

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

**MINUTES OF TELECONFERENCE MEETING  
July 17, 2002**

**B**y the authority of AS 08.01.070(2), AS 08.62.030, and in compliance with the provisions of provisions of AS 44.62, Article 6, a meeting of the Board of Marine Pilots was held July 17, July 17, 2002, via teleconference with public sites located at Ketchikan LIO, Juneau SOB, SOB, Anchorage LIO.

Start Tape 1, Side A

**Agenda Item 1**

**Call to Order/Roll Call**

Chairman Bush called the meeting to order at 1335. The Marine Pilot Coordinator (MPC) conducted roll call.

Members present constituting a quorum were:

Mr. Bush	-	Commissioner's Rep	(Juneau SOB)
Captain Joslyn	-	Pilot Member	(Homer)
Mr. Berto	-	Agent Member	(Ketchikan LIO)
Mr. Poulson	-	Public Member	(Juneau SOB)
Ms. Huff Tuckness	-	Public Member	(Anchorage)

Staff present: Mr. Christensen, MPC (Juneau SOB)

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

Seattle – Mr. Kyle

LIO Ketchikan – Mr. Berto, Mr. Axleson

Juneau SOB – Mr. Bush; Mr. Poulson; Captain Collins; Captain Gray; Mr. Weyhrauch; Captain Kellogg; Captain H. Antonsen; Captain Rathgeber; Captain Luck; Captain Baldry; representatives of Legislative Audit Division: Ms. Gehring, Mr. Fermin, Mr. Spencer; Mr. Monkman.

LIO Anchorage – Representative Dyson, Ms. Huff Tuckness, Captain Grobschmit, (Mr. Reuter joined the teleconference a little later).

Homer – Captain Joslyn, Captain Tillion

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Dutch Harbor – None

**Agenda Item 2      Review/Set Agenda**

SEAPA requested that agenda items 10 – 12 be moved up in the agenda due to time constraints affecting their attendance. Representative Dyson requested to address the Board. Chairman Bush suggested amending the agenda such that items 10 – 12 follow Item #7 (Public Comment) and the creation of an item 2A for Representative Dyson. On a motion made by Ms. Huff Tuckness and, seconded by Captain Joslyn and carried unanimously, it was

RESOLVED to approve the agenda as amended.

**Agenda Item 2A      Representative Dyson**

Representative Dyson discussed two issues with the Board. He mentioned that he had talked with Ms. Wachmann regarding her concerns with the current statute governing pilotage of foreign flag yachts. If her concerns were valid and with the agreement of the Board, he expressed a willingness to introduce legislation to improve the current statute.

Representative Dyson also informed the Board of his activities regarding maritime security. He asked whether the pilot associations or the Board was interested in being included in the meetings he was planning to attend. Several people indicated a willingness to speak to Representative Dyson following the teleconference and to that end he gave his office, home and cell phone numbers.

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

Mr. Berto noted that the Item #11, consideration of the proposed “retirement” regulation was one that could be indirectly considered a pilotage rate issue, and as such it might be appropriate for him and the pilot board member to be recused. Chairman Bush ruled that he felt it was appropriate and important that all Board members comment and vote on the proposed regulation.

**Agenda Item 4      Review/Approval of Prior Meeting Minutes**

One error was noted regarding the identity of the person making the motion on agenda item #5. The MPC was asked to check the record and correct the problem.

On a motion made by Captain Joslyn and, seconded by Mr. Poulson and carried unanimously, it was

RESOLVED to approve the corrected minutes.

**Agenda Item 5      Investigation/Litigation Update**

The MPC noted that no further progress had occurred in Captain Renwick's Superior Court appeal of the Board's decision to revoke his license.

Regarding investigations the MPC stated that he had opened one additional case since the last meeting

**Agenda Item 6      Business Items**

The MPC presented the budget report and the legal costs report and answered questions. He then presented the correspondence contained in the Board packet. Chairman Bush presented the issue of possibly moving the October meeting to September. The Board did not reach agreement on whether to move the meeting and stated that they would look at it again in a week or two when more might be known about various Board member's schedules.

**Agenda Item 7      Public Comment**

End Tape 1, Side A  
Start Tape 1, Side B

Homer – Captain Tillion addressed the Board regarding their regulatory proposals contained in the Board packet. Following a short discussion, SWAPA indicated that they would address their proposed regulatory change to 12 AAC 56.034 in their training program. The Board stated that they would look at the proposed amendment to the training pilot regulation at a later time, possibly at the next meeting.

Juneau – None

Anchorage – None

Ketchikan - None

Dutch Harbor –None

Seattle - None

**Agenda Item 10      SEAPA Bylaw/Op Rule Amendments for Approval**

Captain Collins led the Board through SEAPA's proposed changes to their Bylaws and Operating Rules.

On a motion made by Captain Joslyn, seconded by Mr. Poulson and carried unanimously, it was

RESOLVED to approve SEAPA's proposed changes to their Bylaws and Operating Rules.

**Agenda Item 11      Proposed "Retirement" Regulation to be considered for notice**

Captain Grobschmit addressed the Board regarding the proposed "retirement" regulation. He requested that the Board approve the draft regulation for public notice.

End Tape 1, Side B  
Start Tape 2, Side A

Mr. Kyle asked the Board to consider several issues while considering the proposed retirement regulation.

Mr. Berto commented on the proposed regulation.

Captain Tillion commented on the proposed regulation.

Following further discussion the Board decided to consider the issue again at its next meeting. The Board asked the MPC to gather information on mandatory retirement and physical standards in other state pilotage jurisdictions.

**Agenda Item 12      Address Tabled Motion**

Following considerable public comment and discussion among Board members Mr. Kyle graciously withdrew his letter proposing a regulatory definition of the phrase "available for dispatch" thus eliminating the Board's need to address the Board's tabled motion.

**Agenda Item 8      SWAPA Bylaw Amendment for Approval**

Captain Tillion led the Board through the proposed changes to SWAPA's Bylaws.

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

RESOLVED to approve the proposed changes to SWAPA's Bylaws.

**Agenda Item 9**      **ACP Bylaw/Op Rule Amendments for Approval**

Captain Gray explained to the Board the proposed changes to their Bylaws and Mr. Monkman explained the proposed changes to Operating Rule 13.

End Tape 2, Side A  
Start Tape 2, Side B

A discussion followed and Mr. Berto indicated his desire to forward the proposed language of Operating Rule 13 to legal counsel.

On a motion made by Captain Joslyn, seconded by Ms. Huff Tuckness and carried on a vote of 4 to 1, it was

RESOLVED to approve the proposed changes to ACP's Bylaws and Operating Rules.

**Motion to Adjourn**

On a motion made by Mr. Poulson, seconded by Captain Joslyn and carried unanimously, it was

RESOLVED to adjourn the meeting.

Respectfully submitted:

Peter D. Christensen,  
Marine Pilot Coordinator

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

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Jeffrey W. Bush,  
Deputy Commissioner, DCED