

BEFORE THE ALASKA PUBLIC OFFICES COMMISSION

Vickie Clay,)
)
 Complainant,)
)
 v.) Case No. 26-03-CD
)
 George Martinez,)
)
 Respondent.)
 _____)

FINAL ORDER

On June 3, 2026, the Alaska Public Offices Commission considered Vickie Clay’s complaint against Anchorage Assemblyman George Martinez. Ms. Clay alleges that Mr. Martinez violated campaign disclosure laws during his 2026 campaign for the Anchorage Assembly by not properly describing campaign expenditures to two vendors: 1) Alaska Airlines for airline travel and 2) a sustainable airline fuel contribution to Choose, Inc. The airfare in question totaled \$1,255.70 and the Choose Inc. payment was in the amount of \$1,000.00, resulting in a total challenged amount of \$2,255,70. After an investigation, staff recommended that the Commission find that both expenditures did not reasonably relate to election campaign activities.¹ Staff recommended Mr. Martinez be required to reimburse the campaign for the total challenged amount and be penalized by an identical amount for the violation.² This

¹ AS 15.13.112(a).

² Staff determined the maximum penalty was \$3,050.00 but reduced the penalty by applying mitigating factors in 2 AAC 50.865(b)(6) (applicable when a penalty is significantly greater or out of proportion to the degree of harm to the public).

resulted in a total recommended penalty of \$4,511.40. Although we generally agree with staff's analysis, we find Mr. Martinez's violations were particularly egregious and thus impose the maximum penalty permitted, \$3,050.00.³ We also order him to repay the total campaign expenditure of \$2,255.40. This results in a total penalty of \$5,305.70.

We largely adopt staff's factual findings and legal conclusions in the May 5, 2026, report.⁴ However, we depart from staff's analysis because we disagree with staff's conclusion that mitigating factors under 2 AAC 50.865(b)(6) should be applied to the circumstances presented in this case. Staff found the "violations in this complaint strike at the heart of campaign disclosure law; among the purposes of our statutes are to ensure campaigns are open, transparent, and accountable."⁵ Staff was reluctant to apply mitigation but did so because they were also requiring Mr. Martinez to reimburse his campaign for the challenged costs. Staff's reluctance to apply mitigation was due to several factors, including Mr. Martinez's failure to acknowledge receiving goods and services for the expenditures; denial of receiving a personal benefit, and refusal to concede he received Atmos reward points for the payment to Choose, Inc. until staff asked for supporting receipts.⁶

³ AS 15.13.390(a)(1) and (4).

⁴ Staff's report on P. 10 does contain a typographical error in the penalty calculation, i.e., identifying the reimbursement amount for the airfare at \$2,555.70 rather than \$2,255.70, but given our decision this did not impact the outcome.

⁵ Staff Report, May 5, 2026, P.10.

⁶ *Id.*

In the Commission's eyes, this evidence alone was sufficient reason not to apply any mitigating factors. But in addition, Mr. Martinez's testimony at the hearing was formulaic and evasive. At times he outright refused to respond to questions or provide answers to straightforward inquiries. A review of his testimony is therefore appropriate here.

During the hearing, Mr. Martinez was asked several questions concerning his campaign expenditures for a roundtrip flight from Anchorage to Fort Lauderdale, Florida where he did not spend any time in Fort Lauderdale or meet any individuals affiliated with campaign business there.⁷ He continued to recite his prior written submissions that the flight and donation for emissions credit were campaign related. He testified that he took the flight to work on campaign strategy. He asserted that although it was not a traditional way to conduct campaign operations, he used the flight time as a strategic session to develop a plan for the campaign and campaign materials where he could devote all his time and effort to the campaign while in the air and waiting to board. Even though his campaign was completed at the time of the hearing, he only supplied limited documents he claimed to work on during the flights and airport waiting times and each

⁷ Each flight was on Alaska Airlines. Flight AS 98 departed Anchorage Airport at 2:20 a.m. on December 30, 2025 and arrived in Seattle at 7:00 a.m. Flight AS 516 departed Seattle on December 30, 2025 at 8:40 a.m. and arrived in Fort Lauderdale at 5:40 p.m. Flight AS 517 departed Fort Lauderdale on December 30, 2025 at 6:43 p.m. and arrived in Seattle at 10:29 p.m. Flight AS 218 departed Seattle on December 30, 2025 and arrived in Anchorage on December 31, 2025 at 2:29 a.m.

document he provided was redacted.⁸ He also explained that his donation to Choose, Inc. in the amount of \$1,000.00 was due to his campaign's commitment to offset emissions from campaign travel. While setting aside time to complete campaign tasks may be difficult, there are many other ways one could do so without incurring such significant expense.⁹ Mr. Martinez's claim becomes even more implausible when it is coupled with his donation to offset the emissions. He donated \$1,000.00 to offset air travel when he could have donated that money to a carbon offset company directly, rather than tacking on approximately 8,000 miles in unnecessary additional air travel. When questioned by a Commission member on this very point, he had little in the way of defending the practice.

The most troubling aspect of Mr. Martinez's testimony, however, was his persistent refusal to directly answer simple questions from Commissioners. He was asked several times whether he received Atmos reward points for the airfare and how many points he was awarded.¹⁰ Rather than providing the information, he was evasive, vague, and non-committal. He repeatedly stated the rewards points were incidental to the trip. But how many points he was awarded for the air travel was readily available to him and a

⁸ See Exhibits B and C to Martinez's Prehearing Memorandum. A third document indicates it was created on December 31, 2025 at 11:40 a.m. well after the flight was completed. See Exhibit D to Martinez's Prehearing Memorandum.

⁹ Numerous examples come to mind, including renting a room, setting aside time at a campaign office or a plethora of other alternatives.

¹⁰ Generally, Atmos members receive 1 award point for each mile travelled and depending on Atmos status additional bonus miles are awarded as well. [Earn points on flights - Atmos™ Rewards](#).

simple review of his account would have provided this information. He refused to provide the total amount of mileage points awarded even though he was asked this question several times. He refused to provide a copy of his mileage activity for the year. Instead of admitting he received the rewards points, he continually stated the awards points were merely incidental to the travel.

He was also questioned about whether he received a status upgrade from the miles he earned for the flight and donation. Once again, he refused to answer the questions. One Commissioner asked him to simply provide his account statement so the Commissioners could ascertain if there was more to the travel than he was revealing. He would not produce the statement, nor would he state if he received an upgraded award status due to the travel, again repeating the reward points were incidental and the air travel was for campaign-related purposes. Mr. Martinez did acknowledge his membership level was titanium for 2026, the highest annual membership a member can obtain.¹¹ To obtain this status a member must accumulate 135,000 flight miles in a single year. He, however, refused to answer if he achieved this Atmos membership status due to the miles/points awarded for the end of year flight and the donation to Choose, Inc. charged to the campaign. Atmos rewards increase with the membership status achieved each year and the benefits can be substantial.¹²

¹¹ [Explore benefits and perks - Atmos™ Rewards](#)

¹² *Id.*

The trier of fact serves as the proper judge of witness credibility and has the authority to weigh testimony based on demeanor and manner of testifying. The trier of fact “need not accept the uncontradicted testimony of a witness who appears before it, and the demeanor of that witness may be such as to convince the trier that the truth lies directly opposed to the statements of the witness.”¹³ This principle is “particularly true where the witness is interested in the outcome of the case, or where his testimony is improbable or contains patent omissions and inconsistencies.”¹⁴ When a witness is evasive under questioning, refuses or fails to answer straightforward questions or is inconsistent in his answers, the trier of fact is permitted to find the witness lacks credibility.¹⁵

Mr. Martinez exhibited all these traits. He has an interest in the outcome of the case. His testimony is inconsistent concerning his \$1,000.00 donation for emissions credit. He was not forthcoming with investigators until pushed. He was extremely evasive in responding to Commissioner questions during the hearing. He had a standard response, i.e., the rewards were incidental to the travel/campaign related work, as if he was sticking to a script.¹⁶ He refused to answer straightforward questions concerning the

¹³ *Innes v. Beauchene*, 370 P.2d 174 (Alaska 1962).

¹⁴ *Id.*

¹⁵ *Christianson v. First Nat. Bank Alaska*, 2012 WL 6062124 (Alaska 2012).

¹⁶ Mr. Martinez is an Anchorage resident, and the hearing was conducted in Anchorage. He did not appear in person but rather by phone. He did not use video for the call although it was available.

mileage/rewards program and when asked to produce his account statement he refused to do so. We find his testimony not to be credible and disregard it.

We find the travel-related expenses were unnecessary for the campaign, not reasonably related to campaign activities, and thus a violation of AS 15.13.112(a) and (b). We find the expenditures were for personal benefit in violation of AS 15.13.112(b)(1) because they were made to personally benefit Mr. Martinez's travel accounts and status. We order Mr. Martinez to reimburse his campaign \$2,255.70 and we impose the maximum penalty of \$3,050.00. The Commission thus imposes a total penalty of \$5,305.70 to be paid within 30 days of this order.

This is a final Commission order. It may be appealed to the superior court within 30 days from the date of this order.¹⁷ A request for the Commission to reconsider this order must be filed within 15 days from the date this order is delivered or mailed.¹⁸

Dated: June 11, 2026

BY ORDER OF THE ALASKA PUBLIC OFFICES COMMISSION¹⁹

¹⁷ AS 15.13.380(g); AS 44.62.560; Alaska R. App. P. 602.

¹⁸ 2 AAC 50.891(g); AS 44.62.540.

¹⁹ Commissioners Richard Stillie, Dan LaSota, Lanette Blodgett, Eric Feige, and Walt Monegan participated in this matter. The decision was made on a 5–0 vote.

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:

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 6-11-26
Paralegal Date