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BEFORE THE ALASKA PUBLIC OFFICES COMMISSION

CHRISTOPHER CONSTANT,

Complainant,

v.

BERNADETTE WILSON,

Respondent.

Case No. 26-09-CD

RESPONSE TO STAFF REPORT

Respondent, Bernadette Wilson hereby submits the following Response to the Staff Report filed on September 25, 2026 in the above-captioned matter.

This Complaint centers on minor reporting issues that Respondent has worked diligently to resolve. The Staff Report proposes the following penalties: \$220 for accepting the now-refunded contribution from IPOP, LLC; requiring Ms. Wilson to personally reimburse \$6,080.24 to the campaign based on timing of person reimbursements, as well as a \$102 penalty; and \$2,175 related to missing (now-corrected) sub-vendor reporting of WinRed expenses.

Globally, Ms. Wilson considers the recommendations in the Staff Report to be reasonable resolutions of the issues raised. There are a few points in the Staff Report, however, where Ms.

Wilson would urge the Commission to take a second look at the issues involved and the appropriate mitigation criteria.

IPOP LLC Issue

Ms. Wilson's Answer to the Complaint fully summarizes her position on the substance of this issue, and the Staff report correctly notes Respondent's good filing history, status as an inexperienced filer, and "Respondent's demonstrated good-faith belief that the contribution was allowed and her immediate steps, in the absence of APOC action, to refund the contribution." Staff Report at 14-15.

WinRed and Associated Vendor Fees

Section b concerns a mistake by the campaign's treasurer where certain vendor fees were inadvertently reported as strictly being expenditures to WinRed. As noted in Ms. Wilson's Response, this was inadvertent error where the campaign's treasurer "misread the ledger reports from WinRed and misconstrued those expense entries as solely relating to credit card processing fees." Response at 4. When flagged, the campaign took prompt steps to amend the reports in question.¹

In suggesting a \$2,175 fine for this reporting error, the Staff Report does not apply any mitigation criteria beyond the 2 AAC 50.855 assessment. Staff Report at 15-16.

While the Staff Report acknowledges Ms. Wilson's "good filing history and status as an inexperienced filer" in proposing other penalties, it does not do so here. Ms. Wilson would argue that this is a mistake, and that additional mitigation factors should be applied. Ms. Wilson

¹ Based on comments in the Staff Report, the campaign is in the process of reviewing its reports to make sure that no additional detail needs to be included.

maintains a good filing history and was an inexperienced filer as a first-time candidate. Therefore, such mitigation criteria should be applied here.

The Staff Report departs from that framework on the basis of general guidance provided by Commission Staff in February 2026 and July 2026 “describ[ing] specific requirements when candidates make expenditures to businesses providing consultation or management services and includes examples of how to report such expenditures.” Staff Report at footnote 20.

But that guidance does not address the specific issue here: that the campaign’s treasurer misread the vendor’s confusing ledger and failed to identify the *existence* of such sub-vendor fees. There’s no indication that Commission staff gave any guidance specific to WinRed and its Bill-Pay feature that would indicate that the campaign knew, or should have known, about that issue.

Moreover, this WinRed Bill-Pay issue—where the internal ledgers make it difficult to determine the proper sub-vendors—has not previously been a flagged issue in Alaska. As such, Ms. Wilson and her campaign treasurer were not on notice of this possible issue (as Ms. Wilson and future campaigns will be going forward). Therefore, Ms. Wilson would respectfully request that the Commission consider this to be a unique circumstance.

Secondly, even if for the sake of argument that the generalized staff guidance should have put the campaign on notice about this reporting issue, the vast majority of the proposed fine relates to Ms. Wilson’s Year-Start report that was due on February 17, 2026—well before the July guidance that is attached to the Staff Report as Exhibit 1.

Accordingly, Ms. Wilson would respectfully request that the Commission apply these additional mitigation factors in assessing any penalty related to this issue.

Reimbursements to Ms. Wilson for Campaign Airline Travel

Subsection d concerns seven reimbursements made to Ms. Wilson for travel expenditures. Of these seven transactions, the Staff Report identifies three of the transactions as permissibly occurring within the three-day requirement (Staff Report at Page 12, Items 4, 6, and 7).² The Staff Report then determined that Items 1 – 3, and 5 were not permissible because they occurred more than three days after the purchase. The Staff Report determined that the maximum penalty for these four transactions was \$20,400. The Staff Report then recommends that this penalty be reduced to \$102. The Staff Report also recommends that Ms. Wilson refund these four reimbursements back to the campaign. This refund would be a total of \$6,080.24.

First, Ms. Wilson wants to reiterate that this was an innocent mistake, which she has taken care to avoid with any future reimbursements. While Ms. Wilson does not contest the Staff's recommendation that she pay a small fine for failing to timely reimburse herself for the expenses and she has indicated that she will refund \$789.84 to the campaign related to Item 1, the staff's proposal that she refund all of the reimbursements that were not made within the three day window is not required by Alaska law. *See* Staff Report at footnote 28 ("Respondent indicated an intent to file an APOC Candidate Reimbursement form to address the late reimbursement, but that mechanism for reimbursement is available only for candidate loans, where the candidate has filed the form within five days of making the self-loan. The option is no longer available under these circumstances.").

² In response to the Commission staff's request for documentation of the August 4, 2025 airfare reimbursement (Staff Report at Page 11, Item 2), the expenditure in question related to campaign travel on August 2, 2025, between Ketchikan and Anchorage (receipt provided to Commission staff via email), where the traveler was Bernadette Wilson. The purchase was made on July 25, 2025, so it was not within the 3-day window.

Nothing in the text of AS §§ 15.13.078 or 15.13.400 indicates that the required penalty for a late reimbursement is that it be rendered ineligible for reimbursement. Instead, a better resolution would be that Ms. Wilson might pay a small fine based on the lateness of her-filed candidate reimbursement forms.³

That has been the resolution in another case involving late reimbursements. *See Delaiarro v. Pruitt*, APOC Case No. 20-08-CD (imposing a fine, but not requiring a reimbursement where a candidate did not timely receive reimbursements for expenses); *see also APOC Staff v. Alan Dick Campaign*, APOC Case No. 13-08-CD (where the Staff Report recommended civil penalties for failure to file notice of intent to repay personal funds, but did not recommend that the candidate make refunds to the campaign).

Such a resolution would be more commensurate to the present circumstance where there was no evidence of any intent to deceive or mislead the public. At all times, Ms. Wilson's campaign disclosures reported the travel expenses incurred and reimbursements made to Ms. Wilson. As such, these expenses were fully known to the public at all relevant times. Instead, the minor violation here was that Ms. Wilson's campaign failed to timely reimburse her those expenditures made by Ms. Wilson on behalf of the campaign. This is a technical violation that merits a commensurate penalty.

As such, Ms. Wilson respectfully requests that the Commission reconsider the proposed penalty in connection with this issue and instead impose a small fine reflecting Ms. Wilson's status as a first-time candidate with a good filing history, and where the issue in question caused, at most, limited harm to the public.

³ Ms. Wilson would still need to file an APOC Candidate Reimbursement form related to Item 2 and would do so if the Commission agrees that such a filing is appropriate under these circumstances.

DATED this 5th day of October, 2026.

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Counsel for Respondent

/s/ Robert D. Stone

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Certificate of Service

I certify that a true and correct copy of the foregoing was sent on October 5, 2026, to the following:

Via email only

Christopher Constant
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Via email only

Heather Hebdon
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/s/ Robert D. Stone

Stone Law, LLC