

## **MINUTES OF THE MEETING**

### **RULES COMMITTEE BOARD OF PILOT COMMISSIONERS**

**Hyatt Regency Tampa  
Two Tampa City Center  
Tampa, FL 33602  
April 10, 2006**

#### **CALL TO ORDER**

Commissioner Phipps, Chair of the Committee, called the meeting to order at 1:43 p.m.

#### **Members Present**

Commissioner Cheryl Phipps, Chair  
Commissioner Richard Frudaker, Vice-Chair  
Commissioner Eric Bryson  
Commissioner Rivers Buford, Jr.  
Commissioner Donald Molitor  
Commissioner Victoria Robas

#### **Others Present**

Robyn Barineau, Executive Director, DBPR  
Elise Rice, Government Analyst, DBPR  
Mary Ellen Clark, Board Counsel  
Drew Winters, Prosecuting Attorney  
Galen Dunton, Board Consultant  
Commissioner Michael Buffington, Board Member  
Commissioner John Fernandez, Board Member  
Commissioner John Hiers, Board Member  
Commissioner Eugene Sweeney, Board Member  
Gretchen Rayborn, Executive Director, Florida State Pilots Association (FSPA)  
Jorge Viso, President, FSPA  
David de la Parte, Counsel for FSPA  
Allen Thompson, Tampa Bay Pilots Association

#### **APPROVAL OF THE MINUTES OF THE MEETING**

##### **January 12, 2006**

**MOTION:** Commissioner Bryson made a motion that the Committee approve the January 12, 2006, minutes as submitted.

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

Commissioner Phipps reported that the rule reducing the gross pilotage assessment had been filed and the change would be effective May 1<sup>st</sup>.

## **RULES REPORT – MARY ELLEN CLARK**

### **Letter To Suzanne Printy**

Ms. Clark stated that the letter from Ms. Printy was in regards to the spousal rule and was sent to the House and Senate. She informed the Committee that the Department has rules regarding renewal of licenses that establish the renewal dates for each profession. Ms. Clark stated that she had spoken with Department personnel, Commissioner Buford and Mr. David de la Parte regarding the rules. In the rules currently, if a licensee does not provide all required documentation for renewal, then the Department puts the license in an inactive or delinquent status.

Ms. Clark informed the Committee that the concerns could be met without a change in the statutes; the rules would need to be amended to delete any reference to renewal.

Ms. Clark provided the following language for the Committee's consideration, which was approved after discussion.

#### 61G14-12.0015 License and Certificate Retention Eligibility

(1) Licensees and Certificate holders, without regard to the status of their license or certificate, must reestablish their qualifications to hold the license or certificate by January 31 of each odd numbered year, in order to retain the license or certificate, through submission to the Board office of each of the following:

(a) Documentary evidence that the license or certificate holder remains in active service as required by Section 310.081(3)(e), Florida Statutes:

1. Active service by a pilot shall be established by submitting documentation of the identity of and the number of vessels piloted during the prior biennial period. A pilot who regularly takes a turn on duty is in active service. Exceptions will be made from the active service definition for illness or injury not preventing performance as a pilot for more than twelve (12) consecutive months.

2. Active service by a deputy pilot shall be established by submitting a certification, from the licensed state pilots at the port being served during the prior biennial period, of availability and satisfactory training in accordance with the approved training plan.

(b) The biennial fee required by Section 310.121(2), Florida Statutes, and specified in Rule 61G14-14.004, F.A.C.;

(c) Annual documentary evidence of continued good physical and mental health required by Sections 310.073, and 310.081, Florida Statutes and Rule 61G14-20.001, F.A.C.; and

(d) Certificate of successful completion of a Board-approved course in professional skills including certification in the proper and efficient use of radar.

(2) License or certificate holders who fail to comply with this rule shall surrender their licenses or certificates to the Board until compliant.

Specific Authority 310.085 FS. Law Implemented: 310.073, 310.081(3), 310.091(3), 310.121(2) FS. History: New \_\_\_\_\_.

**ADJOURNMENT**

There being no further business to come before the Committee, the meeting was adjourned at 3:15 p.m.