

# STATE OF ALASKA

TONY KNOWLES, GOVERNOR

## DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

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### STATE OF ALASKA DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT DIVISION OF OCCUPATIONAL LICENSING BOARD OF MARINE PILOTS

#### MINUTES

Teleconference Meeting  
July 6, 1995

By authority of AS 08.01.070 (2) and AS 08.62.030, and in compliance with the provisions of AS 44.62, Article 6, a teleconference meeting of the Board of Marine Pilots was held on July 6, 1995.

#### Call to Order/Roll Call

The meeting was called to order at 0900 by Captain John Klepper, Chairman to take license action in Case number 1900-95-001. Those present and constituting a quorum of the board were:

Mr. Bob Berto  
Captain John Klepper  
Ms. Donna Bumgardner  
Captain Mike O'Hara  
Mr. Jeff Bush  
Mr. Mark Springer  
Captain Dale Collins

Also present were: Captain Dan Twohig, Marine Pilot Coordinator.  
LT. Brain Penoyer, USCG  
Gary Veres, Chief Investigator, Occ/Lic  
Catherine Reardon, Director, Occ/Lic  
Theresa Williams, AAG

1. Captain Collins declared a conflict of interest in Case Number 1900-95-001, and recused himself from the discussion or consideration of this case.
2. Mr. Berto asked the board for a determination on whether he had a conflict of interest in

this case.

On a motion made by Mr. Springer, seconded by Mr. Bush and carried 5 YES, 1 NO it was

RESOLVED that Mr. Berto does not have a conflict of interest in this matter.

3. The Marine Pilot Coordinator read the introduction of the petition for summary suspension in Case Number 1900-95-001 into the record.
4. The Chairman discussed the board's duty to prevent the loss of lives and property and to protect the marine environment and the statutes that pertain to this license action.
5. The Marine Pilot Coordinator read the remaining portions of the petition for summary suspension in Case Number 1900-95-001 into the record.
6. A discussion was held concerning the charges contained in the petition for summary suspension.
7. The Marine Pilot Coordinator read his affidavit in support of the petition for summary in Case Number 1900-95-001 into the record.
8. Questions were asked by board members concerning the contents of the affidavit.
9. On a motion made by Mr. Springer, seconded by Ms. Bumgardner and carried unanimously, it was

RESOLVED that considering the information contained in the petition for summary suspension and supporting documents in Case Number 1900-95-001, Robert K. Nerup's continued licensure as a marine pilot poses a clear and immediate danger to the public health and safety, and his marine pilot license Number AA-83 is summarily suspended.

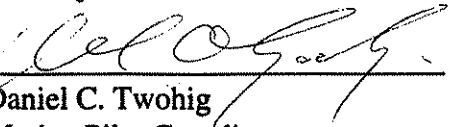
10. On a motion made by Ms. Bumgardner, seconded by Mr. Springer and carried unanimously, it was

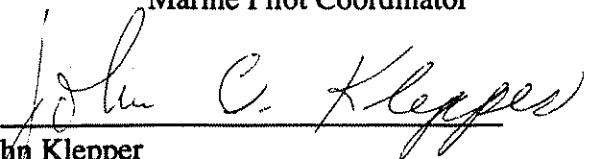
RESOLVED to delegate this case to the hearing officer unit within the Department of Commerce and Economic Development.

11. The board directed the Marine Pilot Coordinator to address the pilots in the state to ensure that proper communications be maintained between pilots aboard vessels passing in narrow channels.
12. On a motion made by Captain O'Hara, seconded by Ms. Bumgardner and carried

unanimously, it was

RESOLVED to adjourn.

Respectfully submitted by   
Daniel C. Twohig  
Marine Pilot Coordinator

Approved by   
John Klepper  
Chairman