

BOARD OF MARINE PILOTS  
Minutes of the Meeting  
June 11, 1979

In accordance with AS 08.04.040 and AS 44.62.310, a scheduled meeting of the Board of Marine Pilots convened at the Y.M.C.A., 6th and "F" Streets, Anchorage.

In attendance were: Chairman Charles R. Webber, Commissioner; Board members Captain Donald Oldow, Captain Jack Maroni, Charles Stover, Marvin Taylor, Kenneth Peavyhouse, and David Culbertson. Don Hostak, Director of Occupational Licensing, Nancy Ferguson, Licensing Examiner for the Division of Occupational Licensing; and Tom Bergstrom, Tariff Analyst, Attorney General's Office.

Guests at the meeting were Captain Hurd and Captain Murphy with Southwest Pilots Association; Attorney James Gilmour; David Enroth with Alaska Maritime Agencies; and Mel Chambers with Chevron Shipping Company.

Chairman Charles Webber convened the meeting at 8:35 a.m. There was a quorum present.

OLD BUSINESS

Approval of the minutes: The Chairman asked if there were any deletions or additions to the minutes presented.

On a motion duly made, seconded, and passed unanimously, it was:

RESOLVED to approve the minutes as presented.

NEW BUSINESS

Southeast Pilots Pension Plan: Captain Jack Maroni discussed the actuary study compiled by the Howard Johnson Company of Seattle. It was noted the the word "consecutive" on page 2, line 8, should be deleted. Captain Maroni noted that the Southeast Pilots Association pension plan will be brought before the board at their December meeting.

Sunset Legislation: Mr. Hostak urged the Board to consider holding a meeting in Juneau because the House and Senate may be taking testimony for the Board of Marine Pilots in February. Mr. Hostak noted that the budget for FY 80 is very tight and there will probably not be funds available for travel or per diem for the board members to go to the Sunset hearings.

Captain Maroni felt that February was to early for the spring meeting and examination and that the board should take their chances on receiving travel and per diem for the February Sunset hearings.

On a motion duly made, seconded, and passed by Mr. Taylor, Mr. Culbertson, Mr. Stover, Captain Maroni; and denied by Captain Oldow, Mr. Peavyhouse, and Chairman Webber; it was

RESOLVED that if deemed necessary to hold a meeting in February, the Chairman will call one. If the State does not have travel funds, then the members are expected to travel to Juneau at their own expense.

Mr. Hostak noted that the Division should know within two weeks if they have the funds available for the December and May meeting and exam; and the special meeting in February for the Sunset Review.

Mr. Enroth suggested four meetings a year and possibly increasing the licensing fee.

Qualifications for Extension of Route: The board discussed the pilotage of Southeast and Southwest Alaskan waters as two separate areas. Currently, a licensed pilot from Southeast Alaska may apply for an extension of route to receive a license in Southwest Alaska and vice versa. The dockings and undockings are required only at the time of initial licensure for an unlimited license.

Captain Murphy felt that the Southeast and Southwest Alaskan waters should be considered two separate areas. It was noted that pilotage in Southeast Alaska consists of the high speed cruise ships; whereas Southwest Alaska pilots the large tankers. Southwest pilots must contend with strong currents and they do not use tugs when docking. Captain Murphy felt that the dockings and undockings should be required when a pilot is applying for a new area in the interest of safety.

Captain Oldow felt that Southeast and Southwest Alaska should be considered two separate areas of licensure, and the dockings and undocking should be required for each area.

Captain Maroni could see the merit in requiring the dockings and undockings for Southeast or Southwest Alaskan waters.

The Chairman requested that interested parties furnish comments to the Division of Occupational Licensing for distribution to the board.

The board requested that this matter be put on the agenda for the December meeting.

Accident Report: The board read an accident report dated May 7, 1979 by Captain George McReynolds on the M/V Irish Oak.

On a motion duly made, seconded, and passed unanimously, it was:

RESOLVED to hold this matter over until all of the facts are in from the marine surveyor.

Applications for Examination: On a motion duly made, seconded and passed unanimously, it was:

RESOLVED that Albert W. Kuhney's application for temporary channel pilots license be approved for Southeast Alaskan waters.

On motion duly made, seconded, and passed unanimously, it was:

RESOLVED that applications be approved for temporary license for Anthony Joselyn; application for extension of route be approved for Captain Hendricks, Captain Webb, and Captain Murphy (all Southwest pilots).

Pilot Stations for Southwest Alaska: Captain Oldow requested a public hearing "to establish definite pilot stations or pick up points for various ports that are being used with increasing regularity by foreign shipping in Southwestern Alaska." A list of the ports and pilot stations to be added under 21 AAC 56.120(b) are attached.

On a motion duly made, seconded, and passed unanimously, it was:

RESOLVED to accept the letter of June 11, 1979 regarding the need to establish definite pilot stations or pick up points for various ports that are being used with regularity by foreign shipping in Southwestern Alaska.

International Rules of the Road: Captain Maroni noted that effective May 1, 1979, the U.S.C.G. has changed inland rules of the road to international rules of the road.

The board noted that 12 AAC 56.070(b) should be changed from inland rules of the road to international rules of the road.

On a motion duly made, seconded, and passed unanimously, it was:

RESOLVED that all references in the regulations to inland and pilot rules should be changed to international rules of the road.

Proposed Regulations Changes - Discussion: The board discussed Marine Pilot regulations drafted by Joseph Donohue of the Attorney General's Office for board consideration. It was noted that neither the board or the division solicited the regulations.

Mr. Gilmour noted that the proposed regulations are extremely far reaching and would change the situation drastically. Mr. Gilmour urged the board to move carefully.

Mr. Taylor felt that a decision should be delayed until all the input has been received. Mr. Taylor feels that the public, industry, and the pilot board deserves timely action from the board in a lot of these matters. He notes that the board must stand on their own feet and make their own decisions.

On a motion duly made, seconded and passed by Mr. Culbertson, Captain Oldow, Captain Maroni and Mr. Peavyhouse; denied by Mr. Taylor, Mr. Stover, and Chairman Webber, it was passed:

RESOLVED that the board reject the proposed Marine Pilot regulations submitted by Joseph Donohue.

OLD BUSINESS

Southwest Tariff Increase: It was noted that the staff report was sent to all interested parties by Mr. Hostak. The board felt that the report should have gone to board members only.

The Chairman noted that public input has terminated. Mr. Peavyhouse felt that if clarification is needed, the board could call people into the meeting. Mr. Culbertson will not vote on the tariff rate increase because he has not attended any of the other meetings covering this topic.

On a motion duly made, seconded and passed by Captain Maroni, Mr. Peavyhouse, Mr. Stover, and Chairman Webber; denied by Mr. Taylor (had to vote NO because of a TWX) and Captain Oldow; it was:

RESOLVED to go into executive session to discuss the Southeast tariff rate increase.

On a motion duly made, seconded and passed unanimously, it was:

RESOLVED to come out of executive session.

On a motion duly made, seconded and passed by Captain Maroni, Captain Oldow, and Mr. Peavyhouse; denied by Chairman Webber, Mr. Stover and Mr. Taylor. The motion died because it was tied. The motion read as follows:

Move that the proposal as presented be accepted.

Captain Murphy noted that it took eight months for the board to reach a decision regarding the tariff rate increase and S.W.P.A. incurred expenses of \$10,000.

Mr. Taylor noted that S.W.P.A. did not prove a need for a tariff rate increase. Mr. Taylor also noted that there was too much conflicting data and the board had to ask for additional data.

Chairman Webber noted that the Southwest pilots may apply for another tariff rate increase.

Captain Hurd and Captain Murphy requested guidelines from the board for a tariff rate increase for Southwest Pilots Association. They noted that they would make another application for a tariff rate increase.

Chairman Webber noted that the guidelines would be given as soon as he returns to Juneau and he would have people put together who could give definite guidelines that will be met.

The annual board meeting and examination will be held in Anchorage on December 3 and 4, 1979.

There was no further business and on a motion duly made, seconded, and passed unanimaously, the meeting was adjourned.

Submitted by:

Nancy Ferguson  
Nancy Ferguson

Approved by:

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Chairman of the Board