

PROPOSAL 269

5 AAC 39.143. Onboard observer certification and decertification.

Amend observer trainee permit revocation regulation, as follows:

5 AAC 39.143 is amended to read:

...

(d) [THE COMMISSIONER MAY REVOKE A] **A** trainee permit **may be revoked** for the reasons **listed** [AND] under the procedures set out in (j) - (n) of this section, **and at the discretion of the department**. If revocation proceedings are pending on the date the permit would expire under (c)(1) of this section, the permit expires under that paragraph, and all rights under the permit cease. If revocation proceedings are pending on the date the permit would expire under (c)(2) of this section, the permit does not expire on that date, but is suspended until conclusion of the revocation proceedings. The trainee may not act under the permit during the period of suspension. The permit expires at the conclusion of the revocation proceedings unless the department determines that the permit should not be revoked and that the trainee should be certified as an observer under (f) of this section.

What is the issue you would like the board to address and why? The criteria used to revoke observer trainee and full observer certification are currently the same in regulation. It is not uncommon for observer candidates to pass the written exam to become observer trainees then later discover they are not suited for the physical and mental challenges experienced at sea. This results in poor data quality and added costs to the observer program. Allowing the department greater flexibility to revoke trainee certification when warranted will improve data quality and provide the needed flexibility to ensure qualified observers are deployed to meet management needs.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F19-169)
