

[04]

Candidate Forfeiture Appeals

Presented By:

Kim Stone, Campaign Disclosure Coordinator



Memorandum

To: APOC Commissioners

From: Kim Stone, Campaign Disclosure Coordinator

Date: June 6, 2025

Subject: Sharrock appeal of staff's determination re: forfeiture of leftover campaign funds

INTRODUCTION

Under provisions of 2 AAC 50.831, Patrick "Ian" Sharrock (Sharrock) appeals APOC staff's determination that undispersed campaign funds from his 2016 Alaska State election campaign must be forfeited to the state pursuant to AS 15.13.116. Sharrock asks the Commission to return the since-forfeited funds back to him and allow him to put them in a future election campaign account (FCA) under AS 15.13.116(a)(7). Based on prior Commission decisions related to forfeiture under these circumstances, Staff recommends the Commission uphold its determination.

LEGAL BACKGROUND

Beginning in 2023, the Commission issued several orders addressing the application of AS 15.13.116, mandating a candidate's post-election distribution of unused campaign funds, and its specific application to funds that remain after the deadline for disbursement. The statute requires all funds to be distributed by February 1 following a general election campaign (or 90 days after a special election) but allows, in relevant part, for a candidate to transfer a limited amount to an account for a future election campaign.¹

In *In re Bennie Colbert*², a candidate's year-end report in 2021 showed a balance of \$1,827.99 in unused contributions. The Commission noted that AS 15.13.116 – outlining the procedure for "disbursement of campaign assets after election," – required Colbert to turn over the remaining funds to the Department of Revenue to be deposited into the state's general fund. APOC staff, however, relying on 2 AAC 50.384(a), concluded that Colbert was subject to an ongoing reporting requirement and required him to file another year-end report in 2022 for the same campaign. In its order, the Commission held

¹ AS 15.13.116(a)(7).

² See *In Re: Colbert*, Final Order at 2, available at:
<https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=25341>

(t)hat regulation, to the extent it is read to mean a candidate may carry a campaign balance into another year and simply file another year-end report, conflicts with AS 15.13.116(c)'s instruction that a balance go to the State within 30 days. *And where a regulation is inconsistent with a statute, the statute controls.*³

As the statute does not provide an extra year to disperse unused campaign contributions but rather puts a definite end to the campaign cycle, the Commission held that a candidate who reports unused contributions on the year-end report must forfeit them to the general fund “and the campaign cycle ends.”⁴

In early 2024, the Commission revisited this issue in *McDonald v. Snyder*.⁵ There, a candidate reported a surplus balance of \$1,673.16 on her year-end report filed after the election. At the time of her filing, Snyder did not intend to run again. Some five months later, in July 2019, Snyder changed her mind, filed a letter of intent, and amended her year end report to disclose a transfer of the surplus to a future campaign account – an action well outside the February 1 deadline for such transfer.⁶ The Commission found that AS 15.13.116(a) prohibited the retroactive transfer and ordered forfeiture of the unused funds pursuant to AS 15.13.116(c).⁷

And in *In re Daniel Saddler*,⁸ the Commission again considered a candidate's failure to disperse remaining campaign funds after the February 1 deadline. Similar to the circumstances in *Colbert*, APOC staff concluded that he was subject to an ongoing reporting obligation and required him to file another year-end report for the \$424.15 surplus. While the Commission declined to impose a penalty for Saddler's original failure to forfeit the funds because, as in *Colbert*, the candidate had “relied on erroneous staff advice that his sole obligation was to file reports,”⁹ the Commission ordered Saddler to complete the forfeiture of the funds pursuant to AS 15.13.116(c).

In the fall of 2024, in light of these Commission Orders, APOC staff began notifying candidates who had previously reported undisbursed surplus funds of the Commission decisions and advised that because the 90 day deadline to disburse had passed, leftover funds must be forfeited to the State of Alaska.¹⁰

FACTS:

Sharrock first registered as a candidate for the 2016 state primary and general elections. After the general election, on February 22, 2017, Sharrock filed his year-end report reflecting an expenditure to establish a Future Campaign Account with his remaining funds:

³ *Colbert*, Final Order at 2 (*emphasis added*), citing *Nordlund v. Dep't of Corr.*, 520 P.3d 1178, 1183 (Alaska 2022).

⁴ *Colbert*, Final Order at 3, citing 15.13.116(c).

⁵ *McDonald v. Snyder*, Case No. 23-05-CD, Final Order issued 03.11.24, available at: <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=25675>.

⁶ AS 15.13.116(a)(7).

⁷ *Snyder*, Final Order at 12.

⁸ Final Order issued 06.17.24, available at: <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=26011>.

⁹ *Saddler*, Final Order at 4.

¹⁰ Exhibit 1, Notice of Forfeiture, August 15, 2024.

| EXPENDITURES | | | | |
|--------------|-------------------------|--|---|-----------------|
| Date | Payment Method | Vendor | Purpose | Amount |
| 09/30/2016 | Bank Fee | Alaska USA Federal Credit Union 4000 Credit Union Dr. Anchorage, Alaska 99503 | checking fee | \$5.00 |
| 01/31/2017 | Future Campaign Account | Sharrock, Ian 1509 Atkinson Dr. Anchorage, Alaska 99504 | To be held in separate account for future campaign. | \$797.00 |

After establishing his FCA in 2017, Sharrock continued to submit FCA disclosures for 2018, 2019, 2020, 2021, and 2022.

| | | | | |
|--------------------|------|-------------------------|-----------|-------|
| CampaignDisclosure | 2016 | Future Campaign Account | 2/15/2018 | Filed |
| CampaignDisclosure | 2016 | Future Campaign Account | 2/15/2019 | Filed |
| CampaignDisclosure | 2016 | Future Campaign Account | 2/16/2020 | Filed |
| CampaignDisclosure | 2016 | Future Campaign Account | 2/1/2021 | Filed |
| CampaignDisclosure | 2016 | Future Campaign Account | 2/14/2022 | Filed |

In 2022, Sharrock registered for the 2022 State Primary; his 30- and 7-day reports showed no income, debts, or expenditures and the same \$797 beginning cash on hand. Sharrock withdrew after the August 16, 2022 primary. His year-end report submitted February 1, 2023 again showed no income, debts, or expenditures and \$797 beginning cash on hand, but he did not create an expenditure to place the funds in a Future Campaign Account as he had after his 2016 campaign. Sharrock's 2024 year end report again reported \$797 with no other activity.

On August 15, 2024, APOC Staff issued a Notice of Forfeiture of Funds, instructing Sharrock that based on recent Commission orders addressing undispersed campaign funds, he was required to forfeit the surplus funds.¹¹ Sharrock forfeited the \$797 and thereafter emailed APOC to appeal the forfeiture.¹²

| Date | Payment Method | Vendor | Purpose | Amount |
|------------|----------------|--|---|-----------------|
| 09/13/2024 | Cash | SoA APOC 2221 E. Northern Lights Blvd #128 Anchorage, Alaska 99508 | Penalty Forfeiture of Funds for accidentally filing my Year End Report incorrectly. | \$797.00 |

¹¹ Exhibit 1, Notice of Forfeiture, August 15, 2024.

¹² Exhibit 2, Sharrock appeal email.

SUMMARY OF APPEAL:

Sharrock in his appeal requests APOC allow him “to properly ‘close out’ his campaign account and file a Future Campaign Account form” for all or some of the surplus funds. In support of his request, Sharrock notes:

- APOC’s year-end reports, aside from title, “looked exactly like the previous five FCA reports I had filed with APOC” and he had confused them
- APOC’s reporting procedure in general puts a technical burden on those candidates with very little campaign experience without knowledgeable staff
- APOC forms and procedures should be changed to
 - “discontinue the practice of auto-generating post-election Year End Reports that do not have a lock-out function, or prompt, preventing the filing process to be ‘Finished’ on page 10/10 with a Surplus balance, AND without clicking the Final Report box”
 - “create an more timely auto-generated response to YER’s that are filed inconsistent with statute”
 - create more email reminders to candidates well before all reporting deadlines.

STAFF’S ANALYSIS AND RECOMMENDATION:

Pursuant to AS 15.13.116 and the Commission’s decisions in *Colbert*, *Snyder*, and *Saddler*, APOC staff correctly directed Sharrock to forfeit his undispersed campaign funds. Although the balance of remaining funds is within the allowable limits to transfer to a future campaign account, the deadline for doing so has long since passed.¹³ Sharrock had experience with accounting for a Future Campaign account, as he’d done so five times previously. Also consistent with the Commission’s decision in *Snyder*, Sharrock cannot retroactively apply those funds to a future campaign. While it is common practice to keep funds disbursed to a future campaign in the same physical campaign account, the disbursement must be disclosed as a final expenditure on the campaign’s final campaign disclosure report and that did not happen here.

In response to Sharrock’s requests for APOC to change various procedures, APOC staff notes that it is now following up with candidates both informally and via formal written notice to let them know a surplus reported on their most recent 105 Day or Year End Report should either be amended to show how funds were disbursed or forfeited to the State of Alaska, and steps needed thereafter, as staff time allows. A candidate’s disbursement or forfeiture of remaining funds and subsequent disclosure showing a zeroing out of the account will serve as a formal final report and eliminate any auto generated year end reporting requirement.

Sharrock also asks that staff send out more reminders to candidates regarding reports that become due. Although not required to do so, staff does try to email reminders to candidates and will continue with these efforts.

Consistent with similar matters that have come before the Commission, staff recommends the Commission uphold its determination that AS 15.13.116 required the forfeiture of Sharrock’s surplus campaign funds.

¹³ The AS 15.13.116(a) deadline to disburse leftover funds was February 1, 2023.



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

August 15, 2024

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

Patrick "Ian" Sharrock
1509 Atkinson Drive
Anchorage, Alaska 99504
isharrock@acsalaska.net

RE: Notice of Forfeiture of Funds
2022 Year End Campaign Disclosure Report

Dear Mr. Sharrock:

On February 1, 2023, you filed your 2022 Year End Campaign Disclosure Report, indicating a remaining balance in the amount of \$797.00. However, at its June 5, 2024, meeting the Commission considered several similar matters where a filer had failed to disburse leftover campaign funds after an election resulting in ongoing reporting requirements.¹

Relying on a prior decision from October 9, 2023², the Commission determined that AS 15.13.116(a) requires unused campaign funds be disbursed by February 1st following a general election or within 90 days after a special election; and that undisbursed funds remaining after these deadlines must be forfeited to the State within 30 days.³ Allowing a candidate to "carry a campaign balance into another year and simply file another year-end report" is inconsistent with the statute.

In light of these Commission orders, and because the unused funds from your 2022 State General Election campaign (\$797.00) should have been disbursed by February 1, 2023, those funds **must be forfeited to the State of Alaska within 30 days of this notice**. Payment may be sent to the State of Alaska, Department of Revenue at PO Box 110400, Juneau, Alaska 99811-0400. Alternatively, you may send payment to our office. **Once the funds are forfeited, you must file a final report documenting the account's zero balance within 15 days after the forfeiture.**⁴

¹ See, e.g., *In Re: Nowers*: <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=26017>.

² See, *In Re: Bernie Colbert*: <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=25341>.

³ AS 15.13.116(a).

⁴ 2 AAC 50.384(c).

Failure to forfeit funds within thirty days or to file a final report will result in the assessment of penalties.

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.

Thank you,

ALASKA PUBLIC OFFICES COMMISSION

Michael Sargent
Michael Sargent
Paralegal Specialist I

| | |
|---|--|
| CERTIFICATE OF SERVICE: I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered to: | |
| Patrick “Ian” Sharrock 1509 Atkinson Drive Anchorage, Alaska 99504 isharrock@acsalaska.net 9489 0178 9820 3021 0547 74 | <input checked="" type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> Email |

| | |
|------------------------|------------|
| <i>Michael Sargent</i> | 08.15.2024 |
| Signature | Date |

From: Ian Sharrock
To: Sargent, Mike David (DOA); Chung, Dyane (DOA)
Cc: Ian Sharrock
Subject: Patrick "Ian" Sharrock Appeal to: Aug 15, 2024 APOC Notice of Forfeiture of Funds.
Date: Friday, September 13, 2024 12:18:02 AM

CAUTION:: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mike and Dyane,

I am writing to appeal the August 15, 2024 letter I received from APOC titled "Notice of Forfeiture of Funds".

That APOC letter stated "Allowing a candidate to 'carry a campaign balance into another year and simply file another year-end report' is inconsistent with the statute".

I accidentally 'filed' Year End Reports in both February 2023 and February 2024, failing to correctly follow statutory procedure.

Although, if to 'SIMPLY file another YER' is dis-allowed by statute:

- 1) Why does APOC auto-generate post-election Year End Reports (and additional years) that allow a candidate to file 'another' report, and with a "Surplus" balance, without a prompt saying it is illegal to do so?
- 2) Could there be a post-election reminder from APOC stating that candidates MUST create a zero-balance on that Year End Report, and MUST select "Final Report" before filing?
- 3). Or, would it be hard to change the APOC auto-generated post-election YERs to NOT allow candidates to file the report if there is a 'surplus balance', or if "final Report" is not clicked?

At least in my case, current procedures seem to put a technical burden on those candidates who have very little campaign experience, or no staff that do. Accordingly, I confused my last two auto-generated Year End Reports as Future Campaign Account reports, that other than title looked exactly like the previous five FCA reports I had filed with APOC.

Therefore, I am asking for leniency from APOC so I may be allowed to properly 'close out' out my 'campaign account' and file a Future Campaign Account form for all, or some of my surplus funds.

Either way, I am petitioning APOC to change several procedures:

- 1) Please discontinue the practice of auto-generating post-election Year End Reports that do not have a lock-out function, or prompt, preventing the filing process to be "Finished" on page 10/10 with a Surplus balance, AND without clicking the Final Report box.
- 2) Please create an more timely auto-generated response to YER's that are filed inconsistent with statute.
- 3) Also, please create several auto-generated reminder emails that are sent to candidates well before all reporting deadlines, rather than just the day of.

Please let me know if there is another step I need to complete for the appeal process.

Thank you for your time and your diligence,

Patrick "Ian" Sharrock

Background:

- > After the 2016 general election, I "closed out" my "Campaign Account" and filed my only 'Final' Year End Report in Feb 2017.
- > I do not remember where I learned of this requirement, but I don't think from the reporting form.
- > From Feb 2018 through Feb 2022, I completed five auto-generated Future Campaign Account forms.
- > When I filed to run in the 2022 primary, I don't remember an APOC procedure to close out my Future Campaign Account.
- > I withdrew from the 2022 general election immediately after the primary, with no financial activity during 2022.
- > In Feb 2023, I went to my Assigned Reports list and clicked on the bright red "Not Filed" Year End Report auto-generated by APOC.
- > I clicked the "No Activity" box on page 4/10 because I had 'No Contributions, No Debts' and made no purchases, so I thought 'No Expenditures'.
- > And clicking "No Activity" left the same \$797 Surplus that was listed on my previous five FCA forms.
- > And filling out the Year End Report with "No Activity" looked IDENTICAL to the five previous FCA forms I filed (other than the name of the form).
- > I did not remember (and was not prompted) that after a general election, zeroing out any Surplus is a REQUIRED "Expenditure" on the Year End Report.
- > I did not remember (and was not prompted) that after a general election, I am required to "close out" my Campaign Account, and that this is done by checking the Final Report box.
- > I did not remember (and was not prompted) that after a general election, the Year End Report is required to be a Final Report.
- > Therefore, I did not check the Final Report box on page 8/10, having confused my YER as an FCA form, thus I mistakenly 'simply' filed another YER.
- > With my 2023 "Assigned Reports" list having a YER form with it's bright red "Not Filed" status, it didn't cross my mind to look any further. Had I looked back at my 2016 campaign list (separate page from my 2022 campaign list) and seen past FCA forms, or scrolled well down the 'Candidate' page, below the three Registration Forms to the third Disclosure Form titled "FCA Disclosure forms" I may have caught my mistake.
- > Interestingly, my APOC Assigned Reports list currently contains a 2025 YER asking to 'simply' be filed, the second of which is itself an illegal form.



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of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Administration

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June 11, 2025

VIA EMAIL & CERTIFIED MAIL

Patrick "Ian" Sharrock
1509 Atkinson Dr.
Anchorage, AK 99504
isharrock@acsalaska.net

RE: Commission Meeting Notice

Dear Mr. Sharrock:

The Commission will review the matter of your candidate forfeiture appeal at its June 25, 2025 Commission Meeting in Anchorage, Alaska.

I have enclosed the Staff Recommendation 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: 233147607#, in-person (2221 Northern Lights Blvd, Ste 128, Anchorage, Alaska, 99508) or via [Microsoft Teams Meeting](#)¹ Please notify our office if you intend to participate. Candidate Civil Forfeiture Appeals are expected to begin at **9:45 a.m. on Wednesday, June 25, 2025.**

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 your appeal.

If you have any questions, please contact our office.

¹ Meeting ID 217 752 983 222 7, Passcode qD2Eb9rH

ALASKA PUBLIC OFFICES COMMISSION

KIM STONE

Kim Stone
Campaign Disclosure Coordinator

Encl: Staff Recommendation

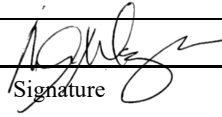
cc: Candidate File

CERTIFICATE OF SERVICE:

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

Patrick "Ian" Sharrock
1509 Atkinson Dr.
Anchorage, AK 99504
isharrock@acsalaska.net

☒ Email
☒ Certified Mail


Signature

06/11/2025

Date

9489 0090 0027 6610 9409 23

From: [Mail Delivery Subsystem](#)
To: isharrock@acsalaska.net
Subject: Delivered: Commission Meeting Notice
Date: Wednesday, June 11, 2025 12:27:17 PM
Attachments: [RE Commission Meeting Notice.msg](#)

The original message was received at Wed, 11 Jun 2025 16:27:02 -0400
from mail-northcentralusazon11011027.outbound.protection.outlook.com [40.107.199.27]

----- The following addresses had successful delivery notifications -----

<isharrock@acsalaska.net> (successfully delivered to mailbox)

----- Transcript of session follows -----

<isharrock@acsalaska.net>... Successfully delivered



Memorandum

To: APOC Commissioners

From: Kim Stone, Campaign Disclosure Coordinator

Date: June 6, 2025

Subject: Thompson appeal of staff's determination re: forfeiture of leftover campaign funds

INTRODUCTION

Under provisions of 2 AAC 50.831, Charles Hans Thompson (Thompson) appeals the APOC staff's determination that undispersed campaign funds from his 2022 Anchorage Special Municipal Election campaign must be forfeited to the state pursuant to AS 15.13.116. Thompson asks the Commission to return the since-forfeited funds back to him and allow him to put them in a future election campaign account under AS 15.13.116(a)(7). Based on prior Commission decisions related to forfeiture under these circumstances, Staff recommends the Commission uphold its determination.

BACKGROUND

Beginning in 2023, the Commission issued several orders addressing the application of AS 15.13.116, mandating a candidate's post-election distribution of unused campaign funds, and its specific application to funds that remain after the deadline for disbursement. The statute requires all funds to be distributed by February 1 following a general election campaign (or 90 days after a special election) but allows, in relevant part, for a candidate to transfer a limited amount to an account for a future election campaign.¹

In *In re Bennie Colbert*², a candidate's year-end report in 2021 showed a balance of \$1,827.99 in unused contributions. The Commission noted that AS 15.13.116 – outlining the procedure for “disbursement of campaign assets after election,” – required Colbert to turn over the remaining funds to the Department of Revenue to be deposited into the state's general fund. APOC staff, however, relying on 2 AAC 50.384(a), concluded that Colbert was subject to an ongoing reporting requirement and required him to file another year-end report in 2022 for the same campaign. In its order the Commission held

(t)hat regulation, to the extent it is read to mean a candidate may carry a campaign balance into another year and simply file another year-end report, conflicts with AS 15.13.116(c)'s

¹ AS 15.13.116(a)(7).

² See *In Re: Colbert*, Final Order at 2, available at:

<https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=25341>

instruction that a balance go to the State within 30 days. *And where a regulation is inconsistent with a statute, the statute controls.*³

As the statute does not provide an extra year to disperse unused campaign contributions but rather puts a definite end to the campaign cycle, the Commission held that a candidate who reports unused contributions on the year-end report must forfeit them to the general fund “and the campaign cycle ends.”⁴

In early 2024, the Commission revisited this issue in *McDonald v. Snyder*.⁵ There, a candidate reported a surplus balance of \$1,673.16 on her year-end report filed after the election. At the time of her filing, Snyder did not intend to run again. Some five months later, in July 2019, Snyder changed her mind, filed a letter of intent, and amended her year end report to disclose a transfer of the surplus to a future campaign account – an action well outside the February 1 deadline for such transfer.⁶ The Commission found that AS 15.13.116(a) prohibited the retroactive transfer and ordered forfeiture of the unused funds pursuant to AS 15.13.116(c).⁷

And in *In re Daniel Saddler*,⁸ the Commission again considered a candidate’s failure to disperse remaining campaign funds after the February 1 deadline. Similar to the circumstances in *Colbert*, APOC staff concluded that he was subject to an ongoing reporting obligation and required him to file another year-end report for the \$424.15 surplus. While the Commission declined to impose a penalty for Saddler’s original failure to forfeit the funds because, as in *Colbert*, “he relied on erroneous staff advice that his sole obligation was to file reports,”⁹ the Commission ordered Saddler to complete the forfeiture of the funds pursuant to AS 15.13.116(c).

In the fall of 2024, in light of these Commission Orders, APOC staff began notifying candidates who had previously reported undisbursed surplus funds of the Commission decisions and advised that because the 90 day deadline to disburse had passed, that leftover funds must be forfeited to the State of Alaska.¹⁰

FACTS:

Thompson registered as a candidate for the 2022 Anchorage Special Municipal Election held on June 21, 2022. After the election, Thompson filed a “No Activity” 105 Day Campaign Disclosure Report disclosing a surplus balance of \$4,023.70.¹¹

On February 9, 2023, and February 15, 2024, Thompson filed “No Activity” Year-End Campaign Disclosure Reports disclosing the same \$4,023.70 surplus balance of campaign funds.¹²

³ *Colbert*, Final Order at 2 (*emphasis added*), citing *Nordlund v. Dep’t of Corr.*, 520 P.3d 1178, 1183 (Alaska 2022).

⁴ *Colbert*, Final Order at 3, citing 15.13.116(c).

⁵ *McDonald v. Snyder*, Case No. 23-05-CD, Final Order issued 03.11.24, available at: <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=25675>.

⁶ AS 15.13.116(a)(7).

⁷ *Snyder*, Final Order at 12.

⁸ Final Order issued 06.17.24, available at: <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=26011>

⁹ *Saddler*, Final Order at 4.

¹⁰ Exhibit 1, Notice of Forfeiture of Funds.

¹¹ Exhibit 2, 105 Day Report.

¹² Exhibit 3, 2023 Year End Report and 2024 Year End Report.

On August 16, 2024, APOC Staff issued a Notice of Forfeiture of Funds, instructing Thompson that, based on recent Commission orders addressing undispersed campaign funds, he was required to forfeit the surplus funds.¹³

On September 4, 2024, Thompson remitted the \$4,023.70 surplus via check to APOC¹⁴ and filed a Year-End Report disclosing his forfeiture of funds and a zero balance on September 9, 2024.¹⁵

On September 16, 2024, Thompson appealed staff's directive to forfeit the surplus funds.¹⁶

SUMMARY OF APPEAL:

In his appeal, Thompson noted that nearly all of the surplus funds were his own personal funds; that the remaining surplus was within the allowable limit to transfer to a future campaign account; and requested that the Commission allow him “to open a new campaign account to transfer these funds back.” He argued that APOC staff advised him during his first annual campaign report that it was acceptable to keep the funds “in the existing account” and that it would be less burdensome than opening a future campaign account. Thompson states that had he known earlier that this decision was under consideration, he would have transferred the balance to a future campaign account immediately without issue.

STAFF'S ANALYSIS AND RECOMMENDATION:

Pursuant to AS 15.13.116 and the Commission's decisions in *Colbert*, *Snyder*, and *Saddler*, APOC staff correctly determined and directed Thompson to forfeit his undispersed campaign funds. Although the balance of remaining funds is within the allowable limits to transfer to a future campaign account, the deadline for doing so has long since passed.¹⁷ Also consistent with the Commission's decision in *Snyder*, Thompson cannot retroactively apply those funds to a future campaign.¹⁸ While it is common practice to keep funds disbursed to a future campaign in the same physical campaign account, the disbursement must be disclosed as a final expenditure on the campaign's final campaign disclosure report and that did not happen here.

Consistent with similar matters that have come before the Commission, staff recommends the Commission uphold its determination that AS 15.13.116 required the forfeiture of Thompson's surplus campaign funds.

¹³ See Exhibit 1, Notice of Forfeiture of Funds.

¹⁴ See Exhibit 4, Receipt, dated September 4, 2024.

¹⁵ See Exhibit 5, Year End Report, dated September 9, 2024.

¹⁶ See Exhibit 6, September 16, 2024, Appeal.

¹⁷ The deadline to disburse leftover funds was September 19, 2022 – 90 days after the election.

¹⁸ Staff notes Thompson has not registered as a candidate at any point since his 2022 campaign.



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Fax: 907.276.7018
www.doa.alaska.gov/apoc

August 16, 2024

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

Charles H. Thompson
1025 West 11th Avenue
Anchorage, Alaska 99501
hans@hansthompson.com

RE: Notice of Forfeiture of Funds
2022 Year End Campaign Disclosure Report

Dear Mr. Thompson:

On February 9, 2023, you filed your 2022 Year End Campaign Disclosure Report, indicating a remaining balance in the amount of \$4,023.70. However, at its June 5, 2024, meeting the Commission considered several similar matters where a filer had failed to disburse leftover campaign funds after an election resulting in ongoing reporting requirements.¹

Relying on a prior decision from October 9, 2023², the Commission determined that AS 15.13.116(a) requires unused campaign funds be disbursed by February 1st following a general election or within 90 days after a special election; and that undisbursed funds remaining after these deadlines must be forfeited to the State within 30 days.³ Allowing a candidate to "carry a campaign balance into another year and simply file another year-end report" is inconsistent with the statute.

In light of these Commission orders, and because the unused funds from your 2022 Anchorage Municipal Special Election campaign (\$4,023.70) should have been disbursed by within 90 days of the special election, those funds **must be forfeited to the State of Alaska within 30 days of this notice**. Payment may be sent to the State of Alaska, Department of Revenue at PO Box 110400, Juneau, Alaska 99811-0400. Alternatively, you may send payment to our office. **Once the funds are forfeited, you must file a final report documenting the account's zero balance within 15 days after the forfeiture.**⁴

¹ See, e.g., *In Re: Nowers*: <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=26017>.

² See, *In Re: Bernie Colbert*: <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=25341>.

³ AS 15.13.116(a).

⁴ 2 AAC 50.384(c).

Failure to forfeit funds within thirty days or to file a final report will result in the assessment of penalties.

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.

Thank you,

ALASKA PUBLIC OFFICES COMMISSION

Michael Sargent
Michael Sargent
Paralegal Specialist I

| | |
|--|--|
| CERTIFICATE OF SERVICE: I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered to: | |
| Charles H. Thompson 1025 West 11 th Avenue Anchorage, Alaska 99501 hans@hansthompson.com 9489 0178 9820 3021 0548 28 | <input checked="" type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> Email |

| | |
|------------------------|------------|
| <i>Michael Sargent</i> | 08.16.2024 |
| Signature | Date |

CAMPAIGN DISCLOSURE FORM

COMPLETED

Submission Date: **07/11/2022**
 Filer First Name: **Charles**
 Filer Middle Name: **H**
 Filer Last Name: **Thompson**
 Filer's Title: **Candidate**
 Report Type: **105 Day Report**

CANDIDATE INFORMATION

Candidate Name: **Hans Thompson**
 Candidate Address: **1025 W 11th Ave.**
 City, State Zip: **anchorage, Alaska 99501**

REPORT INFORMATION

Election Year: **2022**
 Election: **Anchorage Municipal Special**
 Report Type: **105 Day Report**
 Reporting Period: From **06/12/2022** Through **09/19/2022**

No Activity

FINANCIAL SUMMARY

| THIS PERIOD | | ENTIRE CAMPAIGN | | | |
|------------------------------|-------------------|--|-------------------|------------------------------------|-------------------|
| Beginning Cash On Hand: | \$4,023.70 | | | | |
| [+] ↓ | | Previous Campaign Income: (From Box A of previous report) | | Campaign Income Total: (Box A) | |
| Total Income Reported: | \$0.00 | [+] ⇒ | \$4,023.70 | [=] ⇒ | \$4,023.70 |
| [-] ↓ | | Previous Campaign Expenses: (From Box B of previous report) | | Campaign Expense Total: (Box B) | |
| Total Expenditures Reported: | \$0.00 | [+] ⇒ | \$0.00 | [=] ⇒ | \$0.00 |
| [=] ↓ | | | | | |
| Closing Cash On Hand: | \$4,023.70 | | | | |
| [-] ↓ | | | | | |
| Total Debts: | \$0.00 | | | | |
| [=] ↓ | | | | | |
| Surplus/Deficit: | \$4,023.70 | | | | |

INCOME

| Date Received | Payment Method | Contributor | Details | Amount |
|-------------------------------|----------------|-------------|---------|---------------|
| No Income / Nothing to Report | | | | |
| Income Total: | | | | \$0.00 |

EXPENDITURES

| Date | Payment Method | Vendor | Purpose | Amount |
|-------------------------------------|----------------|--------|---------|--------|
| No Expenditures / Nothing to Report | | | | |

| Date | Payment Method | Vendor | Purpose | Amount |
|------|----------------|--------|--------------------|--------|
| | | | Expenditure Total: | \$0.00 |

DEBTS

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

CAMPAIGN DISCLOSURE FORM

COMPLETED

Submission Date: **02/09/2023**
 Filer First Name: **Charles**
 Filer Middle Name: **H**
 Filer Last Name: **Thompson**
 Filer's Title: **Candidate**
 Report Type: **Year End Report**

CANDIDATE INFORMATION

Candidate Name: **Hans Thompson**
 Candidate Address: **1025 W 11th Ave.**
 City, State Zip: **anchorage, Alaska 99501**

REPORT INFORMATION

Election Year: **2022**
 Election: **Anchorage Municipal Special**
 Report Type: **Year End Report**
 Reporting Period: From **09/20/2022** Through **02/01/2023**

No Activity

FINANCIAL SUMMARY

| THIS PERIOD | | ENTIRE CAMPAIGN | | | |
|------------------------------|-------------------|--|-------------------|------------------------------------|-------------------|
| Beginning Cash On Hand: | \$4,023.70 | | | | |
| [+] ↓ | | Previous Campaign Income: (From Box A of previous report) | | Campaign Income Total: (Box A) | |
| Total Income Reported: | \$0.00 | [+] ⇒ | \$4,028.32 | [=] ⇒ | \$4,028.32 |
| [-] ↓ | | Previous Campaign Expenses: (From Box B of previous report) | | Campaign Expense Total: (Box B) | |
| Total Expenditures Reported: | \$0.00 | [+] ⇒ | \$0.00 | [=] ⇒ | \$0.00 |
| [=] ↓ | | | | | |
| Closing Cash On Hand: | \$4,023.70 | | | | |
| [-] ↓ | | | | | |
| Total Debts: | \$0.00 | | | | |
| [=] ↓ | | | | | |
| Surplus/Deficit: | \$4,023.70 | | | | |

INCOME

| Date Received | Payment Method | Contributor | Details | Amount |
|-------------------------------|----------------|-------------|---------|---------------|
| No Income / Nothing to Report | | | | |
| Income Total: | | | | \$0.00 |

EXPENDITURES

| Date | Payment Method | Vendor | Purpose | Amount |
|-------------------------------------|----------------|--------|---------|--------|
| No Expenditures / Nothing to Report | | | | |

| Date | Payment Method | Vendor | Purpose | Amount |
|------|----------------|--------|--------------------|--------|
| | | | Expenditure Total: | \$0.00 |

DEBTS

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

CAMPAIGN DISCLOSURE FORM

COMPLETED

Submission Date: **02/15/2024**
 Filer First Name: **Charles**
 Filer Middle Name: **H**
 Filer Last Name: **Thompson**
 Filer's Title: **Candidate**
 Report Type: **Year End Report**

CANDIDATE INFORMATION

Candidate Name: **Hans Thompson**
 Candidate Address: **1025 W 11th Ave.**
 City, State Zip: **anchorage, Alaska 99501**

REPORT INFORMATION

Election Year: **2022**
 Election: **Anchorage Municipal Special**
 Report Type: **Year End Report**
 Reporting Period: From **02/02/2023** Through **02/01/2024**

No Activity

FINANCIAL SUMMARY

| THIS PERIOD | | ENTIRE CAMPAIGN | | | |
|------------------------------|------------|--|------------|------------------------------------|------------|
| Beginning Cash On Hand: | \$4,023.70 | | | | |
| [+] ↓ | | Previous Campaign Income: (From Box A of previous report) | | Campaign Income Total: (Box A) | |
| Total Income Reported: | \$0.00 | [+] ⇒ | \$4,028.32 | [=] ⇒ | \$4,028.32 |
| [-] ↓ | | Previous Campaign Expenses: (From Box B of previous report) | | Campaign Expense Total: (Box B) | |
| Total Expenditures Reported: | \$0.00 | [+] ⇒ | \$0.00 | [=] ⇒ | \$0.00 |
| [=] ↓ | | | | | |
| Closing Cash On Hand: | \$4,023.70 | | | | |
| [-] ↓ | | | | | |
| Total Debts: | \$0.00 | | | | |
| [=] ↓ | | | | | |
| Surplus/Deficit: | \$4,023.70 | | | | |

INCOME

| Date Received | Payment Method | Contributor | Details | Amount |
|-------------------------------|----------------|-------------|---------|---------------|
| No Income / Nothing to Report | | | | |
| Income Total: | | | | \$0.00 |

EXPENDITURES

| Date | Payment Method | Vendor | Purpose | Amount |
|-------------------------------------|----------------|--------|---------|--------|
| No Expenditures / Nothing to Report | | | | |

| Date | Payment Method | Vendor | Purpose | Amount |
|------|----------------|--------|--------------------|--------|
| | | | Expenditure Total: | \$0.00 |

DEBTS

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

NOTES

RECEIPT DATE 09/04/24 NO. **600189**

RECEIVED FROM Charles Thompson

ADDRESS 7812 Edinger Avenue
Huntington Beach, CA 92647 \$ 4,023.70

FOR Forfeiture of Funds

| ACCOUNT | | HOW PAID | |
|-----------------|-----------------|-------------|---------------|
| AMT. OF ACCOUNT | <u>4,023.70</u> | CASH | |
| AMT. PAID | <u>4,023.70</u> | CHECK | <u>323497</u> |
| BALANCE DUE | <u>0.00</u> | MONEY ORDER | |

BY Ben Wolfe

©2001 REDIFORM © 81808

CAMPAIGN DISCLOSURE FORM

COMPLETED

Submission Date: **09/09/2024**
 Filer First Name: **Charles**
 Filer Middle Name: **H**
 Filer Last Name: **Thompson**
 Filer's Title: **Charles H Thompson**
 Report Type: **Year End Report**

CANDIDATE INFORMATION

Candidate Name: **Hans Thompson**
 Candidate Address: **1025 W 11th Ave.**
 City, State Zip: **anchorage, Alaska 99501**

REPORT INFORMATION

Election Year: **2022**
 Election: **Anchorage Municipal Special**
 Report Type: **Year End Report**
 Reporting Period: From **02/02/2024** Through **02/01/2025**

FINANCIAL SUMMARY

| THIS PERIOD | | ENTIRE CAMPAIGN | | | |
|------------------------------|-------------|--|--------|------------------------------------|------------|
| Beginning Cash On Hand: | \$0.00 | | | | |
| [+] ↓ | | Previous Campaign Income: (From Box A of previous report) | | Campaign Income Total: (Box A) | |
| Total Income Reported: | \$0.00 | [+] ⇒ | \$0.00 | [=] ⇒ | \$0.00 |
| [-] ↓ | | Previous Campaign Expenses: (From Box B of previous report) | | Campaign Expense Total: (Box B) | |
| Total Expenditures Reported: | \$4,023.70 | [+] ⇒ | \$0.00 | [=] ⇒ | \$4,023.70 |
| [=] ↓ | | | | | |
| Closing Cash On Hand: | -\$4,023.70 | | | | |
| [-] ↓ | | | | | |
| Total Debts: | \$0.00 | | | | |
| [=] ↓ | | | | | |
| Surplus/Deficit: | -\$4,023.70 | | | | |

INCOME

| Date Received | Payment Method | Contributor | Details | Amount |
|-------------------------------|----------------|-------------|---------|---------------|
| No Income / Nothing to Report | | | | |
| Income Total: | | | | \$0.00 |

EXPENDITURES

| Date | Payment Method | Vendor | Purpose | Amount |
|---------------------------|-----------------|--|---|-------------------|
| 08/20/2024 | Check 323497 | State of Alaska, Department of Revenue 2221 E Northern Lights Blvd #128 Anchorage, Alaska 99508 | Forfeiture of funds at APOC order. Closing of campaign. | \$4,023.70 |
| Expenditure Total: | | | | \$4,023.70 |

DEBTS

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

From: [Hans Thompson](#)
To: [Sargent, Mike David \(DOA\)](#)
Subject: Re: Notice of Forfeiture of Funds
Date: Monday, September 16, 2024 2:43:27 PM

Mr. Sargent,

I am writing to formally appeal the decision to forfeit the funds from my 2022 Anchorage Assembly campaign.

After my conversation with APOC, I understand the rationale behind the board's decision to close outstanding campaign accounts. While I may not fully grasp all the nuances of APOC's rules, I now recognize that closing these accounts helps prevent potential loopholes that could obscure financial transparency in public office.

In light of this, I respectfully ask that you reconsider my case, given the following reasons, and allow me to transfer the forfeited funds to a future campaign account or another reasonable alternative:

Statement of Reasons:

1. The remaining balance in the account was small enough to be transferred to a future campaign account without further complications.
2. APOC staff previously advised me, during my first annual campaign report, that keeping the funds in the existing account was acceptable and less administratively burdensome than opening a future campaign account.
3. The majority of the campaign funds came from my own personal funds, with only \$25 from an external contribution.
4. Had I known earlier that this decision was under consideration, I would have transferred the balance to a future campaign account immediately without issue.

Nearly all the forfeited funds are my own, and I kindly request that you allow me to open a new campaign account to transfer these funds back. Thank you for your time and consideration.

Sincerely,
Charles Hans Thompson

On Tue, Aug 27, 2024 at 2:02 PM Sargent, Mike David (DOA) <mike.sargent@alaska.gov> wrote:

Good afternoon, Hans –

Under 2 AAC 50.831, you may appeal an adverse APOC staff determination to the Commission by submitting a written statement explaining the reasons why you believe this determination is in error; this appeal must be submitted within 30 days of the date of the notice sent by APOC staff. You may wish to incorporate your two points within the text of your statement. You can forward you appeal to me via e-mail.



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

June 11, 2025

VIA EMAIL & CERTIFIED MAIL

Charles Hans Thompson
1025 W. 11th Ave
Anchorage, AK 99501
hans@hansthompson.com

RE: Commission Meeting Notice

Dear Mr. Thompson:

The Commission will review the matter of your candidate forfeiture appeal at its June 25, 2025 Commission Meeting in Anchorage, Alaska.

I have enclosed the Staff Recommendation 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: 233147607#, in-person (2221 Northern Lights Blvd, Ste 128, Anchorage, Alaska, 99508) or via [Microsoft Teams Meeting](#)¹ Please notify our office if you intend to participate. Candidate Civil Forfeiture Appeals are expected to begin at **9:45 a.m. on Wednesday, June 25, 2025.**

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 your appeal.

If you have any questions, please contact our office.

¹ Meeting ID 217 752 983 222 7, Passcode qD2Eb9rH

ALASKA PUBLIC OFFICES COMMISSION

KIM STONE

Kim Stone
Campaign Disclosure Coordinator

Encl: Staff Recommendation

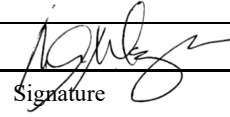
cc: Candidate File

CERTIFICATE OF SERVICE:

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

Charles Hans Thompson.
1025 W. 11th Ave
Anchorage, AK 99501
hans@hansthompson.com

☒ Email
☒ Certified Mail


Signature

06/11/2025

Date

9489 0090 0027 6610 9409 30

