

ALASKA PUBLIC OFFICES COMMISSION
MINUTES
APRIL 8, 2011

A special meeting and hearing of the Alaska Public Offices Commission came to order at 8:30 a.m. on Friday, April 8, 2011. The meeting was held at 2221 E. Northern Lights Blvd. Rm. 128, Anchorage, Alaska.

Brackets [] indicate an agenda item number and that an information packet is included in the meeting binders. Asterisk * indicates no information was included in the meeting binders.

In Attendance:

COMMISSION: Elizabeth Hickerson – Chair
Kathleen Frederick – Vice Chair (Telephonically)
Shirley Dean – Commissioner (Telephonically)
Kathleen King – Commissioner
Kenneth Kirk – Commissioner

Staff: Paul Dauphinais – Executive Director
Jerry Anderson – Assistant Director
Patty Ware – Proj. Coordinator, Juneau Branch (Telephonically)
Amy Robinson – Associate Attorney II
Vullnet Greva – Associate Attorney II
Kim Wilson – Associate Attorney I
Joan Mize – Juneau Office Paralegal II (Telephonically)
Heather Hebdon – Paralegal II
Tamzin Malone – Paralegal I
Maria Bulfa – Law Office Asst. II (Recording Secretary)

Attendee: John Ptacin – Assistant Attorney General, Dept. of Law, APOC staff Attorney
Christopher Kennedy – Administrative Law Judge
Scott Kendall – Attorney for Complainant
Thomas Jantunen – Attorney for 10-07-CD, Donlin Creek LLC, Respondent
Jim Leik – Attorney for 10-07-CD, Donlin Creek LLC, Respondent
Sean Holloran – Self
Tom Amodio – Attorney for 10-07-CD, Respondent 1 (AAMS) & 2 (CAP)
Bob Glasco – Attorney for 10-09-CD, Kennecott Greens Creek-Hecla Greens Creek (Telephonically)

ON RECORD 8:30 a.m.

Meeting

Chair Hickerson called the meeting to order.

Advisory Opinion Request, 11-05-LOB

Ms. Ware presented staff's recommendation regarding the advisory opinion request by Jim Jansen, President of Lynden, Rick Boyles, President of the Teamsters, and Randy Johnson of AK Ship & Drydock.

John Ptacin, Assistant attorney general gave a brief statement in support of staff's recommendation and answered the Commission's questions.

Commissioner Kirk moved to approve staff's recommendation with two amendments:

- 1. Amend the typo on page five to correctly cite AS 24.45;**
- 2. Add the following sentence to page 5: "Based on MAC's representation to staff as of the date of this memo, MAC does not employ a lobbyist and is not required to report its activity under AS 24.45."**

Commissioner King seconded the motion.

The Commission voted 5-0 in favor of the motion.

The Commission approved staff's recommendation as amended.

OFF RECORD 9:03 a.m.

Deliberation/Break

On RECORD 9:30 a.m.

Hearing

The Alaska Public Offices Commission heard Oral Argument on the Proposal to Accept Consent Agreements in Hackney v. Alaskans Against the Mining Shutdown, et al., APOC Consolidated case numbers 09-07-CD, 10-06-CD, 10-07-CD, 10-08-CD, 10-09-CD, 10-10-CD, 10-11-CD, 10-13-CD, and OAH No. 09-0338-APO.

Commissioner Kirk recused himself as he had not had time to review the history of the complaint or the large quantity of complaint materials.

Administrative Law Judge Christopher Kennedy called the hearing to order.

The following attorneys were present in person and presented oral argument in support of or opposition to the consent agreement.

- John Ptacin- Assistant Attorney General, Dept. of Law
- Scott Kendall- Attorney for Arthur Hackney the complainant
- Jim Leik- Attorney for Donlin Creek LLC, respondent
- Tom Amodio- Attorney for Alaskans, Against the Mining Shutdown (AAMS) and Council of America Producer (CAP), respondent

Bob Glasco, Kennecott Green Creek - Hecla Green Creek's attorney, appeared telephonically and gave a brief.

OFF RECORD 10:50 a.m.

Deliberation

The Commission did not go back on record after deliberation.