

[TAB 4]

LFD Exemption Request
Chase Berenson

Presented By:

Heather Hebdon, Executive Director



Memorandum

To: APOC Commissioners
From: Heather Hebdon, Executive Director
Date: May 22, 2026
Subject: Request for Exemption from Disclosing Sources of Income
Chase Barenson, Alternate Public Member
Select Committee on Legislative Ethics

ISSUE

Mr. Barenson, seeks an exemption from identifying clients that paid his spouse's business more than \$1,000 for her personal services for all years that he is required to file a Legislative Financial Disclosure (LFD) Statement.¹

SUMMARY

On January 9, 2026, Mr. Berenson was appointed as an alternate public member of the Select Committee on Legislative Ethics. In his capacity as an alternate public member, he was required to file an Initial LFD statement within 30 days of appointment.²

On February 10, 2026, Mr. Berenson filed his initial statement and emailed a request for an exemption pursuant to 2 AAC 50.821. Mr. Berenson states that his wife is a yoga instructor who hosts yoga retreats through her sole proprietorship.³ He states that during calendar year 2025, she had 10 clients that paid her business between \$1,000 and \$2,000 and that none of the clients were lobbyists, legislators, or public officials.⁴ Mr. Berenson further notes that after business expenses, the business's net income was just over \$1,000, which poses little risk of influence in the performance of his official actions.⁵

Mr. Berenson argues that his wife's clients' right to privacy outweighs any compelling state interest in disclosure. He notes that when the retreat participants signed up, they were not advised that their names would be publicly disclosed; that there was not enough time

¹ Exhibit A, Request for Exemption.

² AS 24.60.210

³ Ex. A.

⁴ *Id.*

⁵ *Id.*

ahead of filing his statement to seek the clients' approval for disclosure; and that disclosing client names could potentially harm his wife's business.

LAW

Under Alaska's legislative financial disclosure law, a public member of the committee must file a statement identifying income sources and business interests.⁶ Among other things, a statement must identify and income, in excess of \$1,000, received by the discloser and the discloser's spouse during the preceding year.⁷ If the income, was earned or received as compensation for personal services, the filer must provide the names and addresses of the source and the recipient; the amount of income; whether the income was earned by commission, by the job, by the hour, or by another method; the dates and approximate hours worked to earn it; and a description of the service performed.⁸ The amount of income may be stated in a range rather than the exact amount.⁹

Filers are not exempt from disclosure provisions "except to the extent state courts determine that legally privileged professional relationships preclude complete compliance."¹⁰ Through regulation, the Commission has provided that a filer may seek an exemption if the filer "demonstrates that the right to privacy of the information outweighs the compelling state interest in disclosure of the information."¹¹ In these instances, the requestor bears "the burden of proving each fact necessary to show that an exemption available under this section is applicable."¹²

Once an exemption request is received, staff must issue either a decision granting or denying the request, or a recommendation that the Commission grant or deny the request.¹³ In matters of first impression, where a similar issue has not been decided, staff will issue a recommendation for the Commission's consideration.¹⁴

ANALYSIS

As the requestor, Mr. Berenson must prove each fact necessary to show that an exemption is necessary.¹⁵ Here, staff finds that Mr. Berenson has failed to demonstrate that the right to privacy of the information outweighs the compelling state interest in disclosure.

As an alternate public member of the Select Committee on Legislative Ethics, Mr. Berenson's position would involve shaping policy, guiding ethical standards, and judging the conduct of Alaska's lawmakers and legislative employees. The legislature has found that "high moral and ethical standards among public servants...are essential to assure the

⁶ AS 24.60.200; AS 39.50.020(a).

⁷ AS 24.60.200.

⁸ AS 24.60.200(2).

⁹ 2 AAC 50.685(c).

¹⁰ AS 39.50.035.

¹¹ 2 AAC 50.775(f).

¹² 2 AAC 50.775(a).

¹³ 2 AAC 50.821(b).

¹⁴ 2 AAC 50.821(b)(1).

¹⁵ 2 AAC 50.775(a).

trust, respect, and confidence of the people of this state.”¹⁶ The underlying purpose of Alaska’s disclosure laws is to assure that public officials are free from the influence of *undisclosed* private or business interests when engaging in state business.¹⁷ Further, the people of the State of Alaska have declared that the public has a right to know the financial interests of a person who holds public office and that there is a compelling state interest that requires disclosure of such interests.¹⁸

Given Mr. Berenson’s role on the Committee, the public has the right to know his—and his spouse’s—personal business and financial ties to ensure there is no danger of conflicting interests.¹⁹ Such disclosure is reasonable and does not violate Mr. Berenson’s or his spouse’s right to privacy. Indeed, the disclosure of such financial and business information is precisely what public official and legislative financial disclosure laws seek to ensure.

Mr. Berenson also argues that his wife’s clients may object to disclosure of their names and that such disclosure might negatively impact her small business in the future. But it is not clear why someone might object to being identified as a yoga retreat participant or how identifying retreat participants would be detrimental to his wife’s business. Potential client dissatisfaction and generalized hypotheticals don’t override the public interest in disclosure and neither sufficiently support a blanket exemption from disclosure in perpetuity.²⁰

RECOMMENDATION

Because a similar matter has not come before the Commission, staff is unable to grant Mr. Berenson’s request for an exemption. Further, staff does not believe Mr. Berenson has met his burden of proof in establishing a right to privacy exists that would support a blanket exemption and recommends the Commission deny the request.

In reaching this recommendation, staff considered the purposes of AS 24.60, which, in part, provides that a fair and open government requires that legislators and legislative employees conduct the public’s business in a manner that avoids conflicts of interest or even appearances of conflicts of interest.²¹

¹⁶ AS 24.60.010.

¹⁷ See AS 39.50.010(a) (declaring that the purposes of public official financial disclosures include discouraging public officials from acting on private or business interests in performance of their public duties; assuring the public that public officials are free of the influence of undisclosed private or business interests; and allowing the public access to information necessary to judge a public official’s credentials and performance in office).

¹⁸ AS 39.50.010(b). See also, *Studley v. Alaska Public Offices Commission*, 389 P.3d 18, 24 (Alaska 2017) (holding that APOC’s regulations provide a method for preserving a clients’ confidentiality but generalized hypotheticals do not support a right to privacy argument or a blanket exemption).

¹⁹ AS 39.50.010(a). See also, *Falcon v. Alaska Public Offices Commission*, 570 P.2d 469, 477 (Alaska 1977) (recognizing that the overall purpose of financial disclosure law is “promoting efficient, ethical government and preserving the integrity and fairness of the political process both in fact and in appearance”).

²⁰ *Id.*

²¹ AS 24.60.010.



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Heather Hebdon
Alaska Public Offices Commission
2221 Northern Lights Boulevard
Room 128
Anchorage, Alaska 99508

Re: Request for Waiver for Disclosure of Spouse's Self-Employment Clients

Monday, February 9th, 2026

Dear Ms. Hebdon,

I am writing to request a waiver for disclosure of my spouse's self-employment clients on my Initial Financial Disclosure Statement related to my ratification as the Alternate Public Member on the Alaska Select Committee for Legislative Ethics.

My wife, Charla Hughes, is a yoga instructor, and in 2025 she earned \$1,115.89 of self-employment income related to hosting yoga retreats through her sole proprietorship. She had ten clients, each of whom paid between \$1,000-\$2,000, though her business expenses consumed a significant amount of the profit and the revenue was only \$1,115.89.

When her yoga retreat participants signed up for yoga retreats in 2025, they did know that their names would potentially be captured in a public document for perpetuity. It is the opinion of my wife and I that it would be better to respect their privacy than to publicly publish their names. None of the yoga retreat participants are legislators, public officials, nor lobbyists.

Furthermore, I only received the financial disclosure instructions and information on Friday, February 6th, and the Alaska Public Offices Commission (APOC) stated that the deadline for submission is Monday, February 9th. This provides very little time to contact the participants and to try to get their approval to be included in the document. Additionally, in 2026 and future years, my wife's business may be impacted if clients decide they do not want to attend her yoga retreats because they do not want to be listed in my Financial Disclosure Statement.

When these factors are considered, I believe that my spouse's clients' right to privacy outweighs the compelling state interest in disclosing the information. I agree that financial disclosure forms are vitally important, but I do not believe that the state has a compelling interest in knowing these particular yoga retreat participants. The income amount in

question is low and is not a danger to be an amount causing me as a public official from acting upon a private or business interest in the performance of my public duty nor to entice me as a public official to be influenced by personal nor business interests in my official acts.

Per the requirements of 2 AAC 50.821(a), I would like to clearly state all required information in this written request:

- 2 AAC 50.821(a)(1): The name of the person requesting the exemption or waiver:
 - Chase Berenson
- 2 AAC 50.821(a)(2): The person's mailing address:
 - Post Office Box 1634, Girdwood Alaska 99587
- 2 AAC 50.821(a)(3): The electronic mail address or telephone number at which the person may readily be contacted
 - chaseberenson@gmail.com
- 2 AAC 50.821(a)(4): The matter for which the person seeks an exemption or waiver:
 - The publication of each client who paid more than \$1,000 to my spouse's self-employment compensation
- 2 AAC 50.821(a)(5): If the exemption or waiver request relates to information for which this chapter provides an exemption, the applicable provision of this chapter:
 - The chapter does not have a provision that specifies this information, however 2 AAC 50.775(f) allows for a request for an exemption from reporting the name of a source of income if the filer demonstrates that the right to privacy of the information outweighs the compelling state interest in disclosing the information
- 2 AAC 50.821(a)(6): A statement whether the requested exemption or waiver is for a single report or filing, or for additional future reports requiring similar information:
 - This request would be for all years that I am required to submit a Financial Disclosure Statement that my wife has yoga retreat income. She is anticipated to have yoga retreat income every year that I am required to submit a Financial Disclosure Statement.
- 2 AAC 50.821(a)(7): The reasons for the exemption request:
 - For the 2026 Financial Disclosure Statement covering 2025, my wife's yoga retreat participants did not know that their names would be disclosed in a Financial Disclosure Statement, and they may object to the publication of their names as it relates to their yoga retreat participation.
 - For future years, clients may decide not to participate in yoga retreats because their names would be published in a Financial Disclosure Statement, and if that were to occur it would negatively impact my wife's small business.
- 2 AAC 50.821(a)(8) Any other information essential to the particular exemption or waiver request:
 - I did not receive instructions or information about the Financial Disclosure Statement until the business day before the Statement is due to be submitted. This provides very little time in general to consider and complete the form, and

it does not provide enough time to contact the 2025 yoga retreat participants to notify them of their inclusion.

- 2 AAC 50.821(a)(9): A certification by the person requesting the exemption or waiver that all facts stated in the request are true.
 - I, Chase Berenson, certify that all the facts stated in this request are true.

Thank you for your consideration of this request.

Sincerely,

Chase Berenson
Alternate Public Member
Alaska Select Committee on Legislative Ethics



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Administration

ALASKA PUBLIC OFFICES COMMISSION

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August 10, 2026

Via Certified Mail, US Mail, and Email

Chase Berenson
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chaseberenson@gmail.com

Re: Commission Meeting Notice
Civil Penalty Appeal and Exemption Request

Dear Mr. Berenson:

The Commission will review the matter of your violation appeal for your late-filed 2026 Initial LFD Statement at its upcoming August 26, 2026, Commission Meeting in Anchorage. A copy of the Staff Recommendation that will be presented to the Commission at the meeting is enclosed. The Commission will also consider your exemption request related to disclosure of your spouse's clients. A copy of the exemption recommendation has previously been provided to you.

You have a right to participate at the meeting, either in-person, by telephone (1-907-202-7104, Conference ID: 845 091 354#), or online via [Microsoft Teams](#) (Meeting ID: 250 016 996 214 088, Passcode: ss9Fo9K9). POFD Civil Penalty Appeals are expected to begin at **9:30 am on Wednesday, August 26, 2026. Your exemption request will immediately follow and is expected to begin at 9:45 am.**

Your appeal will initially be presented to the Commission on a Consent Agenda. If you do not wish to 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 wish to present or make a statement to the Commission, please notify the Commission, on record, prior to the approval of the consent agenda. Regardless of your participation, you will be issued a copy of the Commission's final decisions in both matters.

If you have any questions, please contact our office.

Sincerely,

ALASKA PUBLIC OFFICES COMMISSION

Heather R. Hebdon
Executive Director

Encl.: Appeal Staff Recommendation

CERTIFICATE OF SERVICE:

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

Chase Berenson
PO Box 1634
Girdwood, AK 99587
chaseberenson@gmail.com

☒ Certified Mail
☒ Email

08/10/2026

Signature

Date

Rousselle, Cari J (DOA)

From: Microsoft Outlook
To: chaseberenson@gmail.com
Sent: Monday, August 10, 2026 2:34 PM
Subject: Relayed: Commission Meeting Notice

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

chaseberenson@gmail.com (chaseberenson@gmail.com)

Subject: Commission Meeting Notice



Commission
Meeting Notice