

2015 Regular Session

HOUSE BILL NO. 572

BY REPRESENTATIVE ARNOLD

1 AN ACT

2 To amend and reenact the heading of Part II of Chapter 6 of Title 34 of the Louisiana
3 Revised Statutes of 1950, R.S. 34:1041, 1042(A), 1044 through 1046, and 1048,
4 relative to steamship pilots; to provide for appointments relative to new examiners
5 and commissioned steamship pilots; to provide for qualifications relative to
6 steamship pilots; to provide for pilotage fees; to repeal obsolete statutory provisions;
7 and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. The heading of Part II of Chapter 6 of Title 34 of the Louisiana Revised
10 Statutes of 1950, R.S. 34:1041, 1042(A), 1044 through 1046, and 1048 are hereby amended
11 and reenacted to read as follows:

12 PART II. NEW ORLEANS AND BATON ROUGE ~~PORT~~ STEAMSHIP PILOTS

13 §1041. Definitions

14 As used in this Part, the following terms ~~shall~~ have the meaning ascribed to
15 them in this Section, unless the context clearly indicates otherwise:

16 ~~(1) "Board of commissioners" means the Board of New Orleans and Baton~~
17 ~~Rouge Steamship Pilot Commissioners for the Mississippi River, established in R.S.~~
18 ~~34:1049.~~

19 ~~(2)~~(1) "Board of examiners" means the Board of Examiners for New Orleans
20 and Baton Rouge steamship pilots for the Mississippi River, established in R.S.
21 34:1042.

22 ~~(3)~~(2) "Pilot" means a New Orleans and Baton Rouge Steamship Pilot, as
23 designated in R.S. 34:1043.

1 §1042. Board of steamship pilot examiners; members; appointment; oath of office;
2 powers and duties

3 A. The governor shall appoint, by and with the advice and consent of the
4 Senate, three citizens who shall form the Board of Examiners for New Orleans and
5 Baton Rouge Steamship Pilots for the Mississippi River from the port of New
6 Orleans to and including the port of Baton Rouge and intermediate ports. ~~The~~
7 ~~examiners so appointed shall serve for a term of two years and their successors shall~~
8 ~~be appointed by the governor, and shall serve for terms of two years.~~ When an
9 examiner vacancy occurs on the board, the board shall make a recommendation to
10 the governor to fill the vacancy. The board shall recommend only those pilots who
11 have served at least five years as an unrestricted Louisiana state commissioned New
12 Orleans and Baton Rouge Steamship Pilot. The examiners shall continue in office
13 until their successors are appointed and qualified. ~~The examiners shall be appointed~~
14 ~~from those pilots who have, for at least one year immediately preceding, exercised~~
15 ~~the functions of river pilots from the port of New Orleans to and including the port~~
16 ~~of Baton Rouge and intermediate ports upon sea-going vessels, and thereafter the~~
17 ~~appointments~~ Appointments shall be exclusively made from the pilots commissioned
18 by virtue of this Part. The governor, in appointing the examiners, shall designate the
19 president of the board. The examiners shall be removable by the governor for cause,
20 and shall qualify by taking an oath of office.

21 * * *

22 §1044. Appointment of pilots; ~~minimum number~~

23 ~~The first nine pilots provided for in R.S. 34:1043 shall be appointed by the~~
24 ~~governor from those pilots who have been actively and continuously engaged for one~~
25 ~~year previous in piloting sea-going vessels from the port of New Orleans to the port~~
26 ~~of Baton Rouge and intermediate ports and return, and thereafter there shall not be~~
27 ~~less than nine such pilots.~~ Pilots provided for in R.S. 34:1043 shall be appointed by
28 the governor from those pilots who have been recommended to the governor
29 pursuant to the provisions outlined in the board of examiners' rules and regulations.

1 §1045. Examination of pilots; qualifications

2 Whenever there exists a necessity for more pilots the board of examiners
 3 shall hold examinations, under such rules and regulations, and with such
 4 requirements as it may provide, with the governor's approval. No applicant shall be
 5 considered by ~~said~~ the board unless he submits proper evidence of moral character,
 6 ~~and is a voter of this state, has a first class pilot license issued by the United States~~
 7 ~~Coast Guard and served six months' apprenticeship in his proposed calling and~~
 8 complies with all requirements set forth in the board's Pilot Development Program
 9 as provided for in Subpart 3 of Part 70 of Title 46, comprised of LAC 46:LXX:6101
 10 et seq. Upon the certification of the board to the governor that the applicant has
 11 complied with the provisions of this Part, the governor may, in his discretion, appoint
 12 the applicant or applicants to existing vacancies.

13 §1046. Oath of office and bond

14 The pilots shall take an oath of office and furnish bond in favor of the
 15 governor conditioned upon the faithful performance of the duties imposed by this
 16 Part, to the extent of one thousand dollars, approved by the ~~Board of Commissioners~~
 17 ~~of the Port of New Orleans~~ board of examiners.

18 * * *

19 §1048. Pilotage fees; exceptions

20 A. ~~The pilots shall be entitled to ask and receive a pilotage fee per foot of~~
 21 ~~water drawn by the vessels piloted by them up or down the Mississippi river as~~
 22 ~~follows: to-wit: The pilots shall be entitled to ask for and receive a pilotage fee. The~~
 23 pilots' fees shall be established by the Pilotage Fee Commission as described in R.S.
 24 34:1121 et seq.

25 ~~Between the port of New Orleans and all intermediate ports to and including~~
 26 ~~the port of Baton Rouge, per draft foot — \$ 6.75—~~
 27 ~~Shifting: docks to anchor, or anchor to docks — \$ 50.00~~
 28 ~~Dead ships to be charged double shifting fee.~~
 29 ~~Docking or undocking ships head down, additional \$ 25.00~~
 30 ~~Compass adjusting — \$ 43.75~~

1 ~~Trial trip, in and out, not to exceed 8 hours~~ Regular draft rate
2 ~~Additional charge per hour or fraction thereof for more than 8 hours~~ \$ 10.00

3 ~~Ships enroute, taking 11 hours or more, but less than 12 hours~~
4 ~~Regular draft rate plus flat \$50.00~~

5 ~~Ships enroute, taking 12 hours or more~~ Two pilotages
6 ~~Second pilotage at regular draft rate not to exceed~~ \$150.00 maximum

7 ~~Transportation costs to or from vessel at outlying points as per tariff and boat~~
8 ~~service to or from vessel at anchor or underway shall be borne by vessel.~~

9 ~~Vessels subject to pilotage fees shall be any vessel moving from a point~~
10 ~~between Baton Rouge and New Orleans.~~

11 ~~Discharge~~
12 ~~Within port limits of New Orleans and Baton Rouge~~ \$ 10.00

13 ~~Outside port limits of New Orleans and Baton Rouge~~ \$ 25.00
14 ~~Detention per hour~~ \$ 10.00

15 ~~Minimum draft~~ 15 feet

16 B. ~~These Pilots'~~ charges shall be paid by every vessel subject to pilotage
17 navigating between the ports of New Orleans and Baton Rouge and intermediate
18 ports; ~~provided that should any vessel have a draft of less than fifteen feet, the~~
19 ~~pilotage charge shall be computed on a fifteen foot draft.~~ When pilot services are
20 timely offered and refused, the vessel shall pay the charges nevertheless.

21 ~~The pilotage fee shall bear as a lien upon the vessel, which lien shall~~
22 ~~prescribe within one year, should the vessel return to the port of New Orleans within~~
23 ~~that time.~~

24 C. Vessels of one hundred tons or under, lawfully engaged in the coastwide
25 trade of the United States, shall not be required to take a pilot; but the master of ~~such~~
26 the vessel may demand pilot services.

27 Section 2. This Act shall become effective upon signature by the governor or, if not
28 signed by the governor, upon expiration of the time for bills to become law without signature
29 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____