

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

Minutes of Meeting
April 19 and 20, 1988

By authority of AS 08.01.070(2) and AS 08.40.040, and in compliance with the provisions of AS 44.61, Article 6, and AS 44.62.310, a scheduled meeting of the Board of Marine Pilots was held at the State Office Building, 9th floor conference room, 333 Willoughby Avenue in Juneau, Alaska.

Present and constituting a quorum of the board were:

William Barrington
Captain H. Barney Elsensohn
Mark Foster
Kathy Marshall (designated by Commissioner Smith)
Captain W. Ed Murphy, Chairman
William Ruddy
Paul Taylor

Also present from the Department of Commerce and Economic Development, Division of Occupational Licensing, were:

Randall P. Burns, Director
Nancy Ferguson, Licensing Examiner
Kevin Henderson, Regulations Specialist
Donna Kotyk, Licensing Supervisor
James Leet, Investigator

Present from the Department of Law:

Steve White, Assistant Attorney General

Guests present were:

Arnt Antonsen, SEAPA
William Bullard, SEAPA President
Harley Clough, SEAPA
Archie Diment, SEAPA
James Drahos
Joseph Homer
Jeff Pierce, SWAPA
John Schibel, Alaska Marine Pilots
Bill Sharp, S.E. Stevedoring
W.A. Tingley, SWAPA
Mary Truitt, ALAMAR
James Wright, SWAPA

Examinations

Captain Murphy, Captain Elsensohn and Nancy Ferguson gave written examinations on April 18, 1988. Paul Taylor, Bill Barrington and Mark Foster were present at the examination and assisted in grading. One candidate took the permanent written exam and passed. Seven candidates passed the extension of route examination and one candidate failed. One person passed the temporary examination for Southeast Alaska.

The board went into executive session on April 19, 1988 at 8:30 a.m. to give one oral examination for permanent licensure. All oral examinations were completed by 9:10 a.m.

Meeting Called to Order: The meeting was called to order at 9:10 a.m. A delegation of authority, dated November 2, 1987, from Commissioner Smith was read into the record per AS 08.62.010 by the licensing examiner. Commissioner Smith appointed Kathy Marshall, Director of the Division of Administrative Services, as his designee for the meeting.

Mr. Ruddy was absent. All other members were present.

Investigative Report: Agenda item 18 was taken up in the interest of time. Mr. Burns was present to give the report. Chief Investigator Gary Dodson was not present but could be contacted by telephone. Investigators Colin Matthews and James Leet were absent.

On a motion duly made by Mr. Taylor, seconded, and approved unanimously, it was

ACTION

RESOLVED to go into executive session per AS 44.62.310(c)(2) for the purpose of the investigative report.

Off the record at 9:12 a.m. On the record at 9:50 a.m.

All members present except Bill Ruddy.

On a motion duly made, seconded, and approved unanimously, it was

ACTION

RESOLVED to come out of executive session.

The board recessed at 9:50 a.m. and members returned to the meeting at 10:02 a.m. All members were present except Bill Ruddy.

Welcome to all members of the public. The board welcomed our new public member, Mark Foster, from Fairbanks.

Minutes of November 18 and 19, 1987: The board reviewed the minutes. Captain Murphy noted the correct spelling for Lt. Commander Blais's last name.

On a motion duly made by Mr. Taylor, seconded, and approved unanimously, it was

RESOLVED to approve the minutes as corrected.

ACTION

Examination Results for Permanent Licensure: Captain Murphy turned the chair over to Vice Chairman Paul Taylor to make the following motions:

On a motion duly made by Captain Murphy, seconded, and approved unanimously, it was

RESOLVED to add to the license of Jeffrey Pierce an upgrade from 20,000 gross tons to 40,000 gross tons, add the endorsements for: Cook Inlet anchorage and approaches, Kodiak/St. Paul Harbor, Prince William Sound western entrances, Resurrection Bay/Seward, Womens Bay, Whale Passage and Ouzinkie Narrows. As a result of these upgrades, his new license will read: Pilot on vessels of not more than 40,000 gross tons upon the waters of western Alaska except the Kodiak Island ports of Alitok and Lazy Bay; and Prince William Sound.

ACTION

RESOLVED that Michael Stone have the following endorsements added to his license: Sand Point, Prince William Sound steamship routes, Togiak/Nunavachak, Nushagak Bay/River, Kodiak/St. Paul Harbor and Captains Bay.

RESOLVED that Harry Jacobsen have added to his license the endorsements of Kodiak/St. Paul Harbor.

RESOLVED that James F. Drahos be granted his original Alaska pilot's license to read: Pilot on vessels of not more than 20,000 gross tons upon the waters of Resurrection Bay/Seward, the Aleutian Islands and the Alaska Peninsula, except Sand Point, Popof Strait and Cold Bay.

On a motion duly made by Captain Elsensohn, seconded, and approved unanimously, it was

ACTION

RESOLVED that Hans Antonsen be granted a temporary channel pilot license for southeast Alaska. His license will read: Dixon Entrance to Cape Spencer, excluding the waters of Snow Passage, Sitka Sound, Gastineau Channel, Glacier Bay, Icy Strait, Cross Sound, and the ports of Sitka, Juneau, Hoonah and Klawock.

RESOLVED that Joseph Homer be granted extensions of route so his license will read: Channel pilot upon the waters of southeast Alaska, Dixon Entrance to Cape Spencer, excluding the west coast of Prince of Wales Island and Klawock, including Yakutat.

RESOLVED that Thomas Aspinwall be granted an extension of route so his license will read: Channel pilot upon the waters of southeast Alaska, Dixon Entrance to Cape Spencer. No exclusions.

RESOLVED that Terry Bennett be granted an extension of route so his license will read: Channel pilot upon the waters of southeast Alaska, Dixon Entrance to Cape Spencer and Yakutat.

RESOLVED that Farrell Brown be granted an extension of route so his license will read: Channel pilot upon the waters of southeast Alaska, Dixon Entrance to Cape Spencer, excluding Icy Strait west of Crist Point, Cross Sound and Klawock.

RESOLVED that Roger Cunnane be granted an extension of route so his license will read: Channel pilot upon the waters of southeast Alaska, Dixon Entrance to Cape Spencer, excluding west coast of Prince of Wales Island, Icy Strait, Cross Sound, Sitka Sound, Nichols Passage and the ports of Klawock, Metlakatla and Sitka.

Recency Trips - Captain Michael Skovoth: It was noted that the board amended its original decision by a poll of all members last fall. The number of trips was reduced to six round trips over the basic ferry route per the applicant's request.

The licensing examiner advised that the Alaska Marine Highway pilot observer trip sheets were received at the board office on March 17, 1988.

The trip sheets were reviewed by Captains Elsensohn and Murphy. Captain Elsensohn advised that everything was as requested except for a shortage of three trips for the following: Petersburg, Auke Bay (north-bound), Petersburg-Sitka (south-bound) and Sitka-Auke Bay (north-bound).

Captain Skovoth did meet the recency requirements for Wrangell Narrows and Petersburg. The license was issued April 1, 1988.

The board acknowledged Captain Skovoth's recency trips. They asked that any additional trips be cleared through Captain Elsensohn and meet the board's requirements. ACTION

Application to Upgrade to Unlimited Tonnage:

a) Captain Archie Diment was present to discuss his application to upgrade from 20,000 gross tons to Unlimited (item 7 in the board packet).

Captain Diment advised that he has extensive local knowledge and has piloted in the area for 12 to 14 years. He has piloted ships in congested harbors and a variety of tonnages. He noted that there are a limited number of ships in southeast Alaska over 20,000 gross tons. He has gained additional experience over the past two years by riding a variety of ships with different pilots during winter months.

Captain Murphy advised that Captain Diment is not eligible for the 40,000 gross ton upgrade until after June 1, 1988 per 12 AAC 56.045(b)(1). The board chose not to grant his request to skip the 40,000 gross-ton step and receive the Unlimited tonnage endorsement.

He must submit a new application for 40,000 gross tons. All of the required documentation is on file and he has complied with the requirements. The chairman noted that this was a formality. ACTION

b) Captain Jeff Pierce was present. He wrote a letter, received April 13, 1988, requesting an upgrade from 40,000 gross tons to unlimited (attachment 7B).

Captain Pierce referred to two other pilots who received upgrades. Captain Murphy responded and noted that the other two gentlemen were in different situations. Captain Clinkscales applied before the new regulations were in effect. Captain Terpening did not fall under our current law for tonnage upgrades.

Captain Pierce did not apply earlier because he was busy piloting and did not feel competent at the time to request the increased tonnage. He has since attended ship handling school and has obtained additional experience.

The board advised that it was very reluctant to make exceptions to 12 AAC 56.030, 12 AAC 56.040, and 12 AAC 56.045. The regulations were crafted by experienced pilots over a three-year period. The board advised that they are not grandfathering licensees.

c) Charles Bates wrote a letter to the board received April 4, 1988 (attachment 7C). Captain Bates would like to upgrade from channel pilot to unlimited. He attached a list of dockings and undockings performed on the Alaska Marine Highway vessels.

ACTION

The board noted that the dockings and undockings completed on the state ferries do not meet our requirements per 12 AAC 56.030(c)(2). The dockings and undockings must be performed on vessels requiring an Alaska licensed pilot. The licensing examiner will respond to this request. Captain Elsensohn will assist with the drafting of the letter.

The board was ahead on the agenda. They took a lunch break from 11:00 a.m. until 1:04 p.m. Members absent were Bill Ruddy and Kathy Marshall.

Summertime Projections/Pilot Availability: The board formed a sub-committee at the last meeting to look at summertime projections, pilot availability and pilot competency. The committee consisted of: Mary Truitt, ALMAR; Bill Sharp, Southeast Stevedoring; Captain Webb, SWAPA; Captain Bullard, SEAPA. The chairman noted that this committee did not meet.

During the November 19, 1987 meeting, Ms. Truitt raised a concern that western Alaska receive adequate pilot coverage for the seafood carriers during the 1988 season.

Ms. Truitt and Captain Tingley were present.

Ms. Truitt advised that the season will begin in ten days. They requested a plan and received a workable plan. Ms. Truitt thanked the board for its attention and assistance. After further discussion, it was determined that five pilots are available to them with one on each pilot board (two boats) and two on the peninsula. The association supplying the pilots is named Alaska Marine Pilots and is fairly new. In the past, they had 3-1/2 pilots available to them with S.W.A.P.A. The new plan offers five pilots and is ideal for their summer trade which will involve a minimum of 245 movements.

Captain Tingley with S.W.A.P.A. advised that a proper training program is now in place for this area. In order for S.W.A.P.A. to have pilots available they need to know how many ships are involved. S.W.A.P.A.

did not receive this information and did not submit a plan to ALAMAR by the end of February.

John Schibel with Alaska Marine Pilots was present. He advised that the pilots available are: Dave Renwick, Bob Boyd, Harry Jacobsen, and John Schibel. They may have five individuals applying for temporary permits this summer.

The board received the following information listed as attachment 10:

- A) Letter from Captain Tingley with S.W.A.P.A. to Mary Truitt dated April 5, 1988 regarding seasonal planning agenda.
- B) Mary Truitt gave the board a report on the Alaska Marine Pilots' plan for servicing the westward. This plan was given to her principals.

During the discussion, board members Kathy Marshall and Bill Ruddy arrived by 1:25 p.m.

The chairman was concerned with a company-controlled group of pilots.

Ms. Truitt advised that ALAMAR does not have a financial interest in this company. The pilots involved come from the fishing industry and are more anxious to give ALAMAR a priority than they have received in the past.

John Schibel advised that AMP is a partnership. He is industry based, has worked, and understands the fisheries. He went from production to become a pilot because pilots were not available.

Captain Murphy encouraged the two groups to iron out their differences. He did not feel that it was healthy for pilotage in Alaska to have competing groups of pilots. He does not feel that it is good for industry and was concerned about the quality of pilots.

Ms. Truitt feels that S.W.A.P.A.'s proposal is excellent but may not have come about if not for a competitor who submitted a plan that works. Ms. Truitt was pleased that the system works and ALAMAR's needs are satisfied. She thanked the board for its attention in this matter.

Master Pilot Relationships: This issue of pilot experience level and sufficient number of pilots was before the board at its November 19, 1987 meeting. A subcommittee was formed and consisted of: Bill Sharp, Southeast Stevedoring; Captain Bill Bullard, S.E.A.P.A.; Mary Truitt, ALAMAR; Captain Webb, S.W.A.P.A. The chairman noted that this subcommittee did not meet. However, both Bill Sharp and Captain

Bullard did meet three or four times to discuss these issues pertaining to southeast Alaska.

Captain Bullard submitted a letter to the board dated April 11, 1988 (attachment 8).

Captain Bullard advised that most of the problems concerning the experience level of pilots could be handled through dispatching. Regulatory changes are lengthy and we may not end up with what we want. Captain Bullard discussed an informal eight-point program which has been instituted by S.E.A.P.A.:

- (1) Encourage new pilots to ride/observe/work on cargo ships during noncruise ship periods transiting the area under the supervision of a fully-licensed pilot.
- (2) Suggest new pilots make more than the minimum 12 round-trip observer rides on the Alaska Marine Highway ferries.
- (3) Increase the number of dockings and undockings to Step 1 and Step 2 in 12 AAC 58.045, Qualifications for Increase in Tonnage Requirements.
- (4) Encourage pilots to attend ship simulator courses at an approved facility.
- (5) Encourage pilots to attend an approved model basin docking - undocking school.
- (6) Informal skill session with senior pilots of accepted bridge, docking, undocking, ice work procedures.
- (7) Familiarization trips for licensed pilots who have not docked, undocked, transitted an area they haven't seen in the past three years. NOTE: This is to be adopted as part of the regulations as requested by industry representatives.

Mr. Sharp has stated he will pursue the proposal put forward by the board that a small fee be charged for each ship movement. The proceeds to be used to fund a state-sponsored training program.

Industry gave its input during the formulation of these recommendations. It will take a minimum of three years to go from: channel pilot to 20,000 gross tons to 40,000 gross tons to unlimited.

The board took a break. Off the record at 2:03 p.m. On the record at 2:15 p.m. All members present.

Last year SEAPA had five to six new pilots. The new pilots were criticized for using their charts too much. The new pilots are going into their second year and should do substantially better. Captain Bullard noted that there will be two less ships during the 1988 season and some ships are making less trips.

The board felt that Captain Bullard and Bill Sharp did a good job in resolving the issues.

There was a public comment period set aside for this issue. None of the members of the public wished to respond.

The board completed all of their agenda items for the day and recessed at 2:33 p.m.

The board reconvened at 9:05 a.m. All members were present except Kathy Marshall. Staff present were: Randall Burns, Kevin Henderson, Donna Kotyk and Nancy Ferguson.

Discussion with Steve White, Assistant Attorney General:

- A) Hearing delays. Mr. White gave the board a chronology of events in the Thatcher case, Attachment 12A.

The board was very concerned that this was the third case that had taken two years to resolve. Matters such as these affect the board's credibility. It receives criticism from industry but are powerless to act. It is also concerned for the pilot who has a dark cloud over his head until the matter is resolved.

ACTION

Mr. White proposed that the division investigate the incident at the same time the U.S. Coast Guard is investigating the matter. Previously, the division waited for the U.S. Coast Guard investigation to be completed. Mr. White will ensure that his ideas are instituted. As time passes, it becomes more difficult to locate witnesses, recall events, and evidence.

Ms. Marshall arrived at 9:20 a.m.

- B) National Transportation Safety Board recommendations. Board packet attachment 12B.

The examiner keeps a log of accident reports received before the report is given to the investigator for action.

ACTION

The investigator will keep a record so that a similar situation does not occur in Alaska.

- ACTION
- C) Regulation Projects. Mr. White has a memo which will be ready on April 21, 1988 and gives guidelines to the board for regulation projects. He will use the VLCC proposal as an example in his memo.

Action on Proposed Regulations: The board discussed 12 AAC 56.500, VLCC Endorsement Required, and 12 AAC 56.510, Qualifications for the VLCC License Endorsement. Mr. White raised the following questions:

- 1) Are the requirements reasonable or arbitrary? Why 60,000 gross tons?
- 2) Need? Have there been problems here or elsewhere?
- 3) Availability of courses, where given and cost (12 AAC 56.510(a)(2))?

Captain Murphy will compile the following information for Mr. White:

- 1) Information on VLCC accidents.
- 2) VLCC tonnage determination.
- 3) VLCC simulator courses cost and availability.
- 4) Reasons for grandfathering.

During the discussion, Mr. White advised that he agreed with Mr. Henderson's memo dated April 1, 1988 concerning the grandfathering regulation included in the proposal. This is attachment 13 in the board packet. Mr. White was concerned with the experience level and education of the individuals being grandfathered. Public protection and safety is of the utmost importance. Mr. White will research the law to determine if a license is a property right or a privilege.

The board felt that it was unreasonable to impose additional requirements on people who currently hold an unlimited license because we will be taking something away from them. The board was concerned about the veteran pilots and the possibility that they will oppose the amended regulation.

It was noted that Mr. White works only with occupational licensing boards and will work with Mr. Henderson on proposed regulations. Mr. Peterson and Mr. Froehlich will give final approval on all regulation projects.

Ms. Marshall left the meeting at 10:01 a.m.

On a motion duly made by Mr. Ruddy, seconded and approved unanimously, it was

RESOLVED to take action on the VLCC regulation proposal. ACTION

The board took a break. Off the record at 10:15 a.m. On the record: 10:25 a.m. All members present except Ms. Marshall.

Litigation: Mr. Burns gave the proposed hearing officer decision to the board. The hearing officer in case #MP 87L-1460 was Frank Flavin.

The board went off the record to read the proposed decision at 10:27 a.m. On the record at 10:40 a.m. All members present except Kathy Marshall.

On a motion duly made by Mr. Taylor, seconded, and approved unanimously, it was

RESOLVED to go into executive session since we are talking about an individual per AS 44.62.310(c)(2).

Off the record at 10:38 a.m. Staff people who left the meeting are: Steve White, Assistant Attorney General; Nancy Ferguson, Licensing Examiner; Randall Burns, Director; and James Leet, Investigator.

The board is now in executive session with the hearing officer Frank Flavin by teleconference.

The board came out of executive session to note that Kathy Marshall returned to the meeting at 11:05 a.m. and is now part of the proceedings. The board returned to executive session.

The board returned to open session at 12:04 p.m. and is on the record.

On a motion duly made by Mr. Taylor, seconded, and approved unanimously, it was

RESOLVED to end executive session and return to open session.

The board took a 10-minute break. Off the record at 12:04 p.m. On the record at 12:17 p.m. All members present.

In the matter of the John F. Thatcher, case number MP 87L-1460, the board has been in executive session to discuss this case.

On a motion duly made by Mr. Ruddy, seconded and approved unanimously, it was

ACTION

RESOLVED that we adopt the hearing officer's report and decision.

During discussion Mr. Foster noted that, in accordance with the board's authority and Alaska statutes, this case was a very serious matter. Disciplinary action is necessary as lives were at risk and, in view of this, a two-year suspension appears appropriate.

Captain Murphy advised that this was a most difficult case and the most serious accident in his experience. The board is trying to take appropriate action.

Mr. Burns noted that we will ask him to surrender his license. Captain Thatcher has 30 days to do this from the date he receives notice.

Mr. Burns will prepare the cover letter for the board's review and Captain Murphy's signature. The letter will be ready later this afternoon.

Captain Murphy signed the letter and order at 3:25 p.m.

Lunch break: Off the record at 12:25 p.m. On the record at 1:37 p.m. Members absent: Ms. Marshall, Captain Elsensohn and Mr. Ruddy.

Mr. Ruddy arrived at 1:42 p.m.

ACTION

Meeting Dates: The board will plan to meet in Anchorage November 2 and 3, 1988. The examinations will be held on November 1, 1988.

The board wondered if there would be money available to meet in Ketchikan in the spring. They will ask Mr. Burns later in the meeting.

Occupational Licensing Fees: The application fee under 12 AAC 02.240(1) is being increased from \$20.00 to \$30.00.

On a motion duly made by Mr. Taylor, seconded, and approved unanimously, it was

ACTION

RESOLVED to approve the application for license fee increase under 12 AAC 02.240(1).

Mr. Elsensohn arrived at 1:43 p.m.

Apprenticeship Program Information From California Pilot Commission:
Nancy Ferguson, licensing examiner, contacted Julie Howskins, secretary to the California Board of Pilot Commissioners. Ms. Howskins explained that the apprenticeship program is administered by the California board. It is on the job training on board ships with active licensed pilots.

Applications and interviews are handled by the board.

The Pilot Evaluation Committee consists of five pilots, each with ten years experience - one board member and four other nonmembers. Each trainee is assigned one principal trainer (such as a counselor). The trainee is trained by all pilots.

Forms are completed by the pilot for the trainee.

The training program can be from six months to two years and the trainee is paid \$2,000.00 per month. The \$2,000.00 is financed by a surcharge levied on shipping companies set out in regulations and the surcharge is collected by the board.

The California Pilot Commission sent us copies pertaining to the pilot trainee program. The information was received on April 18, 1988. Attachment 20 is included with the minutes.

During discussion, the board felt that the system California uses would probably not work in Alaska because the surcharge would go into the general fund rather than to the board.

California probably has 53 full-time pilots and maybe five trainees.

During the first sunset review in 1979, the board was severely criticized by the Legislature for not promoting Alaskans in this field. Piloting is not an entry level position and there was no way for Alaskans to get into the business. The board felt that it was almost sunsetted because of this.

Captain Maroni, who was on the board at the time, and Captain Clough worked together on getting Cal Maritime included in the WICHE-WAMA program. This allowed Alaskan students to enter the Merchant Marine field with a scholarship. This program was eliminated by the Sheffield Administration during budget cuts.

When Ms. Marshall was director of the Division of Occupational Licensing, she was surprised that a regulatory board was involved in promoting pilots.

On a motion duly made by Mr. Ruddy, seconded, and approved unan-
imously, it was

ACTION

RESOLVED that our chairman write a letter to the Governor.
Encourage the Governor to reexamine his decision that eliminated
California Maritime Academy from the WICHE program. This is one
of the schools Alaska students could gain admission to at sub-
stantially reduced tuition.

Mr. Foster will contact Senator Arliss Sturgulewski who is involved
with the WICHE program and west coast higher education issues.

Pilot Fatigue: We received the 95-page manalytics study from the
California Board of Pilot Commissioners on April 18, 1988. Copies
were given to each board member and a copy is included in the minutes
as attachment 21. This is valuable background information for the
board.

Director's Report: Mr. Burns advised that the Attorney General's
office created an Assistant Attorney General's position for the Divi-
sion of Occupational Licensing. The division is paying \$60,000 for
Mr. White in Juneau and \$40,000 for Ms. Penkel in Anchorage.

Mr. Ward's last day with the division is May 15, 1988. All pilot
cases have been transferred to Mr. Matthews or Mr. Leet. We hope to
send Mr. Leet to a U.S. Coast Guard training program for investigators
in the spring of 1989. Mr. Leet is on a waiting list for the class.

The division's budget is still intact at the Legislature. We have not
asked for additional money.

Mr. Burns noted that the last several sets of minutes have indicated
how much the board appreciates their licensing examiner Nancy
Ferguson. The division has no intention of transferring her away from
the Board of Marine Pilots. The chairman advised that the board does
appreciate Ms. Ferguson and it would be hard to operate without her.

The past policy for investigations was to wait until the U.S. Coast
Guard proceedings were complete. The accusation was filed by the
division approximately 60 days after the investigation was completed
by the U.S. Coast Guard. The rationale for this approach was one of
financial consideration and not an intent to ignore.

The function of business licensing will be transferred from the
Department of Revenue to the Department of Commerce and Economic
Development, Division of Occupational Licensing, this year. Addi-
tional staff of 4-1/2 people will come with the licensing function.

We plan to change the renewal to biennial and have it occur when the occupation is renewing.

The chairman noted that the board is concerned with the following problems:

- 1) Support from the Attorney General's office has been more of an obstruction than a help.
- 2) Hearing delays hurt the credibility of the board.

Mr. Burns has spoken to the Attorney General's office regarding the VLCC proposed regulation amendment. If the grandfather portion of the proposal is deleted by Mr. Froehlich, the regulation will be returned to us. Otherwise, we will have a law that no one wants.

The board spoke to Mr. Burns about the possibility of holding one meeting in Homer this year and one meeting in Ketchikan the following year. Mr. Burns felt that he could fund these meetings. The board should plan to meet in Homer on November 1-3, 1988 and Juneau in the spring of 1989. The following fiscal year, plan to meet in Anchorage during November 1989 and Ketchikan in the spring of 1990.

Regulation Specialist Kevin Henderson was present to discuss

- 1) Board authority to give examinations for areas not examined by the U.S. Coast Guard.
- 2) Review drafts of proposed regulation amendments dealing with license endorsements and examinations.

The board reviewed draft regulation proposals received at the meeting dated April 11, 1988. (Attachment 15.)

Ms. Marshall returned to the meeting at 3:12 p.m.

After review, the board wished to amend the proposal by

- 1) Under 12 AAC 56.055(a), add ". . . or ports and waterways therein"
- 2) Under 12 AAC 56.011(b)(2), add ". . . passed the examination given by the board. . . and delete [been examined by the board]."
- 3) Under 12 AAC 56.070(d), add section "(4) recency and adequacy of applicant experience in the area applied for."
- 4) Under 12 AAC 56.070, delete section (e) as it is arbitrary.

Mr. Henderson will work on adding a section in the law that will deal with recency. Within four years preceding the date of application, the candidates must have recent experience.

The board asked that the Attorney General's office review the proposal before the November 2 and 3, 1988 meeting. Mr. Henderson advised that the file was already open so this should not be a problem.

Mr. Henderson will redraft the proposal and will send copies to the board and Attorney General's office. We'll plan to send to public notice after the November 1988 meeting. ACTION

Goals and Objectives FY 88: The board discussed the following:

1. Powers and duties of the board item (1) "provide for the maintenance of efficient and competent pilot service on all waters covered by this chapter to assure protection of shipping and the safety of human life and property."

Ongoing.

2. Monitor the progress of procedures to expedite investigations and hearings.

Same discussion every meeting with the director and the assistant attorney general - ongoing.

3. Propose necessary legislation:

A. Provide for a second meeting per year.

B. Exclude accident reports from admission into evidence.

The Governor is not taking new legislation this fiscal year. Hope to submit next session. Need to submit August 1, 1988. Include in the annual report.

4. Continue to update and implement new regulation projects:

A. Examinations: initial written and oral exam, temporary licenses, and extension of route endorsement.

Working on draft with Kevin Henderson.

B. Qualifications for handling VLCC (very large crude carriers) regulations.

Approved by the board. Gone to Attorney General's office for approval.

C. Alcoholism as it pertains to pilots.

Completed. Law effective April 8, 1988.

5. Encourage more Alaskans to seek education toward the marine pilot profession.

This is a dying profession per discussion last meeting. During this meeting, it was decided that the chairman will write a letter to the Governor encouraging him to insert Cal Maritime into WICHE-WAMI program.

6. Monitor progress of master/pilot relations.

Gone beyond to pilot availability and competency. Good response received.

7. Standardizing the license wording.

The board approved this at the last meeting. License renewals will have new wording when mailed to southwest licensees.

Goals and Objectives FY 89: The board wishes to keep items 1, 2, 3A and B, 4A and B, (delete C), and 5. They wish to reword items 6 and 7, as follows:

- 6) Monitor questions of pilot competency and pilot availability.
- 7) Continue efforts to secure better guidance and cooperation with the Department of Law.

Meeting Location: The board would like to hold their November 1, 1988 exam and November 2 and 3 meeting in Homer. Captain Murphy will help locate an examination and meeting room.

Bill Barrington Farewell: Captain Murphy spoke on behalf of the entire board by thanking Mr. Barrington for eight years of public service on the board and for his contribution. He wished him smooth sailing and fair currents.

Mr. Barrington enjoyed working with the board and will miss the board.