/11/2023	2023 - Alaskans For Honest Elections	Check Check Number: 2010 Reported Under Protest	\$10,260.00	\$87,642.00
10/02/2023	2023 - Alaskans For Honest Elections	Check Check Number: 2032 Reported Under Protest	\$2,000.00	\$89,642.00

REPORT SUMMARY

Number of Contributions Reported with this Report: **5**

Total of Contributions Reported with this Report: **\$89,642.00**

BEFORE THE ALASKA PUBLIC OFFICES COMMISSION

Alaskans for Better Elections,	)	
	)	
Complainant,	)	
	)	
v.	)	APOC Case No. 23-01-CD
	)	
Alaskans for Honest Elections, Alaskans for	)	
Honest Government, Wellspring Ministries,	)	
Wellspring Fellowship, Ranked Choice	)	
Education Association, Art Mathias, and Phillip	)	
Izon,	)	
	)	
Respondents.	)	
	)	

FINAL ORDER

Alaskans for Better Elections (ABE) alleged violations of AS 15.13 by seven respondents: Alaskans for Honest Elections (AHE), Alaskans for Honest Government (AHG), Wellspring Ministries, Wellspring Fellowship, Ranked Choice Education Association (RCEA), Art Mathias, and Phillip Izon. ABE alleges that the respondents have failed to register with APOC, failed to correctly report contributions and expenditures, failed to provide accurate paid-for-by identifiers on communications, made an unlawful cash contribution, and/or failed to report the true source of contributions to AHE. The allegations all relate to the signature gathering effort for ballot initiative 22AKHE, which seeks to repeal the open primary and top-four ranked choice general election system that Alaska voters enacted by initiative in 2020.

After completing an investigation, the Alaska Public Offices Commission Staff

recommended that the Commission find that the following violations occurred¹:

- Failure to register before making expenditures, in violation of AS 15.13.050(a) by AHE, AHG,² and RCEA
- Failure to file timely and accurate independent expenditure, statement of contribution, and/or quarterly reports, in violation of AS 15.13.040 and 15.13.110(g) & (h) by AHG, RCEA, AHE, and Art Mathias³
- Failure to place compliant paid-for-by identifiers on communications in support of 22AKHE, in violation of AK 15.13.090: AHG, RCEA, AHE
- Making a cash contribution in excess of \$100, in violation of AS 15.13.074(e) by RCEA
- True-source reporting violations of AS 15.13.040 and 15.13.074(b) by RCEA, AHE, and Art Mathias

After a hearing on November 16, 2023, the Commission finds that these violations occurred and imposes civil penalties totaling \$94,610.

I. BACKGROUND

A. Ballot initiative 22AKHE

On November 23, 2022, Phillip Izon, Art Mathias, and Jamie R. Donley filed an application for certification of an initiative entitled “An Act Restoring Political Party Primaries and Single-Choice General Elections.”⁴ The Lieutenant Governor certified the petition,⁵ which was named “Alaskans for Honest Elections” and identified as 22AKHE by its sponsors, on January 20, 2023. The Division of Elections delivered petition

¹ Staff Report at 27-28, available at <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=25421> and <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=25422>.

² This violation is not included in the Conclusion of Staff’s Report. It is discussed at page 15-16 of the Report.

³ Staff’s Conclusion also does not list this violation, which is discussed at page 26 of the Report.

⁴ See AS 15.45.020, AS 15.45.030.

⁵ See AS 15.45.070.

booklets to the sponsors on February 8, 2023. Sponsors' deadline to file them with enough signatures to place the initiative on the ballot is February 7, 2024.⁶

B. Respondents

This matter concerns allegations that the seven respondents failed in various ways to meet their obligations under Alaska's campaign finance laws in connection with support of 22AKHE. The two individual respondents are Art Mathias and Phillip Izon, two of 22AKHE's three primary sponsors. Each of the five other respondents is an organization in which Mathias, Izon, or both serves in a key role.

Two of the five respondent organizations have registered with APOC. First, Alaskans for Honest Government (AHG) registered as an entity on November 1, 2022. AHG's stated purposes were to "help Alaskans with data, information and research" and "[p]rovide polling and other election resources to voters." Phillip Izon was listed as the entity's Record Keeper/Agent. During Staff's investigation, Mr. Izon said in an affidavit that "[AHG] is a Political Action Committee that was formed to make independent expenditures related to the November 2022 general election for Alaska's U.S. House and U.S. Senate seats" and that he registered the entity with APOC by mistake.⁷

Alaskans for Honest Elections (AHE) is an Alaska non-profit corporation created on January 23, 2023. In November 2022, Mr. Izon inquired with APOC Staff about whether AHE had an obligation to register and report its expenditures "prior to the state

⁶ See AS 15.45.140.

⁷ Staff Report Ex. 13 at 1.

approved initiative.”⁸ Staff responded that “[i]t appears that what you are contemplating is a referendum (a ballot proposition to repeal a law), not an initiative,” and “the definition of an expenditure does not include money spent during the signature gathering stage of a referendum (unlike, an initiative).”⁹ AHE did not register at that point.

Then on February 23 and 24, 2023, APOC’s director followed up and advised Mr. Izon that because AHE had filed an initiative proposal application, not a referendum as Staff had mistakenly opined, AHE *did* have reporting obligations during the signature gathering stage and reports were likely overdue by that point.¹⁰ APOC’s director reiterated that “money raised and spent for the purpose of supporting an initiative application must be reported” and “is not contingent on approval of the application.”¹¹

AHE registered as a group with APOC on March 20, 2023, with the stated purpose of “[a]ny lawful election matters.” Phillip Izon is the group’s chairman and a director; Art Mathias is also a director. AHE filed its first quarter report for 2023 on April 10, 2023.¹² That report included a nonmonetary contribution and corresponding expenditure of \$200,000 for Mr. Izon’s “Management Costs/Time.” Mr. Izon explained to Staff that this amount was intended as an estimate of the total value of the services he would contribute

⁸ Staff Report Ex. 23 at 4.

⁹ *Id.* at 2-3.

¹⁰ Staff Report Ex. 24 at 6.

¹¹ *Id.* at 1.

¹² Staff Report Ex. 25; AS 15.13.110(g).

running AHE's initiative campaign all the way through an election.¹³ AHE filed a second quarter report as well. Both quarterly reports disclosed contributions from RCEA.

The oldest of the respondent organizations is Wellspring Ministries, an Alaska nonprofit corporation formed in July 1999. Art Mathias is its president and treasurer. Wellspring Ministries owns a building at 2511 Sentry Drive in Anchorage containing classrooms and a gymnasium, which also serves as an auditorium. Wellspring Ministries leases space in the building to other non-profit organizations. During the investigation, Wellspring Ministries explained that "[b]ecause WM is a non-profit corporation with tax-exempt status, it leases space in its building only to other non-profit organizations and charges those non-profit tenants only the cost associated with operating and maintaining the leased space that the tenant occupies"¹⁴ and that "[c]harging 'fair market value' for the use of the building space is antithetical to non-profit status."¹⁵

One of Wellspring Ministries' non-profit tenants in the Sentry Drive building is Wellspring Fellowship, the fourth of the five organizational respondents. Wellspring Fellowship is a non-profit religious corporation incorporated in Washington on December 8, 2022. Art Mathias is one of its directors, and its address is at the Wellspring Ministries building in Anchorage. Wellspring Fellowship's rent is "only the cost of operation and maintenance associated with [its] leased space."¹⁶ The leased space

¹³ Staff Report Ex. 13.

¹⁴ Staff Report Ex. 37 at 2.

¹⁵ *Id.*

¹⁶ *Id.*

includes the gymnasium, some office space, and a conference room. Wellspring Fellowship uses the gymnasium for worship services.

The fifth and final organizational respondent is Ranked Choice Education Association (RCEA), another Washington non-profit religious corporation. RCEA was incorporated on December 16, 2022. Art Mathias is its president and a director; its other two directors are Phillip Izon and Patricia Mathias. RCEA's Bylaws state that it is an "Integrated Auxiliary of Wellspring Fellowship" with the same religious purposes as Wellspring Fellowship.¹⁷

The forgoing information about the seven respondents is summarized in the table.

Respondent Name	Organization type	Creation date	APOC registration date	Respondent Officers
Alaskans for Honest Government (AHG)	APOC registered entity	Web domain: October 15, 2022	Nov. 1, 2022 (APOC entity)	Phillip Izon (agent)
Alaskans for Honest Elections	Alaska nonprofit corporation	Jan. 23, 2023	Mar. 20, 2023 (APOC group)	Phillip Izon (chairman, director) Art Mathias (director)
Ranked Choice Education Association	Washington nonprofit religious corporation	Dec. 16, 2022	Has not registered	Art Mathias (President) Phillip Izon (director)
Wellspring Ministries	Alaska nonprofit corporation	July 1, 1999	Has not registered	Art Mathias (president, treasurer)
Wellspring Fellowship	Washington nonprofit religious corporation	Dec. 8, 2022	Has not registered	Art Mathias (director)

¹⁷ Staff Report Ex. 45 at 1; Ex. 58 at 1.

C. Respondents' communications related to 22AKHE

This matter concerns spending on respondents' communications regarding ranked choice voting and 22AKHE in particular. AHE purchased the domain for its website on November 11, 2022. The website promotes AHE's signature gathering effort for 22AKHE. From November 19, 2022 through April 6, 2023, the paid-for-by identifier on the website stated only "Paid for by Alaskans for Honest Elections," naming none of AHE's contributors. By April 21, 2023, the paid-for-by identifier listed Phillip Izon, RCEA, and Carolyn Overstreet as AHE's top three contributors.¹⁸

AHE also posted videos on a YouTube page, nearly all of which urge viewers to reject ranked choice voting and to sign the 22AKHE petition. The paid-for-by identifiers on the videos name only AHE and none of its contributors.

AHG purchased a web domain on October 15, 2022. Though Mr. Izod reported that AHG intended to make expenditures in connection with only federal races, as of November 18, 2022, AHG's website contained only material related to ranked choice voting and efforts to bring 22AKHE to the voters. The landing page displayed a link to "Alaskans for Honest Elections' Ballot Initiative" and a graphic showing the initiative process. As of April 26, 2023, AHG's website also had links to AHE's website and a page where visitors could sign up to receive a petition booklet with language directing visitors to "Click Here to sign The Initiative Today." On July 5, 2023, AHG's website landing page continued to display links to sign the petition. Since its inception, AHG's

¹⁸ Staff Report Ex. 40 & 42.

website has displayed the following paid-for identifier: “paid for by Alaskans for Honest Government. Not authorized by any candidate or candidate’s committee.”

On February 16, 2023, AHE held a petition signing event at Wellspring Ministries’ gymnasium at the building on Sentry Drive. Media reported that the event lasted at least two hours, yielded roughly 300 signatures, and included a fundraising pitch for the signature-gathering effort.¹⁹ During Staff’s investigation, Respondents explained that Wellspring Fellowship charges \$1 to a group called the Greater Alaska Chapter of the Association of Mature American Citizens (AMAC) to use the gymnasium for its monthly meetings. Respondents explained that this group, rather than either Wellspring entity, provided the gymnasium to AHE for the petition signing event.²⁰ AHE’s invitations to the event did not mention that group.²¹

RCEA purchased its first web domain on December 22, 2022, one month after the application for initiative 22AKHE was filed. The website’s landing page was devoted to promoting AHE’s efforts, with a heading reading “Alaska’s Efforts to Repeal Ranked Choice” and a link to AHE’s website. The website also listed locations to sign 22AKHE petition booklets. RCEA’s first website contained no paid-for-by identifier.

RCEA purchased a new web domain on May 23, 2023. The new website does not mention 22AKHE or contain any links to AHE materials. Rather, the website contains material arguing against ranked choice voting in general and describing it as negative and

¹⁹ Staff Report Ex. 1 at 152.

²⁰ Staff Report Ex. 37 at 5.

²¹ Staff Report Ex. 36.

a threat to democracy in all jurisdictions. However, on July 3 and 5, 2023, RCEA published tweets stating that it hopes to get 22AKHE on the ballot so ranked choice voting can be removed from “our state” and identifying itself as “the group behind” the signature collecting effort to repeal ranked choice voting in Alaska.²²

RCEA filed two Statement of Contributions reports with APOC, on May 9 and June 11, 2023, showing \$90,000 in contributions to AHE made in five installments:

- \$1,000 by check on February 6, 2022
- \$75,000 by check on February 8, 2022
- \$2,358 cash on February 22, 2022
- \$1,382 by check on February 23, 2023
- \$10,260 by check on June 11, 2023.²³

Staff’s investigation found a different but similar series of transactions. The \$1,000 contribution was made in January, not February, and RCEA’s reported check number was incorrect. The \$75,000 contribution was made on February 3 by cashier’s check, not regular check. The cash contribution was refunded to RCEA and replaced with a check in the same amount on August 1, 2023. The reported check number for the \$1,382 contribution was incorrect. And no \$10,260 contribution was made on June 11 or otherwise. Instead, RCEA contributed \$11,000 to AHE by check on May 22, 2022. The total of RCEA’s actual contributions to AHE was therefore \$90,740, not \$90,000.

²² Staff Report Ex. 52 & 54.

²³ Staff Report Ex. 55 & 56.

RCEA's May 9 report did not provide a true source for the four contributions it reported. The June 11 report, however, disclosed that Mr. Mathias was the true source of \$90,000 of contributions to AHE, via a donation in that amount from Mr. Mathias to RCEA on December 20, 2022.²⁴ Media reported that at the 22AKHE petition signing event at the Wellspring Ministries building on February 16, Mr. Mathias told attendees he had contributed \$100,000 to the ballot measure group.²⁵

II. LAW AND ANALYSIS

The violations Staff found fall into five categories—registration violations (AS 15.13.050(a)), reporting violations (AS 15.13.040 and AS 15.13.110), paid-for-by identifier violations (AS 15.13.090(a)), a cash contribution violation (AS 15.13.074(e)), and true source violations (AS 15.13.040 and 15.13.074(b)).²⁶ Each is discussed in turn, followed by a summary table showing the maximum statutory penalty calculations for each violation, the penalty assessment amounts produced by application of 2 AAC 50.855, and the Commission's penalty mitigation determinations under 2 AAC 50.865.²⁷

²⁴ Staff Report Ex. 55.

²⁵ Staff Report Ex. 2 at 16 & Ex. 35.

²⁶ The allegation that Mr. Izon should be personally responsible for violations committed by respondent organizations that he directs or controls is dismissed. *See* Staff Report at 26-27.

²⁷ Staff's Report did not apply 2 AAC 50.855, instead making recommendations for the application of 2 AAC 50.865 directly to the statutory maximum penalty amounts. But the statutes and the regulatory framework require the Commission to assess civil penalties in complaint matters in the same manner as in Staff-initiated matters and then to proceed to the mitigation analysis. *See* AS 15.13.390(a)(5) & (b). The starting point for the Commission's discretionary mitigation determinations is always a "civil penalty determined under 2 AAC 50.855." 2 AAC 50.865(a), (b), & (d).

A. Registration violations

The Complaint alleges that three respondents, AHG, RCEA, and AHE, failed to register before making expenditures supporting the 22AKHE application. Each “person other than an individual” must register with APOC “[b]efore making an expenditure in support of or in opposition to . . . an initiative proposal application”²⁸ An “expenditure” is “a purchase or transfer of money or anything of value, or promise or agreement to purchase or transfer anything of value, incurred or made for the purpose of . . . supporting or opposing an initiative proposal application.”²⁹ Expenditure “includes an express communication,” but “does not include an issues communication.”³⁰ And an express communication “is one that when read as a whole and with limited reference to outside events, is susceptible of no other reasonable interpretation but as an exhortation to vote for or against a specific candidate.”³¹ APOC uses that statutory definition to identify expenditures in the ballot proposition and initiative context as well.³²

1. Alaskans for Honest Government

From its inception, AHG’s website was devoted to the subject of ranked choice voting, specifically supporting AHE’s effort to collect signatures for 22AKHE.³³ The Commission agrees with Staff’s conclusion that AHG violated AS 15.13.050(a) by

²⁸ AS 15.13.050(a). “Person” includes APOC entities and groups. AS 15.13.400(16).

²⁹ AS 15.13.400(7)(A)(iv).

³⁰ AS 15.13.400(7)(C).

³¹ AS 15.13.400(8).

³² See *Brief of Appellee, Alaska Policy Forum v. APOC*, 2023 WL 3972969 at *12-21 (Alaska Apr. 4, 2023).

³³ Staff Report Ex. 15-20.

failing to register before making an expenditure on its website.³⁴ AHG registered as an entity on November 1, 2023, 17 days after the expenditure on its website. The statutory maximum penalty for this violation is \$50 per day, totaling \$850.³⁵ But because this is a “late filing of . . . a registration” by “a first-time filer,” no penalty is assessed.³⁶

2. Ranked Choice Education Association

Similarly, RCEA’s website from its inception on December 22, 2022 through May 2023 was devoted to supporting 22AKHE, and respondents do not dispute that the original website was an express communication requiring registration and reporting.³⁷ Staff found, and the Commission agrees, that the website did not stop being an express communication in support of 22AKHE when RCEA purchased a new domain in May 2023. Even though the new website no longer mentions the initiative by name, the website continues to present extensive, non-neutral advocacy against ranked choice voting. RCEA had no pre-22AKHE history of educating the public about the subject. And RCEA’s tweets on July 3 and 5, 2023 identified it as “the group behind the repeal of #RankedChoiceVoting in Alaska,” hoping to “get this on the ballot” and “remove it from our State.” Considering this context—especially RCEA’s own contemporaneous

³⁴ Staff Report at 15-16. The Commission agrees with Staff that AHG is a “nongroup entity,” AS 15.13.400(14), not a group, because AHG was not “organize[d] for the principal purpose of filing an initiative proposal application” and did not file one. AS 15.13.400(9)(C).

³⁵ AS 15.13.390(a).

³⁶ 2 AAC 50.855(b)(2)(A)(i).

³⁷ Staff Report Ex. 44 at 3 ¶ 11, Ex. 48; *see* Respondents’ Response to APOC Staff Report at 16-17, available at <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=25423>.

statements about the group’s mission to repeal ranked choice voting in Alaska and its recent advocacy supporting 22AKHE by name—RCEA’s website as of at least July 5, 2023 was susceptible of no other reasonable interpretation but as a continuation of the group’s pre-existing exhortation to support 22AKHE.³⁸

The Commission therefore concludes that RCEA’s website was an express communication at all times until at least Staff’s tolling of penalties on July 5, 2023. RCEA violated AS 15.13.050(a) by failing to register as an entity during that time, and still has not registered. The maximum penalty for this violation over the period of 195 days is \$9,750. Because this is the first alleged violation against RCEA, the penalty for this incomplete registration is assessed at 50 percent of the maximum, \$4,875.³⁹

The Commission finds that RCEA is entitled to have the portion of this penalty that accrued before February 23, 2023 (63 days, \$1,575) mitigated entirely due to Staff’s incorrect advice about reporting obligations in connection with 22AKHE⁴⁰ and to have the remaining \$3,300 reduced by an additional 50 percent, to \$1,650, because it is an inexperienced filer.⁴¹ Further mitigation is not warranted given RCEA’s continuing failure to register, even though it has conceded making express communications that require registration and reporting.⁴²

³⁸ See AS 15.13.400(7)-(8).

³⁹ 2 AAC 50.855(b)(3)(B).

⁴⁰ 2 AAC 50.865(b)(2)(B).

⁴¹ 2 AAC 50.865(a)(1)(B).

⁴² See Response to APOC Staff Report at 17.

3. Alaskans for Honest Elections

The Commission similarly agrees with Staff that AHE violated AS 15.13.050(a) by failing to register before making expenditures in support of 22AKHE. AHE purchased its web domain on November 11, 2022, and registered as a group on March 20, 2023, a penalty period of 129 days leading to a maximum penalty of \$6,450. Like AHG, AHE cannot be assessed a penalty for this late registration because it was a first-time filer.⁴³

B. Reporting violations

Persons making independent expenditures in support of an initiative application must file independent expenditure reports within ten days of each expenditure.⁴⁴ And a group or entity that receives contributions or makes expenditures exceeding \$500 within a calendar year supporting an initiative must file quarterly reports during the period before an election campaign begins.⁴⁵ The maximum statutory penalty for failure to file both types of reports is \$50 per day.⁴⁶

1. Alaskans for Honest Government

AHG violated these statutes when it failed to file an independent expenditure report in connection with the purchase of its web domain and failed to file a fourth quarter report for 2022. The independent expenditure report was due December 3, 2022—ten days after the 22AKHE application was filed—and penalties were tolled on

⁴³ 2 AAC 50.855(b)(2)(A)(i).

⁴⁴ AS 15.13.040(d)-(e); AS 15.13.110(h).

⁴⁵ AS 15.13.110(g).

⁴⁶ AS 15.13.390(a).

July 5, 2023,⁴⁷ covering a period of 214 days and leading to a maximum penalty of \$10,700. The fourth quarter report was due January 10, 2023, leading to a penalty period of 176 days and a maximum penalty of \$8,800.⁴⁸

Because these reports have never been filed and because they were not AHG's first violation, 2 AAC 50.855 provides no reduction to the statutory maximum.⁴⁹ However, the Commission finds that the portion of these penalties that accrued before Staff's incorrect advice was remedied should be mitigated entirely⁵⁰ and the remaining portion mitigated by fifty percent because AHG is an inexperienced filer.⁵¹ That leads to a penalty of \$3,300 for each of the two missing reports. From there, the Commission waives the independent expenditure report penalty entirely because the value of the expenditure—AHG's web domain—was certainly far less than \$3,300 and is therefore "significantly out of proportion to the degree of harm to the public."⁵² Because AHG has never provided the information that would have been required on a quarterly report,

⁴⁷ Staff Report at 28 n.152.

⁴⁸ ABE argues that Staff neglected to impose a penalty on AHG for failure to file a first quarter report, citing the Staff Report at page 18. It is apparent, however, that Staff intended to describe a *fourth* quarter reporting violation at page 18, consistent with the Conclusion at pages 27 and 29 of the report. APOC received no evidence that AHG received contributions or made expenditures triggering quarterly reporting obligations in 2023. See AS 15.13.110(g); Staff Report Ex. 30 at 4 (describing AHG as inactive for "months and months" as of August 2023).

⁴⁹ 2 AAC 50.855(b)(3)(C).

⁵⁰ 2 AAC 50.865(b)(2)(B).

⁵¹ 2 AAC 50.865(a)(1)(B).

⁵² 2 AAC 50.865(b)(5).

however, that factor cannot be applied to the second penalty and the Commission imposes a \$3,300 penalty for that missing report.

2. Alaskans for Honest Elections

Staff concluded that AHE violated AS 15.13.040(d) and 15.13.110(h) by failing to file three independent expenditure reports, instead reporting the expenditures late on its first quarter report. AHE also violated AS 15.13.110(g) by filing inaccurate first and second quarter reports and filing its second quarter report late. Staff issued civil penalty assessments for these violations. In the context of this complaint matter, they are dismissed without prejudice to be addressed through the civil penalty assessment process.

The Commission notes for purposes of those civil penalty assessment matters that Staff found, and the Commission agrees, that AHE's reports violated AS 15.13.110(g) because they did not identify the true source of the \$90,740 AHE received from RCEA.⁵³ Staff also found, and the Commission agrees, that AHE should have reported a non-monetary contribution from Wellspring Ministries for the use of the gymnasium in its building for a signature drive and fundraising event lasting more than two hours on February 16, 2023.⁵⁴ Wellspring Ministries, which is controlled by Mr. Mathias, leases the space at cost to Wellspring Fellowship, which is also controlled by Mr. Mathias. Wellspring Fellowship allows the Greater Alaska Chapter of the AMAC to use the space for its meetings for \$1. And AMAC allowed AHE, which is also led by Mr. Mathias, to use the gymnasium at no charge. Wellspring Ministries and/or Wellspring Fellowship,

⁵³ See AS 15.13.040(b)-(e) & (q).

⁵⁴ Staff Report Ex. 1 at 152.

not AMAC, was the true source of this non-monetary contribution to AHE⁵⁵ and its value is “the normal market charge for” the use of similar space.⁵⁶

3. Ranked Choice Education Association

Staff concluded that RCEA violated AS 15.13.040(d) and 15.13.110(h) by failing to file an independent expenditure report in connection with the purchase of its web domain. That report should have been filed by January 1, 2023, leading to a penalty period of 185 days and a maximum penalty of \$9,250. And Staff concluded that RCEA violated AS 15.13.110(g) by failing to file a fourth quarter report for 2022 by January 10, 2023, a penalty period of 176 days and a maximum penalty of \$8,800.

Staff’s report overlooked RCEA’s obligation to file a 2023 first quarter report because RCEA contributed to the 22AKHE effort during that period.⁵⁷ The report was due April 10, 2023, leading to a penalty period of 86 days and a maximum of \$4,300.

The Commission applies the same penalty analysis to these three missing reports as to those of AHG. First, 2 AAC 50.855 provides no reduction because the reports remain incomplete and are not RCEA’s first alleged violation.⁵⁸ However, the Commission applies 2 AAC 50.865 to mitigate all penalty accruals prior to February 23,

⁵⁵ AS 15.13.400(19) makes AMAC an “intermediary for the true source” because AMAC received its access to the gymnasium space as a donation or gift.

⁵⁶ 2 AAC 50.250(b)(1)(A). The Commission agrees with Staff that there is insufficient evidence to find an AS 15.13 violation based on AHE’s reporting of a \$200,000 estimated nonmonetary contribution of future services from Mr. Izon.

⁵⁷ AS 15.13.110(g). One of RCEA contributions was a direct expenditure for the petitions themselves, on AHE’s behalf. Staff Report Ex. 56.

⁵⁸ 2 AAC 50.855(b)(3)(C).

2023 due to Staff's incorrect advice about reporting obligations related to ballot initiative campaigns and mitigates the penalties that accrued after that date by 50 percent because RCEA was an inexperienced filer.⁵⁹ That analysis leads to a \$3,300 penalty each for the independent expenditure report and fourth quarter report and a \$2,150 penalty for the first quarter report. The Commission applies 2 AAC 50.865(b)(5) to waive the penalty for the report associated with the web domain expenditure because it is out of proportion to the size of that transaction.⁶⁰ But because of the sizable amounts of RCEA's other transactions, no further mitigation is available for the two quarterly report violations.

4. Art Mathias

Mr. Mathias made a \$90,000 contribution to RCEA on December 22, 2022, which, as discussed below, was a contribution to AHE through RCEA as intermediary. Mr. Mathias was required to file a statement of contributions report by January 21, 2023, 30 days after making that contribution,⁶¹ leading to a penalty period of 165 days and a maximum statutory penalty of \$8,250. 2 AAC 50.855(b)(3)(B) reduces this penalty by 50 percent because the missing report is Mr. Mathias's first alleged violation. The Commission then applies 2 AAC 50.865(a)(1)(B) and (b)(2)(B) to mitigate the penalty entirely through February 23, 2023 and by 50 percent thereafter. That leads to a penalty of \$1,237.50 for this violation.

⁵⁹ 2 AAC 50.865(b)(2)(B); 2 AAC 50.865(a)(1)(B).

⁶⁰ 2 AAC 50.865(b)(5).

⁶¹ AS 15.13.040(k).

C. Paid-for-by identifiers

Alaska’s campaign disclosure law requires all communications to be identified using the words “paid for by” followed by the name and address of the person paying for the communication.⁶² If the communication comes from a person other than an individual or a candidate—like a group or an entity—the identifier must include the name and title of the person’s principal officer; a statement that the principal officer approves the communication; and the name, city, and state of each of the person’s top three contributors.⁶³ Communications requiring these disclosures include websites and videos like those published by AHE, AHG, and RCEA.⁶⁴ The maximum civil penalty for failing to provide the required identifier is \$50 per day.⁶⁵

1. Alaskans for Honest Government

AHG’s website has never identified its principal officer, provided a statement that the principal officer approves the communications on the website, or named its top three contributors. The Commission agrees with Staff that AHG violated AS 15.13.090(a). The penalty period began November 23, 2022, when the 22AKHE application was filed, and ends with Staff’s tolling of penalties on July 5, 2023, a period of 224 days, leading to a statutory maximum penalty of \$11,200. The Commission considers the inaccurate paid-for-by violations analogous to the “error in a registration, statement, or report” provision

⁶² AS 15.13.090(a).

⁶³ *Id.*

⁶⁴ *See* AS 15.13.400(3); 2 AAC 50.306(e)(2).

⁶⁵ AS 15.13.390(a).

of 2 AAC 50.855, which leads to a 50 percent reduction in the penalty assessed because it was AHG’s “first election cycle.”⁶⁶ And the Commission applies 2 AAC 50.865(a)(1)(B) (inexperienced filer) and (b)(2)(B) (Staff error) to mitigate this penalty entirely through February 23, 2023 and by 50 percent thereafter. That leads to a penalty of \$1,650 for this violation.

2. Alaskans for Honest Elections

Between November 23, 2022 and April 6, 2023, the paid-for-by identifier on AHE’s website did not name its principal officer, did not include a statement that the principal officer approves of communications on the website, and did not name any of AHE’s top three contributors. Even after AHE added this information, its paid-for-by identifier remained out of compliance because it listed RCEA instead of Mr. Mathias as a top-three contributor. RCEA was an intermediary for Mr. Mathias, who was the true source of the contribution.⁶⁷ The Commission finds that AHE violated AS 15.13.090(a) during the same 224-day day penalty period as AHG, leading to the same statutory maximum penalty of \$11,200. And the Commission applies the same regulatory provisions—2 AAC 50.855(b)(2)(C)(i), 2 AAC 50.865(a)(1)(B), and (b)(2)(B)—to impose the same penalty of \$1,650 for this violation.

AHE also failed to include compliant paid-for-by identifiers on its videos. The written portions do not contain the required information, and the identifiers do not remain on the screen throughout the videos as required by AS 15.13.090(c). Staff determined

⁶⁶ 2 AAC 50.855(b)(2)(C)(i).

⁶⁷ AS 15.13.090(a); AS 15.13.040(e)(5); AS 15.13.400(19). *See* section II.E below.

based on its investigation that “[t]he combined amount of time that the videos were posted without a compliant paid-for-by identifier” was 1,830 days, resulting in a maximum civil penalty of \$91,500. AHE has not disputed that determination, and the Commission therefore accepts it. The Commission applies 2 AAC 50.855(b)(2)(C) to reduce that penalty by 50 percent. Lacking precise dates for the different videos, the Commission cannot apply full mitigation through February 23, 2023 with precision as it has done for other violations due to Staff error. The Commission therefore uses a rougher estimate and reduces the penalty by 75 percent to account for both Staff error and the fact that AHE is in its first election cycle.⁶⁸ That leads to a penalty of \$11,437.50 for the identifier violations on AHE’s videos.

3. Ranked Choice Education Association

RCEA’s websites had no paid-for-by identifier at all, and RCEA therefore also violated AS 15.13.090(a). Staff recommended imposing a penalty from December 22, 2022 through May 23, 2023 when RCEA purchased its new website.⁶⁹ However, that recommendation is inconsistent with Staff’s and the Commission’s conclusion that RCEA was engaged in express communications even after changing its website. Through at least July 5, 2023, RCEA identified itself to the public, consistent with its original website, as “the group” behind the 22AKHE effort.⁷⁰ The Commission therefore imposes a penalty through that date, a period of 195 days, leading to a statutory maximum penalty

⁶⁸ 2 AAC 50.865(a)(1)(B) & (b)(2)(B).

⁶⁹ Staff Report at 30.

⁷⁰ Staff Report Ex. 52 & 54.

of \$9,750. Because RCEA's absent identifier is analogous to an incomplete filing rather than a late or erroneous one, 2 AAC 50.855(b)(3) requires a maximum penalty assessment. The Commission then applies 2 AAC 50.865(a)(1)(B) and (b)(2)(B) to mitigate the penalty entirely through February 23, 2023 and by 50 percent thereafter and imposes a penalty of \$3,300 for this violation.

D. Cash contribution

A person or group may not make a cash contribution exceeding \$100.⁷¹ RCEA does not dispute that it violated this provision when it contributed \$2,358 in cash to AHE. When an unlawful cash contribution is discovered, the recipient must return it to the contributor.⁷² Staff found, and the Commission agrees, that AHE remedied this violation by returning the \$2,358 to RCEA. Mr. Izon explained that "[a]s of July 25, 2023, that cash contribution has been corrected by refund to RCEA and the reissuance of an RCEA check in the same amount to AHE."⁷³

Complainant argues that this approach did not fully correct the problem because RCEA has not identified the true source of the \$2,358 in cash it originally gave to AHE. But RCEA *did* identify the true source of the \$2,358—Mr. Mathias.⁷⁴ Staff could have

⁷¹ AS 15.13.074(e).

⁷² AS 15.13.114(a).

⁷³ Staff Report Ex. 13 ¶ 5. Mr. Izon's statement was not quite accurate. The \$2,358 check to AHE was actually dated August 1, 2023. Staff Report Ex. 56.

⁷⁴ Staff Report Ex. 56.

recommended a per-day penalty covering the time before the refund was made,⁷⁵ but did not. The Commission declines to impose a separate monetary penalty for this violation.

E. True Source violations

The final type of violation Staff recommended the Commission find in this matter concerns the allegation that Mr. Mathias, RCEA, and AHE all failed to comply with “true source” reporting requirements regarding Mr. Mathias’s \$90,000 contribution to RCEA and RCEA’s contribution, in turn, of almost exactly that amount to AHE. Alaska law prohibits contributing anonymously or using the name of another.⁷⁶ Rather, contributions must be made in the name of the true source of the money or thing of value,⁷⁷ and a person making independent expenditures must report the true source of contributions it receives.⁷⁸ The true source is the contributor “whose contribution is funded from wages, investment income, inheritance, or revenue generated from selling goods or services.”⁷⁹ By contrast, a contributor “who derived funds via contributions, donations, dues, or gifts” is not a true source, but rather, “an intermediary for the true source.”⁸⁰

Respondents argue that true source reporting has “no application to a ballot

⁷⁵ See AS 15.13.390(a).

⁷⁶ AS 15.13.074(b).

⁷⁷ 2 AAC 50.258(a).

⁷⁸ AS 15.13.040(e) & (q).

⁷⁹ AS 15.13.400(19).

⁸⁰ *Id.* “[A] membership organization [that] receives dues or contributions of less than \$2,000 per person per year” can be a true source.

proposition campaign.”⁸¹ They contend that AS 15.13.065(c) makes AS 15.13.074(b) and 2 AAC 50.258 inapplicable to ballot initiative campaigns. AS 15.13.065(c) provides:

Except for reports required by AS 15.13.040 and 15.13.110 and except for the requirements of AS 15.13.050, 15.13.060, and 15.13.112 – 15.13.114, the provisions of AS 15.13.010 – 15.13.116 do not apply to limit the authority of a person to make contributions to influence the outcome of a ballot proposition.

This statute does not exempt any of the respondents from reporting the true source of contributions made and received for the purpose of influencing the outcome of 22AKHE. First, the statute makes clear that the registration and reporting requirements of AS 15.13.040, 15.13.050, and 15.13.110 all *do* apply to ballot propositions. And even without considering AS 15.13.074(b), those statutes require all three parties to report the contributions at issue here and to identify their true source. AHE, a group making expenditures, was required by AS 15.13.040(b), (d), (e), and (q) to report contributions it received and their true sources. RCEA, an entity that made independent expenditures in support of 22AKHE, was required by AS 15.13.040(d), (e), and (q) to report its contributions and expenditures and their true sources. And AS 15.13.040(k) required both Mr. Mathias and RCEA to report Mr. Mathias’s contribution to AHE via RCEA.

Moreover, AS 15.13.074(b) does apply and is an independent statutory source, above and beyond AS 15.13.040 and AS 15.13.110, for Mr. Mathias and RCEA’s obligation to disclose that Mr. Mathias was the true source of \$90,000 RCEA contributed

⁸¹ Respondents’ Response to APOC Staff Report at 5-11; Respondents’ Motion for Partial Summary Judgment, available at <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=25425>.

to AHE. The statute prohibits contributions made “anonymously, using a fictitious name, or using the name of another.” The plain language of AS 15.13.065(c) does not exempt contributions in support of ballot initiatives from that prohibition; the prohibition does not “limit the authority of a person to make contributions to influence the outcome of a ballot proposition” that the person would otherwise have.⁸² Because of the reporting obligations in the parts of the statute that unquestionably do apply, no one has “authority” to contribute anonymously or in the name of another.

Mr. Mathias has “authority” to contribute unlimited amounts to AHE. Requiring him, RCEA, and AHE to disclose that he is the true source of contributions to AHE does not limit that authority in any way. Reading AS 15.13.065(c) as Respondents do would undermine the reporting obligations at the heart of the statutory scheme, which unquestionably apply to ballot initiatives and require true source reporting.⁸³ The Alaska Supreme Court has long confirmed that the law requires transparency about the funding of ballot initiative campaigns, writing that:

[a] ballot measure is often of great importance financially to its proponents, opponents, or both, and multi-million dollar advertising campaigns have been waged. In such circumstances the voter may wish to cast his ballot in accordance with his approval or disapproval, of the sources of financial support.⁸⁴

⁸² AS 15.13.065(c).

⁸³ *Id.*; AS 15.13.040.

⁸⁴ *Messerli v. State*, 626 P.2d 81, 87 (Alaska 1981).

Respondents argue that Alaska’s true source reporting requirements infringe upon the First Amendment associational right of donors to give anonymously to nonprofits.⁸⁵ But the law requires disclosure of who funds *political* advocacy, not nonprofit donors generally. And the U.S. Supreme Court has recognized that a state can require disclosure of funding sources supporting signature collection for ballot initiatives.⁸⁶

In sum, the Commission concludes that Staff correctly applied AS 15.13.074(b) and the true source reporting requirements of AS 15.13.040 to the respondents.

Respondents also make a fact-based argument that Mr. Mathias was not actually the true source of \$90,000 of RCEA’s contributions to AHE, despite RCEA’s June 11, 2023 report to APOC that he was.⁸⁷ They argue that because RCEA had other donors besides Mr. Mathias and because money is fungible, the money RCEA gave to AHE is “not traceable” to him.

The most fundamental problem with this argument is that even if the Commission accepted it, it would not relieve RCEA and AHE of their obligation to disclose the true source of these contributions. Ruling out Mr. Mathias as the true source does not convert RCEA into the true source. Because RCEA derives its funds from “contributions, donations, dues, or gifts,” it is an intermediary and not, by definition, the true source of a

⁸⁵ See, e.g., *Nat’l Ass’n for Advancement of Colored People v. State of Alabama*, 357 U.S. 449, 462–63 (1958).

⁸⁶ *Buckley v. Am. Const. L. Found., Inc.*, 525 U.S. 182, 205 (1999) (explaining that states can “legitimately require[] sponsors of ballot initiatives to disclose who pays petition circulators, and how much”).

⁸⁷ Staff Report Ex. 34.

contribution.⁸⁸ AHE and RCEA must therefore identify the true source of money RCEA contributes, even if it is not Mr. Mathias.⁸⁹

The Commission agrees, however, with Staff's conclusion that Mr. Mathias was the true source of \$90,000 out of the \$90,740 RCEA gave to AHE. Respondents' own statements and the other evidence compel this conclusion. RCEA's June 11 Statement of Contributions report identified Mr. Mathias as the true source of RCEA's contributions to AHE. There can be no coincidence to the fact that RCEA reported contributing the exact amount it received from Mr. Mathias—\$90,000—even though Mr. Mathias overshot slightly, writing the final check to AHE for \$740 more than Mr. Izon had reported.⁹⁰

In a July 20, 2023 letter to APOC Staff, Respondents' attorney plainly acknowledged that Mr. Mathias was the true source, writing that "AHE and Mr. Mathias voluntarily disclosed, in an effort to be candid with the Alaska public, that Mr. Mathias made the first contribution to RCEA that RCEA then contributed to AHE."⁹¹ The letter emphasized, correctly, that Mr. Mathias "would have been perfectly within the law to contribute those funds to AHE directly."⁹² The problem was not the contribution or its amount but rather, its incorrect attribution to an intermediary rather than a true source.

The testimony of Mr. Mathias and Mr. Izon at the hearing did not undermine Staff's conclusion. Mr. Mathias testified at the hearing that he himself makes the

⁸⁸ AS 15.13.400(19).

⁸⁹ AS 15.13.040(d), (e), (q).

⁹⁰ See Staff Report Ex. 33-34 & 56.

⁹¹ Staff Report Ex. 3 at 9.

⁹² *Id.*

decisions about money going out of RCEA. And he personally signed the checks from RCEA to AHE.⁹³ Respondents now describe RCEA's true source report as a mistake, but offer no explanation for RCEA naming Mr. Mathias as the true source other than the obvious reason—that he was. When asked why he identified Mr. Mathias as the true source, Mr. Izon said only that he “thought it was required.”

Mr. Mathias also acknowledged his contribution to AHE publicly at the February 16, 2023, fundraising and signature gathering event. One media account of his comments described him saying “he’s donated \$100,000 to the effort,” and Mr. Mathias now says that meant “the effort” more broadly, including RCEA’s out of state educational efforts.⁹⁴ But the article as a whole describes the February 16 event as focused on the “signature drive aiming to get rid of ranked choice voting” in Alaska, also calling it “the repeal effort” and quoting Mr. Mathias’s warning about “Outside corporations coming up and buying our candidates and buying our elections.”⁹⁵ RCEA is not mentioned. Another article reported that Mr. Mathias “repeatedly told attendees that he had contributed \$100,000 to the ballot measure group seeking to overturn ranked choice voting.”⁹⁶

The Commission agrees with Staff that the weight of the evidence shows that Mr. Mathias intended his \$90,000 contribution to RCEA to be passed through to AHE as

⁹³ Staff Report Ex. 56.

⁹⁴ Staff Report Ex. 51 at 1 ¶ 4. “The effort” was the reporter’s word choice, not a direct quote attributed to Mr. Mathias. Staff Report Ex. 35.

⁹⁵ Staff Report Ex. 35.

⁹⁶ Staff Report Ex. 2 at 16

needed and that he effectuated that intent. AHE violated AS 15.13.040(b), 15.13.110(g) and 15.13.074(b) by failing to report that Mr. Mathias was the true source of \$90,000 of the contributions it received from RCEA and by failing to report a true source for the remaining \$740 that it received from RCEA.

Mr. Mathias violated AS 15.13.040(k), 15.13.074(b), and 2 AAC 50.258(a) by contributing \$90,000 to AHE in the name of another and failing to report his contribution. The maximum penalty for that violation is \$90,000, the amount of the contribution, which the Commission can treble if an intentional violation is found.⁹⁷

RCEA violated AS 15.13.040(d), 15.13.110(h), 15.13.074(b), and 2 AAC 50.258(a) by failing to disclose the true source of the \$79,740 of contributions to AHE shown on its May 9, 2023 statement of contribution report.⁹⁸ The maximum penalty for that violation is \$79,740, “the amount of the contribution that is the subject of the misreporting or failure to disclose,” and the Commission has discretion to treble the penalty if the violation is shown to have been intentional.⁹⁹ Because the public was ultimately informed about the true source of the \$90,000, the Commission elects not to treble the penalties in this matter.

The Commission accepts Staff’s recommendation to reduce RCEA’s penalty by 75 percent largely because RCEA did report that Mr. Mathias was the true source. APOC’s regulations support that result. First, a delayed true source disclosure can reasonably be

⁹⁷ *Id.*

⁹⁸ Staff Report Ex. 33.

⁹⁹ AS 15.13.390(a)(3).

subject to the “first election cycle” 50 percent reduction to a penalty assessment under 2 AAC 50.855(b)(2)(C)(i). And for the same reason—that it is RCEA’s first election cycle—2 AAC 50.865(a)(1)(B) provides discretion to mitigate RCEA’s assessed penalty by another 50 percent. The Commission exercises that discretion and imposes a \$19,935 penalty for RCEA’s violation.

With respect to Mr. Mathias, the same penalty assessment regulation—2 AAC 50.855(b)(2)(C)(i)—applies to reduce his penalty by half. However, unlike RCEA, Mr. Mathias never reported his contribution, despite being the person who made the decision to contribute to AHE and who wrote the checks from RCEA to AHE. The Commission finds that discretionary mitigation is not warranted and imposes a penalty of \$45,000 for Mr. Mathias’s violation.

All violations found and penalties assessed are summarized in the Table. The penalties for the four respondents found to have committed violations total \$94,610.

Violation	dates of violation	total days¹⁰⁰	max penalty	2 AAC 50.855 assessment	2 AAC 50.865 mitigation
Failure to Register					
AHG	10/15/22 to 11/1/2022	17	\$850	\$0	N/A
RCEA	12/22/2022 to 7/5/2023	195	\$9,750	\$4,875	\$1,650.00
AHE	11/11/2022 to 3/20/2023	129	\$6,450	\$0	N/A
Failure to file reports					
<i>AHG</i>					
Ind. exp. Report	12/3/2022 to 7/5/2023	214	\$10,700	\$10,700	\$0
4Q 2022 Report	1/10/2023 to 7/5/2023	176	\$8,800	\$8,800	\$3,300
<i>RCEA</i>					
Ind. exp. Report	1/1/2023 to 7/5/2023	185	\$9,250	\$9,250	\$0
4Q 2022 Report	1/10/2023 to 7/5/2023	176	\$8,800	\$8,800	\$3,300
1Q 2023 Report	4/10/2023 to 7/5/2023	86	\$4,300	\$4,300	\$2,150
<i>Art Mathias</i>					
Stmt. of Cont. Report	1/21/2023 to 7/5/2023	165	\$8,250	\$4,125	\$1,237.50
Paid-for-by identifiers					
AHG	11/23/2022 to 7/5/2023	224	\$11,200	\$5,600	\$1,650
AHE-website	11/23/2022 to 7/5/2023	224	\$11,200	\$5,600	\$1,650
AHE-YouTube videos		1830	\$91,500	\$45,750	\$11,437.50
RCEA	12/22/2022 to 7/5/2023	195	\$9,750	\$9,750	\$3,300
True Source					
RCEA			\$79,740	\$39,870	\$19,935
Art Mathias			\$90,000	\$45,000	\$45,000
AHG Total					\$4,950
RCEA Total					\$30,335
AHE Total					\$13,087.50
Art Mathias Total					\$46,237.50

III. CONCLUSION

The Commission finds that the violations described in this report occurred and orders Alaskans for Honest Government, Alaskans for Honest Elections, Ranked Choice

¹⁰⁰ The statutory maximum penalty for all per-day penalty calculations in this matter is \$50, as explained in the analysis.

Education Association, and Art Mathias to pay the penalties imposed herein, in the total amounts shown on the table above.

The Commission further orders:

- AHG to file the two reports discussed herein within 30 days.
- RCEA to register as an entity and to file required reports, including its expenditures in support of 22AKHE during the time it was engaged in express communication, as well as its contributions to AHE and their true sources, within 30 days.
- AHE to correct its previous reports within 30 days and to complete future reporting in accordance with the determinations herein.
- Art Mathias to file the statement of contribution report discussed herein within 30 days.

This is a final Commission order. It may be appealed to the superior court within 30 days from the date of this order.¹⁰¹ A request for the Commission to reconsider this order must be filed within 15 days from the date this order is delivered or mailed.¹⁰²

Dated: January 3, 2024.

BY ORDER OF THE ALASKA PUBLIC OFFICES COMMISSION¹⁰³

¹⁰¹ AS 15.13.380(g), AS 44.62.560, Alaska R. App. P. 602.

¹⁰² 2 AAC 50.891(g).

¹⁰³ Commissioners Richard Stillie, Suzanne Hancock, Dan LaSota, and Lanette Blodgett voted to approve this order. Commissioner Eric Feige did not participate in the November 16, 2023 special meeting or the decision.

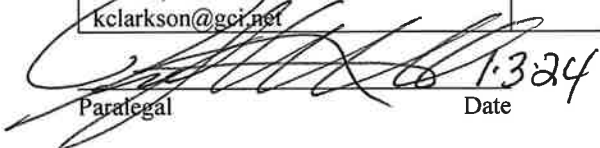
Certificate of Service:

I hereby certify that on this date, I served, by **certified mail** and **email** a true and correct copy of the foregoing in this proceeding on the following:

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Paralegal

1.3.24
Date

To: Alaska Public Offices Commission

From: RESPONDENTS:

Alaskans for Honest Elections

Alaskans for Honest Government

Ranked Choice Education Association

Art Matthias

Case No. 24-03-CD

Re: Answer to Complaint filed by Alaskans for Better Elections

The Respondents, Alaskans for Honest Elections (“AHE”); Alaskans for Honest Government (“AHG”); Ranked Choice Education Association (“RCEA”); and Dr. Art Matthias answer the complaint filed by Alaskans for Better Elections (“ABE”) in Case No. 24-03-CD as follows:

SUMMARY

Alaskans for Better Elections (ABE) filed this politically motivated complaint as part of its continued lawfare against 22AKHE, the ballot initiative to revert Alaska’s election system back to what it was historically prior to the current jungle primary and ranked choice voting system was adopted in 2020. ABE filed complaint after complaint with the Commission in 2023, claiming all sorts of things, the vast bulk of which were rejected by APOC staff and/or the commission—the Commission determined that some campaign finance violations occurred and the most significant of those are now on appeal to the Alaska Supreme Court. Then, when the Lieutenant Governor certified 22AKHE for

the ballot in early 2024, ABE (through proxies) filed an exaggerated complaint in superior court seeking to knock the initiative off the ballot by asking the court to invalidate petition booklets and disenfranchise voters. Although the superior court found that some few of the initiative sponsors' over 400 citizen volunteer circulating force made mistakes in the means and methods of signature gathering that they implemented, and invalidated some petition booklets because of those mistakes, the court rejected ABE's wild allegations of extensive and pervasive criminal and fraudulent conduct. ABE did not bother to appeal the superior court's rejection of their most exaggerated claims, and the Alaska Supreme Court summarily affirmed the lower court's dismissal of the claims that it did appeal. The initiative, 22AKHE, will appear on the general election ballot on November 5, 2024.

Having lost in its effort to knock the initiative off the ballot, ABE returned to its lawfare by once again filing claims with APOC against Respondents—apparently ignorant of, or ignoring the fact that Respondents are not involved in the current 22AKHE campaign in 2024 leading up to the general election. Expecting to score political points in the news and media, ABE has regurgitated herein the claims it previously filed—claims that were already adjudicated in Case No. 23-01-CD. ABE's complaint in this case (1) falsely asserts that respondents did not file reports and/or amended reports consistent with the Commission's January 3, 2024, order in Case No. 23-01-CD; and (2) falsely assert that Respondents are (a) continuing to act as ballot groups and/or entities and continue to receive contributions, make expenditures, or to issue communications so as to campaign for 22AKHE; and (b) failing to report to APOC for campaign related communications or

other activity alleged to be occurring in 2024 regarding 22AKHE. ABE literally makes these allegations against AHE while attaching AHE's 2024 reports to its complaint.

But Respondents are not engaged in the current campaign to convince voters to pass the 22AKHE initiative on November 5, 2024. A new ballot group, Yes on 2, has stepped up to carry on that campaign effort. Yes on 2, a group that is run and staffed by individuals other than Respondents, has registered with APOC as a ballot group and is filing its own reports. Alaskans for Honest Government ("AHG") no longer exists, has not received donations, attempted to raise money, or taken action of any kind since 2022, and took down its web page in mid-2023. AHE has done nothing but raise money in 2024 to pay off old debt from the prior signature gathering campaign and has filed reports regarding those donations received. RCEA is not engaged in activity related to the 22AKHE campaign in 2024 and thus has no reporting obligations in 2024—RCEA is no longer acting as an independent expenditure entity. Dr. Matthias has removed himself from the 22AKHE campaign and is taking no action related to 22AKHE in 2024, whether through RCEA, AHE, or otherwise.

ANSWER

Page 3-8:

AHE

P. 5 allegation (a): This allegation simply regurgitates the allegations and claims that were previously litigated to completion in Case No. 23-01-CD. ABE ignores the fact that AHE amended reports and filed reports in 2024 (most of which are attached to ABE's

Complaint). Using the word “accurately,” ABE deceptively attempts to claim that AHE has failed to file reports (amended for 2023 and new reports in 2024). But AHE’s reports and amended reports are on file with APOC and are for the most part literally attached to ABE’s Complaint.

P. 6 allegation (b): This allegation simply regurgitates the allegations and claims that were previously litigated to completion in Case No. 23-01-CD. ABE ignores the fact that AHE amended its reports. Using the word “accurately,” ABE deceptively attempts to claim that AHE has failed to file amended reports. ABE should not be permitted to continually relitigate issues that have already been fully adjudicated.

Page 6 allegation (c): This allegation simply regurgitates the allegations and claims that were previously litigated to completion in Case No. 23-01-CD. ABE ignores the fact that AHE amended its reports. Using the word “accurately,” ABE deceptively attempts to claim that AHE has failed to file amended reports. ABE should not be permitted to continually relitigate issues that have already been fully adjudicated.

Pages 6-7 allegation (d): This allegation simply regurgitates the allegations and claims that were previously litigated to completion in Case No. 23-01-CD. ABE ignores the fact that AHE amended its 2023 reports. Using the word “accurately,” ABE deceptively attempts to claim that AHE has failed to file 2024 reports, despite attaching most of AHE’s 2024 reports as exhibits to its Complaint. ABE should not be permitted to continually relitigate issues that have already been fully adjudicated or to invent “failure to file 2024 reports” charges while literally attaching AHE’s 2024 reports to its Complaint.

Page7 allegation (e): This allegation is frivolous and reflects a bad faith attempt by ABE to deceive the Commission and APOC Staff. ABE claims that AHE continues to communicate regarding 22AKHE and allegedly does so without identifying its three largest contributors. But ABE knows full well that the 907Honest communications it attaches to its Complaint (*See, e.g.*, Exs. 12A-12C, and 13A-13I – see Complaint page 7 an n. 38 and 39) are communications made by Phillip Izon as an individual.

The communications ABE attaches its complaint are those of Phillip Izon as an individual (via 907honest See <https://907honest.com/--Complaint> at Ex. 12B p. 1; Ex. 12C; Ex. 13A; Ex. 13B; Ex. 13C; Ex. 13D; Ex. 13E; Ex. 13F; Ex. 13G; Ex. 13H; Ex. 13I; Ex. 14A (this post literally speaks about paying the 22AKHE Sponsors' legal bills, and does not campaign for ballot measure 2; Ex. 14B (same); Ex. 14C (same); Ex. 14D (same).. ABE dishonestly now attempts to pass off posts that were made by Mr. Izon as an individual through his 907Honest handle as if they were those of AHE despite the fact that ABE learned during the prior superior court litigation that 907Honest is not operated by AHE or any of the Respondents, but instead is Mr. Izon's personal handle for posting material related to ranked choice voting and Ballot Measure 2 and opposing ranked choice voting in general.

ABE tried unsuccessfully to get the superior court to force AHE to produce any and all 907Honest communications, but the superior court denied ABE's motion to compel upon learning that the 907Honest handle was Mr. Izon communicating personally as an individual. Mr. Izon and every other Alaskan has a First Amendment right to communicate

personally about 22AKHE without registering with or reporting to APOC. The fact that Mr. Izon chose at various times to repost material that had been previously posted by AHE during the prior signature gathering campaign is meaningless—he and every other Alaskan has a right to do such things without registering with or reporting to APOC. If other Alaskan citizens reposted AHE’s prior posts, would ABE be filing complaint against them for failing to register? Would APOC countenance having its staff the investigate every Alaskan who ever reports something from AHE or ABE?

Having lost in its effort to force AHE to produce 907Honest material in the superior court action, ABE is collaterally estopped from coming into this new APOC case and asserting that the 907Honest posts are those of AHE or RCEA.

ALASKANS FOR HONEST GOVERNMENT (AHG):

Pages 8-9:

AHG no longer exists. It has not attempted to raise funds, received donations, or engaged in activity since 2022. It has no web page, no money, no bank account, and no prospect of receiving donations.

RANKED CHOICE EDUCATION ASSOCIATION (RCEA):

Pages 9-12:

Page 11 allegation (a): This allegation is a regurgitation of what was previously claimed and litigated in Case No 23-01-CD. Adding the word “timely” to its failure to register allegation ABE attempts to pass this off as a new claim. But ABE acknowledges

that RCEA filed a registration on March 7, 2024, literally attaching the registration form to its Complaint as Ex. 19.

Pages 11-12 allegations (b)-(d): These allegations were fully litigated and adjudicated in Case No. 23-01-CD. ABE adds the words “timely” and “accurate” to try to make these claims sound like new claims. RCEA has filed a registration for 2022-23 and appealed the order regarding its reporting.

Page 12 allegation (e): RCEA filed an amended report under protest stating that the \$90,000 contribution from it to AHE came from Matthias – RCEA actually reported this back in 2023. See Final Order in Case No. 23-01-CD at p. 27 (“RCEA’s June 11 Statement of Contributions report identified Mr. Matthias as the true source of RCEA’s contributions to AHE.”). RCEA is appealing its alleged obligation to identify donors as a non-profit and has engaged in no activity nor received any donations in 2024 related to the campaign for 22AKHKE.

Dr. ARTHUR MATTHIAS:

Pages 13-14: ABE knows full well that Dr. Matthias filed a Statement of Contributions Form 15-5 reflecting (under protest) that the approximately \$90,000 in donations made by RCEA to AHE were instead made by Matthias. See Supplemental Notice of Registration and Reporting in Compliance with APOC’s Order, p. 3 and Ex. 8 thereto (filed in the superior court appeal of APOC’s Final Order Case No. 3AN-24-04508 CI). Dr. Matthias has appealed his fines to the Alaska Supreme Court.

Dated this 1st day of October 2024.

Law Offices of Kevin G. Clarkson

Kevin Clarkson

By

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I certify that on October 1, 2024,
a copy of this Answer and attachemnt
were emailed to:

Michael David Sargent
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Kevin Clarkson

Kevin G. Clarkson

**IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE**

Alaskans for Honest Elections, Ranked	)	
Choice Education Association, Arthur	)	
Mathias, Wellspring Ministries,	)	
	)	
Appellants/Cross-Appellees,	)	
	)	
v.	)	
	)	
Alaska Public Offices Commission,	)	
	)	
Appellee/Cross-Appellee,	)	
	)	
Alaskans for Better Elections,	)	
	)	
Appellee/Cross-Appellant,	)	
	)	
and	)	
	)	
Alaskans for Honest Government,	)	Case No. 3AN-24-04508 CI
Wellspring Fellowship, and Phillip Izon,	)	3AN-24-04974 CI
	)	
Appellees/Cross-Appellees. ¹	)	APOC Case No. 23-01-CD

**APPELLANTS SUPPLEMENTAL NOTICE OF REGISTRATION AND
REPORTING IN COMPLIANCE WITH APOC’S ORDER IN RELATION TO
ALASKANS FOR BETTER ELECTIONS’ EMERGENCY MOTION FOR
EXPEDITED BRIEFING AND DECISION SCHEDULE**

In keeping with the dialogue between the court and counsel at the Wednesday,
March 6, 2024, hearing to the effect that Appellee/Cross-Appellant’s, Alaskans for Better

¹ Appellants follow the lead of APOC regarding the form of caption in this case. If the court desires a different form of caption, Appellants will certainly comply. Appellees/Cross-Appellees, Alaskans for Honest Government (“AHG”), Wellspring Fellowship (“WF”), and Phillip Izon (“Izon”), do not intend to participate in this appeal.

Elections (“ABE’s”) and the Alaska Public Offices Commission’s (“APOC’s”) sole identified concern relative to expediting the schedule in this appeal was that the public have complete information regarding who supported 22AKHE through the signature gathering campaign, Appellants, Alaskans for Honest Elections (“AHE”), Ranked Choice Education Association (“RCEA”), Arthur Matthias (“Matthias”), and Wellspring Ministries (“WM”), hereby provide notice to the court of the registration and reporting they filed with APOC yesterday, March 7, 2024:

1. RCEA filed a registration with APOC as an entity for both 2022 and 2023;²
2. RCEA filed an independent expenditure report for January 1, 2023, through July 5, 2023, and a year-end expenditure report for 2023 to reflect the \$500 it expended on its web page which temporarily linked to AHE’s web page and for a brief time mentioned 22AKHE;³
3. AHE filed Amended Campaign Disclosure Forms for the first, second and third quarters of 2023 changing the previously filed forms (**under protest**) to reflect that the approximately \$90,000 in donations made to AHE by RCEA were instead donated by Art Matthias;⁴

² Exs. 1 and 2. Citations to “Exs.” are to exhibits submitted with this Supplemental Notice.

³ Ex. 3, 4.

⁴ Exs. 5, 6, 7. The amended reports from AHE and the new report from Matthias (filed under protest) reflect total contributions of \$89,642.00 from Matthias to AHE—the numbers do not total \$90,000 because APOC’s filing system would not permit AHE and Matthias to split a donation into two parts so as to reach an even \$90,000.

4. Matthias filed a Statement of Contributions Form 15-5 reflecting (under protest) that the approximately \$90,000 in donations made by RCEA to AHE⁵ were instead made by Matthias.⁶

The filings RCEA, AHE and Matthias made yesterday with APOC match the missing filings that the Commission listed in its schedule contained on page 31 of its Final Order.⁷ These filings correct the alleged gaps in the public’s knowledge between now and the election in November 2024 regarding (1) who supported the 22AKHE signature gathering campaign, (2) who formed and operated RCEA, and (3) what the alleged source of the \$90,000 might have been.⁸

ABE’s arguments regarding what the public may or may not have known in the past during the signature gathering campaign are irrelevant to the issue of whether this

⁵ R. 000701-705.

⁶ Ex. 8.

⁷ R. 001206. ABE’s counsel’s references to RCEA’s donations to AHE above and beyond the approximately \$90,000 donation that Matthias allegedly repurposed through RCEA have no bearing on this appeal. Those donations were never challenged in the case before APOC and are not at issue in this case—the only donation to RCEA that was alleged to have constituted an illegal pass-through in the case before APOC was Matthias’s \$90,000 donation to RCEA. [See R. 000024-25 (“this report reveals that the grand total of \$90,000.00 donated to AHE was ... received *directly* from Mr. Matthias from the very start...”)] Moreover, because Matthias donated only \$90,000 to RCEA [R. 000717] no other RCEA donations to AHE could be attributed to him. APOC’s Final Order addressed only the \$90,000 donation from RCEA to AHE. [R. 001198 (“Mr. Matthias, RCEA, and AHE all failed to comply with “true source” reporting requirements regarding Mr. Matthias’s \$90,000 contribution to RCEA and RCEA’s contribution, in turn, of almost exactly that amount to AHE.”)] ABE filed no complaint against RCEA or its other donors besides Matthias regarding any other donations to AHE.

⁸ Of course, Izon for RCEA long ago reported to APOC (albeit incorrectly from Appellants’ perspective) that Matthias was the “true source” of the \$90,000 [R. 000141] and Matthias publicly announced (and was reported in the press as stating) that he donated \$100,000 to “the cause.”

appeal should be expedited. No expedited schedule can undo the past—no race to a conclusion in this appeal and an appeal to the Alaska Supreme Court can ever increase the knowledge the public had in the past while the signature gathering campaign was conducted.

The only concern pertinent to whether this appeal should be expedited, is whether the outcome of this appeal would somehow provide the public additional information relative to the future November 2024 election where 22AKHE will appear on the ballot. RCEA's, AHE's, and Matthias's, provision of the recently filed registrations and reports,⁹ together with the information the public already long ago had as to the source of the \$90,000 donation to AHE,¹⁰ plus the long ago filed registrations by AHE and AHG (not a party to this appeal),¹¹ give the public what it needs to know about who supported the signature gathering effort that collected over 40,000 signatures in favor of 22AKHE.

Dated this 8th day of March 2024.

Law Offices of Kevin G. Clarkson

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By

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⁹ Exs. 1, 2, 3, 4, 5, 6, 7, 8.

¹⁰ R. 000036-37; R. 000140-141.

¹¹ R. 000045-46; R. 000047-48.

I certify that on March 8, 2024,
a copy of this Supplemental Notice and Exhibits
were emailed to:

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Kevin Clarkson
Kevin G. Clarkson

BEFORE THE ALASKA PUBLIC OFFICES COMMISSION

Alaskans for Better Elections, Inc.,	)	
	)	
Complainant,	)	
	)	
vs.	)	Case No. 23-01-CD
	)	
Alaskans for Honest Elections, Alaskans	)	
for Honest Government, Wellspring	)	
Ministries, Wellspring Fellowship, Ranked	)	
Choice Education Association, Art	)	
Mathias, and Phillip Izon	)	
	)	
Respondents.	)	

NOTICE OF LATE FILING

The Alaska Public Offices Commission (APOC) staff hereby gives notice of its late filing of the following staff report in this matter. Due to the level of calls on limited staff resources and the complexity of this case, staff needed additional time to complete preparation of the Report.

APOC staff is unaware of any opposition to this late filing.

Dated: September 8, 2023

By: Thomas R. Lucas
Thomas R. Lucas
Campaign Disclosure Coordinator
Alaska Public Offices Commission



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Administration

ALASKA PUBLIC OFFICES COMMISSION

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TO: APOC Commissioners
DATE: September 8, 2023
FROM: Thomas R. Lucas, Campaign Disclosure Coordinator
SUBJECT: Staff Report, 23-01-CD, *Alaskans for Better Elections v. Alaskans for Honest Elections, Alaskans for Honest Government, Wellspring Ministries, Wellspring Fellowship, Ranked Choice Education Association, Art Mathias and Phillip Izon.*

On July 11, 2023, APOC staff accepted a complaint filed by Alaskans for Better Elections (Complainant) against Respondents Alaskans for Honest Elections (AHE), Alaskans for Honest Government (AHG), Wellspring Ministries (WM), Ranked Choice Education Association (RCEA), Art Mathias, and Phillip Izon.¹

The complaint alleges that Respondents violated AS 15.13 in connection with the 22AKHE Initiative by failing to file timely reports and registrations; and obscuring the true source of contributions to AHE.

On July 12, 2023, Complainant filed its First Supplement in support of its complaint.² On July 25, 2023, Complainant filed its Second Supplement in support of its complaint contending that Wellsprings Fellowship (WF) should be a party to the complaint.³

On July 26, 2023, Respondents AHE, AHG, RCEA WM WF, Art Mathias and Phillip Izon filed an Answer to the complaint.⁴

On August 1, 2023, Complainant filed a Response to Respondents' Answer.⁵

¹ Exhibit 1, Complaint.
² Exhibit 2, First Supplement.
³ Exhibit 3, Second Supplement.
⁴ Exhibit 4, Answer to Complaint.
⁵ Exhibit 5, Response to Answer.

On August 3, 2023, Respondents filed their First Amended Answer to the Complaint.⁶

On August 8, 2023 Complainant filed a Third Supplement to its Complaint.⁷

On August 14, 2023, Respondents filed a Reply to Complainant’s Response to Answer and Third Supplement to the Complaint.⁸

FACTS

1. Initiative Petition 22AKHE

On November 23, 2022, primary sponsors Phillip Izon, Art Mathias, and Jamie R. Donley proposed an initiative by filing an application with the Lieutenant Governor for an initiative entitled “An Act Restoring Political Party Primaries and Single-Choice General Elections.” The Lieutenant Governor certified the sponsors’ petition application, identified as 22AKHE, on January 20, 2023, and the Division of Elections issued petition booklets to the sponsors on February 8, 2023.⁹

2. Alaskans for Honest Government

Alaskans for Honest Government (AHG) registered as an entity with APOC on November 1, 2022, with the stated purpose to “help Alaskans with data, information, and research. Provide polling and other election resources to voters.”¹⁰ Phillip Izon was listed as the entity’s Record Keeper/Agent and Diamond Metzger is listed as its Treasurer – no other officers or directors were listed.¹¹

According to Mr. Izon, AHG was formed with the intent of making independent expenditures related to Alaska’s federal congressional and U.S. Senate races.¹² AHG’s

⁶ Exhibit 6, First Amended Answer.

⁷ Exhibit 7, Third Supplement.

⁸ Exhibit 8 Reply to Response.

⁹ Exhibits 9, 10, and 11, Application Certificate, Application Acceptance, and Excerpt from Alaska Division of Elections Petition List, respectively.

¹⁰ Exhibit 12, AHG Entity Registration.

¹¹ *Id.*

¹² Exhibit 13, First Affidavit of Izon at Paragraph 4.

belief is that its registration was made by mistake (presumably because it believed that it would only be engaged in federal election activity).¹³

AHG purchased a web domain on October 15, 2022.¹⁴ Despite the stated intent of AHG’s creation, as of November 18, 2022, the AHG website landing page contained a link to “Alaskans for Honest Elections’ Ballot Initiative”, a graphic showing the process for bringing the initiative to the voters, and appeared to be devoted solely to ranked choice voting in general and Alaskans for Honest Elections’ efforts, in particular.¹⁵ As of April 26, 2023, AHG’s website contained multiple links, including a page where visitors could sign up to receive a petition booklet for 22AKHE, a link to AHE’s website; a link to a page with the same link and graphic that existed on AHG’s web domain on November 18, 2022; and additional language directing visitors to “Click Here To sign The Initiative Today,” which if clicked took the user to the AHE’s website.¹⁶ As of July 5, 2023, AHG’s website landing page continued to contain a link to sign the petition and a link to “Alaskans for Honest Elections Ballot Initiative”.¹⁷

As of July 6, 2023, the AHG website landing page no longer contained the signing links or the link to AHE at the top of the page,¹⁸ but had transitioned to adding a pop-up that requested help in getting rid of ranked choice voting¹⁹ that itself transitioned to a second pop-up showing the AHE process for bringing the initiative to the voters graphic as was used in November and April.²⁰

AHG has the following identifier on its website: “paid for by Alaskans for Honest Government. Not authorized by any candidate or candidate’s committee.” This is the sole paid-for-by identifier that has appeared on AHG’s website since its inception.

¹³ *Id.*

¹⁴ Exhibit 14 Whois Report for Alaskansforhonestgovernment.org.

¹⁵ Exhibit 15, November 18, 2022, Landing

Page:<https://web.archive.org/web/20221118175919/https://alaskansforhonestgovernment.org/>.

¹⁶ Exhibit 16, April 26, 2023, Click Here Page (attached as Exhibit Q to the Complaint).

¹⁷ Exhibit 17 AHG July 5, 2023, Landing Page.

¹⁸ Exhibit 18, July 6, 2023, Landing Page.

¹⁹ Exhibit 19, July 26, 2023, Pop-up Page 1.

²⁰ Exhibit 20, July 26, 2023, Pop-up Page 2.

3. Alaskans for Honest Elections

Alaskans for Honest Elections (AHE) is an Alaska nonprofit corporation created on January 23, 2023.²¹ AHE registered as a group with APOC on March 20, 2023, with the stated purpose of: “Any lawful election matters.”²² Phillip Izon is designated as the Chairman of the group and a Director of the corporation; Diamond Metzger is designated Treasurer of the group and a Director of the corporation; and Art Mathias is listed as a Director of the corporation.²³

It appears that AHE may have registered as a group sooner due to mistaken advice received from APOC Campaign Disclosure Coordinator Tom Lucas on November 18, 2022, and reiterated on November 21, 2022.²⁴ Mr. Lucas’ mistaken advice was corrected by the Commission’s director on February 23, 2023, and reiterated on February 24, 2023.²⁵

AHE timely filed its First Quarter Report on April 10, 2023.²⁶ This report included expenditures beginning on January 20, 2023, for which independent expenditure reports should have been filed but were not.²⁷ This resulted in APOC staff issuing one Notice of Violation and two Notices of Penalty for the late reported expenditures that should have been reported within 10 days.²⁸

AHE’s First Quarter Report included a nonmonetary contribution of \$200,000 from Mr. Izon for “Management Costs/Time.”²⁹ Mr. Izon explains that this was intended as an estimate of the total value of the services he would render to AHE through the end of the campaign.³⁰ As Mr. Izon further explained in response to APOC staff’s request for information,

²¹ Exhibit 21, AHE Articles of Incorporation.

²² Exhibit 22, AHE Group Registration.

²³ Exhibits 21 and 22.

²⁴ Exhibit 23, Email Chain Lucas/Izon (mistakenly informing Mr. Izon that he was contemplating a referendum which would not require immediate registration with APOC).

²⁵ Exhibit 24, Email Chain Hebdon/Izon (informing Mr. Izon that, he should register an initiative application group).

²⁶ Exhibit 25, First Quarter Report.

²⁷ *Id.*

²⁸ Exhibits 26, 27, and 28, Notices of Violation and Penalty (Because AHE has not appealed or paid the assessed civil penalties, Notices of Referral to the Commission were issued to AHE on August 29, 2023).

²⁹ Ex. 25.

³⁰ Ex. 13, paragraph 2.

When I was approached to lead the initiative campaign. I was asked how much I would charge to do it, I quoted \$200,000. I have a decade of experience as a commercial banker and loan officer. I am currently self employed in artificial intelligence, I do not manage large projects like this often. Though I have done various political and commercial work for various companies in the cannabis industry here in Alaska. I also owned multiple cannabis companies.³¹

AHE's First Quarter Report also included contributions from Ranked Choice Education Association (RCEA) – two checks totaling \$76,000, one cash contribution of \$2,358,³² and one nonmonetary contribution of printing services valued at \$1,382.³³ AHE's Second Quarter Report, filed six days late³⁴ included one contribution from RCEA in the amount of \$10,260.³⁵

RCEA reported contributions to AHE in the amount of \$79,740 on its May 9, 2023, Statement of Contributions Report.³⁶ Confusingly, the RCEA \$1,382 nonmonetary contribution of printing services reported on AHE's First Quarter Report is reported by RCEA as a monetary contribution of \$1,382 via check number 103.³⁷

RCEA reported a single contribution to AHE in the amount of \$10,260 on its June 11, 2023, Statement of Contributions Report.³⁸ The total annual contribution from RCEA is reported on this report as \$90,000 with Art Mathias named as the sole true source of the contribution.³⁹ Of note, Art Mathias is reported to have stated that he had donated \$100,000 to the effort to repeal ranked choice voting at the launch of the 22AKHE petition booklet signature gathering drive.⁴⁰

³¹ Exhibit 29, Request and Response.

³² This contribution was returned, and a check issued for the same amount as of July 25, 2023 (see Ex. 30, Second Affidavit of Izon).

³³ Ex. 25.

³⁴ Exhibit 31, Notice of Penalty for Second Quarter Report.

³⁵ Exhibit 32 Second Quarter Report.

³⁶ Exhibit 33, May 9, 2023, Statement of contributions Report.

³⁷ *Id.*

³⁸ Exhibit 34, June 11, 2023, Statement of Contributions Report.

³⁹ *Id.*

⁴⁰ Exhibit 35, Excerpt of Ruskin Article (full article at <https://alaskapublic.org/2023/02/17/launch-of-campaign-to-repeal-ranked-choice-voting-draws-a-crowd-in-anchorage/>)

AHE promoted and held a 22AKHE petition booklet signing event on Wellspring Ministries' premises at 2511 Sentry Drive in Anchorage, AK, on February 16, 2023.⁴¹ As it turns out, Wellspring Ministries leases its gymnasium to another entity, Wellspring Fellowship, which in-turn allows the Greater Alaska Chapter of the Association of Mature American Citizens to use gymnasium to for its monthly meetings.⁴²

On February 16, 2023, AMAC hosted AHE's February 16, 2023, petition booklet signing event at Wellspring Ministries' gymnasium.⁴³ AMAC has hosted other persons at its monthly meeting time and does not charge a fee for the hosting.⁴⁴ AHE has not reported any contribution from AMAC.

AHE purchased a web domain on November 11, 2022.⁴⁵ As of November 19, 2022, and through April 6, 2023, the paid-for-by identifier on AHE'S website stated only "Paid for by Alaskans for Honest Elections, 2521 E. Mtn Village Drive #904 Wasilla, Ak 99654 Not Authorized by any candidate or candidate's committee".⁴⁶ But, by at least April 21, 2023, the website had been amended to add the following paid for by identifier:

This Communication Was Paid For By Alaskans For Honest Elections, 2521 E. Mtn Village Dr. #904 Wasilla, Ak 99654 Phillip Izon, Director Approved This Message. The Top 3 Contributors Are Phillip Izon, Wasilla, AK, Ranked Choice Education Association, Anchorage, AK And Carolyn Overstreet, Anchorage, AK.⁴⁷

AHE posted 17 videos on its YouTube page.⁴⁸ The first two videos (from left to right on the exhibit) present first a pro-ranked choice speaker; and second, an anti-ranked choice speaker. The remaining 15 videos all urge the listener to reject ranked choice voting for various reasons and to sign the 22AKHE petition booklets.⁴⁹ The paid-for-by identifiers

⁴¹ Exhibit 36, Signing Invitation.

⁴² Exhibit 37, August 2, 2023, Response to Information Request.

⁴³ *Id.*

⁴⁴ Exhibit 38, AMAC Email Response to Staff Question.

⁴⁵ Exhibit 39, AHE Whois Report.

⁴⁶ Exhibit 40, November 19, 2022, Internet Archive of Website; Exhibit 41 April 6, 2023, Internet Archive of Website.

⁴⁷ Exhibit 42, April 21 Internet Archive of Website.

⁴⁸ Exhibit 43, YouTube Videos Captured June 30, 2023 (Exhibit N to complaint); Exhibit 44 Affidavit of Gottstein, paragraph 5. <https://www.youtube.com/@907honest/videos>.

⁴⁹ <https://www.youtube.com/@907honest/videos>.

on the videos state only: “Paid for by Alaskans for Honest Elections. Not authorized by any candidate or candidate’s committee.”⁵⁰ Two of the fifteen videos had been posted three months prior to June 30, 2023; ten were posted four months prior to June 30, 2023; and three were posted 5 months prior to June 30, 2023.⁵¹

4. Ranked Choice Education Association

RCEA is a State of Washington corporation created on December 16, 2022.⁵² Art Mathias is RCEA’s President; Phillip Izon and Patricia Mathias are Directors.⁵³ RCEA purchased its first web domain on December 22, 2022, one month after Phillip Izon, Art Mathias, and Jamie R. Donley filed their application for initiation 22AKHE with the Lieutenant Governor.⁵⁴ This was RCEA’s website until it purchased a new web domain on May 23, 2023.⁵⁵

RCEA’s first domain landing page was devoted to promoting the efforts of AHE.⁵⁶ Under a heading entitled “Alaska’s Efforts to Repeal Ranked Choice,” AHE’s signature gathering efforts are promoted by presenting information on 22AKHE and a QR code that links directly to AHE’s website. AHE’s website, among other things, lists various locations where 22AKHE petition booklets can be signed.⁵⁷ This first domain of RCEA contained no paid for by identifier.⁵⁸

The information provided on RCEA’s new domain is clearly different from what was presented on its first domain in that it emphasizes a more general purpose of explaining and arguing why RCEA believes ranked choice voting is a very bad thing but without

⁵⁰ *Id.* See also examples given in Exhibit L to the Complaint.

⁵¹ Ex. 43, YouTube Videos.

⁵² Exhibit 45, RCEA Articles of Incorporation.

⁵³ *Id.*

⁵⁴ Exhibit 46, Whois report for rankedchoiceducationassociation.org.

⁵⁵ Exhibit 47, rankedchoicedu.org. Whois Report.

⁵⁶ Exhibit 48 (Exhibit X from Complaint); Ex. 44, Affidavit of Gottstein, par. 11.

⁵⁷ *Id.* at p. 2.

⁵⁸ Ex. 48.

mentioning the 22AKHE initiative. Further, this new domain provides no links to AHE materials or any other materials supporting the signing of 22AKHE petition booklets.⁵⁹

RCEA's new domain is consistent with RCEA activities as described in its answer to the complaint; and in Mr. Izon's Second Affidavit.⁶⁰ In its answer, RCEA argues that its website, by its words, focuses on acquainting the American public with the dire effects adoption of ranked choice voting would have on American democracy in all jurisdictions.⁶¹ Further, RCEA argues that Mr. Mathias and Mr. Izon, on behalf of RCEA, have traveled to approximately eight states in the lower-48 to speak and consult with community members about ranked choice voting; and that more of this activity is scheduled to take place.⁶² In their Second Affidavits, both Mr. Mathias and Mr. Izon detail their efforts to acquaint individuals in other states with what they argue are flaws and negative aspects of ranked choice voting.⁶³ However, on July 3, 2023, RCEA published a Tweet from its Twitter account stating it hopes to get 22AKHE on the ballot so that it can be removed from "our state."⁶⁴ Additionally, on July 5, 2023, RCEA announced by Tweet that it is the group behind the repeal of ranked choice voting in Alaska.⁶⁵

RCEA has reported a total of \$90,000 in contributions to AHE – the entire amount attributed by RCEA on its June 11, 2023, Statement of Contributions report as being donated by Art Mathias on December 22, 2022:

\$1,000 February 6, 2023, Check # 101

\$75,000 February 8, 2023, Check # 102

\$2,358 February 22, 2023, Cash

\$1,382 February 23, 2023 Check # 103

⁵⁹ Exhibit 49, New RCEA Landing Page <https://rankedchoiceedu.org/>.

⁶⁰ Exhibit 50, Second Affidavit of Izon.

⁶¹ Ex. 1, at pp 18-19.

⁶² *Id.*

⁶³ Exhibit 51, Second Affidavit of Mathias; Ex.50, respectively.

⁶⁴ Exhibit 52, July 3, 2023, RCEA Retweet of its own Tweet (Exhibit UU to Complainant's First Supplement); Exhibit 53, July 12, 2023 Affidavit of Gottstein.

⁶⁵ Exhibit 54, July 5, 2023 RCEA Tweet (Exhibit VV to Complainant's First Supplement); Ex. 53.

\$10,260 June 11, 2023 Check # 2010.⁶⁶

Staff's investigation, however, revealed a slightly different picture:

- The \$1,000 check is actually dated January 9, 2023, and the accurate check number is #1007;
- The \$75,000 contribution was actually made by cashier's check, not check #107. This cashier's check was issued on February 3, 2023 – as opposed to the reported date of February 8, 2023;
- The February 22, 2023 cash contribution of \$2,358 was refunded to AHE,⁶⁷ but another check in amount of \$2,258 was contributed to AHE on August 1, 2023 using check #2021; and
- The actual check number for the \$1,382 contribution made on February 23, 2023, is 2004, not #103.

Additionally, the investigation revealed no evidence of the existence of a check in the amount of \$10,260, but Staff was able to identify an unreported contribution of \$11,000 made by check number 2010 and dated May 22, 2023.⁶⁸

5. Wellspring Ministries

Wellspring Ministries is an Alaska nonprofit corporation formed on July 1, 1999.⁶⁹ Art Mathias is its President and Treasurer, Patricia Mathias is its Vice President, Monica Mosier is its Secretary and a Director; and Janice Coulter and Patrick Hadley are Directors.⁷⁰ Wellspring Ministries' premises are located at 2511 Sentry Drive in Anchorage, AK. Wellspring Ministries has a gymnasium at this location that also serves as an auditorium.⁷¹

⁶⁶ Exhibit 55, May 9, 2023 and June 11, 2023 Statement of Contributions Reports.

⁶⁷ Exhibit 13, at paragraph 7.

⁶⁸ Exhibit 56, RCEA Checks to AHE.

⁶⁹ Exhibit 57, Alaska Department of commerce Entity Details Page.

⁷⁰ *Id.*

⁷¹ Ex. 37.

Wellspring Ministries leases its gymnasium, office space, and a conference room to Wellspring Fellowship.⁷²

6. Wellspring Fellowship

Wellspring Fellowship nonprofit corporation incorporated in the State of Washington and on December 8, 2022.⁷³ Art Mathias, Patrick Hadley, Gayle Hadley, and Monica Mosier are its Directors.⁷⁴

Wellspring Fellowship allows RCEA to receive mail and to use the conference room leased from Wellspring Ministries for its meetings, which typically last sixty to ninety minutes every two to three months.⁷⁵

Wellspring Fellowship also allows the Greater Alaska Chapter of the Association of Mature American Citizens to use the gymnasium leased from Wellspring Ministries and charges \$1 for this monthly meeting.⁷⁶ According to Wellspring Ministries, it charges Wellspring Fellowship only the costs associated with its operation and maintenance of the leased space because, as a nonprofit organization, it is not allowed to profit from the lease.⁷⁷ For one of its monthly meetings in Wellspring Ministries' gymnasium, the Greater Alaska Chapter of the Association of Mature American Citizens hosted AHE's petition booklet signing event for approximately one hour on February 16, 2023.⁷⁸ The gymnasium/auditorium has a maximum capacity of 800.⁷⁹

7. Art Mathias

Mr. Mathias is one of the three sponsors of 22AKHE along with Phillip Izon and Jamie R. Donley.⁸⁰

⁷² Exhibit 37, at p.5.

⁷³ Exhibit 58, WF Articles of Incorporation.

⁷⁴ *Id.*

⁷⁵ Ex. 37, at pp. 2-3.

⁷⁶ Ex. 37, at p. 2.

⁷⁷ *Id.*

⁷⁸ *Id.*

⁷⁹ Exhibit 59, August 3, 2023, Response to Information Requests.

⁸⁰ Ex. 9, Application Certificate.

On December 22, 2022, Mr. Mathias contributed \$90,000 to RCEA.⁸¹ On its June 11, 2023, Statement of Contributions Report RCEA reported that its current total annual contribution to AHC was \$90,000 with Art Mathias as the single true source of the funds.⁸² At the launch of the 22AKHE petition booklet signature gathering drive Mr. Mathias is alleged to have “told supporters that ranked choice voting puts the entire country at risk. Literally, seriously at risk.”⁸³ Mathias is further alleged to state “[i]f we don’t replace rank choice voting, we will never elect another conservative, and we will only have outside corporations coming up and buying our candidates and buying our elections.”⁸⁴ And, Mathias “said he’s donated \$100,000 to the effort, and the campaign has raised \$400,000 from out of state.”⁸⁵

Mr. Mathias argues, however, that by “effort” he meant the overall effort that both AHE and RCEA were involved in, with AHE working to repeal ranked choice voting in Alaska, and RCEA working to educate Americans in other states against the concept of ranked choice voting.⁸⁶

LAW AND ANALYSIS

1. Registration

Complainant alleges that respondents AHG and RCEA made one or more expenditures in support of an initiative application filed with the Lieutenant Governor that triggered registration and reporting requirements. As described above, it is clear from their websites that AHG and RCEA are decidedly against ranked choice voting in general; and that both utilized their websites to showcase AHE materials clearly supporting the 22AKHE petition booklet signature gathering effort.

⁸¹ Exhibit 60, Art Mathias check for \$90,000.

⁸² Ex.34.

⁸³ Ex. 35.

⁸⁴ *Id.*

⁸⁵ *Id.*

⁸⁶ Ex.49.

Alaska law requires each person, other than an individual, to register with APOC before making an expenditure in support of or in opposition to, a ballot proposition or an initiative application filed with the Lieutenant Governor.⁸⁷

An expenditure is defined as “a purchase or a transfer of money or anything of value, or promise or agreement to purchase or transfer money or anything of value, incurred or made for the purpose of... influencing the outcome of a ballot proposition or question.”⁸⁸ The definition of expenditure also “includes an express communication and an electioneering communication, but does not include an issues communication.”⁸⁹

An express communication is one that “when read as a whole and with limited reference to outside events, is susceptible of no other reasonable interpretation but as an exhortation to vote for or against a specific candidate.”⁹⁰

An electioneering communication is one that addresses an issue of political importance and attributes a position on that issue to a candidate who is directly or indirectly identified and occurs within the 30 days preceding a general or municipal election.⁹¹

An issues communication is one that addresses an issue of political importance, directly or indirectly identifies a candidate, but does not support or oppose a candidate.⁹²

Although the communication definitions are specific to communications regarding candidates, the distinctions also are appropriate for ballot proposition and initiative campaigns.⁹³

⁸⁷ AS 15.13.050(a).

⁸⁸ AS 15.13.400(7)(a)(iv).

⁸⁹ AS 15.13.400(7)(C).

⁹⁰ AS 15.13.400(8).

⁹¹ AS 15.13.400(6).

⁹² AS 15.13.400(13).

⁹³ See, *McIntyre v. Ohio Elections Comm’n*, 115 S. Ct. 1511 (1995) (holding that principles regarding regulation of political speech in candidate elections extend equally to issue-based elections such as referendums); *Calif. ProLife Council, Inc., v. Getman*, 328 F.3d 1088 (9th Cir. 2003) (holding that states may regulate express ballot measure advocacy through disclosure laws and applying analysis of “express advocacy” in candidate campaigns to ballot initiative campaigns); *Federal Election Comm’n v. Wisconsin Right to Life, Inc.*, 127 S. Ct. 2652 (2007) (holding that campaign communications that are susceptible to no reasonable interpretation other than as an appeal to vote for or against a specific candidate are the functional equivalent of express campaign communications) (See also, AO 08-02-CD, Timothy McKeever (Renewable Resources Coalition)).

Generally, an issues communication does not trigger registration and reporting requirements. But, where a communication that would ordinarily be an issues communication is disseminated contemporaneously with ballot proposition involving the same or similar subject, the Commission has engaged in further analysis to determine if, under all the circumstances, the communication is actually an express communication that triggers APOC's registration and reporting requirements. Several such cases are discussed below.

In AO 08-02-CD the Commission approved staff's advice addressing a similar issue as presented herein. In that case, the Renewable Resources Coalition asked whether certain anti-Pebble Mine advertisements lost their non-regulated character as issues communications if disseminated near the time of a ballot proposition involving a similar or the same subject.⁹⁴ In that case, the Renewable Resources Coalition (RRC) had for several years opposed the Pebble Mine project using phrases such as "protect clean water and wild Alaska salmon." During the period of such activity, two clean water initiatives reached the 2008 statewide ballot. The initiatives proposed new regulations for new large-scale mining projects in the state, which presumably would include the Pebble Mine, regarding the discharge and storage of certain toxic materials.⁹⁵

RRC asked the Commission for an advisory opinion as to whether it would be able to continue its education of the public concerning the potential negative impact of the proposed Pebble Mine in the same manner as it had in the past, including use of the phrase, "clean water," without such activities being considered expenditures made to influence the outcome of a ballot proposition.⁹⁶ After reviewing RRC's previous advertisements, and proposed new sample advertisements staff noted that there was no discussion of voting and no express advocacy supporting the initiatives.⁹⁷

⁹⁴ Exhibit 61, AO 08-02-CD, *Renewable Resources Coalition*.

⁹⁵ *Id.* at p. 9.

⁹⁶ *Id.* at p. 10.

⁹⁷ *Id.* at p. 11.

Ultimately, the Commission approved staff’s recommended advice after analysis of the question presented:

“In this case, the example advertisements you provided with your request do not expressly advocate for a position on a ballot initiative or make any mention of an initiative, election or voting. Nor are they the functional equivalents of express communications because they are susceptible to reasonable interpretations other than as exhortations to vote for the initiatives. While the use of the term “clean water” might be interpreted by listeners who are aware of the initiatives as a message in support of the initiatives, it is not the only reasonable interpretation of the advertisements.”⁹⁸

In AO 14-04-CD, *Renewable Resources Foundation*, the Commission adopted staff’s advisory opinion which relied on the legal conclusions and tests set forth in AO 08-02-CD:

“Because the proposed ad does not mention the initiative, does not advocate any position on the initiative and is susceptible to interpretations other than an exhortation to vote for the initiative; the ad would not trigger a reporting or disclosure requirement under AS 15.13”⁹⁹

In AO 19-04-CD, *Bags for Change*, the Commission emphasized the importance of a history of communications on a subject that has crossed over to becoming the subject of an initiative. There, the organization, Bags for Change had for many years communicated with the public concerning the harmful effects of plastics in general and plastic bags in particular. In its draft opinion, staff opined that a brochure that provided neutral cost information about a ballot proposition concerning the elimination of plastic bags and mentioned voting and the proposition by name nevertheless did not trigger a registration or reporting requirement because the brochure, taken as a whole, was susceptible to a reasonable interpretation other than an exhortation to vote one way or the other because it provided neutral information concerning the proposition. Upon approving the opinion by a 5-0 vote, the Commission amended to the foregoing, “especially...given that [Bags for

⁹⁸ Ex. 61.

⁹⁹ Ex. 62, AO 14-04-CD, *Renewable Resources Foundation*.

Change] has engaged in educational efforts for three years before the [i]nitiative, rather than a group that was created around the [i]nitiative.”¹⁰⁰

More recently, in *Yes on 2 for Better elections v. Alaska Public Policy Forum, et. al.*¹⁰¹ the Commission determined that Alaska Public Policy Forum’s communications were express communications even though the ballot measure at issue was not identified by name where there was no history of communicating about the topic, the communications were disseminated in the context of a ballot measure on the same topic, and the communications were not neutral.¹⁰²

A. Alaskans for Honest Government

Alaskans for Honest Government (AHG) purchased a web domain on October 15, 2022, and registered as an entity with APOC on November 1, 2022. Phillip Izon is named as the Record Keeper/Agent and Diamond Metzger is the named Treasurer on AHG’s registration.

As of November 18, 2022, AHG’s website was primarily devoted to the topic of ranked choice voting in general and AHE’s efforts (including a link to the AHE website) in particular. On November 23, 2022, Phillip Izon, Art Mathias, and Jaime R. Donley filed an application to propose an initiative with the Lieutenant Governor. After certification of the sponsors’ application by the Lieutenant Governor, the Division of Elections identified the sponsors’ petition as “22AKHE.” As of April 26, 2023, AHG’s website contained links to sign up to receive a 22AKHE petition booklet and to AHE’s website. As of July 6, 2023, AHG’s website no longer contained the links to AHE, but had transitioned to pop-ups requesting the public’s help in eliminating ranked choice voting and displaying AHE’s graphic showing the steps to an initiative election on ranked choice voting. On these facts, staff concludes that AHG’s website was an express communication because under all the circumstances it was susceptible of no other reasonable interpretation but as an exhortation

¹⁰⁰ *Id.* at p. 5.

¹⁰¹ Complaint 20-05-CD

¹⁰² *Id.*

to support 22AKHE, an initiative petition for a ballot proposition to eliminate ranked choice voting in Alaska.

Staff's conclusion is consistent with the Commission's decisions in *Bags for Change and Renewable Resources* because here, unlike those cases, AHG has no lengthy history of opposing the subject of the initiative, but instead began its opposition to ranked choice voting within days of filing its application to propose initiative 22AKHE.

Staff's conclusion is also consistent with the Commission's decision in *Yes on 2 for Better elections v. Alaska Public Policy Forum, et. al.*¹⁰³ In that case, the Commission determined that Alaska Public Policy Forum's communications were express communications even where the ballot measure at issue was not identified by name because there was no history of communicating about the topic, the communications were disseminated in the context of a ballot measure on the same topic, and the communications were not neutral.¹⁰⁴

Accordingly, staff concludes that AHG violated AS 15.13.050 by failing to register with APOC before expending funds on its website.

Complainant contends that AHG should have registered as a group. Staff disagrees. A group is defined in relevant part as "any combination of two or more individuals acting jointly who organize for the principal purpose of filing an initiative proposal application...or who file an initiative proposal application" with the Lieutenant Governor.¹⁰⁵ Clearly, AHG does not satisfy the principal purpose test of the definition because they did not organize for the principal purpose of filing an initiative proposal application; ofr file an initiative proposal application. Instead, AHG is a person who has made independent expenditures (expenditures in connection with the creation, maintenance and updating of its website) opposing an initiative proposal application filed with the Lieutenant Governor and therefore should have registered as an entity.

B. Ranked Choice Education Association

¹⁰³ Complaint 20-05-CD

¹⁰⁴ *Id.*

¹⁰⁵ AS 15.13.400(9).

RCEA purchased its first domain on December 22, 2022, one month after Phillip Izon, Art Mathias, and Jamie R. Donley filed their application to propose the initiative, ultimately identified as 22AKHE, with the Lieutenant Governor.

RCEA's first domain landing page was devoted to promoting the efforts of AHE. Under a heading entitled "Alaska's Efforts to Repeal Ranked Choice," AHE's signature gathering efforts are promoted by presenting AHE, information about initiative 22AKHE, and a QR code that links directly to AHE's website which, among other things, lists various locations where 22AKHE petition booklets can be signed. Further, RCEA has openly stated on its Twitter account that it is the group behind the 22AKHE effort.

On these facts, staff concludes that RCEA's website was an express communication because under all the circumstances it was susceptible of no other reasonable interpretation but as an exhortation to support 22AKHE, an initiative proposed to eliminate ranked choice voting in Alaska.

Staff's conclusion is consistent with the Commission's decisions in *Bags for Change and Renewable Resources* because here, unlike the parties in those cases, RCEA has no lengthy history of opposing ranked choice voting, the subject of the initiative, but instead began its opposition to ranked choice voting contemporaneously with Izon, Mathias, and Donley's filing of an application to propose the initiative that ultimately became 22AKHE.

Staff's conclusion is also consistent with the Commission's decision in *Yes on 2 for Better elections v. Alaska Public Policy Forum, et. al.*¹⁰⁶ In that case, the Commission determined that Alaska Public Policy Forum's communications were express communications even where the ballot measure at issue was not identified by name and where there was no history of communicating about the topic, the communications were disseminated in the context of a ballot measure on the same topic, and the communications were not neutral.¹⁰⁷

¹⁰⁶ Complaint 20-05-CD

¹⁰⁷ *Id.*

Accordingly, staff concludes that RCEA violated AS 15.13.050 by failing to register with APOC before expending funds on its website.

Complainant contends that RCEA should have registered as a group. For the same reasons stated above in paragraph A, “Alaskans for Honest Government,” Staff disagrees. Like AHG, RCEA does not satisfy the principal purpose test of the definition of group. Instead, RCEA has made independent expenditures opposing an initiative proposal and therefore should have registered as an entity.

C. Alaskans for Honest Elections

A person is required to register with APOC “*before* making an expenditure in support of or in opposition ...to an initiative proposal application filed with the lieutenant governor.”¹⁰⁸ AHE registered with APOC on March 20, 2023, but actually made its first expenditure two months before that on January 20, 2023. Thus, by not registering with APOC until two month *after* making its first expenditure, AHE violated AS 15.13.050(a).

2. Reporting

A. Alaskans for Honest Government

As a person making independent expenditures opposing an initiative application, AHG was required to file independent expenditure reports.¹⁰⁹ These reports should have been filed within 10 days of making each expenditure.¹¹⁰

As a person opposing an initiative application, AHG was also required to file quarterly reports if it received contributions exceeding \$500 or made expenditures exceeding \$500 within a calendar year.¹¹¹

Here, AHG violated AS 15.13.040 by failing to file independent expenditure reports; and AS 15.13.110(g) by failing to file a First Quarter Report.

B. Alaskans for Honest Elections

¹⁰⁸ AS 15.13.050(a) (emphasis added).

¹⁰⁹ AS 15.13.040(d).

¹¹⁰ AS 15.13.110(h).

¹¹¹ AS 15.13.110(g).

AHE violated AS 15.13.110(h) by failing to file three independent expenditure reports, and instead reporting the expenditures late on its First Quarter Report. Further AHE violated AS 15.13.110(g) by filing inaccurate First and Second Quarter Reports and by filing its Second Quarter Report six days late. As noted above, Staff has issued civil penalty assessments for all three independent expenditure violations and the late Second Quarter violation and AHE has been notified that the assessments are being referred to the Commission because they have not been appealed or paid. Accordingly, Staff recommends that those allegations be dismissed without prejudice as they are being addressed under the ordinary civil penalty procedure for late-filed reports consistent with 2 AAC 50.855 and 2 AAC 50.895.

Complainant also alleges that AHE violated AS 15.13.040(b), AS 15.13.074(b), and AS 15.13.110(k) by failing to accurately report the source of the contributions it received.¹¹² Specifically, Complainant contends that AHE reports showing RCEA as the contributor are inaccurate because, as alleged by Complainant, RCEA appears to have been specifically created as a pass-through for the dual purposes of unlawfully obtaining a tax deduction for donors and obscuring the actual source of the donations.¹¹³

A person may not contribute anonymously, using a fictitious name, or using the name of another.¹¹⁴ A contribution must be made in the name of the true source of the money or thing of value – a person may not contribute using the name of another; or use a third-party conduit.¹¹⁵ A person making independent expenditures is required to report contributions made to the person on its independent expenditure reports.¹¹⁶ For purposes of the AS 15.13.040(e) requirement to report contributors, the term “contribution” means the true source of the contribution.¹¹⁷

¹¹² Ex. 1 at p. 7.

¹¹³ *Id.*

¹¹⁴ AS 15.13.074(b).

¹¹⁵ 2 AAC 50.258(a).

¹¹⁶ AS 15.13.040(e).

¹¹⁷ AS 15.13.040(q).

Here, as discussed below, staff has concluded that the weight of the evidence establishes that Mr. Mathias, the President of RCEA and a Director of AHE, contributed \$90,000 to RCEA knowing that the contribution would be repurposed to support AHE through contributions as needed. Further, on its June 11, 2023, Statement of Contributions filed by Phillip Izon, Chair of AHE, Art Mathias is reported as the sole true source of the funds RCEA had, up to that point, contributed to AHE. On these facts, staff concludes that AHE violated AS 15.13.110(g) and AS 15.13.074(b) by filing inaccurate First and Second Quarter reports and for failing to report Mr. Mathias' contributions.

Complainant further alleges that AHE violated AS 15.13.040(b)-(c) when it reported a \$200,000 nonmonetary contribution from Phillip Izon.¹¹⁸ But, Complainant's assertion is based on the false assumption that the reported contribution was for Mr. Izon's efforts covering no longer than a calendar quarter.¹¹⁹ As Mr. Izon explained, the \$200,000 amount was an estimate of the value of his services through the end of AHE's campaign – a campaign only barely begun and still in the signature gathering stage – and was based on what he would have quoted if paid to do it. On these facts, staff concludes that there is insufficient evidence to find an AS 15.13 violation based on AHE's reporting of a \$200,000 nonmonetary contribution from Mr. Izon.

Complainant also alleges that AHE violated AS 15.13.040(j)-(k) by failing to notify its contributors who contributed \$500 or more of their obligation to file a statement of contributions report within 30 days. But, neither AS 15.13, the regulations adopted thereunder, or prior Commission decisions establish such a requirement. The statutory provisions cited by Complainant relate solely to the obligations of the person receiving the contribution; and do not include an obligation to inform contributors of their own, separate obligations under the statute. Accordingly, this allegation should be dismissed.

Finally, the investigation revealed that the Greater Alaska Chapter of the Association of Mature American Citizens hosted AHE's February 16, 2023, petition

¹¹⁸ Ex. 1 at p. 6.

¹¹⁹ *Id.*

signing event. Complainant contends that AHE violated AS 15.13 by not reporting a nonmonetary contribution from the Greater Alaska Chapter of the Association of Mature American Citizens, namely the Association’s act of providing the gymnasium space for AHE’s event.

The permission of the owner of real or personal property to post political signs; or to use space for an event is not considered a contribution unless the owner customarily charges a fee for that activity.¹²⁰ In AO 12-16-CD the Commission was asked whether a candidate was required to seek permission of the owner of the property when posting a sign on that property when it is occupied by another who has given permission to post the sign.¹²¹ The Commission found that APOC does not regulate who can or cannot grant permission to place signs on real or personal property, but, that in general a candidate must ensure that contributions or expenditures are reported when political signs are posted in areas for which a charge is ordinarily made.¹²²

Here, the Greater Alaska Chapter of the Association of Mature American Citizens, the lessee of space within a building, provided use of that space to AHE at no cost just as it has done for other persons. Nevertheless, because the gymnasium’s owner, Wellspring Ministries, customarily charges an at-cost fee for use of the gymnasium, Staff concludes that AHE violated AS 15.13.110(g) by failing to include a nonmonetary contribution from Wellspring Ministries on its First Quarter Report.¹²³

C. Ranked Choice Education Association

As a person making independent expenditures opposing an initiative application, RCEA was required to file independent expenditure reports.¹²⁴ These reports should have been filed within 10 days of making each expenditure.¹²⁵

¹²⁰ AS 15.13.040(i).

¹²¹ Exhibit 63, AO 12-16-CD, *Max Gruenberg*.

¹²² Ex. 63, at p. 3.

¹²³ Staff notes that under 2 AAC 50.250(B)(1)(a) the amount of the contribution would not be the de minimis amount WM charges WF for the use of the space that WF granted to AMAC, but rather should be the normal market charge for a similar space.

¹²⁴ AS 15.13.040(d).

¹²⁵ AS 15.13.110(h).

As a person opposing an initiative application, RCEA was also required to file quarterly reports no later than 10 days after the end of the quarter if it received contributions exceeding \$500 or made expenditures exceeding \$500 within a calendar year.¹²⁶

Here, RCEA violated AS 15.13.040(d) and AS 15.13.110(h) by failing to timely file independent expenditure reports; and AS 15.13.110(g) by failing to timely file a 2022 Fourth Quarter Report.

Complainant contends that RCEA violated AS 15.13 by making a cash contribution of \$2,358 to AHE. A person may not make a cash contribution that exceeds \$100.¹²⁷ RCEA concedes that it made the cash contribution in violation AS 15.13.074(e).

Complainant further contends that RCEA violated AS 15.13.074(b) by making contributions in the name of another.¹²⁸ Specifically, Complainant contends that RCEA was created for the purpose of laundering donations to AHE.¹²⁹ Staff does not agree. As discussed above, it is abundantly clear that RCEA has been involved in substantial activities in the lower-48 to further its mission of warning Americans about what it perceives to be the flaws and negative aspects of ranked choice voting.

Complainant appears to be primarily concerned with the \$90,000 donation Mr. Mathias made to RCEA at the beginning of its existence. A person may not contribute anonymously, using a fictitious name, or using the name of another.¹³⁰ A contribution must be made in the name of the true source of the money or thing of value – a person may not contribute using the name of another; or use a third-party conduit.¹³¹ A person making independent expenditures is required to report contributions made to the person on its independent expenditure reports.¹³² For purposes of the AS 15.13.040(e) requirement to report contributors, the term “contribution” means the true source of the contribution.¹³³

¹²⁶ AS 15.13.110(g).

¹²⁷ AS 15.13.074(e)

¹²⁸ Ex. 1, at p. 19.

¹²⁹ *Id.*

¹³⁰ AS 15.13.074(b).

¹³¹ 2 AAC 50.258(a).

¹³² AS 15.13.040(e).

¹³³ AS 15.13.040(q).

Here, RCEA has filed only two statement of contributions reports – the first one on May 9, 2023, identifying four contributions in excess of \$500 all made in February, 2023, that did not identify Mr. Mathias as the true source and a June 11, 2023 report showing one additional contribution in excess of \$500, but reporting Mr. Mathias as the true source of all previous contributions to AHE.¹³⁴ Accordingly, staff concludes that RCEA’s May 9, 2023, statement of contribution report violated AS 15.13.074(b); and that the allegation should be dismissed with respect to the June 11, 2023, statement of contributions report.

Wellspring Ministries/Wellspring Fellowship

A person who contributes \$500 or more to a group organized for the principal purpose of filing an initiative proposal application with the Lieutenant Governor or that has filed an initiative proposal application with the Lieutenant Governor, is required to report that contribution no later than 30 days after the contribution is made.¹³⁵

Wellspring Ministries leases office space and a gymnasium/auditorium to Wellspring Fellowship. Wellspring Fellowship allows RCEA to receive to use its leased conference room for meetings typically taking an hour to an hour and a half once every two to three months.

Complainant alleges that Wellspring Fellowship violated AS 15.13.040(k) by failing to report its contribution of access to its leased premises to RCEA.¹³⁶ But, that section of AS 15.13 only applies to contributions made to groups organized for the principal purpose of influencing a ballot proposition; or groups organized for the principal purpose of filing an initiative application or that has filed an initiative application.¹³⁷ RCEA is not such a group because it did not file an application to propose the initiative 22AKHE. Accordingly, Staff recommends that this allegation be dismissed.

3. Identification of Political Communications

¹³⁴ RCEA has filed no other reports although required to do so.

¹³⁵ AS 15.13.040(k)

¹³⁶ Ex. 1, at p. 22.

¹³⁷ AS 15.13.040(k).

Alaska’s campaign disclosure law requires all communications to be identified using the words “paid for by” followed by the name and address of the person paying for the communication.¹³⁸ For a person other than an individual or candidate, the identifier must include the name and title of the person’s principal officer; and a statement from the principal officer approving the communication; and, unless the person is a political party, the name, city and state of each of the person’s top 3 contributors, if any.¹³⁹

A “communication” is defined as “an announcement or advertisement disseminated through print or broadcast media, including radio, television, cable, and satellite, the Internet, or through a mass mailing, excluding those placed by an individual or nongroup entity and costing \$500 or less and those that do not directly or indirectly identify a candidate or proposition, as that term is defined in AS 15.13.065(c).”¹⁴⁰

A political communication is further defined to include press releases and material on an internet website.¹⁴¹ For a communication containing a video component by broadcast, cable, satellite, internet or other digital communication, the paid for by identifier must remain on the screen throughout the entirety of the communication.¹⁴²

A. Alaskans for Honest Government

AHG’s website identifier has, at all times relevant, stated only that it was paid for by AHG and that it is not authorized by any candidate or candidate’s committee.

Here, because AHG’s internet website failed to identify its principal officer, provide a statement from its principal officer approving the communication and name its top three contributors, staff concludes that AHG violated AS 15.13.090(a).

B. Alaskans for Honest Elections

AHE purchased a web domain on November 11, 2022. Between November 19, 2022, and April 6, 2023, the paid for by identifier on AHE’S website did not name its

¹³⁸ AS 15.13.090(a).
¹³⁹ AS 15.13.090(a)(2).
¹⁴⁰ AS 15.13.400(3).
¹⁴¹ 2 AAC 50.306(e)(2)(A) and (B).
¹⁴² AS 15.13.090(c).

principal officer, did not include a statement from the principal officer approving the communication and did not name AHE’S top three contributors. But, by at least April 21, 2023, the website had been amended to add all the information required by AS 15.13.090(a). Accordingly, staff concludes that AHE violated AS 15.13.090(a) for failing to have a complete paid-for-by identifier on its website between November 19, 2022, and April 6, 2023.

AHE posted 15 videos that urge the viewer to reject ranked choice voting for various reasons and to sign the 22AKHE petition booklets. The written portion of the paid-for-by identifiers do not comply with AS 15.13.090(a) and what was present did not remain on the screen throughout the entirety of the video as required. Accordingly, staff concludes that AHE’s videos did not comply with the identification requirements set out AS 15.13.090(a) and (c).

C. Ranked Choice Education Association

RCEA’s first domain was an express communication requiring a paid-for-by identifier. Because the first domain did not have a paid for by identifier, staff concludes that RCEA violated AS 15.13.090(a).

4. Art Mathias

A person may not contribute using the name of another.¹⁴³ A contribution must be made in the name of the true source of the money or thing of value – a person may not contribute using the name of another; or use a third-party conduit.¹⁴⁴

Mr. Mathias was one of the three sponsors of the application to propose initiative 22AKHE along with Phillip Izon and Jamie R. Donley.

On December 22, 2022, Mr. Mathias contributed \$90,000 to RCEA. Mr. Mathias is the President of RCEA. On its June 11, 2023, Statement of Contributions Report, RCEA reported that its current total annual contribution to AHE was \$90,000 with Art Mathias as the single true source of the funds. At the launch of the 22AKHE initiative signature

¹⁴³ AS 15.13.074(b).

¹⁴⁴ 2 AAC 50.258(a).

gathering drive the following was attributed to Mr. Mathias: “Mathias said he’s donated \$100,000 to the effort, and the campaign has raised \$400,000 from out of state.”¹⁴⁵

Mr. Mathias contends that by “the effort” he meant the overall effort that *both AHE and RCEA* were involved in¹⁴⁶, with AHE working to repeal ranked choice voting in Alaska, and RCEA working to educate Americans against the concept of ranked choice voting.¹⁴⁷

On these facts, staff concludes that the weight of the evidence establishes that Mr. Mathias contributed his funds to RCEA knowing that they would be repurposed to support AHE through contributions as needed and thereby violated AS 15.13.074(b) and 2 AAC 50.258(a).

In reaching its conclusion concerning Mr. Mathias’ contributions, staff has not considered Complainant’s assertions concerning unlawful tax deductions because that is an IRS issue, clearly outside of APOC’s jurisdiction.

Every person contributing \$500 or more to an initiative application group is required to report that contribution on a form prescribed by the Commission not later than 30 days after making the contribution.¹⁴⁸ Here, staff concludes that Mr. Mathias contributed \$90,000 AHE using RCEA as a third party conduit. Because Mr. Mathias failed to file a statement of contributions report, staff concludes that he violated AS 15.13.040(k); and AS 15.13.074(b) by using RCEA as a third party conduit.

5. Phillip Izon

Complainant appears to allege that Mr. Izon should be held personally responsible for any violations that may have been committed by any of the Respondents under his direction.¹⁴⁹ Staff can find nothing in AS 15.13, the regulations adopted thereunder, or decisions of the Commission that would support assessing personal liability against an

¹⁴⁵ Ex. 35.

¹⁴⁶ Emphasis added.

¹⁴⁷ Ex. 51, at paragraph 4.

¹⁴⁸ AS 15.13.040(k).

¹⁴⁹ Exhibit 1 at p. 11.

individual that directs the activities of a person subject to AS 15.13. Accordingly, Staff recommends that this allegation be dismissed.

CONCLUSION

1. Alaskans for Honest Government

Staff recommends that the Commission find that AHG violated AS 15.13.110(h) for failing to file an independent expenditure report in connection with its purchase of a web domain; AS 15.13.110(g) for its failure to file a 2022 Fourth Quarter Report; and AS 15.13.090 for failure to place a compliant paid for by identifier on its website.

2. Ranked Choice Education Association

Staff recommends that the Commission find that RCEA violated AS 15.13.050 by failing to register before making expenditures; AS 15.13.110(h) for failing to file an independent expenditure report in connection with its purchase of a web domain; AS 15.13.110(g) for its failure to file a 2022 Fourth Quarter Report; AS 15.13.074(e) for making a cash contribution in excess of \$100; and AS 15.13.090 for failure to place a compliant paid for by identifier on its website.

Staff recommends that the Commission find that RCEA violated AS 15.13.074(b) by reporting that it was the contributor to AHE, when Mr. Mathias was the true source of the contributions.

3. Alaskans for Honest Elections

Staff recommends that the Commission find that AHE violated AS 15.13.050 by failing to timely register; AS 15.13.110(g) and AS 15.13.074(b) by failing to file accurate Quarterly Reports and by naming RCEA as a contributor; and AS 15.13.090 for failure to place compliant paid for by identifiers on its website and YouTube videos.

Staff recommends that the allegations concerning the alleged fraudulent contribution of Mr. Izon: and the failure to notify contributors of a duty to file statement of contribution reports be dismissed.

Staff recommends that the allegations concerning late-filed reports be dismissed without prejudice as they are being addressed under the ordinary civil penalty procedure

for late-filed reports consistent with 2 AAC 50.855 and 2 AAC 50.895 and the assessed civil penalties were paid.¹⁵⁰

4. Art Mathias

Staff recommends that the Commission find that Art Mathias violated AS 15.13.074(b) and 2 AAC 50.258(a) by contributing funds to AHE in the name of another.

5. Wellspring Ministries/Wellspring Fellowship

Staff recommends that the allegation concerning failure to report a contribution of access to its leased premises to RCEA be dismissed.

6. Phillip Izon

Staff recommends that the Commission dismiss the allegation that Mr. Izon is personally responsible for violations committed by persons under his control.

MAXIMUM CIVIL PENALTIES

1. Registration Violations

The maximum civil penalty for failure to timely register is \$50 per day for each day the violation continues.¹⁵¹

Here, AHE was required to register no later than January 20, 2023, but did not do so until March 20, 2023 a period of 59 days resulting in a maximum civil penalty of \$2,950.

RCEA was required to register as of December 22, 2022, when it acquired its First Domain: a period of 196 days¹⁵² resulting in a maximum civil penalty of \$9,850.

2. Reporting Violations

A person making an independent expenditure must file an independent expenditure report not less than 10 days after the expenditure has been made;¹⁵³ and a person required to file a quarterly report must file it within 10 days of the end of the quarter.¹⁵⁴ The

¹⁵⁰ Exhibit 64, September 8, 2023 Payment Receipt.

¹⁵¹ AS 15.13.390(a).

¹⁵² Staff tolled the running of all civil penalties as of July 5, 2023, the date the complaint was filed.

¹⁵³ AS 15.13.110(h).

¹⁵⁴ AS 15.13.110(g)

maximum civil penalty for failing to timely file a 10-day independent expenditure report and a quarterly report are both \$50 per day for each day the violation continues.¹⁵⁵

Here, RCEA was required to file an independent expenditure report in connection with the purchase of its web domain on December 22, 2022: a period of 186 days resulting in a maximum civil penalty of \$9,300.

RCEA was also required to file a 2022 Fourth Quarter report no later than January 10, 2023: a period of 177 days resulting in a maximum civil penalty of \$8,850.

RCEA misreported by failing to disclose Art Mathias as the true source of its contribution to AHE on its May 9, 2023 statement of contribution report. The maximum civil penalty for misreporting or failing to disclose the true source of a contribution in violation of AS 15.13.074(b) is not more than the amount of the contribution that was misreported or not disclosed.¹⁵⁶ RCEA misreported that it was the contributor to AHE on its May 9, 2023 statement of contributions report which totaled \$79,740 resulting in a maximum civil penalty of \$79,740.

AHG was required to file an independent expenditure report 10 days after the application to propose initiative 22AKHE was filed on November 23, 2022, and AHG continued to promote AHE's efforts in connection with 22AKHE: a period of 215 days resulting in a maximum civil penalty of \$10,750.

AHG was also required to file a 2022 Fourth Quarter Report no later than January 10, 2023: a period of 177 days resulting in a maximum civil penalty of \$8,850.

Art Mathias was required to file a statement of contributions report within 30 days of making his \$90,000 contribution to AHE (through RCEA) on December 22, 2022: a period of 166 days resulting in a maximum civil penalty of \$8,300.

Art Mathias violated AS 15.13.074(b) and 2 AAC 50.258(a) by using RCEA as a third party conduit for his contribution to AHE. The maximum civil penalty for a violation of AS 15.13.074(b) is the amount of the contribution that is the subject of misreporting or

¹⁵⁵ AS 15.13.390(a).

failure to disclose.¹⁵⁷ Here, the amount undisclosed is \$90,000 resulting in a maximum civil penalty of no more than \$90,000.

Paid-for-By Identifier Violations

The maximum civil penalty for failing to provide a required paid-for-by identifier is \$50 per day for each day the violation continues.¹⁵⁸

AHG's website failed to provide a compliant paid for by identifier from November 23, 2022, the date the sponsors' application to propose initiative 22AKHE was filed with the Lieutenant Governor: a period of 225 days resulting in a maximum civil penalty of \$11,250.

RCEA's website failed to provide a compliant paid-for-by identifier from December 22, 2022, through May 23, 2023, when it purchased a new web domain: a period of 153 days resulting in a maximum civil penalty of \$7,650.

AHE's website failed to provide a compliant paid-for-by identifier from November 23, 2022, the date sponsors' application to propose initiative 22AKHE was filed with the Lieutenant Governor through April 6, 2023: a period of 135 days resulting in a maximum civil penalty of \$6,750.

AHE's YouTube videos failed to provide compliant paid-for-by identifiers for various amounts of time depending on when each video was posted. The combined amount of time that the videos were posted without a compliant paid-for-by identifier is 61 months or 1,830 days resulting in a maximum civil penalty of \$91,500.

MITIGATION AND RECOMMENDATION

A civil penalty may be reduced by up to 50% if the person required to file is an inexperienced filer.¹⁵⁹ An inexperienced filer is one that has been subject to a reporting requirement for less than 365 days. All of Respondents have been subject to a reporting requirement for less than 365 days.

¹⁵⁷ AS 15.13.390(a)(3).

¹⁵⁸ AS 15.13.390(a).

¹⁵⁹ 2 AAC 50.865(a)(1)(B).

A civil penalty may be reduced by a percentage greater than 50% or waived entirely if the penalty is significantly out of proportion to the degree of harm suffered by the public.¹⁶⁰

Here, staff recommends that the maximum civil penalties for all violations except for the AS 15.13.074(b) violations be reduced by 90% because the maximum civil penalties are significantly out of proportion to the degree of harm suffered by the public; the Respondents are all inexperienced filers; inaccurate advice from APOC staff contributed to Respondent's failed attempts to comply with AS 15.13 until February 23, 2023, when the Commission's director corrected the inaccurate advice; and because the harm caused by the paid for by identifier violations was mitigated to some extent by the less compliant, but nevertheless, identifying information that was provided on the websites and videos. Under these circumstances staff believes a substantial reduction of the maximum civil penalties is warranted. Accordingly, staff recommends a civil penalty of \$3,085 for AHG's violations; \$3,565 for RCEA's violations; and \$10,120 for AHE's violations.

Staff recommends that the AS 15.390(a)(3) maximum civil penalties with respect to Mr. Mathias and RCEA in connection with contributing in the name of another be reduced by 75% to \$22,500 and \$19,935 respectively because both are inexperienced filers and because RCEA ultimately reported that Mr. Mathias was the true source of its contributions to AHE on its June 11, 2023 statement of contributions report. Staff does not recommend further reduction because, given the size of the contribution, staff believes that the harm suffered by the public was substantial.

¹⁶⁰ 2 AAC 50.865(b)(5).

BEFORE THE ALASKA PUBLIC OFFICES COMMISSION

Alaskans for Better Elections,	)	
	)	
Complainant,	)	
	)	
v.	)	APOC Case No. 23-01-CD
	)	
Alaskans for Honest Elections, Alaskans for	)	
Honest Government, Wellspring Ministries,	)	
Wellspring Fellowship, Ranked Choice	)	
Education Association, Art Mathias, and Phillip	)	
Izon,	)	
	)	
Respondents.	)	

STATUS UPDATE RE: FINAL ORDER

On January 3, 2024, the Commission entered its final order in this complaint matter. Monetary penalties were imposed against four respondents—Alaskans for Honest Government, Alaskans for Honest Elections, Ranked Choice Voting Association, and Art Mathias. And the Commission ordered those same four respondents to correct various registration, reporting, and paid-for-by communication violations found by the Commission within 30 days, by February 2, 2024.

To date, none of the respondents have complied with any part of the Commission’s order in this matter. Three of the respondents who were ordered to pay penalties and correct registration, reporting, and/or paid-for-by violations have appealed the Commission’s order to the superior court, case number 3AN-24-04508CI. The Statement of Points on Appeal identifies two alleged errors in the Commission’s order:

(1) the Commission’s application of the true-source requirement of AS 15.13.074(b) to an

initiative campaign generally, and its legal and factual findings regarding the applicability of that statute to Art Mathias's contributions to RCEA and RCEA's subsequent contributions to AHE, *see* Notice of Appeal points 1-10; and (2) the Commission's factual and legal conclusion that AHE should have reported an in-kind contribution from Wellspring Ministries for the use of building space for a signature gathering event. Order at 16-17; Notice of Appeal point 11.

The purpose of this follow-up order is to set forth APOC's view of the effect of that appeal on the various aspects of its order and to identify which aspects are automatically stayed, which cannot be stayed, and which the superior court could stay pending appeal, should Respondents wish to request a stay.

I. PENALTIES

Page 31 of the Commission's order summarizes the monetary penalties imposed.

The status of the penalties is as follows:

Alaskans for Honest Government

- \$3,300 for failure to file 2022 fourth quarter report
- \$1,650 for missing paid-for-by identifiers on its website

AHG did not appeal and has not paid. AHG should pay these two penalties, and if it does not do so, Staff can now refer both for collection.

Alaskans for Honest Elections

- \$1,650 resulting from missing disclosures on its website (11/23/2022 through 4/6/2023) and inaccurate paid-for-by identifier thereafter (4/7/2023 through tolling on 7/5/2023). Order at 20, 31.

AHE conceded before the Commission that the website violation occurred through April 6, 2022. Response to APOC Staff Report at 21. And its notice of appeal touches only the continuing violation that the Commission found after that date; the Commission found that Mr. Mathias should be named as one of AHE's top three contributors, and AHE argues that RCEA is the contributor and is therefore appropriately identified. Technically, this means that only the portion of this penalty that accrued after April 6, 2023 is subject to stay. Nevertheless for simplicity's sake, APOC stays the full amount. *See* 2 AAC 50.860(e).

- \$11,437.50 resulting from missing information on AHE's YouTube videos and failure to have the identifiers on screen throughout, as required by AS 15.13.090(c). Order at 20-21, 31.

AHE has not appealed any issue that could affect the findings underlying the penalty imposed regarding the YouTube videos. Indeed, AHE did not challenge Staff's analysis of this violation before the Commission, Response to APOC Staff Report at 21-22, and has not challenged the penalty amount on appeal. AHE should pay this penalty, and if it does not, Staff can now refer it for collection.

Ranked Choice Voting Association

- \$1,650 for failure to register as an entity. Order at 12-13, 31.
- \$3,300 and \$2,150 for failure to file two quarterly reports. Order at 17, 31.
- \$3,300 for RCEA's failure to include a paid-for-by identifier on its website. Order at 21-22, 31.

RCEA has not challenged these findings or the penalties imposed on appeal. These four penalties should be paid, and if they are not, Staff can refer them for collection.

- \$19,935 for failure to disclose that Mr. Mathias was the true source of its \$79,740 contribution to AHE. (RCEA later made this disclosure, though it now argues it did so in error).

RCEA challenges the factual and legal basis for this penalty on appeal, and it is therefore stayed automatically. 2 AAC 50.860(e).

Art Mathias

- \$1,237.50 for failure to file a statement of contributions report regarding his \$90,740 contribution to AHE, through RCEA. Order at 18, 31.
- \$45,000 for contributing to AHE in the name of another (RCEA) and failing to report the contribution. Order at 29, 31.

Mr. Mathias challenges the factual and legal basis for these penalties on appeal, and they are therefore stayed automatically. 2 AAC 50.860(e).

In sum, four penalties are stayed by reason of the appeal. These are AHE's \$1,650 penalty associated with its website identifiers, RCEA's penalty regarding the true-source violation, and both of Mr. Mathias's penalties related to the same. No other penalties imposed in the Commission's order are stayed.

II. REGISTRATION, REPORTING, AND DISCLOSURES

None of the aspects of the Commission's order instructing the Respondents to correct the violations the Commission found have been stayed, and the Respondents are therefore in violation of the order. Appellants can ask the superior court to stay the obligations implicated by their appeal. These are:

- AHE's obligation to report the true sources of contributions it receives and, where a true source and not an intermediary is one of AHE's top-three contributors, to disclose

that fact accurately in its communications, and to report the in-kind contribution the Commission found it received from Wellspring Ministries;

- RCEA’s obligation to report the true source(s) of contributions it makes;
- Mr. Mathias’s obligation to file a statement of contributions report.

None of the other actions the Commission ordered Respondents to take are affected by the appeal, and they are therefore not susceptible to a stay pending appeal. These include AHG’s registration and reporting obligations, RCEA’s registration obligation and reporting obligations other than those listed above, and AHE’s obligation to correct past reporting, except for the disputed aspects listed above.

III. CONCLUSION

This is a status update regarding the final Commission order in this matter dated January 3, 2024. It is not intended to modify that order in any way.

Dated: March 7, 2024.

BY ORDER OF THE ALASKA PUBLIC OFFICES COMMISSION¹

¹ Commissioners Richard Stillie, Dan LaSota, Suzanne Hancock, and Lanette Blodgett voted to approve this status update to their final order. Commissioner Eric Feige did not participate in this matter.

Certificate of Service:

I hereby certify that on this date, I served, by **certified mail** and **email** a true and correct copy of the foregoing in this proceeding on the following:

Samuel Gottstein
Scott Kendall
Cashion Gilmore & Lindemuth
510 L Street, Suite 601
Anchorage, AK 99501
sam@cashiongilmore.com
scott@cashiongilmore.com

Kevin Clarkson
Law Offices of Kevin Clarkson
2223 Latona Drive NE
Keizer, OR 97303
kclarkson@gci.net

and by **email** to:
Heather Hebdon
Executive Director
Public Offices Commission
heather.hebdon@alaska.gov

Angela Hobbs

Law Office Assistant III

March 7, 2024

Date



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Administration

ALASKA PUBLIC OFFICES COMMISSION

2221 E. Northern Lights Blvd., Rm. 128
Anchorage, AK 99508-4149
Main: 907.276.4176
Toll Free in Anchorage: 800.478.4176
Email: doa.apoc.reports@alaska.gov
www.doa.alaska.gov/apoc

July 31, 2024

Via U.S. Mail and Email

Scott Kendall
Cashion Gilmore & Lindemuth
510 L Street, Suite 601
Anchorage, Alaska 99501
scott@cashiongilmore.com

Dear Mr. Kendall,

Alaska Public Offices Commission staff has received and reviewed the complaint you submitted via email on July 29, 2024. After review, staff has determined that your complaint against Alaskans for Honest Elections, Alaskans for Honest Government, Arthur Mathias, and Ranked Choice Education Association cannot be accepted. Specifically, it appears that the allegations center on violations of the Commission's Final Order in Complaint 23-01-CD, *Alaskans for Better Elections v. Alaskans for Honest Elections, et al.* rather than violations of AS 15.13.

Staff will forward a copy of this notice to the Commission in accordance with 2 AAC 50.870(d). Under the same provision, you may also submit a written request asking the Commission to review staff's determination that the complaint should be rejected.

If you have any questions, or desire further information, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather R. Hebdon".

Heather R. Hebdon
Executive Director

Encl.: Rejected Complaint

cc: APOC Commissioners (email only)
Kevin Clarkson, Counsel for Respondents (email only)
Robert Bacaj, Assistant Attorney General (email only)
Mike Sargent, Campaign Disclosure Coordinator (email only)

VIA EMAIL ONLY

August 6, 2024



Alaska Public Offices Commission
Via: Heather Hebdon, Executive Director
State of Alaska
Department of Administration
heather.hebdon@alaska.gov

RE: Rejection of Complaint by Alaskans for Better Elections, Inc. filed July 29, 2024

Dear Ms. Hebdon:

We are in receipt of your rejection of the above referenced complaint dated July 31, 2024 (“the Complaint”). Pursuant to 2 AAC 50.870(d), we send this request for the Alaska Public Offices Commission (“APOC” or “the Commission”) to review APOC’s Staff’s rejection at its next regularly scheduled meeting on August 29, 2024.

2 AAC 50.870(d) provides that staff may reject a complaint if it “does not meet all the criteria of (c) of this section.” And 2 AAC 50.870(c)(3) requires that a complaint “allege[] facts that, if true, would be a violation of AS 15.13[.]”

APOC Staff seems to have rejected the Complaint because “it appears that the allegations center on violations of the Commission’s Final Order in Complaint 23-01-CD [(“Final Order”)], . . . rather than violations of AS 15.13.” Although the factual basis of the Complaint includes the Commission’s Final Order, *all* violations alleged concern *new* violations of AS 15.13. The Commission should order the Complaint accepted as filed.

In addition to imposing civil penalties in its Final Order, the Commission ordered Respondents to comply with AS 15.13’s reporting obligations by February 2, 2024. As explained and detailed in the Complaint, Respondents have failed to do so. Respondents’ failure to comply with the law forms the basis for new violations of AS 15.13 beginning on February 3, 2024. And without some form of enforcement or consequences, Respondents will continue to ignore the Commission’s Final Order, and keep the sources of last year’s six-figure signature gathering campaign hidden from the public.

Respondents have also committed new violations unrelated to the Final Order that are detailed in the Complaint. For example, Respondent Alaskans for Honest Elections has recently (and repeatedly) communicated in favor of 22AKHE without complying with

August 6, 2024

Page 2 of 2

either AS 15.13.090(a) or AS 15.13.090(c). And Respondent Ranked Choice Education Association has not disclosed the source of \$62,000 in contributions that were not directly addressed in the Commission's Final Order, which violates AS 15.13.040(k) and AS 15.13.074(b).

Because the Complaint more than satisfies the criteria listed in 2 AAC 50.870(c), the Commission should accept the Complaint, and direct staff to investigate whether Respondents have committed new violations of AS 15.13 by failing to report and other misconduct, starting on February 3, 2024.

Sincerely,

/s/ Scott M. Kendall

Scott M. Kendall

Attorney

scott@cashiongilmore.com

(907) 222-7932 (main)

(907) 339-4967 (direct)

(907) 222-7938 (fax)

BEFORE THE ALASKA PUBLIC OFFICES COMMISSION

Alaskans for Better Elections, Inc.,	)	
	)	
Complainant,	)	
	)	
v.	)	
	)	
Alaskans for Honest Elections, Alaskans for	)	
Honest Government, Ranked Choice Education	)	
Association, and Art Mathias,	)	
	)	
<u>Respondents.</u>	)	

**ORDER ACCEPTING COMPLAINT AND
REMANDING TO STAFF FOR INVESTIGATION**

Alaskans for Better Elections filed a complaint against several parties, including Alaskans for Honest Elections, Alaskans for Honest Government, Ranked Choice Education Association, and Art Mathias (the Respondents). These same parties were involved in a prior complaint matter (23-01-CD) that provides the backdrop for this matter. In that matter, we issued an order finding that the Respondents violated various campaign-related statutes.¹ The order required the Respondents to meet their respective obligations under the campaign-related statutes and pay fines corresponding to their individual violations.² Parts of the order have been appealed to the Alaska judiciary, but the order was not stayed.³

¹ Final Order in *Alaskans for Better Elections v. Alaskans for Honest Elections et al.*, Case No. 23-01-CD (issued Jan. 3, 2024) (hereinafter “Order”).

² *Id.* at 32.

³ See Order Denying Appellants’ Motion for Partial Stay and Granting Appellee Alaskans for Better Elections Request for Expedited Briefing, 3AN-24-04508CI (Alaska Super. Ct. Mar. 15, 2024).

The complaint at issue here alleges mainly that the Respondents have failed to comply with parts of the order issued in 23-01-CD and are again failing to comply with Alaska’s campaign laws by, among other things, failing to register on time,⁴ failing to file accurate and timely reports,⁵ and failing to include accurate disclosures on campaign communications.⁶

APOC staff rejected the complaint. By regulation, staff has one day after receiving a complaint to determine if, among other things, a complaint “alleges facts that, if true, would be a violation” of the statutes under APOC’s jurisdiction, including AS 15.13.⁷ If staff “determines that the complaint does not” allege adequate facts, then it “shall . . . reject the complaint.”⁸ Here, staff rejected the complaint because its “allegations center on violations of the Commission’s Final Order in Complaint 23-01-CD . . . rather than violations of AS 15.13.” Alaskans for Better Elections appealed to the Commission.

The Commission concludes that the complaint was improperly rejected for two reasons. First, the Commission’s authority to issue orders like the one in 23-01-CD comes from AS 15.13.380(e), which says that upon finding that the statute has been violated, the Commission “shall enter an order requiring the violation to be ceased or to be remedied and shall assess civil penalties.” Thus, when someone violates an order issued under section 380(e), they are violating part of AS 15.13—namely, the part telling the Commission to issue

⁴ See AS 15.13.050(a).

⁵ See, e.g., AS 15.13.110(g); AS 15.110(h); AS 15.13.040(k).

⁶ See AS 15.13.090.

⁷ 2 AAC 50.870(c)(3).

⁸ 2 AAC 50.870(d).

orders in response to violations. Absent a unique circumstance, these types of allegations are enough to satisfy the requirement that a complaint allege “facts that, if true, would be a violation of AS 15.13.”⁹

Second, although the main allegations in the complaint are related to one of the Commission’s prior orders, they also involve new violations of AS 15.13. The relevant parts of the order simply required the Respondents begin complying the law. If the Respondents did not follow those instructions by the deadline we imposed in the order, they began violating AS 15.13 once again. These violations would necessarily be different from the ones discussed in the prior order because they cover a different time period. On the whole, the complaint thus alleges “facts that, if true, would be a violation of AS 15.13.”¹⁰

One aspect of the complaint, however, does not meet this standard. As to each respondent, the complaint invites APOC staff to investigate “[a]ny other violations of AS 15.13 et seq. that are discovered during this proceeding” without providing any additional facts. A bare request for an open-ended investigation into a political opponent is not enough to meet the standard in 2 AAC 50.870(c)(3). This aspect of the complaint is not valid.

The Commission accepts the complaint and remands the matter to staff for an investigation. Staff shall investigate all the allegations in the complaint that include specific factual claims.¹¹ Staff shall not conduct an open-ended investigation into whether the

⁹ 2 AAC 50.870(c)(3).

¹⁰ *See Id.*

¹¹ The allegations to be investigated are in the complaint sections: II.A.i.a-e, II.B.i.a-b, II.C.i.a-e, II.D.i.a.

Respondents have complied with aspects of AS 15.13 that are not cited in the complaint, unless new information arises and staff deems it necessary.¹² If the Respondents have not followed the law, staff shall calculate what penalties are appropriate and make a recommendation to the Commission.¹³

This is not a final Commission order for the purpose of an appeal to superior court. We retain jurisdiction for staff's investigation and consideration of staff's investigation report.

Dated: September 9, 2024.

BY ORDER OF THE ALASKA PUBLIC OFFICES COMMISSION¹⁴

Certificate of Service:

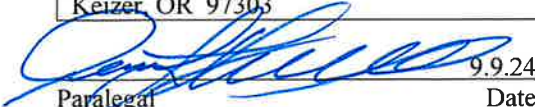
I hereby certify that on this date, I served, by **certified mail, US mail, and email** a true and correct copy of the foregoing in this proceeding on the following:

Scott Kendall
Samuel Gottstein
Cashion Gilmore & Lindemuth
510 L Street, Suite 601
Anchorage, AK 99501
sam@caahiongilmore.com
scott@cashiongilmore.com

Kevin Clarkson
Law Office of Kevin Clarkson
2223 Latona Drive NE
Keizer, OR 97303

and by **email** to:

Heather Hebdon
Executive Director
Alaska Public Offices Commission
heather.hebdon@alaska.gov


Paralegal

9.9.24
Date

¹² Staff may make recommendations about violations of AS 15.13 that are not mentioned in a complaint if new facts arise during its investigation. *Eberhart v. Alaska Pub. Offices Comm'n*, 426 P.3d 890, 900 (Alaska 2018).

¹³ In determining the penalty amounts, staff shall consider that under the order in 23-01-CD the Respondents were given 30 days to comply with some requirements, during which time no penalty accrued. Order at 32.

¹⁴ Commissioners Richard Stillie, Lanette Blodgett, Eric Feige, Dan LaSota, and Walt Monegan participated in this matter. The decision was made on a 5-0 vote.

CAMPAIGN DISCLOSURE FORM

AMENDMENT

Amendment Description: Updating under protest, currently appealing APOC fines in court. Court and State required to update this form.

COMPLETED

Submission Date: **03/07/2024**
 Filer First Name: **Phillip**
 Filer Middle Name: **A**
 Filer Last Name: **Izon**
 Filer's Title: **Records Keeper**
 Report Type: **First Quarterly**

GROUP INFORMATION

Group Name: **2023 - Alaskans For Honest Elections**
 Group Abbreviation: **AKHE**
 Group Address: **2521 E Mtn Village Dr**
 City, State Zip: **Wasilla, Alaska 99654**

REPORT INFORMATION

Election Year: **0**
 Election: **N/A**
 Report Type: **First Quarterly**
 Reporting Period: From **01/08/2023** Through **04/07/2023**

FINANCIAL SUMMARY

THIS PERIOD		ENTIRE CAMPAIGN			
Beginning Cash On Hand:	\$0.00				
[+] ↓		Year To Date Income Total: (From Box A of previous report)		Total Income To Date: (Box A)	
Total Income Reported:	\$293,817.70	[+] ⇒	\$0.00	[=] ⇒	\$293,817.70
[-] ↓		Year to Date Expense Total: (From Box B of previous report)		Total Expense To Date: (Box B)	
Total Expenditures Reported:	\$268,732.00	[+] ⇒	\$0.00	[=] ⇒	\$268,732.00
[=] ↓					
Closing Cash On Hand:	\$25,085.70				
[-] ↓					
Total Debts:	\$0.00				
[=] ↓					
Surplus/Deficit:	\$25,085.70				

INCOME

Date Received	Payment Method	Contributor	Details	Amount
01/23/2023	Non-Monetary Website & Domain	Izon, Phillip 13388 E Moosewallow Ave Palmer, Alaska 99645	Occupation: Self Employer: Swarm Intel USA Description:	\$350.00

Date Received	Payment Method	Contributor	Details	Amount
01/23/2023	Non-Monetary Management Costs / Time In Kind Donation	Izon, Phillip 13388 E Moosewallow Ave Palmer, Alaska 99645	Occupation: Self Employed Employer: Swarm Intel USA Description:	\$200,000.00
01/31/2023	Credit Card	Chambers, Bret 13200 Floral Lane Anchorage, Alaska 99516	Occupation: Retired Employer: Retired Description:	\$50.00
02/01/2023	Credit Card	Angus, George 2420 N Cottonwood Loop Wasilla, Alaska 99654	Occupation: Matsu Borough Employer: Matsu Borough Description:	\$25.00
02/01/2023	Credit Card	Merwin, David PO Box 671624 Chugiak, Alaska 99567	Occupation: Retired Employer: Retired Description:	\$100.00
02/01/2023	Credit Card	Pence, William 3859 Killewich Dr Juneau, Alaska 99801	Occupation: retired Employer: retired Description:	\$50.00
02/02/2023	Credit Card	Sarber, Jon 1285 Bay Ave in Homer, AK Homer, Alaska 99603	Occupation: retired Employer: retired Description:	\$50.00
02/03/2023	Credit Card	Ernster, Renee P.O. Box 3496 Valdez, Alaska 99686	Occupation: DCC LLC Employer: DCC LLC Description:	\$10.00
02/03/2023	Credit Card	Jones, Larry 4710 Kershner Ave. Anchorage, Alaska 99517	Occupation: Accountant Employer: ACS Description:	\$25.00
02/03/2023	Credit Card	Stock, Richard 485 Ballaine Rd Fairbanks, Alaska 99709	Occupation: Retired Employer: Retired Description:	\$50.00
02/05/2023	Credit Card	Moose, Daniel 913 W 14th Ave Anchorage, Alaska 99501	Occupation: Self Employed Employer: Self Employed Description:	\$100.00
02/05/2023	Credit Card	Turner, Fran P.O. Box 646 Nenana, Alaska 99760	Occupation: Retired Employer: Retired Description:	\$100.00
02/06/2023	Check 1007	Matthias, Art 2511 Sentry Dr. Ste 200 Anchorage, Alaska 99507	Occupation: Insurance Employer: Self Description: Updating under protest, currently appealing APOC Fines, court required updates.	\$1,000.00
02/07/2023	Credit Card	Hutchison, Christine 281 Juliussen St Kenai, Alaska 99611	Occupation: Self Employer: Na Description:	\$25.00
02/08/2023	Credit Card	Gregoire, Aaron PO Box 57079 North Pole , Alaska 99505	Occupation: Mechanic Employer: Fairbanks Gold Mining Description:	\$20.00
02/08/2023	Credit Card	Marrs, Kevin 746 cranberry ridge Fairbanks, Alaska 99712	Occupation: Retired Employer: Retired Description:	\$25.00

Date Received	Payment Method	Contributor	Details	Amount
02/08/2023	Check 0108107251	Matthias, Art 2511 Sentry Drive Ste 200 Anchorage, Alaska 99507	Occupation: Insurance Employer: Self Description: Updating under protest, currently appealing APOC Fines, court required updates.	\$75,000.00
02/08/2023	Credit Card	MODESITT, RICK 1069 RECTOR ROAD PARKERSBURG, West Virginia 26105	Occupation: retired Employer: retired Description:	\$25.00
02/08/2023	Credit Card	Wall, Robert 18849 Timberline Drive Eagle River, Alaska 99577	Occupation: Retired Employer: Retired Description:	\$100.00
02/08/2023	Credit Card	Wall, Robert 18849 Timberline Drive Anchorage, Alaska 99577	Occupation: Retired Employer: Retired Description:	\$20.00
02/09/2023	Credit Card	chung, Dyane 620 w 47th ave apt D Anchorage, Alaska 99503	Occupation: State of Alaska Employer: State of Alaska Description:	\$50.00
02/09/2023	Credit Card	Helton, darrell 22021 fawn ln Chugiak, Alaska 99567	Occupation: Retired Employer: Retired Description:	\$50.00
02/09/2023	Credit Card	helton, darrell 22021 Fawn Lane Anchorage, Alaska 99567	Occupation: Retired Employer: Retired Description:	\$10.00
02/09/2023	Credit Card	Maywald, Linda 9211 Flintlock Street Anchorage, Alaska 99507	Occupation: TA Substitute Employer: ASD Description:	\$51.75
02/09/2023	Credit Card	Milos, Adrianne HC 60 Box 2623 Haines, Alaska 99827	Occupation: retired Employer: retired Description:	\$20.00
02/09/2023	Credit Card	Pempek, Caleb P.O. Box 1542 Palmer, Alaska 99645	Occupation: Journeyman Employer: MEA Description:	\$25.00
02/10/2023	Credit Card	Rupe, Cynthia 35555 Kenai Spur Hwy PMB 199 Soldotna, Alaska 99669	Occupation: retired Employer: retired Description:	\$25.00
02/11/2023	Credit Card	Durham, Carmen 1178 Skyline Dr Fairbanks, Alaska 99712	Occupation: Homemaker Employer: Homemaker Description:	\$37.50
02/11/2023	Credit Card	Rupp, Kenneth 3206 South Cir Anchorage, Alaska 99507	Occupation: Retired Employer: Retired Description:	\$100.00
02/11/2023	Credit Card	Smith, Jane P.O.Box 404 Sutton, Alaska 99674	Occupation: Retired Employer: Retired Description:	\$10.00
02/13/2023	Credit Card	Ilgenfritz, linda 4362 York Ave Fairbanks, Alaska 99709	Occupation: Retired Employer: Retired Description:	\$20.00

Date Received	Payment Method	Contributor	Details	Amount
02/14/2023	Credit Card	Duncan, Sally P.O. Box 16108 Two Rivers, Alaska 99716	Occupation: Retired Employer: Retired Description:	\$235.00
02/15/2023	Credit Card	Armstrong, Vickie 4544 Drake Street Fairbanks, Alaska 99709	Occupation: Retired Employer: Retired Description:	\$156.00
02/15/2023	Credit Card	Breiner, Linda HC 89 BOX 8182 Talkeetna, Alaska 99676	Occupation: Office manager Employer: IOLA Enterprises Description:	\$12.50
02/15/2023	Credit Card	Breiner, Linda HC 89 Box 8182 Talkeetna, Alaska 99676	Occupation: office manager Employer: IOLA Enterprises Description:	\$50.00
02/15/2023	Credit Card	Carlo, Raven P.O. Box 58062 Fairbanks, Alaska 99711	Occupation: CNA Employer: Foundation Health Description:	\$12.50
02/15/2023	Credit Card	Cruse, Riska PO Box 401 Willow, Alaska 99688	Occupation: Photographer Employer: Self Description:	\$12.50
02/15/2023	Credit Card	Jeff Taylor Box 3076 Anderson, Alaska 99744	Occupation: No Employer: Na Description:	\$33.50
02/15/2023	Credit Card	Mader, Brian PO Box 1794 Kenai, Alaska 99611	Occupation: Construction Employer: Alaska Electrical Description:	\$100.00
02/15/2023	Credit Card	Mitchell, Teresa 3000 Wentworth St Anchorage, Alaska 99508	Occupation: Accountant Employer: Self Description:	\$10.00
02/15/2023	Credit Card	Pearce, David 6275 N. Douglas Hwy Juneau, Alaska 99801	Occupation: Retired Employer: N/A Description:	\$7.00
02/15/2023	Credit Card	Stark, Rhonda PO Box 1452 Palmer, Alaska 99645	Occupation: Office Manager Employer: Alaska Prime Power Description:	\$41.00
02/15/2023	Credit Card	Sunseri-Fichtner, Tiffiany 1271 S Paddy Place Wasilla, Alaska 99623	Occupation: na Employer: na Description:	\$12.50
02/16/2023	Check 1922	Kruckenber, Kateryna PO Box 220591 Anchorage, Alaska 99522	Occupation: Book Keeper Employer: Consistent Book Keeping Description:	\$250.00
02/16/2023	Credit Card	Mathew, John 9200 Emerald St Anchorage, Alaska 99502	Occupation: retired Employer: na Description:	\$100.00
02/16/2023	Credit Card	Musick, Terrence 12220 Rainbow Ave Anchorage, Alaska 99516	Occupation: retired Employer: retired Description:	\$100.00
02/16/2023	Credit Card	Pherson, Sandra 7287 N False Pass Cir Wasilla, Alaska 99654	Occupation: clerk Employer: valley country stores Description:	\$50.00

Date Received	Payment Method	Contributor	Details	Amount
02/16/2023	Credit Card	Pherson, Sandy 7287 N False Pass Cir Wasilla, Alaska 99654	Occupation: Clerk Employer: Valley Country Stores Description:	\$20.00
02/16/2023	Credit Card	Rosen, Jeffrey 10441 Nabesna Circle Anchorage, Alaska 99577	Occupation: Retired Employer: Retired Description:	\$10.00
02/16/2023	Check 27765	Suter, Mary PO Box 670144 Chugiak, Alaska 99567	Occupation: Retired Employer: Retired Description:	\$500.00
02/16/2023	Credit Card	VanValin, Lenora 6112 North Moose Meadows Road Wasilla, Alaska 99654	Occupation: Retired Employer: Retired Description:	\$20.00
02/16/2023	Credit Card	VavValin, Lenora 6112 N. Moose Meadows Rd Wasilla, Alaska 99654	Occupation: retired Employer: retired Description:	\$10.00
02/16/2023	Check 8886	Warren, J. Kris 900 W 86th Ave Anchorage, Alaska 99515	Occupation: Retired Employer: Retired Description:	\$250.00
02/16/2023	Check 1515	Warren, Dawn 900 W. 86th Ave Anchorage, Alaska 99515	Occupation: Retired Employer: Retired Description:	\$250.00
02/16/2023	Credit Card	Whisamore, John 5921 S Bodenburg Loop Palmer, Alaska 99645	Occupation: retired Employer: retired Description:	\$50.00
02/16/2023	Check 4632	Young, Harry 33081 Eagle Vista Dr Eagle River, Alaska 99577	Occupation: Retired Employer: Retired Description:	\$300.00
02/17/2023	Credit Card	Braham, Roxanna 2120 Badger Road North Pole, Alaska 99705	Occupation: Na Employer: Midstate Equipment Inc. Description:	\$200.00
02/17/2023	Credit Card	Jackson, Tim 3227 216th Pl Bothell, Washington 98021	Occupation: PMF Employer: PMF Description:	\$250.00
02/17/2023	Credit Card	Priestley, Joan 3705 Arctic Boulevard Suite 1332 Anchorage, Alaska 99503	Occupation: Retired Employer: Retired Description:	\$103.50
02/18/2023	Credit Card	Nettels, Chris 1901 Beaver Place Anchorage, Alaska 99504	Occupation: Retired Employer: Geotek Description:	\$100.00
02/19/2023	Credit Card	Helmuth, Carolyn 2062 East Carney Road Wasilla, Alaska 99654	Occupation: Payroll Lead Employer: Calista Corporation Description:	\$115.75
02/19/2023	Credit Card	Urbano, Paul 9160 E Lexington St Palmer, Alaska 99645	Occupation: Retired Employer: Retired Description:	\$12.50

Date Received	Payment Method	Contributor	Details	Amount
02/20/2023	Credit Card	Clark, Todd 9310 Carlson Road Anchorage, Alaska 99507	Occupation: Owner Employer: TGI Freight Description:	\$100.00
02/20/2023	Credit Card	McIntosh, Larry N Dartmoor St Wasilla, Alaska 99654	Occupation: Retired Employer: Retired Description:	\$25.00
02/20/2023	Credit Card	McIntosh, Larry 4085 Dartmoor Street Wasilla, Alaska 99654	Occupation: Retired Employer: Retired Description:	\$10.00
02/20/2023	Credit Card	Miller, Robert 902 Noorvik Court Fairbanks, Alaska 99701	Occupation: Army Employer: US Army Description:	\$77.00
02/20/2023	Credit Card	Sell, Rebecca 3224 W 30th Ave Anchorage, Alaska 99517	Occupation: Retired Employer: Retired Description:	\$45.00
02/21/2023	Credit Card	Evans, Brett Po Box 879002 Wasilla, Alaska 99654	Occupation: Retired Employer: Retired Description:	\$50.00
02/21/2023	Check 5159	Franklin, Catherine PO Box 823 Palmer, Alaska 99645	Occupation: Retired Employer: Retired Description:	\$200.00
02/21/2023	Credit Card	Glover, Scott PO Box 871571 Wasilla, Alaska 99687	Occupation: Retired Employer: Retired Description:	\$42.45
02/21/2023	Credit Card	Thomas, Harrel 5957 Franklin Drive Anchorage, Alaska 99518	Occupation: Retired Employer: Retired Description:	\$25.00
02/22/2023	Credit Card	Amos, Denise 3717 W 43rd Ave Anchorage, Alaska 99517	Occupation: na Employer: na Description:	\$100.00
02/22/2023	Credit Card	Caffroy, Chandra 35020 Scandinavian Drive/731 Anchor Point, Alaska 99556	Occupation: Manager Employer: AFCR Description:	\$80.00
02/22/2023	Check 841	Cole, Susan 2440 E Tudor Rd Box 811 Anchorage, Alaska 99507	Occupation: Retired Employer: Retired Description:	\$50.00
02/22/2023	Check 279	Crossman, Elsie 1801 Minerva Way Anchorage, Alaska 99515	Occupation: Retired Employer: Retired Description:	\$25.00
02/22/2023	Check 3644	Easterly, Sue 1526 Bannister Dr. Anchorage, Alaska 99508	Occupation: Retired Employer: Retired Description:	\$100.00
02/22/2023	Credit Card	Fogle, Kathy 37065 Steelhead Cir Sterling, Alaska 99672	Occupation: Retired Employer: Retired Description:	\$29.25

Date Received	Payment Method	Contributor	Details	Amount
02/22/2023	Check 4135	Halverson, Robert 1371 Hillcrest Dr Unit 303 Anchorage, Alaska 99503	Occupation: Retired Employer: Retired Description:	\$200.00
02/22/2023	Check 5925	Heim, Sabah 14440 Old Seward Hwy Anchorage, Alaska 99515	Occupation: Self Employer: Self Description:	\$100.00
02/22/2023	Credit Card	Hill, Linda 12410 Hopa Circle Anchorage, Alaska 99515	Occupation: Retired Employer: Retired Description:	\$27.50
02/22/2023	Credit Card	Hill, Linda 12410 Hopa Cr Anchorage, Alaska 99518	Occupation: Retired Employer: Retired Description:	\$100.00
02/22/2023	Check 6041	Jackson, Sherri 3626 Casper St Anchorage, Alaska 99502	Occupation: Retired Employer: Retired Description:	\$50.00
02/22/2023	Credit Card	Kern, Danny 4901 E 40th Ave Anchorage, Alaska 99516	Occupation: retired Employer: retired Description:	\$100.00
02/22/2023	Credit Card	Leverty, Bradley 3501 N Moose St Wasilla, Alaska 99654	Occupation: retired Employer: retired Description:	\$50.00
02/22/2023	Check 8701	Luhrs, James 3333 Lakeshore Dr Anchorage, Alaska 99517	Occupation: retired Employer: retired Description:	\$200.00
02/22/2023	Credit Card	Metzner, Diamond 4201 Dimond Way Wasilla, Alaska 99654	Occupation: Marketing Employer: Self Description:	\$83.60
02/22/2023	Credit Card	Ordaz, Azabel 806 West 57th Ave Anchorage, Alaska 99518	Occupation: business manager Employer: ak4dy Description:	\$50.00
02/22/2023	Credit Card	Overstreet, Carolyn 8122 Lamplighter Ct Anchorage, Alaska 99502	Occupation: Retired Employer: Retired Description:	\$2,000.00
02/22/2023	Check 678	Pessolano, Jodie 5018 E 43rd Ave #5 Anchorage, Alaska 99508	Occupation: Self Employer: North Star Design Description:	\$100.00
02/22/2023	Credit Card	Phelps, Greg 8501 Skyhills Dr Anchorage, Alaska 99502	Occupation: Self Employer: PHELPS Construction, LLC Description:	\$100.00
02/22/2023	Credit Card	Price, Noreen 20656 Driftwood Bay Dr Eagle River, Alaska 99577	Occupation: retired Employer: retired Description:	\$200.00

Date Received	Payment Method	Contributor	Details	Amount
02/22/2023	Cash	Ranked Choice Education Association 2511 Sentry Dr. Ste 200 Anchorage, Alaska 99507	Occupation: Education Employer: RCEA Description:	\$2,358.00
02/22/2023	Credit Card	Smith, Dorothy 12411 Caragana Cir Anchorage, Alaska 99515	Occupation: Homemaker Employer: homemaker Description:	\$250.00
02/22/2023	Check 3302	Turner, Linda 1027 S Arza Cir Palmer, Alaska 99645	Occupation: Retired Employer: Retired Description:	\$50.00
02/22/2023	Check 8834	Washburn, Rebecca PO Box 823 Palmer, Alaska 99645	Occupation: Self Employer: Washburn Farm Nursery Description:	\$100.00
02/22/2023	Credit Card	Whisamore, John 5921 S. Bodenburg Lp Palmer, Alaska 99645	Occupation: Retired Employer: retired Description:	\$12.50
02/23/2023	Non-Monetary Printing Services / In-Kind Donation	Ranked Choice Education Association 2511 Sentry Dr. Ste 200 Anchorage, Alaska 99507	Occupation: Education Employer: RCEA Description:	\$1,382.00
02/23/2023	Credit Card	Richeson, Randolph 360 W. KATMAI Soldotna, Alaska 99669	Occupation: retired Employer: retired Description:	\$100.00
02/23/2023	Credit Card	Rosin, Lela 3669 CHINULNA DRIVE Kenai, Alaska 99611	Occupation: Self Employer: Self Description:	\$200.00
02/24/2023	Credit Card	CORBeil, Richard 3336 Doil Dr Anchorage, Alaska 99507	Occupation: Employer: Description:	\$50.00
02/24/2023	Credit Card	Eads, Margaret P.O. Box 19529 Thorne Bay, Alaska 99919	Occupation: Lumberman Employer: Self Employed Description:	\$71.00
02/24/2023	Credit Card	Terry, Desiree 11130 E Equestrian Circle Palmer, Alaska 99645	Occupation: Creekside Church Employer: Creekside Church Description:	\$20.00
02/25/2023	Credit Card	Ducey, Cynthia P.O.Box 220844 Anchorage, Alaska 99522	Occupation: attorney Employer: ducey and associates Description:	\$200.00
02/27/2023	Credit Card	Sherman, Colleen 43420 Kalifornsky Beach Rd Soldotna, Alaska 99669	Occupation: Self Employer: G F Sherman Signs Description:	\$500.00
02/28/2023	Credit Card	McMullen, Kym 4541 E Crane Rd Wasilla, Alaska 99654	Occupation: Na Employer: Na Description:	\$25.00
03/01/2023	Credit Card	Hahn, Deborah 11725 Inspiration Dr Eagle River, Alaska 99577	Occupation: retired Employer: retired Description:	\$100.00

Date Received	Payment Method	Contributor	Details	Amount
03/01/2023	Credit Card	Heise, Genie 4506 Taft Street Anchorage, Alaska 99517	Occupation: Parole Officer Employer: State of Alaska Description:	\$38.70
03/01/2023	Credit Card	Rapp, Cammie 1555 Broadway Rd. #4 North pole, Alaska 99705	Occupation: Retired Employer: Retired Description:	\$69.00
03/01/2023	Credit Card	Rapp, Cammie 1555 Broadway Rd #4 North Pole, Alaska 99705	Occupation: retired Employer: retired Description:	\$50.00
03/02/2023	Credit Card	Johanknecht, Peter 7700 Evander Drive Anchorage, Alaska 99518	Occupation: Retired Employer: Retired Description:	\$20.00
03/04/2023	Credit Card	Rebecca, Washburn PO Box 823 Palmer, Alaska 99645	Occupation: Self Employer: Washburn Family Nursery Description:	\$500.00
03/06/2023	Credit Card	carson, edward 580 W Roy Rd Apt 1 Wasilla, Alaska 99654	Occupation: Quality Control Inspector Employer: NANA Construction Description:	\$30.00
03/07/2023	Credit Card	Donelson, Cecelia 908 R Street Anchorage, Alaska 99501	Occupation: real estate sales Employer: self employed Description:	\$55.00
03/07/2023	Credit Card	Hutchison, Christine 281 Juliussen St Kenai, Alaska 99611	Occupation: Self Employer: Na Description:	\$25.00
03/09/2023	Credit Card	Martin, Brian 6570 E Robinson Cir Wasilla, Alaska 99654	Occupation: Retired Employer: Retired Description:	\$10.00
03/09/2023	Credit Card	Sherman, Colleen 43420 Kalifornsky Beach Rd Soldotna, Alaska 99669	Occupation: Self Employer: GF Sherman Signs Description:	\$500.00
03/11/2023	Credit Card	Holliday, Lola PO Box 551 Garden Grove, California 92842	Occupation: na Employer: na Description:	\$20.00
03/13/2023	Credit Card	Carhart, Steve 3324 Knik Ave Anchorage, Alaska 99517	Occupation: Retired Employer: Retired Description:	\$25.00
03/13/2023	Credit Card	Francine, Sayer PO Box 10 Homer, Alaska 99603	Occupation: retired Employer: retired Description:	\$100.00
03/16/2023	Credit Card	Anderson, John 3801 Chiniak Bay Dr Anchorage, Alaska 99515	Occupation: Manager Employer: Alaska Abatement Description:	\$250.00
03/16/2023	Credit Card	Baird, Joe 414 Marine Street Sitka, Alaska 99835	Occupation: Retired Employer: Retired Description:	\$50.00
03/18/2023	Credit Card	Curry, Amah POB 210516 Auke Bay, Alaska 99821	Occupation: retired Employer: na Description:	\$12.50

Date Received	Payment Method	Contributor	Details	Amount
03/18/2023	Credit Card	Durham, Carmen 1178 Skyline Dr Fairbanks, Alaska 99712	Occupation: Homemaker Employer: Homemaker Description:	\$29.25
03/18/2023	Credit Card	Erickson, Arne 368 Hillside Drive Fairbanks, Alaska 99712	Occupation: Commercial Vehicle Inspector Employer: State of Alaska Description:	\$25.00
03/18/2023	Credit Card	Lindsey, Kurt PO Box 92267 Anchorage, Alaska 99509	Occupation: Southside Petro Employer: Southside Petro Description:	\$500.00
03/18/2023	Credit Card	Newman, Larry 4637 Virginia #C Dallas, Texas 75204	Occupation: retired Employer: retired Description:	\$10.00
03/18/2023	Credit Card	Priebe, Mary 4790 Sandy Beach Dr Anchorage, Alaska 99502	Occupation: retired Employer: retired Description:	\$75.00
03/18/2023	Credit Card	Veith, Frank PO BOX 1591 Anchorage, Alaska 99645	Occupation: CONAM Construction Employer: Conam construction Description:	\$50.00
03/19/2023	Credit Card	Melum, Lana 7231 North Park Dr Anchorage, Alaska 99516	Occupation: Retired Employer: Retired Description:	\$100.00
03/20/2023	Credit Card	Mattson, Donald 730 West Rockside Road Wasilla, Alaska 99654	Occupation: Retired Employer: Retired Description:	\$30.00
03/21/2023	Check 31688	Leman, Loren 2699 Nathaniel Ct Anchorage, Alaska 99517	Occupation: Retired Employer: Retired Description:	\$150.00
03/29/2023	Credit Card	Carey, Craig 4109 Lynn Dr Anchorage, Alaska 99508	Occupation: Employer: Description:	\$25.00
03/29/2023	Credit Card	Cooper, Darlene 1300 West 45th Avenue Anchorage, Alaska 99503	Occupation: Retired Employer: Retired Description:	\$62.50
03/29/2023	Credit Card	Olson, Larry PO Box 978 Sterling, Alaska 99672	Occupation: Retired Employer: Retired Description:	\$20.00
03/30/2023	Credit Card	Campbell, Casey 126 E Cook Ave Anchorage, Alaska 99501	Occupation: Realtor Employer: Benson Realty Description Description:	\$20.00
03/30/2023	Credit Card	Whitford, Sharri 175 n Binkley st #4032 Soldotna, Alaska 99669	Occupation: Retired Employer: Retired Description:	\$41.45
04/01/2023	Credit Card	Carroll, Susanne 1752B Army Rd Fairbanks, Alaska 99709	Occupation: Retired Employer: na Description:	\$12.50

Date Received	Payment Method	Contributor	Details	Amount
04/01/2023	Credit Card	Hahn, Deborah 11725 Inspiration Dr Eagle River, Alaska 99577	Occupation: Retired Employer: Retired Description:	\$100.00
04/01/2023	Credit Card	Tennis, Jacque 2931 Bennett Ave Anchorage, Alaska 99517	Occupation: Retired Employer: Retired Description:	\$50.00
04/04/2023	Credit Card	Ross, Leroy 3223 E. Lakeview Rd Wasilla, Alaska 99654	Occupation: Three Bears Alaska Employer: Three Bears Alaska Description:	\$100.00
04/07/2023	Credit Card	Hutchison, Christine 281 Juliussen St Kenai, Alaska 99611	Occupation: Self Employer: Na Description:	\$25.00
		Number of Contributions under \$100:		0
		Sum of Contributions under \$100:		\$0.00
		Income Total:		\$293,817.70

EXPENDITURES

Date	Payment Method	Vendor	Purpose	Amount
01/23/2023	Non-Monetary Website & Domain	Izon, Phillip 13388 E Moosewallow Ave Palmer, Alaska 99645		\$350.00
01/23/2023	Non-Monetary Management Costs / Time In Kind Donation	Izon, Phillip 13388 E Moosewallow Ave Palmer, Alaska 99645		\$200,000.00
02/15/2023	Check 101	Leading Light Advors 4201 E. Dimond Way Wasilla, Alaska 99654	Marketing / Communications	\$20,000.00
02/22/2023	Check 102	Leading Light Advisors 4201 E. Dimond Way Wasilla, Alaska 99654	Marketing / Communications	\$20,000.00
02/23/2023	Non-Monetary Printing Services / In-Kind Donation	Ranked Choice Education Association 2511 Sentry Dr. Ste 200 Anchorage, Alaska 99507		\$1,382.00
03/11/2023	Debit Card	Leading Light Advisors 4201 E Dimond Way Wasilla, Alaska 99654	Merchandise / Marketing	\$2,500.00
03/15/2023	Debit Card	Leading Light Advisors 4201 E Dimond Way Wasilla, Alaska 99654	Merchandise / Marketing	\$3,000.00
03/21/2023	Check 103	Leading Light Advisors 4201 E. Dimond Way Wasilla, Alaska 99654	Marketing / Communications	\$20,000.00
04/01/2023	Debit Card	Leading Light Advisors 4201 E Dimond Way Wasilla, Alaska 99654	Merchandise / Marketing	\$1,500.00
		Expenditure Total:		\$268,732.00

DEBTS

Date Incurred	Name	Description or Purpose	Original Amount	Balance Remaining
No Debts / Nothing to Report				
			Remaining Debt Total:	\$0.00

CAMPAIGN DISCLOSURE FORM

AMENDMENT**Amendment Description:** Updating under protest, currently appealing APOC Fines, court required updates.**COMPLETED**

Submission Date: **03/07/2024**
 Filer First Name: **Phillip**
 Filer Middle Name: **A**
 Filer Last Name: **Izon**
 Filer's Title: **Records Keeper**
 Report Type: **Second Quarterly Report**

GROUP INFORMATION

Group Name: **2023 - Alaskans For Honest Elections**
 Group Abbreviation: **AKHE**
 Group Address: **2521 E Mtn Village Dr**
 City, State Zip: **Wasilla, Alaska 99654**

REPORT INFORMATION

Election Year: **0**
 Election: **N/A**
 Report Type: **Second Quarterly Report**
 Reporting Period: From **04/08/2023** Through **07/07/2023**

FINANCIAL SUMMARY

THIS PERIOD		ENTIRE CAMPAIGN			
Beginning Cash On Hand:	\$0.00				
[+] ↓		Year To Date Income Total: (From Box A of previous report)		Total Income To Date: (Box A)	
Total Income Reported:	\$10,760.00	[+] ⇒	\$0.00	[=] ⇒	\$10,760.00
[-] ↓		Year to Date Expense Total: (From Box B of previous report)		Total Expense To Date: (Box B)	
Total Expenditures Reported:	\$10,000.00	[+] ⇒	\$0.00	[=] ⇒	\$10,000.00
[=] ↓					
Closing Cash On Hand:	\$760.00				
[-] ↓					
Total Debts:	\$0.00				
[=] ↓					
Surplus/Deficit:	\$760.00				

INCOME

Date Received	Payment Method	Contributor	Details	Amount
04/28/2023	Credit Card	Adickes, William 1401 Edgecumbe Drive Sitka, Alaska 99835	Occupation: Home Maker / Attorney Employer: Retired Description:	\$500.00

Date Received	Payment Method	Contributor	Details	Amount
06/11/2023	Check 2010	Matthias, Art 2511 Sentry Dr Suite 200 Anchorage, Alaska 99507	Occupation: Insurance Employer: Self Description: Updating under protest, currently appealing APOC Fines, court required updates.	\$10,260.00
Number of Contributions under \$100:				0
Sum of Contributions under \$100:				\$0.00
Income Total:				\$10,760.00

EXPENDITURES

Date	Payment Method	Vendor	Purpose	Amount
06/12/2023	Check 201	Leading Light Advisors 4201 Dimond Way Wasilla, Alaska 99654	Advertising / Communication	\$5,000.00
07/03/2023	Check 202	Leading Light Advisors 4201 Dimond Way Wasilla, Alaska 99654	Advertising / Communication	\$5,000.00
Expenditure Total:				\$10,000.00

DEBTS

Date Incurred	Name	Description or Purpose	Original Amount	Balance Remaining
No Debts / Nothing to Report				
Remaining Debt Total:				\$0.00

GROUP REGISTRATION FORM

COMPLETED

Submission Date: **03/07/2024**
 Filer First Name: **Phillip**
 Filer Middle Name (Optional): **A**
 Filer Last Name: **Izon**
 Filer's Title with Group: **Record's Keeper**

GROUP INFORMATION

Previously Registered: **No**
 Election Year: **2023**
 Group Name: **Ranked Choice Education Association**
 Abbreviation: **RCEA**
 Purpose: **Education and Outreach, helping people all over the United States understand their election systems**
 Group Type: **Special Interest**
 Group Mailing Address: **4201 Dimond Way**
 City, State Zip: **Wasilla, Alaska 99654**
 Additional Email Addresses to Notify:

CHAIR

Name: **Phillip Izon**
 Address: **4201 Dimond Way**
 City, State Zip: **Wasilla, Alaska 99654**
 Phone: **19078028116**
 E-mail: **nevesiltstudio@gmail.com**
 Fax (Optional): **Did Not Report**

TREASURER

Name: **Phillip Izon**
 Address: **4201 Dimond Way**
 City, State Zip: **Wasilla, Alaska 99654**
 Phone: **19078028116**
 E-mail: **nevesiltstudio@gmail.com**
 Fax (Optional): **Did Not Report**

DEPUTY TREASURERS / CO-CHAIRS

Name	Address	Title
No Deputy Treasurers / Co-chairs / Nothing to Report		

TYPE OF GROUP

SPECIAL INTEREST GROUP

CAMPAIGN PLANS

Disbanding: No plans to re-form. Closing out campaign account.

BANK ACCOUNT / CAMPAIGN DEPOSITORY

Exempt From Entering

I certify that this group expects to be exempt from entering its bank information. If these conditions change, an amendment must be filed with the required information.

CAMPAIGN DISCLOSURE FORM

~~AMENDED~~ **AMENDMENT****Amendment Description:** Check dates update**COMPLETED**

Submission Date: **0104/2330/2024**
 Filer First Name: **Phillip**
 Filer Middle Name: **A**
 Filer Last Name: **Izon**
 Filer's Title: **Records Keeper**
 Report Type: **Fourth Quarterly Report**

GROUP INFORMATION

Group Name: **2023 - Alaskans For Honest Elections**
 Group Abbreviation: **AKHE**
 Group Address: **2521 E Mtn Village Dr**
 City, State Zip: **Wasilla, Alaska 99654**

REPORT INFORMATION

Election Year: **0**
 Election: **N/A**
 Report Type: **Fourth Quarterly Report**
 Reporting Period: From **10/08/2023** Through **01/07/2024**

FINANCIAL SUMMARY

THIS PERIOD		ENTIRE CAMPAIGN			
Beginning Cash On Hand:	\$210.00				
[+] ↓		Year To Date Income Total: (From Box A of previous report)		Total Income To Date: (Box A)	
Total Income Reported:	\$60,000.00	[+] ⇒	\$12,760.00	[=] ⇒	\$72,760.00
[-] ↓		Year to Date Expense Total: (From Box B of previous report)		Total Expense To Date: (Box B)	
Total Expenditures Reported:	\$5558,000196.0017	[+] ⇒	\$12,550.00	[=] ⇒	\$6770,550746.0017
[=] ↓					
Closing Cash On Hand:	\$52,210013.0083				
[-] ↓					
Total Debts:	\$0.00				
[=] ↓					
Surplus/Deficit:	\$52,210013.0083				

INCOME

Date Received	Payment Method	Contributor	Details	Amount
10/24/2023	Check 2035	Ranked Choice EDU, Phil 2511 Sentry Dr Anchorage, Alaska 99507	Occupation: Education Association Employer: Education Organization Description:	\$30,000.00

Date Received	Payment Method	Contributor	Details	Amount
11/25/2023	Check 2041	Ranked Choice EDU 2511 Sentry Dr Suite 200 Anchorage, Alaska 99507	Occupation: Education Association Employer: Education Association Description: Donation	\$30,000.00
Number of Contributions under \$100:				0
Sum of Contributions under \$100:				\$0.00
Income Total:				\$60,000.00

EXPENDITURES

Date	Payment Method	Vendor	Purpose	Amount
10/09/2023	Check 61	Top Fundraising Solutions 7860 Spruce St Anchorage, Alaska 99507	Election: Management Support, Signature Gathering, Signature Verification	\$3,196.17
10/17/2023	Check 62	Top Fundraising Solutions 7860 Spruce St Anchorage, Alaska 99507	Election: Management Support, Signature Gathering, Signature Verification	\$15,000.00
10/24/2023	Check 63	Leading Light Advisors, Phil 4201 E Dimond Way # B Wasilla, Alaska 99654	Election: Marketing Services, Signature Verification, Signature Gathering, Technology Support, Website Management, Newsletter	\$15,000.00
11/13/2023	Check 62	Top Fundraising Solutions 7860 Spruce St Anchorage, Alaska 99507	Election: Management Support, Signature Gathering, Signature Verification	\$15,000.00
12/12/2023	Check 59	Leading Light Advisors 4201 E Dimond Way # B Wasilla, Alaska 99654	Election: Management, Marketing Services, Newsletter Management, Signature Verification, Signature Gathering, Petition Book Management	\$25,000.00
Expenditure Total:				\$55,800.17

DEBTS

Date Incurred	Name	Description or Purpose	Original Amount	Balance Remaining
No Debts / Nothing to Report				
Remaining Debt Total:				\$0.00

CAMPAIGN DISCLOSURE FORM

COMPLETEDSubmission Date: **04/15/2024**Filer First Name: **Phillip**Filer Middle Name: **A**Filer Last Name: **Izon**Filer's Title: **Records Keeper**Report Type: **First Quarterly**

GROUP INFORMATION

Group Name: **2024 - Alaskans For Honest Elections**Group Abbreviation: **AKHE**Group Address: **4201 E Dimond Way # B**City, State Zip: **Wasilla, Alaska 99654**

REPORT INFORMATION

Election Year: **0**Election: **N/A**Report Type: **First Quarterly**Reporting Period: From **01/08/2024** Through **04/07/2024**

FINANCIAL SUMMARY

THIS PERIOD		ENTIRE CAMPAIGN			
Beginning Cash On Hand:	\$0.00				
[+] ↓		Year To Date Income Total: (From Box A of previous report)		Total Income To Date: (Box A)	
Total Income Reported:	\$5,435.00	[+] ⇒	\$0.00	[=] ⇒	\$5,435.00
[-] ↓		Year to Date Expense Total: (From Box B of previous report)		Total Expense To Date: (Box B)	
Total Expenditures Reported:	\$4,000.00	[+] ⇒	\$0.00	[=] ⇒	\$4,000.00
[=] ↓					
Closing Cash On Hand:	\$1,435.00				
[-] ↓					
Total Debts:	\$0.00				
[=] ↓					
Surplus/Deficit:	\$1,435.00				

INCOME

Date Received	Payment Method	Contributor	Details	Amount
03/30/2024	Credit Card	Boyd, Gary 8040 Resurrection Dr Anchorage, Alaska 99504	Occupation: Retired Employer: Retired Description:	\$30.00
03/30/2024	Credit Card	Cusack III, John P. 19945 Kirk Ave Eagle River, Alaska 99577	Occupation: Retired Employer: Retired Description:	\$25.00
03/30/2024	Credit Card	Devore, Don Box 591 Talkeetna, Alaska 99676	Occupation: Self Employer: Self Description:	\$15.00

Date Received	Payment Method	Contributor	Details	Amount
03/30/2024	Credit Card	Dykstra, Nettie 1412 Julie Anna Dr Kenai, Alaska 99611	Occupation: Retired Employer: Retired Description:	\$15.00
03/30/2024	Credit Card	Fichtner, Tiffany 1271 S Paddy Place Wasilla, Alaska 99654	Occupation: MST Employer: MST Description:	\$5.00
03/30/2024	Credit Card	Hatten, Kathy 2096 Waldron Dr Anchorage, Alaska 99507	Occupation: Self Employer: Self Description:	\$50.00
03/30/2024	Credit Card	Hawley, Ginger 5770 S Hayfield Road Wasilla, Alaska 99654	Occupation: Retired Employer: Retired Description:	\$10.00
03/30/2024	Credit Card	Holliday, Lola 6867 La Palma Ave Buena Park, California 90620	Occupation: Student Employer: Student Description:	\$40.00
03/30/2024	Credit Card	Huskey, Lawrence 7100 Oline Cir Wasilla, Alaska 99623	Occupation: Retired Employer: Retired Description:	\$100.00
03/30/2024	Credit Card	Kennedy, Evan 2505 W 43rd Ct Anchorage, Alaska 99517	Occupation: SouthCentral Foundation Employer: SouthCentral Foundation Description:	\$40.00
03/30/2024	Credit Card	Lindsey, Tamm 1741 W 15th Ave Anchorage, Alaska 99501	Occupation: Retired Employer: Retired Description:	\$2,500.00
03/30/2024	Credit Card	Little, Lawrence 13145 Back Road Anchorage, Alaska 99515	Occupation: Retired Employer: Retired Description:	\$50.00
03/30/2024	Credit Card	Pettijohn, Patton 2350 North Windy Bottom Road Wasilla, Alaska 99623	Occupation: Retired Employer: Retired Description:	\$25.00
03/30/2024	Credit Card	Priestley, Joan 3705 Arctic Blvd Anchorage, Alaska 99503	Occupation: Retired Employer: Retired Description:	\$250.00
03/30/2024	Credit Card	Ray, James 3417 West 84th Ave #A Anchorage, Alaska 99502	Occupation: Retired Employer: Retired Description:	\$100.00
03/30/2024	Credit Card	Richards, Cemal PO Box 5912 Vancouver, Washington 98661	Occupation: Thesis Agency Employer: Thesis Agency Description:	\$100.00
03/30/2024	Credit Card	Swedenburg, Steven 4665 W. Rangeview Dr Wasilla, Alaska 99623	Occupation: Retired Employer: Retired Description:	\$10.00
03/30/2024	Credit Card	Tennis, Jacque 2931 Bennett Ave Anchorage, Alaska 99517	Occupation: Retired Employer: Retired Description:	\$100.00
03/30/2024	Credit Card	Torrison, Clara PO Box 671656 Chugiak, Alaska 99567	Occupation: Self Employer: Self Description:	\$25.00
03/30/2024	Credit Card	Whitford, Roy 36156 Tanner Cir Sterling, Alaska 99669	Occupation: Retired Employer: Retired Description:	\$50.00
03/30/2024	Credit Card	Zenger, Donald 626 5th St Douglas, Alaska 99824	Occupation: Retired Employer: Retired Description:	\$120.00

Date Received	Payment Method	Contributor	Details	Amount
03/31/2024	Credit Card	Aquino-Bernaldo, Annie 7303 Foxridge Circe Unit 2 Anchorage, Alaska 99518	Occupation: Retired Employer: Retired Description:	\$50.00
03/31/2024	Credit Card	Callistini, Andrew 106 Naomi Kanosh Ln Sitka, Alaska 99835	Occupation: Self Employer: Self Description:	\$20.00
03/31/2024	Credit Card	Haaland, Carl PO Box 864 Petersburg, Alaska 99833	Occupation: Retired Employer: Retired Description:	\$50.00
03/31/2024	Credit Card	Hite, Bari 464 Forest Hills Ct Fairbanks, Alaska 99709	Occupation: Retired Employer: Retired Description:	\$100.00
03/31/2024	Credit Card	Lichtenberger, John 14 N 14th St Petersburg, Alaska 99833	Occupation: Retired Employer: Retired Description:	\$50.00
03/31/2024	Credit Card	Melarvie, Valerie 12580 B Old Glenn Hwy Eagle River, Alaska 99577	Occupation: Arctec Alaska Employer: Arctec Alaska Description:	\$25.00
03/31/2024	Credit Card	Mercier, Michael 22611 Robinson Rd Chugiak, Alaska 99567	Occupation: Retired Employer: Retired Description:	\$100.00
03/31/2024	Credit Card	Mize, Brendon 200 A St Stop 486 Clear, Alaska 99704	Occupation: HVAC Tech Employer: InDyne, Inc Description:	\$100.00
03/31/2024	Credit Card	Narow, Tom 1787 Old Pioneer Way Fairbanks, Alaska 99709	Occupation: Federal Program Manager Employer: ASRC Description:	\$150.00
03/31/2024	Credit Card	Neetz, David 1584 Heather Dr Fairbanks, Alaska 99709	Occupation: Retired Employer: Retired Description:	\$150.00
03/31/2024	Credit Card	Niemi, John 1520 Douglas Hwy Douglas, Alaska 99824	Occupation: Retired Employer: Retired Description:	\$20.00
03/31/2024	Credit Card	Pfeiffer, Elaine 19022 Sokolof Cir Eagle River, Alaska 99577	Occupation: Retired Employer: Retired Description:	\$50.00
03/31/2024	Credit Card	Sowers, Mark 7362 W Parks Hwy #683 Wasilla, Alaska 99654	Occupation: Matsu Borough Employer: Matsu Borough Description:	\$35.00
04/01/2024	Credit Card	Burley, Joni 19135 Nunivak Cir Eagle River, Alaska 99577	Occupation: Retired Employer: Retired Description:	\$25.00
04/01/2024	Credit Card	Carhart, Steve 4094 Old Yacht Club Rd Wasilla, Alaska 99654	Occupation: Retired Employer: Retired Description:	\$200.00
04/01/2024	Credit Card	Crowdson, James 18368 Amonson Rd Chugiak, Alaska 99567	Occupation: Engineering Employer: Self Description:	\$50.00
04/01/2024	Credit Card	Dunlap, John PO Box 547 Girdwood, Alaska 99587	Occupation: Retired Employer: Retired Description:	\$200.00
04/01/2024	Credit Card	Frary, David 9951 Stephen Richards Memorial Dr Spc 33 Juneau, Alaska 99801	Occupation: Alaska DOT Employer: Alaska DOT Description:	\$30.00

Date Received	Payment Method	Contributor	Details	Amount
04/01/2024	Credit Card	Holt, Terrence 3185 Riverview Dr Fairbanks, Alaska 99709	Occupation: Driver Employer: Driver Description:	\$10.00
04/01/2024	Credit Card	Meyen, Kathleen 17180 Hideaway Ridge Dr Eagle River, Alaska 99577	Occupation: Retired Employer: Retired Description:	\$100.00
04/01/2024	Credit Card	Moseley, Tom 1900 N Basin St Palmer, Alaska 99645	Occupation: Retired Employer: Retired Description:	\$30.00
04/01/2024	Credit Card	Rutz, Mary PO Box 672345 Chugiak, Alaska 99567	Occupation: Retired Employer: Retired Description:	\$25.00
04/01/2024	Credit Card	Waters, Phillip 410 N Bliss St Anchorage, Alaska 99508	Occupation: Retired Employer: Retired Description:	\$50.00
04/01/2024	Credit Card	Younkins, Richard 10900 Cange St Anchorage, Alaska 99516	Occupation: Retired Employer: Retired Description:	\$50.00
04/02/2024	Credit Card	Bias, Christopher 4905 N Flying Circus Cir Wasilla, Alaska 99654	Occupation: Retired Employer: Retired Description:	\$25.00
04/02/2024	Credit Card	Gunderson, Jerry 1001 1st St Kenai, Alaska 99611	Occupation: Retired Employer: Retired Description:	\$50.00
04/03/2024	Credit Card	Ernster, Renee PO Box 3496 Palmer, Alaska 99645	Occupation: DCC Employer: DCC Description:	\$5.00
04/03/2024	Credit Card	Mattingly, Brian 4601 Reka Dr Unit 15 Anchorage, Alaska 99508	Occupation: Self Employer: Self Description:	\$25.00
Number of Contributions under \$100:				0
Sum of Contributions under \$100:				\$0.00
Income Total:				\$5,435.00

EXPENDITURES

Date	Payment Method	Vendor	Purpose	Amount
03/10/2024	Credit Card	Tropic Tundra 13388 E Moosewallow Palmer, Alaska 99645	Marketing and Outreach, Social Media Management, Advertising, Merchandise, Website management	\$4,000.00
Expenditure Total:				\$4,000.00

DEBTS

Date Incurred	Name	Description or Purpose	Original Amount	Balance Remaining
No Debts / Nothing to Report				
Remaining Debt Total:				\$0.00

CAMPAIGN DISCLOSURE FORM

COMPLETED

Submission Date: **07/11/2024**
 Filer First Name: **Phillip**
 Filer Middle Name: **A**
 Filer Last Name: **Izon**
 Filer's Title: **Records Keeper**
 Report Type: **Second Quarterly Report**

GROUP INFORMATION

Group Name: **2024 - Alaskans For Honest Elections**
 Group Abbreviation: **AKHE**
 Group Address: **4201 E Dimond Way # B**
 City, State Zip: **Wasilla, Alaska 99654**

REPORT INFORMATION

Election Year: **0**
 Election: **N/A**
 Report Type: **Second Quarterly Report**
 Reporting Period: From **04/08/2024** Through **07/07/2024**

FINANCIAL SUMMARY

THIS PERIOD		ENTIRE CAMPAIGN			
Beginning Cash On Hand:	\$1,435.00				
[+] ↓		Year To Date Income Total: (From Box A of previous report)		Total Income To Date: (Box A)	
Total Income Reported:	\$0.00	[+] ⇒	\$5,435.00	[=] ⇒	\$5,435.00
[-] ↓		Year to Date Expense Total: (From Box B of previous report)		Total Expense To Date: (Box B)	
Total Expenditures Reported:	\$1,250.00	[+] ⇒	\$4,000.00	[=] ⇒	\$5,250.00
[=] ↓					
Closing Cash On Hand:	\$185.00				
[-] ↓					
Total Debts:	\$0.00				
[=] ↓					
Surplus/Deficit:	\$185.00				

INCOME

Date Received	Payment Method	Contributor	Details	Amount
No Income / Nothing to Report				
Number of Contributions under \$100:				0
Sum of Contributions under \$100:				\$0.00
Income Total:				\$0.00

EXPENDITURES

Date	Payment Method	Vendor	Purpose	Amount
04/15/2024	Credit Card	Leading Light Advisors 4201 E Dimond Way # A Wasilla, Alaska 99654	Website, marketing, presentations	\$1,250.00
			Expenditure Total:	\$1,250.00

DEBTS

Date Incurred	Name	Description or Purpose	Original Amount	Balance Remaining
No Debts / Nothing to Report				
			Remaining Debt Total:	\$0.00

CAMPAIGN DISCLOSURE FORM

COMPLETED

Submission Date: **07/11/2024**
 Filer First Name: **Phillip**
 Filer Middle Name: **A**
 Filer Last Name: **Izon**
 Filer's Title: **Records Keeper**
 Report Type: **Third Quarterly Report**

GROUP INFORMATION

Group Name: **2024 - Alaskans For Honest Elections**
 Group Abbreviation: **AKHE**
 Group Address: **4201 E Dimond Way # B**
 City, State Zip: **Wasilla, Alaska 99654**

REPORT INFORMATION

Election Year: **0**
 Election: **N/A**
 Report Type: **Third Quarterly Report**
 Reporting Period: From **07/08/2024** Through **10/07/2024**

FINAL REPORT

FINANCIAL SUMMARY

THIS PERIOD		ENTIRE CAMPAIGN			
Beginning Cash On Hand:	\$185.00				
[+] ↓		Year To Date Income Total: (From Box A of previous report)		Total Income To Date: (Box A)	
Total Income Reported:	\$0.00	[+] ⇒	\$5,435.00	[=] ⇒	\$5,435.00
[-] ↓		Year to Date Expense Total: (From Box B of previous report)		Total Expense To Date: (Box B)	
Total Expenditures Reported:	\$185.00	[+] ⇒	\$5,250.00	[=] ⇒	\$5,435.00
[=] ↓					
Closing Cash On Hand:	\$0.00				
[-] ↓					
Total Debts:	\$0.00				
[=] ↓					
Surplus/Deficit:	\$0.00				

INCOME

Date Received	Payment Method	Contributor	Details	Amount
No Income / Nothing to Report				
Number of Contributions under \$100:				0
Sum of Contributions under \$100:				\$0.00
Income Total:				\$0.00

EXPENDITURES

Date	Payment Method	Vendor	Purpose	Amount
07/11/2024	Credit Card	Leading Light Advisors, Phil 4201 E Dimond Way # A Wasilla, Alaska 99654	Close out left over business	\$185.00
			Expenditure Total:	\$185.00

DEBTS

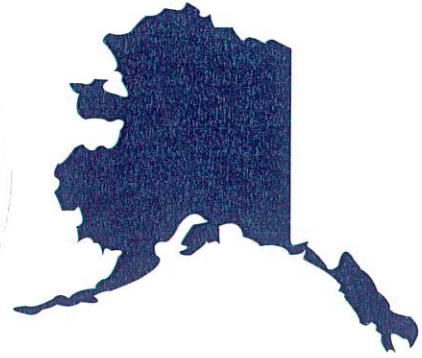
Date Incurred	Name	Description or Purpose	Original Amount	Balance Remaining
No Debts / Nothing to Report				
			Remaining Debt Total:	\$0.00



Ranked Choice Voting

**Over 42,000 Signatures Turned In, 150% of the
Required**

**Vote To
Repeal
RCV**



Thank You Alaskans
We Did It, We Are On The Ballot

This Communication Was Paid For By Alaskans For Honest Elections, 2521 E Mtn Village Dr #904 Wasilla, AK 99654 Phillip Izon, Director Approved This Message. The Top 3 Contributors Are Phillip Izon, Wasilla, AK, Ranked Choice Education Association, Anchorage, AK, ; And Carolyn Overstreet, Anchorage, AK



Lieutenant Governor Nancy Dahlstrom
STATE OF ALASKA

NOTICE OF PROPER FILING

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR FOR THE STATE OF ALASKA, under the provisions of Article XI of the Constitution of the State of Alaska and under the provisions of AS 15.45, hereby provide notice that the initiative petition for "An Act Restoring Political Party Primaries and Single-Choice General Elections" which was received on November 23, 2022, and known as 22AKHE, was properly filed.

I have determined that the initiative sponsors have timely filed the petition and that the petition is signed by qualified voters (1) equal in number to 10 percent of those who voted in the preceding general election; (2) resident in at least three-fourths of the house districts in the state; and (3) who, in each of the house districts, are equal in number to at least seven percent of those who voted in the preceding general election in the house district.

In accordance with AS 15.45.190, the Director of the Division of Elections shall place the ballot title and proposition on the election ballot of the first statewide general, special, or primary election that is held after a period of 120 days has expired since the adjournment of the legislative session. Barring any unforeseen special election or adjournment of the current legislative session on or before April 22, 2024, this proposition is scheduled to appear on the general election ballot on the November 5, 2024 general election.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed hereto the Seal of the State of Alaska, at Juneau, Alaska.

This 8th day of March, 2024.



NANCY DAHLSTROM, LIEUTENANT GOVERNOR

Juneau Office: Post Office Box 110015 • Juneau, Alaska 99811 • 907.463.3320 voice
Anchorage Office: 530 West 7th Avenue, Suite 1700 • Anchorage, Alaska 99501 • 907.263.7400 voice
lg.governor@alaska.gov • lg.gov.alaska.gov

Alaskans

Were You Lied To About RCV?



Vote Yes on 2 to Repeal RCV



Lieutenant Governor Nancy Dahlstrom
STATE OF ALASKA

March 8, 2024

Phillip Izon II
4201 E Dimond Way, Unit B
Wasilla, AK 99654

Re: 22AKHE – Alaskans for Honest Elections

Dear Mr. Izon:

I have reviewed your petition for the initiative entitled "An Act Restoring Political Party Primaries and Single-Choice General Elections" and have determined that the petition was properly filed. My notice of proper filing is enclosed. Specifically, the petition was signed by qualified voters from all 40 house districts equal in number to at least 10 percent of those who voted in the preceding general election; with signatures from at least 30 house districts matching or exceeding seven percent of those who voted in the preceding general election in the house district. The Division of Elections verified 37,043 voter signatures, which exceeds the 26,705 signature requirement based on the 2022 general election. A copy of the Petition Statistics Report prepared by the Division of Elections is enclosed.

With the assistance of the attorney general, I have prepared the following ballot title and proposition that meets the requirements of AS 15.45.180:

An Act Restoring Political Party Primaries and Single-Choice General Elections

This act would get rid of open primary elections and ranked-choice general elections. It would bring back political party primaries and single-choice general elections.

Elections will occur exactly as they did before Ballot Measure 2 became the law in 2021. In the primary election, voters will choose a party's ballot. They will vote for one candidate and the winning candidate will be the party's nominee. In the general election, voters will select one candidate. The candidate with the most votes will win.

This act would also bring back party petitions, special runoff elections, and other processes in place before Ballot Measure 2. It would put all election laws, except campaign finance laws, back the way they were before Ballot Measure 2.

Should this initiative become law?

This ballot proposition will appear on the election ballot of the first statewide general, special, or primary election that is held after (1) the petition has been filed; (2) a legislative session has convened and adjourned; and (3) a period of 120 days has expired since the adjournment of the legislative session. Barring an unforeseen special election or adjournment of the current legislative session occurring on or before April 22,

Juneau Office: Post Office Box 110015 • Juneau, Alaska 99811 • (907) 463-5520 voice
Anchorage Office: 510 West 76th Avenue, Suite 1700 • Anchorage, Alaska 99501 • (907) 261-7400 voice
lgovernor@alaska.gov • hgov.alaska.gov

Phillip Izon
March 8, 2024
Page 2

2024, this proposition will be scheduled to appear on the general election ballot on the November 5, 2024 general election. If a majority of the votes cast on the initiative proposition favor its adoption, I shall so certify and the proposed law will be enacted. The act becomes effective 90 days after certification.

Please be advised that under AS 15.45.210, this petition will be void if I, with the formal concurrence of the attorney general, determine that an act of the legislature that is substantially the same as the proposed law was enacted after the petition has been filed and before the date of the election. I will advise you in writing of my determination in this matter.

Please be advised that under AS 15.45.240, any person aggrieved by my determination set out in this letter may bring an action in the superior court to have the determination reversed within 30 days of the date on which notice of the determination was given.

If you have questions or comments about the ongoing initiative process, please contact my staff, April Simpson, at (907) 465-4081.

Sincerely,

Nancy Dahlstrom
Lieutenant Governor

Enclosures

cc: Treg Taylor, Attorney General
Thomas Flynn, Assistant Attorney General
Carol Beecher, Director of Elections

Thank You “By Alaskans, For Alaskans”

Our Mission is to Return Alaskan Elections to Alaskans

Alaska's Future is in Our Hands

This Communication Was Paid For By Alaskans For Honest Elections, 2521 E Mtn Village Dr
#904 Wasilla, AK 99654 Phillip Izon, Director Approved This Message. The Top 3
Contributors Are Phillip Izon, Wasilla, AK, Ranked Choice Education Association, Anchorage,
AK, ; And Carolyn Overstreet, Anchorage, AK

[Contact Us Here](#)

RemoveRCV.com

Were You Lied To About RCV?



Vote Yes to Repeal RCV

Donate To Help Us Beat RCV

Scott Presler Event Page

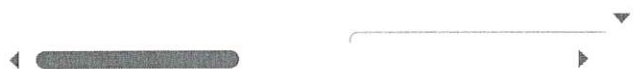
Future Volunteers List

Ranked Choice Voting

Watch the Debate / Discussion from March 2023 and Decide for Yourself



DONATE



Repeal Ranked Choice Voting

Keep Ranked Choice Voting

00:00 / 01:30



Donate Today To Help Us Win

Join Our Newsletter

Name (required)

First Name

Last Name

Email (required)

Sign up for news and updates

Subject (required)

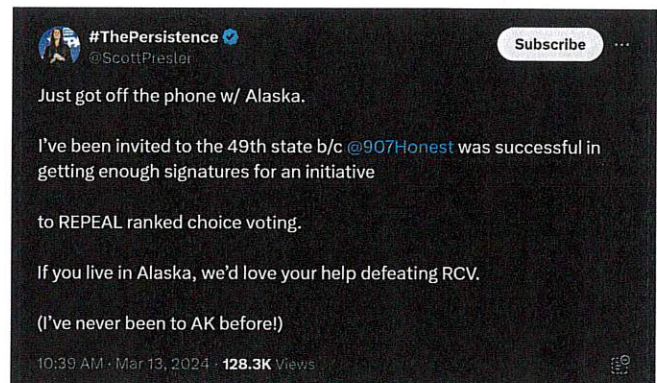
Message (required)

Submit

Over 42,000 Signatures Turned In, 150% of the
Required



This Communication Was Paid For By Alaskans For Honest Elections, 2521 E Min Village Dr #904 Wasilla, AK 99654 Phillip Ison, Director Approved This Message. The Top 3 Contributors Are Phillip Ison, Wasilla, AK, Ranked Choice Education Association, Anchorage, AK, And Carolyn Overstreet, Anchorage, AK





Lieutenant Governor Nancy Dahlstrom
STATE OF ALASKA

NOTICE OF PROPER FILING

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR FOR THE STATE OF ALASKA, under the provisions of Article XI of the Constitution of the State of Alaska and under the provisions of AS 15.45, hereby provide notice that the initiative petition for "An Act Restoring Political Party Primaries and Single-Choice General Elections" which was received on November 23, 2022, and known as 22AKHE, was properly filed.

I have determined that the initiative sponsors have timely filed the petition and that the petition is signed by qualified voters (1) equal in number to 10 percent of those who voted in the preceding general election; (2) resident in at least three-fourths of the house districts in the state; and (3) who, in each of the house districts, are equal in number to at least seven percent of those who voted in the preceding general election in the house district.

In accordance with AS 15.45.190, the Director of the Division of Elections shall place the ballot title and proposition on the election ballot of the first statewide general, special, or primary election that is held after a period of 120 days has expired since the adjournment of the legislative session. Barring any unforeseen special election or adjournment of the current legislative session on or before April 22, 2024, this proposition is scheduled to appear on the general election ballot on the November 5, 2024 general election.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed hereto the Seal of the State of Alaska, at Juneau, Alaska.

This 8th day of March, 2024.

NANCY DAHLSTROM, LIEUTENANT GOVERNOR

Juneau Office: Post Office Box 110111 • Juneau, Alaska 99811 • 907.463.3520 voice
Anchorage Office: 550 West 7th Avenue, Suite 1700 • Anchorage, Alaska 99501 • 907.263.7400 voice
lgovernor@alaska.gov • lgov.alaska.gov



Lieutenant Governor Nancy Dahlstrom
STATE OF ALASKA

March 8, 2024

Phillip Izon II
4201 E Dimond Way, Unit B
Wasilla, AK 99664

Re: 22AKHE – Alaskans for Honest Elections

Dear Mr. Izon:

I have reviewed your petition for the initiative entitled "An Act Restoring Political Party Primaries and Single-Choice General Elections" and have determined that the petition was properly filed. My notice of proper filing is enclosed. Specifically, the petition was signed by qualified voters from all 40 house districts equal in number to at least 10 percent of those who voted in the preceding general election; with signatures from at least 30 house districts matching or exceeding seven percent of those who voted in the preceding general election in the house district. The Division of Elections verified 37,043 voter signatures, which exceeds the 26,705 signature requirement based on the 2022 general election. A copy of the Petition Statistics Report prepared by the Division of Elections is enclosed.

With the assistance of the attorney general, I have prepared the following ballot title and proposition that meets the requirements of AS 15.45.180:

An Act Restoring Political Party Primaries and Single-Choice General Elections

This act would get rid of open primary elections and ranked-choice general elections. It would bring back political party primaries and single-choice general elections.

Elections will occur exactly as they did before Ballot Measure 2 became the law in 2021. In the primary election, voters will choose a party's ballot. They will vote for one candidate and the winning candidate will be the party's nominee. In the general election, voters will select one candidate. The candidate with the most votes will win.

This act would also bring back party petitions, special runoff elections, and other processes in place before Ballot Measure 2. It would put all election laws, except campaign finance laws, back the way they were before Ballot Measure 2.

Should this initiative become law?

This ballot proposition will appear on the election ballot of the first statewide general, special, or primary election that is held after (1) the petition has been filed; (2) a legislative session has convened and adjourned; and (3) a period of 120 days has expired since the adjournment of the legislative session. Barring an unforeseen special election or adjournment of the current legislative session occurring on or before April 22,

Juneau Office: Post Office Box 110111 • Juneau, Alaska 99811 • 907.463.3520 voice
Anchorage Office: 550 West 7th Avenue, Suite 1700 • Anchorage, Alaska 99501 • 907.263.7400 voice
lgovernor@alaska.gov • lgov.alaska.gov

Alaskans

Were You Lied To About RCV?



Vote Yes on 2 to Repeal RCV

Phillip Izon
March 8, 2024
Page 2

2024, this proposition will be scheduled to appear on the general election ballot on the November 5, 2024 general election. If a majority of the votes cast on the initiative proposition favor its adoption, I shall so certify and the proposed law will be enacted. The act becomes effective 90 days after certification.

Please be advised that under AS 15.45.210, this petition will be void if I, with the formal concurrence of the attorney general, determine that an act of the legislature that is substantially the same as the proposed law was enacted after the petition has been filed and before the date of the election. I will advise you in writing of my determination in this matter.

Please be advised that under AS 15.45.240, any person aggrieved by my determination set out in this letter may bring an action in the superior court to have the determination reversed within 30 days of the date on which notice of the determination was given.

If you have questions or comments about the ongoing initiative process, please contact my staff, April Simpson, at (907) 465-4081.

Sincerely,

Nancy Dahlstrom
Lieutenant Governor

Enclosures

cc: Treg Taylor, Attorney General
Thomas Flynn, Assistant Attorney General
Carol Beecher, Director of Elections

Thank You “By Alaskans, For Alaskans”

Our Mission is to Return Alaskan Elections to Alaskans

Alaska's Future is in Our Hands

Donate Today To Help Us Win

This Communication Was Paid For By Alaskans For Honest Elections, 2521 E Mtn Village Dr
#904 Wasilla, AK 99654 Phillip Izon, Director Approved This Message. The Top 3
Contributors Are Phillip Izon, Wasilla, AK, Art Mathias, Anchorage, AK, ; And Ranked Choice
Education Association, Anchorage, AK

[Contact Us Here](#)

CAMPAIGN DISCLOSURE FORM

COMPLETED

Submission Date: **10/30/2023**
 Filer First Name: **Phillip**
 Filer Middle Name: **A**
 Filer Last Name: **Izon**
 Filer's Title: **Records Keeper**
 Report Type: **Third Quarterly Report**

GROUP INFORMATION

Group Name: **2023 - Alaskans For Honest Elections**
 Group Abbreviation: **AKHE**
 Group Address: **2521 E Mtn Village Dr**
 City, State Zip: **Wasilla, Alaska 99654**

REPORT INFORMATION

Election Year: **0**
 Election: **N/A**
 Report Type: **Third Quarterly Report**
 Reporting Period: From **07/08/2023** Through **10/07/2023**

FINANCIAL SUMMARY

THIS PERIOD		ENTIRE CAMPAIGN			
Beginning Cash On Hand:	\$760.00				
[+] ↓		Year To Date Income Total: (From Box A of previous report)		Total Income To Date: (Box A)	
Total Income Reported:	\$2,000.00	[+] ⇒	\$10,760.00	[=] ⇒	\$12,760.00
[-] ↓		Year to Date Expense Total: (From Box B of previous report)		Total Expense To Date: (Box B)	
Total Expenditures Reported:	\$2,550.00	[+] ⇒	\$10,000.00	[=] ⇒	\$12,550.00
[=] ↓					
Closing Cash On Hand:	\$210.00				
[-] ↓					
Total Debts:	\$0.00				
[=] ↓					
Surplus/Deficit:	\$210.00				

INCOME

Date Received	Payment Method	Contributor	Details	Amount
10/02/2023	Check 2032	Ranked Choice Education Association 2511 Sentry Dr Suite 200 Anchorage, Alaska 99507	Occupation: Education Association Employer: RCEA Description:	\$2,000.00
Number of Contributions under \$100:				0
Sum of Contributions under \$100:				\$0.00
Income Total:				\$2,000.00

EXPENDITURES

Date	Payment Method	Vendor	Purpose	Amount
09/11/2023	Check 57	Alaska Support Industry Alliance 406 W. Fireweed Blvd. Suite 200 Anchorage, AK 99503 Anchorage, Alaska 99503	Marketing and Outreach	\$800.00
09/11/2023	Check 58	State of Alaska 2221 E Northern Lights Rm 128 Anchorage, Alaska 99508	Fines	\$1,750.00
			Expenditure Total:	\$2,550.00

DEBTS

Date Incurred	Name	Description or Purpose	Original Amount	Balance Remaining
No Debts / Nothing to Report				
			Remaining Debt Total:	\$0.00

INDEPENDENT EXPENDITURES FORM 15-6

COMPLETEDSubmission Date: **03/07/2024**

FILER INFORMATION

Filer First Name: **Phil**
 Filer Middle Name:
 Filer Last Name: **Izon**
 Filer Full Address: **4201 E Dimond Way # B**
Wasilla, Alaska 99654
 Filer Occupation: **SEALcam.ai**
 Filer Employer: **Self**
 Filer's Title with Other Entity: **Records Keeper**

REPORT INFORMATION

Report Year: **2023**
 Election Year: **-1**
 Report Type: **Ten Day**
 Filer Type: **Registered Group**

BUSINESS/OTHER ENTITY INFORMATION

Business/Other Entity Name: **Ranked Choice Education Association**
 Type of Business or Organization: **Registered Group**
 Address: **4201 Dimond Way**
 City: **Wasilla**
 State: **Alaska**
99654
 Country: **United States**
 Business/Other Entity Contact Person: **Phillip Izon**
 Contact E-mail: **nevesiltstudio@gmail.com**
 Contact Phone: **19078028116**

ELECTION INFORMATION

Election: **Multiple Elections / Other**
 Election Description: **Nothing to Report**

OFFICERS

Name	Full Address	Title
Phillip Izon	4201 Dimond Way Wasilla, Alaska 99654	Chair
Phillip Izon	4201 Dimond Way Wasilla, Alaska 99654	Treasurer

EXPENDITURES

Date	Recipient	Payment Type	Candidate / Proposition	Amount
01/01/2023	Alaskans For Honest Elections 4201 E Dimond Way # B Wasilla, Alaska 99654	Non-Monetary Description: Website Link In Kind Donation	SUPPORT: 22AKHE Election: We had a link on the website that promoted the repeal of Ranked Choice Voting. Added to report under protest, currently under appeal with court.	\$500.00

CONTRIBUTIONS

Contribution Date	Contributor	Details			Amount
01/01/2023	Type: Registered Entity Name: Ranked Choice Education Association 4201 E Dimond Way # B Wasilla, Alaska 99654	Officers / Directors			\$500.00
		Name	Full Address	Title	
		Art Mathias	3900 Arctic Blvd	Director	
		Phil Izon	4201 E Dimond Way B	Director	

DEBTS

Date	Recipient	Candidate / Proposition	Amount
No Debts / Nothing to Report			

REPORT SUMMARY

Number of Expenditures Reported with this Report: 1	
Total of paid Expenditures:	\$500.00
Previous Contributions: \$0.00	
Number of Contributions Reported with this Report: 1	
Total of Contributions Reported with this Report:	\$500.00
Cumulative Contribution Amounts:	\$500.00
Number of Officers: 2	
Number of Debts Reported with this Report: 0	
Total of Debts Incurred but not yet paid:	\$0.00

STATEMENT OF CONTRIBUTIONS FORM 15-5

AMENDMENT**Amendment Description:** Year was incorrect**COMPLETED**

Submission Date: 03/07/2024

REPORT TYPE

Filing Reason: **Contributions of \$500 or more**Report Year: **2023**Filed As: **Individual**

FILING

Filer First Name: **Art**

Filer Middle Name:

Filer Last Name: **Mathias**Filer Phone: **907-240-8429**Filer Email: **art@rankedchoiceeducationassociation.org**Occupation: **Insurance**Employer: **Self**

INDIVIDUAL INFORMATION

First Name: **Art**Last Name: **Mathias**Address: **3900 Arctic Blvd**City: **Anchorage**State: **Alaska****99503**Country: **United States**

CONTRIBUTIONS

Contribution Date	Recipient	Form of Contribution	Amount	Total Annual Contribution
02/06/2023	2023 - Alaskans For Honest Elections	Check Check Number: 1007 Reported Under Protest	\$1,000.00	\$1,000.00
02/08/2023	2023 - Alaskans For Honest Elections	Check Check Number: 0108107251 Reported Under Protest	\$75,000.00	\$76,000.00
02/23/2023	2023 - Alaskans For Honest Elections	Non-Monetary Description: Printing Services / In-Kind Donation Reported Under Protest	\$1,382.00	\$77,382.00
06/11/2023	2023 - Alaskans For Honest Elections	Check Check Number: 2010 Reported Under Protest	\$10,260.00	\$87,642.00
10/02/2023	2023 - Alaskans For Honest Elections	Check Check Number: 2032 Reported Under Protest	\$2,000.00	\$89,642.00

REPORT SUMMARY

Number of Contributions Reported with this Report: **5**Total of Contributions Reported with this Report: **\$89,642.00**

- Arthur Mathias failed to file accurate statements of contributions.

SUMMARY OF ANSWERS TO COMPLAINT

The Respondents, through counsel, dispute the assertions of the Complainant.³ Respondents argue that this, and other complaints involving the respondents are politically motivated, involve claims and issues that have been previously adjudicated or litigated, and assert that:

- AHE filed all the reports in question; that AHE is no longer engaged in the current campaign to pass 22AKHE; and that complainant misrepresents the communications at issue as those of AHE, when in fact, the communications are from an individual (Phillip Izon/907Honest).
- AHG no longer exists and has engaged in no reportable activity since 2022.
- RCEA filed a registration; appealed the Commission order in regard to reporting; and filed an amended contribution report disclosing the \$90,000 contribution from Mathias.
- Mathias filed, under protest, the 15-5 Statement of Contributions identifying himself as the contributor the \$90,000 to AHE originally attributed to RCEA.

Included with the Respondents' reply was a March 8, 2024, filing with the Superior Court for the State of Alaska.⁴ Respondents claim this filing provided notice and details of their compliance with the registration and reporting requirements imposed by the Final Order.

FACTS

As discussed in detail in the APOC staff report in complaint 23-01-CD,⁵ Respondents were involved in advocating and supporting the initiative petition identified as 22AKHE and the subsequent Ballot Proposition 2 that will appear on the state's 2024

³ Exhibit 3, Complaint Response

⁴ Exhibit 4, Appellants Supplemental Notice – Superior Court filing (3/8/2024)

⁵ Exhibit 5, 23-01-CD Staff Report, pages 2-22

General Election ballot. After a hearing, the Commission issued its Final Order directing the Respondents to pay assessed penalties and/or file various reports.⁶ On March 7, 2024, the Commission also issued a status update to the Final Order, noting that none of the Respondents had complied with the Final Order.⁷

On July 29, 2024, Alaskans for Better Elections (ABE) filed the complaint at issue here.⁸ APOC staff initially rejected the complaint because it referred to violations that had already been before the Commission and addressed in the Final Order, rather than new violations of AS 15.13.⁹ ABE requested Commission review of staff's decision¹⁰ and a hearing was held during the Commission's August 29, 2024 meeting. The Commission determined that the violation of a Commission order would violate AS 15.13.380(e) and the failure to follow the instructions issued by the Commission previously beyond the date of the original order constituted new violations of AS 15.13. The Commission issued an order accepting the complaint and remanding to APOC staff for investigation, with the caveat that aspects of the complaint requesting investigation of "any other violations of AS 15.13 that are discovered during this proceeding" were overly broad and did not meet the standards defined in 2 AAC 50.870(c)(3).¹¹

LAW AND ANALYSIS

The Commission, in its Final Order,¹² made the following determinations and orders in regard to the respective parties; The Commission found these orders had not been complied with and were unresolved as of the status update of March 7, 2024.¹³

AHE failed to comply with true source disclosure requirements under AS 15.13.040(b), AS 15.13.074(b) and AS 15.13.110(k) by reporting RCEA as the true

⁶ Exhibit 2, Commission Final Order 23-01-CD (1/3/2024)

⁷ Exhibit 6, Commission Status Update on Final Order re 23-01-CD (3/07/2024)

⁸ Exhibit 1, Complaint

⁹ Exhibit 7, Complaint Rejection Letter

¹⁰ Exhibit 8, Complainant Request for Commission Review

¹¹ Exhibit 9, Commission Order Accepting Complaint

¹² Exhibit 2, Commission Final Order re 23-01-CD (1/3/2024)

¹³ Exhibit 6, Commission Status Update on Final Order re 23-01-CD (3/7/2024)

source of its contributions rather than Mathias. The Commission ordered AHE to correct its previously filed reports to reflect true source contributions within 30 days and to comply with the Commission's determinations on future reporting. To date, the reports for the First,¹⁴ Second,¹⁵ and Third¹⁶ Quarters of 2023 have not been amended. AHE's 2023 Fourth Quarter and 2024 First, Second and Third Quarters are also inaccurate. The Fourth Quarter Report of 2023¹⁷ shows a closing cash on hand (CCOH) amount of \$2,013.83, but the following First Quarter Report of 2024¹⁸ shows a beginning cash on hand (BCOH) amount of zero; this, in turn, skews the accuracy of the subsequent Second¹⁹ and Third Quarterly Reports of 2024.²⁰

Additionally, the Commission ordered AHE to comply with the requirements of AS 15.13.090(a) and (c) in regard to paid-for by identifiers on all future communications. But evidence submitted with the complaint substantiated an incorrect paid-for-by identifier on AHE's website.²¹ Respondent argues that the communications at issue are those of Philip Izon, an individual, and not attributable to AHE. At some point after March 11, 2024, it appears that AHE's website was reorganized and redirected to into a personal website of one of the initiative sponsors, moving away from directly supporting and advocating in support of 22AKHE and focusing more on the broader subject of ranked choice voting.²² While staff is unable to identify the specific date this occurred, the paid-for-by identifier on AHE's website remained inaccurate until at least March 11, 2024.²³

¹⁴ Exhibit 10, AHE First Quarterly Report 2023

¹⁵ Exhibit 11, AHE Second Quarterly Report 2023

¹⁶ Exhibit 12, AHE Third Quarterly Report 2023

¹⁷ Exhibit 13, AHE Fourth Quarterly Report 2023

¹⁸ Exhibit 14, AHE First Quarterly Report 2024

¹⁹ Exhibit 15, AHE Second Quarterly Report 2024

²⁰ Exhibit 16, AHE Third Quarterly Report 2024

²¹ See Ex. 1 at Ex. 12A

²² Alaskansforhonestelections.com now redirects to 907honest.com.

²³ Exhibit 17, March 11, 2024, screenshot of Alaskansforhonestelections.com [<http://web.archive.org/web/20240311213048/https://www.alaskansforhonestelections.com/>]; See also, Exhibit 18, May 23, 2024, screenshot of 907honest.com [<https://web.archive.org/web/20240523014435/https://907honest.com/>] bearing AHE's paid-for-by identifier.

AHG was ordered to file both a 2022 Fourth Quarterly Report and an independent expenditure report within 30 days; to date, AHG has not complied with the Commission's order. Though AHG notes that it has not engaged in reportable activity since 2022, it still had a duty to accurately report its activity before that time. AHG has not done so.

RCEA was ordered to register as an entity and to file required reports including an independent expenditure report for the purchase of its web domain, a 2022 Fourth Quarter Report for its 2022 expenditures, and a 2023 First Quarter Report for its 2023 expenditures in support of 22AKHE, as well as its contributions to AHE with identification of true sources within 30 days. On March 7, 2024, RCEA filed an entity registration,²⁴ an independent expenditure report disclosing a single \$500 non-monetary contribution to AHE,²⁵ and filed a year end campaign disclosure report disclosing the same \$500 activity. RCEA has not filed a 2022 Fourth Quarter or a 2023 First Quarter Report and has not amended any of their previously filed statements of contributions to identify RCEA's true sources.

Mathias was ordered to file a statement of contributions report within 30 days. On March 7, 2024 he filed (under protest) a statement of contributions for a series of contributions made to AHE. The report disclosed 5 transactions totaling \$89,642.²⁶

Respondents' other objections do not obviate their requirements to comply with the Final Order. Their filings in the Superior Court are not a substitute for filing reports with the Commission. Indeed, as the Complainant notes, the Respondents' request for a partial stay of the Final Order was denied, meaning their reporting requirements have never been barred by the ongoing appeal. And whatever the motivations of the Complainant for filing complaints with the Commission, the point is the same: Respondents are obliged, by order

²⁴ Exhibit 19, RCEA Entity Registration (3/7/2024)

²⁵ Exhibit 20 RCEA Independent Expenditure Report (3/7/2024)

²⁶ Exhibit 21, Statement of Contributions (3/7/2024)

of the Commission, to comply with the statutorily and regulatorily mandated campaign finance disclosure requirements, and they have failed to meet this obligation.

CONCLUSION

As Respondents have either failed to comply or have only partially complied with the orders of the Commission, they remain liable for penalties computed and assessed after the 30-day deadline imposed by the Commission (February 2, 2024).

MAXIMUM CIVIL PENALTIES

The maximum civil penalty for each of the violations in this case is \$50.00 per day for each day the violation continues. For purposes of calculating the maximum civil penalties for registration, independent expenditure, quarterly, and statement of contribution report violations, the accrual of penalties was tolled by the date the report was filed or on July 29, 2024, the day the Complaint was filed. The inaccurate paid-for by-identifier is tolled by the latest date archived for AHE’s website. The computed maximum penalty amounts for each of the respondents are as follows:

AHE²⁷

Violation	Dates of Violation	Penalty Days	Max Penalty
2023 1st Quarter Report	2/3/2024 - 7/29/2024	178	\$8,900
2023 2 nd Quarter Report	2/3/2024 - 7/29/2024	178	\$8,900
2023 3 rd Quarter Report	2/3/2024 - 7/29/2024	178	\$8,900
2023 4 th Quarter Report	1/23/2024 - 07/29/2024	189	\$9,450
2024 1 st Quarter Report	4/15/2024 - 07/29/2024	106	\$5,300
2024 2 nd Quarter Report	7/11/2024 - 7/29/2024	19	\$950
Paid-For-By Identifiers	2/3/2024 - 03/11/2024	38	\$1,900
Total:			\$44,300

²⁷ Because AHE’s 2024 Third Quarter Report was due during the investigation of this complaint (10/11/2024), staff recommends no penalty accrual but would recommend the report be amended for accuracy.

AHG

Violation	Dates of Violation	Penalty Days	Max Penalty
2022 4 th Quarter Report	2/3/2024 - 7/29/2024	178	\$8,900
Independent Expenditure Report	2/3/2024 - 7/29/2024	178	\$8,900
Total:			\$17,800

RCEA

Violation	Dates of Violation	Penalty Days	Max Penalty
Registration	2/3/2024 - 3/7/2024	34	\$1,700
Independent Expenditure Report	2/3/2024 - 3/7/2024	34	\$1,700
2022 4 th Quarter Report	2/3/2024 - 7/29/2024	178	\$8,900
2023 1 st Quarter Report	2/3/2024 - 7/29/2024	178	\$8,900
Total:			\$21,200

Arthur Mathias

Violation	Dates of Violation	Penalty Days	Max Penalty
Statement of Contributions Report	2/3/2024 to 3/7/2024	34	\$1,700
Total:			\$1,700

MITIGATION AND RECOMMENDATION

Although there may be mitigation that could be applied for reduction of these penalties, all four Respondents have demonstrated a poor reporting history by filing reports late and/or filing significantly inaccurate reports.²⁸ Additionally, the Respondents failed to comply with the Final Order within the 30-day timeframe specified and only took action to comply after the issuance of the status update of March 7, 2024, and then still failed to meet their reporting and compliance obligations. Given these ongoing aggravating circumstances, staff does not recommend any reduction of the penalties.

Accordingly, staff recommends penalties in the following amounts:

Alaskans for Honest Elections (AHE) - \$44,300

Alaskans for Honest Government (AHG) - \$17,800

Ranked Choice Education Association (RCEA) - \$21,200

Arthur Mathias - \$1,700

²⁸ 2 AAC 50.865(d)(2)

I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered as indicated to the following:	
Scott Kendall Samuel Gottstein Cashion Gilmore & Lindemuth 510 L Street, Suite 601 Anchorage, Alaska 99501 scott@cashiongilmore.com 9489 0178 9820 3021 0774 07	☒ Email ☒ U.S. Mail
Kevin G. Clarkson Law Offices of Kevin G. Clarkson 2223 Latona Drive NE Keizer, Oregon 97303 kclarkson@gci.net 9489 0178 9820 3021 0773 91	☒ Email ☒ U.S. Mail

<u>Michael Sargent</u>	<u>10.22.2024</u>
Signature	Date