

CONFIRM.

BOARD

OF

MARINE

PILOTS

Alaska State Legislature

Senator Steve Rieger, Chair
Senator Robin Taylor, Vice Chair
Senator Lyda Green
Senator Al Adams
Senator Georgianna Lincoln



State Capitol
Room 516
Juneau, Alaska 99801
(907) 465-4921

Senate Committee on Transportation

REPORT ON CONFIRMATION OF APPOINTMENTS

April 23, 1996

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

Dear President Pearce:

In accordance with AS 39.05.080, the Senate Transportation Committee reviewed the qualifications of the following and recommends the appointments be forwarded to a joint session for consideration:

Board of Marine Pilots

Dan A. Hensley, Esq. - Anchorage

Appointed: 10/02/95; Expires: 06/01/96

John C. Klepper - Valdez

Appointed: 07/21/92; Reappointed: 10/02/95; Expires: 06/01/99

Bernie Smith - Kenai

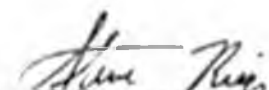
Appointed: 10/02/95; Expires: 06/01/96

Michael C. Spence - Ketchikan

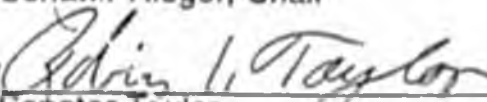
Appointed: 10/02/95; Expires: 06/01/99

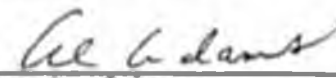
There were no stated objections to the named individuals. However, this does not reflect an intent by any of the members to vote for or against any of the appointments during any further sessions.

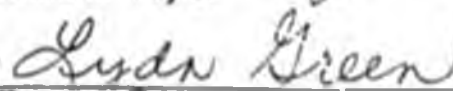
Respectfully,

1s/ 
Senator Rieger, Chair

1s/ _____
Senator Lincoln

1s/ 
Senator Taylor

1s/ 
Senator Adams

1s/ 
Senator Green



OFFICIAL BUSINESS

Alaska State Legislature

Senate

Office of the Secretary

STATE CAPITOL
JUNEAU, ALASKA 99801-1182
(907) 465-3701
FAX: 465-2832

January 30, 1996

MEMORANDUM

TO: Senator Rieger, Chair
Transportation Committee

FROM: Nancy Quinto *N*
Secretary of the Senate

SUBJECT: Governor's Confirmations

Pursuant to AS 39.05.080, President Pearce has referred the following names for legislative confirmation to your committee for a hearing, recommendation and report:

Board of Marine Pilots

Dan A. Hensley, Esq. - Anchorage
Appointed: 10/02/95; Expires: 06/01/96

John C. Klepper - Valdez
Appointed: 07/21/92; Reappointed: 10/02/95; Expires: 06/01/99

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Michael C. Spence - Ketchikan
Appointed: 10/02/95; Expires: 06/01/99

NQ/vsw

Resumes attached

RÉSUMÉ

DAN A. HENSLEY

211 H Street
Anchorage, Alaska 99501

PROFESSIONAL EXPERIENCE

- April 1995
to present Rice, Volland, Taylor & Hensley, P.C.

Civil litigation and appeals with emphasis on complex litigation involving medical, industrial safety, product manufacturing and related issues. Court appointed Discovery Master and Guardian ad Litem responsible for resolving disputes among parties in a variety of legal settings.
- Sept. 1993
to April 1995 Owner, Law Office of Dan A. Hensley

Civil litigation and appeals; court appointed Discovery Master and Guardian ad Litem.
- October 1986
to Sept. 1993 Luce & Hensley

Civil trial practice with emphasis on complex litigation.
- January 1983
to Oct. 1986 Alaska Public Defender Agency

Felony trial attorney, Anchorage office (1983-1985),
Supervising Attorney, Juneau Office (1985-1986)
- January 1978
to Jan. 1983 Managing Attorney, Duncan, Weinberg, Miller and Hensley
(Anchorage Office of Duncan, Weinberg and Miller, Wash. D.C.).

Civil practice with emphasis on Indian law and administrative law.
- November 1974
to Jan. 1978 Attorney, U.S. Department of the Interior

Office of Hearings and Appeals (1974);
Solicitor's Office, Division of Parks and Recreation, Washington D.C.
(1974-1976); Regional Solicitor's Office, Anchorage, Alaska (1976-
1978). Legal advisor to National Park Service, U.S. Fish and Wildlife
Service, Bureau of Land Management, and Bureau of Indian Affairs
in public land law, natural resources and environmental law,
administrative law and Indian law.

EDUCATION

J.D., University of Kansas Law School, 1974

B.A., University of Kansas, American Studies, 1971

PRESENTATIONS

April 1995 "How to Find and Work with Expert Witnesses", Anchorage Association of Women Lawyers;

July 1994, Panel Member, "Breast Cancer, Legal Issues", sponsored by Alaska Bar Association;

March 1994, Group Leader, "Advanced Cross Examination", 2 day seminar including lecture and practical application, sponsored by Alaska Academy of Trial Lawyers;

January 1994, Organizer and moderator, "Expert Witnesses", sponsored by Alaska Academy of Trial Lawyers;

September 1993, Instructor, "Civil Trial Procedures in Alaska", sponsored by National Business Institute;

August 1993, Organizer and moderator, "Arbitration and Mediation, and Legal Ethics and Malpractice", sponsored by Alaska Academy of Trial Lawyers;

June 1992, Instructor, "Civil Trial Procedures in Alaska", sponsored by National Business Institute.

OTHER ACTIVITIES AND HONORS

Member, Civil Justice Reform Committee, United States District Court for the District of Alaska, 1990 to present;

Member, Alaska Civil Liberties Union Litigation Committee, 1988 to present;

President, Alaska Academy of Trial Lawyers, 1990-91, Board of Governors 1989 to present;

Member, Association of Trial Lawyers of America, 1986 to present;

State Coordinator, Trial Lawyers for Public Justice, April 1995 to present;

Member, Alaska Bar Association, 1977 to present;

Nominee, Trial Attorney of the Year, 1988, Trial Lawyers for Public Justice, for participation in Jackson v Power, 743 P 2d 1376 (Alaska 1987), a case establishing a seminal principle of medical malpractice law regarding hospital liability.

Chairman and member, Board of Directors, Alaska Natural History Association, 1977-80,

Instructor, American History, Dodge City, Kansas Community College, 1971,

JOHN C. KLEPPER
1188 MINERAL CREEK DRIVE
P.O. BOX 3065
VALDEZ, ALASKA 99686

Home Phone: (907) 835-4239

CONSULTING COMPANY:

1995 - Director, Marine/Environmental Consultant, Associates (M/EC,A), Valdez, Alaska

RECENT EMPLOYMENT:

1994 - Manager, Marine Alliance Program
1993 - 1994 Marine Operations Manager
1991 - 1993 Operations Manager
SERVS Alyeska Pipeline Service Co.
Ship Escort Response Vessel System
Valdez, Alaska

GOVERNMENT APPOINTMENTS:

1/94 - Present Chairman, Board, of Marine Pilots, State of Alaska
7/92 - 12/93 Vice Chairman, Board of Marine Pilots State of Alaska
8/92 - Present Member Advisory Board, Prince William Sound Oil Spill Recovery Institute
(Appointed by Secretary of Commerce)

FORMER GOVERNMENT APPOINTMENTS:

1/89 - 1/90 President of the Board of Pilot Commissioners, State of California
6/86 - 12/88 Commissioner for the Board of Pilots for the Bays of San Francisco,
San Pablo, and Suisun, State of CA.

MEMBERSHIPS:

Napoleonic Society of America
Propeller Club of United States, Port of the Golden Gate
Council of American Master Mariners, San Francisco Chapter

DEGREES & CREDENTIALS

1985 M.B.A., Monmouth College
1972 Certificate of Advanced Engineering Studies in Environmental Engineering,
The John Hopkins University
1968 B.S. in Meteorology & Oceanography, New York State Maritime College
U.S.C.G. Masters Lic., First Class Pilotage (U.S. East Coast) & endorsements

OTHER CURRICULUM:

1995 Qualified Individual II; recertification - PA901, M.M.A./U.A.
1994 Incident Investigation & Analysis (Safety followup/prevention, etc.)
Strategic Alliances (Structuring & Managing) - Presidents Assoc. Canada
1993 Qualified Individual Training, Mass. Maritime Academy (OPA 90 Reg)
Oil Spill Dispersant Application Management
SERVS Academy (Oil Spill related Training)
1992 HAZWOPER - Through Level V - Yearly refresher
HAZWOPER - Waste Operations & Emergency Response
Various APSC Training courses

OTHER CURRICULUM (Continued):

- 1991 Crisis Management - ICS Command System for Planning (CMT/110,114,113, & 160)
Computer Skills - Professional Office System (PROFS/PROFS Advanced)
Time Management - Personal efficiency training for scheduling, calendars, timing, effectiveness of time utilization. (By Time Systems Exxon Co., U.S.A.)
- 1990 Environmental Response - Emergency Response Team Training: ERT
Organization Training/Drill Review for Oil Spill Response Organization
- 1989 Environmental Response - OSHA 29 CFR 1910-120 (HASWPR)
Environmental Issues - the Legal Perils of Hazardous Waste and Environmental Management, San Francisco State University.
- 1988-1989 Vessel Chartering - Principles of Chartering, Assoc. of Ship Brokers & Agents, Inc.
- 1988 Personnel Management-Management Seminar on employee Drug Use Policy, Exxon Shipping Co.
- 1987 Labor Relations - Positive Management Leadership, Nestle Enterprises, Inc.
Vessel Management - Exxon Shipping Company Fleet Management Conference
- 1986 Business Scoping Study - McGraw Hill Business Planning Seminar
Management Teamwork - EXCEL Leadership Enhancement Program
- 1984 Communications - Effective Presentation Course, Exxon Company, USA
- 1982 Personnel Management - Equal Employment Opportunity Training for Exxon USA Mgmt
Tanker Technical - Crude Oil Washing & Inert Gas Systems Course, Leith Nautical College
- 1981 Management Skills - Marine Management Course, Exxon Co., USA, Marine Department
- 1980 Environmental Response - Oil Spill Control Course, Texas A & M Extension Service

PUBLICATIONS AND REPORTS:

- 1985 Hambury Terminal Survey, (Exxon Corp. PPD Audit)
Performed Corporate Survey with representative from ER&E and Esso-Chem Europe, Inc.
- 1980 Cys Excellence Breakout Report, 80 EUSA
- 1972 A report of the prototype current velocity and salinity data collected in the upper Chesapeake Bay for the Chesapeake Bay model study. (Chesapeake Bay Institute Spec. Rept. 27 Ref. 72-12)
A report on the prototype data collected in the Potomac River for the Chesapeake Bay model study. (Chesapeake Bay Institute Spec. Rept. 25 Ref. 72-9)
- 1967 Atkiss Particles as Condensation Nuclei, Journal of the Am. Meteorological Soc. 67:10

PRIOR EMPLOYMENT:

- 1990 Environmental Affairs Analyst
Houston Headquarters
Exxon Shipping Company
- 1985-1989 Transportation Coordinator
West Coast Fleet Office
Exxon Shipping Company
- 1985 Senior Operations Supervisor
West Coast Fleet Office
Exxon Shipping Company

PRIOR EMPLOYMENT (Continued):

1984-1985	Senior Turnaround Coordinator East Coast Branch Office Exxon Shipping Company
1981-1984	Agency Section Head East Coast Branch Company Exxon Shipping Company
1979-1981	Tanker Turnaround Coordinator Exxon Company, USA Marine Department, East Coast Branch
Prior 1978	Research Associate, Managing the Data Acquisition Program for the Army Corps of Engineers, Chesapeake Bay Model Program Chesapeake Bay Institute Baltimore, Maryland
	Master Coastwise Towing Vessel - JEANNE C. Polling Transportation Corp. New York, New York
	Master Motor Tanker PRINCESS BAY Eastern Tanker Corp. New York, New York
	SS AFRICAN PLANET and LIGHTING Farrell Lines, Inc. New York, New York
	Tanker ESSO BALTIMORE Humble Oil & Refining Co. Houston, Texas
	SS BALTIMORE Sea-Land Services, Inc. Port Elizabeth, New Jersey

MILITARY SERVICE

Formerly Lieutenant, U.S. Naval Reserve

Other Environmental & Marine Safety Involvements

1979	Tanker Berth & Port Appraisals - East Coast USA; Maine to S.Carolina
1980-1984	Chemical carrier cargo system & terminal interface design and review.
1988- 1990	Bay Area Air Quality Management District lightering emission regulations
1990	Assisted in update of ESC Oil Spill Response Plan

Additional information and academic background on request.



BERNIE SMITH
MANAGER ALASKA GOVERNMENT AFFAIRS AND PROJECT MANAGEMENT

General

Over 20 years experience in project control, consisting of project cost and schedule control; performing audits of contractors' project cost and appraising effectiveness in meeting management cost and scheduled objectives; performing budget analysis; and assisting with contract negotiations. Over 8 years experience and involvement with spill response organizations: CISPRI/CIRO and Tesoro's Response Team (Deputy Incident Commander for Tesoro's Incident Command Team). Four years attendance on The Alaska Board of Marine Pilots. Chief negotiator with Southwest Alaska Pilots Association in tariff contracts for Cook Inlet. Tanker Representative on The Cook Inlet Association.

Occupation

Manager Alaska Government Affairs and Project Management

Education

Bachelor of Science Degree in Engineering Technology, Texas A & M University, 1973

Employment History

1983 - Present: Tesoro Alaska Petroleum Company

1983-1986: Senior Field Engineer - Project Coordinator
1986-1987: Maintenance Coordinator and Planner
1987-1990: Mechanical Project Engineer
1990-1993: Senior Engineer Environmental Services
1993-Present: Mgr Alaska Government Affairs and Project Management

1979 - 1983: Litwin Engineering & Construction

Senior Field Cost and Scheduling Engineer - responsible for estimating, budgeting dollars and man hours, progress reports, forecasting percent complete and start-up of units.

1974 - 1979: Gene Nelson Incorporated - Industrial Painting and Fireproofing Contractor

Senior Estimator, Area and Project Manager

Bernie Smith
Page 2

1973 - 1974: Prepad Incorporated - Refractory Lining Contractor

Cost Engineer and Superintendent

Organizations

President: Boys and Girls Club, Kenai Peninsula

Vice-President: Cook Inlet Spill Response Inc. (CISPRI) Board
and Executive Committee

Member: Cook Inlet Association - Tanker
Representative 1993-Present

Charter Funding
Member: Cook Inlet Regional Citizens Advisory Council

Charter Member: Alaska Steamship Association

Member: Alaska Oil and Gas Board

Member: AOGA Legislation Committee

Member: Prince William Sound Risk Assessment Steering
Committee

Member: Nikiski Fire Service Board 1989 to Present

Actively involved in various community organizations

Captain Michael C. Spence

5756 Justice Court
 PO Box 7981 Ketchikan, Alaska 99901
 (907) 225-5508

OBJECTIVE	Appointment to the Alaska Board of Marine Pilots	
	My experience as a marine pilot, in the management of marine pilot organizations and my exposure to regulatory procedures in Alaska qualify me to serve the State of Alaska in this capacity.	
EXPERIENCE	Alaska Coastwise Pilots Association, Juneau and Ketchikan, Alaska	<i>Marine pilot</i> 1991 to present
	Served as President May 1992 to September 1994 Attended and testified at legislative committee hearings on HB 194, the Marine Pilot Act, and all subsequent Alaska legislative proposals regarding pilotage Attended and testified at all regulation making meetings of the Board of Marine Pilots following the enactment of the current Marine Pilot Statute in 1991 Participated in the formation of the Alaska Coastwise Pilots Association and in its meeting regulatory requirements of the State of Alaska for recognition under the Marine Pilot Act of 1991 Performed pilotage of vessels of all sizes on waters of Southeastern Alaska	
	Southeastern Alaska Pilots Association, Ketchikan, Alaska	<i>Marine Pilot</i> 1980 to 1991
	Served as Director 1982 - 1988. Bylaw review committee, 1982-86 Training and recruiting committees 1983-87, Supervised training of pilots. Pilotage of all size vessels on waters of Southeastern Alaska	
	Interport Pilots Associates, Atlantic Highlands, New Jersey	<i>Marine pilot</i> 1979, 1980
	Pilotage of oil tankers up to VLCC class on waters of New York Harbor	
	State of Alaska Marine Highway System, Juneau, Alaska	<i>Deck officer/ pilot</i> 1976 to 1979
	Navigation and pilotage of ferries in capacities up to Chief Officer, on waters of Southeastern Alaska, British Columbia, and Puget Sound.	
	Crowley Maritime Corporation, San Francisco, California	<i>Deck officer</i> 1974 to 1976
	Navigation officer on oceangoing and shipwork tugs on waters of Pacific coast and Alaska.	
	Chevron Shipping Co., Pacific Far East Line, San Francisco, California	<i>Midshipman</i> 1973, 1974
	Officer apprentice aboard tankers and containerhips. Alaska and Far East service.	
	Four mast bark "Sea Cloud" Miami, Florida	<i>Ordinary Seaman</i> 1969-1970
	Deck seaman in Atlantic and Caribbean service	

EDUCATION Bachelor of Science degree in Nautical Science 1975
United States Merchant Marine Academy, Kings Point, New York

City College of San Francisco,
San Francisco, California, 1970 - 1971
undergraduate studies in Marine Science

TRAINING Bridge Resource Management and Emergency Shiphandling. 1994
Simulation Training and Research, Inc., Seattle, WA.

Manned Model Course 1987
College of Maritime Studies, Warsash, England.

Active Duty for Training, Lt., U.S. Naval Reserve 1978
Training in pilotage of large U.S. Navy vessels, San Francisco Bay, California

LICENSES State of Alaska, Marine Pilot, Unlimited tonnage,
Southeastern Alaska and Yakutat

U.S. Coast Guard, Master, Any Gross Tons, upon Bays, Lakes and Sounds

First Class Pilot: on vessels of any gross tons upon the following waters:
Southeastern Alaska and Yakutat

New York Upper and Lower Bays, Raritan Bay, Staten Island Sound

Puget Sound, Rosario Straits to Seattle

San Francisco Bay, Golden Gate to and between the Bay Bridge and the Brothers

AWARDS United States Merchant Marine Academy
Highest Honors for Shipboard Training and thesis work

Paulsen Webber Award for Outstanding Practical Seamanship
at the U.S. Merchant Marine Academy

Knickerbocker Yacht Club Award for Outstanding Contribution to the Sailing
program at the U.S. Merchant Marine Academy

Victor Lugowski Award for Creative Writing, U.S. Merchant Marine Academy

**PROFESSIONAL
ORGANIZATIONS**

American Pilots Association, member 1980-1991

International organization of Masters, Mates, and Pilots, member 1975-1991

Royal Institute of Navigation, member 1979 to present

U.S. Naval Reserve, commissioned officer, honorably discharged 1971-1985

**COMMUNITY
SERVICE**

Ketchikan Sailing Foundation, Board of Directors 1984 to present
American Cancer Society, volunteer and event organizer 1984 to present
Event Organizer, Tongass Narrows Marathon, Forget Me Not Runs 1982-87
First United Methodist Church, Ketchikan Alaska 1982 to present

**PERSONAL
DATA**

Resident of Alaska since 1976. Age 49. Happily married to Debby Spence, a teacher at Schoenbar Middle School, Ketchikan
Children: Carly age 10 and Cameron age 6, both born in Ketchikan, Alaska.

**REFERENCES,
PROFESSIONAL**

Alaska Coastwise Pilots Association, Captain Douglas MacPherson, President
Ketchikan, Alaska 907-225-7845.

Alaska Steamship Operators Association, Mr. Joe Kyle, spokesman
907-580-3107 Juneau, Alaska

Mr. Greg Erickson, Erickson and Associates, Juneau, 907-586-1900

Captain Arie Van Noordt, Northwest Cruise Ship Association
Vancouver, B.C., Canada 604-681-8351

Southeast Stevedoring Corp. Mr. Bill Sharp, Vice President, Operations,
Ketchikan, Alaska 907-225-0157.

Ms. Kate Tesar, Alaska Services Group, Juneau, Alaska 907-403-5657.

Western Alaska Pilots Association, Captain Bob Boyd, President,
Unalaska, Alaska 907-581-3900.

**REFERENCES,
GOVERNMENT**

Representative Bill Williams, Alaska House of Representatives,
Ketchikan, 907-247-6678.

date: January 25, 1995
