

**STATE OF ALASKA
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT
DIVISION OF OCCUPATIONAL LICENSING
BOARD OF MARINE PILOTS
Anchorage, Alaska**

SUMMARY OF MOTIONS

FEBRUARY 6-8, 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 scheduled meeting of the Board of Marine Pilots was held on February 6-8 1995, in Anchorage, Alaska.

Monday February 6, 1995

0800

Examinations

Examinations were administered to:

Captain Larry Pullin	Core/Region 1
Captain Lew Picton	West Coast of Prince of Wales Island
Captain Vince Tillion	Icy Bay
Captain Bill Tuttle	Core
Captain Richard Siegel	Core
Captain Rick Desautel	Core

**Agenda Item 1
1300**

Call to Order

The meeting was called to order by Captain John Klepper, Chairman. Members present and constituting a quorum were:

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

Agenda Item 2

Review/Set Agenda

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

BOARD OF MARINE PILOTS
SUMMARY OF MOTIONS
FEBRUARY 6-8, 1995
PAGE 2

RESOLVED to approve the agenda as amended.

Agenda Item 3 **Review and Approve Minutes of October 4-6, 1994,
Meeting in Juneau**

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

RESOLVED to approve the minutes of the October 4-6, 1995, meeting in Juneau.

Agenda Item 4 **Public Comment**

The board heard public comment from the following persons:

<u>Name</u>	<u>Representing</u>
Ken Castner	Cook Inlet RCAC
Jim Drahos	Self
Cees Deelstra	Holland America Line
Joe Kyle	Alaska Steamship Association
Joe Homer	Alaska Coastwise Pilots
Doug MacPherson	Alaska Coastwise Pilots
Dan Grausz	Holland America Line
Ted Kellogg	Self
Lt. Mike Gardner	United States Coast Guard
Eric Eliassen	Alaska State Pilots Alliance
Terry Bennett	Self
Jim Forbes	Department of Law

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

BOARD OF MARINE PILOTS
SUMMARY OF MOTIONS
FEBRUARY 6-8, 1995
PAGE 3

RESOLVED to write a letter to the United States Coast Guard endorsing the concept of Bridge Resource Management Training as a viable tool to improve vessel safety in Alaskan waters.

Agenda Item 5 **Review Examination Scores**

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

RESOLVED to grant Captain Tillion an endorsement for Icy Bay.

Agenda Item 6 **Executive Session**

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

RESOLVED to enter executive session to conduct oral examinations, and receive a confidential investigative report from the Marine Pilot Coordinator.

The board reconvened in open session.

On a motion made by Mr. Springer, seconded by Ms. Bumgardner and carried unanimously with one abstention (Captain Collins), it was

RESOLVED to reinstate Captain Pullin's lapsed Region 1 Marine Pilot License.

Agenda Item 7 **Recess**

BOARD OF MARINE PILOTS
SUMMARY OF MOTIONS
FEBRUARY 6-8, 1995
PAGE 4

Tuesday, February 7, 1995

0730

Call to Order

Public Comment

The board heard public comment from the following persons:

<u>Name</u>	<u>Representing</u>
Tom Rueter	North Star Maritime
Jim Fernie	Marathon Oil Co.
John Larson	Alaska Coastwise Pilots
Doug MacPherson	Alaska Coastwise Pilots
Joe Kyle	Alaska Steamship Association
Mike Spence	Alaska Coastwise Pilots
Cees Deelstra	Holland Amarica Line
Steve Moreno	Alaska Marine Pilots
Terry Bennett	Alaska Coastwise Pilots
Stuart Mork	Alaska Marine Pilots
Ted Kellogg	Self

Agenda Item 8 Outline for Legislative Change

Discussion was held concerning the OMB report, Alaska's Marine Pilotage System Revisited, and the FTC letter to Fran Ulmer.

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

RESOLVED to draft a letter to the Governor stating that the board takes no position of either report and that although the board may not agree with the form or tone

of the reports, it heartily endorses Appendix A from the OMB Report (excerpt from the Board of Marine Pilots FY 94 Annual Report to the Governor) as an appropriate briefing statement for the Legislature.

Agenda Item 8 Hearing Officer's Proposed Decision in Case No. 1900-91-009

Captain O'Hara declared a conflict of interest and recused himself from discussing or voting on this case.

On a motion made by Mr. Springer, seconded by Mr. Bush and carried unanimously (4 YES, 2 NO), it was

RESOLVED to adopt the Hearing Officer's decision in Case No. 1900-91-009 (Option 1).

Agenda Item 9 Hearing Officer's Proposed Decision in Case No. 1950-93-003

Captain Homer addressed the board regarding the merits of the case. Ms. Horetski addressed the board on behalf of the Division of Occupational Licensing.

On a motion made by Mr. Springer, seconded by Captain O'Hara and carried unanimously (6 YES, 1 NO), it was

RESOLVED to adopt the Hearing Officer's decision in Case No. 1950-93-003 (Option 1).

Agenda Item 9a Tonnage Upgrade

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

RESOLVED to grant Captain William Anderson an endorsement for 40,000 gross tons.

Agenda Item 10 Review of Pilot Stations

On an motion made by Mr. Springer, seconded by Mr. Berto and carried unanimously, it was

RESOLVED to initiate a regulations project to remove the Behm Canal Exclusion from the Twin Island Pilot Station.

Agenda Item 11 Regulations Update

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

RESOLVED to readopt amendments to 12 AAC 56.012, as written except to correct the typographical errors in (c)(1) and (4) to read "46 CFR 10.103."

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

RESOLVED to repeal and readopt 12 AAC 56.016 as written in Department of Law Regulations File No. 993-94-0100.

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

RESOLVED to readopt amendments to 12 AAC 56.016 in Department of Law Regulation file No. 993-93-021 as written.

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

RESOLVED to readopt amendments to 12 AAC 56.080 as written.

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

RESOLVED to readopt amendments to 12 AAC 56.083 as written.

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

RESOLVED to readopt amendments to 12 AAC 56.205 as written.

BOARD OF MARINE PILOTS
SUMMARY OF MOTIONS
FEBRUARY 6-8, 1995
PAGE 7

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

RESOLVED to readopt amendments to 12 AAC 56.027 as written in Department of Law Regulations File No. 993-94-0100.

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

RESOLVED to readopt amendments to 12 AAC 56.940 as written.

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

RESOLVED to readopt amendments to 12 AAC 56.960 as written.

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

RESOLVED to readopt amendments to 12 AAC 56 by adding a new section 12 AAC 56.963 as written.

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

RESOLVED to readopt amendments to 12 AAC 56.026 as written.

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

RESOLVED to readopt amendments to 12 AAC 56.027 as written in Department of Law Regulations File No. 993-94-0121.

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

RESOLVED to readopt amendments to 12 AAC 56.028 as written.

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

BOARD OF MARINE PILOTS
SUMMARY OF MOTIONS
FEBRUARY 6-8, 1995
PAGE 8

RESOLVED to readopt amendments to 12 AAC 56.040
as written.

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

RESOLVED to readopt amendments to 12 AAC 56.070
as written.

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

RESOLVED to readopt amendments to 12 AAC 56.990
as written.

Agenda Item 12 Public Comment

The board heard public comment from the following persons:

<u>Name</u>	<u>Representing</u>
Ken Castner	Cook Inlet RCAC
Mike Rand	United States Coast Guard
Joe Kyle	Alaska Steamship Association
Jim Drahos	Self
Richard Gurry	Southeastern Alaska Pilots
Eric Eliassen	Southwestern Alaska Pilots

Agenda Item 13 Approval of Pilot Association Bylaws

Captain O'Hara declared a conflict of interest and recused
himself from discussing or voting on SWAPA's bylaws. Captain
Collins declared a conflict of interest and recused themselves
from discussing or voting on SEAPA's or ACPA's bylaws.

BOARD OF MARINE PILOTS
SUMMARY OF MOTIONS
FEBRUARY 6-8, 1995
PAGE 9

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

RESOLVED to approve the amendments to SWAPA's bylaws.

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

RESOLVED to approve amendments to ACPA's bylaws.

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

RESOLVED to approve amendments to AMP's bylaws.

Agenda Item 14 Review of Examination Scores (Revisited)

On a motion made by Mr. Springer, seconded by Captain O'Hara and carried unanimously with 1 abstention (Captain Collins), it was

RESOLVED to grant Captain Picton an endorsement for the West Coast of Prince of Wales Island.

Agenda Item 15 Other Business

On a motion made by Ms. Bumgardner, seconded by Captain O'Hara and carried unanimously with one abstention (Captain Collins), it was

RESOLVED to grant Captain Rathgeber a one-year extension to the training program.

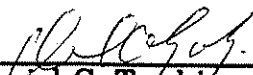
The Chairman set the next meeting date for a teleconference on April 10, 1995, at 0900. No date was set for the next examination.

'95 APR 14 PM 1 30

Agenda Item 16 Adjourn

The Chairman adjourned the meeting.

Respectfully submitted:



Daniel C. Twohig
Marine Pilot Coordinator

Approved:



Captain John Klepper, Chairman
Board of Marine Pilots

Date: 10 April, 1995