

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

**MINUTES OF TELECONFERENCE MEETING
June 28, 2000**

By the authority of AS 08.01.070(2), AS 08.62.030, and in compliance with the provisions of AS 44.62, Article 6, a meeting of the Board of Marine Pilots was held June 28, 2000, via teleconference with public sites located at Ketchikan LIO, Juneau SOB, Anchorage LIO, and Dutch Harbor, Alaska.

Start Tape 1, Side A
Agenda Item 1

Call to Order/Roll Call

Chairman Bush called the meeting to order at 1340. The Marine Pilot Coordinator (MPC) conducted roll call.

Members present constituting a quorum were:

Mr. Bush	- Commissioner's Rep	(Juneau SOB)
Captain Garay	- Pilot Member	(Anchorage LIO)
Mr. Thompson	- Agent Member	(Wisconsin)
Mr. Berto	- Agent/Vsl Mgr Member	(Ketchikan)
Ms. Huff Tuckness	- Public Member	(Anchorage LIO)*

Ms. Huff Tuckness joined the meeting late.

Staff present: Peter Christensen, MPC (Juneau SOB)

Guests present at the LIO and other sites are noted below:

LIO Ketchikan – Captain George, Captain Cathcart

Ketchikan – Mr. Cronk, Mr. Axleson

Juneau SOB – Captain H. Antonsen, Captain Baken, Captain Collins,
Captain Didier, Captain Rathgeber, Captain Winter, Mr. Monkman

Juneau – Mr. Kyle

LIO Anchorage - Captain O'Hara, Mr. Reuter

Valdez – Captain Colby, Mr. Nielsen

Dutch Harbor – Captain Grobschmit, Mr. Murphy

Agenda Item 2 **Review/Set Agenda**

Mr. Thompson suggested adding an update from the committee working on the proposal to license vessel agents. On a motion made by Mr. Berto, seconded by Captain Garay and carried unanimously, it was

RESOLVED to approve the agenda as amended.

Agenda Item 3 **Review Agenda for Potential Conflicts of Interest and Declarations of Recusal.**

Chairman Bush asked whether any of the Board members had anything they wished to discuss regarding possible recusals or conflicts of interest. No one declared any possible recusals or conflicts of interest.

Agenda Item 4 **Investigation/Litigation Update**

In the absence of the Assistant AG, the MPC related the following to the Board:

The Renwick hearing was held last month. The defense was allowed to submit a written final argument. That has been submitted and we now have the opportunity to file a rebuttal. Following that the hearing officer will deliberate and render his proposed decision for the Board's consideration.

The Proteus litigation is still in the discovery phase.

Regarding investigations the MPC related that he had not opened any new cases and he has closed five or six cases that have not yet been approved.

Agenda Item 5 **Budget Report**

The MPC presented the budget report and explained that the report reflected an error that had been made in computing the Board's travel costs but the error was being corrected.

Agenda Item 6 **Next BMP Meeting**

It was noted that the next Board meeting was scheduled for October 11-12, 2000 in Ketchikan, AK. After some discussion, the Board confirmed its desire to hold the meeting in Ketchikan, but asked if the MPC could move the meeting to October 25-26, 2000.

The Board agreed to hold the October 2001 meeting on October 24-25, 2001.

Agenda Item 7 **Public Comment**

Ketchikan – None

Dutch Harbor – Captain Grobschmit stated the need for effective communication between pilots and agents. He mentioned pilots not receiving payment for work already invoiced and also that some agents were not paying the training surcharge that AMP had imposed.

Juneau – None

Anchorage – None

Valdez - None

Juneau SOB– Captain Baken hoped the Board would approve the cooperative dispatch agreement pending before the board. He commented that with the deletion of the upper Chatham pilot stations that they have had two cargo jobs that took seven and three quarter hours and that industry has been reluctant to carry the costs of a second pilot for these near eight hour transits.

Captain Antonsen – stated that SEAPA supports AMP’s proposal to amend 12 AAC 56.090. He commented that SEAPA took issue with the third paragraph of the Board’s letter to the APA in that while the simulator may allow accurate repeatability of environmental factors, the environmental factors did not accurately reflect the real world environment. He also commented that for various safety reasons, SEAPA desired to use two pilots in situations where technically the job might legally be completed with only one pilot. He agreed that industry had been reluctant to pick up those costs and that the regulation involved needs to be amended or clarified.

Agenda Item 8 **License Endorsement / Approval**

The MPC stated that he had received applications from both Captain Ward and Captain Adkison for upgrade of their license to Marine Pilot with a VLCC endorsement. He stated that both Captains had completed all the required training for the upgrade and license endorsement except the mandatory year of experience while holding a license with a 60,000 GT limitation. He went on to explain that both pilot's anniversary date of one year experience while holding a 60,000 GT license would occur before the next Board meeting and that he would not issue the new license and endorsement, until that anniversary date.

On a motion made by Mr. Thompson, seconded by Captain Garay and carried unanimously, it was

RESOLVED to authorize the issuance of a Marine Pilot license endorsed for VLCC to Captain Ward.

On a motion made by Ms. Huff Tuckness, seconded by Captain Garay and carried unanimously, it was

RESOLVED to authorize the issuance of a Marine Pilot license endorsed for VLCC to Captain Adkison.

Agenda Item 9 **ACP Amended ByLaws for Approval**

The Board asked Captain Baken to explain ACP's proposed bylaw changes pending before the Board. Captain Baken explained that the change allowed the Association president to continue serving in that capacity until replaced.

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

RESOLVED to approve the amendment to ACP's Bylaws.

Agenda Item 10 **Region 1 Cooperative Dispatch Agreement**

The Board debated briefly whether they needed to actually approve the regional cooperative dispatch agreement and decided that although it was probably not necessary, they would take a vote on whether to approve the agreement.

On a motion made by Ms. Huff Tuckness, seconded by Captain Garay and carried unanimously, it was

RESOLVED to approve the regional cooperative dispatch agreement.

Agenda Item 11 **Proposed Changes to 12 AAC 56.028(c)**

Captain Grobschmit presented the proposed changes to 12 AAC 56.028(c) and also made some changes to the proposal. He agreed to forward an amended copy for the Board's consideration at the October meeting.

Agenda Item 12 **Proposed Changes to 12 AAC 56.090 & 56.100**

Captain Grobschmit presented the proposed changes to 12 AAC 56.090 and 56.100. A short discussion ensued regarding the right of "innocent passage" and its interaction (if any) with the State's ability to require compulsory pilotage. This proposal will be added to the October agenda.

Agenda Item 13 **RTM Star Center Training Dates for 2001**

The MPC presented the dates for training at RTM Star Center next year. He encouraged the associations to determine how to best allocate the dates amongst the associations and asked that they present their findings at the October meeting.

Agenda Item 14 **Board Packet Deadline and Promulgation Policy**

In response to complaints of late delivery of Board materials, the MPC proposed that a strict three week in advance deadline be set for the delivery of material for the Board packets. He would then try to get the packets mailed not less than 2 weeks before the meeting. The Board supported the idea.

Agenda Item 15 **Proposed Changes to 12 AAC 56.070**

Chairman Bush presented the proposed changes to 12 AAC 56.070 that had been redrafted since the last meeting. They will be included in the October Board packet for the Boards consideration.

Agenda Item 15A **Progress Update: Committee to Consider Licensing of Vessel Agents**

Mr. Thompson gave a brief update of the committee's two meeting and said they were progressing well. He promised a more detailed report at the October Board meeting.

Agenda Item 16 **Correspondence**

The MPC led the Board through a very brief review of the remaining correspondence to the Board.

Chairman Bush reminded the Region 1 associations that if they wished the Board to address the safety and fatigue issues surrounding the eight-hour rule, they needed to submit documentation or a proposal for the next Board packet.

Motion to Adjourn

On a motion made by Captain Garay, seconded by Mr. Thompson and carried unanimously, it was

RESOLVED to adjourn the meeting.

Respectfully submitted:

Peter D. Christensen,
Marine Pilot Coordinator

Approved this _____ day of _____, 2001.

Jeffrey W. Bush,
Deputy Commissioner, DCED