

[TAB 2]

Complaint (Remand) 25-03-CD

David Long v. Joel Borgquist, Keep It Alaska

Presented By:

Kim Stone, Campaign Disclosure Coordinator



TO: APOC Commissioners
DATE: December 29, 2025
FROM: Kim Stone, Campaign Disclosure Coordinator
SUBJECT: Supplemental Staff Report on Remand, Complaint 25-03-CD,
David Long v. Joel Borgquist, Keep It Alaska

Supplemental Staff Report on Remand

At its September 10, 2025 meeting, the Alaska Public Offices Commission (Commission) considered allegations filed against Joel Borgquist and Keep It Alaska independent expenditure group (collectively, KIA) in complaint 25-03-CD.¹

In a September 22, 2025 Order Resolving Complaint in Part and Remanding One Issue to Staff, the Commission remanded for further briefing on “the narrow issue of how to interpret AS 15.13.110(k)” because “this issue was not thoroughly briefed by the parties” and “it is not clear from the record” how staff arrived at its interpretation that AS 15.13.110(k) requires the expenditure group to report both the name of the true source *and* the amount each true source puts toward the ultimate total that the intermediary contributed to the expenditure group.²

As a starting point, the Commission and APOC staff agree Alaska Statute 15.13.110(k) applies and required Keep It Alaska to “report the true source, and all intermediaries” of the \$3,000 contribution.

From there, APOC looks to 2 AAC 50.270(d), which provides that “[a] person required to report under AS 15.13.110(k)” must include in their report for “all true sources and intermediaries . . . the following information”:

(1) the date of each contribution;

¹ [Complaint 25-03-CD](https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=26521), <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=26521>.

² [Order Resolving Complaint in Part and Remanding One Issue to Staff](https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=27250),
<https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=27250>, pp. 16-17.

- (2) the amount of each contribution;
- (3) the full name of the contributor;
- (4) a description of item or services contributed, if necessary; and
- (5) the full name of all intermediaries, if any, within the meaning of “true sources” under AS 15.13.400.³

In response to the Commission’s first question on remand:⁴ (1) APOC staff respectfully responds that its interpretation is one of plain meaning: 2 AAC 50.270(d) mandates a person “required to report under AS 15.13.110(k)” – including Keep It Alaska – to include the amount of each contribution for all true sources and intermediaries. To interpret AS 15.13.110(k) and 2 AAC 50.270(d) as requiring only disclosure of the true source’s name would be counter to the plain language of the regulation. Additionally, in 2021 the agency began work on revising and adopting regulations to implement and clarify the new reporting requirements enacted through 2020’s ballot measure 2. APOC Staff presented its preliminary revisions at the June 9-10, 2021 meeting. One of the suggested revisions was to implement section (d) of 2 AAC 50.270 to detail the information that persons must disclose when receiving a contribution triggering reporting under AS 15.13.110(k).⁵

In response to the Commission’s second and third questions on remand: (2) APOC staff is unaware of any prior Commission decisions suggesting that the statute and regulation, read together, only requires disclosure of the true source’s name. However, in a prior and still pending complaint matter, an issue was raised that related to the import functionality for true source information within APOC’s Online Filing System.⁶ In investigating that matter, staff found that the filing system’s 24-hour true source report form enabled the receiving group/entity to identify their contributions’ true sources by

³ 2 AAC 50.270(d) (emphasis added).

⁴ [Order Resolving Complaint in Part and Remanding One Issue to Staff](https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=27250),
<https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=27250>, pp. 16-17.

⁵ [Regulation Changes Discussion](https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=22648), <https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=22648>, p. 5.

⁶ See, [Complaint 24-08-CD](https://aws.state.ak.us/ApocReports/Paper/Download.aspx?ID=2408), *907 Initiative v. Families of the Last Frontier*, currently pending coordination of a consent agreement.

name and date received. This has since been changed to require information detailed in 2 AAC 50.270(d). (3) To APOC staff's knowledge, neither the public nor a respondent has ever questioned whether persons reporting true sources under AS 15.13.110(k) need not report the amount of each contribution under the mandates of 2 AAC 50.270(d). APOC staff has, however, generally directed the public to the regulation itself on the related question of whether the individual contribution thresholds apply cumulatively or to each donor in its requirement to include the amount of each contribution.⁷

In any event, for all the above reasons, APOC staff believes campaign disclosure law requires expenditure groups to report both the name of the true source and the amount each true source put toward the ultimate total that intermediary contributed to the expenditure group. However, although Respondents did not report the individual amount contributed by each true source as the statute and regulation require, APOC staff nonetheless recommends no penalty be imposed for the Respondents' failure to include this information based upon the above-described technical issues within APOC's Online Filing System that existed at the time Respondent filed its 24-hour true source report.

I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered as indicated to the following:	
David Long 1830 E. Parks Hwy A107 Wasilla, AK 99654 DBLong52@gmail.com	<input checked="" type="checkbox"/> Email <input checked="" type="checkbox"/> Certified Mail
Joel Borgquist Keep It Alaska PO Box 772081 Eagle River, Alaska 99677 chair@keepitalaska.org	<input checked="" type="checkbox"/> Email <input checked="" type="checkbox"/> Certified Mail

John Whitlock
Signature 12/29/25
Date

⁷ Exhibit 1, April 24, 2024 staff email.

Hebdon, Heather R (DOA)

From: Whitlock, John G (DOA)
Sent: Thursday, April 18, 2024 2:57 PM
To: Joel Borgquist
Cc: Chung, Dyane (DOA); Sargent, Mike David (DOA); Hebdon, Heather R (DOA)
Subject: RE: Your call earlier to APOC (Keep it Alaska)

Joel,

Please see the **highlighted** section of the IE regulations. I think that this may answer your questions.

Thanks,

John Grover Whitlock
Paralegal
APOC

2 AAC 50.270. Independent expenditures.

(a) Except as provided in (c) of this section, before making an independent expenditure to support or oppose a candidate, a ballot proposition, or an initiative proposal application, a person shall register as required under [AS 15.13.050](#) on a form prescribed by the commission, and shall establish a political activities account as required under [AS 15.13.052](#). The frequency and amount of an allowable independent expenditure is not limited.

(b) Except as provided in (c) of this section, a person that makes an independent expenditure for any purpose shall file, as required under [AS 15.13.110\(h\)](#), a report of independent expenditure, on a form prescribed by the commission. An independent expenditure report must include

- (1) the information required by [AS 15.13.040\(d\)](#) and (e);
- (2) for a person other than an individual making an independent expenditure, the type of business or organization;
- (3) the full name of a contact person for the individual or other person making the expenditure;
- (4) the date of the expenditure;
- (5) the amount of the expenditure;
- (6) the check number or the identifying transaction number if paid by other means;
- (7) the name and address of the payee; and
- (8) a description of items or services purchased.

(c) An individual who makes an independent expenditure that does not exceed \$500 in a calendar year for billboards, signs, or printed materials concerning a ballot proposition or initiative proposal application, is not required to register or file a statement of independent expenditure. If an individual's independent expenditures for billboards, signs, or printed materials concerning a ballot proposition or initiative proposal application exceed \$500 in a calendar year, the individual shall file a statement of independent expenditure no later than 10 days after the amount expended exceeds \$500.

(d) A person required to report under [AS 15.13.110\(k\)](#) shall disclose contributions received from a single source that exceed \$2,000, in the aggregate, and all subsequent contributions from that same not later than 24 hours after receipt. The report must include a certification that all true sources and intermediaries have been disclosed and the following information:

- (1) the date of each contribution;
- (2) the amount of each contribution;
- (3) the full name of the contributor;
- (4) a description of item or services contributed, if necessary; and
- (5) the full name of all intermediaries, if any, within the meaning of "true source" under [AS 15.13.400](#).

(e) A person required to report under [AS 15.13.110\(k\)](#) is not required to report donations that are not intended to influence the outcome of an election if the person

- (1) establishes a political activities account as required by [AS 15.13.052](#);
- (2) makes no expenditures intended to influence the outcome of an election regulated under [AS 15.13](#) from its general fund;
- (3) establishes a written policy that all contributions to the person's political activities account must be from a contributor who has expressly indicated a desire that the contribution be used for political activities or has been expressly solicited for the purpose of making a contribution to the person's political activities account; and
- (4) establishes a written policy that the contributor is the only person to decide whether a contribution goes to the person's general fund or the person's political activities account.

(f) During the nine days before an election, a person required to file reports within 24 hours under [AS 15.13.110\(h\)](#) and (k), may satisfy both requirements by filing a report under (d) of this section.

(g) A contributor contributing more than \$2,000, in the aggregate, to a person described in (d) of this section shall file a statement of contributions in compliance with AS 15.13.040(r), on a form prescribed by the commission. The statement of contributions must be filed not later than 24 hours after the contributor's total contributions to the person exceed \$2,000. A contributor making a contribution to a person described in (d) of this section shall make the contribution in the name of the true source of the money or thing of value.

From: Joel Borgquist <chair@keepitalaska.org>
Sent: Thursday, April 18, 2024 2:01 PM
To: Whitlock, John G (DOA) <john.whitlock@alaska.gov>
Cc: Chung, Dyane (DOA) <dyane.chung@alaska.gov>; Sargent, Mike David (DOA) <mike.sargent@alaska.gov>; Hebdon, Heather R (DOA) <heather.hebdon@alaska.gov>
Subject: Re: Your call earlier to APOC (Keep it Alaska)

Hi John,

Hi John,

Okay, we'll put the disclaimer in both the image and text script to cover all bases.

I got my answer on the party donation question when I looked through the training booklet. It states that there are no restrictions on party contributions to an IE Group. Thanks for following up though.

I do have one more question: When we receive a donation from another group and are recording the individual donors behind the donation, does the 24-hour report apply to the donation if all of the individual donations are below \$2,000 but the collective passed on donation is over \$2,000 when all of the individual donors are added up together? To be clear, no individual has given us a donation above \$2,000, but a few dozen individuals have given to another group that is being passed on to us.

Thanks!

- Joel

Joel Borgquist
Chairman, Keep It Alaska

On Apr 18, 2024, at 1:09 PM, Whitlock, John G (DOA) <john.whitlock@alaska.gov> wrote:

...and thanks for the call.

Let me make one slight caveat/suggestion to what I discussed with you on the phone. I conferred with my colleagues who suggested that if both the text and the image are standing alone, it would be **best practice** to place the disclaimer on both the image and the text.

Also, while I was away from my desk you left a message with one of my colleagues, Ben Wolfe, who relayed to me a question regarding if Keep it Alaska would have to report any donations from the Republican Party. I just wanted to ensure that this is, indeed, your question before looking into it.

From: Joel Borgquist <chair@keepitalaska.org>
Sent: Thursday, April 18, 2024 12:31 PM



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Administration

ALASKA PUBLIC OFFICES COMMISSION

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Anchorage, AK 99508-4149
Main: 907.276.4176
Fax: 907.276.7018
www.doa.alaska.gov/apoc

December 29, 2025

Via Email and Certified Mail

Joel Borgquist
Keep It Alaska
PO Box 772081
Eagle River, AK 99677
chair@keepitalaska.org

Re: Commission Meeting Notice

Dear Mr. Borgquist, Keep It Alaska:

At its January 14, 2026 Commission Meeting in Anchorage, Alaska, the Commission will review the enclosed Supplemental Staff Report on Remand in matter 25-03-CD, *David Long v. Joel Borgquist / Keep It Alaska*, concerning the requirements of true source reporting under Alaska campaign disclosure law.

Currently the matter is scheduled to be considered at **9:20 a.m. on Wednesday, January 14, 2026**. You have a right to participate at the meeting, either in person or by telephone (1-907-202-7104, Access Code: 382 982 822#), 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.

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

If you have any questions, please contact our office.

ALASKA PUBLIC OFFICES COMMISSION

KIM STONE

Kim Stone
Campaign Disclosure Coordinator

Encl: Staff Recommendation

¹ Meeting ID: 237 734 363 936 42, Passcode: iz3Ps6vV

CERTIFICATE OF SERVICE:	
I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered to:	
David Long 1830 E. Parks Hwy A107 Wasilla, AK 99654 DBLong52@gmail.com	<input checked="" type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> Email
Joel Borgquist Keep It Alaska PO Box 772081 Eagle River, AK 99677 chair@keepitalaska.org	<input checked="" type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> Email

John Whitlock

Signature

12/29/25

Date

From: postmaster@NETORGFT16078516.onmicrosoft.com
To: [Joel Borgquist](mailto:Joel.Borgquist@keepitalaska.org)
Subject: Delivered: Meeting Notice and Supplemental Staff Report 25-03-CD
Date: Monday, December 29, 2025 4:46:25 PM
Attachments: [Meeting Notice and Supplemental Staff Report 25-03-CD.msg](#)

Your message has been delivered to the following recipients:
Joel Borgquist (chair@keepitalaska.org) <mailto:chair@keepitalaska.org>
Subject: Meeting Notice and Supplemental Staff Report 25-03-CD

From: [Microsoft Outlook](#)
To: dblone52@gmail.com
Subject: Relayed: Meeting Notice and Supplemental Staff Report 25-03-CD
Date: Monday, December 29, 2025 4:46:17 PM
Attachments: [Meeting Notice and Supplemental Staff Report 25-03-CD.msg](#)

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:
dblone52@gmail.com (dblone52@gmail.com) <mailto:dblone52@gmail.com>
Subject: Meeting Notice and Supplemental Staff Report 25-03-CD