

**[TAB 2]**

# **Candidate Civil Penalty Appeals and Referrals**

Presented By:

John Whitlock, Paralegal



|                                                           |
|-----------------------------------------------------------|
| <b>CONSENT AGENDA CIVIL PENALTY APPEALS AND REFERRALS</b> |
| <b>UNDER AS 15.13.390, 2 AAC 50.855-860</b>               |
| <b>Campaign Financial Disclosure</b>                      |
| August 26, 2026 Commission Meeting                        |

## Campaign Financial Disclosure

August 26, 2026 Commission Meeting

|  |  |  |  |                   |
|--|--|--|--|-------------------|
|  |  |  |  | <b>COMMISSION</b> |
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**ALASKA PUBLIC OFFICES COMMISSION  
STAFF RECOMMENDATION FOR COMMISSION ACTION**

**PREPARED BY:** John Grover Whitlock

**DATE:** August 10, 2026

**RESPONDENT:** Dmitri Fonov

**CIVIL PENALTY**

**ASSESSED UNDER:** ☒ Campaign Disclosure: AS 15.13.110

**REASON FOR FILING:**

**LATE REPORT(S):** • Campaign Disclosure Reports

☒ 24-hour reports

**DUE DATE OF LATE FILED REPORT:** October 28, 2024

**REPORT FILED ON:** February 17, 2025

**NUMBER OF DAYS LATE:** 112

**DATE PENALTY ASSESSMENT SENT:** March 11, 2025

**DATE PENALTY APPEAL RECEIVED:** March 24, 2025

**MAXIMUM STATUTORY PENALTY:** \$56,000

**PENALTY ASSESSED<sup>1</sup>:** \$56,000

**RECOMMENDATION:** Reduced to \$250

(See "Staff's Recommendation Based on Standard Mitigation Criteria")

**AFFIANT'S STATEMENT OF MITIGATING FACTS:**

1. Affiant submitted and stated that there was a glitch in the system that did not allow him to file a 7-day report.
2. The amount of the assessed penalty is significantly greater and out of proportion to the degree of harm to the public for not having the information.
3. Affiant is an inexperienced filer.

<sup>1</sup>

2 AAC 50.855(b)(2)(C)(ii).

4. Appellant believes that technical issues amount to a unique circumstance that would warrant dismissal.

### **BACKGROUND:**

The appellant filed a 105-day report on 2/17/25 containing the names of seven individuals who donated over \$250 during the 24-hour reporting period (October 27 – November 4).<sup>2</sup> When the penalty was issued, the appellant submitted an appeal stating he did not have a 7-day reporting requirement visible on his assigned reports tab; because of this, he reported contributions from the 7-day reporting window (October 27 – November 4) on the 105-day report, the next report listed on his assigned reports tab. He asserted that this caused many of the contributions to appear as though they were out of compliance with the 24-hour reporting requirement.

The absence of a 7-day reporting requirement for the appellant was due to filings made by appellant. After the 30-day report deadline, appellant filed both a 30-day report denoting no activity and filed a Municipal Exemption form because he did not intend to raise more than \$5,000. Because he wrongly filed an exemption form after having registered as a candidate, the 7-day reporting deadline disappeared. Fonov then registered again as a candidate on 10/29/2024 (this was after the range of dates for the 7-day report). This gave him only one additional reporting deadline: the 105-day report.

Staff manually restored the appellant's 7-day report requirement. It was here where the appellant filed his 7-day report and amended his 105-day report to include only the contributions made between October 27, 2024 and February 3, 2025.<sup>3</sup> Many of the previous contributions of more than \$250 reported on the 105-day report were included in the 7-day report. However, even after amendments were made, contributions made during the 24-hour reporting window remained on the 105-day report, just in fewer numbers: only two contributions greater than \$250 were made on the 105-day report. The contributions from Trenity Yundt and Jess Hall did not have corresponding 24-hour reports on file.

### **STAFF'S ANALYSIS OF FACTS FOR COMMISSION REVIEW**

1. The appellant discussed in his appeal that a 7-day reporting requirement was not available to him. While this may have caused confusion initially, the amended reports still show that contributions were made during the 24-hour reporting window that don't have corresponding 24-hour reports.

2. A candidate is entitled to a greater than 50 percent reduction if the civil penalty is significantly greater and out of proportion to the degree of harm to the public for not having the information.<sup>4</sup> Here, the proposed penalty (\$56,000) is more than double the contributions in question (\$2,000 between two contributors on the same day).

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<sup>2</sup> See Attachment #1 – 105-day report filed on 2/17/25.

<sup>3</sup> See Attachment #2 and #3 – [7-day report filed on 5/27](#) and amended [105-day report filed on 5/27](#)

<sup>4</sup> 2 AAC 50.865(b)(5).

3. The appellant also stated he was an inexperienced filer. However, this is the appellant's second election cycle as a registered candidate, and he does not qualify for a mitigator under this criteria.

4. Regarding the unique circumstances of this case being grounds for dismissal: Staff does not deny that the circumstances from the appellant's own filing history lead to the gap in reporting that led to appellant's confusion. This is why staff has chosen not to pursue a penalty assessment for a late filed 7-day report. The 24-hour reporting requirement was still required, despite the appellant's difficulty navigating the reporting system.

5. Based on the circumstances, staff recommend that the penalty be reduced to \$250.

**FILER'S REPORTING HISTORY:**

**2023**

Thirty Day Report .....Timely  
Seven Day Report.....Timely  
105 Day Report.....Timely  
FCA.....Late

**2024**

Thirty Day Report .....Late  
Seven Day Report.....Late  
105 Day Report.....Timely  
FCA.....Timely

**ACTIVITY ON LATE REPORT:**

105 Day Report:

|                |                                  |
|----------------|----------------------------------|
| <b>Income:</b> | <b>\$ 1,000 (Jess Hall)</b>      |
| <b>Income:</b> | <b>\$ 1,000 (Trinitie Yundt)</b> |

**STAFF'S RECOMMENDATION BASED ON STANDARD MITIGATION CRITERIA**

**Staff finds the following mitigation criteria applicable to the respondent's appeal:**

**Criteria for up to 50% reduction of the maximum civil penalty [2 AAC 50.865(a)]:**

- ☐ Good filing history (no late filings in the previous 5 years). **2 AAC 50.865(a)(1)(A)**
- ☐ Inexperienced filer.<sup>5</sup> **2 AAC 50.865(a)(1)(B)**
- ☐ Technical error at APOC. **2 AAC 50.865(a)(2)**
- ☐ Reported information had a value of \$100 or less. **2 AAC 50.865(a)(3)**

<sup>5</sup> Any entity or filer subject to a registration or reporting requirement for less than 365 days.

- ☐ Reported information had a value between \$100 and \$1000 AND any factor listed in 2 AAC 50.865(b) also applies. **2 AAC 50.865(a)(4)**

**Criteria for greater than 50% reduction, up to complete waiver [2 AAC 50.865(b)]:**

- ☐ Personal catastrophe/emergency or incapacitating illness. **2 AAC 50.865(b)(1)**
- ☐ APOC Staff error. **2 AAC 50.865(b)(2)**
- ☐ Report included only administrative costs. **2 AAC 50.865(b)(3)**
- ☐ No significant harm to the public and no aggravating factors.<sup>6</sup> **2 AAC 50.865(b)(4)**
- ☒ The civil penalty is significantly greater and out of proportion to the degree of harm to the public for not having the information.<sup>7</sup> **2 AAC 50.865(b)(5)**
- ☐ A unique circumstance. **2 AAC 50.865(b)(6)**

**Non-mitigating factors [2 AAC 50.865(c)]:**

**The Commission will not accept the following mitigating factors to reduce the amount of a penalty.**

- ☐ Relying on another person or mailroom to mail, postmark or submit the statement on or before a due date. **2 AAC 50.865(c)(1)**
- ☐ Forgetting to file. **2 AAC 50.865(c)(2)**
- ☐ Being a volunteer. **2 AAC 50.865(c)(3)**
- ☐ Having no change in data from previous statements on file. **2 AAC 50.865(c)(4)**
- ☐ Relying on the filer's staff to remind the filer of the filing deadline or to complete the report. **2 AAC 50.865(c)(5)**
- ☐ Being too busy to file. **2 AAC 50.865(c)(6)**
- ☐ Absence caused by travel, unless the travel was unplanned or unavoidable such as travel for personal emergency or weather-related travel problems. **2 AAC 50.865(c)(7)**

**Aggravating Factors [2 AAC 50.865(d)]:**

- ☐ Failure to comply by omitting a significant source of income, interest in real property, loan, trust, business, or other substantial financial interest.<sup>8</sup> **2 AAC 50.865(d)(1)**
- ☐ More than one late filing in the preceding 5 years. **2 AAC 50.865(d)(2)(A)**

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<sup>6</sup> The amount missing is \$100 or less; the amount missing is more than \$100 but less than \$1,000 and the filer self-reported; or the missing information is readily available to the public through another forum.

<sup>7</sup> Penalty exceeds the value of late or unreported transactions or for 24-hour and 7-day reports, the penalty exceeds twice the value of the late or unreported transactions

<sup>8</sup> Value greater than \$1000.



- ☐ Evidence suggesting deliberate non-reporting. **2 AAC 50.865(d)(2)(B)**
- ☐ Failure to cooperate with staff. **2 AAC 50.865(d)(2)(C)**
- ☐ A violation under AS 15.13, AS 24.45, AS 244.60.200-260, or AS 39.50 in the preceding 5 years. **2 AAC 50.865(d)(2)(D)**

**Based on the applicable standard mitigation criteria, staff recommend that the maximum civil penalty assessment be:**

- ☐ **Waived**
- ☒ **Reduced by 99.50% to \$250**
- ☐ **Upheld at the assessed amount of \$**

## CAMPAIGN DISCLOSURE FORM

AMENDED

COMPLETED

Submission Date: **02/17/2025**  
 Filer First Name: **Dmitri**  
 Filer Middle Name:  
 Filer Last Name: **Fonov**  
 Filer's Title: **Candidate**  
 Report Type: **105 Day Report**

## CANDIDATE INFORMATION

Candidate Name: **Dmitri Fonov**  
 Candidate Address: **1601 E Golden Circle**  
 City, State Zip: **Wasilla, Alaska 99654**

## REPORT INFORMATION

Election Year: **2024**  
 Election: **Matanuska-Susitna Borough**  
 Report Type: **105 Day Report**  
 Reporting Period: From **10/27/2024** Through **02/03/2025**

FINAL REPORT

## FINANCIAL SUMMARY

| THIS PERIOD                  |                    | ENTIRE CAMPAIGN                                                |                                    |       |                    |
|------------------------------|--------------------|----------------------------------------------------------------|------------------------------------|-------|--------------------|
| Beginning Cash On Hand:      | <b>\$9,721.57</b>  |                                                                |                                    |       |                    |
| [+] ↓                        |                    | Previous Campaign Income:<br>(From Box A of previous report)   | Campaign Income Total:<br>(Box A)  |       |                    |
| Total Income Reported:       | <b>\$12,175.46</b> | [+] ⇒                                                          | <b>\$0.00</b>                      | [=] ⇒ | <b>\$12,175.46</b> |
| [-] ↓                        |                    | Previous Campaign Expenses:<br>(From Box B of previous report) | Campaign Expense Total:<br>(Box B) |       |                    |
| Total Expenditures Reported: | <b>\$21,897.03</b> | [+] ⇒                                                          | <b>\$0.00</b>                      | [=] ⇒ | <b>\$21,897.03</b> |
| [=] ↓                        |                    |                                                                |                                    |       |                    |
| Closing Cash On Hand:        | <b>\$0.00</b>      |                                                                |                                    |       |                    |
| [-] ↓                        |                    |                                                                |                                    |       |                    |
| Total Debts:                 | <b>\$0.00</b>      |                                                                |                                    |       |                    |
| [=] ↓                        |                    |                                                                |                                    |       |                    |
| Surplus/Deficit:             | <b>\$0.00</b>      |                                                                |                                    |       |                    |

## INCOME

| Date Received | Payment Method | Contributor                                                                  | Details                                                   | Amount            |
|---------------|----------------|------------------------------------------------------------------------------|-----------------------------------------------------------|-------------------|
| 10/27/2024    | Credit Card    | <b>Efimov, Tim</b><br>PO Box 879528<br>Wasilla, Alaska 99687                 | Occupation: Timberfinish Inc<br>Employer: Construction    | <b>\$250.00</b>   |
| 10/27/2024    | Credit Card    | <b>Emswiler, Chad</b><br>1842 Merrill Field Drive<br>Anchorage, Alaska 99518 | Occupation: Employee<br>Employer: Alaska Helicopter Tours | <b>\$1,000.00</b> |

1 of 3  
Attachment 1

| <b>Date Received</b> | <b>Payment Method</b> | <b>Contributor</b>                                                              | <b>Details</b>                                                              | <b>Amount</b>      |
|----------------------|-----------------------|---------------------------------------------------------------------------------|-----------------------------------------------------------------------------|--------------------|
| 10/27/2024           | Credit Card           | <b>Gerard, Barbara</b><br>11150 E Lupine Rd<br>Palmer, Alaska 99645             | Occupation: Principal<br>Employer: MSBSD                                    | <b>\$100.00</b>    |
| 10/27/2024           | Check<br>6237         | <b>Hall, Jess</b><br>PO Box 1987<br>Palmer, Alaska 99645                        | Occupation: Builder Check<br>Employer: Selway Corp                          | <b>\$1,000.00</b>  |
| 10/27/2024           | Credit Card           | <b>Halligan, John</b><br>PO Box 240126<br>Anchorage, Alaska 99524               | Occupation: Employee<br>Employer: AIOF                                      | <b>\$1,000.00</b>  |
| 10/27/2024           | Credit Card           | <b>Kudryn, Dmitry</b><br>PO Box 879732<br>Wasilla, Alaska 99687                 | Occupation: Self Employed<br>Employer: Seld                                 | <b>\$500.00</b>    |
| 10/27/2024           | Credit Card           | <b>Meyer, Carin</b><br>7700 N. Norman Circle<br>Palmer, Alaska 99645            | Occupation: Clearwater Wells<br>Employer: Business owner                    | <b>\$500.00</b>    |
| 10/27/2024           | Credit Card           | <b>Motyka, Jason</b><br>2211 Sunrise Drive<br>Anchorage, Alaska 99508           | Occupation: Northern Hospitality Group,<br>Inc<br>Employer: General Manager | <b>\$5,000.00</b>  |
| 10/27/2024           | Credit Card           | <b>Parberry, Shannon</b><br>650 West Briar Drive<br>Wasilla, Alaska 99654       | Occupation: Self-Employed<br>Employer: Real Estate Broker                   | <b>\$100.00</b>    |
| 10/27/2024           | Credit Card           | <b>Pitcher, Brooks</b><br>9304 West Sanderling Drive<br>Wasilla, Alaska 99623   | Occupation: Electrician<br>Employer: Pitcher Electric                       | <b>\$250.00</b>    |
| 10/27/2024           | Credit Card           | <b>Shane, Andrew</b><br>1561 Landmark Drive<br>Palmer, Alaska 99645             | Occupation: Pipeline controller<br>Employer: Alyeska Pipeline               | <b>\$250.00</b>    |
| 10/27/2024           | Credit Card           | <b>Yundt, Trenitie</b><br>1165 Westpoint Drive<br>Wasilla, Alaska 99654         | Occupation: Real Estate<br>Employer: Robert Yundt Homes, LLC                | <b>\$500.00</b>    |
| 10/27/2024           | Credit Card           | <b>Yundt, Trenitie</b><br>1101 N Northshore Dr<br>Wasilla, Alaska 99654         | Occupation: Real Estate<br>Employer: Trenitie Yundt                         | <b>\$500.00</b>    |
| 10/27/2024           | Credit Card           | <b>Zola, Harry and Mary</b><br>PO Box 874341<br>Wasilla, Alaska 99687           | Occupation: Retired<br>Employer: Retired                                    | <b>\$100.00</b>    |
| 10/27/2024           | Credit Card           | <b>Zola, Harry</b><br>2205 E GrizzlyBear Cir<br>Wasilla, Alaska 99654           | Occupation: Retired<br>Employer: Retired                                    | <b>\$100.00</b>    |
| 10/28/2024           | Credit Card           | <b>Fonov, Samuel</b><br>PO box 872233<br>Wasilla, Alaska 99687                  | Occupation: Truck driver<br>Employer: Lynden transport                      | <b>\$475.46</b>    |
| 10/28/2024           | Check<br>2395         | <b>Mat Su Republican Women's Club</b><br>PO Box 875662<br>Wasilla, Alaska 99687 | Occupation: PAC<br>Employer: PAC                                            | <b>\$200.00</b>    |
| 11/01/2024           | Credit Card           | <b>Crum, Adam</b><br>146 E Birchtree Dr<br>Wasilla, Alaska 99654                | Occupation: Commissioner<br>Employer: State of Alaska                       | <b>\$250.00</b>    |
| 01/24/2025           | Credit Card           | <b>Wright, Lucas</b><br>5625 E Moose St<br>Wasilla, Alaska 99654                | Occupation: Owner<br>Employer: Steel Timber LLC                             | <b>\$100.00</b>    |
|                      |                       |                                                                                 | <b>Income Total:</b>                                                        | <b>\$12,175.46</b> |

## EXPENDITURES

| Date       | Payment Method          | Vendor                                                                                | Purpose                      | Amount             |
|------------|-------------------------|---------------------------------------------------------------------------------------|------------------------------|--------------------|
| 10/27/2024 | Debit Card              | <b>KS Corp.</b><br>22292 N Pepper Rd Ste C<br>Lake Barrington, Illinois 60010         | Printing Supplies            | <b>\$1,194.55</b>  |
| 10/27/2024 | Debit Card              | <b>Lurtsema Communications LLC</b><br>6390 Norm Dr<br>Anchorage, Alaska 99507         | Campaign Services            | <b>\$8,000.00</b>  |
| 10/27/2024 | Debit Card              | <b>Quick Apparel</b><br>102 Greystone Power Blvd<br>Dallas, Georgia 30157             | Printing Supplies for shirts | <b>\$260.00</b>    |
| 10/27/2024 | Debit Card              | <b>Spenard Builders Supply</b><br>1700 W Parks Hwy<br>Wasilla, Alaska 99654           | Sign Supplies                | <b>\$38.16</b>     |
| 01/24/2025 | Bank Fee                | <b>Anedot Inc.</b><br>1340 Poydras Street, Suite 1770<br>New Orleans, Louisiana 70112 | Credit Card Processing Fee   | <b>\$119.32</b>    |
| 02/01/2025 | Future Campaign Account | <b>Fonov, Dmitri</b><br>1601 E Golden Circle<br>Wasilla, Alaska 99654                 | Future Campaign Account      | <b>\$12,285.00</b> |
|            |                         |                                                                                       | <b>Expenditure Total:</b>    | <b>\$21,897.03</b> |

#### DEBTS

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

## CAMPAIGN DISCLOSURE FORM

**COMPLETED**

Submission Date: **05/27/2025**  
 Filer First Name: **Dmitri**  
 Filer Middle Name:  
 Filer Last Name: **Fonov**  
 Filer's Title: **Candidate**  
 Report Type: **Seven Day Report**

## CANDIDATE INFORMATION

Candidate Name: **Dmitri Fonov**  
 Candidate Address: **1601 E Golden Circle**  
 City, State Zip: **Wasilla, Alaska 99654**

## REPORT INFORMATION

Election Year: **2024**  
 Election: **Matanuska-Susitna Borough**  
 Report Type: **Seven Day Report**  
 Reporting Period: From **10/05/2024** Through **10/26/2024**

## FINANCIAL SUMMARY

| THIS PERIOD                  |                    | ENTIRE CAMPAIGN                                                |               |                                    |                   |
|------------------------------|--------------------|----------------------------------------------------------------|---------------|------------------------------------|-------------------|
| Beginning Cash On Hand:      | <b>\$9,721.57</b>  |                                                                |               |                                    |                   |
| [+] ↓                        |                    | Previous Campaign Income:<br>(From Box A of previous report)   |               | Campaign Income Total:<br>(Box A)  |                   |
| Total Income Reported:       | <b>\$8,350.00</b>  | [+] ⇒                                                          | <b>\$0.00</b> | [=] ⇒                              | <b>\$8,350.00</b> |
| [-] ↓                        |                    | Previous Campaign Expenses:<br>(From Box B of previous report) |               | Campaign Expense Total:<br>(Box B) |                   |
| Total Expenditures Reported: | <b>\$0.00</b>      | [+] ⇒                                                          | <b>\$0.00</b> | [=] ⇒                              | <b>\$0.00</b>     |
| [=] ↓                        |                    |                                                                |               |                                    |                   |
| Closing Cash On Hand:        | <b>\$18,071.57</b> |                                                                |               |                                    |                   |
| [-] ↓                        |                    |                                                                |               |                                    |                   |
| Total Debts:                 | <b>\$0.00</b>      |                                                                |               |                                    |                   |
| [=] ↓                        |                    |                                                                |               |                                    |                   |
| Surplus/Deficit:             | <b>\$18,071.57</b> |                                                                |               |                                    |                   |

## INCOME

| Date Received | Payment Method | Contributor                                                                  | Details                                                   | Amount            |
|---------------|----------------|------------------------------------------------------------------------------|-----------------------------------------------------------|-------------------|
| 10/10/2024    | Credit Card    | <b>Halligan, John</b><br>PO Box 240126<br>Anchorage, Alaska 99524            | Occupation: Employee<br>Employer: AIOF                    | <b>\$1,000.00</b> |
| 10/16/2024    | Credit Card    | <b>Meyer, Carin</b><br>7700 N. Norman Circle<br>Palmer, Alaska 99645         | Occupation: Clearwater Wells<br>Employer: Business owner  | <b>\$500.00</b>   |
| 10/17/2024    | Credit Card    | <b>Emswiler, Chad</b><br>1842 Merrill Field Drive<br>Anchorage, Alaska 99518 | Occupation: Employee<br>Employer: Alaska Helicopter Tours | <b>\$1,000.00</b> |

| Date Received | Payment Method | Contributor                                                               | Details                                                                  | Amount            |
|---------------|----------------|---------------------------------------------------------------------------|--------------------------------------------------------------------------|-------------------|
| 10/19/2024    | Credit Card    | <b>Motyka, Jason</b><br>2211 Sunrise Drive<br>Anchorage, Alaska 99508     | Occupation: Northern Hospitality Group, Inc<br>Employer: General Manager | <b>\$5,000.00</b> |
| 10/21/2024    | Credit Card    | <b>Kudryn, Dmitry</b><br>PO box 879732<br>Wasilla, Alaska 99687           | Occupation: Self Employed<br>Employer: Seld                              | <b>\$500.00</b>   |
| 10/21/2024    | Credit Card    | <b>Parberry, Shannon</b><br>650 West Briar Drive<br>Wasilla, Alaska 99654 | Occupation: Real estate broker<br>Employer: Self Employed                | <b>\$100.00</b>   |
| 10/25/2024    | Credit Card    | <b>Efimov, Tim</b><br>PO Box 879528<br>Wasilla, Alaska 99687              | Occupation: Timberfinish Inc<br>Employer: Construction                   | <b>\$250.00</b>   |
| Income Total: |                |                                                                           |                                                                          | <b>\$8,350.00</b> |

#### EXPENDITURES

| Date                                | Payment Method | Vendor | Purpose | Amount        |
|-------------------------------------|----------------|--------|---------|---------------|
| No Expenditures / Nothing to Report |                |        |         |               |
| Expenditure Total:                  |                |        |         | <b>\$0.00</b> |

#### DEBTS

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



# CAMPAIGN DISCLOSURE FORM

## AMENDMENT

Amendment Description: Removed 7-day income and expense

## COMPLETED

Submission Date: **05/27/2025**  
 Filer First Name: **Dmitri**  
 Filer Middle Name:  
 Filer Last Name: **Fonov**  
 Filer's Title: **Candidate**  
 Report Type: **105 Day Report**

### CANDIDATE INFORMATION

Candidate Name: **Dmitri Fonov**  
 Candidate Address: **1601 E Golden Circle**  
 City, State Zip: **Wasilla, Alaska 99654**

### REPORT INFORMATION

Election Year: **2024**  
 Election: **Matanuska-Susitna Borough**  
 Report Type: **105 Day Report**  
 Reporting Period: From **10/27/2024** Through **02/03/2025**

### FINANCIAL SUMMARY

| THIS PERIOD                  |             | ENTIRE CAMPAIGN                                                |             |                                    |             |
|------------------------------|-------------|----------------------------------------------------------------|-------------|------------------------------------|-------------|
| Beginning Cash On Hand:      | \$9,721.57  |                                                                |             |                                    |             |
| [+] ↓                        |             | Previous Campaign Income:<br>(From Box A of previous report)   |             | Campaign Income Total:<br>(Box A)  |             |
| Total Income Reported:       | \$3,825.46  | [+] ⇒                                                          | \$18,071.57 | [=] ⇒                              | \$21,897.03 |
| [-] ↓                        |             | Previous Campaign Expenses:<br>(From Box B of previous report) |             | Campaign Expense Total:<br>(Box B) |             |
| Total Expenditures Reported: | \$21,897.03 | [+] ⇒                                                          | \$0.00      | [=] ⇒                              | \$21,897.03 |
| [=] ↓                        |             |                                                                |             |                                    |             |
| Closing Cash On Hand:        | -\$8,350.00 |                                                                |             |                                    |             |
| [-] ↓                        |             |                                                                |             |                                    |             |
| Total Debts:                 | \$0.00      |                                                                |             |                                    |             |
| [=] ↓                        |             |                                                                |             |                                    |             |
| Surplus/Deficit:             | -\$8,350.00 |                                                                |             |                                    |             |

### INCOME

| Date Received | Payment Method | Contributor                                                  | Details                                            | Amount     |
|---------------|----------------|--------------------------------------------------------------|----------------------------------------------------|------------|
| 10/27/2024    | Credit Card    | Gerard, Barbara<br>11150 E Lupine Rd<br>Palmer, Alaska 99645 | Occupation: Principal<br>Employer: MSBSD           | \$100.00   |
| 10/27/2024    | Check<br>6237  | Hall, Jess<br>PO Box 1987<br>Palmer, Alaska 99645            | Occupation: Builder Check<br>Employer: Selway Corp | \$1,000.00 |

| Date Received        | Payment Method | Contributor                                                                     | Details                                                       | Amount            |
|----------------------|----------------|---------------------------------------------------------------------------------|---------------------------------------------------------------|-------------------|
| 10/27/2024           | Credit Card    | <b>Pitcher, Brooks</b><br>9304 West Sanderling Drive<br>Wasilla, Alaska 99623   | Occupation: Electrician<br>Employer: Pitcher Electric         | <b>\$250.00</b>   |
| 10/27/2024           | Credit Card    | <b>Shane, Andrew</b><br>1561 Landmark Drive<br>Palmer, Alaska 99645             | Occupation: Pipeline controller<br>Employer: Alyeska Pipeline | <b>\$250.00</b>   |
| 10/27/2024           | Credit Card    | <b>Yundt, Trenitie</b><br>1101 N Northshore Dr<br>Wasilla, Alaska 99654         | Occupation: Real Estate<br>Employer: Trenitie Yundt           | <b>\$500.00</b>   |
| 10/27/2024           | Credit Card    | <b>Yundt, Trenitie</b><br>1165 Westpoint Drive<br>Wasilla, Alaska 99654         | Occupation: Real Estate<br>Employer: Robert Yundt Homes, LLC  | <b>\$500.00</b>   |
| 10/27/2024           | Credit Card    | <b>Zola, Harry and Mary</b><br>PO Box 874341<br>Wasilla, Alaska 99687           | Occupation: Retired<br>Employer: Retired                      | <b>\$100.00</b>   |
| 10/27/2024           | Credit Card    | <b>Zola, Harry</b><br>2205 E GrizzlyBear Cir<br>Wasilla, Alaska 99654           | Occupation: Retired<br>Employer: Retired                      | <b>\$100.00</b>   |
| 10/28/2024           | Credit Card    | <b>Fonov, Samuel</b><br>PO box 872233<br>Wasilla, Alaska 99687                  | Occupation: Truck driver<br>Employer: Lynden transport        | <b>\$475.46</b>   |
| 10/28/2024           | Check<br>2395  | <b>Mat Su Republican Women's Club</b><br>PO Box 875662<br>Wasilla, Alaska 99687 | Occupation: PAC<br>Employer: PAC                              | <b>\$200.00</b>   |
| 11/01/2024           | Credit Card    | <b>Crum, Adam</b><br>146 E Birchtree Dr<br>Wasilla, Alaska 99654                | Occupation: Commissioner<br>Employer: State of Alaska         | <b>\$250.00</b>   |
| 01/24/2025           | Credit Card    | <b>Wright, Lucas</b><br>5625 E Moose St<br>Wasilla, Alaska 99654                | Occupation: Owner<br>Employer: Steel Timber LLC               | <b>\$100.00</b>   |
| <b>Income Total:</b> |                |                                                                                 |                                                               | <b>\$3,825.46</b> |

#### EXPENDITURES

| Date       | Payment Method | Vendor                                                                                | Purpose                      | Amount            |
|------------|----------------|---------------------------------------------------------------------------------------|------------------------------|-------------------|
| 10/27/2024 | Debit Card     | <b>KS Corp.</b><br>22292 N Pepper Rd Ste C<br>Lake Barrington, Illinois 60010         | Printing Supplies            | <b>\$1,194.55</b> |
| 10/27/2024 | Debit Card     | <b>Lurtsema Communications LLC</b><br>6390 Norm Dr<br>Anchorage, Alaska 99507         | Campaign Services            | <b>\$8,000.00</b> |
| 10/27/2024 | Debit Card     | <b>Quick Apparel</b><br>102 Greystone Power Blvd<br>Dallas, Georgia 30157             | Printing Supplies for shirts | <b>\$260.00</b>   |
| 10/27/2024 | Debit Card     | <b>Spenard Builders Supply</b><br>1700 W Parks Hwy<br>Wasilla, Alaska 99654           | Sign Supplies                | <b>\$38.16</b>    |
| 01/17/2025 | Check<br>0008  | <b>Lurtsema Communications LLC</b><br>6390 Norm Dr<br>Anchorage, Alaska 99507         | Campaign Services            | <b>\$7,520.66</b> |
| 01/24/2025 | Bank Fee       | <b>Anedot Inc.</b><br>1340 Poydras Street, Suite 1770<br>New Orleans, Louisiana 70112 | Credit Card Processing Fee   | <b>\$119.32</b>   |



| Date       | Payment Method          | Vendor                                                         | Purpose                 | Amount      |
|------------|-------------------------|----------------------------------------------------------------|-------------------------|-------------|
| 02/01/2025 | Future Campaign Account | Fonov, Dmitri<br>1601 E Golden Circle<br>Wasilla, Alaska 99654 | Future Campaign Account | \$4,764.34  |
|            |                         |                                                                | Expenditure Total:      | \$21,897.03 |

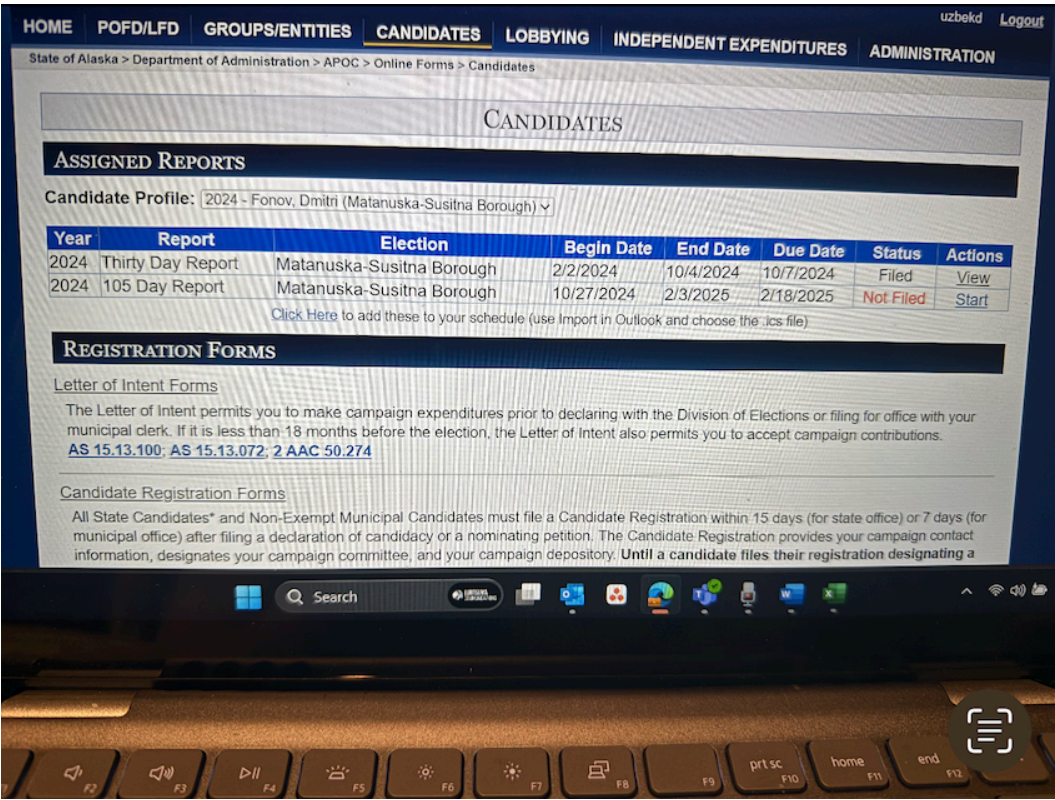
#### DEBTS

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

Greetings John Whitlock:

This appeal is to address the \$56,000 fine imposed upon my campaign. I will be referring to the appeal guidelines to structure this appeal.

We believe APOC’s website systems were glitched as we didn’t have the ability to report a 7-day report. We decided to date transactions meant for the 7 day report to the 105 day report’s beginning period date as we weren’t sure what to do since the normal 7-day report functionality wasn’t available to us. This mean, we need to amend my filing as some of these transaction were NOT during the 24-hour period. Philosophically, we would have been fined automatically anyway if we back-dated the 105 day report’s transactions that were meant for the 7 day report. The main root issue that created a cascading effect that led to our current fine situation is we had no ability to do a 7 day report. Please see the below screen shot and look at our account as proof.



This isn’t our first glitch / issue we have dealt with APOC’s web system. When doing the Future Campaigns Account, the begin date and the end date had errors. I am sure APOC is aware of some of their own system glitches and how it can affect the end user. Here is that image below for my account.

| LOBBYING   |            | INDEPENDENT EXPENDITURES |        |
|------------|------------|--------------------------|--------|
| es         |            |                          |        |
| CANDIDATES |            |                          |        |
|            |            |                          |        |
|            |            |                          |        |
|            | Begin Date | End Date                 | Due    |
| ugh        | 2/2/2024   | 10/4/2024                | 10/7/2 |
| ugh        | 2/4/2025   | 2/1/2025                 | 2/18/2 |
| ugh        | 10/27/2024 | 2/3/2025                 | 2/18/2 |

As part of this appeal - we ask for assistance on how to file some of the 7 day report items when the 7 day report capabilities don't exist on my APOC portal. Due to this issue, we ask APOC waives the entire APOC fee due to system glitches & portal issues. To be clear, we have multiple transactions dated on the 10/27 that should have been dated during the 7 day period but we didn't have the ability to do so as explained above.

Please see the following appeal reasons for reducing / completely waiving the APOC fine:

1 - I am an inexperienced filer. I have never filed a Future Campaign Account before - also initially I filed thinking that I would raise less than \$5,000 for the election cycle. Upon realizing I would be above \$5,000, I had challenges refiling and then we couldn't do the 7 day report. Please consider my inexperience in reducing the high fine.

2 - The technical error as explained above seems to be a good reason to consider reducing / waiving the fine. How are we suppose to properly file things correctly if the 7 day report (as of 03/29/2025 it still doesn't show) is not available. APOC clearly has situations where the online portal is buggy, glitchy, or doesn't work as per proof in the images above.

3 - We mistakenly reported items in the 105 day report that should have been in the 7 day. We need to fix and address this - but we need the 7 day report functionality to work in order for us to successfully amend. What do you recommend we do?

4 - Although we don't have the information to associate any mistakes with a specific APOC staff member, whoever manages the website really needs to make sure it's working properly and there aren't any of these technical errors as mentioned above. Due to these technical errors, we would like the fine to be waived.

5 - The fine amount is much more than the total amount received AND remaining for my campaign. It doesn't make sense to pay \$56,000 if I have less than \$10,000 left.

6 - I argue that there are no public damages. I did not have an opponent and would have won regardless. Also, we filed everything - we just don't have the correct dates due to the technical issues explained above. I think due to the unique circumstance, paired with the fact that the public wasn't damaged and I didn't have an opponent, I believe this fine should be waived.

7 - We are self-reporting on the 7-day filing issue and also filing certain transactions with the incorrect date due to the unique technical issue explained from above. Due to the unique issue that created a cascading effect that brought us to this situation, I believe the fine should be

waived as long as we report everything correctly with the 7 day functionality returned and good communication with APOC staff so we are within guidelines of doing this report correctly.

I am eager to continue to address this issue and work with APOC staff to rectify these challenges and look forward to good reporting in the future.

Thank you for your consideration.

Dmitri Fonov



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)

March 11, 2025

Via Certified Mail, U.S. Mail, and Email

Dmitri Fonov  
1601 E Golden Circle  
Wasilla, AK 99654  
[fonov@yahoo.com](mailto:fonov@yahoo.com)  
[joe@lurtsemacommunications.com](mailto:joe@lurtsemacommunications.com)

RE: Notice of Penalty Assessment – 24 Hour Campaign Disclosure Report

Mr. Fonov:

According to our records you did not timely file a 24 Hour Report for the 2024 Mat-Su Borough Election. During the 9 days prior to an election (Oct. 27<sup>th</sup> - Nov. 4<sup>th</sup>), candidates are required to disclose contributions that exceed \$250 within 24 hours of receipt.

You were required to disclose a contribution through a 24 Hour Report, no later than October 28, 2024.<sup>1</sup> Instead, several contributions made on October 27, 2024 were disclosed on a 105 Day Report on February 17, 2025 (112 days late).<sup>2</sup> By law a maximum penalty of \$500 accrues each day the report is late.<sup>3</sup> The maximum penalty the Alaska Public Offices Commission has assessed you is **\$56,000**.<sup>4</sup>

Additionally, please be advised:

- 1) You may pay the assessed penalty and avoid formal Commission action by sending payment by check or money order payable to the "State of Alaska" to our office at the address above; visiting our [website](https://aws.state.ak.us/ApocReports/Paper/CommissionCivilPenalties.aspx)<sup>5</sup> to make a payment by credit card; or you

<sup>1</sup> AS 15.13.110(b).

<sup>2</sup> Chad Emswiler, Received 10/27/24, Credit Card, \$1,000.  
Jess Hall, Received 10/27/24, Check, \$1,000.  
John Halligan, Received 10/27/24, Credit Card, \$1,000.  
Dmitry Kudryn, Received 10/27/24, Credit Card, \$500.  
Calvin Meyer, Received 10/27/24, Credit Card, \$500.  
Jason Motyka, Received 10/27/24, Credit Card, \$5,000.  
Trenitie Yundt, Received 10/27/24, Credit Card, \$1,000.

<sup>3</sup> AS 15.13.390(a)(1).

<sup>4</sup> 2 AAC 50.855(a).

<sup>5</sup> <https://aws.state.ak.us/ApocReports/Paper/CommissionCivilPenalties.aspx>

PLEASE NOTE: credit card payments cannot be made by phone; they must be made online.

may pay in cash at our offices. **Payment must be made within thirty days of the date of this letter.** If you are unable to pay the entire assessed penalty in a single payment and wish to discuss a payment plan, or have any other question concerning this matter, please contact the APOC staff.

- 2) Alternatively, you have the right to appeal staff's conclusion that a violation has occurred or the penalty amount assessed.<sup>6</sup> **If you wish to appeal you must submit the enclosed appeal affidavit to APOC within thirty days of the date of this letter.**

If you appeal, staff will review your affidavit and prepare a recommendation for the Commission. You will receive a copy of that recommendation and notice of when the Commission will meet to consider the matter. You will have the opportunity to participate in the meeting either in person or telephonically.

Failure to respond to this notice by either making arrangement for payment within thirty days or submitting an appeal within thirty days will result in staff presenting this matter to the Commission for a final order in the amount of the assessed penalty and referral to the Attorney General's Office.<sup>7</sup>

A copy of this letter will be placed in your APOC file and is considered a public document. If you have any questions about this matter, please contact APOC staff.

#### ALASKA PUBLIC OFFICES COMMISSION

*John Whitlock*  
John Grover Whitlock  
Paralegal II

Encl: Civil Penalty Appeal Affidavit  
2 AAC 50.865

cc: 2024 Candidate File (w/o enclosures)

**CERTIFICATE OF SERVICE:**

I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered to:

|                                                                                                                |                                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| Dmitri Fonov<br>1601 E Golden Circle<br>Wasilla, AK 99654<br>fonov@yahoo.com<br>joe@lurtsemacommunications.com | <input checked="" type="checkbox"/> Certified Mail<br><input checked="" type="checkbox"/> U.S. Mail<br><input checked="" type="checkbox"/> Email |
|----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|

03/11/2025

*[Signature]*  
Law Office Assistant

Date

9489 0090 0027 6610 9655 20

<sup>6</sup> 2 AAC 50.831(a).

<sup>7</sup> 2 AAC 50.895.

**Civil Penalty Appeal Affidavit**  
AS 15.13 Alaska Campaign Disclosure Law

**Name of Appellant:** \_\_\_\_\_

**Office:** \_\_\_\_\_

**Penalty issued in connection with** (check box or boxes):

- |                                         |                                          |                                                            |
|-----------------------------------------|------------------------------------------|------------------------------------------------------------|
| <input type="checkbox"/> 30 Day Report  | <input type="checkbox"/> 105 Day Report  | <input type="checkbox"/> Statement of Contributions (15-5) |
| <input type="checkbox"/> 7 Day Report   | <input type="checkbox"/> Year End Report | <input type="checkbox"/> Independent Expenditure (15-6)    |
| <input type="checkbox"/> 24 Hour Report | <input type="checkbox"/> Registration    | <input type="checkbox"/> Paid for By Identifier            |
| <input type="checkbox"/> Other: _____   |                                          |                                                            |

**Specify year & election**, if late report (e.g., 04 Primary, 03 Muni, etc.): \_\_\_\_\_

**Instructions:** If you send payment, you need not file this form. An affidavit is required only if you are appealing the civil penalty assessment. An affidavit must be self-certified or notarized by any person authorized to administer oaths.

**Statement:**

I do hereby swear and affirm that this statement of facts is offered in mitigation of the civil penalty issued in connection with a violation of the AS 15.13, the Alaska Campaign Disclosure Law.

**State the reasons why the reporting violation occurred and any reasons why the civil penalty should not be assessed:**

**Certification:**

I, the undersigned, certify that the information in this Statement is, to the best of my knowledge, true, correct, and complete. By statute, a person who makes a false sworn certification which s/he does not believe to be true is guilty of perjury.

**Signed/Date:** \_\_\_\_\_



## **2 AAC 50.865. Mitigating factors; aggravating factors**

(a) A civil penalty determined under 2 AAC 50.855 may be reduced by up to 50 percent if

(1) a person required to file a statement or other filing

(A) has a good filing history; in this subparagraph, "good filing history" means

(i) no late filings in the immediately preceding five years; and

(ii) for groups, no more than \$500 in non-administrative activity shown on the group's overdue report; or

(B) is an inexperienced filer; in this subparagraph, "inexperienced filer" means a person required to file reports under this chapter if that person has been subject to a registration or reporting requirement for less than 365 days, or a person engaged in the person's first election cycle;

(2) a technical error at the commission, including a communication, facsimile machine, computer program, electronic filing system, or other equipment problem may have contributed to the late or incomplete filing;

(3) any unreported or mistakenly reported information had a value of \$100 or less; or

(4) any unreported or mistakenly reported information had a value higher than \$100 but no more than \$1,000, and a factor listed in (b) of this section also applies.

(b) A civil penalty determined under 2 AAC 50.855 may be reduced by a percentage greater than 50 percent, or waived entirely based on the following factors:

(1) the person required to file, or a family member of the person required to file, experienced a personal emergency, including a call for military service, a natural disaster, a civil disturbance, or an incapacitating illness that prevented the person from filing on or before the due date; this mitigating factor is only available to a natural person;

(2) a significant cause of the late filing is commission staff error, including

(A) furnishing reporting materials too late for filing on or before the due date;

(B) giving incorrect oral or written information to a person required to submit a statement or other filing; or

(C) failing to deliver required notices when due;

(3) a late or erroneous report included only administrative costs;

(4) a late or incomplete report did not cause significant harm to the public, and aggravating factors under (d) of this section do not exist; for purposes of this paragraph, a late or incomplete report did not cause significant harm to the public if

(A) the dollar amount missing from a form or disclosure is \$100 or less;

(B) the dollar amount for the information missing from a form or disclosure is more than \$100 but no more than \$1,000, and the person required to file self-reported the error; for purposes of this subparagraph, the error is self-reported if the person notified the staff of the error, but filing the late or missing information without notifying the staff does not constitute self-reporting; or



(C) except for a disclosure that must be submitted within 24 hours under AS 15.13.110 or 15.13.040, the missing or incomplete information is readily available to the public through another forum;

(5) the civil penalty assessment is significantly out of proportion to the degree of harm to the public for not having the information; for purposes of this paragraph, absent the presence of aggravating factors in (d) of this section, an assessed penalty is significantly out of proportion if it exceeds the value of the transactions that were not reported or were reported late, or, in the case of seven-day or 24-hour reports, exceeds twice the value of the transactions that were not reported or were reported late; or

(6) a unique circumstance justifies reducing or waiving the penalty.

(c) The commission will not accept any of the following as mitigating factors to reduce the amount of a penalty:

(1) relying on another person or mailroom to mail, postmark, or submit the statement on or before a due date;

(2) forgetting to file;

(3) being a volunteer;

(4) having no change in reportable information from previous filed statements;

(5) relying on the responsible person's staff to remind the person of the filing deadline or to complete or file the report;

(6) being too busy to file;

(7) absence caused by travel, unless the travel was unplanned or unavoidable, including travel for a personal emergency, or weather-related travel problems.

(d) A civil penalty determined under 2 AAC 50.855 may be increased to the maximum amount allowed under the applicable statute if a person required to file a statement or other filing has

(1) failed to substantially comply with financial disclosure requirements by omitting a significant source of income, interest in real property, business interest, loan, trust, or other substantial financial interest; in this paragraph, "substantial financial interest" means an interest with a value greater than \$1,000; or

(2) a poor reporting history; indicators of a poor reporting history include any of the following:

(A) more than one late filing in the immediately preceding five years;

(B) evidence suggesting deliberate non-reporting;

(C) failure to cooperate with the staff;

(D) a violation of any provision of AS 15.13, AS 24.45, AS 24.60.200 - 24.60.260, AS 39.50, or this chapter in the preceding five years.



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)

August 11, 2026

### VIA EMAIL & CERTIFIED MAIL

Dmitri Fonov  
1601 E Golden Circle  
Wasilla, AK 99654  
[Fonov@yahoo.com](mailto:Fonov@yahoo.com)  
[joe@lurtsemacommunications.com](mailto:joe@lurtsemacommunications.com)

RE: Commission Meeting Notice

Mr. Fonov:

The Commission will review the matter of the civil penalty assessed for your late filed 24-hour reports at its August 26, 2026, Commission Meeting in Anchorage, Alaska.

I have enclosed the staff recommendations that will be presented to the Commission at the meeting for your review.

You have a right to participate at the meeting, either in person or by telephone (1-907-202-7104, Access Code: 845 091 354#, in-person (2221 Northern Lights Blvd, Ste 128, Anchorage, Alaska, 99508) or via [Microsoft Teams Meeting<sup>1</sup>](#). Please notify our office if you intend to participate. Group Civil Penalty Appeals are expected to begin at **9:15 a.m. on Wednesday, August 26, 2026.**

This matter will initially be presented to the Commission on a Consent Agenda. If you do not wish to present your appeal or make a statement to the Commission, and your appeal is not removed from the agenda by a Commissioner, the Staff Recommendation will be approved without discussion or deliberation. If you do wish to present your appeal or make a statement before the Commission, please notify staff or the Commission prior to the approval of the consent agenda.

Staff will send you a copy of the Commission's final decision regarding your appeal.

If you have any questions, please contact our office.

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<sup>1</sup> Meeting ID 250 016 996 214 088, Passcode ss9Fo9K9

Dmitri Fonov  
Commission Meeting Notice

Page | 2

ALASKA PUBLIC OFFICES COMMISSION

*John Whitlock*  
John Grover Whitlock  
Paralegal

Encl: Notice of Deficiency

cc: 2024 Candidate File

|                                                                                                                                                                                                         |                                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| <b>CERTIFICATE OF SERVICE:</b><br>I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered to:                                                             |                                                                                                 |
| Dmitri Fonov<br>1601 E Golden Circle<br>Wasilla, AK 99654<br><a href="mailto:Fonov@yahoo.com">Fonov@yahoo.com</a><br><a href="mailto:joe@lurtsemacommunications.com">joe@lurtsemacommunications.com</a> | <input checked="" type="checkbox"/> Email<br><input checked="" type="checkbox"/> Certified Mail |

*Cari Rousselle*  
Signature

08/11/2026  
Date



**ALASKA PUBLIC OFFICES COMMISSION  
STAFF RECOMMENDATION FOR COMMISSION ACTION**

**PREPARED BY:** John Grover Whitlock

**DATE:** August 10, 2026

**RESPONDENT:** Dmitri Fonov

**CIVIL PENALTY**

**ASSESSED UNDER:** ☒ Campaign Disclosure: AS 15.13.110

**REASON FOR FILING:**

**LATE REPORT(S):** • Campaign Disclosure Reports

☒ 24-hour reports

**DUE DATE OF LATE FILED REPORT:** October 28, 2024

**REPORT FILED ON:** February 17, 2025

**NUMBER OF DAYS LATE:** 112

**DATE PENALTY ASSESSMENT SENT:** March 11, 2025

**DATE PENALTY APPEAL RECEIVED:** March 24, 2025

**MAXIMUM STATUTORY PENALTY:** \$56,000

**PENALTY ASSESSED<sup>1</sup>:** \$56,000

**RECOMMENDATION:** Reduced to \$250

(See "Staff's Recommendation Based on Standard Mitigation Criteria")

**AFFIANT'S STATEMENT OF MITIGATING FACTS:**

1. Affiant submitted and stated that there was a glitch in the system that did not allow him to file a 7-day report.
2. The amount of the assessed penalty is significantly greater and out of proportion to the degree of harm to the public for not having the information.
3. Affiant is an inexperienced filer.

<sup>1</sup>

2 AAC 50.855(b)(2)(C)(ii).

4. Appellant believes that technical issues amount to a unique circumstance that would warrant dismissal.

### **BACKGROUND:**

The appellant filed a 105-day report on 2/17/25 containing the names of seven individuals who donated over \$250 during the 24-hour reporting period (October 27 – November 4).<sup>2</sup> When the penalty was issued, the appellant submitted an appeal stating he did not have a 7-day reporting requirement visible on his assigned reports tab; because of this, he reported contributions from the 7-day reporting window (October 27 – November 4) on the 105-day report, the next report listed on his assigned reports tab. He asserted that this caused many of the contributions to appear as though they were out of compliance with the 24-hour reporting requirement.

The absence of a 7-day reporting requirement for the appellant was due to filings made by appellant. After the 30-day report deadline, appellant filed both a 30-day report denoting no activity and filed a Municipal Exemption form because he did not intend to raise more than \$5,000. Because he wrongly filed an exemption form after having registered as a candidate, the 7-day reporting deadline disappeared. Fonov then registered again as a candidate on 10/29/2024 (this was after the range of dates for the 7-day report). This gave him only one additional reporting deadline: the 105-day report.

Staff manually restored the appellant's 7-day report requirement. It was here where the appellant filed his 7-day report and amended his 105-day report to include only the contributions made between October 27, 2024 and February 3, 2025.<sup>3</sup> Many of the previous contributions of more than \$250 reported on the 105-day report were included in the 7-day report. However, even after amendments were made, contributions made during the 24-hour reporting window remained on the 105-day report, just in fewer numbers: only two contributions greater than \$250 were made on the 105-day report. The contributions from Trenity Yundt and Jess Hall did not have corresponding 24-hour reports on file.

### **STAFF'S ANALYSIS OF FACTS FOR COMMISSION REVIEW**

1. The appellant discussed in his appeal that a 7-day reporting requirement was not available to him. While this may have caused confusion initially, the amended reports still show that contributions were made during the 24-hour reporting window that don't have corresponding 24-hour reports.

2. A candidate is entitled to a greater than 50 percent reduction if the civil penalty is significantly greater and out of proportion to the degree of harm to the public for not having the information.<sup>4</sup> Here, the proposed penalty (\$56,000) is more than double the contributions in question (\$2,000 between two contributors on the same day).

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<sup>2</sup> See Attachment #1 – 105-day report filed on 2/17/25.

<sup>3</sup> See Attachment #2 and #3 – [7-day report filed on 5/27](#) and amended [105-day report filed on 5/27](#)

<sup>4</sup> 2 AAC 50.865(b)(5).

3. The appellant also stated he was an inexperienced filer. However, this is the appellant's second election cycle as a registered candidate, and he does not qualify for a mitigator under this criteria.

4. Regarding the unique circumstances of this case being grounds for dismissal: Staff does not deny that the circumstances from the appellant's own filing history lead to the gap in reporting that led to appellant's confusion. This is why staff has chosen not to pursue a penalty assessment for a late filed 7-day report. The 24-hour reporting requirement was still required, despite the appellant's difficulty navigating the reporting system.

5. Based on the circumstances, staff recommend that the penalty be reduced to \$250.

#### **FILER'S REPORTING HISTORY:**

##### **2023**

Thirty Day Report .....Timely  
Seven Day Report.....Timely  
105 Day Report.....Timely  
FCA.....Late

##### **2024**

Thirty Day Report .....Late  
Seven Day Report.....Late  
105 Day Report.....Timely  
FCA.....Timely

#### **ACTIVITY ON LATE REPORT:**

105 Day Report:

|                |                                  |
|----------------|----------------------------------|
| <b>Income:</b> | <b>\$ 1,000 (Jess Hall)</b>      |
| <b>Income:</b> | <b>\$ 1,000 (Trinitie Yundt)</b> |

#### **STAFF'S RECOMMENDATION BASED ON STANDARD MITIGATION CRITERIA**

**Staff finds the following mitigation criteria applicable to the respondent's appeal:**

##### **Criteria for up to 50% reduction of the maximum civil penalty [2 AAC 50.865(a)]:**

- ☐ Good filing history (no late filings in the previous 5 years). **2 AAC 50.865(a)(1)(A)**
- ☐ Inexperienced filer.<sup>5</sup> **2 AAC 50.865(a)(1)(B)**
- ☐ Technical error at APOC. **2 AAC 50.865(a)(2)**
- ☐ Reported information had a value of \$100 or less. **2 AAC 50.865(a)(3)**

<sup>5</sup> Any entity or filer subject to a registration or reporting requirement for less than 365 days.

- ☐ Reported information had a value between \$100 and \$1000 AND any factor listed in 2 AAC 50.865(b) also applies. **2 AAC 50.865(a)(4)**

**Criteria for greater than 50% reduction, up to complete waiver [2 AAC 50.865(b)]:**

- ☐ Personal catastrophe/emergency or incapacitating illness. **2 AAC 50.865(b)(1)**
- ☐ APOC Staff error. **2 AAC 50.865(b)(2)**
- ☐ Report included only administrative costs. **2 AAC 50.865(b)(3)**
- ☐ No significant harm to the public and no aggravating factors.<sup>6</sup> **2 AAC 50.865(b)(4)**
- ☒ The civil penalty is significantly greater and out of proportion to the degree of harm to the public for not having the information.<sup>7</sup> **2 AAC 50.865(b)(5)**
- ☐ A unique circumstance. **2 AAC 50.865(b)(6)**

**Non-mitigating factors [2 AAC 50.865(c)]:**

**The Commission will not accept the following mitigating factors to reduce the amount of a penalty.**

- ☐ Relying on another person or mailroom to mail, postmark or submit the statement on or before a due date. **2 AAC 50.865(c)(1)**
- ☐ Forgetting to file. **2 AAC 50.865(c)(2)**
- ☐ Being a volunteer. **2 AAC 50.865(c)(3)**
- ☐ Having no change in data from previous statements on file. **2 AAC 50.865(c)(4)**
- ☐ Relying on the filer's staff to remind the filer of the filing deadline or to complete the report. **2 AAC 50.865(c)(5)**
- ☐ Being too busy to file. **2 AAC 50.865(c)(6)**
- ☐ Absence caused by travel, unless the travel was unplanned or unavoidable such as travel for personal emergency or weather-related travel problems. **2 AAC 50.865(c)(7)**

**Aggravating Factors [2 AAC 50.865(d)]:**

- ☐ Failure to comply by omitting a significant source of income, interest in real property, loan, trust, business, or other substantial financial interest.<sup>8</sup> **2 AAC 50.865(d)(1)**
- ☐ More than one late filing in the preceding 5 years. **2 AAC 50.865(d)(2)(A)**

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<sup>6</sup> The amount missing is \$100 or less; the amount missing is more than \$100 but less than \$1,000 and the filer self-reported; or the missing information is readily available to the public through another forum.

<sup>7</sup> Penalty exceeds the value of late or unreported transactions or for 24-hour and 7-day reports, the penalty exceeds twice the value of the late or unreported transactions

<sup>8</sup> Value greater than \$1000.

- ☐ Evidence suggesting deliberate non-reporting. **2 AAC 50.865(d)(2)(B)**
- ☐ Failure to cooperate with staff. **2 AAC 50.865(d)(2)(C)**
- ☐ A violation under AS 15.13, AS 24.45, AS 244.60.200-260, or AS 39.50 in the preceding 5 years. **2 AAC 50.865(d)(2)(D)**

**Based on the applicable standard mitigation criteria, staff recommend that the maximum civil penalty assessment be:**

- ☐ **Waived**
- ☒ **Reduced by 99.50% to \$250**
- ☐ **Upheld at the assessed amount of \$**





**BEFORE THE ALASKA PUBLIC OFFICES COMMISSION  
[PROPOSED] FINDINGS AND ORDER**

**In the matter of a civil penalty assessment  
against Ronald Bernier**

On August 26, 2026, the Alaska Public Offices Commission (Commission) reviewed the assessed civil penalty for Ron Bernier's delinquent 105 Day Report. The delinquent report's penalty is currently assessed at **\$27,700.00**. To facilitate collection proceedings by the Department of Law, the Commission issues the following Findings and Order.

**Findings of Fact**

1. Ron Bernier was a candidate in the 2024 Mat-Su Borough Election and subject to AS 15.13, Campaign Disclosure Law.
2. Pursuant to AS 15.13.110(a)(4), Mr. Bernier's 105 Day Report was due on February 18, 2025.
3. On February 21, 2025, staff sent a Notice of Deficiency informing Mr. Bernier of his 105 Day reporting requirement and the accrual of penalties. The notice informed him of his right to appeal the civil penalty within thirty days of the date of the notice and included a blank Civil Penalty Appeal Affidavit and a copy of 2 AAC 50.865 mitigation criteria. The notice was sent via E-mail and Certified Mail. The email server provided delivery confirmation. The Certified Mail was returned to sender.
4. On February 27, 2025 staff talked with Mr. Bernier and was of the understanding that he initially filed exempt and had to register since he raised or spent over \$5,000. Staff merged his exempt and registered profile and advised him of the reporting requirements. Mr. Bernier was of the impression that Joe Lurtsema would be taking care of the reporting requirements.
5. On August 7, 2026, staff issued a Notice of Referral regarding Mr. Bernier's outstanding 105 Day Report. This notice requested that Mr. Bernier file his Year End Report to stop the accrual of penalties and informed him that the matter would be presented to the Commission for a Final Order. The notice was sent via E-mail and Certified Mail. The email server provided delivery confirmation.

6. To date, Mr. Bernier has not filed his 105 Day Report.

### **Conclusions of Law**

Due to Mr. Bernier's failure to timely file his 105 Day Report, and his failure to pay, appeal, or dispute the assessed penalty in a timely manner, the Commission upholds a penalty assessment of **\$27,700.<sup>00</sup>** under the provisions of AS 15.13.390 and 2 AAC 50.855.

Commission staff has exhausted efforts to collect the penalty assessed against Mr. Bernier now due and owing to the State of Alaska under 2 AAC 50.895.

The Commission approves the referral of this case to the Office of the Attorney General to begin the formal collection process.

### **Decision and Order of the Commission**

In accordance with the above findings of fact and conclusions of law, the Commission orders Ronald Bernier to pay a civil penalty of **\$27,700.<sup>00</sup>** for failing to timely file his 105 Day Report and refers this matter for collection to the Office of the Attorney General.

**BY ORDER OF THE COMMISSION ON August 26, 2026**

### **NOTICE TO RESPONDENT**

**You must pay the penalty of \$27,700.<sup>00</sup> to the State of Alaska within thirty days from the date this order is mailed or otherwise distributed to you. To obtain judicial review of this order consistent with AS 44.62.560-570, you must file an appeal with the Superior Court within thirty days from the date this order is mailed or otherwise distributed to you.**



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

February 21, 2025

VIA CERTIFIED MAIL, U.S. MAIL, & EMAIL

Ronald Bernier  
PO Box 299012  
Wasilla, AK 99629  
jpinc@mtaonline.com

Re: Notice of Deficiency<sup>1</sup>  
2024 105 Day Report – Due February 18, 2025

Mr. Bernier:

According to our records, you have not filed your 2024 105 Day Report for the 2024 Matanuska-Susitna Borough Municipal Election that was due on February 18, 2025. Failure to timely file a report results in the assessment of civil penalties for failure to comply with the provisions of the Campaign Disclosure Law under Alaska Statute 15.13.

As of the date of this letter, your 2024 105 Day Campaign Disclosure Report is **3 days** late and the accrued maximum penalty is **\$150**. This penalty continues to accrue by law at a rate of \$50 per-day until your 2024 105 Day Campaign Disclosure Report is filed.<sup>2</sup>

**To stop the accrual of penalties, you must file your 2024 105 Day Campaign Disclosure Report.** You have a right to appeal the assessment of a penalty. To do so, **you must submit your delinquent report and submit the enclosed appeal affidavit to the Commission within 30 days.** APOC staff will review your affidavit and prepare a recommendation for the Commission. You will receive a copy of that recommendation and notice of when the Commission will meet to consider the matter. You will have the opportunity to participate in the meeting either in-person or telephonically.

<sup>1</sup> 2 AAC 50.850(b).

<sup>2</sup> AS 15.13.390(a).

Failure to respond to this notice by filing the report, making arrangement for payment within thirty days or submitting an appeal within thirty days will result in staff presenting this matter to the Commission for a final order in the amount of the total accrued penalty as of the date of the order; and referral to the Attorney General's Office for appropriate action.<sup>3</sup>

A copy of this letter will be placed in your APOC file and is considered a public document. If you have any questions about this matter, please contact APOC staff.

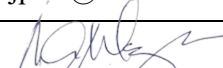
ALASKA PUBLIC OFFICES COMMISSION

  
John Grover Whitlock  
Paralegal

Encl: Civil Penalty Appeal Affidavit  
2 AAC 50.865

cc: Candidate File (w/o enclosures)

|                                                                                                                                             |                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CERTIFICATE OF SERVICE:</b><br>I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered to: |                                                                                                                                                  |
| Ronald Bernier<br>PO Box 299012<br>Wasilla, AK 99629<br>jpinc@mtaonline.com                                                                 | <input checked="" type="checkbox"/> Certified Mail<br><input checked="" type="checkbox"/> U.S. Mail<br><input checked="" type="checkbox"/> Email |

  
Law Office Assistant

02/21/2025

Date

9489 0178 9820 3021 0073 67

<sup>3</sup> 2 AAC 50.895.

**From:** [Microsoft Outlook](#)  
**To:** [jpinc@mtaonline.com](mailto:jpinc@mtaonline.com)  
**Subject:** Relayed: Re: Notice of Deficiency 2024 105 Day Report – Due February 18, 2025  
**Date:** Friday, February 21, 2025 12:21:11 PM  
**Attachments:** [Re Notice of Deficiency 2024 105 Day Report Due February 18 2025.msg](#)

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Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:  
jpinc@mtaonline.com (jpinc@mtaonline.com) <mailto:jpinc@mtaonline.com>  
Subject: Re: Notice of Deficiency 2024 105 Day Report – Due February 18, 2025

1 E. Northern Lights Blvd #128  
orage, AK 99508

US POSTAGE \$000.97  
02/21/2025  
ZIP 99508  
041L10243475

REASON CHECKED  
☒ Moved, Left No Address  
☐ Forwarding Order Expired  
☐ Unable To Forward  
☐ Attempted - Not Known  
☐ Unclaimed  
☐ No Such Street  
☐ No Such Number  
☐ Inefficient Address

Ronald Bernier  
PO Box 299012  
Wasilla, AK 99629

ARRIVED  
FEB 27 2025  
APOC - ANCH  
PM HC FAX ELE

NIXIE 995 FEB 1 0002/26/25  
RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD  
RC: 99508414828  
1989-03749-26-51

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99508414828



Alaska Public Offices Commission  
2221 E. Northern Lights Blvd #128  
Anchorage, AK 99508



CERTIFIED MAIL®



9489 0178 9820 3021 0073 67

Label 890-QDT, March 2023



ZIP 995  
04111024

neopost™  
02/21/2025  
US POSTAGE \$009.2

REASON CHECKED

- ☒ Moved, Left No Address
- ☐ Forwarding Order Expired
- ☐ Unable To Forward
- ☐ Attempted - Not Known
- ☐ Unclaimed
- ☐ Refused
- ☐ No Such Street
- ☐ No Such Number
- ☐ Invalid Zip Address

ARRIVED

MAR 04 2025

APOC - ANCH  
PM HC FAX ELE

Ronald Bernier  
PO Box 299012  
Wasilla, AK 99629

Box closed

2/22  
2/27  
3/19

RETURN TO SENDER  
UNDELIVERABLE AS ADDRESSED  
UNDELIVERABLE TO FORWARD

SL: 99088414848

NIXIE 995 301

0103/03/25



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)

August 7, 2026

VIA CERTIFIED MAIL, U.S. MAIL, and EMAIL

Ronald Bernier  
4800 N. Sasbo Bluff Loop  
Wasilla, AK 99623  
[bernier@mtaonline.net](mailto:bernier@mtaonline.net)

Re: NOTICE OF REFERRAL TO COMMISSION  
Failure to File 105 Day Report

Mr. Bernier:

On February 21, 2025, the Alaska Public Offices Commission Staff notified you that your 105 Day Report, due February 18, 2025, was delinquent. This notice informed you of the accruing penalty \$50 a day and asked you to submit your delinquent report.<sup>1</sup> **As of the date of this letter, you have not filed your Future Campaign Account Disclosure Report, and your accrued penalty is \$26,700.<sup>2</sup> This penalty continues to accrue until your Seven Day Campaign Disclosure Report is filed, or the matter is referred to the Attorney General's Office for further action.**

APOC staff will now refer this matter to the Commission for a final order of referral to the Attorney General's Office regarding your failure to file. The Commission will consider this matter at its August 26, 2026, public meeting. You will be notified in advance of that meeting should you wish to participate. To avoid formal Commission action regarding referral for failure to file, you must file your Seven Day Campaign Disclosure Report.

This letter will be placed in your public and permanent APOC file.

<sup>1</sup> 2 AAC 50.850(b).

<sup>2</sup> \$50x534days = \$26,700



August 6, 2026

Should you have any questions, please contact APOC at 907-276-4176. You may call long-distance within the state toll-free at 800-478-4176.

Thank you,

ALASKA PUBLIC OFFICES COMMISSION

*John Whitlock*  
John Grover Whitlock  
Paralegal

Encl: February 21, 2025, Notice of Deficiency (with enclosures)

cc: 2024 Candidate File

|                                                                                                                                             |                                                                                                                                                |
|---------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CERTIFICATE OF SERVICE:</b><br>I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered to: |                                                                                                                                                |
| Ronald Bernier<br>4800 N. Sasbo Bluff Loop<br>Wasilla, AK 99623<br><a href="mailto:bernier@mtaonline.net">bernier@mtaonline.net</a>         | <input checked="" type="checkbox"/> Certified Mail<br><input checked="" type="checkbox"/> US Mail<br><input checked="" type="checkbox"/> Email |

*Cari Rousselle*  
Signature

08/07/2026

Date

**Rousselle, Cari J (DOA)**

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**From:** Microsoft Outlook  
**To:** bernier@mtaonline.net  
**Sent:** Friday, August 7, 2026 1:21 PM  
**Subject:** Relayed: NOTICE OF REFERRAL TO COMMISSION

**Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:**

[bernier@mtaonline.net](mailto:bernier@mtaonline.net) ([bernier@mtaonline.net](mailto:bernier@mtaonline.net))

Subject: NOTICE OF REFERRAL TO COMMISSION



NOTICE OF  
REFERRAL TO C...



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)

August 11, 2026

### VIA EMAIL & CERTIFIED MAIL

Ronald Bernier  
4800 N. Sasbo Bluff Loop  
Wasilla, AK 99623  
[bernier@mtaonline.net](mailto:bernier@mtaonline.net)

RE: Commission Meeting Notice

Mr. Bernier:

The Commission will review the matter of the civil penalty assessed for your delinquent 2024 105 Day Report at its August 26, 2026, Commission Meeting in Anchorage, Alaska.

I have enclosed a proposed findings and order that will be presented to the Commission at the meeting for your review.

You have a right to participate at the meeting, either in person or by telephone (1-907-202-7104, Access Code: 845 091 354#, in-person (2221 Northern Lights Blvd, Ste 128, Anchorage, Alaska, 99508) or via [Microsoft Teams Meeting](#)<sup>1</sup>. Please notify our office if you intend to participate. Group Civil Penalty Appeals are expected to begin at **9:15 a.m. on Wednesday, August 26, 2026.**

This matter will initially be presented to the Commission on a Consent Agenda. If you do not wish to present your appeal or make a statement to the Commission, and your appeal is not removed from the agenda by a Commissioners, the Staff Recommendation will be approved without discussion or deliberation. If you do wish to present your appeal or make a statement before the Commission, please notify staff or the Commission prior to the approval of the consent agenda.

Staff will send you a copy of the Commission's final decision regarding this matter.

If you have any questions, please contact our office.

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<sup>1</sup> Meeting ID 250 016 996 214 088, Passcode ss9Fo9K9

Ronald Bernier  
Commission Meeting Notice

Page | 2

ALASKA PUBLIC OFFICES COMMISSION

*John Whitlock*  
John Grover Whitlock  
Paralegal

Encl: Notice of Deficiency

cc: 2024 Candidate File

|                                                                                                                                             |                                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| <b>CERTIFICATE OF SERVICE:</b><br>I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered to: |                                                                                                 |
| Ronald Bernier<br>4800 N. Sasbo Bluff Loop<br>Wasilla, AK 99623<br>bernier@mtaonline.net                                                    | <input checked="" type="checkbox"/> Email<br><input checked="" type="checkbox"/> Certified Mail |

*Cari Rousselle*

08/11/2026

Signature

Date