

MINUTES OF THE MEETING

RULES COMMITTEE BOARD OF PILOT COMMISSIONERS Don Vicente de Ybor Historic Inn 1915 Republica de Cuba Tampa, FL 33605 January 8, 2004 1:00 p.m.

CALL TO ORDER

Commissioner Phipps, Chair of the Rules Committee, called the meeting to order at 3:15 p.m.

Members Present

Commissioner Phipps, Chair
Commissioner Frudaker, Vice-Chair
Commissioner Leech
Commissioner Robas

Others Present

Mark Whitten, Division Director, DBPR
Anthony Spivey, Executive Director
Elise Rice, Government Analyst,
Galen Dunton, Consultant
Drew Winters, Prosecuting Attorney
Ed Tellechea, Board Counsel
Michael Buffington, Board Member
John Hiers, Board Member
Donald Molitor, Board Member
Earl McMillin, Board Member
Rivers Buford, Board Member
Eugene Sweeney, Board Member
Gretchen Rayborn, FSPA
David de la Parte, FSPA
Jorge Viso, FSPA
Captain Joe Brown, SJBPA
Captain Barrie Snyder, SJBPA

APPROVAL OF THE MINUTES OF THE MEETING

October 9, 2003

MOTION: Commissioner Leech made a motion that the Committee approve the minutes as submitted.

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

Commissioner Phipps asked Mr. Tellechea to present the information he had on the rules.

DISCUSSION OF CHAPTER 455.02(2) REGARDING MEMBERS OF THE ARMED FORCES

Mr. Tellechea stated that there was a request by the Department that a rule be developed for this. He had provided a draft for the Committees' review at the last meeting. There was discussion regarding if this was applicable to this profession because of the nature of their business. Mr. Tellechea stated that he was asked to research the issue. He reported that he did not find anything on legislative intent to exempt this profession.

Commissioner Buford provided the Committee with a draft of language for consideration.

David de la Parte, FSPA, spoke and stated that he was perplexed by the statute and the mandate. He stated that he thought there was flexibility left by the way it was written. Mr. De la Parte stated that the draft provided by Commissioner Buford was good but he needed more time to look at it and study it. He commented that this could be a problem for a small port and there were strong feelings about this issue. Mr. De la Parte requested that the Committee allow the Association to have time to review the proposal and the Board not adopt a rule on this at this time.

Mr. Tellechea stated that the only time this would come up would be if a spouse of a pilot was called to duty.

Commissioner Leech asked if Mr. de la Parte could provide language by the next meeting. Mr. De la Parte responded that he would prefer to work with Mr. Tellechea and Commissioner Buford to draft the language.

Commissioner Phipps stated that she agreed with the recommendation. Mr. De la Parte informed the Committee that they will have something by the next meeting.

Commissioner Phipps stated that the Committee would table this issue and it will be on the next agenda.

Mr. Tellechea reported that the rule for a former member to serve on Probable Cause had been filed for adoption.

Commissioner Buffington requested that discussion regarding Deputy Compensation be on the next meeting. Commissioner Phipps requested that Certification of Deputy Pilots be on next agenda.

DISCUSSION OF ADJUSTMENT OF GROSS PILOTAGE ASSESSMENT

There was not discussion on this item.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 3:45 p.m.