

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

MINUTES OF TELECONFERENCE MEETING
JUNE 27, 1991

By authority of AS 08.01.070(2) and AS 08.62.030 and in compliance with the provisions of AS 44.61, Article 6, and AS 44.62.310, a scheduled teleconference meeting of the Board of Marine Pilots was held via the Alaska Teleconferencing Network on June 27, 1991.

THURSDAY, JUNE 27, 1991

Agenda Item 1 Call to Order/Roll Call

The meeting was called to order at 10:02 a.m. by JoAnne Cummings, representing the Division of Occupational Licensing. Those present and constituting a quorum of the board were:

Ms. Ann Boudreaux, Commissioner's Designee
Captain Dale Collins
Mr. Bill Lorch
Captain Mike O'Hara

Not present were Russell Sell and Keith Greba. Mr. Sell joined the meeting at approximately 10:20. Two new board members, Dale Collins and Keith Greba, were appointed since the last meeting of the board. One agent position is still vacant.

Also present and representing the Division of Occupational Licensing were Judy Weske, Licensing Supervisor, and JoAnne Cummings, Licensing Examiner.

Other teleconference participants were:

Mr. Gary Amendola, Assistant Attorney General
Captain Archie Diment
Captain Doug MacPherson
Captain David Sanders
Captain Stephan Moreno
Captain Jeff Pierce
Captain Joe Homer

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Captain Bob Boyd
Captain Peter Garay
Captain Will Anderson
Mr. Joe Merrill

Agenda Item 2 Elect Chairperson

On a motion made by O'Hara, seconded by Collins and approved by unanimous consent, it was

RESOLVED that Ann Boudreaux serve as the board chair for the duration of the teleconference.

Agenda Item 3 Review/Amend Agenda

The agenda was revised to move the topic of current litigation, which will be discussed in executive session, to the end of the teleconference.

On a motion made by Collins, seconded by O'Hara and carried unanimously, it was

RESOLVED to accept the agenda as revised.

Agenda Item 5 Temporary License Exam

The board considered the possibility of holding a temporary license exam prior to the effective date of the new Marine Pilotage Act.

Captain O'Hara restated the objections to the temporary exam which were discussed at the board's April, 1991 meeting.

Public comment was received on this issue. A complete record of the public comment is available on audio cassette.

Gary Amendola mentioned sections 12 and 30 of the new legislation which address transitional licensing. (See attachment 1.) In his opinion the "type" of license mentioned does not apply to temporary vs. permanent licenses, but rather Channel, Limited, or Unlimited licenses. Mr. Amendola, in response to a question from

the board, said that applicants probably cannot be licensed under the old law once the new legislation has become effective regardless of the date of application.

On a motion made by Lorch, seconded by Sell and carried by a vote of 3 to 1 with O'Hara objecting, it was

RESOLVED to hold a temporary license exam for present applicants on July 2, 1991 with 20 to 30 questions making up the exam.

Captain O'Hara, Mr. Lorch and Mr. Sell volunteered to administer the exam in Anchorage.

On a motion made by Lorch, seconded by Sell and carried by a vote of 3 to 1 with Captain Collins objecting, it was

RESOLVED to include extension of route exams in the temporary license exam on July 2, 1991.

Captain O'Hara requested that all applicants provide a certificate showing a negative result on a test for illegal drug use before being examined.

Agenda Item 6

Reexamination of Kurt and Will Petrich

Division staff was directed to contact Kurt Petrich to give him the opportunity to retake the oral exam at the time the temporary license examinations are given.

Will Petrich's license has expired. He was scheduled to reexamine in June but elected not to take the exam at that time. He may apply to reexamine on the date of the next full exam, November 12, 1991.

Agenda Item 7

New Legislation

The board will postpone discussion of the new legislation until the law is effective.

Captain Collins asked Mr. Amendola if there is presently a tariff in effect. Mr. Amendola stated that there are legal problems with the tariff, and the existing tariff is probably not enforceable.

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Agenda Item 8 Schedule Meeting Dates.

The Board of Marine Pilots will hold a teleconference meeting on July 9, 1991 at 9:00 a.m. The purpose of this meeting is to schedule the next full meeting of the board and to establish the agenda for that meeting. The board will also discuss current litigation that was on today's agenda but was not discussed because of time constraints.

Agenda Item 9 Adjourn

On a motion made by Collins, seconded by Sell and carried unanimously, it was

RESOLVED to adjourn at 12:45 p.m.

Respectfully submitted,

Ann Boudreaux
Ann Boudreaux, Acting Chair

JoAnne Cummings
JoAnne Cummings, Licensing Examiner