

CERTIFICATION OF ENROLLMENT

**ENGROSSED SENATE BILL 6194**

Chapter 22, Laws of 2001

(partial veto)

57th Legislature  
2001 Second Special Session

GRAYS HARBOR PILOTAGE DISTRICT

EFFECTIVE DATE: 7/13/01

Passed by the Senate June 19, 2001  
YEAS 44 NAYS 0

BRAD OWEN

\_\_\_\_\_  
**President of the Senate**

Passed by the House June 20, 2001  
YEAS 83 NAYS 0

FRANK CHOPP

\_\_\_\_\_  
**Speaker of the  
House of Representatives**

CLYDE BALLARD

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**Speaker of the  
House of Representatives**

Approved July 13, 2001, with the  
exception of section 2, which is  
vetoed.

GARY LOCKE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Tony M. Cook, Secretary of the  
Senate of the State of Washington, do  
hereby certify that the attached is  
**ENGROSSED SENATE BILL 6194** as passed  
by the Senate and the House of  
Representatives on the dates hereon  
set forth.

TONY M. COOK

\_\_\_\_\_  
**Secretary**

FILED

July 13, 2001 - 3:13 p.m.

**Secretary of State  
State of Washington**

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**ENGROSSED SENATE BILL 6194**

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Passed Legislature - 2001 Second Special Session

**State of Washington    57th Legislature    2001 Second Special Session**

**By Senators Snyder, Hargrove and T. Sheldon**

Read first time 06/04/2001. Referred to Committee on Transportation.

1        AN ACT Relating to authorizing the provision of pilotage services  
2 in the Grays Harbor pilotage district by port districts; adding new  
3 sections to chapter 53.08 RCW; creating a new section; and declaring an  
4 emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6        NEW SECTION.    **Sec. 1.** A new section is added to chapter 53.08 RCW  
7 to read as follows:

8        A countywide port district located in part or in whole within the  
9 Grays Harbor pilotage district, as defined by RCW 88.16.050(2), may  
10 commence pilotage service with the following powers and subject to the  
11 conditions contained in this section.

12        (1) Persons employed to perform the pilotage service of a port  
13 district must be licensed under chapter 88.16 RCW to provide pilotage.

14        (2) Before establishing pilotage service, a port district shall  
15 give at least sixty days' written notice to the chairman of the board  
16 of pilotage commissioners to provide pilotage.

17        (3) A port district providing pilotage service under this section  
18 requiring additional pilots may petition the board of pilotage  
19 commissioners to qualify and license as a pilot a person who has passed

1 the examination and is on the waiting list for the training program for  
2 the district. If there are no persons on the waiting list, the board  
3 shall solicit applicants and offer the examination.

4 (4) In addition to the power to employ or contract with pilots, a  
5 port district providing pilotage services under this section has such  
6 other powers as are reasonably necessary to accomplish the purpose of  
7 this section including, but not limited to, providing through ownership  
8 or contract pilots launches, dispatcher services, or ancillary tug  
9 services required for operations or safety.

10 (5) A port district providing pilotage services under this section  
11 may recommend to the board of pilotage commissioners rules of service,  
12 rates, and tariffs governing its pilotage services for consideration  
13 and adoption pursuant to RCW 88.16.035. The rules, rates, and tariffs  
14 recommended by the port district must have been approved in open  
15 meetings of the port district ten or more days after published notice  
16 in a newspaper of general circulation and after mailing a copy of the  
17 notice to the chairman of the board of pilotage commissioners.

18 (6) A pilot providing pilotage services under this section must  
19 comply with all requirements of the pilotage act, chapter 88.16 RCW,  
20 and all rules adopted thereunder.

21 ***\*NEW SECTION. Sec. 2. A new section is added to chapter 53.08 RCW***  
22 ***to read as follows:***

23 ***The joint legislative audit and review committee shall study the***  
24 ***authorization for the provision of pilotage services in the Grays***  
25 ***Harbor pilotage district and issue a report to the house of***  
26 ***representatives and senate transportation committees no later than June***  
27 ***30, 2006. Specifically, the joint legislative audit and review***  
28 ***committee shall review whether the provisions of this act continue to***  
29 ***ensure safe pilotage in the Grays Harbor port, whether there was a***  
30 ***shortage of pilots, whether shipping has declined since the effective***  
31 ***date of this act, and whether other ports have indicated an interest in***  
32 ***providing pilotage services.***

33 ***\*Sec. 2 was vetoed. See message at end of chapter.***

34 **NEW SECTION. Sec. 3.** Nothing in this act is intended to amend  
35 chapter 88.16 RCW.

1        NEW SECTION.    **Sec. 4.**    This act is necessary for the immediate  
2 preservation of the public peace, health, or safety, or support of the  
3 state government and its existing public institutions, and takes effect  
4 immediately.

      Passed the Senate June 19, 2001.

      Passed the House June 20, 2001.

      Approved by the Governor July 13, 2001, with the exception of  
          certain items that were vetoed.

      Filed in Office of Secretary of State July 13, 2001.

1        Note:    Governor's explanation of partial veto is as follows:

2        "I am returning herewith, without my approval as to section 2,  
3 Engrossed Senate Bill No. 6194 entitled:

4        "AN ACT Relating to authorizing the provision of pilotage services  
5 in the Grays Harbor pilotage district by port districts;"

6        Engrossed Senate Bill No. 6194 authorizes the Port of Grays Harbor  
7 to undertake pilotage services under certain conditions.    This bill  
8 will help ensure the safe passage of maritime traffic in the Grays  
9 Harbor pilotage district when no private sector pilots are available.

10       Section 2 of the bill mandates a study of this authorization by the  
11 Joint Legislative Audit and Review Committee.    Although a review of the  
12 provisions and effectiveness of this act should be undertaken, the  
13 scope of the study is too broad.    It specifically requests that the  
14 committee investigate whether *other* ports have indicated an interest in  
15 providing pilotage services, suggesting that we might consider the  
16 provision of pilotage services by ports other than Grays Harbor.

17       In the case of Grays Harbor, it is clear that the private sector is  
18 no longer able to adequately provide this essential public service.  
19 However, there is no evidence to suggest that the public needs to  
20 provide these services in any other area.    The public sector should not  
21 unnecessarily displace functioning private sector businesses.

22       For these reasons I have vetoed section 2 of Engrossed Senate Bill  
23 No. 6194.

24       With the exception of section 2, Engrossed Senate Bill No. 6194 is  
25 approved."