

## Board of Marine Pilots

Name	Appointed	Reappointed	Expires
<b>Cronk, Les (Leslie)</b> (Ketchikan) Agent	3/1/2018	3/1/2022	3/1/2026
<b>Harris, Richard</b> (Juneau) Public	12/18/2017	3/1/2020	3/1/2024
<b>Hasenbank, Lucas</b> (Anchorage) Agent/Manager	3/1/2020		3/1/2024
<b>Tougas, Joe</b> (Seward) Public	3/1/2022		3/1/2026
<b>Cunningham, James</b> (Homer) Pilot	5/25/2022		3/1/2025
<b>Sinclair, Edward</b> (Juneau) Pilot	3/1/2019		3/1/2023
<b>Thayer, Curtis</b> (Anchorage) Commissioner/DCCED/Designee — Chair	2/22/2010	4/11/2019	



## **Board of Marine Pilots, January 2023 Meeting**

Alaska Division of Corporations, Business and Professional Licensing  
Jan 25, 2023 at 9:00 AM AKST to Jan 25, 2023 at 3:30 PM AKST  
TBD

### **Meeting Details:**

<https://us02web.zoom.us/j/84983471974?pwd=ZkZZdlBsV3h1YWNPYzI0YWV5SFV5QT09>,

**Call in:** (669)900-6833

**Meeting ID:** 849 8347 1974

**Passcode:** 639312

### **Agenda**

- 1. 9:00am - Roll Call/Call to Order**
- 2. 9:03am - Review Agenda**
- 3. 9:05am - Review/Approve Minutes**
  - A. October 05, 2022**
- 4. 9:10am - Ethics Disclosures**
- 5. 9:15am - Public Comment**
- 6. 9:30am - Foreign Pleasure Craft Packet Review**
- 7. 9:45am - Investigative Report**
- 8. 10:00am - Division Update**
  - A. Current Fiscal Report**
    - i. 2022 4th Quarter Fiscal Report**
    - ii. 2023 1st Quarter Fiscal Report**
- 9. 10:30am - CLIA Update - L. Downs, Sr. Director, Community Relations & Public Affairs**
- 10. 10:45am - Association Reports**
  - A. Alaska Marine Pilots**
  - B. Southeast Alaska Pilots' Association**
  - C. Southwest Alaska Pilots' Association**
- 11. 11:15am - Association Amendments**
  - A. SEAPA Bylaw Amendments**
  - B. SWAPA Training Program Amendments**
- 12. 11:30am - Board Business**
  - A. Outdated Regulations**

**B. New Guidance on Board Committees vs. Subcommittees vs. Workgroups**

**13. 12:00pm - Lunch**

**14. 1:00pm - Candidate Interviews (Executive Session)**

**15. 2:00pm - Board Action - Deputy Pilot Candidates**

**16. 2:30pm - Schedule Future Meeting Date(s)**

**17. 2:45pm - Adjourn**

DRAFT



State of Alaska  
Department of Commerce, Community and  
Economic Development  
Division of Corporations, Business and Professional Licensing

**BOARD OF MARINE PILOTS**

**MINUTES OF MEETING  
October 05, 2022**

**These draft minutes were prepared by staff of the Division of Corporations, Business and Professional Licensing. They have not been reviewed or approved by the Board.**

By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Marine Pilots was held at the Gateway Hotel in Seward on October 05, 2022.

**Agenda Item #1 - Roll Call/Call to Order - Select "Acting Chair" for Meeting**

Chairman Curtis Thayer was absent from the meeting. In his stead, the board voted Richard Harris as "Acting Chair" for the meeting.

**Upon a motion duly made by Les Cronk, seconded by Captain Edward Sinclair, and approved unanimously, it was**

**RESOLVED to have Richard Harris as Acting Chair for the meeting.**

The meeting was called to order by Acting Chairman Richard Harris at 9:00 a.m. Those present, constituting a quorum of the Board were:

Richard Harris  
Captain Edward Sinclair  
Captain James Cunningham  
Les Cronk  
Lucas Hasenbank  
Joe Tougas

Absent: Chairman Curtis Thayer - *Excused*

Present from the Department of Commerce, Community and Economic Development, Division of Corporations, Business and Professional Licensing, were:

Thomas Bay, Marine Pilot Coordinator  
Michele Hearn, Investigator  
Melissa Dumas, Administrative Operations Manager

Visitors present included:

Mike Tibbles, Alaska Steamship Association  
Tom Reuter, Alaska Maritime Agencies  
Andrew Mew, Alaska Maritime Agencies  
Paul Axelson, North Pacific Maritime  
Captain David Arzt, Alaska Marine Pilots (AMP)  
Captain Clay Christy, Alaska Marine Pilots (AMP)  
Captain Mark Lundamo, Southeast Alaska Pilots Association (SEAPA)  
Jessie Li, Southeast Alaska Pilots Association (SEAPA)  
Captain Derek Nystrom, SEAPA candidate  
Ian Maury, Southwest Alaska Pilots Association (SWAPA)  
Jenni Zielinski, Southwest Alaska Pilots Association (SWAPA)  
Destiny Bell, Yacht Services of Alaska  
*1 unidentified caller joined the call over the course of the meeting*

**Agenda Item #2 – Review Agenda**

**Upon a motion duly made by Joe Tougas, seconded by Captain James Cunningham, and approved unanimously without any objections, it was**

**RESOLVED to approve the agenda as written.**

**Agenda Item #3 – Review/Approve Minutes**

The Board reviewed the draft minutes for the March 08, 2022, board meeting. Richard Harris asked Mr. Bay to change “convivence” to “convenience.” With no other requests, the board approved the minutes as amended.

**Upon a motion duly made by Richard Harris, seconded by Joe Tougas, and approved unanimously without any objections, it was**

**RESOLVED to approve the March 08, 2022, board meeting minutes as amended.**

The board reviewed the draft minutes for the May 04, 2022, board meeting. Captain Edward Sinclair asked Mr. Bay to change “SWAPA” to “SEAPA” under agenda item #5, Regional Standards for Compliance, at the top of page 3. For clarification purposes, SWAPA was already listed under the section. With no other requests, the board approved the minutes as amended.

**Upon a motion duly made by Les Cronk, seconded by Joe Tougas, and approved unanimously without any objections, it was**

**RESOLVED to approve the May 04, 2022, board meeting minutes as amended.**

The board reviewed the draft minutes for the July 07, 2022, board meeting. The board did not have any requests for amending the minutes.

**Upon a motion duly made by Joe Tougas, seconded by Captain James Cunningham, and approved unanimously without any objections, it was**

**RESOLVED to approve the July 07, 2022, board meeting minutes as written.**

Being ahead of schedule, and having to wait for agenda item #5, Public Comment, at 9:30, the board decided to move agenda item #10, Association Reports, ahead of agenda item #5.

**Upon a motion duly made by Les Cronk, seconded by Lucas Hasenbank, and approved unanimously without any objections, it was**

**RESOLVED to amend the agenda by moving agenda item #10, Association Reports, ahead of agenda item #5, Public Comment.**

### **Agenda Item #10 – Association Reports**

*AMP:*

AMP's president, Captain Clay Christy, provided the report and informed the board that AMP has a current roster of nine fully licensed pilots, two deputy pilots and two trainees. He also informed the board that AMP had filed for a rate increase in line with the contracts they have with their customers and that it had been published in the Nome Nugget. He explained that AMP had their best season in over two years, which included smaller cruise ships and cable layers for fiber optics. He also explained that their tramper business had decreased a little bit because more fish had been going out in box ships versus the trampers, and that they were adapting to the change in dynamics to the area. Richard Harris asked Captain Christy if they had enough pilots to meet their obligations moving forward, to which he responded that they had enough, and were even a little heavy. Joe Tougas asked Captain Christy what the average age of their pilots are, to which he responded that he didn't know, but that he anticipated they would lose four pilots within the next six years. He followed by stating that with the two current trainees and the likelihood of adding a few more in the coming years, they should be fine. Mr. Tougas asked if any of the mine operations in the area affected them, to which Captain Christy said yes and that current mine operations were going strong and should continue to be. Mr. Tougas asked if the Nome harbor extension will have an effect on AMP, to which Captain Christy gave a definitive yes, stating that it was badly needed.

*SEAPA:*

SEAPA's president, Captain Mark Lundamo, provided the association report and informed the board that SEAPA has a current roster of 37 fully licensed pilots, 12 deputy pilots (eight at 110K GT, three at 95K GT, and one at 50K GT), and 18 trainees (four anticipated to be licensed by July 2023). He also informed the board that three pilots retired, but that they had an April 2023 exam scheduled to bring in more trainees. Joe Tougas asked Captain Lundamo if they anticipated any upcoming major shift in losing pilots in the near future, to which Captain Lundamo said that, with 18 trainees, they did not anticipate any major shifts, in regard to losing pilots and not being able to replace them. Richard Harris asked what their projection for 2023 looked like, to which

Captain Lundamo replied that there was supposed to be a three percent increase in ships, which would again make for an extremely busy season.

*SWAPA:*

SWAPA's president, Captain Ian Maury, provided the association report and informed the board that SWAPA has a current roster of 18 licensed pilots (15 that have full tonnage and are VLCC Valdez qualified, two at 110K GT (both anticipated to be Valdez qualified by early 2023), and one at 95K GT) and four trainees (one or two anticipated to be deputy pilots in 2023). He also informed the board that they had one retiree and would likely bring in a few more trainees in 2023 to replace the trainees that will become deputy pilots. He informed the board that SWAPA had a deal in place with crews and would be filing a rate increase for the upcoming year in mid-October. In regard to an outlook for 2023, Captain Maury explained that he didn't have enough information to provide an outlook because of various proposals for new terminals in the area. Joe Tougas asked how many of their trainees, percentage wise, make it all the way through the program, to which Captain Maury responded with roughly 90 percent.

#### **Agenda Item #5 – Public Comment**

Acting Chairman Richard Harris opened public comment at 9:30am. Nobody was present to provide comment, so Mr. Harris closed public comment and the board moved onto their next agenda item.

#### **Agenda Item #6 – Investigative Report**

The board's investigator, Michele Hearn, provided their Investigative Report for the period of March 03, 2022, thru September 19, 2022. She informed the board that there are seven open cases and that two had been closed since their last report. Captain Edward Sinclair asked Ms. Hearn what a contested license denial violation type is, to which she answered that it means that the board has denied a license at the application point and the applicant is contesting the denial. Captain Sinclair said that the board did not deny a license, but instead denied a special request, and that the violation type should reflect that it was not a license denial. Ms. Hearn explained that the system is not set up with specific situation types and that the violation type was likely chosen because it was the closest option related to this specific matter. The board was satisfied with the explanation. Richard Harris asked about an update to open case number 2019-000695, a case that Chairman Curtis Thayer had asked about at their last meeting. Ms. Hearn informed the board that the case had been referred to another agency for possible action and that they had to wait until the agency made a determination before they could move forward with the case. With no other questions from the board, Ms. Hearn left the meeting.

**Acting Chair Richard Harris called for a break.**

*Off the record at 9:44 a.m.*

*On the record at 9:59 a.m.*

#### **Agenda Item #7 – Division Update**

The division's Administrative Operations Manager, Melissa Dumas, provided the board with their FY22 3<sup>rd</sup> Quarter Fiscal Report. She informed the board that they had a large surplus in revenue, which in turn caused a fee change of their license fees, reducing them from \$1,500 to \$700, effective October 28<sup>th</sup>, 2022. She said the fee change will reduce their usual revenue at time of renewal, but because they have a large surplus, they are still in a good place. Mr. Harris asked Ms. Dumas if the division was planning on lowering their license fees again in the future, to which Ms. Dumas said that she would monitor their revenue moving forward and that if they stayed in a large surplus, the division would again consider lowering their license fees.

**Agenda Item #8 – Review of Public Comment – Regulation Amendments – 12 AAC 56.080 – Biennial License Renewal**

Mr. Bay informed the board that their regulations project regarding changes to their renewal requirements was back from the public comment period and was ready to be adopted. The board did not receive any new public comment for the proposed regulation changes to 12 AAC 56.080 in the supplemental notice. After a brief discussion, the board adopted the regulation amendments.

**Upon a motion duly made by Les Cronk, seconded by Captain Edward Sinclair, and approved unanimously without any objections, it was**

**RESOLVED, after considering public comments received and having no additional cost to private persons, to adopt the proposed regulation changes dealing with biennial license renewal section 12 AAC 56.080, as proposed in the supplemental notice.**

Captain Sinclair asked Mr. Bay if he could send out an update to all licensees regarding their upcoming renewal, specifically a timeline of when the renewals would likely be available. Mr. Bay said that there was no specific timeline on when the renewals would be available, but that he would send out an update to all licensees via the Listserv, informing them that renewals will be available no later than December 1, 2022, in accordance with AS 08.01.050.

**Agenda Item #9 – CLIA Update – Lalanya Downs, Sr. Director, Community Relations & Public Affairs**

Lalanya Downs, Senior Director of Community Relations & Community Relations for Cruise Lines International Association (CLIA) Alaska, provided an overview of CLIA's 2022 season and an outlook for 2023. Ms. Downs informed the board that CLIA's 2022 season was much better than their truncated 2021 season. She said that their ships were averaging about 74% capacity and that they were still in recovery mode from past seasons because of COVID. She explained that their COVID protocols worked to keep their passengers and crew safe, and that although the CDC lifted their cruise ship program, CLIA still had to deal with Canada's restrictions, which was in effect until the end of the season. She informed the board that nearly 100% of their ships worldwide were in operation and that their outlook for 2023 is strong and should be around their 2019 levels (pre-Covid). She informed the board that their carbon footprint could have a big impact on future itineraries, but that it should not affect their overall numbers in the near future. Mr. Harris asked if CLIA coordinated with the pilot associations regarding the demand for vessel traffic and need for pilots. Ms. Downs informed the board that

CLIA is a part of the Alaska Steamship Association and that they do work with pilot associations regarding the demand for vessel traffic and need for pilots.

Having finished with the CLIA update, the board moved forward on the agenda. Mr. Bay informed the board that agenda item #11, SEAPA – Pilotage Rates for 2023, was accidentally put on the agenda and was just informational for the board. Being ahead of schedule, the board decided to move all agenda items scheduled after lunch to before lunch.

**Upon a motion duly made by Les Cronk, seconded by James Cunningham, and approved unanimously without any objections, it was**

**RESOLVED to amend the agenda by moving agenda items #13-#19 ahead of agenda item #12 (lunch).**

**Agenda Item #13 – Foreign Pleasure Craft Exemptions**  
**Review of Exemptions Issued for 2022 Season**

Mr. Bay informed the board that there were 23 Foreign Pleasure Craft (FPC) exemptions issued, which was four less than the 2021 season, and that the revenue brought in was \$77,582.50. Mr. Harris asked if there were issues finding available pilots for FPC exemptions. Captain Sinclair suggested having SEAPA's president, Captain Mark Lundamo, provide an update. Captain Lundamo informed the board that SEAPA was able to pilot the critical water ways but that, due to pilot shortage, not all FPC's had a pilot on them. He said that another issue with providing pilots was because they would get such short notices, sometimes 24-hour notices, which did not provide enough time for scheduling. With no additional questions for Captain Lundamo, the board decided to move agenda item #18, Schedule Future Meeting Date(s), in front of agenda item #14, Exemption Request.

**Upon a motion duly made by Joe Tougas, seconded by Les Cronk, and approved unanimously without any objections, it was**

**RESOLVED to amend the agenda by moving agenda item #18 ahead of agenda item #14.**

**Agenda Item #18 – Schedule Future Meeting Date(s)**

After a brief discussion, the board scheduled their next exams on January 24, 2023, and their next meeting on January 25, 2023, both of which will be held in Anchorage.

**Upon a motion duly made by Joe Tougas, seconded by Lucas Hasenbank, and approved unanimously without any objections, it was**

**RESOLVED to have the board's next exams on January 24, 2023, and their next meeting on January 25, 2023, in Anchorage.**

**Acting Chair Richard Harris called for a break.**

*Off the record at 10:43 a.m.*

*On the record at 11:06 a.m.*

**Agenda Items #14 and #15 – Exemption Request and Board Action**

The board’s next agenda item was an exemption request, something that was required to be reviewed in Executive Session.

**On a motion duly made by Les Cronk, seconded by Joe Tougas, and approved unanimously without any objections, it was**

**RESOLVED to enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing, “subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion.” Division staff, Thomas Bay, was approved to stay during the session.**

*The board entered Executive Session at 11:09 a.m.  
The board left Executive Session at 11:31 a.m.*

Acting Chair Richard Harris stated that there was no business conducted while in Executive Session. The board approved an exemption request for Captain Tiffany Keefe, who had requested an exemption for a requirement in regulation, per 12 AAC 56.028(a)(1)(E), that requires a SEAPA applicant, for the Local Knowledge Exam, to complete an in-person mooring/unmooring, something that was unavailable in the past 12 months.

**On a motion duly made by Les Cronk, seconded by James Cunningham, and approved unanimously by a roll call, it was**

**RESOLVED to grant a waiver for Tiffany Keefe for the physical mooring requirement, per 12 AAC 56.028(a)(1)(E), per the waiver authority of 12 AAC 56.028(H).**

<b>Board Member</b>	<b>Approve</b>	<b>Deny</b>	<b>Recuse</b>
<b>Richard Harris</b>	X		
<b>Captain Edward Sinclair</b>	X		
<b>Captain James Cunningham</b>	X		
<b>Les Cronk</b>	X		
<b>Lucas Hasenbank</b>	X		
<b>Joe Tougas</b>	X		

**Agenda Item #16 and #17 – Candidate Interviews and Board Action – Deputy Pilot Candidates**

The board’s next agenda item was a candidate interview, something that was required to be held in Executive Session.

**On a motion duly made by Les Cronk, seconded by Lucas Hasenbank, and approved unanimously without any objections, it was**

**RESOLVED to enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing, “subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion.” Division staff, Thomas Bay, and the candidate, Derek Nystrom, were approved to stay during the session.**

*The board entered Executive Session at 11:36 a.m.*

*The board left Executive Session at 11:47 a.m.*

Acting Chair Richard Harris stated that there was no business conducted while in Executive Session. The board approved Captain Derek Nystrom for licensure as a Deputy Marine Pilot.

**On a motion duly made by Captain Edward Sinclair, seconded by Les Cronk, and approved unanimously by a roll call, it was**

**RESOLVED to approve a Deputy Marine Pilot license for 50,000 Gross Tons for Region 1 with the exception of Klawock Inlet and West Coast Prince of Wales for Derek Nystrom – Badge Number 239, license #103544.**

<b>Board Member</b>	<b>Approve</b>	<b>Deny</b>	<b>Recuse</b>
<b>Richard Harris</b>	X		
<b>Captain Edward Sinclair</b>	X		
<b>Captain James Cunningham</b>	X		
<b>Les Cronk</b>	X		
<b>Lucas Hasenbank</b>	X		
<b>Joe Tougas</b>	X		

**Having nothing left to address, the Alaska Board of Marine Pilots’ Acting Chairman, Richard Harris, adjourned the meeting at 11:50 a.m.**

Off record at 11:50 a.m.

Respectfully Submitted:

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Thomas Bay  
Marine Pilot Coordinator

Approved:

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Curtis Thayer, Chair  
Alaska Board of Marine Pilots

Date: \_\_\_\_\_

DRAFT

State of Alaska  
DEPARTMENT OF LAW

# ETHICS ACT PROCEDURES FOR BOARDS & COMMISSIONS

All board and commission members and staff should be familiar with the Executive Branch Ethics Act procedures outlined below.

## Who Is My Designated Ethics Supervisor (DES)?

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Every board or commission subject to the Ethics Act<sup>1</sup> has several ethics supervisors designated by statute.

- The chair serves as DES for board or commission members.
- The chair serves as DES for the executive director.
- The executive director serves as DES for the staff.
- The governor is the DES for a chair.<sup>2</sup>

## What Do I Have To Disclose?

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The Ethics Act requires members of boards and commissions to disclose:

- Any matter that is a potential conflict of interest with actions that the member may take when serving on the board or commission.
- Any circumstance that may result in a violation of the Ethics Act.
- Any personal or financial interest (or that of an immediate family member) in a state grant, contract, lease or loan that is awarded or administered by the member's board or commission.
- The receipt of certain gifts.

The executive director of the board or commission and its staff, as state employees, must also disclose:

- Compensated outside employment or services.
- Volunteer service, if any compensation, including travel and meals, is paid or there is a potential conflict with state duties.

- For more information regarding the types of matters that may result in violations of the Ethics Act, board or commission members should refer to the guide, *"Ethics Information for Members of Boards and Commissions."* The executive director and staff should refer to the guide, *Ethics Information for Public Employees.* Both guides and disclosure forms may be found on the [Department of Law's ethics website](#).

## How Do I Avoid Violations of the Ethics Act?

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- Make timely disclosures!
- Follow required procedures!
- Provide all information necessary to a correct evaluation of the matter!<sup>3</sup>
- When in doubt, disclose and seek advice!
- Follow the advice of your DES!

## What Are The Disclosure Procedures for Board and Commission Members?

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The procedural requirements for disclosures by members are set out in AS 39.52.220 and 9 AAC 52.120. One goal of these provisions is to help members avoid violations of the Ethics Act. The procedures provide the opportunity for members to seek review of matters in advance of taking action to ensure that actions taken will be consistent with the Act.

### Procedure for declaring actual or potential conflicts.

Members must declare potential conflicts and other matters that may violate the Ethics Act **on the public record and in writing to the chair**.

*Disclosure on the public record.* Members must identify actual and potential conflicts orally at the board or commission's public meeting **in advance** of participating in deliberations or taking any official action on the matter.

- A member must always declare a conflict and may choose to refrain from voting, deliberations or other participation regarding a matter.<sup>4</sup>
- If a member is uncertain whether participation would result in a violation of the Act, the member should disclose the circumstances and seek a determination from the chair.

*Disclosure in writing at a public meeting.* In addition to an oral disclosure at a board or commission meeting, members' disclosures must be made in writing.

- If the meeting is recorded, a tape or transcript of the meeting is preserved **and** there is a method for identifying the declaration in the record, an oral disclosure may serve as the written disclosure.
- Alternatively, the member must note the disclosure on the Notice of Potential Violation disclosure form and the chair must record the determination.

*Confidential disclosure in advance of public meeting.* Potential conflicts may be partially addressed in advance of a board or commission's public meeting based on the published meeting agenda or other board or commission activity.

- A member identifying a conflict or potential conflict submits a Notice of Potential Violation to the chair, as DES, in advance of the public meeting.
- This written disclosure is considered confidential.
- The chair may seek advice from the Attorney General.
- The chair makes a written determination, also confidential, whether the disclosed matter represents a conflict that will result in a violation of the Ethics Act if the member participates in official action addressing the matter.<sup>5</sup>
- If so, the chair directs the member to refrain from participating in the matter that is the subject of the disclosure.
- An oral report of the notice of potential violation and the determination that the member must refrain from participating is put on the record at a public meeting.<sup>6</sup>

*Determinations at the public meeting.* When a potential conflict is declared by a member for the public record, the following procedure must be followed:

- The chair states his or her determination regarding whether the member may participate.
- Any member may then object to the chair's determination.
- If an objection is made, the members present, excluding the member who made the disclosure, vote on the matter.
- *Exception:* A chair's determination that is made consistent with advice provided by the Attorney General may not be overruled.
- If the chair, or the members by majority vote, determines that a violation will exist if the disclosing member continues to participate, the member must refrain from voting, deliberating or participating in the matter.<sup>7</sup>

*If the chair identifies a potential conflict,* the same procedures are followed. If possible, the chair should forward a confidential written notice of potential violation to the Office of the Governor for a determination in advance of the board or commission meeting. If the declaration is first

made at the public meeting during which the matter will be addressed, the members present, except for the chair, vote on the matter. If a majority determines that a violation of the Ethics Act will occur if the chair continues to participate, the chair shall refrain from voting, deliberating or participating in the matter. A written disclosure or copy of the public record regarding the oral disclosure should be forwarded to the Office of the Governor for review by the chair's DES.

## Procedures for Other Member Disclosures

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A member's interest in a state grant, contract, lease or loan and receipt of gifts are disclosed by filling out the appropriate disclosure form and submitting the form to the chair for approval. The disclosure forms are found on the [Department of Law's ethics website](#).

## What Are The Disclosure Procedures for Executive Directors and Staff?

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Ethics disclosures of the executive director or staff are made in writing to the appropriate DES (chair for the executive director and the executive director for staff).

- Disclosure forms are found on the ethics website, noted above.

*Notices of Potential Violations.* Following receipt of a written notice of potential violation, the DES investigates, if necessary, and makes a written determination whether a violation of the Ethics Act could exist or will occur. A DES may seek advice from the Attorney General. If feasible, the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

- These disclosures are not required to be made part of the public record.
- A copy of a determination is provided to the employee.
- Both the notice and determination are confidential.

*Other Disclosures.* The DES also reviews other ethics disclosures and either approves them or determines what action must be taken to avoid a violation of the Act. In addition to the disclosures of certain gifts and interests in the listed state matters, state employees must disclose all outside employment or services for compensation.

- The DES must provide a copy of an approved disclosure or other determination the employee.

## How Are Third Party Reports of Potential Violations or Complaints Handled?

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Any person may report a potential violation of the Ethics Act by a board or commission member or its staff to the appropriate DES or file a complaint alleging actual violations with the Attorney General.

- Notices of potential violations and complaints must be submitted **in writing** and **under oath**.
- Notices of potential violations are investigated by the appropriate DES who makes a written determination whether a violation may exist.<sup>8</sup>
- Complaints are addressed by the Attorney General under separate procedures outlined in the Ethics Act.
- **These matters are confidential**, unless the subject waives confidentiality or the matter results in a public accusation.

## What Are The Procedures for Quarterly Reports?

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Designated ethics supervisors must submit copies of notices of potential violations received and the corresponding determinations to the Attorney General for review by the state ethics attorney as part of the quarterly report required by the Ethics Act.

- Reports are due in April, July, October and January for the preceding quarter.
- A sample report may be found on the Department of Law's ethics website.
- An executive director may file a quarterly report on behalf of the chair and combine it with his or her own report.
- If a board or commission does not meet during a quarter and there is no other reportable activity, the DES advises the Department of Law Ethics Attorney by e-mail at [ethicsreporting@alaska.gov](mailto:ethicsreporting@alaska.gov) and no other report is required.

If the state ethics attorney disagrees with a reported determination, the attorney will advise the DES of that finding. If the ethics attorney finds that there was a violation, the member who committed the violation is not liable if he or she fully disclosed all relevant facts reasonably necessary to the ethics supervisor's or commission's determination and acted consistent with the determination.

## How Does A DES or Board or Commission Get Ethics Advice?

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A DES or board or commission may make a **written request** to the Attorney General for an opinion regarding the application of the Ethics Act. In practice, the Attorney General, through the state ethics attorney, also provides **advice by phone or e-mail** to designated ethics supervisors, especially when time constraints prevent the preparation of timely written opinions.

- A request for advice and the advisory opinion are confidential.
- The ethics attorney endeavors to provide prompt assistance, although that may not always be possible.
- The DES must make his or her determination addressing the potential violation based on the opinion provided.

It is the obligation of each board or commission member, as well as the staff, to ensure that the public's business is conducted in a manner that is consistent with the standards set out in the Ethics Act. We hope this summary assists you in ensuring that your obligations are met.

<sup>1</sup> The Act covers a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch of state government.

<sup>2</sup> The governor has delegated the DES responsibility to Guy Bell, Administrative Director of the Office of the Governor.

<sup>3</sup> You may supplement the disclosure form with other written explanation as necessary. Your signature on a disclosure certifies that, to the best of your knowledge, the statements made are true, correct and complete. False statements are punishable.

<sup>4</sup> In most, but not all, situations, refraining from participation ensures that a violation of the Ethics Act does not occur. Abstention does not cure a conflict with respect to a significant direct personal or financial interest in a state grant, contract, lease or loan because the Ethics Act prohibition applies whether or not the public officer actually takes official action.

<sup>5</sup> The chair must give a copy of the written determination to the disclosing member. There is a determination form available on the Department of Law's ethics web page. The ethics supervisor may also write a separate memorandum.

<sup>6</sup> In this manner, a member's detailed personal and financial information may be protected from public disclosure.

<sup>7</sup> When a matter of particular sensitivity is raised and the ramifications of continuing without an advisory opinion from the Attorney General may affect the validity of the board or commission's action, the members should consider tabling the matter so that an opinion may be obtained.

<sup>8</sup> The DES provides a copy of the notice to the employee who is the subject of the notice and may seek input from the employee, his or her supervisor and others. The DES may seek advice from the Attorney General. A copy of the DES' written determination is provided to the subject employee and the complaining party. The DES submits a copy of both the notice and the determination to the Attorney General for review as part of the DES' quarterly report. If feasible,

the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

6/14

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The Attorney General and Department of Law staff may not provide legal advice to private citizens or organizations. Please contact an attorney if you need legal advice. The [Alaska Lawyer Referral Service](#) or your local bar association may be able to assist you in locating a lawyer.

Alaska Department of Law

1031 West 4th Avenue, Suite 200

Anchorage, AK 99501

[attorney.general@alaska.gov](mailto:attorney.general@alaska.gov)

Phone: (907) 269-5100 | Fax: (907) 276-3697

TTY: 907-258-9161

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## Ethics Disclosure Form

**CONFIDENTIAL**  
**REQUEST FOR ETHICS DETERMINATION**

TO: \_\_\_\_\_, Designated Ethics Supervisor

\_\_\_\_\_  
*(Identify Your Department, Agency, Public Corporation, Board, Commission)*

I request advice regarding the application of the Executive Branch Ethics Act (AS 39.52.010 - .960) to my situation. The situation involves the following:

I have provided additional information in the attached document(s).

I believe the following provisions of the Ethics Act may apply to my situation:

- AS 39.52.120, Misuse of Official Position
- AS 39.52.130, Improper Gifts
- AS 39.52.140, Improper Use or Disclosure of Information
- AS 39.52.150, Improper Influence in State Grants, Contracts, Leases or Loans
- AS 39.52.160, Improper Representation
- AS 39.52.170, Outside Employment Restricted
- AS 39.52.180, Restrictions on Employment after Leaving State Service
- AS 39.52.190, Aiding a Violation Prohibited

**I understand that I should refrain from taking any official action relating to this matter until I receive your advice.** If the circumstances I described above may result in a violation of AS 39.52.110 - .190, I intend that this request serve as my disclosure of the matter in accordance with AS 39.52.210 or AS 39.52.220.

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

\_\_\_\_\_  
*(Signature)*

\_\_\_\_\_  
*(Date)*

\_\_\_\_\_  
*(Printed Name)*

\_\_\_\_\_  
*(Division, Board, Commission)*

\_\_\_\_\_  
*(Position Title)*

\_\_\_\_\_  
*(Location)*

*Designated Ethics Supervisor: Provide a copy of your written determination to the employee advising whether action is necessary under AS 39.52.210 or AS 39.52.220, and send a copy of the determination and disclosure to the attorney general with your quarterly report.*

# Ethics Disclosure Form

## Receipt of Gift

TO: \_\_\_\_\_, Designated Ethics Supervisor, \_\_\_\_\_  
(Agency, Public Corporation, Board, Commission or Council)

This disclosure reports receipt of a gift with value in excess of \$150.00 by me or my immediate family member, as required by AS 39.52.130(b) or (f).

1. Is the gift connected to my position as a state officer, employee or member of a state board or commission?

Yes  No

2. Can I take or withhold official action that may affect the person or entity that gave me the gift?

Yes  No

(If you answer "No" to both questions, you do not need to report this gift. If the answer to either question is "Yes," or if you are not sure, you must complete this form and provide it to your designated ethics supervisor.)

The gift is \_\_\_\_\_

Identify gift giver by full name, title, and organization or relationship, if any:

\_\_\_\_\_

Describe event or occasion when gift was received or other circumstance explaining the reason for the gift:

\_\_\_\_\_

My estimate of its value is \$ \_\_\_\_\_ The date of receipt was \_\_\_\_\_

The gift was received by a member of my family. Who? \_\_\_\_\_

If you checked "Yes" to question 2 above, explain the official action you may take that affects the giver (attach additional page, if necessary):

\_\_\_\_\_

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Division)

\_\_\_\_\_  
(Position Title)

\_\_\_\_\_  
(Location)

Ethics Supervisor Determination:  Approve  Disapproved

\_\_\_\_\_  
Designated Ethics Supervisor\*

\_\_\_\_\_  
(Date)

\*Designated Ethics Supervisor: Provide a copy of the approval or disapproval to the employee. If action is necessary under AS 39.52.210 or AS 39.52.220, attach a determination stating the reasons and send a copy of the determination and disclosure to the attorney general with your quarterly report.

**State of Alaska**  
**Department of Commerce, Community &**  
**Economic Development Division of Corporations,**  
**Business, and Professional Licensing**  
**Board of Marine Pilots**



**Public Comment**

The board chair shall open public comment. The time allotted for comment will be divided between all individuals signed in to give comment. The group will be told how much time each person will have to speak. Board staff will keep track of the time and notify the individual when they need to wrap up their comment(s).

This is not the time for the board to respond to the comments. The board can choose to respond to any comments at the end of the comment period, send a letter with their response(s) to the individual, or they can choose to not respond.

Please be mindful of the time limit so that all who choose to speak will be given the same opportunity.



**MEMORANDUM**

DATE: January 03, 2023  
 TO: Board of Marine Pilots  
 THRU: Greg Francois, Chief Investigator  
 FROM: Michele Hearn, Investigator  
 RE: Investigative Report for the January 25, 2023 Meeting

DocuSigned by:  
*Greg Francois*  
A8D47E162AD149B...

DocuSigned by:  
*Michele Hearn*  
C1C21C01F3044D0...

The following information was compiled as an investigative report to the Board for the period of September 20, 2022 thru January 03, 2023; this report includes cases, complaints, and intake matters handled since the last report.

Matters opened by the Paralegals in Anchorage and Juneau, regarding continuing education audits and license action resulting from those matters are covered in this report.

**OPEN - 3**

<u>Case Number</u>	<u>Violation Type</u>	<u>Case Status</u>	<u>Status Date</u>
<b>MARINE PILOT</b>			
2019-000695	Unlicensed practice or activity	Complaint	10/18/2019
2022-000695	Marine Pilot Incident Report	Complaint	08/31/2022
2022-000218	Contested license denial	Litigation Initiated	03/08/2022

**Closed - 6**

<u>Case #</u>	<u>Violation Type</u>	<u>Case Status</u>	<u>Closed</u>	<u>Closure</u>
<b>MARINE PILOT</b>				
2022-000625	Marine Pilot Incident Report	Closed-Intake	10/20/2022	No Action - No Violation
2022-001197	License application problem	Closed-Intake	12/27/2022	Review Complete

2022-001199	License application problem	Closed-Intake	12/28/2022	Review Complete
2022-000459	Marine Pilot Incident Report	Closed-Complaint	10/20/2022	No Action - No Violation
2022-000623	Marine Pilot Incident Report	Closed-Complaint	10/20/2022	No Action - No Violation
2022-000689	Marine Pilot Incident Report	Closed-Complaint	11/08/2022	No Action - No Violation

***END OF REPORT***

DRAFT

Department of Commerce Community, and Economic Development  
Corporations, Business and Professional Licensing

Summary of All Professional Licensing  
Schedule of Revenues and Expenditures

Board of Marine Pilots and Foreign Pleasure Craft	FY 16	FY 17	Biennium	FY 18	FY 19	Biennium	FY 20	FY 21	Biennium	FY 22
<b>Revenue</b>										
Revenue from License Fees	\$ 65,188	\$ 281,640	\$ 346,828	\$ 91,150	\$ 206,450	\$ 297,600	\$ 86,250	\$ 201,210	\$ 287,460	\$ 112,933
General Fund Received							\$ -	\$ -	\$ -	\$ 2,763
Allowable Third Party Reimbursements	-	-	-	-	-	-	\$ -	\$ -	\$ -	\$ -
<b>TOTAL REVENUE</b>	<b>\$ 65,188</b>	<b>\$ 281,640</b>	<b>\$ 346,828</b>	<b>\$ 91,150</b>	<b>\$ 206,450</b>	<b>\$ 297,600</b>	<b>\$ 86,250</b>	<b>\$ 201,210</b>	<b>\$ 287,460</b>	<b>\$ 115,696</b>
<b>Expenditures</b>										
Non Investigation Expenditures										
1000 - Personal Services	57,669	38,731	96,400	83,020	78,538	161,558	70,082	52,807	122,889	32,141
2000 - Travel	11,698	10,370	22,068	14,158	8,709	22,867	7,442	-	7,442	2,323
3000 - Services	6,464	5,294	11,758	3,398	4,919	8,317	3,687	6,437	10,124	10,038
4000 - Commodities	541	587	1,128	195	702	897	1,805	-	1,805	1,543
5000 - Capital Outlay	-	-	-	-	-	-	-	-	-	-
Total Non-Investigation Expenditures	76,372	54,982	131,354	100,771	92,868	193,639	83,016	59,244	142,260	46,045
Investigation Expenditures										
1000-Personal Services	4,398	96	4,494	9,360	14,528	23,888	295	552	847	3,253
2000 - Travel					1,341	1,341	-	-	-	-
3023 - Expert Witness	-	3,454	3,454	-	200	200	-	454	454	-
3088 - Inter-Agency Legal	1,418	241	1,659	795	33	828	-	457	457	-
3094 - Inter-Agency Hearing/Mediation	-	-	-	-	87	87	-	-	-	-
3000 - Services other					5	5	-	15	15	7
4000 - Commodities					-	-	-	-	-	-
Total Investigation Expenditures	5,816	3,791	9,607	10,155	16,194	26,349	295	1,478	1,773	3,260
<b>Total Direct Expenditures</b>	<b>82,188</b>	<b>58,773</b>	<b>140,961</b>	<b>110,926</b>	<b>109,062</b>	<b>219,988</b>	<b>83,311</b>	<b>60,722</b>	<b>144,033</b>	<b>49,305</b>
Indirect Expenditures										
Internal Administrative Costs	6,152	6,628	12,780	13,970	13,964	27,934	9,457	7,152	16,609	6,190
Departmental Costs	8,334	8,047	16,381	14,865	16,624	31,489	8,659	7,511	16,170	6,403
Statewide Costs	3,670	4,761	8,431	10,324	9,685	20,009	9,272	7,323	16,595	4,448
<b>Total Indirect Expenditures</b>	<b>18,156</b>	<b>19,436</b>	<b>37,592</b>	<b>39,159</b>	<b>40,273</b>	<b>79,432</b>	<b>27,388</b>	<b>21,986</b>	<b>49,374</b>	<b>17,041</b>
<b>TOTAL EXPENDITURES</b>	<b>\$ 100,344</b>	<b>\$ 78,209</b>	<b>\$ 178,553</b>	<b>\$ 150,085</b>	<b>\$ 149,335</b>	<b>\$ 299,420</b>	<b>\$ 110,699</b>	<b>\$ 82,708</b>	<b>\$ 193,407</b>	<b>\$ 66,346</b>
<b>Cumulative Surplus (Deficit)</b>										
Beginning Cumulative Surplus (Deficit)	\$ 136,807	\$ 101,651		\$ 305,082	\$ 246,147		\$ 303,262	\$ 278,813		\$ 397,315
Annual Increase/(Decrease)	(35,156)	203,431		(58,935)	57,115		(24,449)	118,502		49,350
Ending Cumulative Surplus (Deficit)	\$ 101,651	\$ 305,082		\$ 246,147	303,262		\$ 278,813	\$ 397,315		446,665
										* No fee changes needed
<b>Statistical Information</b>										
Number of Licenses for Indirect calculation	138	154		152	132		124	138		146
<b>Additional information:</b>										
<ul style="list-style-type: none"> <li>• Fee analysis required if the cumulative is less than zero; fee analysis recommended when the cumulative is less than current year expenditures; no fee increases needed if cumulative is over the current year expenses *</li> <li>• Most recent fee change: Fee reduction FY23</li> <li>• Annual license fee analysis will include consideration of other factors such as board and licensee input, potential investigation load, court cases, multiple license and fee types under one program, and program ch</li> </ul>										

Appropriation	(All)
Sub Unit	(All)
PL Task Code	(Multiple Items)

Sum of Budgetary Expenditures Object Name (Ex)	Object Type Name (Ex)				Grand Total
	1000 - Personal Services	2000 - Travel	3000 - Services	4000 - Commodities	
1011 - Regular Compensation	18,211.60				18,211.60
1014 - Overtime	373.16				373.16
1016 - Other Premium Pay	39.33				39.33
1023 - Leave Taken	2,432.63				2,432.63
1028 - Alaska Supplemental Benefit	1,290.92				1,290.92
1029 - Public Employee's Retirement System Defined Benefits	772.10				772.10
1030 - Public Employee's Retirement System Defined Contribution	981.59				981.59
1034 - Public Employee's Retirement System Defined Cont Health Reim	537.91				537.91
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical	198.10				198.10
1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab	3,808.52				3,808.52
1039 - Unemployment Insurance	39.26				39.26
1040 - Group Health Insurance	4,383.67				4,383.67
1041 - Basic Life and Travel	4.16				4.16
1042 - Worker's Compensation Insurance	150.50				150.50
1047 - Leave Cash In Employer Charge	436.55				436.55
1048 - Terminal Leave Employer Charge	259.88				259.88
1053 - Medicare Tax	299.26				299.26
1077 - ASEA Legal Trust	4.60				4.60
1079 - ASEA Injury Leave Usage	0.50				0.50
1080 - SU Legal Trst	0.58				0.58
1970 - Personal Services Transfer	1,169.02				1,169.02
2000 - In-State Employee Airfare			363.70		363.70
2001 - In-State Employee Surface Transportation			80.50		80.50
2002 - In-State Employee Lodging			169.00		169.00
2003 - In-State Employee Meals and Incidentals			90.00		90.00
2005 - In-State Non-Employee Airfare			550.40		550.40
2007 - In-State Non-Employee Lodging			707.40		707.40
2008 - In-State Non-Employee Meals and Incidentals			330.00		330.00
2009 - In-State Non-Employee Taxable Per Diem			32.00		32.00
3005 - Management/Consulting				3,375.00	3,375.00
3045 - Postage				7.45	7.45
3046 - Advertising				1,255.15	1,255.15
3057 - Structure, Infrastructure and Land - Rentals/Leases				910.00	910.00
3085 - Inter-Agency Mail				184.11	184.11
3088 - Inter-Agency Legal				3,749.48	3,749.48
3094 - Inter-Agency Hearing/Mediation				564.20	564.20
4002 - Business Supplies				1,543.15	1,543.15
<b>Grand Total</b>	<b>35,393.84</b>	<b>2,323.00</b>	<b>10,045.39</b>	<b>1,543.15</b>	<b>49,305.38</b>

**FY 2022 CBPL COST ALLOCATIONS**

Name	Task Code	Direct Revenues	General Fund Received	3rd Party Reimbursement	Total Revenues	Direct Expense	Percentage of board licenses/total licensees:	Department certified transactions % by Fiscal Revenue \$	Indirect Expense (Total Non-PCN Allocated)	Percentage of program direct Personal Services:	Total Indirect Expenses	Total Expenses	2022 Annual Surplus (Deficit)	FY21 Direct Expense	FY21 Indirect Expenses	FY21 Total Expenses	
Acupuncture	ACU1	\$ 2,315	\$ 306	\$ -	\$ 2,621	\$ 3,921	\$ 3,232	\$ 762	\$ 3,994	1,205	\$ 5,199	\$ 9,120	\$ (6,499)	\$ 3,734	\$ 5,489	\$ 9,223	
Architects, Engineer	AEL1	\$ 957,475	\$ 17,581	\$ 1,375	\$ 976,431	\$ 284,522	230,294	\$ 3,783	234,077	70,096	304,173	588,695	387,736	282,663	254,030	536,693	
Athletic Trainers	ATH1	\$ 5,930	\$ 80	\$ -	\$ 6,010	\$ 1,044	1,673	\$ 598	2,271	314	2,585	3,629	2,381	8,349	4,381	12,730	
Audiology and Speech Pathologists	AUD1	\$ 69,567	\$ 1,536	\$ -	\$ 71,103	\$ 20,790	23,052	\$ 2,049	25,101	6,053	31,154	51,944	19,159	26,607	33,237	59,844	
Barbers & Hairdressers	BAH1	\$ 1,035,686	\$ 21,523	\$ -	\$ 1,057,209	\$ 320,315	212,856	\$ 4,805	217,661	84,847	302,508	622,823	434,386	281,634	257,801	539,435	
Behavior Analysts	BEV1	\$ 6,210	\$ 319	\$ -	\$ 6,529	\$ 5,855	2,580	\$ 854	3,434	1,256	4,690	10,545	(4,016)	4,966	5,106	10,072	
Chiropractors	CHI1	\$ 24,005	\$ 6,407	\$ -	\$ 30,412	\$ 147,678	10,803	\$ 2,175	12,978	25,257	38,235	185,913	(155,501)	137,019	45,115	182,134	
Collection Agencies	COA1	\$ 62,375	\$ 2,208	\$ -	\$ 64,583	\$ 31,054	22,287	\$ 1,439	23,726	8,706	32,432	63,486	1,097	33,147	29,527	62,674	
Concert Promoters	CPR1	\$ 3,250	\$ 1,836	\$ -	\$ 5,086	\$ 3,095	482	\$ 631	1,113	951	2,064	5,159	(73)	574	1,181	1,755	
Construction Contractors	CON1	\$ 912,525	\$ 20,197	\$ -	\$ 932,722	\$ 469,007	319,355	\$ 4,326	323,681	79,623	403,304	872,311	60,411	496,407	327,180	823,587	
Home Inspectors	HIN1	\$ 23,410	\$ 743	\$ -	\$ 24,153	\$ 9,583	3,686	\$ 1,136	4,822	2,930	7,752	17,335	6,818	6,676	6,036	12,712	
Dental	DEN1	\$ 138,195	\$ 275,253	\$ -	\$ 413,448	\$ 187,263	66,860	\$ 2,781	69,641	43,708	113,349	300,612	112,836	225,301	124,531	349,832	
Dietitians/Nutritionists	DTN1	\$ 21,365	\$ 401	\$ -	\$ 21,766	\$ 5,499	10,094	\$ 1,368	11,462	1,582	13,044	18,543	3,223	13,508	9,466	22,974	
Direct Entry Midwife	MID1	\$ 17,065	\$ 1,165	\$ -	\$ 18,230	\$ 18,245	1,333	\$ 816	2,149	4,591	6,740	24,985	(6,755)	22,687	5,555	28,242	
Dispensing Opticians	DOP1	\$ 9,220	\$ 23,308	\$ -	\$ 32,528	\$ 6,798	4,395	\$ 1,506	5,901	2,079	7,980	14,778	17,750	15,035	8,485	23,520	
Electrical Administrator	EAD1	\$ 184,943	\$ 3,000	\$ -	\$ 187,943	\$ 107,134	27,362	\$ 2,146	29,508	11,828	41,336	148,470	39,473	67,402	33,175	100,577	
Euthanasia Services	EUT1	\$ 1,500	\$ 6,151	\$ -	\$ 7,651	\$ 131	312	\$ 484	796	40	836	967	6,684	1,833	981	2,814	
Geologists	GE01	\$ 240	\$ 100	\$ -	\$ 340	\$ 1,290	284	\$ 669	953	393	1,346	2,636	(2,296)	793	1,039	1,832	
Guardians/Conservators	GCO1	\$ 2,043	\$ 9,346	\$ -	\$ 11,389	\$ 3,421	454	\$ 286	740	1,053	1,793	5,214	6,175	637	919	1,556	
Guide-Outfitters	GUI1	\$ 1,193,160	\$ 27,909	\$ -	\$ 1,221,069	\$ 409,590	46,359	\$ 3,657	50,016	110,023	160,039	569,629	651,440	405,369	134,630	539,999	
Marine Pilots	MAR1	\$ 18,650	\$ 1,951	\$ -	\$ 20,601	\$ 38,881	4,140	\$ 1,153	5,293	7,693	12,986	51,867	(31,266)	51,354	18,279	69,633	
Foreign Pleasure Craft	FPC1	\$ 94,283	\$ 812	\$ -	\$ 95,095	\$ 10,424	-	\$ 854	854	3,201	4,055	14,479	80,616	9,368	3,707	13,075	
Marital & Family Therapy	MFT1	\$ 38,880	\$ 53,761	\$ -	\$ 92,641	\$ 23,651	4,026	\$ 1,582	5,608	6,745	12,353	36,004	56,637	37,587	14,725	52,312	
Massage Therapists	MAS1	\$ 400,630	\$ 230,859	\$ -	\$ 631,489	\$ 261,538	39,753	\$ 3,173	42,926	61,780	104,706	366,244	265,245	197,556	88,077	285,633	
Mechanical Administrator	MEC1	\$ 115,080	\$ 2,773	\$ -	\$ 117,853	\$ 121,729	17,410	\$ 1,809	19,219	10,932	30,151	151,880	(34,027)	56,147	23,772	79,919	
Medical	MED1	\$ 945,106	\$ 272,744	\$ -	\$ 1,217,850	\$ 907,475	234,179	\$ 4,603	238,782	226,402	465,184	1,372,659	(154,809)	899,162	569,260	1,468,422	
Mortuary Science	MOR1	\$ 7,105	\$ 581	\$ -	\$ 7,686	\$ 7,716	3,771	\$ 875	4,646	2,290	6,936	14,652	(6,966)	4,042	5,193	9,235	
Naturopaths	NAT1	\$ 83,690	\$ 110	\$ -	\$ 83,800	\$ 1,768	1,503	\$ 905	2,408	435	2,843	4,611	79,189	7,091	3,750	10,841	
Nurse Aides	NUA1	\$ 403,929	\$ 15,541	\$ -	\$ 419,470	\$ 293,537	104,287	\$ 2,714	107,001	61,265	168,266	461,803	(42,333)	226,749	146,755	373,504	
Nursing	NUR1	\$ 2,224,194	\$ 614,726	\$ 833	\$ 2,839,753	\$ 1,751,709	694,541	\$ 5,331	699,872	379,830	1,079,702	2,831,411	8,342	1,448,247	911,621	2,359,868	
Nursing Home Administrators	NHA1	\$ 3,100	\$ 14,064	\$ -	\$ 17,164	\$ 5,300	1,503	\$ 652	2,155	1,169	3,324	8,624	8,540	6,051	3,390	9,441	
Optometry	OPT1	\$ 25,770	\$ 100,227	\$ -	\$ 125,997	\$ 42,853	6,578	\$ 1,405	7,983	10,893	18,876	61,729	64,268	73,836	31,493	105,329	
Pawnbrokers	PAW1	\$ 2,155	\$ 722	\$ -	\$ 2,877	\$ 9,272	681	\$ 576	1,257	2,847	4,104	13,376	(10,499)	60	685	745	
Pharmacy	PHA1	\$ 444,975	\$ 29,810	\$ 1,650	\$ 476,435	\$ 434,595	185,494	\$ 4,633	190,127	116,727	306,854	741,449	(265,014)	432,923	320,184	753,107	
Physical/Occupational Therapy	PHY1	\$ 412,136	\$ 8,330	\$ -	\$ 420,466	\$ 109,867	61,784	\$ 3,581	65,365	32,838	98,203	208,070	212,396	134,328	92,146	226,474	
Prescription Drug Monitoring Program	PDMP	\$ 32,490	\$ 222	\$ -	\$ 32,712	\$ 12,968	-	\$ -	-	-	12,968	19,744	1,728	-	-	1,728	
Professional Counselors	PCO1	\$ 267,862	\$ 10,910	\$ -	\$ 278,772	\$ 148,004	33,288	\$ 3,105	36,393	43,011	79,404	227,408	51,364	154,477	77,160	231,637	
Psychology	PSY1	\$ 33,536	\$ 42,146	\$ -	\$ 75,682	\$ 85,474	11,484	\$ 2,373	13,857	22,301	36,158	121,632	(45,950)	67,981	32,539	100,520	
Public Accountancy	CPA1	\$ 646,145	\$ 17,196	\$ 720	\$ 664,061	\$ 230,968	52,711	\$ 1,830	54,541	67,792	122,333	353,301	310,760	212,245	102,906	315,151	
Real Estate	REC1	\$ 820,700	\$ 17,842	\$ -	\$ 838,542	\$ 270,986	115,175	\$ 2,361	117,536	70,253	187,789	458,775	379,767	261,752	170,261	432,013	
Real Estate Appraisers	APR1	\$ 62,165	\$ 9,845	\$ 3,600	\$ 75,610	\$ 132,111	11,058	\$ 2,239	13,297	37,386	50,683	182,794	(107,184)	104,618	36,203	140,821	
Social Workers	CSW1	\$ 326,730	\$ 49,705	\$ -	\$ 376,435	\$ 180,156	33,316	\$ 3,101	36,417	47,862	84,279	264,435	112,000	197,763	74,517	272,280	
Storage Tank Workers	UST1	\$ 6,790	\$ 874	\$ -	\$ 7,664	\$ 1,786	724	\$ 724	2,510	3,444	5,954	17,196	(9,532)	5,406	3,472	8,878	
Veterinary	VET1	\$ 69,880	\$ 19,480	\$ -	\$ 89,360	\$ 123,779	23,109	\$ 2,348	25,457	37,343	62,800	186,579	(97,219)	138,572	70,255	208,827	
No longer existent board/commission (ie Athletic)																	
<b>Totals All Boards</b>		<b>\$ 12,156,460</b>	<b>\$ 1,934,600</b>	<b>\$ 8,178</b>	<b>\$ 14,099,238</b>	<b>\$ 7,252,238</b>	<b>\$ 2,629,330</b>	<b>\$ 88,198</b>	<b>\$ 2,717,528</b>	<b>\$ 1,710,974</b>	<b>\$ 4,428,502</b>	<b>\$ 11,680,740</b>	<b>\$ 2,418,498</b>	<b>\$ 6,763,380</b>	<b>\$ 4,088,214</b>	<b>\$ 10,851,594</b>	

ABL & Corporations	080801005	\$ 7,124,804	\$ -	\$ -	\$ 7,124,804	\$ 1,405,967	\$ 138,033	\$ 8,723	\$ 146,756	\$ 158,895	\$ 305,651	\$ 1,711,618				
Fines & Forfeit GF		75,306			75,306											
Revenue Transfer In (Carry Forward Net) CFWD		9,356,591			9,356,591											
Reimbursable Service Agreements AR 080801007		-			-											
RSA 0822041- DHSS Nurse Aide Program		145,000			145,000	145,000										145,000
RSA 0822011- DHSS PFS- DOA BJA PDMP		116,799			116,799	116,799										116,799
RSA 0822010- DHSS EPI PDMP		336,469			336,469	336,469										336,469
RSA 0822012 Child Support Assistance		985			985	985										985
RSA 0822009- DHSS PFS- PDMP		89,402			89,402	89,402										89,402
RSA 0822238- Emergency Medical Licenses		80,000			80,000	80,000										80,000
Interagency clearing		916			916	916										916
Real Estate Recovery Fund ZSU1		101,260			101,260	43,243										43,243
DWAD - Emergency Authorizations		350			350	-										-
RSA 0822010- DHSS EPI PDMP Third Par 080801108				2,533	2,533	2,533										2,533
<b>Total CBPL</b>		<b>\$ 29,584,342</b>	<b>\$ 1,934,600</b>	<b>\$ 10,711</b>	<b>\$ 31,529,653</b>	<b>\$ 9,473,551</b>	<b>\$ 2,767,363</b>	<b>\$ 96,921</b>	<b>\$ 2,864,284</b>	<b>\$ 1,869,869</b>	<b>\$ 4,734,153</b>	<b>\$ 14,207,704</b>				

<b>DIVISION INDIRECT EXPENSES</b>	<b>Total</b>	<b>Prof Lic</b>	<b>Corp &amp; Bus Lic</b>
<b>Percentage of program direct Personal Services:</b>			
Business Supplies	28,432	24,275	4,157
Office Equipment	46,620	43,685	2,935
State Vehicles	4,060	3,695	365
Storage and Archives	12,685	12,356	329
Legal Support	51,845	51,845	-
Central Mail Services Postage	38,648	19,602	19,046
Software Licensing and Maintenance	96,529	90,358	6,171
Division Administrative Expenses - all other	192,266	192,266	-
Division allocated by percentage of direct personal services:	471,085	438,082	33,003
<b>Percentage of board licenses/total licensees:</b>			
Investigations indirect Personal Services	420,043	398,051	21,992
Division Administration Personal Services	1,831,020	1,761,446	69,574
Division allocated by percentage of board licenses/total licensees:	2,251,063	2,159,497	91,566
<b>Total Division Indirect Expenses</b>	<b>2,722,148</b>	<b>2,597,579</b>	<b>124,569</b>
<b>DEPARTMENT INDIRECT EXPENSES</b>	<b>Total</b>	<b>Prof Lic</b>	<b>Corp &amp; Bus Lic</b>
<b>Percentage of program direct Personal Services:</b>			
Commissioner's Office	168,220	153,080	15,140
Administrative Services - Director's Office	59,823	54,439	5,384
Administrative Services - Human Resources	93,556	85,136	8,420
Administrative Services - Fiscal	89,898	81,807	8,091
Administrative Services - Budget	61,186	55,679	5,507
Administrative Services - Information Technology	122,146	111,153	10,993
Administrative Services - Information Technology - Network & Database	25,235	22,964	2,271
Administrative Services - Mail	10,900	9,919	981
Administrative Services - Facilities - Maintenance	-	-	-
Department allocated by percentage of direct personal services:	630,964	574,177	56,787
<b>Percentage of board licenses/total licensees:</b>			
Department administrative services support: Fiscal, IT, Procurement	516,300	469,833	46,467
<b>Receiving transaction % by Personal Services:</b>			
Department certified transactions % by Fiscal Revenue \$	96,921	88,198	8,723
<b>Total DEPARTMENT INDIRECT EXPENSES</b>	<b>1,244,185</b>	<b>1,132,208</b>	<b>111,977</b>
<b>STATEWIDE INDIRECT EXPENSES</b>	<b>Total</b>	<b>Prof Lic</b>	<b>Corp &amp; Bus Lic</b>
<b>Percentage of program direct Personal Services:</b>			
Accounting and Payroll Systems	54,521	49,614	4,907
State Owned Building Rental (Building Leases)	354,120	322,249	31,871
State OIT Server Hosting & Storage	9,785	8,904	881
State OIT SQL	22,402	20,386	2,016
State Software Licensing	-	-	-
Human Resources	52,542	47,813	4,729
IT Non-Telecommunications (Core Cost)	241,355	219,633	21,722
IT Telecommunications	29,452	26,801	2,651
Risk Management	3,643	3,315	328
Statewide allocated by percentage of direct personal services:	767,820	698,715	69,105
<b>FY22 TOTALS BY METHODOLOGY</b>	<b>Total</b>	<b>Prof Lic</b>	<b>Corp &amp; Bus Lic</b>
Percentage of program direct Personal Services:	1,869,869	1,710,974	158,895
Percentage of board licenses/total licensees:	2,767,363	2,629,330	138,033
Receiving transaction % by Personal Services:	96,921	88,198	8,723
<b>Grand Total</b>	<b>4,734,153</b>	<b>4,428,502</b>	<b>305,651</b>

Department of Commerce Community, and Economic Development  
Corporations, Business and Professional Licensing

Summary of All Professional Licensing  
Schedule of Revenues and Expenditures

Board of Marine Pilots and Foreign Pleasure Craft	FY 16	FY 17	Biennium	FY 18	FY 19	Biennium	FY 20	FY 21	Biennium	FY 22	FY 23 1st QTR
	<b>Revenue</b>										
Revenue from License Fees	\$ 65,188	\$ 281,640	\$ 346,828	\$ 91,150	\$ 206,450	\$ 297,600	\$ 86,250	\$ 201,210	\$ 287,460	\$ 112,933	\$ 9,250
General Fund Received							\$ -	\$ -	\$ -	\$ 2,763	\$ -
Allowable Third Party Reimbursements	-	-	-	-	-	-	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL REVENUE</b>	<b>\$ 65,188</b>	<b>\$ 281,640</b>	<b>\$ 346,828</b>	<b>\$ 91,150</b>	<b>\$ 206,450</b>	<b>\$ 297,600</b>	<b>\$ 86,250</b>	<b>\$ 201,210</b>	<b>\$ 287,460</b>	<b>\$ 115,696</b>	<b>\$ 9,250</b>
<b>Expenditures</b>											
Non Investigation Expenditures											
1000 - Personal Services	57,669	38,731	96,400	83,020	78,538	161,558	70,082	52,807	122,889	32,141	12,976
2000 - Travel	11,698	10,370	22,068	14,158	8,709	22,867	7,442	-	7,442	2,323	-
3000 - Services	6,464	5,294	11,758	3,398	4,919	8,317	3,687	6,437	10,124	10,038	433
4000 - Commodities	541	587	1,128	195	702	897	1,805	-	1,805	1,543	-
5000 - Capital Outlay	-	-	-	-	-	-	-	-	-	-	-
Total Non-Investigation Expenditures	76,372	54,982	131,354	100,771	92,868	193,639	83,016	59,244	142,260	46,045	13,409
Investigation Expenditures											
1000-Personal Services	4,398	96	4,494	9,360	14,528	23,888	295	552	847	3,253	1,136
2000 - Travel					1,341	1,341	-	-	-	-	-
3023 - Expert Witness	-	3,454	3,454	-	200	200	-	454	454	-	-
3088 - Inter-Agency Legal	1,418	241	1,659	795	33	828	-	457	457	-	-
3094 - Inter-Agency Hearing/Mediation	-	-	-	-	87	87	-	-	-	-	-
3000 - Services other	-	-	-	-	5	5	-	15	15	7	-
4000 - Commodities	-	-	-	-	-	-	-	-	-	-	-
Total Investigation Expenditures	5,816	3,791	9,607	10,155	16,194	26,349	295	1,478	1,773	3,260	1,136
<b>Total Direct Expenditures</b>	<b>82,188</b>	<b>58,773</b>	<b>140,961</b>	<b>110,926</b>	<b>109,062</b>	<b>219,988</b>	<b>83,311</b>	<b>60,722</b>	<b>144,033</b>	<b>49,305</b>	<b>14,545</b>
Indirect Expenditures											
Internal Administrative Costs	6,152	6,628	12,780	13,970	13,964	27,934	9,457	7,152	16,609	6,190	1,548
Departmental Costs	8,334	8,047	16,381	14,865	16,624	31,489	8,659	7,511	16,170	6,403	1,601
Statewide Costs	3,670	4,761	8,431	10,324	9,685	20,009	9,272	7,323	16,595	4,448	1,112
<b>Total Indirect Expenditures</b>	<b>18,156</b>	<b>19,436</b>	<b>37,592</b>	<b>39,159</b>	<b>40,273</b>	<b>79,432</b>	<b>27,388</b>	<b>21,986</b>	<b>49,374</b>	<b>17,041</b>	<b>4,261</b>
<b>TOTAL EXPENDITURES</b>	<b>\$ 100,344</b>	<b>\$ 78,209</b>	<b>\$ 178,553</b>	<b>\$ 150,085</b>	<b>\$ 149,335</b>	<b>\$ 299,420</b>	<b>\$ 110,699</b>	<b>\$ 82,708</b>	<b>\$ 193,407</b>	<b>\$ 66,346</b>	<b>\$ 18,806</b>
<b>Cumulative Surplus (Deficit)</b>											
Beginning Cumulative Surplus (Deficit)	\$ 136,807	\$ 101,651		\$ 305,082	\$ 246,147		\$ 303,262	\$ 278,813		\$ 397,315	\$ 446,665
Annual Increase/(Decrease)	(35,156)	203,431		(58,935)	57,115		(24,449)	118,502		49,350	(9,556)
Ending Cumulative Surplus (Deficit)	\$ 101,651	\$ 305,082		\$ 246,147	\$ 303,262		\$ 278,813	\$ 397,315		\$ 446,665	\$ 437,109
<b>Statistical Information</b>											
Number of Licenses for Indirect calculation	138	154		152	132		124	138		146	
<b>Additional information:</b>	<ul style="list-style-type: none"> <li>• Fee analysis required if the cumulative is less than zero; fee analysis recommended when the cumulative is less than current year expenditures; no fee increases needed if cumulative is over the current year expenses *</li> <li>• Most recent fee change: Fee reduction FY23</li> <li>• Annual license fee analysis will include consideration of other factors such as board and licensee input, potential investigation load, court cases, multiple license and fee types under one program, and program c</li> </ul>										

Appropriation Name (Ex)	(Multiple Items)
Sub Unit	(All)
PL Task Code	(Multiple Items)

Sum of Budgetary Expenditures Object Name (Ex)	Object Type Name (Ex)		Grand Total
	1000 - Personal Services	3000 - Services	
1011 - Regular Compensation	8,208.96		8,208.96
1014 - Overtime	252.15		252.15
1023 - Leave Taken	813.02		813.02
1028 - Alaska Supplemental Benefit	568.57		568.57
1029 - Public Employee's Retirement System Defined Benefits	346.59		346.59
1030 - Public Employee's Retirement System Defined Contribution	417.48		417.48
1034 - Public Employee's Retirement System Defined Cont Health Reim	242.39		242.39
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical	86.55		86.55
1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab	1,205.84		1,205.84
1040 - Group Health Insurance	1,409.95		1,409.95
1042 - Worker's Compensation Insurance	74.34		74.34
1047 - Leave Cash In Employer Charge	316.62		316.62
1048 - Terminal Leave Employer Charge	36.10		36.10
1053 - Medicare Tax	131.08		131.08
1077 - ASEA Legal Trust	2.24		2.24
1079 - ASEA Injury Leave Usage	0.03		0.03
1080 - SU Legal Trst	0.20		0.20
3046 - Advertising		432.58	432.58
<b>Grand Total</b>	<b>14,112.11</b>	<b>432.58</b>	<b>14,544.69</b>



Appropriation Name (Ex)	(Multiple Items)
Sub Unit	(All)
PL Task Code	(Multiple Items)

Sum of Budgetary Expenditures Object Name (Ex)	Object Type Name (Ex)			Grand Total
	1000 - Personal Services	2000 - Travel	3000 - Services	
1011 - Regular Compensation	15,741.22			15,741.22
1014 - Overtime	397.87			397.87
1016 - Other Premium Pay	24.38			24.38
1023 - Leave Taken	1,571.93			1,571.93
1028 - Alaska Supplemental Benefit	1,087.34			1,087.34
1029 - Public Employee's Retirement System Defined Benefits	576.89			576.89
1030 - Public Employee's Retirement System Defined Contribution	816.86			816.86
1034 - Public Employee's Retirement System Defined Cont Health Reim	475.86			475.86
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical	169.41			169.41
1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab	2,357.63			2,357.63
1040 - Group Health Insurance	4,015.07			4,015.07
1042 - Worker's Compensation Insurance	141.99			141.99
1047 - Leave Cash In Employer Charge	578.21			578.21
1048 - Terminal Leave Employer Charge	98.61			98.61
1053 - Medicare Tax	249.37			249.37
1077 - ASEA Legal Trust	4.01			4.01
1079 - ASEA Injury Leave Usage	0.03			0.03
1080 - SU Legal Trst	1.00			1.00
2000 - In-State Employee Airfare			346.91	346.91
2001 - In-State Employee Surface Transportation			207.99	207.99
2002 - In-State Employee Lodging			309.87	309.87
2003 - In-State Employee Meals and Incidentals			134.00	134.00
2007 - In-State Non-Employee Lodging			165.39	165.39
2008 - In-State Non-Employee Meals and Incidentals			268.00	268.00
2010 - In-State Non-Employee Non-Taxable Reimbursement			1,486.67	1,486.67
3046 - Advertising			1,515.29	1,515.29
3057 - Structure, Infrastructure and Land - Rentals/Leases			722.25	722.25
3085 - Inter-Agency Mail			59.24	59.24
3088 - Inter-Agency Legal			1,705.29	1,705.29
<b>Grand Total</b>	<b>28,307.68</b>	<b>2,918.83</b>	<b>4,002.07</b>	<b>35,228.58</b>

# SOUTHWEST ALASKA PILOTS ASSOCIATION

P.O. Box 977  
Homer, Alaska 99603

Tel: (907) 235-8783  
Fax: (907) 235-6119

January 11, 2023

Mr. Thomas Bay  
Marine Pilot Coordinator  
Alaska Board of Marine Pilots  
P.O. Box 110806  
Juneau, Alaska 99811-0806

Dear Tom:

In compliance with Marine Pilot Statutes and Regulations 08.62.175 (c) (7) we are pleased to submit the following annual report:

## **1. Status of training and apprenticeship programs:**

Southwest Alaska Pilots Association maintains a "Pilot Observer" program for those individuals who are attempting to obtain federal pilotage endorsements for Alaska Pilotage Region II. When these individuals complete sufficient federal pilotage to qualify for and pass the state core exam, they enter the Association "Training Program" where hands-on docking and undocking training takes place. At the completion of the training program the trainee sits for the state local knowledge exam for Region II and, if successful, obtains a Deputy Marine Pilot License. See #2 below for details on riders and trainees. We also have an apprenticeship program in place in accordance with the current Alaska Statutes and Regulations.

## **2. Riders, Trainees and Apprentices:**

Trainee: Christopher J. Lemon passed the Core Exam on February 11, 2021 and entered the SWAPA Training Program as a trainee on the Deputy track. He has now completed the SWAPA Training Program, and we anticipate him taking the Local Knowledge Exam later this month and receiving his Deputy Marine Pilot license at the January 2023 board meeting.

Trainee: Daniel D. Butts passed the Core Exam on April 15, 2020 and entered the SWAPA Training Program as an Apprentice. He continues to work on his federal requirements and maneuvers for his state requirements as current employment commitments allow.

Trainee: Pieter L. VanderHoek passed the Core Exam on November 8, 2021 and entered the SWAPA Training program as an apprentice. He continues to work on his federal requirements and maneuvers for his state requirements as current commitments allow. We anticipate him taking the Local Knowledge Exam later this spring and receiving his Deputy Marine Pilot license at that time.

## SOUTHWEST ALASKA PILOTS ASSOCIATION

Trainee: Aaron M. Isenhour passed the Core Exam on April 2, 2022, as an Apprentice. He continues to work on his federal requirements and maneuvers for his state requirements as current employment commitments allow.

Observer: On January 1, 2022, Christine E. Pekara was accepted into the SWAPA Observer/Rider program as an apprentice. She is currently working towards gaining her federal pilotage and is actively observing aboard ships as her current employment commitments allow.

Observer: On March 25, 2022, Robert G. Pletnikoff was accepted into the SWAPA Observer/Rider program as an apprentice. He is currently working towards gaining his federal pilotage and is actively observing aboard ships as his current employment commitments allow.

### **3. Deputy Marine Pilots:**

Jordan M. Gould passed his Local Knowledge Exam on January 15, 2020, and is a Deputy Marine Pilot holding a 110,000GT license. Captain Gould's 3-year licensing anniversary will be January 24, 2023, and he has met all requirements to be issued with his Marine Pilot license and VLCC endorsement at the January 2023 meeting of the Board.

John M. Stewart passed his Local Knowledge Exam on April 15, 2020 and is now a Deputy Marine Pilot holding a 110,000GT license. Captain Stewart's 3-year licensing anniversary will be April 29, 2023 and we expect that, at that time, he will have met all requirements to be issued with his Marine Pilot license and VLCC endorsement by the end of April, 2023.

Christopher R. Buckley passed his Local Knowledge Exam on January 21, 2022 and is now a Deputy Marine Pilot holding a 95,000GT license.

### **4. Number of members of the Association who are State residents:**

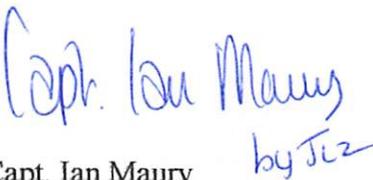
Of the fifteen (15) full members of the Association, fifteen (15) are residents of Alaska.

Of the three (3) deputy marine pilots, three (3) are residents of Alaska.

Of the four (4) trainees, four (4) are residents of Alaska.

Of the two (2) observers, two (2) are residents of Alaska.

Respectfully submitted,



Capt. Ian Maury  
President



# Southeast Alaska Pilots Association

1621 Tongass Avenue, Suite 300 • Ketchikan, Alaska 99901 • 907-225-9696 • fax 907-247-9696 • pilots@seapa.com

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December 7, 2022

Mr. Thomas Bay  
Marine Pilot Coordinator  
Alaska Board of Marine Pilots  
P.O. Box 110806  
Juneau, Alaska 99811-0806

Dear Mr. Bay:

The Southeast Alaska Pilots Association has updated bylaws which require approval by the Board of Marine Pilots. Please put this on the agenda of the next Board meeting.

There is only one small change to the previously approved bylaws: we have moved our fall membership meeting from September to October, due to the increased traffic load in September.

Sincerely,

Captain Mark Lundamo  
President, Southeast Alaska Pilots Association

Enclosure: SEAPA bylaws dated 10/15/2022

# **SOUTHEAST ALASKA PILOTS' ASSOCIATION BYLAWS**

## **ARTICLE I. IDENTIFICATION**

### **Section 1. Name.**

The name of the Association is the SOUTHEAST ALASKA PILOTS' ASSOCIATION (Association).

### **Section 2. Office.**

The Association's principal office is in Ketchikan, Alaska, with a mailing address of 1621 Tongass Avenue, Suite 300 Ketchikan, Alaska 99901. The Association may have other offices as designated by its members or Board of Directors.

### **Section 3. Agent for Process.**

The agent for service of process upon the Association is Southeast Alaska Pilots' Association, 1621 Tongass Avenue, Suite 300, Ketchikan, Alaska 99901.

### **Section 4. Purpose.**

The purposes of the Association include considering and dealing with, by all lawful means 1) problems involved in promoting and advancing the profession of marine pilotage; 2) advancing safety within the marine transportation industry and the general welfare of professional marine pilots within the Southeastern Alaska Region; and, 3) securing cooperative action in advancing the purposes of the Association.

### **Section 5. Area of Operations.**

The Southeastern Alaska Region covers the compulsory pilotage waters of Southeast Alaska commencing at the southern border of Canada, then west to and north on 141 degrees west longitude, and extending from Dixon Entrance to Cape Spencer including Yakutat as established by the Alaska Board of Marine Pilots (BMP).

### **Section 6. Dispatch Scheduling.**

The Association will provide year round, 24-hour per day dispatch of pilots within the Southeastern Alaska Region to the extent reasonably possible given the size of the Association's membership as authorized by the Alaska Marine Pilotage Act AS 08.62 (Act).

### **Section 7. Fiscal Year.**

The Association's fiscal year begins on January 1 and ends the same year on December 31.

### **Section 8. Recognition of State Law.**

The Association will comply with the standards for recognition established by law without waiving any legal challenges to those provisions or any other terms of the Act or regulations adopted under the Act.

### **Section 9. Powers.**

The Association will have the power to 1) collect and disseminate statistics and other information; 2) conduct investigations; 3) engage in various funding and fund raising activities; 4) conduct promotional activities, including advertising and publicity, in or by any suitable manner or media; 5) hold property it deems necessary; 6) provide for the pooling of income and expenses of its members; 7) provide for a rotation and dispatching system of assignments for pilotage services performed by each individual member as an independent contractor.

## **ARTICLE II. MEMBERSHIP**

### **Section 1. Purpose.**

Membership in the Association is designed to provide for 1) the dispatch and training of pilots; 2) management of the Association's affairs; 3) compliance with all applicable laws; 4) the collection and distribution of funds earned through piloting services; 5) associating together as independent contractor marine pilots for the common purpose of having a pilot dispatch service; and 6) the promotion of pilotage in the best interests of the State of Alaska.

### **Section 2. Service.**

The Association promotes the highest quality marine pilotage service in the Southeastern Alaska Region. It is the policy of the Association that each pilot, acting as an independent contractor, will maintain a commitment to excellence in the pilotage profession and through this commitment, prevent the loss of lives and property and protect the marine environment.

### **Section 3. Non-Discrimination.**

The Association will treat both its members and applicants for membership in a uniform, nondiscriminatory, and otherwise lawful manner. The Association is open to membership by all persons licensed by the State of Alaska to pilot

vessels in the Southeastern Alaska Pilotage Region, except such persons may not be a member of, or dispatched by, another pilot organization in the State of Alaska.

#### **Section 4. Membership.**

Membership in the Association is comprised of the following categories.

(a) Pilot Member (PM).

The Pilot Member (PM) membership category is open to any person who holds a current, unrestricted Marine Pilot license issued by the State of Alaska under the Act for the Southeastern Alaska Region. PMs who subsequently do not meet the requirements specified in this subsection automatically revert to a membership status appropriate with their State of Alaska and/or federal license. All PMs must meet all the Association's and State of Alaska's training requirements before becoming eligible for dispatch. PMs must commit to being dispatched for 90 days between May 16 and September 15 and must meet license requirements for dispatch in the PM category, and may be dispatched in excess of 90 days each year that they are PMs. A PM will not be excluded from membership due to illness or injury. PMs may be dispatched between September 16 and May 15, and will have priority to dispatch between May 1-15 and September 16-30, additional dispatch will be rotated as equitably as possible. Written solicitation of PM availability, non-availability, or additional dispatch will be made by August 1 each year. PMs may become a General Pilot Member at any time without Board of Directors' approval upon 30 days written notice to the Association. PMs have ONE VOTE on Association business.

(b) General Pilot Member (GPM).

The General Pilot Member (GPM) membership category consists of pilots who hold a Marine or Deputy Marine License issued by the State of Alaska under the Act for the Southeastern Alaska Region. The GPM membership category is for licensed pilots who have chosen not to become PMs and previous PMs who choose to work for shorter periods. A GPM may apply for other membership categories provided the GPM holds a current State of Alaska unrestricted Marine Pilot license and the GPM meets the State of Alaska's and the Association's training requirements before the GPM applies. The Board of Directors will select the GPM applicant(s) for dispatch who best meets the Association's dispatch requirements. GPMs will be dispatched as fairly and equitably as their license, availability, and the Association's dispatch requirements allow. GPMs have NO VOTE on Association business.

(c) Select Pilot Member (SPM).

The Select Pilot Member (SPM) membership category consists of pilots who hold a Marine Pilot License issued by the State of Alaska under the Act for the Southeastern Alaska Region. This membership category is for licensed pilots who have chosen to make themselves available for less than 90 days during a select period of the summer season defined by the Board of Directors. SPMs must meet all Association and State of Alaska training requirements before becoming eligible for dispatch. PMs desiring to transition to the SPM membership category must declare their intent for the upcoming summer season in writing not more than 30 days after the Board of Directors solicits members for inclusion in this category. The solicitation will be made no later than January 15 for the upcoming summer season and will define the period in which this membership category is available. SPMs may become a GPM at any time without Board of Directors' approval upon 30 days written notice to the Association. SPMs are considered on roster for the period mutually agreed to by the SPM and the Board of Directors. SPMs will be compensated and will share in the Association expenses for each day on roster. Short term disability benefits will not exceed the number of days on roster. SPMs are governed by the Association's Bylaws and Operating Rules. When SPMs are not specifically identified, these Bylaws and Operating Rules pertaining to GPMs apply. Additional seasons of this pilot category are allowed if approved by a two-thirds affirmative vote of the membership. SPMs have NO VOTE on Association business. This membership category expires October 1, 2022.

### **Section 5. Training and Continuing Education.**

In order to maintain the highest quality of pilotage services, all pilots dispatched by the Association are required to satisfy the Association's and the State of Alaska's training requirements before becoming eligible for dispatch. Training requirements are established in the Association's BMP-approved Training Program. It is each pilot's responsibility to provide documentation to satisfy training and continuing education requirements.

### **Section 6. Availability for Dispatch.**

The Association will dispatch all licensed members from a list of names maintained on a dispatch roster, in accordance with the commitments made by the pilot to the Association. To be on the dispatch roster, a pilot must 1) abide by the Association's Bylaws and Operating Rules; 2) cannot have consumed alcohol or a controlled substance any time between 12 hours before going on duty and the conclusion of duty; and 3) meet all other requirements under the Act and federal law that pertain to pilotage in the Southeastern Alaska Region.

### **Section 7. Assent to Bylaws and Operating Rules.**

All PMs, GPMs, SPMs, Pilot Trainees, and Apprentice Pilots agree to adhere to, and be bound by, the Association's Bylaws and Operating Rules as they may be amended before being dispatched by the Association.

## **Section 8. Temporary Absence from Duty.**

The Association's President may approve the temporary absence from duty of a pilot in accordance with the Association's Operating Rules.

## **Section 9. Independent Contractors.**

All marine pilots must be members of the Association, independent contractors, and have a State of Alaska business license to be eligible for dispatch by the Association.

## **Section 10. Drug and Alcohol Testing.**

All pilots dispatched by the Association must participate in a random drug and alcohol testing program. All applicants for membership must provide a "pre-dispatch" drug test conducted within 60 days that they first apply for membership.

## **Section 11. License Insurance.**

All pilots dispatched by the Association must obtain license insurance and provide proof of that insurance to the Association.

## **Section 12. Suspension and Termination of Membership.**

A suspended member cannot vote, participate in Association business, be dispatched, or share in the expenses, revenues, or other Association benefits. A member who becomes ineligible for membership is suspended on the date that the member becomes ineligible. If the member becomes eligible for membership again within 12 months and a day of their suspension or termination, that member will return to the member's previous membership status without regard to the number of members set by the membership. If the former member cannot cure the member's ineligibility for membership within 12 months and a day and thereby cannot become fully eligible for membership, that pilot's membership is automatically terminated and all rights to the benefits of membership are terminated on the 366th day after the day of membership termination or suspension. A pilot who was terminated or suspended may apply for membership any time after that pilot again becomes fully qualified to do so.

## **Section 13. Resignation or Retirement of Members.**

Any member of the Association who desires to resign or retire must give 30 days written notice to the Board of Directors before the resignation or retirement becomes effective. A member who has resigned or retired may apply for membership once the member again becomes fully qualified to do so.

## **Section 14: Association Management.**

In order to provide for the management of the Association's affairs, the Association may contract with a management corporation. The Association's management corporation is Sea Pilots, Inc. Any pilot dispatched by the Association must be a Director of Sea Pilots, Inc.

## **ARTICLE III. MEETINGS OF THE MEMBERSHIP**

### **Section 1. Semi-Annual Meetings, Attendance, and Location.**

A semi-annual meeting of the Association will be held in May each year at a time, date, and place designated by the President, and in October each year at a time, date, and place designated by the President. Written notification of membership meetings must be provided to members at least fourteen days before the meeting. The tentative agenda for purposes of establishing proxy voting rights at the semi-annual membership meetings will be noticed to the membership not less than 72 hours before the published meeting date and time. Failure to hold the semi-annual meetings at the designated time will not work a forfeiture or dissolution of the Association. PMs, GPMs, and SPMs may attend semi-annual meetings.

### **Section 2. Special Meetings.**

Special meetings of the Association may be called by the President, the Board of Directors, or by any five members requesting a special meeting in writing. Special meetings may be held without advance notice provided there is a quorum. PMs, GPMs, and SPMs may attend special meetings.

### **Section 3. Voting at Meetings.**

#### **(a) Voting Rights.**

At membership meetings, only PMs have one vote. GPMs and SPMs have no voting rights at membership meetings.

#### **(b) Quorum.**

A majority of PMs represented in person or by proxy, constitutes a quorum at membership meetings. PMs present at a duly organized meeting may continue to do business until adjournment, notwithstanding the withdrawal of enough members that leaves less than a quorum.

#### **(c) Proxies.**

A PM may vote either in person or by proxy. Proxies may only be given to a PM. Any one member present at each meeting may hold no more than two proxies. The President cannot hold any proxies. Proxies may be authorized only on the

Association's proxy form. Proxy voting is limited to the authorization identified on the Association's proxy form. A proxy is valid for one meeting only, and the power to vote a proxy may be revoked by the member giving the proxy at any time before actual voting. The proxy must be received by the President or the person presiding at the meeting at or before the meeting convenes; however, a member present at a meeting who is called out by assignment or by other business before a vote will be entitled to leave a proxy with another PM.

(d) Voting Procedure.

Voting procedures will conform to Roberts Rules of Order as revised, provided they are not inconsistent with these Bylaws. Proposed Bylaw changes, Operating Rule changes, recommended changes to Alaska marine pilot laws, and major decisions affecting the welfare and business of the Association must be noticed on the tentative agenda to be voted on at a meeting or voted via electronic ballot.

**Section 4. Ballots.**

Ballots, when required under these Bylaws, will be conducted as follows:

(a) The ballot for members and officers of the Board of Directors will be secret. Ballots for issues must be signed (digitally) by members.

(b) The ballot will be sent to the member's electronic address as it appears in the Association's membership roster.

(c) The ballot must be received electronically not more than 10 days following the date of its notice of availability. All ballots, postal or otherwise, will be noticed electronically on the day of availability. Ballots returned after that ten-day period will not be considered.

(d) The ballot will be counted by at least three PMs to validate the result. The validation of the count will be retained in the Association's file for 90 days. If the result of the ballot is challenged by a PM, the Board of Directors will decide to either disapprove the challenge, postpone the decision that was the subject of the ballot until the next membership meeting, or reissue the ballot. Any unsigned issue ballots will not be considered.

## **ARTICLE IV. BOARD OF DIRECTORS**

### **Section 1. Number and Qualification.**

The Board of Directors will consist of seven members each of whom must be a PM.

### **Section 2. Election.**

An annual membership referendum of PMs will be conducted by ballot each year between July 15 and August 15.

### **Section 3. Nominating and Balloting.**

There will be no nominations for elections to the Board of Directors. Each PM will be entitled to vote for seven members, and the seven members receiving the highest number of votes in the election will be elected to the Board of Directors. In case of a tie vote for any unfilled positions on the Board of Directors, another ballot, limited to the members tied in the previous ballot, will be immediately submitted to voting members for another vote to be counted within 10 days.

### **Section 4. Term of Office.**

The terms of office of Board of Directors members is one year and the terms commence immediately after the October membership meeting.

### **Section 5. Vacancies.**

Any vacancy occurring on the Board of Directors will be filled by the affirmative vote of voting members on a ballot listing all eligible members for the vacancy. The member receiving the highest number of votes will be elected to complete the remaining term of the member's predecessor in office.

### **Section 6. Place of Meetings.**

All Board of Directors meetings will be held at the Association's principal office, or other such place that a majority of the Board of Directors designates. The Board of Directors may convene and conduct any Board of Directors' meetings telephonically.

### **Section 7. Semi-annual Meetings.**

The Board of Directors will meet immediately after the semi-annual

membership meeting, at the place where the membership meeting was held, for the purpose of organization and consideration of any other business that may properly be brought before the Association or the Board of Directors.

### **Section 8. Special Meetings.**

Special meetings of the Board of Directors may be called by the President or by any four members of the Board of Directors. Special meetings may be held without advance notice, provided a quorum is present.

### **Section 9. Quorum.**

At all Board of Directors meetings, a total majority of four directors constitutes a quorum to transact business. The act of the majority of the Directors present at a meeting in which a quorum is present will be the act of the Board of Directors. Proxy voting is not permitted.

### **Section 10. Removal.**

The entire Board of Directors, or any individual Directors, may be removed from office without assigning any cause, by a two-thirds affirmative vote of voting members at any regular or special membership meeting. Such removal of one or more of the Directors will be deemed to create a vacancy or vacancies in the Board of Directors.

### **Section 11. Compensation.**

Members of the Board of Directors serve without compensation.

### **Section 12. Limitation on Authority.**

Authority to make major decisions affecting the Association's welfare and business is reserved to all voting members. A majority of voting members may annul, amend, or supersede any action made by the Board of Directors. The Board of Directors will submit to the membership, by ballot, any issue of major importance, policy, or expenditure in excess of \$7,500, or that in the exercise of good judgment may be considered a major policy decision affecting the Association's welfare or business. A majority of voting members will decide the issue.

### **Section 13. Duties.**

The duties of the Board of Directors include:

- (a) Calling special membership meetings under Article III, Section 2 of these Bylaws;

- (b) Deciding whether to retain a certified public accountant to audit books and accounts;
- (c) Obtaining legal counsel for advice;
- (d) Developing an annual budget for the Association for approval by the voting members at the Annual Spring Membership Meeting;
- (e) Making adjustments to the annual budget as necessary to sustain the Association's business between the semi-annual meeting dates;
- (f) Monitoring the Association's business and affairs to ensure they are being carried out according to the Association's Bylaws and Operating Rules;
- (g) Addressing controversies arising under the Association's Bylaws or Operating Rules and follow due process procedures outlined in these Bylaws;
- (h) Determining annually the work available for GPMs based on the President's recommendations;
- (i) Providing clear guidance and direction to the President on policies concerning the Association's welfare;
- (j) Deciding whether to contract with a management corporation for the purpose of maintaining an office, employees and providing other business services as directed by the Board of Directors or to enter an agreement with such management corporation. The decision to enter into a contract with a management corporation must be approved by a two-thirds affirmative vote of voting members. All administrative employees of the management corporation must be bonded;
- (k) Establishing and amending Operating Rules for the Association and submitting all Operating Rule amendments to the membership for review and approval by a majority of voting members.

#### **Section 14. Conflict of Interest.**

A member of the Board of Directors who has a material financial interest in any entity, or who serves on the Board of Directors of an entity that enters into a contract or other transaction with the Association must disclose the material facts as to the transaction and the director's interest in the entity before voting on the contract or other transaction. Unless a majority of the Board of Directors objects, the member of the Board of Directors making the disclosure does not have to

refrain from voting on the contract or other transaction.

## **ARTICLE V. OFFICERS**

### **Section 1. Officers.**

The Association's officers are President, Vice President, and Secretary. No person may hold more than one officer position.

### **Section 2. Election.**

The voting members will elect officers from among the Board of Directors, by referendum of the voting members conducted by ballot each year between August 15 and September 15. The president will distribute a ballot to voting members listing the names of the seven members of the Board of Directors who are eligible to serve as an officer with instructions to vote for one of those members for President, one of those members for Vice President, and one of those members for Secretary. The officer ballot shall be open for twenty days. In case of a tie vote for any position, another ballot listing only the members tied in the previous ballot will be immediately submitted to voting members for another vote to be counted within 10 days.

### **Section 3. Term of Office.**

The term of office of an officer is one year, and commences as soon after the October membership meeting as officers are elected and qualified and continues until the officer's successor is elected and qualified. The President cannot serve more than two consecutive terms within any six year period.

### **Section 4. Removal.**

Any officer may be removed from office by a two-thirds vote of all voting members at any regular or special meeting.

### **Section 5. Vacancies.**

Whenever any vacancies occurs in any office, the vacancy will be filled by affirmative vote of voting members, and the officer elected will hold office until a successor is chosen and qualified.

### **Section 6. Compensation.**

Officers serve without compensation.

## **Section 7. Duties of the President.**

The President will preside at all Association and Board of Directors meetings, discharge all the duties of a presiding officer, and perform such other duties as prescribed by the Board of Directors or these Bylaws. The President will sign all notes, contracts, or other legal documents necessary to conduct the Association's business. The President will work with the Board of Directors in formulating major policy changes that will require a vote of the voting members. The President is responsible for all Association pilot matters including the dispatch of pilots. The President may delegate duties to another member. The President may represent the Association as its spokesperson with the BMP, ship owners, government officials, or other persons regarding marine, navigational, and pilot matters. The President may attend, as the Association's official delegate, American Pilots Association conventions or meetings, or designate an alternate. The President will set the time for all regular or special meetings of the Association's membership and the Board of Directors. The President will keep the Board of Directors appropriately informed of matters of significance affecting the Association.

## **Section 8. Duties of the Vice President.**

The Vice President will attend all membership and Board of Directors meetings, be responsible for keeping, in a book provided for that purpose, an accurate record of the proceedings of such meetings, and when required, perform a like duty for all standing committees appointed by the Board of Directors. The Vice President will distribute all notices of the Association, and perform such other duties as these Bylaws may require or the Board of Directors may prescribe. The Vice President will monitor all the Association's accounting procedures, bring any discrepancies to the attention of the Board of Directors and make such recommendations as the Vice President deems desirable. The Vice President will assist in the preparation of Association correspondence for the President's signature or sign correspondence when authorized by the President. The Vice President will carry out the duties of the President in the absence of the President.

## **Section 9. Duties of the Secretary.**

The Secretary assists the Vice President in the performance of the Vice President's duties. The Secretary will carry out the duties of Vice President in the absence of the Vice President when the Vice President acts as President in the absence of the President.

## **ARTICLE VI. TRAINING AND CONTINUING EDUCATION**

### **Section 1. Training Program.**

The Association will establish and create a Training Program and submit it to the BMP for approval subject to the limitations in Article VI.

### **Section 2. Training Committee.**

- a. The President will appoint PMs to the Training Committee.
- b. The President will appoint a Training Committee Chair from among the Training Committee's members.
- c. The Training Committee Chair is responsible for the administration of the Association's Training Program.
- d. The Training Committee Chair may delegate the Chair's duties and tasks to members of the Training Committee.
- e. The Training Committee will meet periodically to review and monitor the progress of all Trainees and provide oversight and direction to the Training Committee Chair.
- f. The Training Committee will prepare and submit all reports, notifications, and evaluations required of the Association by the BMP.
- g. Amendments to the Training Program will be submitted to the voting members for review and approval by a majority of the voting members. The Training Committee may make minor or clarifying amendments to the Training Program as provided in Volume II of the Training Program. Any amendments must pass by a two-thirds majority vote of the Training Committee and will take effect upon posting notice of the amendments in the Association's office. The Training Chair will submit all amendments to the voting members for review and approval at the next meeting of the membership. The Association will then submit the amended Training Program to the BMP for final approval.

### **Section 3. Categories.**

The Association has three categories of Pilot Trainees: Marine Pilot Trainee, Deputy Marine Pilot Trainee, and Apprentice Deputy Marine Pilot Trainee. The voting members will set the total number of positions in the Pilot Trainee (PT) category, which must pass with a two-thirds affirmative majority. The Training

Positions opened by the Association will be available to the most qualified candidates and will not stipulate the category of Trainee. It is the Association's policy to follow a uniform, fair, open, and nondiscriminatory process of selecting new Trainees. Determination of Association Training Positions, and subsequent Trainee application, evaluation, and selection will be in accordance with the applicable requirements of the membership approved Association Training Program. The Trainee categories and minimum qualifications are described below:

(1) Marine Pilot Trainee (MT).

The MT category consists of those individuals who 1) hold a current State of Alaska marine pilot license issued under the Act in an Alaska pilotage region of Alaska, other than the Southeastern Alaska Region; 2) have successfully completed the requirements of Volume I of the Association's Training Program; and 3) have been offered and accepted a Training Position. After a MT has completed the State of Alaska's requirements and the requirements of Volume II of the Association's Training Program and received an unrestricted Marine Pilot License issued by the State of Alaska under the Act for the Southeastern Alaska Region, the MT will automatically become a PM. MTs have NO VOTE on Association business.

(2) Deputy Marine Pilot Trainee (DT).

The DT category consists of those individuals who: 1) hold a current U.S. Coast Guard (USCG) License and meet the experience requirements which qualifies for issuance of a State of Alaska license under AS 08.62.093 (a) and (b)(1)(5), but who may not have the required First Class Pilotage Endorsements for a State of Alaska license in the Southeastern Alaska Region; 2) have successfully completed the requirements of Volume I of the Association's Training Program; and 3) have been offered and accepted a Training Position. After a DT has completed the State of Alaska's requirements and the requirements of Volume II of the Association's Training Program and received a Deputy Marine Pilot License issued by the State of Alaska under the Act for the Southeastern Alaska Region, the DT will automatically become a GPM in the Association. After a DT has received an unrestricted Marine Pilot license issued by the State of Alaska under the Act for the Southeastern Alaska Region, the DT will automatically become a PM. DTs have NO VOTE on Association business.

(3) Deputy Marine Pilot Apprentice Trainee (AT).

The Association has established a Deputy Marine Pilot Apprenticeship Program (Apprentice Program). The AT category consists of those individuals who 1) hold a minimum of at least a current USCG License of Master Not Greater Than 1600 Gross Tons; 2) are High School graduates; 3) meet the requirements of AS 08.62.093(a); 4) do not have the license and experience required under AS

08.62.093 (b)(1)-(5) to meet State of Alaska license requirements as a Deputy Marine Pilot; 5) may not have the required First Class Pilotage Endorsements for a State of Alaska license in the Southeastern Alaska Region; 6) have successfully completed the requirements of Volume I of the Association's Training Program; and 7) have been offered and accepted a Training Position. ATs will automatically become DTs if they achieve the necessary requirements under AS 08.62.093(b)(1)-(5) to enter the DT category. AT's must also advise the Association how the AT will complete four years of training as an AT, including required in-Region training requirements without any income distributions from the Association. After an AT has completed the State of Alaska's requirements and the requirements of Volume II of the Association's Training Program and received a Deputy Marine Pilot License issued by the State of Alaska under the Act for the Southeastern Alaska Region, the AT will automatically become a GPM. After an AT has received an unrestricted Marine Pilot license issued by the State of Alaska under the Act for the Southeastern Alaska Region, the AT will automatically become a PM. ATs have NO VOTE on Association business.

#### **Section 4. Trainee Due Process.**

All due process, grievance, misconduct, discipline, violation, sanction, and dismissal procedures (Due Process Procedures) related to Trainees are contained in the Association's Training Program and delegated to, and developed by, the Training Committee. Decisions by the Training Committee to dismiss a Trainee must be ratified by a majority of voting members based upon a recommendation of dismissal by the Training Committee and the Association's Board of Directors before a Trainee is dismissed by the Training Committee. After a vote by the voting members that ratifies a Trainee's dismissal, any Due Process Procedures will be implemented and adopted by the Training Committee in the Training Program. Any part of these Bylaws referring or related to dismissal, grievances, arbitration, or due process, and specifically Article X of these Bylaws, does not apply to Trainees in the Training Program.

### **ARTICLE VII. INCOME AND EXPENSE POOLING AND DISTRIBUTION**

#### **Section 1. Purpose.**

The purpose of Article VII is to provide for the equitable pooling of income and expenses of the membership and the equitable distribution of the net income to the individual members.

#### **Section 2. Compensation.**

Pilots dispatched by the Association will share earnings on a unit-day basis from May 16 through September 15 (Summer Schedule) and September 16 through May 15 for the pilots working the Winter Schedule. All pilots dispatched by the

Association share in the earnings only for those days they are on the dispatch roster. Compensation of pilots dispatched by the Association is based upon the limitations (including partial suspension) of the license held by the pilot, according to the following compensation schedule:

License Category	Percent of Share
(a) Marine Pilot	100
(b) 110,000 ton	90
(c) 95,000 ton	80
(d) 50,000 ton or less	70

### **Section 3. Expenses.**

All PM's will share annual expenses on an equal share basis from June 1 through August 31. All SPMs will share annual expenses on an equal share basis, for each day on roster, from June 1 through August 31. All GPM's will share annual expenses on an equal share basis, prorated by days dispatched, during the period from June 1 through August 31.

### **Section 4. Redistribution Money.**

Redistribution money will be distributed equally among all PMs.

### **Section 5. Expense Pooling.**

Association operating and miscellaneous expenses will be pooled on a January 1 to December 31 cycle basis. The Board of Directors will budget the cycle expenses on or before January 1 of each year. Over and under budget adjustments for each cycle will be reflected in the budget projection for the ensuing year. Total expenses for the cycle will be pooled from June 1 through August 31 prorated by days dispatched on the dispatch roster during this period.

### **Section 6. Income Determination.**

Transportation and subsistence expenses will be reimbursed to the individual pilot who provided the service that incurred the expenses. All remaining gross income for pilotage services, and all other miscellaneous income earned and billed during each calendar month will be pooled, and a daily rate of income determined. Daily rates for member pilots will then be computed at the prevailing percentages provided for in Article VII, Section 2 and Section 4 of these Bylaws. The daily rate of income will be computed by adding the total number of duty days for each member for the calendar month and dividing the resulting gross income for the month, exclusive of the transportation fees, by this total of duty days. Each member's account will be credited every month with the product resulting from multiplying the daily rate of income for their

particular pilot category by their duty days during the calendar month.

### **Section 7. Special Expenses.**

The Board of Directors, at its discretion, may reimburse any member for non-recurring expenses that would result in inequitable charges.

### **Section 8. Individual Expenses.**

The Association will pay American Pilots Association dues, I.O.M.M.& P, Pilots' Division dues, Long Term Disability Plan premiums, Long Term Care Plan premiums, and other dues, premiums, and expenses from the individual member's accounts as directed by that individual.

### **Section 9. Income Distribution.**

The Association will maintain a bookkeeping and accounting system that enables the Association to prepare and retain accurate and detailed financial records of the Association. During the period from September 16 through May 15, pay distributions will be made monthly. Draws will neither be allowed to reduce the Association's operating bank account below Five Thousand Dollars (\$5,000.00) at any time, nor may they exceed five percent (5%) of the balance due to any pilot's account. An exception to this requirement may be made during a period of Association debt from uncontrollable events in which case the membership must authorize a debt limitation not to be exceeded by the Board of Directors. Such authorization must pass by a two-thirds majority vote of voting members. The President will equalize all draws as much as possible, and will adjust the mid-monthly draw when necessary to bring the individual pilot account balance into close agreement. Checks for pilot compensation draws will be signed by an officer of the Association or by an administrative employee of the Management Corporation. The Association will distribute income in the name of a member, corporation, or business, as designated by the member.

### **Section 10. Reimbursable Expenses.**

Members will be entitled to reimbursement for expenses incurred on Association business, which have prior approval of the Board of Directors. Travel and per diem expenses will be reimbursed at the same rate as published in the Federal Register. Any additional expenses must be supported with receipts. However, the Board of Directors may disallow any unreasonable or unsupported expenditures.

### **Section 11. Dissolution of Association.**

If Association dissolves, the voting members will decide by majority vote the manner in which the Association will distribute its assets.

## **ARTICLE VIII. OPERATING RULES**

The Board of Directors will establish Operating Rules for the Association. Amendments to the Operating Rules must pass by a majority vote of the Board of Directors and will take effect upon posting notice of the amendments in the Association's office. The Board of Directors will submit all amendments to the Operating Rules to the membership for review and approval at the next meeting of the membership according to Article IV, Section 13(k). The Association will then submit the amended Operating Rules to the BMP for approval.

## **ARTICLE IX. DISABILITY AND BENEFITS**

### **Section 1. Short Term Disability.**

#### **A. PMs on Summer Roster:**

(a) During the period May 16 through September 15 of each calendar year, any pilot then on the active duty list who becomes unfit for duty due to illness or injury, for a period in excess of three consecutive days, and whose unfitness for duty is duly certified by a medical doctor whose qualifications are found to be acceptable by the Board of Directors, may apply to the Board of Directors to be removed from the active duty list, and to receive an income distribution during the pilot's period of disability in accordance with subsection 1.A.(c) and subsection 1.B.(e) of this Section for a period not in excess of 90 days for PMs, and for a period not in excess of 90 days (or for a period in excess of the remaining negotiated work period, whichever period is the lesser) for GPMs including Deputy Pilot members.

(b) Should a Summer Roster Pilot become disabled before the summer dispatch period, and that injury extends beyond May 15, that pilot may receive income distribution authorized under subsection 1.A.(c) of this Section beginning on May 16 but an income distribution cannot exceed 90 days from the date of injury.

(c) This income distribution is in lieu of the full pay authorized under Section 1 of the Operating Rules. Summer Roster Pilot short term disability benefits are not cumulative, are not convertible into any exchange upon termination of membership, and may not extend beyond September 15 of any calendar year or extend beyond the termination date of the disabled pilot's membership irrespective of the date of the onset of the disability. This off-duty disability income distribution is subject to the terms, conditions, and limitations contained in Article IX and these Bylaws.

## B. Winter Roster Pilots:

(a) PMs who are injured between May 15 and September 15, and who worked the previous winter work period or have applied in writing for the upcoming winter work period, are eligible for winter roster short term disability should the pilot's injuries carry beyond September 15 (up to September 15, the Summer Roster Pilot rules apply). The total number of days of short term disability collected from a combination of summer and winter dispatch periods will not exceed 90 days. From September 16 until the expiration of the 90 days from date of injury, or until a physician certifies the pilot fit for duty, whichever is less, the PM will receive a share from the winter roster income pool in accordance with subsection 1.B.(c) and subsection 1.B.(e) of this Section.

(b) Winter Roster Pilots who are injured between September 16 and May 15 will receive a share from the winter roster income pool in accordance with subsection 1.B.(c) of this Section for a maximum of 90 days or until a physician certifies the pilot fit for duty, whichever is less.

(c) Should the Winter Roster Pilot's injuries carry beyond May 15, the pilot may be eligible for summer short term disability as prescribed in this Section of these Bylaws. The total number of days of short term disability collected from a combination of summer and winter programs will not exceed 90 days.

(d) The Winter Roster Pilot benefits conferred are not cumulative, are not convertible into any exchange upon termination of membership, and may not extend beyond the termination date of the disabled pilot's membership irrespective of the date of the onset of the disability.

(e) During all periods, income distribution to injured pilots will be at the rate of fifty percent (50%) of the net earnings distribution that the pilot would have otherwise received for the dispatch period in which they are unable to work.

(f) The Board of Directors will be entitled at any time, before or during a pilot's disability period, to have the pilot that is on disability status examined or re-examined by a medical doctor of the Board of Director's choice and, upon the doctor's certification of fitness for duty, to return the pilot to active duty status.

(g) A pilot may be compensated only once during a three-year period for any recurring illness.

(h) In case of injury and the injured pilot at a later date is reimbursed by court order or negotiated settlement for earnings lost due to the injury, the injured pilot will reimburse the Association for a proportionate share of any money previously paid to the injured pilot under the terms of this Section. A proportionate share is defined as fifty percent (50%) of any lost earnings settlement not to exceed the

total amount paid the injured pilot under the terms of this Section.

(i) Notwithstanding any other provision of these Bylaws to the contrary, the determination of whether to pay a disability advance, whether a member should be determined to be disabled, the term of any payment made as a disability advance, and any other application of payment made under Article IX will be made solely by the Board of Directors and will be made at its sole discretion, and no pilot is entitled to any payment from the Association for any claim of illness or disability.

## **Section 2. Long Term Disability.**

(a) All PMs who meet the eligibility requirements of the Long Term Disability Plan (LTD Plan) will participate in the LTD Plan. Each participant will contribute equal shares of the total monthly premium as described in the LTD Plan in accordance with Article VII, Section 8.

(b) This Section applies to all PMs, according to the eligibility requirements of the LTD Plan.

## **Section 3. Long Term Care.**

(a) All PMs who meet the eligibility requirements of the Long Term Care Plan (LTC Plan) will participate in the LTC Plan. Each participant will contribute equal shares of the total monthly premium as described in the LTC Plan in accordance with Article VII, Section 8.

(b) This Section applies to all PMs, according to the eligibility requirements of the LTC.

# **ARTICLE X. MISCONDUCT AND GRIEVANCE PROCEDURES**

## **Section 1. Misconduct.**

The Association will not adjudicate charges of misconduct as defined in the Act made against a member. Complaints against a member must be in writing, signed by the complainant, in sufficient detail and substance to allege that a person 1) is incompetent in the performance of pilotage duties; 2) is chemically impaired; 3) illegally possesses, uses, or sells narcotic or hallucinogenic drugs; 4) makes a false statement to obtain a license; 5) violates a provision of the Act or a regulation adopted under the Act; 6) has had the person's USCG pilot license conditioned, suspended, or revoked; or 7) charges, collects, or receives an amount for pilotage services that is different from the rate adopted under the Act or the rate agreed to under the Act by the Association. Such charges will be forwarded to the BMP with a copy to the member charged with misconduct. Due process in these matters must be provided by the BMP and not the Association.

## **Section 2. Violations of Bylaws or Operating Rules.**

Charges of violations of the Association's Bylaws or Operating Rules will be processed and resolved under this Section. The Board of Directors may impose any sanction it deems appropriate, including, but not limited to 1) prescribing a course of remedial action which is related to the violation; 2) sanctioning the member by providing a verbal reprimand or a written letter of censure; 3) imposing a specific period of suspension; 4) requiring the member to reimburse the Association for any financial loss; 5) dismissing the charge of violation; or, 6) any combination of the above.

### **(a) Hearing Panel.**

The Board of Directors will hear charges of Bylaw or Operating Rule violations brought against a member.

### **(b) Notice.**

The member charged with a violation of these Bylaws or Operating Rules will be provided written notice by the President as soon as practicable after charges have been filed. Thirty days' notice of the time and place of the hearing will be provided to the member charged. The member charged will be entitled to representation at the meeting. The member may waive a hearing by the Board of Directors on the charge if the waiver is in writing from the member.

### **(c) Sanctions.**

The Board of Directors may impose any sanction as described in Article X, Section 2. The member charged with a violation may stipulate in writing to any sanctions by the Board of Directors.

### **(d) Appeals and Arbitration.**

Appeals from the decisions of the Board of Directors will be settled by binding and final arbitration. The written appeal will be submitted to the Board of Directors within 15 days after the date of the Board of Director's decision. The Board of Directors and the member making the appeal will work in good faith to resolve their differences over the Board of Director's decision made under Article X, Section 2. The process of arbitration will begin by the Association and the member making the appeal mutually agreeing to an arbitrator. If they cannot agree on an arbitrator, then they will each select an individual within seven days of the date that the parties declare a failure to resolve the Board of Director's decision under Article X, Section 2. These two individuals will then agree to the selection of a mutually agreeable third person within seven days to act as arbitrator. This arbitrator is authorized to investigate the decision of the Board of Directors, contact parties with relevant information, conduct a hearing, take testimony under oath and review evidence, and make a ruling of whether the Board of Directors' decision under Article X, Section 2 is appropriate, or if it

should be modified and if so, how it should be modified. The arbitrator's ruling will be made within 30 days of receiving the appeal. The arbitrator may not award compensatory remedies, punitive damages, or damages of any kind. The costs of the arbitration will be split equally among the parties. The decision made following arbitration will be binding and conclusive on all parties involved and judgment upon such decision may be enforced in any court of competent jurisdiction.

### **Section 3. Grievances.**

Any member with a grievance against the Association must file it in writing and serve the Board of Directors of the Association of notice of the grievance within ten days. Due process will be provided to the aggrieved member by having the member address the Board of Directors or the Association at large with the grievance at the earliest possible time set by the Board of Directors. The member is entitled to a hearing before the Board of Directors on the grievance. If the Board of Directors or the member cannot resolve the grievance, the Association or the member filing the grievance may submit the grievance to arbitration as described in Article X, Section 2.

### **Section 4. Continuing Education.**

All continuing education requirements are contained in the Association's Training Program. Any grievance by a member related to the membership's continuing education requirements set forth in the Training Program are subject to, and dealt with according to, the grievance procedures set forth in Article X of the Association's Bylaws and not the Due Process Procedures in the Training Program.

## **ARTICLE XI. AMENDMENTS**

The Board of Directors may make minor amendments to these Bylaws subject to formal approval of a two-thirds vote of all voting members at the next membership meeting. The power to make any amendments other than temporary minor revisions to these Bylaws is reserved to the Association's voting members by an affirmative vote of not less than two-thirds of the voting members.

## **ARTICLE XII. DEFINITIONS**

- a) "Day Count": Days on the Summer Season Dispatch Schedule a member is assigned to a specific pilotage assignment or authorized credit as provided under Article II, Section 6.
- b) "Dispatch Schedule": A listing of members by membership category indicating specific dispatch assignments, dispatch standby and off-dispatch / off-pay status.

- c) "Duty": As used in 12 AAC 56.940 and 12 AAC 56.960.
- d) "Duty Day": Any day that a member is on the Dispatch Schedule either on assignment or in a standby status.
- e) "Pilot Member": An individual that holds a current unrestricted Marine Pilot license issued by the State of Alaska under the Act for the Southeastern Alaska Region as defined in Article II, Section 4(a).
- f) "Non-Duty Day": Any day that is not a duty day is a non-duty day, which is a day off-dispatch / off-pay and will be indicated on the Dispatch Schedule.
- g) "Redistribution Money": The income resulting from the product of the duty days for all Deputy licensed pilots and the difference between a full share and the daily rates that are computed at the prevailing percentages for Deputy licensed pilots provided for in Article VII, Section 2.
- h) "Shoulder Periods": Part of the "Winter Season" consisting of the days between May 01 and May 15 and between the days of September 16 and September 30 inclusive.
- i) "Summer Season": That period between May 16 and September 15 inclusive.
- j) "Summer Season Pilot": A member properly authorized on the Dispatch Schedule for the Summer Season consistent with Article II, Section 6.
- k) "Winter Season": That period between September 16 and May 15 inclusive.
- l) "Winter Season Pilot": A member properly authorized on the Dispatch Schedule for the Winter Season consistent with Article II, Section 6.

### **NOTICE OF APPROVAL OF AMENDED BYLAWS**

These Bylaws of the Southeast Alaska Pilots' Association were duly approved as amended by the Association's voting members on October 15, 2022 and submitted to the BMP for approval in accordance with the Act. These Bylaws of the Southeast Alaska Pilots' Association were accepted and duly approved by the BMP on \_\_\_\_\_.

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Mark Lundamo  
Southeast Alaska Pilots' Association  
Its: President

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Thomas Bay  
State of Alaska  
Its: Marine Pilot Coordinator

# SOUTHWEST ALASKA PILOTS ASSOCIATION

P.O. Box 977  
Homer, Alaska 99603

Tel: (907) 235-8783  
Fax: (907) 235-6119

January 10, 2023

Mr. Thomas Bay  
Marine Pilot Coordinator  
Alaska Board of Marine Pilots  
P.O. Box 110806  
Juneau, Alaska 99811-0806

Dear Tom,

SWAPA would like to revise the current Board Approved Training Program. Language to be added in the attached document is in **blue font** and any language to be deleted is ~~struck-through-and-in-red-font~~.

The complete training program, including the revisions, is attached to this letter and we would be grateful if the Board of Marine Pilots would approve these amendments as submitted.

*REVISIONS ARE AS FOLLOWS:*

## **MARINE PILOT LICENSE**

3. Complete all Federal pilotage endorsements for Region II. Complete a manned model shiphandling course or a simulator course within the previous 3 years, **as approved by the Training Committee**.

## **CONTINUED PROFESSIONAL EDUCATION AND TRAINING FOR MARINE PILOTS AND DEPUTY MARINE PILOTS**

2. Marine pilots holding VLCC endorsements shall document the satisfactory completion of a manned model course during one of the three biennial license periods (~~once every 6 years~~) immediately preceding the license period for which renewal is sought (56.083(b)). Compliance with this requirement is the responsibility of the individual pilot.

Many thanks and best regards,

*Capt. Ian Maury*  
*by Jiz*

Capt. Ian Maury  
President

Enc: SWAPA Training Program w/revisions marked  
SWAPA Training Program (clean version including revisions)



# TRAINING PROGRAM

## SOUTHWEST ALASKA PILOTS ASSOCIATION

### PREFACE

The State of Alaska requires the pilot associations it recognizes to operate and maintain training programs for persons who are seeking deputy marine pilots licenses, pilots who are transferring from one state region to another, and continuing education for licensed pilots. Therefore, in order to provide the citizens of Alaska, and particularly of Pilotage Region II, the highest quality marine pilotage service, the Southwest Alaska Pilots Association establishes and maintains a professional training program for all marine pilot members of the Association, marine pilot trainees, deputy marine pilot trainees, and apprentices. This program is created and operated by the Association under the authority of the State of Alaska Marine Pilot Statutes and Regulations and the Association's Articles and Bylaws.

This document is intended to serve as a one-source guide to all training required by the State of Alaska and the Association for marine pilots, deputy marine pilots, trainees and apprentices. It also seeks to clearly explain the processes for the training and the Alaska Pilots License to which that training leads.

It is expected that this document will be amended from time to time as shipping patterns change, state regulations are enacted or amended, technology advances, or experience indicates changes are necessary to best address training needs.

**NOTE: Trainees are responsible for being thoroughly familiar with the Statutes and Regulations for Marine Pilots which take precedence over the information contained in this training program.**

# TRAINING PROGRAM

## SOUTHWEST ALASKA PILOTS ASSOCIATION

### INTRODUCTION

Pilots generally come to the profession after many years of education, training and sea-going experience where they have held high level positions on merchant or military vessels. They become licensed and eventually gain membership in SWAPA through training in one of several ways. In addition the State requires continuing education for pilots already licensed. The SWAPA training program, then, is designed to address these various categories of training as follows:

1. **Pilot Observer program** for those who have little or none of the federal pilotage endorsements required for Region II. This leads to the Training program where hands on docking and undocking training takes place according to a schedule of required maneuvers at various ports.
2. **Training program** for those who have a federal endorsement of pilotage for at least one area within region 2, have passed the core exam and have been accepted into the program by a majority vote of the membership. Hands on docking and undocking training can only take place in ports for which the trainee has federal pilotage. Training takes place according to a schedule of required maneuvers at various ports and at the direction of the training committee which will consult closely with the trainee to determine which maneuvers will benefit him/her the most, given the individual trainee's strengths and weaknesses.
3. **Training program for experienced pilots transferring from another region.** Transferring pilots are well experienced in shiphandling, therefore docking and undocking training criteria are different for this category of trainee. It consists mainly of obtaining the federal pilotage for the entire region and a total of 50 dockings/undockings at the direction of the training committee.
4. **Apprenticeship program** for those mariners who are otherwise qualified but who have not had the employment opportunities required to qualify for entry under AS 08.62.093 (b) (1through 5).
5. **Continuing professional education for licensed pilots and deputies.** This program assures that SWAPA pilots and deputies continue to meet the high professional standards expected of us.

*During all phases of observing and training, situational awareness will be emphasized, observed, and graded. Situational awareness is essential to successful piloting and cannot be overemphasized.*

# **TRAINING PROGRAM**

## **SOUTHWEST ALASKA PILOTS ASSOCIATION**

### **THE TRAINING COMMITTEE**

The SWAPA Training Committee is composed of at least 2 veteran training pilots and the SWAPA President. The Committee will supervise and direct all aspects of the training program, as described in this document, under the direction of the SWAPA membership and Board of Directors.

To ensure the most complete training experience and to avoid any hint of favoritism during the training process, the Training Committee may direct trainees to train with particular pilots or on particular ships or classes of ships, or on particular routes or waterways. The Committee may also instruct trainees to refrain from further training with pilots whom, in the judgment of the training committee, they have made an excessive number of training trips.

Training progress assessment: A Deputy Marine Pilot (DMP) trainee shall meet with the training committee, or a member thereof, in person or by telephone, after every 10 maneuvers for a discussion and assessment of his or her training progress. The committee may then direct the trainee to the training assignments that will best improve the trainee's experience and skills.

Final training assessment: Upon completion of the SWAPA training program and the state licensing requirements for DMP, the trainee shall meet with the training committee for a full assessment of his or her training evaluations.

If the committee is satisfied that the training requirements have been met, and that the trainee is in fact ready to begin work as a DMP, the SWAPA President and Board of Directors will be informed and a letter issued to the BOMP stating this fact.

If, during the training process, it becomes evident to the committee that the trainee does not possess the necessary aptitude to successfully complete the program because of lack of situational awareness, failed maneuvers, a general lack of progress, or for other reasons, the trainee shall be so informed as early in the process as practicable in order to avoid wasted time and expense on the part of the trainee and the Association.

Failure to comply with the Training Committee's directions may constitute grounds for dismissal from the training program. Dismissal shall be determined by a majority of the membership.

### **PREREQUISITE REQUIREMENTS AND SELECTION**

To obtain a pilot's license in Alaska (AS08.62.093) applicants must have a minimum license and experience level. Therefore, SWAPA cannot accept applications which do not meet the State's minimum criteria for licensure as listed below:

- Be a U.S. citizen

# **TRAINING PROGRAM**

## **SOUTHWEST ALASKA PILOTS ASSOCIATION**

### **PREREQUISITE REQUIREMENTS AND SELECTION (continued)**

- Minimum of one year as master on ocean or coastwise vessels while holding unlimited ocean masters license-or-
- Two years' service as master on United States Coast Guard inspected vessels of not less than 1000 gross tons or tug and tow of at least 1600 combined gross tons while holding a 1600 gross ton masters license-or-
- Two years of service as chief mate on ocean or coastwise vessels while holding unlimited ocean masters license-or-
- Two years of service as commanding officer of U.S. Commissioned vessels (Navy, Coast Guard, NOAA) of not less than 1600 gross tons while holding unlimited ocean masters license-or-
- Three years of experience as a member of a professional pilots association-or-
- Four years of experience in an approved apprenticeship program.

If applicants possess one or more of the above listed experience and license qualifications, the Association will accept the application. The SWAPA training committee maintains an applicant file and generally, but not always, the membership will vote in the spring whether or not to bring one or more applicants into the Association pilot observer/apprentice programs. All qualified applicants whose applications are current (within 1 year) are listed on the ballot, in alphabetical order, with the following information provided for each applicant: Name, Age, Residence, Present Employment, Maritime Academy Education/ College Degree, Federal License, Federal pilotage endorsements held or pending for Region 2, Experience which qualifies under 08.62.093 (above).

Entry into the SWAPA pilot observer/training/apprenticeship programs is a membership decision based upon the needs of the Association in fulfilling its State mandated obligation to promote a safe and reliable system of marine pilotage for Region II. Most successful applicants will enter the Association Pilot Observer Program, except licensed marine pilots transferring from another region who will enter the Association Training Program.

### **DRUG TESTING PROGRAM**

All pilot observers, trainees and apprentices shall be enrolled in a board approved random drug testing program.

### **PILOT OBSERVER PROGRAM**

Participants in the SWAPA Pilot Observer program receive assistance from the Association in obtaining observer trips for the purpose of gaining federal pilotage endorsements in Region II. Region II includes Icy Bay, Prince William Sound, Seward/Resurrection Bay, Cook Inlet, the Kodiak Archipelago and the south side of the Alaska Peninsula to 156 degrees west longitude.

# **TRAINING PROGRAM SOUTHWEST ALASKA PILOTS ASSOCIATION**

## **PILOT OBSERVER PROGRAM (continued)**

While in the Pilot Observer program, Observers will accompany a number of association pilots on pilotage assignments to various ships, waterways and ports. Members evaluate the observer's professional demeanor and appearance, attitude, preparation, situational awareness, and aptitude for the work of a pilot. Observers are expected to show good progress in obtaining the federal endorsements required. If they do not they may be dropped from the program. Similarly, if an observer shows poor attitude, poor aptitude, or unprofessional behavior then he or she may be dropped from the program. It is the observer's responsibility to furnish the pilot with a "Pilot Observer Evaluation Form" for completion. This completed form shall be returned to the office and placed in the observer's file for periodic review by the Training Committee.

Completion of the pilot observer program is the path to the deputy marine pilot training program. Once observers obtain federal pilotage for one or more areas in Region II they are eligible to take the state "core exam" (56.026).

Prior to taking the core exam, the Training Committee will review the observer's "Pilot Observer Evaluation Forms" and other feedback from pilots whom the Observer has accompanied on pilot jobs. The Training Committee will then give an assessment and recommendation to the SWAPA membership. The membership will then vote on whether or not to accept the observer into the SWAPA training program. Upon an affirmative majority vote of the membership, The Board of Marine Pilots will be informed in writing that the applicant is qualified and recommend that he/she be administered the core exam. Upon successful completion of the core exam the observer will be accepted into the SWAPA training program and begin supervised ship handling at only those ports for which they are federally licensed. The Alaska Board of Marine Pilots will be informed in writing that such training will begin. (56.026(3b)).

## **DEPUTY MARINE PILOT TRAINING PROGRAM**

Our training process requires at least 100 supervised movements, performed throughout the region, with training in all currently active ports within the region, including;

### **Kodiak Island Group and Prince William Sound**

- Requires a minimum of 15 dockings or moorings and 15 undockings or unmoorings to take place in Prince William Sound and Kodiak Island Group.
- At least one docking or mooring and one undocking or unmooring must be performed within the period October 1 to April 1.
- 2 of the dockings/moorings and 2 undockings/unmoorings, including transit to the pilot station, must be performed at night.
- No fewer than 3 of the dockings/moorings and undockings/unmoorings must take place in Prince William Sound.

# TRAINING PROGRAM

## SOUTHWEST ALASKA PILOTS ASSOCIATION

### DEPUTY MARINE PILOT TRAINING PROGRAM (continued)

#### Seward/Resurrection Bay

- Requires a minimum of 6 dockings and 6 undockings under the supervision of at least two different training pilots.
- At least 2 dockings and 2 undockings on vessels in excess of 10,000 gross tons.

#### Nikiski

- Requires a minimum of 18 dockings and 18 undockings under the supervision of at least 3 different training pilots.
- 4 dockings and 4 undockings must be performed under ice conditions; a board approved ice simulator training course for this port may be substituted for 2 dockings and 2 undockings.
- 4 dockings must be performed while dredging an anchor.
- 4 dockings and 4 undockings must be performed within the period October 1 to April 1.

#### Port of Anchorage

- Requires a minimum of 12 dockings and 12 undockings under the supervision of at least 2 different training pilots.
- 2 dockings and 2 undockings must be performed under ice conditions.
- 2 dockings and 2 undockings must be performed on vessels in excess of 10,000 gross tons.
- 2 dockings and 2 undockings must be performed with tug assistance.
- 1 docking must involve a cow turn. A simulator training course for this port may be substituted for this maneuver.

#### College Fjord, Prince William Sound

- 4 round trips as a pilot observer under the supervision of at least 2 different training pilots on cruise ships of over 10,000 gross tons. 4 transits at the conn under the supervision of at least 2 different training pilots.

#### Western Entrances to Prince William Sound

- (a) 4 round trips as a pilot observer under the supervision of at least 2 different training pilots on cruise ships of over 10,000 gross tons, including 4 round trips as a pilot observer through Knight Island Passage.

Or

(b) 4 dockings and undockings on cruise ships over 10,000 gross tons, under the supervision of 2 different training pilots, in Prince William Sound.

A combination of (a) and (b) shall also be acceptable.

- 2 round trips as a pilot observer through Elrington Passage.
- 4 round trips as a pilot observer through Hinchinbrook Entrance.

# **TRAINING PROGRAM SOUTHWEST ALASKA PILOTS ASSOCIATION**

## **DEPUTY MARINE PILOT TRAINING PROGRAM (continued)**

Each maneuver will be briefed, observed, and graded by the training pilot. In order to pass, each maneuver must be safe and unassisted by the pilot. It is the trainee's responsibility to furnish the pilot with a "Trainee Evaluation Form" for completion. The completed form shall be returned to the SWAPA accounting office and placed in the trainee's file for periodic review by the Training Committee and quarterly submission to the Marine Pilot Coordinator.

### **Course Work**

The deputy marine pilot training program requires, within 5 years prior to application for licensing, the successful completion of:

1. An American Pilots Association approved Bridge Resource Management course of at least 16 hours.
2. A bridge simulator course which is Region II specific or which emphasizes a pilot's proficiency, or,
3. A manned model course.

Trainees have a maximum of 3 years to complete training (56.026(e)).

When trainees have successfully completed the docking/undocking training, course work, and obtained full federal pilotage without tonnage restrictions for the Kodiak Island Group ports of Kodiak/St. Paul Harbor and Womens Bay, and the entire Southcentral Alaska Region outside of the Kodiak Island Group, except Icy Bay, SWAPA will notify the marine pilot coordinator. Trainees are then eligible to sit for the local knowledge portion of the state exam. Finally, trainees take the oral exam in front of the Board of Marine Pilots. If successful in both exams the trainee is granted a Deputy Marine Pilot License (56.027).

### **COMPENSATION**

Pay commences when the deputy begins piloting under the authority of his or her deputy marine pilot license and is graduated depending on the tonnage and endorsements on the license. See SWAPA Bylaws for a table of pay gradations.

### **TRAINING STIPENDS**

SWAPA will issue a monthly stipend of \$75.00 per day to pilot trainees who have passed their Deputy Marine Pilot Core exam, are available and actively training, as directed by the training committee.

SWAPA will reimburse the actual travel expenses of trainees who are performing state required dockings/undockings. In order to be compensated for these expenses, trainees must abide by these guidelines:

- Submit the SWAPA trainee expense reimbursement form along with actual receipts documenting expenditures. No receipts, no reimbursement.

# TRAINING PROGRAM

## SOUTHWEST ALASKA PILOTS ASSOCIATION

### TRAINING STIPENDS (continued)

- Take the most economical form of transportation available.
- Trainees are not permitted to charter airplanes or boats for reimbursement by SWAPA. If the trainee feels such arrangements are necessary then contact the training chairman who, if he/she agrees, will attempt to clear the expense with the SWAPA President.

The total of stipends and travel expenses together shall not exceed 1% of the previous year's gross annual revenue of SWAPA. Stipends may be adjusted accordingly.

### DEPUTY MARINE PILOT TONNAGE UPGRADES

Deputy Marine Pilots must hold a deputy marine pilots license for 3 years before being granted a full marine pilots license. During this 3 year period tonnage is limited as follows: (56.018 & 019)

- **Step one**-----50,000 gross tons. To upgrade to step two, the deputy pilot must perform vessel movements during at least 30 days as a deputy marine pilot on vessels requiring a state licensed marine pilot.
- **Step two**-----95,000 gross tons. To upgrade to step three, the deputy marine pilot must have held an endorsement as a deputy marine pilot for a period of at least one year, and while holding a deputy marine pilot license of not more than 95,000 gross tons, have performed at least 60 days of vessel movements onboard vessels requiring a state licensed marine pilot.
- **Step three**-----110,000 gross tons. To upgrade see Marine Pilot License section below.

### SWAPA IN-HOUSE CLEARANCES AND RESTRICTIONS FOR DEPUTY PILOTS

#### LICENSE 50,000 Gross Tons:

Step 1. Upon receiving a 50,000 gross ton endorsement, the deputy's in-house clearance will be limited to 25,000 Gross Tons, with the following restrictions:

- Kodiak Island- No unsupervised dockings/undockings of tank vessels.
- Cook Inlet- No docking/undocking of tank vessels. May go as second pilot
- Prince William Sound- No docking/undocking of tank vessels.

Step 2. After completing 3 round trips in Cook Inlet to either Nikiski or the Port of Anchorage, the Deputy will be cleared for tankers with the following restrictions

- Kodiak Island- No unsupervised docking/undocking of tank vessels at Womens Bay.
- Cook Inlet- No unsupervised dockings/undockings at Drift River. May go as second pilot.
- Prince William Sound- No docking/undocking of tank vessels in TAPS Trade.

# **TRAINING PROGRAM SOUTHWEST ALASKA PILOTS ASSOCIATION**

## **SWAPA IN-HOUSE CLEARANCES AND RESTRICTIONS FOR DEPUTY PILOTS (continued)**

### **LICENSE 95,000 Gross Tons:**

Step 1. Upon receiving a 95,000 gross ton endorsement, the Deputy's in-house clearance will be raised to 40,000 gross tons, with the following restrictions:

- Kodiak Island- No unsupervised docking/undocking of tank vessels at Womens Bay.
- Cook Inlet- No unsupervised dockings/undockings at Drift River. May go as second pilot.
- Prince William Sound- No docking/undocking of tank vessels in TAPS Trade.

Step 2. After successfully completing 2 supervised dockings and undockings on vessels of over 40,000 gross tons, the Deputy's in-house clearance will be raised to 95,000 gross tons, with the same restrictions as in Step 1 above.

### **LICENSE 110,000 Gross Tons:**

Step 1. Upon receiving a 110,000 gross ton endorsement, the Deputy's in-house clearance will be 110,000 gross tons, with the following restrictions:

- Kodiak Island- No unsupervised dockings/undockings of tank vessels at Womens Bay.
- Cook Inlet- No unsupervised dockings/undockings at Drift River. May go as second pilot.
- Prince William Sound- No docking/undocking of tank vessels in the TAPS trade.

Step 2. After completion of the following requirements, the Deputy is eligible to begin supervised dockings/undockings at the Trans-Alaska Pipeline Terminal berths at Valdez:

- (a) 12 hours observation at the VTS Traffic Center in Valdez;
- (b) Observe at least six transits inbound from the Pilot Station and six transits outbound to the pilot station on VLCC TAPS vessels.

### **MARINE PILOT LICENSE**

Before deputy pilots can hold a Marine Pilots License they must:

1. Complete the 3 year period during which they operate under the authority of their deputy license at the tonnage limitations specified.
2. Have held a valid deputy marine pilot license endorsement to pilot vessels of not more than 110,000 gross tons for at least one year.

# TRAINING PROGRAM

## SOUTHWEST ALASKA PILOTS ASSOCIATION

3. Complete all Federal pilotage endorsements for Region II. Complete a manned model shiphandling course or a simulator course within the previous 3 years, [as approved by the Training Committee](#).

### MARINE PILOT LICENSE (continued)

4. For Kodiak Island Group have completed at least two round trip pilotage assignments.
5. For Cook Inlet have completed:
  - At least 10 dockings and 10 undockings during pilotage assignments on vessels of over 25,000 gross tons. Dockings at Homer, Seldovia or Port Graham do not satisfy this requirement.
  - At least 3 dockings and 3 undockings under ice conditions.
6. For Valdez Trans-Alaska Pipeline System complete a total of at least 20 supervised dockings and 20 supervised undockings at the Trans Alaska Pipeline Terminal operational berths. At least 4 of these dockings and undockings must occur at night and at least half must have been performed between the period October 1 to April 1.

### SPECIAL CLEARANCES

Ice Clearance: After 1 supervised docking/undocking at Nikiski and 1 supervised docking/undocking at Anchorage, performed under full ice conditions, while a Deputy, Deputy will be cleared to dock/undock under ice conditions at these ports.

Womens Bay Tanker Clearance: Must be a full Marine Pilot before doing unsupervised work on tankers in this port. A simulator training course for this port may be substituted for one supervised docking/undocking.

OTHER SPECIAL CASES: The Training Committee may require special and/or additional and/or remedial training for individual Deputies at the Committee's discretion.

#### NOTES :

Deputy pilots are encouraged to seek, and shall be responsible for requesting, additional training in any area for which they perceive themselves to be deficient or not fully prepared.

**Deputy pilots will not be dispatched to ports where they have not had at least 3 round trips as a pilot observer and/or one satisfactory supervised maneuver. Deputy pilots shall be responsible for acquiring this experience at their earliest opportunity.**

### COMPANY AND DOCK CLEARANCES

#### Drift River Clearance

Must be a full Marine Pilot before doing unsupervised work at this port.

#### LNG Ship Clearance

# **TRAINING PROGRAM**

## **SOUTHWEST ALASKA PILOTS ASSOCIATION**

Must be a full Marine Pilot and have a minimum of three years as a TAPS qualified, VLCC pilot before doing unsupervised work at this port.

### **TRANSFERRING MARINE PILOT TRAINING PROGRAM**

Pilots transferring from other regions are almost always experienced, veteran pilots. The SWAPA training program seeks to familiarize them with Region II and to improve and refine their ship handling skills. Marine pilots transferring to Region II from other piloting regions in the state must satisfy certain state requirements as well as complete the training requirements for Region II. These requirements are (56.034):

1. Possess a Coast Guard license with pilotage endorsements of unlimited tonnage for Region II. The Regulations imply full pilotage for Region II.
2. Possess a valid marine pilot license from another region.
3. Complete the training program for Region II.
4. Pass the local knowledge exam for Region II.
5. Submit a letter from SWAPA that the applicant has completed the Region II training program.

The SWAPA training requirement for transferring pilots is as follows:

A marine pilot transferring to Alaska Pilotage Region II shall successfully complete 50 supervised dockings and/or undockings, moorings and/or unmoorings, and/or cruise ship route transits while at the conn at ports and waterways throughout the region, as specified by the SWAPA Training Committee. During this process, the Training Committee will periodically review the transferee's progress and may require additional training if, in the opinion of the training committee, this is required.

### **DEPUTY MARINE PILOT APPRENTICESHIP PROGRAM**

The Marine Pilot Statutes, 08.62.093(b)(6), provide for pilot associations to conduct an apprentice training program for those individuals who may not otherwise meet the criteria for licensure. The statute and regulations give associations broad latitude in accepting individuals into apprentice programs and require those individuals to apprentice for a period of 4 years unless granted credit for one year's experience by completing 125% of supervised movements required in Region 2 in accordance with 12 AAC 56.028 (j). Otherwise, the training requirements differ little from those undertaken by Pilot Observers and Trainees.

SWAPA will accept applications for entry into the SWAPA apprenticeship program from individuals who are otherwise highly qualified, but due to the nature of their experience in the maritime community, may not qualify under AS08.62.093. Specifically, SWAPA will accept applications from individuals with appropriate maritime experience, which includes the handling of vessels and holding a Master's license of not less than 1600 gross tons.

# **TRAINING PROGRAM SOUTHWEST ALASKA PILOTS ASSOCIATION**

## **DEPUTY MARINE PILOT APPRENTICESHIP PROGRAM (continued)**

1. The Board of Marine Pilots will be notified when an individual is accepted into the Deputy Marine Pilot Apprenticeship Program. No training of any kind can take place until such notice is tendered.
2. The apprentice is required by the regulations to undergo not less than 4 years of training unless granted credit for one year's experience by completing 125% of supervised movements required in Region 2 in accordance with 12 AAC 56.028 (j). SWAPA requests apprentices to reside in Region II and be available for training at least six (6) months during any consecutive twelve (12) month period.
3. The first year of the apprenticeship program typically consists of comprehensive pilot development through a program of intensive observation and instruction under a variety of marine pilots and deputy marine pilots. At the discretion of the Training Committee, and based on an apprentice's experience and federal pilotage endorsements held for the region, apprentices may be expected to accompany working pilots on an increased number of assignments, which may exceed the minimum observations required for Coast Guard pilotage endorsements. This will promote familiarization with not only navigation and piloting but, also, bridge procedures and processes on merchant vessels. Four years of training as an apprentice is required unless an apprentice is granted credit for one year's experience by completing 125% of supervised movements required in Region 2 in accordance with 12 AAC 56.028 (j). Supervised vessel maneuvers cannot take place until the apprentice has passed the State core exam.
4. Upon completion of twelve (12) months training and passing the State core exam, the apprentice will follow the same training path as other trainees in pursuit of a deputy marine pilot license.

## **CONTINUED PROFESSIONAL EDUCATION AND TRAINING FOR MARINE PILOTS AND DEPUTY MARINE PILOTS**

1. Each marine pilot and deputy marine pilot shall complete at least one training course within the biennial license period immediately preceding the license period for which renewal is sought; or 2 training courses at any time within the 2 biennial license periods immediately preceding the license period for which renewal is sought; or 3 training courses at any time within the 3 biennial license periods immediately preceding the license period for which renewal is sought.

Compliance with this requirement is the responsibility of the individual pilot. The Training Committee will assist, if needed, in making arrangements for courses.

# TRAINING PROGRAM

## SOUTHWEST ALASKA PILOTS ASSOCIATION

The courses shall include, but not be limited to, the following:

### CONTINUED PROFESSIONAL EDUCATION AND TRAINING FOR MARINE PILOTS AND DEPUTY MARINE PILOTS (continued)

- a. Manned Model
- b. Ship Handling Simulator
- c. Bridge Resource Management for Pilots
- d. Train the Trainer
- e. Automatic Identification System (AIS)
- f. Electronic Chart and Display Information System (ECDIS)
- g. Automatic Radar Plotting Aids (ARPA)
- h. RADAR
- i. Maritime Law
- j. Rules of the Road
- k. Fatigue, Sleep and Medications for Pilots
- l. Legal Aspects for Pilotage including State Statutes and Regulations for Pilots
- m. Maritime Domain Awareness and Security for Pilots
- n. Crisis Management and Media Response
- o. Environmental Awareness for Pilots including Marine Mammal Protection Act (MMPA) and Endangered Species Act (ESA)
- p. Basic Safety Training, including Personal Pilot Safety
- q. Emergency Medical Response and Survival Techniques
- r. Ice Training for Pilots
- s. Nautical Institute Pilotage and Shiphandling Scheme

Other courses meeting the standards of the training program may be substituted for the above upon review and approval of the Training Committee. Such courses shall be related to the field of marine pilotage, be courses for which a certificate can be issued and be “of substance.”

2. Marine pilots holding VLCC endorsements shall document the satisfactory completion of a manned model course during one of the three biennial license periods (~~once every 6 years~~) immediately preceding the license period for which renewal is sought (56.083(b)). Compliance with this requirement is the responsibility of the individual pilot.

3. Marine pilots or deputy marine pilots shall document the satisfactory completion of a board approved simulator or manned model course at a board approved facility within one of the three biennial license periods immediately preceding the license period for which renewal is sought.

4. The U.S. Coast Guard requires certain periodic training in order to renew federal licenses and STCW endorsements. Since a federal license is a prerequisite for holding a State Pilot License, compliance with Coast Guard training requirements is the responsibility of the individual pilot.

# **TRAINING PROGRAM SOUTHWEST ALASKA PILOTS ASSOCIATION**

## **TRAINING PILOTS**

To be designated a training pilot, pilots must comply with applicable state regulations, 56.016. Briefly, a training endorsement requires:

1. Applicable, unlimited, federal pilotage endorsements for the waters for which the training endorsement is sought.
2. Compliance with the state recency requirements (60 days piloting per year).
3. At least three (3) consecutive years of experience as a marine pilot in the region.
4. A recommendation to the BOMP from SWAPA.
5. Approval by the BOMP

Regulations allow a training pilot to refuse to accept a trainee. However, if a trainee is refused, then the training pilot must notify the Marine Pilot Coordinator of this non-acceptance. (56.016(5)(b)).

## **MISCONDUCT, DISMISSAL AND GRIEVANCE PROCEDURES**

SWAPA and the other pilot associations in the state have a large responsibility to the citizens of Alaska and to the traditions of professional pilotage to pass through their training programs only those trainees who can meet high standards and demonstrate their proficiency at the craft of piloting. SWAPA endeavors to pick applicants who are experienced and well qualified. Generally, these prospective pilots proceed through the observer/training program with little difficulty and become good pilots. In certain cases, however, the observer/trainee/apprentice may fail to meet professional standards which may include, but are not limited to:

- Poor attitude.
- Failure to accept constructive criticism.
- Unprofessional appearance or conduct.
- Repeated tardiness or failure to arrive for scheduled training.
- Lack of situational awareness.
- Repeated failure to complete required maneuvers satisfactorily.
- Dishonesty.
- Conviction of a crime.
- Failure to progress through the training program in a timely manner

In cases where the training committee determines the observer/trainee/apprentice is having difficulty and may have to be dismissed if the problem(s) persist, the following procedure will take place:

## **TRAINING PROGRAM**

### **SOUTHWEST ALASKA PILOTS ASSOCIATION**

1. The Training Committee will notify the observer/trainee, in writing, of the problem(s) and will schedule a meeting with the observer/trainee. Copy of this letter to SWAPA membership and the MPC.
2. At a meeting with the observer/trainee the training committee will describe the problem(s) with the observer/trainee. The Observer/Trainee will then have the opportunity to question the allegations or otherwise present his or her side of the story. At the conclusion of this meeting a plan of action for improvement may be put in place.
3. In cases where the observer/trainee/apprentice either refuses to comply or cannot comply with the training committee requirements, then the training committee may recommend dismissal of the observer/trainee/apprentice from the observer or training program. This recommendation will be in writing to the SWAPA President.
4. The SWAPA President, upon receiving a recommendation for dismissal from the training committee, will schedule a special SWAPA meeting, or include the matter on the agenda of the next scheduled SWAPA membership meeting, to address the dismissal. At this meeting the observer/trainee in question will have the opportunity to address the membership and appeal the decision of the training committee.
5. After following the above procedure, a majority affirmative vote of the SWAPA membership is required to dismiss an observer/trainee.
6. Dismissal of an observer/trainee/apprentice requires notification to the Board of Marine Pilots through the Marine Pilot Coordinator (56.032).

#### **MANDATORY REPORTS TO BOARD OF MARINE PILOTS**

1. 56.025(j)(4) and 56.034(b)  
Requires a letter stating applicants for Deputy Marine Pilot License and Marine Pilot License (transferring pilots) have completed the Association training program.
2. 56.026(g)  
Requires trainee to submit quarterly training evaluations to marine pilot coordinator.
3. 56.026(h)  
Requires a letter to trainees (copy to pilot board) explaining deficiencies and/or unsatisfactory progress of trainee.
4. 56.026(j)  
Requires notification of the BOMP when a candidate is accepted as a pilot observer for familiarization trips for federal pilotage.
5. 56.032

# TRAINING PROGRAM

## SOUTHWEST ALASKA PILOTS ASSOCIATION

Requires notification to the BOMP within 30 days of the dismissal of a trainee from the training program.

### MANDATORY REPORTS TO BOARD OF MARINE PILOTS (continued)

6. 56.026 (3)(b)

Requires notification to the BOMP when a candidate is accepted for training before that trainee may begin supervised dockings, undockings, moorings, unmoorings and transits of specific waterways.

7. 56.033(d)

Requires notification to the BOMP when an individual is accepted into a deputy marine pilot apprenticeship program.

8. 56.033(e)

Requires notification to apprentices of deficiencies with copies to apprentice's file and the MPC.

9. 56.016(5)(b)

Requires training pilots to notify the MPC if the training pilot refuses to accept a trainee.

### DEFINITIONS

**Docking:** Means the evolution of maneuvers made to approach and secure a vessel at a berth, beginning with the briefing of the maneuver to the training pilot and ending when the last line is secure at the berth, and includes the transit from the pilot station to the dock.

**Undocking:** Means the evolution of maneuvers made to depart a berth, beginning with the briefing of the maneuver to the training pilot and ending when the vessel is clear to navigate and includes the transit from the dock to the pilot station.

**Night:** Means the period of time between the end of civil twilight when the sun is six degrees below the horizon after sunset and the start of civil twilight when the sun is six degrees below the horizon before sunrise.

**Ice Conditions:** Means the conditions that exist in Cook Inlet during the time the Captain of the Port, Anchorage, declares "Ice Navigation Guidelines" to be in effect.

**Pilot Observer:** Means a prospective trainee who has been voted into the SWAPA Pilot Observer program for the purpose of obtaining observer trips to gain federal pilotage endorsements in Region II. A Pilot Observer is not a "trainee."

# TRAINING PROGRAM

## SOUTHWEST ALASKA PILOTS ASSOCIATION

**Trainee:** Means an individual who has passed the State core examination and been formally accepted into the SWAPA training program as described in this document.

**Apprentice:** Means an individual accepted into the SWAPA Marine Pilot Apprenticeship Program as described in this document.

**BOMP:** Means the Alaska Board of Marine Pilots

**MPC:** Means the Marine Pilot Coordinator

**SWAPA:** Means Southwest Alaska Pilots Association

**DMP:** Means deputy marine pilot

**NOTE: Trainees are advised to thoroughly familiarize themselves with the DEFINITIONS contained in the Statutes and Regulations for Marine Pilots**

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# TRAINING PROGRAM

## SOUTHWEST ALASKA PILOTS ASSOCIATION

### PREFACE

The State of Alaska requires the pilot associations it recognizes to operate and maintain training programs for persons who are seeking deputy marine pilots licenses, pilots who are transferring from one state region to another, and continuing education for licensed pilots. Therefore, in order to provide the citizens of Alaska, and particularly of Pilotage Region II, the highest quality marine pilotage service, the Southwest Alaska Pilots Association establishes and maintains a professional training program for all marine pilot members of the Association, marine pilot trainees, deputy marine pilot trainees, and apprentices. This program is created and operated by the Association under the authority of the State of Alaska Marine Pilot Statutes and Regulations and the Association's Articles and Bylaws.

This document is intended to serve as a one-source guide to all training required by the State of Alaska and the Association for marine pilots, deputy marine pilots, trainees and apprentices. It also seeks to clearly explain the processes for the training and the Alaska Pilots License to which that training leads.

It is expected that this document will be amended from time to time as shipping patterns change, state regulations are enacted or amended, technology advances, or experience indicates changes are necessary to best address training needs.

**NOTE: Trainees are responsible for being thoroughly familiar with the Statutes and Regulations for Marine Pilots which take precedence over the information contained in this training program.**

# TRAINING PROGRAM

## SOUTHWEST ALASKA PILOTS ASSOCIATION

### INTRODUCTION

Pilots generally come to the profession after many years of education, training and sea-going experience where they have held high level positions on merchant or military vessels. They become licensed and eventually gain membership in SWAPA through training in one of several ways. In addition the State requires continuing education for pilots already licensed. The SWAPA training program, then, is designed to address these various categories of training as follows:

1. **Pilot Observer program** for those who have little or none of the federal pilotage endorsements required for Region II. This leads to the Training program where hands on docking and undocking training takes place according to a schedule of required maneuvers at various ports.
2. **Training program** for those who have a federal endorsement of pilotage for at least one area within region 2, have passed the core exam and have been accepted into the program by a majority vote of the membership. Hands on docking and undocking training can only take place in ports for which the trainee has federal pilotage. Training takes place according to a schedule of required maneuvers at various ports and at the direction of the training committee which will consult closely with the trainee to determine which maneuvers will benefit him/her the most, given the individual trainee's strengths and weaknesses.
3. **Training program for experienced pilots transferring from another region.** Transferring pilots are well experienced in shiphandling, therefore docking and undocking training criteria are different for this category of trainee. It consists mainly of obtaining the federal pilotage for the entire region and a total of 50 dockings/undockings at the direction of the training committee.
4. **Apprenticeship program** for those mariners who are otherwise qualified but who have not had the employment opportunities required to qualify for entry under AS 08.62.093 (b) (1through 5).
5. **Continuing professional education for licensed pilots and deputies.** This program assures that SWAPA pilots and deputies continue to meet the high professional standards expected of us.

*During all phases of observing and training, situational awareness will be emphasized, observed, and graded. Situational awareness is essential to successful piloting and cannot be overemphasized.*

# **TRAINING PROGRAM SOUTHWEST ALASKA PILOTS ASSOCIATION**

## **THE TRAINING COMMITTEE**

The SWAPA Training Committee is composed of at least 2 veteran training pilots and the SWAPA President. The Committee will supervise and direct all aspects of the training program, as described in this document, under the direction of the SWAPA membership and Board of Directors.

To ensure the most complete training experience and to avoid any hint of favoritism during the training process, the Training Committee may direct trainees to train with particular pilots or on particular ships or classes of ships, or on particular routes or waterways. The Committee may also instruct trainees to refrain from further training with pilots whom, in the judgment of the training committee, they have made an excessive number of training trips.

Training progress assessment: A Deputy Marine Pilot (DMP) trainee shall meet with the training committee, or a member thereof, in person or by telephone, after every 10 maneuvers for a discussion and assessment of his or her training progress. The committee may then direct the trainee to the training assignments that will best improve the trainee's experience and skills.

Final training assessment: Upon completion of the SWAPA training program and the state licensing requirements for DMP, the trainee shall meet with the training committee for a full assessment of his or her training evaluations.

If the committee is satisfied that the training requirements have been met, and that the trainee is in fact ready to begin work as a DMP, the SWAPA President and Board of Directors will be informed and a letter issued to the BOMP stating this fact.

If, during the training process, it becomes evident to the committee that the trainee does not possess the necessary aptitude to successfully complete the program because of lack of situational awareness, failed maneuvers, a general lack of progress, or for other reasons, the trainee shall be so informed as early in the process as practicable in order to avoid wasted time and expense on the part of the trainee and the Association.

Failure to comply with the Training Committee's directions may constitute grounds for dismissal from the training program. Dismissal shall be determined by a majority of the membership.

## **PREREQUISITE REQUIREMENTS AND SELECTION**

To obtain a pilot's license in Alaska (AS08.62.093) applicants must have a minimum license and experience level. Therefore, SWAPA cannot accept applications which do not meet the State's minimum criteria for licensure as listed below:

- Be a U.S. citizen

# **TRAINING PROGRAM**

## **SOUTHWEST ALASKA PILOTS ASSOCIATION**

### **PREREQUISITE REQUIREMENTS AND SELECTION (continued)**

- Minimum of one year as master on ocean or coastwise vessels while holding unlimited ocean masters license-or-
- Two years' service as master on United States Coast Guard inspected vessels of not less than 1000 gross tons or tug and tow of at least 1600 combined gross tons while holding a 1600 gross ton masters license-or-
- Two years of service as chief mate on ocean or coastwise vessels while holding unlimited ocean masters license-or-
- Two years of service as commanding officer of U.S. Commissioned vessels (Navy, Coast Guard, NOAA) of not less than 1600 gross tons while holding unlimited ocean masters license-or-
- Three years of experience as a member of a professional pilots association-or-
- Four years of experience in an approved apprenticeship program.

If applicants possess one or more of the above listed experience and license qualifications, the Association will accept the application. The SWAPA training committee maintains an applicant file and generally, but not always, the membership will vote in the spring whether or not to bring one or more applicants into the Association pilot observer/apprentice programs. All qualified applicants whose applications are current (within 1 year) are listed on the ballot, in alphabetical order, with the following information provided for each applicant: Name, Age, Residence, Present Employment, Maritime Academy Education/ College Degree, Federal License, Federal pilotage endorsements held or pending for Region 2, Experience which qualifies under 08.62.093 (above).

Entry into the SWAPA pilot observer/training/apprenticeship programs is a membership decision based upon the needs of the Association in fulfilling its State mandated obligation to promote a safe and reliable system of marine pilotage for Region II. Most successful applicants will enter the Association Pilot Observer Program, except licensed marine pilots transferring from another region who will enter the Association Training Program.

### **DRUG TESTING PROGRAM**

All pilot observers, trainees and apprentices shall be enrolled in a board approved random drug testing program.

### **PILOT OBSERVER PROGRAM**

Participants in the SWAPA Pilot Observer program receive assistance from the Association in obtaining observer trips for the purpose of gaining federal pilotage endorsements in Region II. Region II includes Icy Bay, Prince William Sound, Seward/Resurrection Bay, Cook Inlet, the Kodiak Archipelago and the south side of the Alaska Peninsula to 156 degrees west longitude.

# **TRAINING PROGRAM SOUTHWEST ALASKA PILOTS ASSOCIATION**

## **PILOT OBSERVER PROGRAM (continued)**

While in the Pilot Observer program, Observers will accompany a number of association pilots on pilotage assignments to various ships, waterways and ports. Members evaluate the observer's professional demeanor and appearance, attitude, preparation, situational awareness, and aptitude for the work of a pilot. Observers are expected to show good progress in obtaining the federal endorsements required. If they do not they may be dropped from the program. Similarly, if an observer shows poor attitude, poor aptitude, or unprofessional behavior then he or she may be dropped from the program. It is the observer's responsibility to furnish the pilot with a "Pilot Observer Evaluation Form" for completion. This completed form shall be returned to the office and placed in the observer's file for periodic review by the Training Committee.

Completion of the pilot observer program is the path to the deputy marine pilot training program. Once observers obtain federal pilotage for one or more areas in Region II they are eligible to take the state "core exam" (56.026).

Prior to taking the core exam, the Training Committee will review the observer's "Pilot Observer Evaluation Forms" and other feedback from pilots whom the Observer has accompanied on pilot jobs. The Training Committee will then give an assessment and recommendation to the SWAPA membership. The membership will then vote on whether or not to accept the observer into the SWAPA training program. Upon an affirmative majority vote of the membership, The Board of Marine Pilots will be informed in writing that the applicant is qualified and recommend that he/she be administered the core exam. Upon successful completion of the core exam the observer will be accepted into the SWAPA training program and begin supervised ship handling at only those ports for which they are federally licensed. The Alaska Board of Marine Pilots will be informed in writing that such training will begin. (56.026(3b)).

## **DEPUTY MARINE PILOT TRAINING PROGRAM**

Our training process requires at least 100 supervised movements, performed throughout the region, with training in all currently active ports within the region, including;

### **Kodiak Island Group and Prince William Sound**

- Requires a minimum of 15 dockings or moorings and 15 undockings or unmoorings to take place in Prince William Sound and Kodiak Island Group.
- At least one docking or mooring and one undocking or unmooring must be performed within the period October 1 to April 1.
- 2 of the dockings/moorings and 2 undockings/unmoorings, including transit to the pilot station, must be performed at night.
- No fewer than 3 of the dockings/moorings and undockings/unmoorings must take place in Prince William Sound.

# TRAINING PROGRAM

## SOUTHWEST ALASKA PILOTS ASSOCIATION

### DEPUTY MARINE PILOT TRAINING PROGRAM (continued)

#### Seward/Resurrection Bay

- Requires a minimum of 6 dockings and 6 undockings under the supervision of at least two different training pilots.
- At least 2 dockings and 2 undockings on vessels in excess of 10,000 gross tons.

#### Nikiski

- Requires a minimum of 18 dockings and 18 undockings under the supervision of at least 3 different training pilots.
- 4 dockings and 4 undockings must be performed under ice conditions; a board approved ice simulator training course for this port may be substituted for 2 dockings and 2 undockings.
- 4 dockings must be performed while dredging an anchor.
- 4 dockings and 4 undockings must be performed within the period October 1 to April 1.

#### Port of Anchorage

- Requires a minimum of 12 dockings and 12 undockings under the supervision of at least 2 different training pilots.
- 2 dockings and 2 undockings must be performed under ice conditions.
- 2 dockings and 2 undockings must be performed on vessels in excess of 10,000 gross tons.
- 2 dockings and 2 undockings must be performed with tug assistance.
- 1 docking must involve a cow turn. A simulator training course for this port may be substituted for this maneuver.

#### College Fjord, Prince William Sound

- 4 round trips as a pilot observer under the supervision of at least 2 different training pilots on cruise ships of over 10,000 gross tons. 4 transits at the conn under the supervision of at least 2 different training pilots.

#### Western Entrances to Prince William Sound

- (a) 4 round trips as a pilot observer under the supervision of at least 2 different training pilots on cruise ships of over 10,000 gross tons, including 4 round trips as a pilot observer through Knight Island Passage.

Or

(b) 4 dockings and undockings on cruise ships over 10,000 gross tons, under the supervision of 2 different training pilots, in Prince William Sound.

A combination of (a) and (b) shall also be acceptable.

- 2 round trips as a pilot observer through Elrington Passage.
- 4 round trips as a pilot observer through Hinchinbrook Entrance.

# **TRAINING PROGRAM SOUTHWEST ALASKA PILOTS ASSOCIATION**

## **DEPUTY MARINE PILOT TRAINING PROGRAM (continued)**

Each maneuver will be briefed, observed, and graded by the training pilot. In order to pass, each maneuver must be safe and unassisted by the pilot. It is the trainee's responsibility to furnish the pilot with a "Trainee Evaluation Form" for completion. The completed form shall be returned to the SWAPA accounting office and placed in the trainee's file for periodic review by the Training Committee and quarterly submission to the Marine Pilot Coordinator.

### **Course Work**

The deputy marine pilot training program requires, within 5 years prior to application for licensing, the successful completion of:

1. An American Pilots Association approved Bridge Resource Management course of at least 16 hours.
2. A bridge simulator course which is Region II specific or which emphasizes a pilot's proficiency, or,
3. A manned model course.

Trainees have a maximum of 3 years to complete training (56.026(e)).

When trainees have successfully completed the docking/undocking training, course work, and obtained full federal pilotage without tonnage restrictions for the Kodiak Island Group ports of Kodiak/St. Paul Harbor and Womens Bay, and the entire Southcentral Alaska Region outside of the Kodiak Island Group, except Icy Bay, SWAPA will notify the marine pilot coordinator. Trainees are then eligible to sit for the local knowledge portion of the state exam. Finally, trainees take the oral exam in front of the Board of Marine Pilots. If successful in both exams the trainee is granted a Deputy Marine Pilot License (56.027).

### **COMPENSATION**

Pay commences when the deputy begins piloting under the authority of his or her deputy marine pilot license and is graduated depending on the tonnage and endorsements on the license. See SWAPA Bylaws for a table of pay gradations.

### **TRAINING STIPENDS**

SWAPA will issue a monthly stipend of \$75.00 per day to pilot trainees who have passed their Deputy Marine Pilot Core exam, are available and actively training, as directed by the training committee.

SWAPA will reimburse the actual travel expenses of trainees who are performing state required dockings/undockings. In order to be compensated for these expenses, trainees must abide by these guidelines:

- Submit the SWAPA trainee expense reimbursement form along with actual receipts documenting expenditures. No receipts, no reimbursement.

# TRAINING PROGRAM

## SOUTHWEST ALASKA PILOTS ASSOCIATION

### TRAINING STIPENDS (continued)

- Take the most economical form of transportation available.
- Trainees are not permitted to charter airplanes or boats for reimbursement by SWAPA. If the trainee feels such arrangements are necessary then contact the training chairman who, if he/she agrees, will attempt to clear the expense with the SWAPA President.

The total of stipends and travel expenses together shall not exceed 1% of the previous year's gross annual revenue of SWAPA. Stipends may be adjusted accordingly.

### DEPUTY MARINE PILOT TONNAGE UPGRADES

Deputy Marine Pilots must hold a deputy marine pilots license for 3 years before being granted a full marine pilots license. During this 3 year period tonnage is limited as follows: (56.018 & 019)

- **Step one**-----50,000 gross tons. To upgrade to step two, the deputy pilot must perform vessel movements during at least 30 days as a deputy marine pilot on vessels requiring a state licensed marine pilot.
- **Step two**-----95,000 gross tons. To upgrade to step three, the deputy marine pilot must have held an endorsement as a deputy marine pilot for a period of at least one year, and while holding a deputy marine pilot license of not more than 95,000 gross tons, have performed at least 60 days of vessel movements onboard vessels requiring a state licensed marine pilot.
- **Step three**-----110,000 gross tons. To upgrade see Marine Pilot License section below.

### SWAPA IN-HOUSE CLEARANCES AND RESTRICTIONS FOR DEPUTY PILOTS

#### LICENSE 50,000 Gross Tons:

Step 1. Upon receiving a 50,000 gross ton endorsement, the deputy's in-house clearance will be limited to 25,000 Gross Tons, with the following restrictions:

- Kodiak Island- No unsupervised dockings/undockings of tank vessels.
- Cook Inlet- No docking/undocking of tank vessels. May go as second pilot
- Prince William Sound- No docking/undocking of tank vessels.

Step 2. After completing 3 round trips in Cook Inlet to either Nikiski or the Port of Anchorage, the Deputy will be cleared for tankers with the following restrictions

- Kodiak Island- No unsupervised docking/undocking of tank vessels at Womens Bay.
- Cook Inlet- No unsupervised dockings/undockings at Drift River. May go as second pilot.
- Prince William Sound- No docking/undocking of tank vessels in TAPS Trade.

# **TRAINING PROGRAM SOUTHWEST ALASKA PILOTS ASSOCIATION**

## **SWAPA IN-HOUSE CLEARANCES AND RESTRICTIONS FOR DEPUTY PILOTS (continued)**

### **LICENSE 95,000 Gross Tons:**

Step 1. Upon receiving a 95,000 gross ton endorsement, the Deputy's in-house clearance will be raised to 40,000 gross tons, with the following restrictions:

- Kodiak Island- No unsupervised docking/undocking of tank vessels at Womens Bay.
- Cook Inlet- No unsupervised dockings/undockings at Drift River. May go as second pilot.
- Prince William Sound- No docking/undocking of tank vessels in TAPS Trade.

Step 2. After successfully completing 2 supervised dockings and undockings on vessels of over 40,000 gross tons, the Deputy's in-house clearance will be raised to 95,000 gross tons, with the same restrictions as in Step 1 above.

### **LICENSE 110,000 Gross Tons:**

Step 1. Upon receiving a 110,000 gross ton endorsement, the Deputy's in-house clearance will be 110,000 gross tons, with the following restrictions:

- Kodiak Island- No unsupervised dockings/undockings of tank vessels at Womens Bay.
- Cook Inlet- No unsupervised dockings/undockings at Drift River. May go as second pilot.
- Prince William Sound- No docking/undocking of tank vessels in the TAPS trade.

Step 2. After completion of the following requirements, the Deputy is eligible to begin supervised dockings/undockings at the Trans-Alaska Pipeline Terminal berths at Valdez:

- (a) 12 hours observation at the VTS Traffic Center in Valdez;
- (b) Observe at least six transits inbound from the Pilot Station and six transits outbound to the pilot station on VLCC TAPS vessels.

### **MARINE PILOT LICENSE**

Before deputy pilots can hold a Marine Pilots License they must:

1. Complete the 3 year period during which they operate under the authority of their deputy license at the tonnage limitations specified.
2. Have held a valid deputy marine pilot license endorsement to pilot vessels of not more than 110,000 gross tons for at least one year.
3. Complete all Federal pilotage endorsements for Region II. Complete a manned model shiphandling course or a simulator course within the previous 3 years, as approved by the Training Committee.

# TRAINING PROGRAM

## SOUTHWEST ALASKA PILOTS ASSOCIATION

### MARINE PILOT LICENSE (continued)

4. For Kodiak Island Group have completed at least two round trip pilotage assignments.
5. For Cook Inlet have completed:
  - At least 10 dockings and 10 undockings during pilotage assignments on vessels of over 25,000 gross tons. Dockings at Homer, Seldovia or Port Graham do not satisfy this requirement.
  - At least 3 dockings and 3 undockings under ice conditions.
6. For Valdez Trans-Alaska Pipeline System complete a total of at least 20 supervised dockings and 20 supervised undockings at the Trans Alaska Pipeline Terminal operational berths. At least 4 of these dockings and undockings must occur at night and at least half must have been performed between the period October 1 to April 1.

### SPECIAL CLEARANCES

Ice Clearance: After 1 supervised docking/undocking at Nikiski and 1 supervised docking/undocking at Anchorage, performed under full ice conditions, while a Deputy, Deputy will be cleared to dock/undock under ice conditions at these ports.

Womens Bay Tanker Clearance: Must be a full Marine Pilot before doing unsupervised work on tankers in this port. A simulator training course for this port may be substituted for one supervised docking/undocking.

OTHER SPECIAL CASES: The Training Committee may require special and/or additional and/or remedial training for individual Deputies at the Committee's discretion.

#### NOTES :

Deputy pilots are encouraged to seek, and shall be responsible for requesting, additional training in any area for which they perceive themselves to be deficient or not fully prepared.

**Deputy pilots will not be dispatched to ports where they have not had at least 3 round trips as a pilot observer and/or one satisfactory supervised maneuver. Deputy pilots shall be responsible for acquiring this experience at their earliest opportunity.**

### COMPANY AND DOCK CLEARANCES

#### Drift River Clearance

Must be a full Marine Pilot before doing unsupervised work at this port.

#### LNG Ship Clearance

Must be a full Marine Pilot and have a minimum of three years as a TAPS qualified, VLCC pilot before doing unsupervised work at this port.

# **TRAINING PROGRAM SOUTHWEST ALASKA PILOTS ASSOCIATION**

## **TRANSFERRING MARINE PILOT TRAINING PROGRAM**

Pilots transferring from other regions are almost always experienced, veteran pilots. The SWAPA training program seeks to familiarize them with Region II and to improve and refine their ship handling skills. Marine pilots transferring to Region II from other piloting regions in the state must satisfy certain state requirements as well as complete the training requirements for Region II. These requirements are (56.034):

1. Possess a Coast Guard license with pilotage endorsements of unlimited tonnage for Region II. The Regulations imply full pilotage for Region II.
2. Possess a valid marine pilot license from another region.
3. Complete the training program for Region II.
4. Pass the local knowledge exam for Region II.
5. Submit a letter from SWAPA that the applicant has completed the Region II training program.

The SWAPA training requirement for transferring pilots is as follows:

A marine pilot transferring to Alaska Pilotage Region II shall successfully complete 50 supervised dockings and/or undockings, moorings and/or unmoorings, and/or cruise ship route transits while at the conn at ports and waterways throughout the region, as specified by the SWAPA Training Committee. During this process, the Training Committee will periodically review the transferee's progress and may require additional training if, in the opinion of the training committee, this is required.

## **DEPUTY MARINE PILOT APPRENTICESHIP PROGRAM**

The Marine Pilot Statutes, 08.62.093(b)(6), provide for pilot associations to conduct an apprentice training program for those individuals who may not otherwise meet the criteria for licensure. The statute and regulations give associations broad latitude in accepting individuals into apprentice programs and require those individuals to apprentice for a period of 4 years unless granted credit for one year's experience by completing 125% of supervised movements required in Region 2 in accordance with 12 AAC 56.028 (j). Otherwise, the training requirements differ little from those undertaken by Pilot Observers and Trainees.

SWAPA will accept applications for entry into the SWAPA apprenticeship program from individuals who are otherwise highly qualified, but due to the nature of their experience in the maritime community, may not qualify under AS08.62.093. Specifically, SWAPA will accept applications from individuals with appropriate maritime experience, which includes the handling of vessels and holding a Master's license of not less than 1600 gross tons.

# **TRAINING PROGRAM**

## **SOUTHWEST ALASKA PILOTS ASSOCIATION**

### **DEPUTY MARINE PILOT APPRENTICESHIP PROGRAM (continued)**

1. The Board of Marine Pilots will be notified when an individual is accepted into the Deputy Marine Pilot Apprenticeship Program. No training of any kind can take place until such notice is tendered.
2. The apprentice is required by the regulations to undergo not less than 4 years of training unless granted credit for one year's experience by completing 125% of supervised movements required in Region 2 in accordance with 12 AAC 56.028 (j). SWAPA requests apprentices to reside in Region II and be available for training at least six (6) months during any consecutive twelve (12) month period.
3. The first year of the apprenticeship program typically consists of comprehensive pilot development through a program of intensive observation and instruction under a variety of marine pilots and deputy marine pilots. At the discretion of the Training Committee, and based on an apprentice's experience and federal pilotage endorsements held for the region, apprentices may be expected to accompany working pilots on an increased number of assignments, which may exceed the minimum observations required for Coast Guard pilotage endorsements. This will promote familiarization with not only navigation and piloting but, also, bridge procedures and processes on merchant vessels. Four years of training as an apprentice is required unless an apprentice is granted credit for one year's experience by completing 125% of supervised movements required in Region 2 in accordance with 12 AAC 56.028 (j). Supervised vessel maneuvers cannot take place until the apprentice has passed the State core exam.
4. Upon completion of twelve (12) months training and passing the State core exam, the apprentice will follow the same training path as other trainees in pursuit of a deputy marine pilot license.

### **CONTINUED PROFESSIONAL EDUCATION AND TRAINING** **FOR MARINE PILOTS AND DEPUTY MARINE PILOTS**

1. Each marine pilot and deputy marine pilot shall complete at least one training course within the biennial license period immediately preceding the license period for which renewal is sought; or 2 training courses at any time within the 2 biennial license periods immediately preceding the license period for which renewal is sought; or 3 training courses at any time within the 3 biennial license periods immediately preceding the license period for which renewal is sought.

Compliance with this requirement is the responsibility of the individual pilot. The Training Committee will assist, if needed, in making arrangements for courses.

The courses shall include, but not be limited to, the following:

# TRAINING PROGRAM

## SOUTHWEST ALASKA PILOTS ASSOCIATION

### CONTINUED PROFESSIONAL EDUCATION AND TRAINING FOR MARINE PILOTS AND DEPUTY MARINE PILOTS (continued)

- a. Manned Model
- b. Ship Handling Simulator
- c. Bridge Resource Management for Pilots
- d. Train the Trainer
- e. Automatic Identification System (AIS)
- f. Electronic Chart and Display Information System (ECDIS)
- g. Automatic Radar Plotting Aids (ARPA)
- h. RADAR
- i. Maritime Law
- j. Rules of the Road
- k. Fatigue, Sleep and Medications for Pilots
- l. Legal Aspects for Pilotage including State Statutes and Regulations for Pilots
- m. Maritime Domain Awareness and Security for Pilots
- n. Crisis Management and Media Response
- o. Environmental Awareness for Pilots including Marine Mammal Protection Act (MMPA) and Endangered Species Act (ESA)
- p. Basic Safety Training, including Personal Pilot Safety
- q. Emergency Medical Response and Survival Techniques
- r. Ice Training for Pilots
- s. Nautical Institute Pilotage and Shiphandling Scheme

Other courses meeting the standards of the training program may be substituted for the above upon review and approval of the Training Committee. Such courses shall be related to the field of marine pilotage, be courses for which a certificate can be issued and be “of substance.”

2. Marine pilots holding VLCC endorsements shall document the satisfactory completion of a manned model course during one of the three biennial license periods immediately preceding the license period for which renewal is sought (56.083(b)). Compliance with this requirement is the responsibility of the individual pilot.

3. Marine pilots or deputy marine pilots shall document the satisfactory completion of a board approved simulator or manned model course at a board approved facility within one of the three biennial license periods immediately preceding the license period for which renewal is sought.

4. The U.S. Coast Guard requires certain periodic training in order to renew federal licenses and STCW endorsements. Since a federal license is a prerequisite for holding a State Pilot License, compliance with Coast Guard training requirements is the responsibility of the individual pilot.

# **TRAINING PROGRAM**

## **SOUTHWEST ALASKA PILOTS ASSOCIATION**

### **TRAINING PILOTS**

To be designated a training pilot, pilots must comply with applicable state regulations, 56.016. Briefly, a training endorsement requires:

1. Applicable, unlimited, federal pilotage endorsements for the waters for which the training endorsement is sought.
2. Compliance with the state recency requirements (60 days piloting per year).
3. At least three (3) consecutive years of experience as a marine pilot in the region.
4. A recommendation to the BOMP from SWAPA.
5. Approval by the BOMP

Regulations allow a training pilot to refuse to accept a trainee. However, if a trainee is refused, then the training pilot must notify the Marine Pilot Coordinator of this non-acceptance. (56.016(5)(b)).

### **MISCONDUCT, DISMISSAL AND GRIEVANCE PROCEDURES**

SWAPA and the other pilot associations in the state have a large responsibility to the citizens of Alaska and to the traditions of professional pilotage to pass through their training programs only those trainees who can meet high standards and demonstrate their proficiency at the craft of piloting. SWAPA endeavors to pick applicants who are experienced and well qualified. Generally, these prospective pilots proceed through the observer/training program with little difficulty and become good pilots. In certain cases, however, the observer/trainee/apprentice may fail to meet professional standards which may include, but are not limited to:

- Poor attitude.
- Failure to accept constructive criticism.
- Unprofessional appearance or conduct.
- Repeated tardiness or failure to arrive for scheduled training.
- Lack of situational awareness.
- Repeated failure to complete required maneuvers satisfactorily.
- Dishonesty.
- Conviction of a crime.
- Failure to progress through the training program in a timely manner

In cases where the training committee determines the observer/trainee/apprentice is having difficulty and may have to be dismissed if the problem(s) persist, the following procedure will take place:

1. The Training Committee will notify the observer/trainee, in writing, of the problem(s) and will schedule a meeting with the observer/trainee. Copy of this letter to SWAPA membership and the MPC.

# **TRAINING PROGRAM**

## **SOUTHWEST ALASKA PILOTS ASSOCIATION**

### **MISCONDUCT, DISMISSAL AND GRIEVANCE PROCEDURES (continued)**

2. At a meeting with the observer/trainee the training committee will describe the problem(s) with the observer/trainee. The Observer/Trainee will then have the opportunity to question the allegations or otherwise present his or her side of the story. At the conclusion of this meeting a plan of action for improvement may be put in place.
3. In cases where the observer/trainee/apprentice either refuses to comply or cannot comply with the training committee requirements, then the training committee may recommend dismissal of the observer/trainee/apprentice from the observer or training program. This recommendation will be in writing to the SWAPA President.
4. The SWAPA President, upon receiving a recommendation for dismissal from the training committee, will schedule a special SWAPA meeting, or include the matter on the agenda of the next scheduled SWAPA membership meeting, to address the dismissal. At this meeting the observer/trainee in question will have the opportunity to address the membership and appeal the decision of the training committee.
5. After following the above procedure, a majority affirmative vote of the SWAPA membership is required to dismiss an observer/trainee.
6. Dismissal of an observer/trainee/apprentice requires notification to the Board of Marine Pilots through the Marine Pilot Coordinator (56.032).

### **MANDATORY REPORTS TO BOARD OF MARINE PILOTS**

1. 56.025(j)(4) and 56.034(b)  
Requires a letter stating applicants for Deputy Marine Pilot License and Marine Pilot License (transferring pilots) have completed the Association training program.
2. 56.026(g)  
Requires trainee to submit quarterly training evaluations to marine pilot coordinator.
3. 56.026(h)  
Requires a letter to trainees (copy to pilot board) explaining deficiencies and/or unsatisfactory progress of trainee.
4. 56.026(j)  
Requires notification of the BOMP when a candidate is accepted as a pilot observer for familiarization trips for federal pilotage.
5. 56.032  
Requires notification to the BOMP within 30 days of the dismissal of a trainee from the training program.

# TRAINING PROGRAM

## SOUTHWEST ALASKA PILOTS ASSOCIATION

### MANDATORY REPORTS TO BOARD OF MARINE PILOTS (continued)

6. 56.026 (3)(b)

Requires notification to the BOMP when a candidate is accepted for training before that trainee may begin supervised dockings, undockings, moorings, unmoorings and transits of specific waterways.

7. 56.033(d)

Requires notification to the BOMP when an individual is accepted into a deputy marine pilot apprenticeship program.

8. 56.033(e)

Requires notification to apprentices of deficiencies with copies to apprentice's file and the MPC.

9. 56.016(5)(b)

Requires training pilots to notify the MPC if the training pilot refuses to accept a trainee.

### DEFINITIONS

**Docking:** Means the evolution of maneuvers made to approach and secure a vessel at a berth, beginning with the briefing of the maneuver to the training pilot and ending when the last line is secure at the berth, and includes the transit from the pilot station to the dock.

**Undocking:** Means the evolution of maneuvers made to depart a berth, beginning with the briefing of the maneuver to the training pilot and ending when the vessel is clear to navigate and includes the transit from the dock to the pilot station.

**Night:** Means the period of time between the end of civil twilight when the sun is six degrees below the horizon after sunset and the start of civil twilight when the sun is six degrees below the horizon before sunrise.

**Ice Conditions:** Means the conditions that exist in Cook Inlet during the time the Captain of the Port, Anchorage, declares "Ice Navigation Guidelines" to be in effect.

**Pilot Observer:** Means a prospective trainee who has been voted into the SWAPA Pilot Observer program for the purpose of obtaining observer trips to gain federal pilotage endorsements in Region II. A Pilot Observer is not a "trainee."

**Trainee:** Means an individual who has passed the State core examination and been formally accepted into the SWAPA training program as described in this document.

**Apprentice:** Means an individual accepted into the SWAPA Marine Pilot Apprenticeship Program as described in this document.

# **TRAINING PROGRAM SOUTHWEST ALASKA PILOTS ASSOCIATION**

**BOMP:** Means the Alaska Board of Marine Pilots

**MPC:** Means the Marine Pilot Coordinator

**SWAPA:** Means Southwest Alaska Pilots Association

**DMP:** Means deputy marine pilot

**NOTE: Trainees are advised to thoroughly familiarize themselves with the DEFINITIONS contained in the Statutes and Regulations for Marine Pilots**

DRAFT

Dear board members and staff:

Recently, additional guidance was provided by LAW regarding workgroups of governmental boards and commissions. Below is a review of common board-sanctioned subdivisions, how they should be used, and when they must be publicly noticed. There are many criteria regarding formations of these groups, so boards and staff should be mindful of *all* these aspects when creating these types of teams and when planning their meetings. When in doubt, ask!

**1. Committees of the board**

- a. Are comprised exclusively of board members
- b. Are usually formed as standing committees to work through regular or recurring business of the board prior to presentation for board action
- c. Are advisory and do not act on behalf of the board
- d. Must be publicly noticed in the same manner as a board meeting

Examples: AELS Outreach Committee – meets periodically to discuss ongoing stakeholder outreach; AELS Legislative Liaison Committee – meets periodically to discuss ongoing legislation or legislative proposals affecting the board

**2. Subcommittees of the board**

- a. Are comprised exclusively of board members
- b. Are usually not standing committees—they serve to examine a short-term or finite issue or problem, like a task force
- c. Should be created by the board and include clear objectives and timelines for completion of their work
- d. Are advisory and do not act on behalf of the board
- e. Must be publicly noticed in the same manner as a board meeting

Example: REC Teams Disclosure Subcommittee – met several times to work on updates to the forms and regulations relating to legal disclosures

**3. Workgroups of the board**

- a. May include public persons
- b. Serve to examine a short-term or finite issue or problem, like a task force
- c. Should be created by the board and include clear objectives and timelines for completion of their work
- d. Are advisory and do not act on behalf of the board
- e. Do not require public notice unless more than three or a majority of board members, whichever is less, are serving
- f. *May* be publicly noticed if public comment is solicited or if the group desires a highly transparent process

Examples: GUI Concession Program Workgroup – meets regularly through 2023 with representatives from other state agencies and industry to develop plans for legislative proposal in 2024; MED Physician Assistant Workgroup – meets regularly with non-board stakeholders to review and suggest updates to physician assistant regulations

To put this guidance into context, here is a link to the to the Open Meetings Act. Sections relevant to this guidance are highlighted below. Be sure to read the law in its entirety for full and accurate comprehension.

**AS 44.62.310. Government meetings public.**

(h) In this section,

(1) “governmental body” means an assembly, council, board, commission, committee, or other similar body of a public entity with the authority to establish policies or make decisions for the public entity or with the authority to advise or make recommendations to the public entity;

“governmental body” includes the members of a subcommittee or other subordinate unit of a governmental body if the subordinate unit consists of two or more members;

(2) “meeting” means a gathering of members of a governmental body when

(A) more than three members or a majority of the members, whichever is less, are present, a matter upon which the governmental body is empowered to act is considered by the members collectively, and the governmental body has the authority to establish policies or make decisions for a public entity; or

(B) more than three members or a majority of the members, whichever is less, are present, the gathering is prearranged for the purpose of considering a matter upon which the governmental body is empowered to act, and the governmental body has only authority to advise or make recommendations for a public entity but has no authority to establish policies or make decisions for the public entity;

Please let me know if you have any questions or concerns.

Sara Chambers

*Boards and Regulations Advisor  
Alaska Department of Commerce, Community, and Economic Development  
[sara.chambers@alaska.gov](mailto:sara.chambers@alaska.gov)*

**EXECUTIVE SESSION MOTION**

I, \_\_\_\_\_, move that the Alaska State Board of Marine Pilots enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing \_\_\_\_\_

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Board staff member(s) \_\_\_\_\_ to remain during the session.

Off record: \_\_\_\_\_  
On record: \_\_\_\_\_

Authority: AS 44.62.310(c), Government meetings public

The following subjects may be considered in executive session:

- matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;
- **subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;**
- **matters which by law, municipal charter, or ordinance are required to be confidential;**
- matters involving consideration of government records that by law are not subject to public disclosure.

# State of Alaska 2023 HOLIDAY CALENDAR

## State Holidays

Date	Holiday
01/01/2023	New Year's Day (observed 01/02/2023)
01/16/2023	MLK Jr.'s Birthday
02/20/2023	Presidents' Day
03/27/2023	Seward's Day
05/29/2023	Memorial Day
07/04/2023	Independence Day
09/04/2023	Labor Day
10/18/2023	Alaska Day
11/11/2023	Veterans' Day (observed 11/10/2023)
11/23/2023	Thanksgiving Day
12/25/2023	Christmas Day

Please refer to appropriate collective bargaining unit agreement for more information regarding holidays.

 Holiday



### JANUARY

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### JULY

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### FEBRUARY

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### AUGUST

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### MARCH

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### OCTOBER

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### MAY

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### NOVEMBER

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### JUNE

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### DECEMBER

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