

OPPOSITION TO REQUEST TO CLOSE AND MOTION TO PROCEED TO HEARING AND DECISION

Complaint 26-13-POFD, Joel Borgquist v. Bernadette Wilson

Complainant's response to Respondent's Answer to Complaint dated September 25, 2026

ARRIVED

9/29/2026

APOC - ANCH
PM HC FAX ELE

Request

The complainant opposes the Respondent's request that the Commission "adopt the Staff Report in full and close this case." The complainant moves that the Commission proceed with the October 6, 2026 hearing, take sworn evidence on both issues identified in the Notice of Hearing, and issue a decision on the merits. The complainant relies on this filing and on his Response to Staff Report, including Exhibits G through L.

This complaint is not politically motivated

1. The respondent Answer calls the complainant a "political opponent." That is factually wrong, and Ms. Wilson has first-hand knowledge of it. In fact, on September 23, 2026, the complainant seconded a motion at the Republican District 23 meeting encouraging voters to rank all Republicans, including Ms. Wilson. He intends to do the same on his own ballot.
2. Some things are more important than any one candidate's agenda. Fairness matters – and fighting for the rights of all Alaskans to run for office is essential. Every elected leader and candidate must be held accountable and take the duties of office seriously. Regardless of how the complainant ranks Ms. Wilson, he will hold her accountable just the same as any other leader. He hopes she will faithfully do the same and want the same treatment for herself as her opponents, including Tregarrick Taylor and Zachary Johnson. The complainant hopes that the respondent agrees with him that a one-sided system that benefits only a few is bad for all Alaskans.
3. Timing is not a defense. Complaints may be filed within five years of a violation (AS 39.50.055(b)). This complaint was filed promptly after the Commission applied a strict standard to Mr. Taylor at the last minute after the primary and before certification, and it asks only that the same standard be applied here.

The Commission should decide the case on the merits

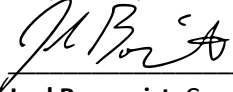
4. **The ownership violation is admitted.** The Answer concedes Ms. Wilson "is one of the owners" of Denali Disposal and did not list that interest. She owns 75 percent, even according to her own representative, and by all available records. The omission was not cured by the July 1, 2026 deadline, and as of the Answer it still had not been corrected. This is not a technicality; it is the business that produces her income.
5. **"Available somewhere else" is not substantial compliance.** Under *Adamson*, the case the Answer cites, substantial compliance must afford "the public the same protection that strict compliance would offer." A POFD that leaves out a 75 percent business interest and every customer of that business does not. If corporate records excused omissions, nearly every omitted interest would be excused. As the Executive Director told Mr. Taylor, disclosure "is not for APOC's information; it's for the public information."
6. **The self-employment defense rests only on the affidavit, and the record contradicts it.** Denali's April 2025 homepage carried a signed message from Ms. Wilson inviting customers to "give us a call, save money, and do business" with the company. Her signed proposal to the Kodiak Island Borough directed prospects to "contact Bernadette Wilson" personally. Customer Care reports directly to her, customers describe their "long standing relationship" with her, and she has publicly described shoveling out a restaurant customer's dumpster herself. (Response to Staff Report, ¶¶ 13-19; Exhibits H-L.) Staff adopted the affidavit the day it arrived and did not investigate these facts.
7. **"First-time filer" does not excuse the omission.** Ms. Wilson's affidavit states that, before becoming a candidate, she "reviewed the relevant statutory and code sections with legal counsel" (¶ 10). A candidate who reviewed these exact provisions with counsel cannot claim a first-timer's unfamiliarity with them.
8. **A hearing is the right forum.** The Notice of Hearing requires testimony under oath and provides that if the Respondent does not testify, she "may be called and examined as if under cross-examination." Those procedures

exist to test sworn statements against contrary evidence. Closing the case now would let an untested affidavit decide it.

Relief requested

- Deny the Respondent's request to adopt the Staff Report in full and close the case.
- Proceed with the October 6, 2026 hearing and decide both issues: the ownership omission and the failure to disclose Denali's clients as sources of income.
- Require Ms. Wilson to testify under oath, and give the affidavit no weight where the record contradicts it.
- Apply the same standard applied to Mr. Taylor, including the substantial-compliance and certification analysis under AS 39.50.060(b) and 2 AAC 50.850(h), and reject the proposed penalty waiver.
- Deliberate and vote in open session, with each commissioner's vote on the record.

Respectfully submitted,



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Dated: September 29th, 2026