
HOUSE COMMITTEE AMENDMENTS

2021 Regular Session

Amendments proposed by House Committee on Commerce to Original House Bill No. 650
by Representative PresslyAMENDMENT NO. 1

On page 1, at the end of line 2, delete "and 1122(B)(1) and (C)," and delete line 3 in its entirety and insert in lieu thereof the following:

"1122(B)(1) and (C), 1133(G), 1134, and 1135(B), to enact R.S. 34:992(C), 1043(C), 1122(A)(4), 1139 and 1140, and to repeal R.S. 34:1005,"

AMENDMENT NO. 2

On page 1, at the end of line 15, delete "and 1122(B)(1) and (C)" and delete line 16 in its entirety and insert in lieu thereof the following:

"1122(B)(1) and (C), 1133(G), 1134, and 1135(B) are hereby amended and reenacted and R.S. 34:992(C), 1043(C), 1122(A)(4), 1139, and 1140 are hereby"

AMENDMENT NO. 3

On page 14, between lines 17 and 18, insert the following:

§1133. Board of Louisiana River Pilot Review and Oversight; creation; membership

* * *

G. The members of the board shall serve without compensation. However, the members appointed as former judges shall be entitled to ~~a per diem, not to exceed one hundred fifty dollars~~ the same per diem established by the Louisiana Supreme Court from time to time for appointed ad hoc judges while executing their duties as board members. Additionally, the members who shall be appointed judges shall be entitled to reasonable expenses as approved by the chairman.

* * *

§1134. Meetings; quorum

A. The board shall meet at least twice per year, at a place of their choosing, and at other such times and places as it may determine. Six members of the board shall constitute a quorum. A decision by a vote of a majority of the members of the board present shall constitute the decision of the board.

~~B. The governor shall appoint members and convene the first meeting of the board on or before March 1, 2005.~~

~~C. At the first meeting and annually thereafter, the~~ The board shall annually elect a chairman and such other officers of the board as they may determine necessary and appropriate for the administration, implementation, and enforcement of this Part.

§1135. Powers; functions; duties; responsibilities

* * *

B.(1) The board shall review and may approve or reject any proposed rule or regulation that may be adopted by any of the Board of Commissioners or Examiners, ~~except for rules and regulations adopted on an emergency basis~~. Any rejection by the board shall be within ninety days of submission of the proposed rule or regulation to the board; otherwise, such rule or regulation shall be deemed approved.

(2) Notwithstanding any other provision of law, following the adoption of any emergency regulation or rule by the Board of Commissioners or Examiners as

1 defined by R.S. 34:1131, the emergency regulation or rule shall be transmitted by the
 2 Board of Commissioners or Examiners immediately to the board and to each member
 3 of the board. Within ten days of receipt of the emergency regulation or rule, any
 4 individual member of the board may require a meeting of the board by giving notice
 5 to the chairman or, in the absence of a chairman, to any other officer of the board for
 6 the purpose of holding a meeting to review the emergency regulation or rule for
 7 approval or rejection. Any meeting called for consideration of an emergency
 8 regulation or rule shall be held within thirty days of the request for a meeting. If the
 9 board votes to reject the emergency, it shall be nullified and of no effect. An
 10 emergency regulation or rule review conducted by the board pursuant to the
 11 provisions of this Paragraph shall be in addition to Subsection B of R.S. 49:953 of
 12 the Administrative Procedure Act concerning emergency regulations or rules. If
 13 there is any conflict between this Paragraph and Subsection B of R.S. 49:953, this
 14 provision shall control with regard to the Board of Commissioners or Examiners'
 15 emergency regulations or rules.

16 * * *

17 §1139. Prudent and safe pilotage

18 The Board of Commissioners or Examiners are established for the purposes
 19 of prudent and safe pilotage. The pilot members of the Board of Commissioners or
 20 examiners in their deliberations and decisions shall consider the purpose and high
 21 standard of prudent and safe pilotage, and in their fiduciary capacity as
 22 commissioners or examiners, they shall act independently of the pilots they regulate
 23 and independently of any association of pilots. Any effort by pilots or any
 24 association of pilots to control or influence the decisions of commissioners or
 25 examiners shall be a violation of law.

26 §1140. No impingement

27 A. A pilot association, partnership, corporation, or limited liability company
 28 shall not create any provision which impinges upon or diminishes the authority or
 29 duties of the Board of Commissioners or Examiners.