

**[TAB 3]**

## **Complaint 25-10-CD**

***Craig Gilliland v. Kelly Merrick***

Presented By:

Kim Stone, Campaign Disclosure Coordinator



**BEFORE THE ALASKA PUBLIC OFFICES COMMISSION**

<b>Craig Gilliland,</b>	)	
	)	
<b>Complainant,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 25-10-CD</b>
	)	
<b>Kelly Merrick,</b>	)	
	)	
<b>Respondent.</b>	)	

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**CONSENT AGREEMENT**

**I. SUMMARY OF PROCEEDINGS LEADING TO CONSENT AGREEMENT**

**A. Parties**

The parties to this Consent Agreement are respondent Kelly Merrick (“Respondent”) and the Alaska Public Offices Commission staff (“APOC staff”).

**B. Complaint**

This Consent Agreement addresses complaint (25-10-CD) filed by Craig Gilliland (“Complainant”) against Kelly Merrick’s campaign for State Senate in the 2024 State Primary and General Elections.<sup>1</sup> Gilliland alleges Merrick provided insufficient details about campaign expenditures.

**C. Intent of the Agreement**

This Consent Agreement intends to resolve all pending matters related to 25-10-CD. The Parties understand that this Consent Agreement is not effective unless and until it is approved by the Alaska Public Offices Commission.

**II. FACTS**

As a candidate for State Senate in the 2024 State Primary and State General Elections, Respondent was required to disclose her financial activity, including expenditures incurred by her campaign. Complainant alleges Respondent insufficiently

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<sup>1</sup> Complaint, <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=27076>.

described campaign expenditures made to 12 individual vendors of campaign goods and services.

### **III. LAW AND APOC HISTORICAL APPROACH TO EXPENDIDURE REPORTING**

Alaska campaign disclosure law requires candidates to disclose expenditures and debts incurred by their campaigns. These disclosures are documented in reports. For each campaign, mandatory APOC reports include a year-start report, 30-day and 7-day reports for the primary and general elections, and a year-end report.<sup>2</sup> An expenditure includes “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 nomination or election of a candidate.”<sup>3</sup>

For expenditures to vendors who provide general campaign goods and services, 2 AAC 50.321(a)(5) requires a candidate to report:

- (A) the date of payment;
- (B) the check number or the identifying transaction number. . . ;
- (C) the name and address of the payee;
- (D) the purpose of the expenditure; and
- (E) the amount of the expenditure . . .<sup>4</sup>

By comparison, for expenditures to advertising agencies or those who provide campaign consultation or management services, 2 AAC 50.321(d) requires a candidate to report “in detail all services rendered, including the name of each business from which campaign goods or services were purchased or subcontracted or media advertising placed, and the amount of the expenditure.”<sup>5</sup>

APOC’s 2024 Candidate Campaign training materials reflect these regulations and outline the enhanced level of detail a candidate must provide under .321(d). As APOC instructs in its Candidate Training Presentation, “(w)hen reporting expenditures for

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<sup>2</sup> AS 15.13.110.

<sup>3</sup> AS 15.13.400(7)(A)(i).

<sup>4</sup> AS 15.13.040(a)(1)(A); 2 AAC 50.321(a)(5) (emphasis added).

<sup>5</sup> 2 AAC 50.321(d).

campaign consulting or media buys, you must detail the services provided and subcontractors (includes identifying radio/tv stations where media was placed).<sup>6</sup>

Past guidance from APOC staff echoes these training materials and provides examples of proper reporting. In an email sent to all candidates and their treasurers in July 2020, staff outlined how candidates could meet 2 AAC 50.321(d)'s requirements:

Basically, what this means is that the services provided must be disclosed along with any subcontractors used by the consultant, agency or service. An example might be, “Tom’s consulting service for creation and placing of social media on Facebook and Twitter” or “Tom’s consulting service for production and placement of radio and tv advertising on stations x, y and z.”<sup>7</sup>

Alaska campaign disclosure law also imposes separate recordkeeping requirements for expenditures made to advertising agencies and businesses providing campaign consultation or management services.<sup>8</sup> Upon request of the Commission, a candidate must make the records available for inspection.<sup>9</sup>

#### IV. LEGAL ANALYSIS AND CONCLUSIONS

##### **A. Alleged failure to report the “purpose” of general campaign expenditures under 2 AAC 50.321(a)(5)**

The complaint points to multiple vendors that Respondent purchased from during the campaign, including A\T Publishing & Printing (for printing services); Great Originals, Inc. (for printing services); The Team Shop (for “sportswear”); and individuals David Littleton, Courtney Owens, Owen Phillips, and Kisha Gillen (various goods and services). For these vendors, 2 AAC 50.321(a)(5) required Respondent to report the purpose of each expenditure—which she did. For example, Respondent described purchases from a printing business as for campaign signs and envelopes and flyers. Respondent also contracted with Free Spirits Consulting, described in her reports as for “Consulting, graphics, mailers,” but

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<sup>6</sup> Candidate Training Presentation at p. 13 (emphasis in original), <https://apoc.doa.alaska.gov/media/edrdbcp/cdt-2024-candidate-training-manual.pdf>.

<sup>7</sup> Exhibit 1, APOC email guidance, July 22, 2020.

<sup>8</sup> 2 AAC 50.320(a) and (b).

<sup>9</sup> AS 15.13.040(f) (vendor recordkeeping requirements and inspection provision); AS 15.13.045 (relating to Commission’s ability to conduct investigations and examine records); 2 AAC 50.806 (inspection and preservation of records).

Respondent clarified that the services were strictly limited to graphic design work and involved no subcontractors.

Complainant presents no evidence or argument about how Respondent's descriptions of purpose for these expenditures fail to meet the requirements of 2 AAC 50.321(a)(5), and APOC staff finds them sufficient under the regulation. Further, APOC staff finds no evidence these vendors were advertising agencies or provided campaign consultation or management services which would have required greater detail under 2 AAC 50.321(d).

**B. Failure to “disclose in detail all services rendered” for campaign expenditures made to an advertising agency or to a provider of campaign consultation or management services under 2 AAC 50.321(d)**

The parties agree that during the 2024 campaign cycle, Respondent disclosed expenditures to (1) advertising agencies and (2) campaign consultation or management services and provided only minimal summaries of those services. Candidates making expenditures to such businesses “must disclose in detail all services rendered, including the name of each business from which campaign goods or services were purchased or subcontracted or media advertising placed.”<sup>10</sup> Respondent's descriptions of expenditures to the following campaign vendors did not provide sufficient detail:

- **Lurtsema Communications**

This vendor provides services including consulting, social media marketing, political outreach, and Google ads.<sup>11</sup> On its State of Alaska business license, Lurtsema Communications uses the North American Industry Classification System (NAICS) code for “advertising agencies.”<sup>12</sup> Respondent described her expenditures to Lurtsema Communications only as “campaign digital services” and “ad spend.”

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<sup>10</sup> 2 AAC 50.321(d).

<sup>11</sup> Lurtsema Communications, <https://lurtsemacommunications.com/>, website last accessed November 11, 2025.

<sup>12</sup> Division of Corporations, Business and Professional Licensing Search, <https://www.commerce.alaska.gov/cbp/businesslicense/search/License>.

- **Art Hackney Communications**

This vendor describes itself as “a corporate and political communications firm.”<sup>13</sup> On its State of Alaska business license, Art Hackney Communications uses the NAICS code for “marketing consulting services.”<sup>14</sup> Respondent described expenditures to Art Hackney Communications only as “radio production and buy.”

- **Which Side Digital, LLC**

This vendor describes itself as an “all-in-one digital marketing co-op.”<sup>15</sup> Respondent described her expenditures to the organization only as “advertising.”

- **GroundTruth**

This vendor describes itself as “an advertising platform” and states that it “[provides] marketers with tools to deliver media campaigns.”<sup>16</sup> Respondent described her expenditures to GroundTruth only as “online marketing.”

The parties agree that each of the vendors described above is an advertising agency or provides campaign consultation or management services. The parties also agree that as a result, 2 AAC 50.321(d) required Respondent to disclose in detail all services rendered, including the names of subcontractors and where the vendor placed any media advertising. While Respondent disclosed the amount of her expenditures to these vendors, she did not provide a sufficiently detailed description of the expenditures.

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<sup>13</sup> Art Hackney Communications, <https://ajhackneycommunications.com/bio/>, website last accessed November 11, 2025.

<sup>14</sup> Division of Corporations, Business and Professional Licensing Search, <https://www.commerce.alaska.gov/cbp/businesslicense/search/License>.

<sup>15</sup> Which Side Digital, <https://whichsidedigital.com/our-story/>, website last accessed November 11, 2025.

<sup>16</sup> GroundTruth, <https://www.groundtruth.com/about-us/>, website last accessed November 11, 2025.

This lack of detail rendered her 30-day<sup>17</sup> and 7-day<sup>18</sup> primary reports, 30-day<sup>19</sup> and 7-day<sup>20</sup> general reports, and her year-end report<sup>21</sup> incomplete and in violation of AS 15.13.040 and 2 AAC 50.321(d).

**C. Failure to identify individual dollar amounts incurred by subcontractors for campaign goods and services under 2 AAC 50.321(a)(5) and (d)**

As noted above, Respondent disclosed the total expenditure amount for each vendor in her reports. Complainant, however, argues that candidates must also provide—for “any consultant, campaign manager, or PR firm” retained by the campaign—“a breakdown of payments made to all subcontractors, sub-vendors, or affiliated service providers.”<sup>22</sup> Complainant also requested that Respondent provide, among other items, “invoices” for every vendor and subcontractor associated with the expenditures identified in the complaint.

Applying Complainant’s argument to general expenditures under 2 AAC 50.321(a)(5)—for which the law requires only a description of an expenditure’s “purpose”—APOC staff is unable to find precedent, guidance, or historical agency interpretation suggesting .321(a)(5) requires a breakdown of costs by vendor. This would require, for example, that a candidate purchasing campaign t-shirts from a local business ascertain (1) the amount the business paid to its bulk garment subvendor for the individual t-shirts (unless the vendor manufactured them in-house), (2) how much the business paid the shipping service to get the t-shirts to its location in Alaska, (3) its purchase and shipping costs for the film or vinyl used to apply the t-shirt design and lettering, and (4) any additional costs or services the t-shirt vendor incurred in their production.

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<sup>17</sup> 30-day primary report, <https://hickory.state.ak.us/ApocAdmin/Filings/ViewForm/43932?Type=570>.

<sup>18</sup> 7-day primary report, <https://hickory.state.ak.us/ApocAdmin/Filings/ViewForm/44280?Type=570>.

<sup>19</sup> 30-day general report, <https://hickory.state.ak.us/ApocAdmin/Filings/ViewForm/45300?Type=570>.

<sup>20</sup> 7-day general report, <https://hickory.state.ak.us/ApocAdmin/Filings/ViewForm/45487?Type=570>.

<sup>21</sup> Year-end report, <https://hickory.state.ak.us/ApocAdmin/Filings/ViewForm/46646?Type=570>.

<sup>22</sup> Complaint, <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=27076>.



However, the regulation otherwise requires only basic information (date, identifying transaction number, name and address of payee, and amount). Without evidence supporting a contrary approach, APOC staff rejects the assertion that 2 AAC 50.321(a)(5) requires candidates to report extensive details about the costs a campaign vendor incurs in order to produce a final product or service.

Applying Complainant's argument to expenditures to advertising agencies and those providing campaign management or consultation services, APOC staff again concludes that a breakdown of costs by vendor is not required. 2 AAC 50.321(d) mandates:

If an expenditure required to be reported under (a) or (b) or this section is made to an advertising agency or to an individual or business that provides campaign consultation or management services, the report must disclose in detail all services rendered, including the name of each business from which campaign goods or services were purchased or subcontracted or media advertising placed, and the amount of the expenditure.

Although Complainant argues that .321(d) requires reporting a breakdown of individual costs incurred by the vendor for subcontracted services, APOC staff similarly have not found precedent, guidance, or historical interpretation that supports that argument. In searching for support, staff reviewed previous agency approaches to the regulation.

In a **2016 audit letter** produced by a respondent in a nearly identical complaint, APOC staff instructed a candidate that “(a)lthough it is not necessary to detail each single item that was purchased, the purpose should provide the public with an understanding of what the expense was for and how it relates to your campaign.”<sup>23</sup> Notably, APOC staff did not suggest the candidate should have reported individual amounts corresponding to items purchased; rather, only a description of what the expense was for.

In a **July 2020 email** sent to candidates and their treasurers (described above) APOC interpreted .321(d) to require disclosure of an advertising agency's sub-vendor media placement and a consultant's subcontractors, but did not require reporting of individual dollar amounts paid by the agency or consultant.<sup>24</sup>

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<sup>23</sup> Exhibit 2, 2016 APOC audit letter.

<sup>24</sup> Ex. 1.

The **2024 APOC Candidate Training Manual** (also described above) outlines the details a candidate must provide when a campaign uses an advertising agency or consultation or management services. The training materials, consistent with the guidance offered in the 2016 audit letter and 2020 email to candidates, do not require a candidate to report each of their vendors' subcontracted costs under .321(d).<sup>25</sup>

Finally, in a **2024 APOC complaint**, a candidate reported a series of expenditures to a business providing campaign consultation and management services but described the expenses in only limited and general terms, including “campaign management fee,” “consultant’s fees,” and “paid communications.”<sup>26</sup> The consent agreement, approved by the Commission as “in the public interests and consistent with controlling law for the reasons identified in the agreement,”<sup>27</sup> stated:

Because expenditures to a business that provides campaign management or consulting services must include a detailed description of “all services rendered, including the name of each business from which campaign goods or services were purchased or subcontracted or media advertising placed,”<sup>28</sup> the purposes provided by respondent provided insufficient details about the services rendered and the placement or dissemination of his paid communications.<sup>29</sup>

Terms of the consent agreement required the candidate to amend his reports “to include campaign management and media contracting details” but did not require the candidate to account for individual sub-vendor costs.<sup>30</sup>

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<sup>25</sup> Candidate Training Presentation at p. 13, <https://apoc.doa.alaska.gov/media/edrdbcp/cdt-2024-candidate-training-manual.pdf>.

<sup>26</sup> [Proposed Consent Agreement](https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=26106), *McDonald v. Josephson*, 24-01-CD (August 12, 2024), p. 3 n. 12, <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=26106>.

<sup>27</sup> [Order Approving Consent Agreement](https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=26261), *McDonald V. Josephson*, 24-01-CD (September 9, 2024), p. 1, <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=26261>.

<sup>28</sup> 2 AAC 50.321(d).

<sup>29</sup> [Proposed Consent Agreement](https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=26106), *McDonald v. Josephson*, 24-01-CD (August 12, 2024), p. 3, <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=26106>.

<sup>30</sup> *Id.* at p. 7.

In light of past interpretations, decisions, and agency guidance, and given the lack of contrary guidance or evidence, APOC staff concludes that 2 AAC 50.321(d) does not require candidates to breakdown the individual costs that an advertising agency or campaign management or consulting vendor pays to its subcontractors.

## **V. MAXIMUM POTENTIAL CIVIL PENALTIES**

The maximum civil penalty for failing to timely file complete and accurate 30-day and year-end reports is \$50 per day for each day the violation continues.<sup>31</sup> The maximum civil penalty for failing to timely file complete and accurate 7-day reports is \$500 per day for each day the violation continues through the date of the election and \$50 per day thereafter.<sup>32</sup> Tolling the penalties starting on the day the complaint was filed (August 4, 2025) results in a maximum civil penalty of \$80,250.

Notably, the Commission’s ultimate determination about whether the law requires itemized subcontractor dollar amounts does not impact the penalty assessment in this matter because the campaign consulting/management/media expenditure descriptions at issue did not provide adequate details about all services rendered. Therefore, penalties are already assessed for Respondent’s incomplete 30- and 7-day primary reports, 30- and 7-day general reports, and year-end report. If the Commission holds that .321(d) does, in fact, require reporting of sub-vendor or subcontractor amounts, this would not result in additional penalties for the same reports.

## **VI. MITIGATION CRITERIA<sup>33</sup>**

Mitigation is warranted when a penalty is “significantly out of proportion” to the degree of harm suffered by the public as a result of not having the information.<sup>34</sup> A civil penalty is significantly out of proportion if it exceeds the value of the transactions that were reported late.<sup>35</sup> Here, the civil penalty for respondent’s incomplete reports is \$80,250; the

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<sup>31</sup> AS 15.13.390(a)(1).

<sup>32</sup> AS 15.13.390(a)(1); 2 AAC 50.855(b)(5).

<sup>33</sup> Staff found no applicable criteria under 2 AAC 50.855 to reduce the initial assessed penalty. As a result, penalties are calculated at and reduced from the maximum. 2 AAC 50.855(b)(3)(C).

<sup>34</sup> 2 AAC 50.865(b)(5) (allows for reduction of greater than 50% up to a complete waiver).

<sup>35</sup> 2 AAC 50.865(b)(5).

transactions where Respondent failed to sufficiently detail the management and media services total \$51,960.35. Additionally, no one disputes the accuracy of the existing details or the amount of the expenditures. Further, **Respondent, upon notice of the complaint and in the absence of any Commission order, contacted APOC staff and took immediate action to bring her reports into compliance.**<sup>36</sup> With this in mind, the parties agree that a 99% reduction of the maximum penalty to \$802.50 is appropriate and in the public interest to settle the admitted violations.

Report	Dates of Violation	Penalty Days	Daily Max	Max Penalty	2 AAC 50.865 Mitigation
30-day Primary	7/22/24 – 8/4/25	378	\$50	\$18,900	\$189
7-day Primary	8/13/24 – 8/20/24	7	\$500	\$3,500	\$35
	8/21/24 – 8/4/25	348	\$50	\$17,400	\$174
30-day General	10/7/24 – 8/4/25	301	\$50	\$15,050	\$150.50
7-day General	10/29/24 – 11/5/24	7	\$500	\$3,500	\$35
	11/6/24 – 8/4/25	271	\$50	\$13,550	\$135.50
Year End	2/18/25 – 8/4/25	167	\$50	\$8,350	\$83.50
<b>Total</b>				\$80,250	<b>\$802.50<sup>37</sup></b>

## VII. TERMS OF CONSENT AGREEMENT

APOC Staff and Respondent agree to a consent agreement in which:

1. The above facts and conclusions are acknowledged.
2. Respondent will pay a penalty of **\$802.50** within 30 days of the date of approval of this agreement.
3. Respondent will amend her reports, to the extent any further amendments are needed, within 30 days of the date of approval of this agreement.

The parties also agree the Commission's investigation and adjudication costs will not be imposed because the matter did not involve extensive investigation or other pre-

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<sup>36</sup> Exhibit 3, Merrick Response.


<sup>37</sup> 2 AAC 50.865(b)(5)-(6).

hearing discovery costs, and because Respondent cooperated fully with the investigation and resolution of the matter.

This agreement is subject to approval by the Commission.

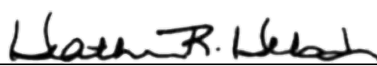
Dated: 12/27/2025

By:

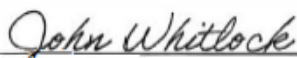
  
\_\_\_\_\_  
Kelly Merrick  
Respondent

Dated: 12/30/2025

By:

  
\_\_\_\_\_  
Heather Hebdon, Executive Director  
Alaska Public Offices Commission

I hereby certify that on this date a true and correct copy of the foregoing was served as follows:	
Craig Gilliland 17913B Pioneer Drive Eagle River, AK 99577 <a href="mailto:Craig.GillilandAK@Outlook.com">Craig.GillilandAK@Outlook.com</a>	<input checked="" type="checkbox"/> Email <input checked="" type="checkbox"/> U.S. Mail
Sen. Kelly Merrick 19205 Mt. Magnificent Cir. Eagle River, AK 99577 <a href="mailto:senator.kelly.merrick@akleg.gov">senator.kelly.merrick@akleg.gov</a>	<input checked="" type="checkbox"/> Email <input checked="" type="checkbox"/> U.S. Mail

  
\_\_\_\_\_  
Signature

12/30/25  
\_\_\_\_\_  
Date

----- Forwarded message -----

From: **Lucas, Tom R (DOA)** <[tom.lucas@alaska.gov](mailto:tom.lucas@alaska.gov)>

Date: Wed, Jul 22, 2020 at 4:55 PM

Subject: Reporting services from advertising agencies, campaign management consultants and campaign management services

To: Lucas, Tom R (DOA) <[tom.lucas@alaska.gov](mailto:tom.lucas@alaska.gov)>

Cc: Hebdon, Heather R (DOA) <[heather.hebdon@alaska.gov](mailto:heather.hebdon@alaska.gov)>, Odena, Jacqueline S (DOA) <[jacqueline.odena@alaska.gov](mailto:jacqueline.odena@alaska.gov)>, Collins, Dacia C (DOA) <[dacia.collins@alaska.gov](mailto:dacia.collins@alaska.gov)>, Stormont, Charles R (DOA) <[charles.stormont@alaska.gov](mailto:charles.stormont@alaska.gov)>

Dear Candidates and their Treasurers,

We are receiving many inquiries concerning insufficient detail in campaign disclosure reports when reporting expenditures for advertising agencies, management consultants and other campaign management services. Simply stating “campaign advertising” or “management consultant”, for example is not consistent with the following regulation found at [2 AAC 50.321\(d\)](#):

**d) If an expenditure required to be reported under (a) or (b) or this section is made to an advertising agency or to an individual or business that provides campaign consultation or management services, the report must disclose in detail all services rendered, including the name of each business from which campaign goods or services were purchased or subcontracted or media advertising placed, and the amount of the expenditure.**

Basically, what this means is that the services provided must be disclosed along with any subcontractors used by the consultant, agency or service. An example might be, “Tom’s consulting service for creation and placing of social media on Facebook and Twitter” or Tom’s consulting service for production and placement of radio and tv advertising on stations x, y and z”.

If your campaign has not been doing this, your 30 day report should be amended to come into compliance. If you have any questions or desire any help in doing so, please do not hesitate to contact our office.

Thomas R. Lucas  
Campaign Disclosure Coordinator

Alaska Public Offices Commission  
2221 E. Northern Lights Blvd., Rm. 128  
Anchorage, Alaska 99508  
Phone: (907) 276-4176



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

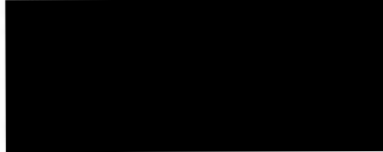
**Department of Administration**

ALASKA PUBLIC OFFICES COMMISSION

2221 E. Northern Lights Blvd., Rm. 128  
Anchorage, AK 99508-4149  
Main: 907.276.4176  
Fax: 907.276.7018  
[www.doa.alaska.gov/apoc](http://www.doa.alaska.gov/apoc)

April 15, 2016

Via U.S. Mail and Email



Re: Year Start Campaign Disclosure Report Audit

Dear [REDACTED]

Thank you for timely filing your Year Start Campaign Disclosure Report for the 2016 State Primary Election. The Alaska Public Offices Commission's mission is to encourage the public's confidence in their elected and appointed officials by administering Alaska's disclosure statutes and publishing financial information regarding the activities of election campaigns, public officials, lobbyists, and lobbyist employers. To comply with this statutory mandate, APOC performs periodic audits to ensure compliance with our laws.

Your Year Start Report has been audited for compliance with AS 15.13, Alaska's Campaign Disclosure law. Based on the information you provided, staff noted a few issues that you may wish to address.

First, your report discloses a contribution from what appears to be a husband and wife.<sup>1</sup> Due to statutory limits and prohibitions that apply to contributions, the contribution must be attributed to an individual.<sup>2</sup> If they have both signed the check, or otherwise authorized the contribution in writing, then it is appropriate to assign and disclose an amount from each individual.<sup>3</sup>

Additionally, you have reported several expenditures which lack sufficient detail.<sup>4</sup> Although it is not necessary to detail each single item that was purchased, the purpose should provide the public with an understanding of what the expense was for and how it relates to your campaign.

We appreciate your assistance in providing this information to the public. If you have any questions, please do not hesitate to contact us.

ALASKA PUBLIC OFFICES COMMISSION

Heather R. Hebdon  
Campaign Disclosure Coordinator

cc: Candidate File

<sup>1</sup> See [REDACTED]

<sup>2</sup> AS 15.13.070(b).

<sup>3</sup> 2 AAC 50.258(a)(6).

<sup>4</sup> See [REDACTED] expenditures noting "campaign services" as the purpose.





ARRIVED  
9/22/25

APOC - ANCH  
PM HC FAX **ELB**

907-250-1443

contact@kellyforakstatesenate.com

www.kellyforakstatesenate.com

Kim Stone, Campaign Disclosure Coordinator  
Alaska Public Offices Commission  
2221 E Northern Lights Blvd, Room 128  
Anchorage, AK 99508

Via Email - [kim.stone@alaska.gov](mailto:kim.stone@alaska.gov)

September 22, 2025

Dear Ms. Stone:

Please consider this letter a response to Complaint 25-10-CD.

As we have previously discussed, I respectfully request to enter into a Consent Agreement with the Alaska Public Offices Commission (APOC) regarding this matter.

I have amended the following reports to reflect issues brought forward in this complaint:

2024 Primary 30-day Report  
2024 Primary 7-day Report  
2024 General 30-day Report  
2024 General 7-day Report  
2024 Year End Report

These amendments were made in the spirit of overwhelming transparency and do not necessarily constitute a violation.

You will see that my efforts have clarified expenditures to the degree requested by Complainant Gilliland. These actions have been made in good-faith.

Again, it is my desire to enter into a Consent Agreement with APOC. This is an appropriate course of action in this matter. I am happy to provide additional information, if necessary.

Thank you for your consideration.

Very Respectfully,

A handwritten signature in cursive script, appearing to read "Kelly Merrick", written in black ink.

Senator Kelly Merrick





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  
Fax: 907.276.7018  
[www.doa.alaska.gov/apoc](http://www.doa.alaska.gov/apoc)

December 30, 2025

Via Certified Mail and Email

Sen. Kelly Merrick  
19205 Mt. Magnificent Circle  
Eagle River, AK 99577  
[Sen.Kelly.Merrick@akleg.gov](mailto:Sen.Kelly.Merrick@akleg.gov)

RE: Commission Meeting Notice

Dear Sen. Merrick:

The Commission will review the enclosed proposed Consent Agreement in the matter *Gilliland v. Merrick*, 25-10-CD at its January 14, 2026 Commission Meeting in Anchorage, Alaska.

Currently, the matter is scheduled to be considered at **9:30 a.m. on Wednesday, January 14, 2026**. The meeting will take place at the offices of the Alaska Public Offices Commission located at 2221 E. Northern Lights Boulevard, Room 128, in Anchorage, Alaska, by telephone (1-907-202-7104, Conference ID: 382 982 822#), or remotely via [Microsoft Teams](#) (Meeting ID: 237 734 363 936 42, Passcode: iz3Ps6vV).

If you do not attend the meeting, staff will send you a final order notifying you of the Commission's decision.

If you have any questions, please contact our office.

ALASKA PUBLIC OFFICES COMMISSION

*KIM STONE*

Kim Stone  
Campaign Disclosure Coordinator

Encl: Consent Agreement

cc: Craig Gilliland (email only)