



LAWS OF ALASKA

1987

Source

CSHB 172 (L&C)

Chapter No.

60

AN ACT

Relating to the regulation of marine pilots; extending the termination date of the Board of Marine Pilots; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1, LINE 10

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: June 12, 1987
Actual Effective Date: June 13, 1987

AN ACT

Relating to the regulation of marine pilots; extending the termination date of the Board of Marine Pilots; and providing for an effective date.

* Section 1. AS 08.03.010(c)(12) is amended to read:

(12) Board of Marine Pilots (AS 08.62.010) -- June 30, 1991 [1987].

* Sec. 2. AS 08.62.150(a) is amended to read:

(a) The board [, AFTER COMPLIANCE WITH THE ADMINISTRATIVE PROCEDURE ACT (AS 44.62),] may impose a disciplinary sanction on a person licensed under this chapter when the board finds that the person [DENY, REVOKE OR SUSPEND THE LICENSE OF A PERSON WHO]

- (1) is incompetent in the performance of pilotage duties;
- (2) is habitually intoxicated;
- (3) illegally uses or sells narcotic or hallucinogenic drugs;
- (4) makes a false statement to obtain a license;
- (5) violates a provision of this chapter or a regulation adopted under it;
- (6) is guilty of misconduct during the course of employment; or
- (7) has suffered revocation of federal licensure as a pilot.

* Sec. 3. AS 08.62 is amended by adding a new section to article 2 to

Chapter 60

1 read:

2 Sec. 08.62.155. DISCIPLINARY SANCTIONS. (a) The board may
3 impose the following sanctions singly or in combination:

4 (1) permanently revoke a license or permit to practice;

5 (2) suspend a license for a stated period of time;

6 (3) censure a licensee;

7 (4) issue a letter of reprimand;

8 (5) impose limitations or conditions on the professional
9 practice of a licensee;

10 (6) impose peer review;

11 (7) impose professional education requirements until
12 satisfactory degree of skill has been attained in those aspects of
13 professional practice determined by the board to need improvement;

14 (8) impose probation and require the licensee to report
15 regularly to the board upon matters involving the basis for the pro-
16 bation;

17 (9) accept a voluntary surrender of a license.

18 (b) The board may withdraw probation status if it finds that the
19 deficiencies that required the sanction have been remedied.

20 (c) The board may summarily suspend a license before final
21 hearing or during the appeals process if the board finds that the
22 licensee poses a clear and immediate danger to the public health and
23 safety. A person whose license is suspended under this section is
24 entitled to a hearing by the board within seven days after the effec-
25 tive date of the order. If, after a hearing, the board upholds the
26 suspension, the licensee may appeal the suspension to a court of
27 competent jurisdiction.

28 (d) The board may reinstate a license that has been suspended or
29 revoked if the board finds, after a hearing, that the applicant is

able to practice with skill and safety.

(e) The board may return a license that has been voluntarily surrendered if the board determines that the licensee is competent to resume practice and that applicable renewal fees are paid.

(f) The board shall seek consistency in the application of disciplinary sanctions. A significant departure from prior decisions involving similar situations shall be explained in the findings of fact or order.

* Sec. 4. AS 08.62.150(b) is repealed.

* Sec. 5. This Act takes effect immediately under AS 01.10.070(c).