

1989

## Session Law 89-262

Florida Senate & House of Representatives

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**H 556 GENERAL BILL/CS by Regulatory Reform; Morse (Similar CS/S 690)**

**Piloting Vessels/St. Marys Entrance;** provides for reciprocal pilotage of vessels in boundary waters & tributaries of St. Marys Entrance; provides for rules; reschedules Sunset review & repeal of provisions re pilots, piloting, & pilotage. Creates 310.142; reschedules Ch. 310. Effective Date: 07/03/89.

03/08/89 HOUSE Prefiled  
03/10/89 HOUSE Referred to Regulatory Reform  
04/03/89 HOUSE Subreferred to Subcommittee on Professional Regulation  
04/04/89 HOUSE Introduced, referred to Regulatory Reform -HJ 57; Subreferred to Subcommittee on Professional Regulation; On subcommittee agenda—Regulatory Reform, 04/05/89, 1:15 pm, 21-HOB  
04/05/89 HOUSE Subcommittee Recommendation: Favorable with 1 amendment; On Committee agenda, pending subcommittee action—Regulatory Reform, 04/06/89, 3:30 pm, 21-HOB  
04/06/89 HOUSE Preliminary Committee Action by Regulatory Reform: Favorable as a CS  
04/14/89 HOUSE Comm. Report: CS by Regulatory Reform, placed on Calendar -HJ 232; CS read first time -HJ 230  
05/02/89 HOUSE Placed on Special Order Calendar  
05/03/89 HOUSE Read second time -HJ 362  
05/09/89 HOUSE Read third time; CS passed; YEAS 112 NAYS 0 -HJ 425  
05/10/89 SENATE In Messages  
05/16/89 SENATE Received, referred to Commerce; Economic, Professional and Utility Regulation -SJ 361  
05/18/89 SENATE Withdrawn from Commerce; Economic, Professional and Utility Regulation -SJ 397; Substituted for CS/SB 690; CS passed; YEAS 35 NAYS 0 -SJ 398  
05/24/89 Ordered enrolled  
06/20/89 Signed by Officers and presented to Governor  
07/03/89 Approved by Governor; Chapter No. 89-262

**NOTES:** Above bill history from Division of Legislative Information's *FINAL LEGISLATIVE BILL INFORMATION, 1989 SESSIONS*. Staff Analyses for bills amended beyond final committee action may not be in accordance with the enacted law. Journal page numbers (HJ & SJ) refer to daily Journals and may not be the same as final bound Journals.

**\*\*AS PASSED BY THE 1989 LEGISLATURE\*\***

**STORAGE NAME:** h556s-f.rr  
**DATE:** June 5, 1989

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON REGULATORY REFORM  
FINAL STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT**

**BILL #:** CS/HB 556

**RELATING TO:** Pilots and Pilotage

**SPONSOR(S):** Committee on Regulatory Reform and Representative Morse

**EFFECTIVE DATE:** Upon becoming a law

**DATE BECAME LAW:** July 3, 1989

**CHAPTER #:** 89-262, Laws of Florida

**COMPANION BILL(S):** SB 690

**OTHER COMMITTEES OF REFERENCE:** (1)

(2)

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**I. SUMMARY:**

CS/HB 556 creates section section 310.142, Florida Statutes, to provide the authority to establish a reciprocal pilotage agreement with St. Mary's, Georgia. It also changes the date for Sunset Repeal.

**A. PRESENT SITUATION:**

Section 311.141, Florida Statutes, states: "All vessels, except vessels exempted by the laws of the United States, or vessels drawing less than 7 feet of water, shall have a licensed state pilot or certified deputy pilot on board when entering or leaving ports in this state". The Florida port at St. Mary's Entrance, bordering Georgia, is staffed with a single pilot. Presently, there are no provisions for his absence, even in the event of injury or sickness.

The state of Georgia does not regulate pilots through a statewide board (as in Florida), but through individual port authorities in areas that are established at the state level. In its 1989 session, the Georgia legislature passed legislation that would empower the Board of Pilotage Commissioners for the City of St. Mary's (Georgia), to enter into an agreement with the Florida Board of Pilot Commissioners. The purpose of that agreement would be to establish authority for reciprocal pilotage in the port of St. Mary's and the tributaries of the St. Mary's River.

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DATE: June 5, 1989  
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Chapter 310, Florida Statutes is scheduled for Sunset Repeal on October 1, 1993.

B. EFFECT OF PROPOSED CHANGES:

CS/HB 556 authorizes the Florida Board of Pilot Commissioners to enter into an agreement with the Board of Pilotage Commissioners of the corporate authority of St. Mary's, Georgia, for reciprocal pilotage of vessels in the boundary waters and tributaries of St. Mary's entrance. The board would have the power to promulgate rules to implement the agreement. An interstate agreement for reciprocal pilotage would enable either pilot to perform the duties of the other pilot in the entrance to St. Mary's waters and tributaries.

The date for Sunset Repeal of chapter 310 is re-set for October 1, 1996.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring or First Year Start-Up Effects:

None.

2. Recurring or Annualized Continuation Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Appropriations Consequences:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring or First Year Start-Up Effects:

None.

2. Recurring or Annualized Continuation Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

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C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

None.

3. Effects on Competition, Private Enterprise, and Employment Markets:

None.

D. FISCAL COMMENTS:

None.

III. LONG RANGE CONSEQUENCES:

None.


IV. COMMENTS:

This bill is modeled after the bill that the Georgia Legislature has passed.

V. SIGNATURES:

SUBSTANTIVE COMMITTEE:

Prepared by:

  
\_\_\_\_\_  
Guy Arthur

Staff Director:

  
\_\_\_\_\_  
Patrick L. "Booter" Imhof

SECOND COMMITTEE OF REFERENCE:

Prepared by:

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Staff Director:

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APPROPRIATIONS:

Prepared by:

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Staff Director:

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SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. Ross <u>CR</u>	Voigt <u>WV</u>	1. NRC _____	Fav./CS
2. _____	_____	2. _____	_____
3. _____	_____	3. _____	_____
4. _____	_____	4. _____	_____

SUBJECT:

Pilots, piloting, and pilotage

BILL NO. AND SPONSOR:

CS/SB 690 by Senator Kirkpatrick

I. SUMMARY:

A. Present Situation:

Section 310.141, F.S., requires that vessels which draw seven feet or more when entering or leaving ports in Florida have on board a licensed state pilot or certified deputy pilot, if not exempt by federal law. The Florida port at St. Marys Entrance, which borders Georgia, is staffed with only a single pilot and, presently, there are no replacement or substitute pilots to perform pilotage duties in his absence. Chapter 310, F.S., is scheduled for Sunset Repeal on October 1, 1993.

In 1989, the Georgia Legislature passed legislation empowering the Board of Pilotage Commissioners for the City of St. Marys, Georgia, to enter into an agreement with the Florida Board of Pilot Commissioners to provide for reciprocal pilotage in the port of St. Marys and the tributaries of the St. Marys River. It is necessary that the Florida Board of Pilot Commissioners receive authorization from the Florida Legislature to enter into such an agreement with the appropriate Board of Pilotage Commissioners in Georgia.

B. Effect of Proposed Changes:

Section 1. The bill creates section 310.142, F.S., to authorize the Florida Board of Pilotage Commissioners to enter into a reciprocal pilotage agreement with the St. Marys, Georgia, corporate authority for the Board of Pilotage Commissioners. The Florida Board is authorized to promulgate rules to implement s. 310.142.

Section 2. Chapter 310, F.S., and sections added to that chapter in the future, will be repealed on October 1, 1996 and reviewed by the legislature pursuant to s. 11.61, F.S.

Section 3. The act takes effect upon becoming a law.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

There will be no direct economic impact on the public.

B. Government:

There will be no direct economic impact on the government.

III. COMMENTS:

None.

REVISED: May 9, 1989

BILL NO. CS/SB 690

DATE: April 26, 1989

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IV. AMENDMENTS:

None