

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 6870

59th Legislature
2006 Regular Session

Passed by the Senate February 8, 2006
YEAS 47 NAYS 0

President of the Senate

Passed by the House March 1, 2006
YEAS 96 NAYS 0

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 6870** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 6870

Passed Legislature - 2006 Regular Session

State of Washington 59th Legislature 2006 Regular Session

By Senate Committee on Transportation (originally sponsored by
Senator Haugen)

READ FIRST TIME 02/01/06.

1 AN ACT Relating to the board of pilotage commissioners' training
2 program; amending RCW 88.16.035; amending 2005 c 313 s 204
3 (uncodified); creating a new section; making an appropriation; and
4 declaring an emergency.

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

6 **Sec. 1.** RCW 88.16.035 and 2005 c 26 s 1 are each amended to read
7 as follows:

8 (1) The board of pilotage commissioners shall:

9 ~~((1))~~ (a) Adopt rules, pursuant to chapter 34.05 RCW, necessary
10 for the enforcement and administration of this chapter;

11 ~~((2)(a))~~ (b)(i) Issue training licenses and pilot licenses to
12 pilot applicants meeting the qualifications provided for in RCW
13 88.16.090 and such additional qualifications as may be determined by
14 the board;

15 ~~((b))~~ (ii) Establish a comprehensive training program to assist
16 in the training and evaluation of pilot applicants before final
17 licensing; and

18 ~~((c))~~ (iii) Establish additional training requirements, including

1 a program of continuing education developed after consultation with
2 pilot organizations, including those located within the state of
3 Washington, as required to maintain a competent pilotage service;

4 ~~((3))~~ (c) Maintain a register of pilots, records of pilot
5 accidents and other history pertinent to pilotage, along with a roster
6 of vessels, agents, owners, operators, and masters necessary for the
7 maintenance of a roster of persons interested in and concerned with
8 pilotage and maritime safety;

9 ~~((4))~~ (d) Determine from time to time the number of pilots
10 necessary to be licensed in each district of the state to optimize the
11 operation of a safe, fully regulated, efficient, and competent pilotage
12 service in each district;

13 ~~((5))~~ (e) Annually fix the pilotage tariffs for pilotage services
14 performed aboard vessels as required by this chapter: PROVIDED, That
15 the board may fix extra compensation for extra services to vessels in
16 distress, for awaiting vessels, or for being carried to sea on vessels
17 against the will of the pilot, and for such other services as may be
18 determined by the board;

19 ~~((6))~~ (f) File annually with the governor and the chairs of the
20 transportation committees of the senate and house of representatives a
21 report which includes, but is not limited to, the following: The
22 number, names, addresses, ages, pilot license number, training license
23 number, and years of service as a Washington licensed pilot of any
24 person licensed by the board as a Washington state pilot or trainee;
25 the names, employment, and other information of the members of the
26 board; the total number of pilotage assignments by pilotage district,
27 including information concerning the various types and sizes of vessels
28 and the total annual tonnage; the annual earnings or stipends of
29 individual pilots and trainees before and after deduction for expenses
30 of pilot organizations, including extra compensation as a separate
31 category; the annual expenses of private pilot associations, including
32 personnel employed and capital expenditures; the status of pilotage
33 tariffs, extra compensation, and travel; the retirement contributions
34 paid to pilots and the disposition thereof; the number of groundings,
35 mishaps, or other incidents which are reported to or investigated by
36 the board, and which are determined to be accidents, as defined by the
37 board, including the vessel name, location of incident, pilot's or
38 trainee's name, and disposition of the case together with information

1 received before the board acted from all persons concerned, including
2 the United States coast guard; the names, qualifications, time
3 scheduled for examinations, and the district of persons desiring to
4 apply for Washington state pilotage licenses; summaries of dispatch
5 records, quarterly reports from pilots, and the bylaws and operating
6 rules of pilotage organizations; the names, sizes in deadweight tons,
7 surcharges, if any, port of call, name of the pilot or trainee, and
8 names and horsepower of tug boats for any and all oil tankers subject
9 to the provisions of RCW 88.16.190 together with the names of any and
10 all vessels for which the United States coast guard requires special
11 handling pursuant to their authority under the Ports and Waterways
12 Safety Act of 1972; the expenses of the board; and any and all other
13 information which the board deems appropriate to include;

14 ((+7)) (g) Publish a manual which includes the pilotage act and
15 other statutes of Washington state and the federal government which
16 affect pilotage, including the rules of the board, together with such
17 additional information as may be informative for pilots, agents,
18 owners, operators, and masters. Such manual shall be distributed
19 without cost to all pilots and governmental agencies upon request. All
20 other copies shall be sold for a five dollar fee with proceeds to be
21 credited to the pilotage account;

22 ((+8)) (h) Appoint advisory committees and employ marine experts
23 as necessary to carry out its duties under this chapter;

24 ((+9)) (i) Provide for the maintenance of efficient and competent
25 pilotage service on all waters covered by this chapter; and do such
26 other things as are reasonable, necessary, and expedient to insure
27 proper and safe pilotage upon the waters covered by this chapter and
28 facilitate the efficient administration of this chapter.

29 (2) The board may pay stipends to pilot trainees under subsection
30 (1)(b) of this section.

31 **Sec. 2.** 2005 c 313 s 204 (uncodified) is amended to read as
32 follows:

33 **FOR THE BOARD OF PILOTAGE COMMISSIONERS**

34 Pilotage Account--State Appropriation	((\$417,000))
35	<u>\$1,017,000</u>

36 The appropriation in this section is subject to the following

1 conditions and limitations: \$500,000 of the appropriation is provided
2 solely for stipends to trainees in the training program as set forth in
3 rules adopted by the board.

4 NEW SECTION. Sec. 3. This act is intended to clarify the
5 authority of the board of pilotage commissioners to pay stipends to
6 pilot trainees that have indicated they wish to receive a stipend
7 during the board of pilotage commissioners' training program. Section
8 1 of this act is remedial and curative in nature and applies
9 retroactively to December 1, 2005. Specifically, the board may pay
10 stipends, pursuant to the rules established by the board, to any pilot
11 trainees that qualified for the stipends on, or after, December 1,
12 2005.

13 NEW SECTION. Sec. 4. This act is necessary for the immediate
14 preservation of the public peace, health, or safety, or support of the
15 state government and its existing public institutions, and takes effect
16 immediately.

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