

SB

130

SFIN

FILE

S B-130
whole Billfile

for Deana Johnson (586-2210)

4-25-96, after 11:00 a.m.

She should call around 11:00
to see if it's workable.

SENATE FINANCE COMMITTEE REPORT

DATE: 4/19/95

FURTHER:

DATE TURNED INTO OFFICE: 4-29-95

The Finance Committee considered SENATE BILL NO. 130

Marine pilots and the Board of Marine Pilots; extending the termination date of the Board of Marine Pilots; efd.

*CS Jerth-
Comins*

and recommends:

- be replaced with CS SB 130 (Fin)
- adopt previous CS _____
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

House Bill:
 same title
 technical change
 new: SCR# _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
		<i>Steve Ni</i>	✓		
		<i>Bob E. Allen</i>	✓		
		<i>Walter Douglas</i>	✓		
		<i>Paul [unclear]</i>	✓		
		<i>Bob [unclear]</i>	✓		
Co-Chair: <i>Rita Halford</i>					
Co-Chair: <i>[unclear]</i>	✓				

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

#1	DC+ED	3/12/95	162.1

APPROPRIATION -- no fiscal note

*Include fiscal notes accompanying Governor's bill

No. 1

Bill Version: SB 130

(S) Publish Date: 4/19/95

FISCAL NOTE

BILL

STATE OF ALASKA
1995 LEGISLATIVE SESSION

Revision Date: March 17, 1995 Department: Commerce and Economic Development
 Title: An Act relating to marine pilots and the BRU: Occupational Licensing
 Board of Marine Pilots:..... Component: Operations
 Sponsor: Senator Pearce
 Requestor: Senator Pearce COMPONENT SERIAL #: 1844

Expenditures/Revenues		(Thousands of Dollars)					
OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01	
PERSONAL SERVICES	74.1	74.1	74.1	74.1	74.1	74.1	
TRAVEL	24.7	24.7	24.7	24.7	24.7	24.7	
CONTRACTUAL	62.7	137.7	62.7	62.7	62.7	62.7	
SUPPLIES	0.6	0.6	0.6	0.6	0.6	0.6	
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0	
LAND & STRUCTURES							
GRANTS, CLAIMS							
MISCELLANEOUS							
TOTAL OPERATING	162.1	237.1	162.1	162.1	162.1	162.1	
CAPITAL EXPENDITURES							
CHANGE IN REVENUES	6.6	392.2	6.6	307.2	6.6	307.2	

FUND SOURCE		(Thousands of Dollars)					
1002 Federal Receipts							
1003 GF Match							
1004 General Fund							
1005 GF/Program Receipts	162.1	137.7	162.1	162.1	162.1	162.1	
1006 GF/MHTIA							
Other							
TOTAL	162.1	137.7	162.1	162.1	162.1	162.1	

Estimate of any current year (FY 95) cost: \$ 00

POSITIONS							
FULL-TIME	1	1	1	1	1	1	
PART-TIME							
TEMPORARY							

ANALYSIS: (Attach a separate page if necessary)

SB 130 extends the Board of Marine Pilots to June 30, 1999 and make other amendments to the marine pilot act, AS 08 62. The costs and anticipated revenue shown above are included in the division's FY 96 operating budget request. A one time increment in the operating budget is reflected in the FY 97 column above. Fees would have to be reviewed prior to the next renewal in FY 97 to ensure full costs of the program are covered by licensing fees. New funds are not required to implement this bill.

Prepared by: Jennifer Strickler Admin Officer Phone: 465-2143
 Division: Occupational Licensing Date: 3/16/95
 Approved by Commissioner: William L. Hensley Date: 3/2/95
 Agency: Commerce and Economic Development

April 29, 1995

TO: LEGAL SERVICES

FROM: NORMA STRICKLAND, SECRETARY
SENATE FINANCE COMMITTEE
EXT. 4935

SUBJECT: CSSB 130

REQUEST FINAL FOR CSSB 130 (FIN) TO INCLUDE AMENDMENT THAT STATES "PEOPLE WHO HAVE AN ALASKAN PILOTAGE LICENSE CANNOT BE LICENSED ELSEWHERE".

THE INTENT IS TO RULE OUT THOSE WHO HAVE PILOTAGE LICENSE OUTSIDE THE STATE OF ALASKA.

WORK DRAFT: 9-LS0851-R; DRAFTER: UTERMOHLE, DATE 4/29/95.

PLEASE CALL TO CONFIRM THAT YOU HAVE RECEIVED THIS MESSAGE. FINAL COPY IS NEEDED FOR TOMORROW'S SENATE MEETING.

THANK YOU,

NORMA STRICKLAND

See to it that the

*Adopted +
Donley Amend.*

WORK DRAFT

WORK DRAFT

WORK DRAFT

4-29-95

9-LS0851/R ✓

Utermohle

4/29/95

CS FOR SENATE BILL NO. 130()

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY

Offered:

Referred:

Sponsor(s): SENATOR PEARCE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to marine pilots and the Board of Marine Pilots; extending the
2 termination date of the Board of Marine Pilots; and providing for an effective
3 date."

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

5 • Section 1. AS 08.03.010(c)(13) is amended to read:

6 (13) Board of Marine Pilots (AS 08.62.010) -- June 30, 1999 [1994];

7 • Sec. 2. AS 08.62.010 is amended to read:

8 Sec. 08.62.010. CREATION AND MEMBERSHIP OF BOARD. There is
9 created the Board of Marine Pilots. It consists of two pilots licensed under this
10 chapter who have been actively engaged in piloting on vessels subject to this chapter,
11 two registered agents or managers of vessels subject to this chapter who are actively
12 engaged in the procurement of pilotage services, two public members in accordance
13 with AS 08.01.025, and the commissioner or the commissioner's designee. Not more
14 than one pilot and one registered agent or manager may [SHALL] be from any one

1 pilotage region established by the board. Not more than one registered agent or
2 manager may be employed by, be a contractor for, or hold a financial interest in
3 the same marine industry business entity, including commonly owned, affiliated,
4 or subsidiary business entities [JUDICIAL DISTRICT]. All members of the board
5 shall be residents of the state.

6 • Sec. 3. AS 08.62.040(a) is amended to read:

7 (a) The board shall

8 (1) provide for the maintenance of efficient and competent pilotage
9 service on the inland and coastal water of and adjacent to the state to assure the
10 protection of shipping, the safety of human life and property, and the protection of the
11 marine environment;

12 (2) consistent with the law, adopt regulations, subject to AS 44.62 (
13 [THE] Administrative Procedure Act ((AS 44.62)), establishing the qualifications of
14 and required training for pilots and providing for the examination of pilots and the
15 issuance of original or renewal pilot licenses to qualified persons;

16 (3) keep a register of licensed pilots, licensed deputy pilots, and agents;

17 (4) adopt regulations establishing

18 (A) pilotage regions in the state;

19 (B) the criteria for concurring in the amount of license,
20 application, training, investigation, and audit fees proposed by the department
21 under AS 08.01.065;

22 (C) the criteria for recognizing pilot organizations under
23 AS 08.62.175;

24 (5) make available, upon request, copies of this chapter and the
25 regulations adopted under this chapter;

26 (6) review and approve the articles, bylaws, and rules of pilot
27 organizations;

28 (7) audit a pilot organization or an individual pilot as necessary to
29 implement and enforce this chapter;

30 (8) review and approve training programs conducted by pilot
31 organizations; the board shall cooperate with the Department of Environmental

1 Conservation in the review and approval of training programs for pilots of tank
2 vessels; [AND]

3 (9) establish and publish the dates of future license examinations; and

4 (10) approve or disapprove rates for pilotage services as provided

5 under AS 08.62.046.

6 * Sec. 4. AS 08.62.040(b) is amended to read:

7 (b) The board may, by regulation, make any other provision for proper and
8 safe pilotage upon the inland and coastal water of and adjacent to the state and for the
9 efficient administration of this chapter, including establishing

10 (1) different licensing criteria for a pilotage region if justified by
11 regional differences in piloting;

12 (2) a mandatory [RANDOM] drug and alcohol testing program,
13 including random tests, post-incident tests, and tests based upon reasonable cause,
14 for pilots licensed under this chapter; the board may delegate responsibility for
15 administration of all or a portion of a testing program to pilot organizations;

16 (3) criteria for trainee selection and for training programs conducted by
17 pilot organizations; [AND]

18 (4) standards under which a pilot may receive a license or an
19 endorsement to a license to pilot vessels in more than one pilotage region under
20 AS 08.62.080(b); and

21 (5) procedures for the review of proposed rates by the board under
22 AS 08.62.046.

23 * Sec. 5. AS 08.62.040 is amended by adding a new subsection to read:

24 (e) The board may delegate duties to the marine pilot coordinator as necessary
25 to assist the board in administering and enforcing this chapter.

26 * Sec. 6. AS 08.62 is amended by adding a new section to read:

27 Sec. 08.62.046. RATES FOR PILOTAGE SERVICES. (a) A pilot
28 organization recognized by the board shall adopt and publish rates for the provision
29 of pilotage services. The pilot organization shall adopt rates for pilotage services as
30 provided under this section. Notwithstanding this section, a pilot organization may
31 enter into agreements with the master, owner, operator, or agent of a master, owner,

1 or operator, of a vessel for the provision of pilotage services at rates of compensation
2 that are different from the rates adopted under this section. Unless a pilot organization
3 has an agreement with the master, owner, operator, or agent of a master, owner, or
4 operator, of a vessel that sets rates for the provision of a pilotage service, the pilot
5 organization may not charge a rate for the provision of the pilotage service to the
6 vessel that is different from the rate adopted or established under this section.

7 (b) If a pilot organization intends to adopt a new or revised rate for the
8 provision of a pilotage service, the pilot organization shall, before October 15, send
9 a notice of intent to adopt a rate for provision of the pilotage service to the board and
10 to all registered agents and publish the notice on at least three days during a period of
11 14 consecutive days in a newspaper of general circulation in the state. The notice of
12 intent to adopt a rate must include a copy of the proposed rate and the name and
13 mailing address of the pilot organization that intends to adopt the rate. If no objection
14 to the proposed rate is filed with the board under (c) of this section, the rate takes
15 effect on January 1 of the year following the year in which notice of the intent to
16 adopt the rate was filed with the board.

17 (c) The master, owner, operator, or agent of the master, owner, or operator, of
18 a vessel required to employ a pilot under this chapter may object to the proposed rate
19 for a specific pilotage service by filing a written notice of objection, containing the
20 grounds for the objection and relevant evidence demonstrating that the rate is not
21 reasonable, with the board within 60 days after the final date of publication of the
22 proposed rate in a newspaper of general circulation. The pilot organization that
23 proposed the rate has until 15 days after the close of the period for filing objections
24 to the proposed rate to provide its written response to the notice of objection and
25 relevant evidence demonstrating that the rate is reasonable. If the pilot organization
26 does not respond to the notice of objection by the close of the 15-day period for
27 response to the objection, the board may not take action on the proposed rate and the
28 proposed rate does not take effect. If the pilot organization does respond to the notice
29 of objection before the close of the response period, the board shall hold a hearing to
30 determine whether the proposed rate is reasonable. If the board finds that the proposed
31 rate is reasonable, the rate is approved and takes effect retroactive to January 1 of the

1 calendar year in which the rate would have taken effect under (b) of this section if no
2 objection had been filed. If the board finds that the proposed rate is not reasonable,
3 the proposed rate is disapproved and does not take effect. In determining what
4 constitutes a reasonable rate, the board shall consider the following factors:

5 (1) current and historical rates charged for comparable pilotage
6 services;

7 (2) the actual time aboard the vessel, time engaged in preparing to
8 provide the pilotage services, seasonal and weather conditions, and risks;

9 (3) the reasonable expenses incurred in providing the pilotage services
10 such as dispatch, transportation, overhead, and other associated expenses;

11 (4) the financial effect of pilotage expenses on the owner of the vessel,
12 except that this factor shall only be considered if the owner provides all financial
13 information that the board determines is necessary to determine the financial effect;

14 (5) the number of vessels and volume of pilotage services at issue in
15 the dispute and the number of members of the pilot organization;

16 (6) the effect of the determination on the income of affected pilots
17 relative to prior years, taking into account changes in vessel tonnage and vessel traffic
18 in the pilotage region from year-to-year;

19 (7) prior determinations under this subsection; and

20 (8) other factors the board considers relevant.

21 (d) Pending the review and approval of the proposed rate for a specific
22 pilotage service by the board under (c) of this section, the current rate then in effect
23 for that pilotage service remains in effect until the board approves the proposed rate.
24 If the proposed rate approved by the board is greater than the current rate, then the
25 master, owner, or operator of the vessel or the vessel is liable for the payment of the
26 additional amount owed for the provision of pilotage services during the pendency of
27 the review by the board due to retroactive application of the approved rate under (c)
28 of this section. If the proposed rate is less than the current rate, then the pilot
29 organization is liable to the master, owner, or operator of the vessel or the vessel for
30 reimbursement of the amount overpaid for the provision of pilotage services during the
31 pendency of the review by the board due to the retroactive application of the approved

1 rate under (c) of this section.

2 (c) If the board finds under (c) of this section that a proposed rate is not
3 reasonable, the pilot organization may propose a new rate for that pilotage service
4 within 60 days after the decision of the board is issued by sending a notice of intent
5 to adopt a rate for provision of the pilotage service to the board and to all registered
6 agents and publishing the notice on at least three days during a period of 14
7 consecutive days in a newspaper of general circulation in the state. The notice of
8 intent to adopt a rate must include a copy of the proposed rate and the name and
9 mailing address of the pilot organization that intends to adopt the rate. If a timely
10 objection to the proposed rate is not filed with the board under (c) of this section, the
11 rate takes effect retroactive to January 1 of the same calendar year in which the initial
12 rate proposed under (b) of this section would have taken effect if no objection had
13 been filed. If a timely objection is filed, the provisions of (c) and (d) of this
14 subsection apply to the proposed rate.

15 (f) The board shall provide a schedule of current rates adopted and interim
16 rates established under this section to agents registered under AS 08.62.187.

17 • Sec. 7. AS 08.62.050 is amended by adding a new subsection to read:

18 (c) In addition to other duties as may be assigned by the board, the marine
19 pilot coordinator may review applications for examination and licensure to ascertain
20 whether the applicant satisfies the applicable requirements.

21 • Sec. 8. AS 08.62.080(b) is amended to read:

22 (b) A pilot may not be licensed in more than one pilotage region^{at} at one time
23 (.) unless the commissioner [BOARD] determines that an actual or imminent
24 shortage of licensed pilots exists in a [IT IS IN THE BEST INTERESTS OF THE
25 STATE TO LICENSE PILOTS FOR PARTS OF MORE THAN ONE] pilotage region.
26 If the commissioner makes the determination described in this subsection, the
27 board may, after consultation with the recognized pilot organizations and
28 registered agents in the affected pilotage region, issue temporary licenses for the
29 affected pilotage region to pilots who already hold a license for another pilotage
30 region. The board shall ensure that sufficient pilots are available to provide
31 pilotage services in the affected pilotage region to all vessels required to employ

1 a pilot under this chapter. A temporary license issued under this subsection is
2 valid for a period of not more than one year.

3 * Sec. 9. AS 08.62.090(b) is amended to read:

4 (b) The application shall provide the information and be made on a form
5 prescribed by the department [BOARD].

6 * Sec. 10. AS 08.62.093(b) is amended to read:

7 (b) A person who applies for a deputy marine pilot license under this chapter
8 shall provide proof satisfactory to the board of the following experience:

9 (1) one year of service as a master on ocean or coastwise vessels while
10 holding a United States Coast Guard license as master of ocean steam or motor
11 vessels of any gross tons;

12 (2) two years of service as a master on United States Coast Guard
13 inspected vessels of not less than 1,000 gross tons or tug and tow of not less than
14 1,600 combined gross tons while holding at least a United States Coast Guard [A]
15 license as master of steam or motor vessels of not more [LESS] than 1,600 gross
16 tons;

17 (3) two years of service as a chief officer on ocean or coastwise vessels
18 of not less than 1,600 gross tons while holding a United States Coast Guard license
19 as master of ocean steam or motor vessels of any gross tons;

20 (4) two years of service as commanding officer of United States
21 commissioned vessels of not less than 1,600 gross tons and hold a United States
22 Coast Guard [WHILE HOLDING A] license as master of ocean steam or motor
23 vessels of any gross tons; [OR]

24 (5) three years of experience as a member of a professional pilot's
25 organization, during which the person actively engaged in piloting while holding at
26 least a United States Coast Guard license as a master of steam or motor vessels
27 [FREIGHT OR TOWING VESSEL] of not more than 1,600 gross tons; or

28 (6) four years of experience gained in a board approved deputy
29 marine pilot apprenticeship program in the pilotage region for which the deputy
30 marine pilot license is sought and hold at least a United States Coast Guard
31 license as master of steam or motor vessels of not more than 1,600 gross tons.

1 * Sec. 11. AS 08.62.093(d) is amended to read:

2 (d) A person licensed as a deputy marine pilot under this section may, except
3 as otherwise provided by the board, pilot vessels of 25,000 [20,000] gross tons or less
4 in a marine pilotage region for which the license is issued.

5 * Sec. 12. AS 08.62.097(b) is amended to read:

6 (b) A person who supervises the training of persons who are seeking a deputy
7 marine pilot license under this chapter shall

8 (1) hold a marine pilot license issued under AS 08.62.100; however,
9 if the board finds that there are no marine pilots licensed in a pilotage region who
10 are available to supervise training under this section, the board may authorize a
11 person who is licensed in that pilotage region as a deputy marine pilot to
12 supervise the training of persons who are seeking a deputy marine pilot license
13 in that pilotage region;

14 (2) receive prior authorization from the board to supervise the training
15 of those persons;

16 (3) maintain a written log and evaluation on a form provided by the
17 board of the training and progress of the person being supervised.

18 * Sec. 13. AS 08.62.120(a) is amended to read:

19 (a) In order to renew a marine pilot license, a person who is licensed under
20 AS 08.62.100 shall

21 (1) submit an application for renewal of the license on a form provided
22 by the department [BOARD];

23 (2) submit proof of continued qualification under AS 08.62.100 to
24 receive a marine pilot license;

25 (3) provide evidence of satisfactory completion of a physical
26 examination by a licensed physician within 60 days before the date of renewal of the
27 license;

28 (4) submit proof satisfactory to the board that the person has

29 (A) engaged in piloting vessels subject to this chapter in the
30 marine pilotage region for which the license is to be renewed during at least
31 120 days [60 DAYS OF EACH CALENDAR YEAR] in the licensing period

1 immediately preceding the licensing period for which renewal is sought; or

2 (B) completed the minimum number of familiarization trips
3 required by the board for renewal of a marine pilot license for a marine
4 pilotage region for which the license is to be renewed.

5 * Sec. 14. AS 08.62.150(a) is amended to read:

6 (a) The board shall impose a disciplinary sanction on a person licensed under
7 this chapter when the board finds that the person

8 (1) is incompetent in the performance of pilotage duties;

9 (2) is chemically impaired;

10 (3) illegally possesses, uses, or sells narcotic or hallucinogenic drugs;

11 (4) makes a false statement to obtain a license;

12 (5) violates a provision of this chapter or a regulation adopted under

13 this chapter [IT];

14 (6) is guilty of misconduct during the course of employment;

15 (7) has had the person's United States Coast Guard pilot license
16 conditioned, suspended, or revoked; or

17 (8) charges, collects, or receives an amount for pilotage services that
18 is different from the rate adopted or established under AS 08.62.046 or the rate
19 agreed to under AS 08.62.175(e) [IN EXCESS OF THE MAXIMUM TARIFF
20 ESTABLISHED BY THE BOARD OR DIFFERENT FROM THE TARIFF
21 ADOPTED] by the pilot organization of which the person is a member.

22 * Sec. 15. AS 08.62.155(b) is amended to read:

23 (b) The board [DEPARTMENT] may impose a civil fine not to exceed \$5,000
24 on a marine pilot organization recognized by the board [,] if the organization violates
25 this chapter or a regulation adopted under this chapter. The board may also suspend
26 or revoke the recognition of a pilot organization that fails to comply with its
27 articles, bylaws, and rules, so as to no longer satisfy the minimum standards for
28 recognition by the board.

29 * Sec. 16. AS 08.62.165(a) is amended to read:

30 (a) A pilot licensed under this chapter is not liable for damages in excess of
31 \$250,000 per incident for damages or loss occurring as a result of the error, omission,

1 fault, or neglect of the pilot in performing pilotage services, except that the limitation
2 does not apply in a case where

3 (1) the pilot is either grossly negligent or guilty of wilful misconduct;

4 or

5 (2) the error, omission, fault, or neglect of the pilot constitutes an act
6 for which the board shall impose a disciplinary sanction under AS 08.62.150(a)(2) or
7 (3) [AS 08.62.150(a)(1), (2), (3), (5), (6), OR (7)].

8 * Sec. 17. AS 08.62.175(c) is amended to read:

9 (c) A pilot organization recognized by the board shall

10 (1) promote a safe and reliable system of marine pilotage for the region
11 in which the organization is recognized;

12 (2) provide for the dispatch of pilots who are members of the
13 organization;

14 (3) adopt and revise rates [TARIFFS] for the provision of pilotage
15 services not covered by an agreement under (c) of this section [BY THE
16 MEMBERS OF THE ORGANIZATION];

17 (4) subject to the membership application and approval provisions
18 contained in the articles and bylaws of the organization, be open to membership
19 by all persons licensed under this chapter to pilot vessels in the pilotage region in
20 which the organization is recognized;

21 (5) operate or participate in a training program for pilots and deputy
22 pilots that is approved by the board; a training program for deputy pilots may
23 include a deputy marine pilot apprenticeship program approved by the board;

24 (6) cooperate with and assist the board in implementing this chapter;

25 (7) by February 1 of each year, submit a report to the board that
26 includes information on the status of training and apprenticeship programs, the
27 number of members of the pilot organization who are state residents, and other
28 information requested by the board.

29 * Sec. 18. AS 08.62.175 is amended by adding a new subsection to read:

30 (c) A pilot organization recognized by the board may enter into agreements
31 with the master, owner, operator, or agent of a master, owner, or operator, of a vessel

1 concerning the terms and conditions under which the pilot organization will provide
2 pilotage services.

3 (f) A pilot organization recognized by the board shall dispatch a person who
4 is licensed under this chapter and who is a member of the organization to provide
5 pilotage services upon the request of a representative of a vessel required to employ
6 a pilot under AS 08.62.160.

7 * Sec. 19. AS 08.62.180 is amended to read:

8 Sec. 08.62.180. EXEMPTIONS. This chapter does not apply to

9 (1) vessels subject to federal pilot requirements under 46 U.S.C. 8502
10 except as provided in AS 08.62.185;

11 (2) fishing vessels, including fish processing and fish tender vessels,
12 registered in the United States or in British Columbia, Canada;

13 (3) vessels propelled by machinery and not more than 65 feet in length
14 over deck, except tugboats and towboats propelled by steam;

15 (4) vessels of United States registry of less than 300 gross tons and
16 towboats of United States registry and vessels owned by the State of Alaska, engaged
17 exclusively

18 (A) on the rivers of Alaska; [.] or

19 (B) in the coastwise trade on the west or north coast of the
20 United States including Alaska and [.] Hawaii, and including British
21 Columbia, Yukon Territory, and Northwest Territories, Canada;

22 (5) vessels of Canada, built in Canada and manned by Canadian
23 citizens [INCLUDING CANADIAN CRUISE SHIPS], engaged in frequent trade
24 between

25 (A) British Columbia and Southeastern Alaska south of 58
26 degrees, 10 minutes North latitude, if reciprocal exemptions are granted by
27 Canada to vessels owned by the State of Alaska and those of United States
28 registry; or

29 (B) northern Alaska north of 68 degrees, 7 minutes North
30 latitude and Yukon Territory or Northwest Territories; [AND]

31 (6) pleasure craft of United States registry; and

1 (7) pleasure craft of foreign registry of less than 300 gross tons as
2 measured under 46 C.F.R. 69.51 - 69.75.

3 * Sec. 20. TRANSITION; APPOINTMENTS. (a) Notwithstanding AS 08.62.010, as
4 amended by sec. 2 of this Act, the current members of the Board of Marine Pilots shall
5 continue to serve for the term to which they were appointed.

6 (b) As the terms of the current marine pilot members and current agent or manager
7 members of the Board of Marine Pilots expire, the governor shall appoint marine pilot
8 members and agent or manager members to the board in accordance with the qualifications
9 set out in AS 08.62.010, amended by sec. 2 of this Act.

10 (c) In this section, the current members of the board are those persons serving on the
11 Board of Marine Pilots on the day before the effective date of this Act.

12 * Sec. 21. TRANSITION; RATES. (a) Pending the adoption of rates under AS 08.62.046,
13 added by sec. 6 of this Act, the rates for the provision of pilotage services are equal to the
14 maximum tariffs established by 12 AAC 56.210, 12 AAC 56.220, 12 AAC 56.230, and 12
15 AAC 56.240, as those regulations read on the day before AS 08.62.045 was repealed.

16 (b) Pending the adoption of rates under AS 08.62.046, added by sec. 6 of this Act,
17 if a rate for a specific pilotage service is not established by (a) of this section, the Board of
18 Marine Pilots may establish the rate for that pilotage service by emergency regulation under
19 AS 44.62.

20 (c) The establishment of rates under (a) and (b) of this section does not create a
21 presumption that the rates are either reasonable or unreasonable under AS 08.62.046, as added
22 by sec. 6 of this Act.

23 (d) For the purposes of AS 08.62.046(d), added by sec. 6 of this Act, the rates
24 established by (a) and (b) of this section are the current rates.

25 (e) Notwithstanding other provisions of this section, a pilot organization that has an
26 agreement with the master, owner, operator, or agent of a master, owner, or operator, of a
27 vessel may charge rates established by the agreement for the provision of pilotage services that
28 are different from the rates established by this section.

29 (f) Unless a pilot organization has (1) an agreement with the master, owner, operator,
30 or agent of a master, owner, or operator, of a vessel that sets rates for the provision of a
31 pilotage service; or (2) adopted rates under AS 08.62.046, as added by sec. 6 of this Act, that

1 have taken effect, the pilot organization may not charge a rate for the provision of the pilotage
2 service that is different from the rate established under (a) or (b) of this section.

3 (g) Each pilot organization recognized by the Board of Marine Pilots shall propose
4 for adoption on January 1, 1996, rates for the provision of all pilotage services offered by the
5 pilot organization.

6 * Sec. 22. AS 08.62.093(c) is repealed.

7 * Sec. 23. This Act takes effect immediately under AS 01.10.070(c).

SENATE FINANCE COMMITTEE

4-27-95
RP
adand

Amendment Number: 1
Bill Number: SB 130
Sponsor: Sharp Date: 4/27/95
Logged In By: JFR

9-LS(792)O.5
Utermohle
4/26/95

Adopted
4-3

AMENDMENT

OFFERED IN THE HOUSE
CS SB 130 (RES)
TO: ~~CSHD 160 (TRA)~~

1 Page 7, after line ⁶29:

2 Insert new material to read:

3 "(g) A pilot organization recognized by the board shall dispatch a person who
4 is licensed under this chapter and who is a member of the organization to provide
5 pilotage services upon the request of a representative of a vessel required to employ
6 ^{INSERT} a pilot under AS 08.62.160.

7 ^{NEW} • Sec. ¹⁸19. AS 08.62 is amended by adding a new section to read:

8 Sec. 08.62.178. DISPUTE RESOLUTION. (a) If a pilot organization
9 required to dispatch a pilot under AS 08.62.175(g) cannot reach an agreement with
10 the representative of the vessel who requested the pilotage services as to compensation
11 for the pilotage services provided, either party may request the board to appoint a
12 mediator to assist in the determination of reasonable compensation for the services
13 provided. Upon receiving a request for assistance in resolving the dispute, the board
14 shall designate a person from within or from outside the department to mediate the
15 dispute. The cost of the mediator shall be borne equally by the parties. If the
16 mediator concludes that the dispute will not be resolved through mediation, the
17 mediator shall notify the board of the mediator's conclusion.

18 b) If the mediator has informed the board that the parties to a dispute
19 regarding compensation for pilotage services will not resolve the dispute by mediation,
20 either party may request the superior court to appoint an arbitrator. The court shall
21 appoint the arbitrator from a list of persons provided by the parties. The cost of the
22 arbitration proceedings shall be borne equally by the parties. Except as provided in
23 this subsection, the arbitration proceeding is subject to AS 09.43.010 - 09.43.180. The
24 arbitrator shall resolve the dispute and determine what constitutes reasonable
25 compensation for the services provided. In determining what constitutes reasonable

1 compensation, the arbitrator shall consider the following factors:

2 (1) current and historical rates charged for comparable pilotage
3 services in the state;

4 (2) the actual time aboard the vessel, time engaged in preparing to
5 provide the pilotage services, seasonal and weather conditions, and risks;

6 (3) the reasonable expenses incurred in providing the pilotage services
7 such as dispatch, transportation, overhead, and other associated expenses;

8 (4) the financial effect of pilotage expenses on the owner of the vessel,
9 except that this factor shall only be considered if the owner provides all financial
10 information that the arbitrator determines is necessary to determine the financial
11 effect;

12 (5) the number of vessels and volume of pilotage services at issue in
13 the dispute;

14 (6) the effect of the determination on the income of affected pilots
15 relative to prior years, taking into account changes in vessel tonnage and vessel traffic
16 in the pilotage region from year-to-year;

17 (7) prior determinations under this subsection; and

18 (8) in the case of a determination as to future pilotage services, the
19 time period stipulated to by the parties, if any, during which the pilotage services are
20 to be provided.

21 Renumber the ^{existing 18 and} following bill sections accordingly.

SENATE FINANCE
COMMITTEE

Amendment Number: 2

Bill Number: SB130

Sponsor: Rieger Date: 4/27/95

Logged In By: HR

AMENDMENT

9-LS0792\O.4

Utermohle

4/24/95

4/27/95

SR
moved

Failed

3-32

SR BS
RP SF
DD

RI did not
will
draw.

OFFERED IN THE HOUSE

TO: CSHB 260(TRA)

- 1 Page 2, line ¹⁸ ~~18~~:
- 2 Delete "a license or"
- 3 Insert "[A LICENSE OR]"

- 4 Page 2, lines-¹⁹⁻²⁰ ~~20~~ - ~~21~~:
- 5 Delete "more than one pilotage region under AS 08.62.080(b)"
- 6 Insert "a specific port or waterway that is located outside of the pilotage region
- 7 in which the pilot is licensed [MORE THAN ONE PILOTAGE REGION]"

- 8 Page 2, line ³⁰ ~~21~~. through page 3, line ⁹ ~~20~~:
- 9 Delete "[,] unless the commissioner [BOARD] determines that an actual or
- 10 imminent shortage of licensed pilots exists in a [IT IS IN THE BEST INTERESTS OF
- 11 THE STATE TO LICENSE PILOTS FOR PARTS OF MORE THAN ONE] pilotage region.
- 12 If the commissioner makes the determination described in this subsection, the board
- 13 may, after consultation with the recognized pilot organizations in the affected pilotage
- 14 region, issue temporary licenses for the affected pilotage region to pilots who already
- 15 hold a license for another pilotage region. The board shall ensure that sufficient pilots
- 16 are available to provide pilotage services in the affected pilotage region to all vessels
- 17 required to employ a pilot under this chapter. A temporary license issued under this
- 18 subsection is valid for a period of not more than one year."

- 19 Insert ": however, the board may issue an endorsement to a license authorizing
- 20 a pilot to pilot ^{certain} vessels in a specific port or waterway that is located outside of the
- 21 pilotage region in which the pilot is licensed [, UNLESS THE BOARD DETERMINES
- 22 THAT IT IS IN THE BEST INTERESTS OF THE STATE TO LICENSE PILOTS FOR
- 23 PARTS OF MORE THAN ONE PILOTAGE REGION]."

4/30/95

Advised by Val
that Sen. Donley
does not like
amendment language
in Sec. 9.

9-LS0851U

pk
Hold on bill for
another CS.

CS FOR SENATE BILL NO. 130(FIN)
LEGISLATURE OF THE STATE OF ALASKA
TEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): SENATOR PEARCE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to marine pilots and the Board of Marine Pilots; extending the
2 termination date of the Board of Marine Pilots; and providing for an effective
3 date."

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

5 * Section 1. AS 08.03.010(c)(13) is amended to read:

6 (13) Board of Marine Pilots (AS 08.62.010) -- June 30, 1999 [1994];

7 * Sec. 2. AS 08.62.010 is amended to read:

8 Sec. 08.62.010. CREATION AND MEMBERSHIP OF BOARD. There is
9 created the Board of Marine Pilots. It consists of two pilots licensed under this
10 chapter who have been actively engaged in piloting on vessels subject to this chapter,
11 two registered agents or managers of vessels subject to this chapter who are actively
12 engaged in the procurement of pilotage services, two public members in accordance
13 with AS 08.01.025, and the commissioner or the commissioner's designee. Not more
14 than one pilot and one registered agent or manager may [SHALL] be from any one

DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

4-30-95
Sen. Donley
did not
like amend.
language.

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

MEMORANDUM

April 30, 1995

SUBJECT: CSSB 130(FIN), An Act relating to marine pilots

TO: Senator Rick Halford, Co-chair
Senate Finance Committee

FROM: George Utermohler *GU*
Legislative Counsel

The Senate Finance Committee has passed out a Committee Substitute for SB 130 with a conceptual amendment to the effect that a marine pilot licensed by Alaska cannot hold a marine pilot license issued by another state or another country.

The amendment has been incorporated into the Committee Substitute as a new bill section (sec 9) amending AS 08.62.080 by adding a new subsection (d) which provides "[n]otwithstanding any other provisions of this chapter, a person who is licensed as a marine pilot under this chapter may not hold a marine pilot license issued in another state or country."

Please be aware that the amendment is potentially subject to challenge under the state and/or federal constitutions. The amendment may be challenged on the grounds that it violates either:

- (1) equal protection by prohibiting an otherwise qualified person from receiving a pilot license because the person holds a pilot license from another state,
- (2) due process by denying a currently licensed marine pilot the right to renew his/her pilot license because he/she also holds a license in another state,
- (3) the federal right to travel because it prevents a person who is licensed in another state from coming to Alaska to become a marine pilot without first giving up his/her current pilot license, or
- (4) the federal privileges and immunities clause, to the extent that the amendment serves to bar nonresidents of the state from becoming marine pilots in Alaska.

As a general rule, the ability of the amendment to withstand such challenges as these will depend significantly on the ability of the state to establish a sufficiently close relationship between the prohibition against holding other pilot licenses and an important state purpose. Ensuring the safety of human life and property and the protection of shipping is an important state purpose and may justify a provision as contained in the amendment, but the relationship

Senator Rick Halford

April 30, 1995

Page 2

between this purpose and the means used by the amendment to achieve that result must be sufficiently close, if the amendment is to survive a challenge

If I may be of further assistance, please advise

GU klb

95-313 klb

Enclosure

AMENDMENT

OFFERED IN THE SENATE

TO: CSSB 130 (RES)

Page 6. after line 29:

Insert new material to read:

(5) by February 1 of each year, submit a report to the board that shall include information on the status of training and apprenticeship programs, the number of the organization's members who are Alaska residents, and other information that may be requested by the board.

Renumber accordingly

4/27/95
pm Meeting

Language
voiced by

Sen. Sharoff

No action
taken.

The Bd. shall
provide for
overlapping
regions when it
is in the best
interest of local
communities.

4-27-95
Bruce
Weyhrauch

AMENDMENT TO HB 230 (L&C)

Sec. 08.62.176. MANDATORY PILOTAGE. Whenever a pilot is requested by a vessel subject to this chapter, a pilot organization shall dispatch a pilot to the vessel and pilotage shall be provided.

Sec. 08.62.177. DISPUTE RESOLUTION. If a pilot organization required to dispatch a pilot under AS 08.62.176 cannot reach an agreement with the representative of a vessel who required the pilot services as to compensation for the pilotage services provided, then either party may request the board to mediate the disagreement in order to assist in the determination of reasonable compensation for the services provided to the vessel or the companies' vessels. If requested to mediate a disagreement, the board shall recommend reasonable compensation for the services provided. The recommended compensation shall apply to all vessel's operated by a single company to avoid disparate compensation for similar pilot services for each of the companies' vessels. In making a recommendation, the board shall consider, among other factors, current and historical rates for pilotage services on the pacific rim and the west coast of the United States.

TONY KNOWLES, GOVERNOR

DEPARTMENT OF COMMERCE AND
ECONOMIC DEVELOPMENT

OFFICE OF THE COMMISSIONER

P O BOX 110800
JUNEAU, ALASKA 99811-0800
PHONE (907) 465-2500
FAX (907) 465-5442

April 12, 1995

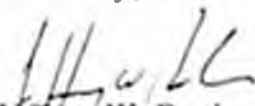
The Honorable Drue Pearce
President of the Senate
State Capitol
Juneau, AK 99801-1182

Dear Madame President:

Marine pilotage continues to be a controversial subject. Senate Bill (SB) 130 is a bill which extends the Board of Marine Pilots, and contains numerous housekeeping changes to the Marine Pilotage Act of 1991. These changes should reduce the litigation surrounding the administration and enforcement of the marine pilotage system. Therefore, SB 130 will further the state's interest in preventing the loss of lives and property, and the protection of the marine environment.

The Department of Commerce and Economic Development fully supports SB 130.

Sincerely,


Jeffrey W. Bush
Deputy Commissioner

JWB/DT/t624.ol
041295a

cc: Pat Pourchot, Legislative Director
Office of the Governor

The Honorable Gary L. Davis
House of Representatives

Alaska State Legislature



During Interim

715 West 4th Avenue, Suite 500

Anchorage, Alaska 99501-2133

Phone (907) 258-8185

Fax (907) 258-0226

During Session

State Capitol

Juneau, Alaska 99801-1182

Phone (907) 465-4993

Fax (907) 465-3872

Drue Pearce
President of the Senate

Sponsor Statement for Senate Bill 130

This bill is designed to extend the Board of Marine Pilots and to provide housekeeping changes to the Marine Pilotage Act of 1991 aimed at reducing the level of litigation surrounding the Marine Pilotage industry.

The bill also provides for a "deputy marine pilot apprenticeship program" to allow an alternative avenue of entry into the pilotage profession to otherwise qualified candidates who may not have had access to the maritime career opportunities required under current law.

Senate Bill 130 addresses some additional concerns of both pilots and agents, such as limitation of liability, cross regionalization, and clarifying the pilot association's ability to enter into agreements with shippers for the provision of pilotage.

The passage of Senate Bill 130 will ensure that the health, safety, and welfare of the Alaska people are maintained through the State's regulation and oversight of marine pilots.

Senate Bill 130 - Marine Pilots
Summary of changes in CS (9-LS0851\K)

Page 1 Section 2

This section addresses the creation and membership of the board of marine pilots. There were some concerns that the agent representatives who sit on the board were not necessarily active agents. This section clarifies that a person being considered for an agent seat on the board must be currently active in the procurement of pilotage services and registered with the state.

It further clarifies that the two agents appointed to the board may not be employed by, be a contractor for, or hold a financial interest in the same or related marine industry business entity.

Page 2 Section 6

In the original bill the word "chronic" was used to help describe the situation that must occur before the commissioner of commerce could issue temporary licenses to pilots from different regions. The Department of Commerce was concerned the word chronic would cause interpretive problems when trying to assess pilot shortage situations.

Page 3 Section 8

The addition of the words "United States Coast Guard inspected" better defines vessels that qualify for entry level experience and hold applicants to a higher safety level in documenting their experience.

Page 6 Section 14

Additional language in this section is a conforming amendment to the establishment of apprenticeship programs found in section 8 of this bill.

Page 7 Section 16

This is a new section added to allow pilot organizations to enter into agreements with industry. The original bill mandated this practice.

Page 7 Section 17

Adds an exemption from state pilotage requirements for Canadian vessels operating out of the Canadian Arctic and servicing Alaska north slope communities.

SB-130

Sectional Analysis

Section 1 amends AS 08.03.010(e)(13) to extend the existence of the Alaska Board of Marine Pilots four years from the effective date of this bill.

Section 2 amends AS 08.62.010, Creation and Membership of the Board, to tie the residence of members of the Board to state pilotage regions, rather than judicial districts. The use of judicial districts in existing law was probably chosen for administrative convenience, but the boundaries of the state's judicial districts bear no relationship to the state's pilotage regions. If the goal is diversified and representative membership on the Board, it makes more sense to tie membership to pilotage regions. At present there are four such regions; the boundaries of the regions are established by regulation (12 AAC 56.021).

Section 3 amends AS 08.62.040, Powers and Duties of the Board, in two ways. Subsection (b)(2) is amended to clarify the Board's existing authority to require licensed marine pilots to participate in a drug and alcohol testing program, to clarify the scope of the required program, and to make it clear that the Board may delegate the administration of all or part of the program to pilot organizations. AS 08.62.040(b)(4) is amended to cross reference changes to AS 08.62.080(b).

Section 4 amends AS 08.62.040, Powers and Duties of the Board, to add a new subsection (e) to explicitly authorize the Board to delegate duties to the marine pilot coordinator as necessary to carry out the Board's functions under AS 08.62. This ability to delegate tasks to its staff is essential for the Board's efficient operation, and is implicit in existing law; the addition of this language is a clarification, not a change.

Section 5 amends AS 08.62.050, Marine Pilot Coordinator, to add a new subsection (c), which clarifies the authority of the marine pilot coordinator to perform administrative tasks, including the review of applications for marine pilot examination and licensure. The requirements to qualify for examination and licensure are established by statute and by Board regulations, and this language would not change that.

Section 6 amends AS 08.62.080(b) to better define under what circumstances the board may grant a marine pilot license for parts of more than one pilotage region.

Section 7 amends AS 08.62.090, Applications, to clarify that the Department of Commerce and Economic Development (Department) may revise application forms (to comply with revised Board regulations, for example) without being required to convene a Board meeting to obtain formal Board approval of the revised form. The actual requirements for licensure are set by statute and by the Board, and this amendment would have no effect on that.

Section 8 amends AS 08.62.093, Qualifications for Deputy Marine Pilot License, in several ways. Subsection (b) contains numerous technical amendments intended to clarify the types of marine

licenses that an applicant must hold to meet the requirements for licensure as a state deputy marine pilot. These changes would conform state law to the language used on U.S. Coast Guard licenses. New paragraph (b)(6) establishes an additional method of qualifying for licensure as a deputy marine pilot, a five-year "apprenticeship" program. This change would allow entry into the pilot profession by otherwise qualified mariners who may not have had the opportunity to gain the "sea time" needed under current law. Due to the continuing decline in the number of U.S. flagged and crewed vessels in the maritime industry in recent years, opportunities to gain sea time as the master or chief mate of a vessel have substantially decreased. Most pilotage systems in the world have such apprenticeship programs, and they are recommended by the American Pilots Association, The International Organization of Masters, Mates and Pilots, and the National Research Council in its recent national pilotage study Minding the Helm. The requirements of the new program would be established by the Board through regulation.

Section 9 amends AS 08.62.093(d), Qualification for Deputy Marine Pilot License, to increase the size of vessels that a deputy marine pilot may pilot from 20,000 to 25,000 gross tons. This is a "housekeeping" amendment which recognizes the increasing size of newer vessels and the removal of smaller aging vessels from service.

Section 10 amends AS 08.62.097 Training Programs for Deputy Marine Pilot License, to address a problem in current law as it applies to the Kuskokwim River pilotage region (Region 4). Under AS 08.62.097(b), a pilot authorized to train deputy marine pilot candidates must hold an unlimited pilot's license under AS 08.62.100. There is no marine pilot in the Kuskokwim River Region who meets this requirement, in part because of a lack of sufficient larger tonnage vessel traffic in that region. So, technically, there is no one qualified to train deputy pilots in that region. This is obviously an unacceptable situation, as no new pilots can be developed in that region if no training can occur. This problem arose as the result of the creation of Region 4 in 1993, after the 1991 Marine Pilotage Act was adopted. The problem is addressed by the addition of language allowing a qualified, experienced deputy marine pilot to train other deputy marine pilots in a region where no qualified marine pilots exist.

Section 11 amends AS 08.62.120, Renewal of Licenses, to allow license renewal forms to be revised by the Department without the necessity of formal Board approval. This change mirrors that made in AS 08.62.090; see section 7, above. AS 08.62.120(a)(4)(A) is amended to allow a marine pilot to renew his license if he has piloted a total of 120 days in the preceding license period (two years). Present law requires that a pilot have piloted vessels for at least "60 days of each calendar year", and allows no flexibility for the renewal of the license of a pilot who may have piloted vessels for less than 60 days in one year, but more than that in the next calendar year. The current statute seems to be unnecessarily restrictive.

Section 12 amends AS 08.62.150, Denial, Revocation, or Suspension, to delete a reference in paragraph (a)(8) to the maximum tariff established by the Board. The Board's authority to establish maximum tariffs expired on June 30, 1994 (former AS 08.62.045), so this is a necessary conforming amendment.

Section 13 amends AS 08.62.155, Disciplinary Sanctions, to eliminate an error in the language of

the existing law, and make it clear that it is the Board, not the Department, that may impose a civil fine on a marine pilot organization for violations of the law. A new sentence is added to subsection (b) to make it clear that, in addition to a fine, the Board may (under certain serious conditions) also revoke its recognition of a pilot organization. This language mirrors an existing Board regulation: 12 AAC 56.320. Thus, this is not a change to existing law, but a clarification to it.

Section 14 amends AS 08.62.165, Limitation of Liability, to protect pilots from the loss of their liability cap for relatively minor infractions of the pilotage statutes or regulations.

Section 15 amends AS 08.62.175(c)(3), Regional Marine Pilot Organizations, to clarify the pilot association's ability to enter into agreements with shippers for the provision of pilotage services. Subsection (c)(4) is amended to allow pilot association to establish membership application and approval criteria in their board approved articles and bylaws.

Section 16 amends AS 08.62.180, Exemptions, to clarify the types and size of foreign flagged "pleasure craft" that are exempt from pilotage requirements under existing law. This is a technical amendment that would help to clear up questions regarding which foreign vessels registered in their flag state as pleasure craft are required to obtain the services of a state marine pilot and which are not. The new language cross-references to international measurement standards established in federal law.

Section 17 Transition. This section is added to provide a smooth transition to the membership of the Board of Marine Pilots in light of changes made to board composition in section 2.

Section 18 repeals AS 08.62.093(e). The term "years of service" is not defined in 46 C.F.R. 10; it does not make sense to "cross-reference" to a definition that does not exist. The Board has adopted regulations clarifying how creditable service under AS 08.62.093 is to be calculated.

Section 19. Effective date. This section provides for an effective date of this bill. This special effective date is needed to ensure that there is no interruption in the existence of the Board of Marine Pilots.

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 3/14/95

FURTHER: Finance

full

Date of 5-Day Notice: 3-15-95
 (in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 4-19-95

Resources Committee considered SB 130

Marine pilots; extending the termination date of the Board of Marine Pilots; etd.

and recommends:

- be replaced with CS SB 130 (YES)
- adopt previous CS ()
- attached amendment(s)
- adopt Letter of Intent by Committee
- further referral to the Committee

Senate Bill:

same title
 new title

House Bill:

same title
 technical title
 new: SCR

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Tom Louce</i>	<input checked="" type="checkbox"/>	<i>Tom H. ...</i>	<input checked="" type="checkbox"/>		
<i>John L. Taylor</i>	<input checked="" type="checkbox"/>	<i>...</i>	<input checked="" type="checkbox"/>		
<i>Chair: ...</i>	<input checked="" type="checkbox"/>				

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

Department	Date	Zero	Fiscal
<i>C-13</i>	<i>3/17</i>		<i>162-1</i>

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill