

MINUTES OF THE MEETING

RULES COMMITTEE
BOARD OF PILOT COMMISSIONERS
Wyndham Reach Resort
1435 Simonton Street
Key West, FL 33040
September 29, 2005

CALL TO ORDER

Commissioner Phipps, Chair of the Committee, called the meeting to order at 1:42 p.m.

Members Present

Commissioner Phipps, Chair
Commissioner Frudaker, Vice-Chair
Commissioner Bryson
Commissioner Buford
Commissioner Molitor
Commissioner Robas

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Galen Dunton, Consultant
Drew Winters, Prosecuting Attorney
Mary Ellen Clark, Board Counsel
Michael Buffington, Board Member
Gene Sweeney, Board Member
John Fernandez, Board Member
Michael McGraw, Key West Pilots
Jorge Viso, FSPA
David de la Parte, FSPA
Allen Thompson, Tampa Bay Pilots
Jimmy Frudaker, Florida Docking Masters
Gretchen Rayborn, FSPA

APPROVAL OF THE MINUTES OF THE MEETING

July 14, 2005

MOTION: Commissioner Robas made a motion that the Committee approve the Minutes as submitted.

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

RULES REPORT – MARY ELLEN CLARK

Ms. Clark stated that there was a summary of the rules report in the agenda. She stated that rule 61G14-11.002, F.A.C., included language the Committee voted on and it would be effective soon.

Ms. Clark informed the Committee that the language for rule 61G14-12.003, FA.C., was previously approved by the Committee and a letter from the Joint Administrative Procedures Committee was included. She stated that she spoke with Commissioner Buford, David de la Parte and JAPC about the rule. Ms. Clark stated that JAPC was understanding of the Board's concern with the rule and agreed that there was a conflict with the requirements in Chapter 310, F.S. JAPC suggested that the Board seek statutory exemption to the rule. Ms. Clark stated that in the meantime, she would not withdraw the rule but continue to review the language as there may be another way to work it out.

Commissioner Buford informed the Committee that they would continue to work to develop language. Commissioner Phipps thanked Ms. Clark, Mr. de la Parte and Commissioner Buford for their work on the rule.

Following discussion it was decided to have a work session on the rules prior to the next meeting.

Commissioner Phipps stated that the meeting would be advertised so anyone could attend, however, any members that attend will have to do so at their own expense.

MOTION: Commissioner Buford made a motion that the Rules Committee request permission from the full Board to hold a rules workshop between now and the next meeting.

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

Ms. Clark informed the Committee that the changes to rule 61G14-19.001, F.A.C., were effective as well as the changes to rule 61G14-20.001, F.A.C.

DISCUSSION OF ADJUSTMENT OF GROSS PILOTAGE ASSESSMENT

MOTION: Commissioner Bryson made a motion that rule 61G14-19.001, F.A.C., be noticed for amendment.

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

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 2:26 p.m.