

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

MINUTES OF MEETING
MARCH 27, 1992

By authority of AS 08.01.070(2) and AS 08.62.030, and in compliance with the provisions of AS 44.61, Article 6, and AS 44.62.310, a scheduled telephone conference meeting of the Board of Marine Pilots was held on March 27, 1992.

Call to Order/Roll call

The meeting was called to order at 1:10 p.m. by Mr. Bob Watt, Chairman. Those present and constituting a quorum of the board were:

Mr. Bob Watt
Mr. Russel Sell
Mr. Bill Lorch
Captain Dale Collins
Captain Michael O'Hara
Mr. Keith Greba
Mr. Larry Galloway

Also present in Juneau and representing the Division of Occupational Licensing was JoAnne Cummings, Licensing Examiner, Mr. Gary Amendola Assistant Attorney General, and Karl Luck, Marine Pilot Coordinator.

Public meeting places were established at public request in the following locations: Anchorage, Valdez, Sitka, Juneau, Ketchikan, Soldotna, Fairbanks, and Seattle.

In attendance at the various locations were:

Captain Bill Swain
Captain Terry Bennet
Captain Mike Spence
Captain Doug McPherson
Captain George Porter
Captain Archie Diment
Mr. Richard Gurry
Mr. Dick Monkman

Captain Simon La Chefisky
Ms. Karla Hilmendorf
Captain Arnt Antonsen
Mr. Tom Rueter
Mr. Bernie Smith
Captain Pierce
Mr. Dave Millen
Mr. Stuart Mork
Mr. Harry Scally.

Agenda

On a motion by Mr. Sell, seconded by Mr. Galloway and carried unanimously, it was

RESOLVED to set the agenda as:

1. Public comment.
2. Final adoption of regulations involving tariff.
3. Final adoption of regulations involving pilot organizations.
4. Final adoption of regulations involving regions.

Agenda Item 1

Public Comment

- A. Captain Swain, SEAPA, addressed the board regarding regionalization. If we are going to allow pilots to go from one region to another, we don't have regions. If 12 AAC 56.021(c) is deleted, you have a free-for-all. A pilot can pilot wherever he chose. There are 40 some pilot associations in the U.S. that cover all the waterways and each is confined to a particular region. There is no free-lancing. It works well throughout the rest of the world and I don't see why it won't work in Alaska. You don't have San Francisco pilots piloting in Coos Bay. I don't see why you will have Juneau pilots piloting in Whittier. Alaska has more coastline than the rest of the U.S. and I don't see why our customers want to impose a different scheme.

- B. Captain Terry Bennet, ACP, would like these subjects discussed in a full forum. The law mandates the board to describe the way that cross-region piloting be accomplished.
- C. Mr. Millen, representing AMP, submitted written comments concerning several editorial changes and the omission of several specific statements which were changed from the previous version of the regulations.
- D. Captain Pierce, SWAPA. We were not informed of the changes and this format is irregular if we are going to make changes. Is the region language purposing cross over within the regions? I protest that we did not have a legal mind look at this. If the board changes what has already been passed, we will have "cherry picking." The tariff we negotiated with industry was based on package that covered the region as previously agreed upon. If the region scheme changes, we will have to go back to ground zero.
- E. Mr. Monkman - Mr Grouse has joined the group, I concur that the scope of this is too much for this forum. If changes are going to be made, we want more time to study the changes.

Mr. Sell made the motion to defer the agenda to the Juneau meeting or a later date. Mr. Lorch seconded the motion. Captain O'Hara desired more explanation on the deletion of 12 AAC 56.021(c).

Mr. Watt commented that the accompanying documentation did not include mention of the Senate comments in regard to the legislative intent of the law. The motion carried four to three with Captain Collins, Mr. Greba and Mr. Watt opposed.

Captain Collins made a motion to discuss the tariff and transition issues. Mr. Greba seconded the motion. The motion passed, with Mr. Watt opposed.

Agenda Item 2

Adoption of Regulations Involving Tariff.

Captain Collins made a motion to accept 12 AAC 56.022 transition as written. Mr. Galloway seconded the motion. The motion passed unanimously.

Captain O'Hara made a motion to adopt 12 AAC 56.210, Tariff for the Southeast Alaska Region, as written. Mr. Galloway seconded the motion. The motion passed, with Mr. Lorch opposed.

Mr. Sell had to leave the teleconference.

It was the consensus of the board to defer 12 AAC 56.220, Tariff for Southcentral Alaska Region, until the next regular meeting.

Mr. Watt directed the following language be added to 12 AAC 56.230, Tariff for Western Alaska Region:

"it is within the pilot's discretion on not to use a tug boat." If not added to this section, this statement should appear elsewhere in the regulations.

It was the consensus of the board to defer 12 AAC 56.230, Tariff for the Western Region, until the next regular board meeting.

Agenda Item 3

Adoption of Regulations Concerning Pilot Organizations

Mr. Lorch made a motion to accept 12 AAC 56.300, Standard for Recognition, as written. Mr. Greba seconded the motion. The motion passed, with Captain Collins opposed.

Mr. Lorch made a motion to accept 12 AAC 56.310, Qualifications for Recognition, as written. Mr. Galloway seconded the motion. The motion passed unanimously.

Captain O'Hara made a motion to accept 12 AAC 56.320, Suspension or Revocation of Recognition, as written. Mr. Galloway seconded the motion. The motion passed unanimously.

Captain O'Hara made a motion to accept 12 AAC 56.990(10)(11)(12) and (13). Motion amended by Mr. Lorch to only accept 12 AAC 56.990(10) and (11). Mr. Greba seconded the motion. The motion passed unanimously.

Mr. Watt requested the AG's office have the drafted training programs ready for the board's review at the April meeting.

Agenda Item 4

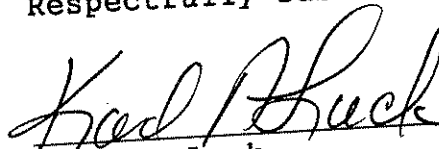
Adoption of Regulations Concerning Pilot Regions

Item deferred to next regular board meeting.

Adjourn

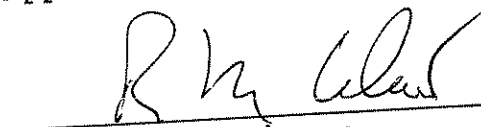
The meeting was adjourn at 4:00 p.m.

Respectfully submitted:



Karl A. Luck
Marine Pilot Coordinator

Approved:



Bob Watt, Chairman

Date: 4/15/92