

STATE OF ALASKA

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

SUMMARY OF MOTIONS
TELECONFERENCE MEETING
OCTOBER 25, 1993

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 scheduled teleconference of the Board of Marine Pilots was held on October 25, 1993.

MONDAY, OCTOBER 25, 1993

Agenda Item

1. Call to Order/Roll Call

The meeting was called to order at 2:14pm by Mr. Bob Watt, Chairman. Those present and constituting a quorum of the board were:

Mr. Bob Watt (Ketchikan LIO)
Capt. Dale Collins (Ketchikan)
Mr. John Klepper (Valdez LIO)
Ms. Donna Bumgardner (Valdez)
Capt. Mike O'Hara (Valdez)
Mr. Mark Springer (Hooper Bay)
Mr. Glenn Reed (SOB Juneau)

Also present were: Mr. Karl Luck representing the Division of Occupational Licensing. Gail Horetski, Assistant Attorney General. Capt. Dan Twohig, Barbara Gabier, Joanne Cummings, Capt. Mike Spence, Capt. Kathy Rathgeber, Mr. Dick Munkman, Mr. Joe Kyle, Capt. Peter Lie Nielson, Mr. Tom Rudder, and Mr. Dan Blackmore.

2. Approve Minutes of Previous Meetings

a. February 18, 1993 Teleconference

On a motion made by Mr. Reed, seconded by Mr. Springer and carried unanimously, it was

RESOLVED to adopt the minutes.

- b. April 27, 1993 Board Meeting
On a motion made by Mr. Reed, seconded by Mr. Springer and carried unanimously, it was

RESOLVED to adopt the minutes.

- c. June 25, 1993 Teleconference
On a motion made by Mr. Reed, Seconded by Mr. Springer and carried unanimously, it was

RESOLVED to adopt the minutes.

- d. July 21-22, 1993 Teleconference
On a motion made by Mr. Reed, Seconded by Mr. Springer and carried unanimously, it was

RESOLVED to adopt the minutes.

3. Review/Set Agenda

The agenda was amended by removing item 10 and inserting approval of pending correspondence.

On a motion made by Mr. Reed, seconded by Mr. Springer and carried unanimously, it was

RESOLVED to adopt the agenda ammended.

4. Approval of Captain Daniel Twohig as Marine Pilot Coordinator

Mr. Karl Luck summerized the resume of Captain Daniel Twohig, candidate For the position of Marine Pilot Coordinator. Questions were asked by various board members and answered by Mr. Luck and the candidate.

On a motion made by Captain O'Hara to approve the recommendation of the director to hire Captain Twohig as the Marine Pilot Coordinator, seconded by Mr. Springer and carried unanimously, it was

RESOLVED to approve Captain Daniel Twohig as the Marine Pilot Coordinator.

5. Hearing Officer's Report

- a. Capt. David Renwick Case No. 1900-91-004
Discussion was held concerning whether the public interest was served by the findings of the Hearing Officer.

On a motion made by Captain O'Hara to accept the Hearing Officer's proposed decision for dismissal of the case, seconded by Mr. Klepper and carried unanimously, it was

RESOLVED to dismiss Case No. 1900-91-004

- b. Capt. Bob Winter Case No. 1950-93-006
A motion was made by Mr. Reed to accept the proposed decision (option 1), seconded by Mr. Springer.

Discussion was held concerning whether Capt. Collins should be excused from voting. The Chairman decided Capt. Collins should be excused.

On a roll call vote of the board, and defeated (2 YES, 4 NO) (Mr. Reed and Mr. watt voted YES, Captain Collins recused himself from the vote.) the board

REJECTED the proposed decision (option 1).

A motion to accept the proposed decision (option 3) was made by Mr. Klepper, seconded by Ms. Bumgardner.

Discussion was held concerning whether the time required to review the issue would extend past the licensing anniversary date.

Mr. Klepper withdrew the motion.

On a motion made by Mr. Reed, seconded by Mr. Klepper and carried (4 YES, 2 NO), (Capt. O'HARA and Ms. Bumgardner voted against) it was

RESOLVED to reconsider the proposed decision (option 1).

On a motion made by Mr. Reed, seconded by Mr. Springer and carried (4 YES, 2 NO), (Capt. O'Hara and Ms. Bumgardner voted against) it was

RESOLVED to accept the proposed decision (option 1).

An ensuing discussion was held on licensing issues. Mr. Klepper voiced concern about issuing unlimited licenses with "holes in them" (missing pilotage areas) and considering applications before the required anniversary dates.

- c. Captain Johnson Case No. 1950-93-004
On a motion made by Mr. Reed, seconded by Mr. Springer and carried unanimously (Capt. Collins abstained) it was

RESOLVED to accept the proposed decision (option 1).

6. **Status of Board Approved Regulations**

A discussion was held on board approved regulations projects.

On a motion made by Captain O'Hara, seconded by Mr. Klepper and carried unanimously, it was

RESOLVED to take up the issue of setting tariffs during the next board meeting.

7. **Review Initial Application of Capt. Kathy Rathgeber**

Capt. Collins asked the chair for an ethics ruling on whether he could vote on this issue. The chairman ruled that Capt. Collins could vote.

On a motion made by Mr. Springer, seconded by Mr. Reed and carried unanimously (Capt. Collins abstained) it was

RESOLVED to accept Capt. Rathgeber's application and allow her to sit for the next available examination.

3:54pm Mr. Klepper departed.

8. **License Tonnage Increases**

Capt. Collins asked the chair for an ethics ruling on whether he could vote on this issue. The chairman ruled that Capt. Collins could vote.

a. Capt. Jeff Baken

On a motion made by Mr. Springer, seconded by Mr. Reed and carried unanimously (Capt. Collins abstained), it was

RESOLVED to accept Capt. Baken's application for tonnage increase.

b. Capt. Don Charles

On a motion made by Mr. Springer, seconded by Mr. Reed and carried 3 YES, 2 NO (Ms. Bumgardner and Mr. Springer voted against, Capt. Collins abstained) it was

RESOLVED to accept Capt. Charles' application for tonnage increase.

c. Capt. Dave Sander's

On a motion made by Mr. Springer, seconded by Capt. O'Hara and carried unanimously (Capt. Collins abstained) it was

RESOLVED to accept Capt. Sander's application for tonnage increase.

- d. Capt. Pete Garay
On a motion made by Capt. O'Hara, seconded by Mr. Springer and carried unanimously (Capt. Collins abstained) it was

RESOLVED to accept Capt. Garay's application for tonnage increase.

- e. Capt. Kurt Petrich
On a motion made by Mr. Springer, seconded by Mr. Reed and carried unanimously (Capt. Collins abstained) it was

RESOLVED to accept Capt. Petrich's application for increased tonnage.

9. Business

- a. Set meeting dates/agenda
The next meeting of the Marine Pilot Board will be held the week of 6 December 1993 in Anchorage. All Agenda items scheduled for the September board meeting which was cancelled will be addressed at that meeting.
- b. The next pilot examination will be during the meeting following the December meeting.

An ensuing discussion was held concerning the possible compromise of pilot exams and the need to develop more objective testing procedures.

4:35pm Mr. Reed departed.

10. Correspondence

The board approved the following correspondence:

- a. Letter to Mayor Jamie Parsons
- b. Letter to pilot associations concerning examination construction
- c. Letter to APL concerning western alaska situation
- d. NTSB recommendation (QUEEN ELIZABETH II)
- e. Pilot dispute SS ROTTERDAM
- f. Letter of Resignation (Bob Baratko)
On a motion made by Capt. O'Hara, seconded by Mr. Springer and carried unanimously, it was

RESOLVED that the chairman would draft a letter of thanks to Capt. Baratko

- g. NTSB opinion and order (Capt. Hawker)
Capt. Hawker will not sail on his state license while his federal license is suspended.
- h. Letter from Capt. Spence to RCAC
Director to draft letter requesting documentation of alleged alcohol abuse among pilots


Ms. Bumgardner disclosed her planned participation in a trip to visit a ship simulator facility located in Florida in December. Board participation in this type of event was discussed and the need for public disclosure addressed.

11. Adjourn

On a motion by Capt. O'Hara, seconded by Mr. Springer and carried unanimously, it was

RESOLVED to adjourn.

Respectfully submitted,



Bob Watt, Chairman



Dan Twohig, Marine Pilot Coordinator

Approved on: 12/6/93