

MINUTES OF THE MEETING
RULES COMMITTEE MEETING
BOARD OF PILOT COMMISSIONERS
Hampton Inn & Suites
19 South Second Street
Fernandina Beach, FL 32034

CALL TO ORDER

Commissioner Bryson, Vice-Chair of the committee, called the meeting to order at 1:19 p.m.

Members Present

Commissioner Bohnsack
Commissioner Brandenburg
Commissioner Bryson, Vice-Chair
Commissioner Buford
Commissioner Jones
Commissioner Molitor
Commissioner Phipps

Members Not Present

Commissioner Frudaker, Chair
Commissioner Fernandez

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Tom Barnhart, Board Counsel
Galen Dunton, Consultant
Warren Husband, Florida State Pilots Association (FSPA)
Gretchen Rayborn, FSPA
Allen Thompson, Tampa Bay Pilots Association
Jay Winegeart, St. Johns Bar Pilot Association
Steve Gasecki, FSPA
Dan Ramsey, Ft. Docking Masters

APPROVAL OF THE MINUTES OF THE MEETING

April 29, 2009

MOTION: Commissioner Phipps made a motion that the committee approve the minutes as submitted.

SECOND Commissioner Molitor seconded the motion and it passed unanimously.

RULES REPORT – TOM BARNHART

Mr. Barnhart reviewed the report submitted by Mr. Flury and responded to questions.

DISCUSSION OF RULE 61G14-16.001, F.A.C., VESSEL MOVEMENTS REQUIRING A STATE PILOT – CHERYL PHIPPS

Commissioner Phipps provided copies of rules from Alaska and Washington regarding the taking of the conn and wanted the members to consider amending Rule 61G14-16.001, Florida Administrative Code (FAC.) She stated that they may need to discuss this with Mr. Flury at the next meeting.

Following discussion, Commissioner Phipps asked that this be placed on the next agenda. Commissioner Bryson commented that he would like for all of the ports to have a chance to review the information before moving forward. Ms. Barineau stated that it would be noticed for rule development.

Captain Gasecki, Vice-President of the FSPA, stated that he would make sure the information was sent to all of the associations in the state.

MOTION: Commissioner Phipps made a motion that Rule 61G14-16, FAC, be noticed for rule development at the next meeting.

SECOND: Commissioner Molitor seconded the motion, and it passed with Commissioner Bryson voting against the motion.

DISCUSSION OF PROPOSED DEFINITIONS FOR DEFINING WORK HOUR STUDY - GALEN DUNTON

Commander Dunton stated that this was developed at the request of the board to provide basic definitions. He stated that he was requested to provide this information to the Florida State Pilots Association. He stated that one factor that was omitted was transportation back and forth to the port. Commander Dunton stated that this information is his perspective, and he had not received any information from the FSPA.

Captain Gasecki asked Mr. Husband to make comments. Mr. Husband stated that he would take these definitions under advisement and review them more closely. Mr. Husband commented that the rate request application is submitted under oath, and the investigative committee for the rate review can use the pilot association's times submitted on their application. He stated that he would review the document and provide comments.

Following discussion, the following action was taken.

Commissioner Phipps stated that she would draft the letter for each port to have working definitions which she will send to the board office for review by Captain Brown and Captain Gasecki.

MOTION: Commissioner Phipps made a motion that a letter be sent including the memorandum from Commander Dunton to each port and association for review.

SECOND: Commander Buford seconded the motion, and it passed unanimously.

DISCUSSION OF ADJUSTMENT OF GROSS PILOTAGE ASSESSMENT

MOTION: Commissioner Buford made a motion that the Rules Committee accept the recommendation of the Finance Committee to amend Rule 61G14-19.001, F.A.C., to .08% effective October 1.

SECOND: Commissioner Phipps seconded the motion and it passed unanimously.

OLD BUSINESS

Commander Dunton informed the committee that he asked the National Maritime Center about having a representative attend a board meeting, and he has not received a response. He stated that he would keep trying to get a response.

NEW BUSINESS

There was no new business to come before the committee at this time.

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned.