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**2000-2001 First Extraordinary Session  
2000-2001 Regular Legislative Session  
of the Louisiana Legislature  
by Melissa Watson**

This annual Legislative issue of Louisiana Coastal Law is devoted to summarizing acts and resolutions enacted during the Regular and Extraordinary Sessions of the Louisiana Legislature. Legislation having a general impact on Louisiana coastal resources and environment is covered. Further information about these laws or resolutions can be obtained by contacting the Sea Grant Legal Program.

First Extraordinary Session.....	1
Wildlife and Fisheries.....	1
Public Lands and Resources.....	7
Oil, Gas, and Minerals.....	9
Environmental Quality.....	10
Ports, Harbors, and Waterways.....	12
Miscellaneous.....	14

**2000-2001 First  
Extraordinary Session**

**WILDLIFE & FISHERIES**

**HCR No. 11**

Odinet

Due to the drought suffered in the last two years and the current biological data warranting the extension, the legislature urges and requests the Louisiana Wildlife and Fisheries Commission (LWFC) to extend the oyster harvest season in the public oyster seed grounds east of the Mississippi River for an additional thirty days.

**ENVIRONMENTAL  
QUALITY**

**HCR No. 3**

Johns et al.

After the construction of the levee on the western edge of the Calcasieu

River Ship Channel through Moss Lake in Calcasieu Parish by the United States Army Corps of Engineers (USACE), the once sandy, firm bottom of Moss Lake became muddy and covered with silt. It is the strong belief that the levee is the cause of the siltation problem. Because the silt impedes drainage and restricts the recreational use of the lake, the legislature urges the USACE to review and correct this problem.

**2000-2001 Regular  
Legislative Session**

**WILDLIFE & FISHERIES**

**Act No. 12**

HB No. 1; Leblanc

Authorizes the expenditure of capital outlay in the amount of \$2,993,000 for Brown Marsh Research, Mitigation and Nutria

Control Project which is to restore, enhance and conserve 6,523 acres of vegetated coastal wetlands.

**Act No. 19**

SB No. 950; Romero and Schedler (Amends R.S. 56:302.1(C)(2)(a)) Reduces the fee for a saltwater fishing license for non-residents from fifty to thirty dollars.

**Act No. 27**

HB No. 49; Frith and Sen. Marionneaux (Amends R.S. 56:116(C)(2)) Allows any licensee to use a magnified scope on a muzzleloader to hunt deer during primitive weapons season.

**Act No. 28**

HB No. 65; Pitre and Sen. Dupre (Amends R.S. 56:303(D), 303.4, and 306.4(A)(2)) Requires a commercial fisherman's license to be purchased in person at the Baton Rouge and New Orleans offices, at any district office located south of I-10, or the fisheries



offices in Bourg and New Iberia. Also eliminates the requirements for a Commercial Fisherman's Sales Card.

**Act No. 29**

HB No. 79; John Smith (Enacts R.S. 56:409) Limits the take, size and possession limits for recreational fish, such as black bass, white bass, striped bass, crappie (crappie hybrid), blue catfish, channel catfish and flathead catfish on the Toledo Bend Reservoir and the Sabine River.

**Act No. 30**

HB No. 85; Salter (Amends R.S. 56:302.3(B)(2), (D) and 320(A)(1)) Requires residents over sixteen years of age to pay a gear fee of twenty dollars, for use of not more than three hoop nets, for recreational fishing. Also allows the use of recreational hoop nets only in specific geographical areas.

**Act No. 51**

HB No. 329; Odinet and Sen. Dean (Amends and reenacts R.S. 56:333(C); enacts R.S. 56:322(F)) Considers the water of the Intracoastal Waterway in Orleans Parish, from the overhead power lines at the Interharbor Navigation Canal east to the Rigolets, to be both salt and fresh water for fishing or gear use. Requires that commercial fishing operators in this area not interfere with the normal commercial traffic. In addition to the aforementioned areas, mullet may be taken from the portion of Lake Pontchartrain located south and east of the I-10 bridge.

**Act No. 57**

HB No. 445; Gary Smith (Enacts R.S. 36:610(B)(8) and R.S. 56:331) Creates a Crab Task Force to advise the Louisiana Department of Wildlife and Fisheries (LDWF) and LWFC. Provides for its membership and responsibilities.

**Act No. 83**

SB No. 269; Dupre (Amends and reenacts R.S. 56:497(A)(2)) Provides the spring brown shrimp seasons in the areas listed to be opened by the Commission, no later than the third Monday in May, after considering when fifty percent of the brown shrimp crop will be one hundred per pound or greater. Also provides that the Commission will close the season based on biological and technical data.

**Act No. 87**

SB No. 362; Dupre and Gautreaux (Amends and reenacts R.S. 56:499(B)(1)) Requires that a double skimmer not exceed twenty feet measured diagonally; the reinforcement framing of the net will not be considered in determining the dimensions of the net. Also prohibits double skimmer net lead lines measuring more than twenty-eight feet for each net.

**Act No. 112**

SB No. 1024; Dupre (Amends and reenacts R.S. 56:305(G)) Requires that the fees imposed on the purchase of gear by commercial fisherman for the taking of shrimp be deposited into the Shrimp Marketing and Promotion Account as provided for in R.S. 56:10(B)(1)(b).

**Act No. 113**

HB No. 159; Daniel (Amends and reenacts R.S. 36:607(B)) Adds the following as duties of the undersecretary as director of the office of management and finance within the LDWF: budget forecasting and control, socioeconomic research and analysis, property control, boat registration, and customer service program management. The undersecretary shall also assist the offices of wildlife and fisheries with administration of the licensing and permit issuance program, collection of fees, taxes, fines and penalties, and with the dissemination of force will serve without compensation.

information through the various forms of media.

**Act No. 116**

HB No. 480; Odinet and Sen. Dean (Enacts R.S. 36:610(B)(8) and R.S. 56:333.2) Creates the Mullet Task Force that will advise the LWFC as to the most appropriate date to open mullet season. Members of the task

**Act No. 147**

HB No. 1407; Odinet and Sen. Dean (Amends and reenacts R.S. 56:333(F); repeals R.S. 56:333(I)) Provides that a violation of any provision of R.S. 56:333, or of any LDWF regulation pertaining to mullet fishery, will constitute a Class 6 violation. Describes penalties for first, second and third offenses.

**Act No. 148**

HB No. 1416; Odinet and Sen. Dean (Amends and reenacts R.S. 56:495.1(A)(2)) Allows vessels in Breton and Chandeleur Sound to pull no more than one or two trawls, either or both of which may not exceed sixty-five feet along the corkline and eighty-two feet along the lead line in length, plus one test trawl. Describes the boundaries for the use of such trawls in Breton and Chanedeleur Sound. Specifics regarding the boundaries may be provided on request.

**Act No. 149**

HB No. 1417; Jack Smith (Amends and reenacts R.S. 56:8(101) and 320(C); enacts R.S. 56:8(9.1) and (61.1)) Prohibits the taking or possession of fish taken by means of spears, poisons, stupefying substances or devices, explosives, guns, tree-topping devices, lead nets (except lead nets are permitted on hoop nets in certain situations), or any instrument or device capable of producing an electric current. A barbless spear may be used



in saltwater for flounder. No person shall take or possess fish taken by snagging devices, not including bow and arrow. Catfish, however, may be taken by snagging devices. Garfish may be taken by spear and bow and arrow. Defines bandit gear, longline gear and trotlines, and prohibits the use of bandit and longline gear within the state territorial waters.

**Act No. 150**

HB No. 1419; Jack Smith (Amends and reenacts R.S. 56:325.2(A), 326(E)(1)(a) and (2)) Requires that all finfish, except garfish and swordfish, possessed by a recreational fisherman have the head and caudal fin intact until set or put on shore. Swordfish and sharks shall not be skinned until put on shore. Tuna shall retain the caudal fin intact until set or put on shore and those species of tuna which have minimum size restrictions may have the head removed if the remaining carcass meets the minimum size requirement. Requires that persons commercially fishing for shark be in immediate possession of his permit and provides the penalties for first, second and third violations of this requirement.

HB No. 1421; Pierre and Thompson (Amends and reenacts R.S. 56:104(B)(4)) Includes the Wildlife Management Area hunting permit as a privilege of senior hunting and fishing licenses at no additional cost.

**Act No. 152**

HB No. 1423; Odinet and Sen. Dean (Amends and reenacts R.S. 56:424(E)(1)) Prohibits the harvesting, possession, sale, barter or exchange of, or the attempt to sell, barter, trade or exchange oysters taken from closed or unapproved waters. Allows for oysters taken in violation of this act to be seized and returned to the water.

**Act No. 153**

HB No. 1424; Odinet and Sen. Dean (Amends and reenacts R.S. 56:406(A)(3)(a)) The act was passed to eliminate confusion regarding the use of shrimp trawls and menhaden purse seine nets near the Breton and Chandeleur Islands. The nets may be used in the described areas in waters beyond two thousand five hundred feet from land. This means that the nets may not be used within two thousand five hundred feet of the shore or any island.

**Act No. 163**

HB No. 1676; Winston (Amends and reenacts R.S. 56:326(A)(12)(a) and (c)) Requires the stone crab claw length to be a minimum of two and three-fourths inches. Also requires the crabs to be returned to the waters from which they were taken (after their claws are removed).

**Act No. 165**

HB No. 1692; Triche, et al. (Enacts R.S. 49:170.6) Designates the spotted sea trout (*Cynoscion nebulosus*) as the official state saltwater fish.

**Act No. 185**

HB No. 1422; Jack Smith (Amends and reenacts R.S. 56:55.2(A)) Allows duly commissioned wildlife enforcement agents of the LDWF enforcement training academy to have the same authority and powers as other law enforcement officers of this state.

**Act No. 186**

HB No. 1430; Pierre and Sen. Gautreaux (Amends and reenacts R.S. 56:649.1(A)) Adds the Wildlife Management Area hunting permit to the list of privileges of the lifetime hunting license.

**Act No. 200**

SB No. 579; Ullo (Enacts R.S. 56:578.13) Requires crawfish sold as "Louisiana crawfish" to be red swamp crawfish (*Procambarus clarkii*), white river crawfish (*Procambarus zonangulus*), or Louisiana pond-raised crawfish.

**Act No. 223**

HB No. 259; Durand (Enacts R.S. 56:699.6) Provides that R.S. 56:699.1, 699.2 and 699.5, regarding firearm and hunter education, shall not apply to any active or veteran member of the U.S. Armed Services or to any active or post-certified law enforcement officer

**Act No. 226**

HB No. 281; Pitre (Amends and reenacts R.S. 56:259(C)(1); enacts R.S. 56:116.1(C)(6)) Allows the LWFC to create rules and regulations for the taking of nutria, with permission of the landowner. Prohibits the sale of nutria skins or carcasses without a valid trapping license or fur buying/dealing license.

**Act No. 236**

HB No. 518; Smith and Sen. Cain (Amends and reenacts R.S. 40:1798) Provides for the disposition of firearms seized by or forfeited to law enforcement agencies, the Louisiana Department of Public Safety and Corrections, the office of state police, and the LDWF. If the seized firearm is contraband, the law enforcement agency shall destroy it. If it is not contraband, the owner is known, the owner did not use the firearm in violation of any laws, and the owner may lawfully possess the firearm, it shall be returned to the owner. If neither of the above situations apply and the firearm may be lawfully possessed and used by a law enforcement agency, the agency may keep the firearm, sell, trade, or donate it to another agency,



use it in a transaction with a firearms dealer, or destroy it. If the firearm may be lawfully possessed by private citizens, the law enforcement agency may do any of the above or sell it to a private citizen at public auction. A law enforcement agency may also dispose of its surplus firearms in accordance with this statute (R.S. 40:1798).

**Act No. 270**

HB No. 1406; Pierre, Thompson (Amends and reenacts R.S. 56:10(B)(1)(d), 10(B)(5), 10(D), 104(B)(4), R.S. 56:151-157, R.S. 56:642(A), and 649.1(A)) Replaces the duck stamp with a duck license. Creates the Louisiana Duck License, Stamp and Print Fund. Waterfowl hunters will now be issued a duck license. The basic hunting license is still required in addition to the duck license. Louisiana will continue to have duck stamps and prints for sale.

**Act No. 271**

HB No. 1415; Odinet and Sen. Dean (Amends and reenacts R.S. 56:325.3(B), and (F)) Makes violation of regulations involving spotted sea trout a Class 6 violation. Outlines the penalties of such violation. If a person engages in spotted sea trout fishing while under violation, it is a Class 7 violation.

**Act No. 320**

SB No. 338; Dupre (Enacts R.S. 56:104(A)(8)) Allows residents who are permanently disabled and receiving a disability benefit from the federal social security system to purchase a basic hunting license for five dollars. Such residents may also purchase big game and bow hunting licenses in addition to the basic license for five dollars each.

**Act No. 322**

SB No. 359; McPherson

(Enacts R.S. 56:699.21 and 699.22) Creates the Hunting and Fishing Advisory Council within the LDWF. The Council is to promote the benefits of hunting and fishing, educate Louisiana residents concerning those benefits, and make the public aware that revenues from licenses and fees are used to promote fish and wildlife resources.

**Act No. 324**

SB No. 474; Smith et al. (Enacts R.S. 56:104(A)(8), 302.1(H), and (I)) Allows nonresidents who are full-time students attending an accredited college or university that has a physical campus in the state of Louisiana to purchase a nonresident basic hunting license for the cost of a resident hunting license. Additional licenses such as duck stamps and turkey licenses may also be purchased at the resident rate. However, this only applies to students who are residents of a state that provides the same opportunity for Louisiana residents who are full-time students in that state. The student must provide proof of full-time student status before the license will be issued. Students must carry their student identification card while hunting.

**Act No. 329**

SB No. 650; Dupre (Amends and reenacts R.S. 56:8(12)(a), 8(69), and 8(69.1)) Includes resident alien in the definition of bona fide resident for LDWF licensing purposes. Provides that a resident alien residing in another state or territory of the United States is a nonresident for LDWF licensing purposes. Defines alien individual as a person who is neither a United States citizen nor a resident alien.

**Act No. 333**

SB No. 928; Gautreaux (Amends and reenacts R.S. 56:322(C)(7)) Allows hoop nets with

out leads to be left unattended in saltwater areas of the state for taking legal commercial catfish species only.

**Act No. 394**

SB No. 577; Ullo (Enacts R.S. 3:4661) Allows for shrimp to be sold by count if the size of the shrimp in a container is within the specified count size listed on the container or invoice. Except as provided in R.S. 3:4661, shrimp shall be sold according to R.S. 3:4615.

**Act No. 438**

HB No. 1606; Damico (Enacts R.S. 56:430.1 and repeals R.S. 56:430(A)) Beginning in 2003, each oyster leaseholder shall submit a report containing the following information to the LDWF by March 31 of each year: name of leaseholder, harvest area grid numbers, amount of marketable oysters removed, seed oysters removed, cultch material placed, and the amount of seed oysters placed and whether they were from private lease or state seed grounds. The information will also be available to Louisiana Department of Natural Resources (LDNR) in a limited manner for conservation, protection, management and other related grounds.

**Act No. 439**

HB No. 1795; Damico (Amends and reenacts R.S. 56:428.1(A)) Requires that projected impact areas and recommendations relative to oyster leases located in a projected impact area of a coastal restoration project be presented by LDNR to the Oyster Task Force (OTF) by August 15 each year. Final recommendations will be given to LDWF and OTF before September 30 each year. The OTF may request review of the final recommendations by House and Senate Committees on Natural Resources.



**Act No. 448**

HB No. 1420; Pierre, Daniel, Ansardi and Sen. Ullo  
(Amends and reenacts R.S. 56:302.1(B)(1) and (C)(2)(a))  
Allows nonresidents to purchase a temporary basic recreational freshwater fishing license, instead of a basic recreational fishing license, valid for the number of days desired by the purchaser at a cost of five dollars per day. Instead of either the basic or temporary nonresident recreational fishing licenses, nonresidents may purchase a four-day basic license for fifteen dollars which is valid for four consecutive days. The saltwater license is five dollars and fifty cents for residents and thirty dollars for nonresidents. A nonresident may purchase a temporary salt water license for the number of days desired by the purchaser at a cost of fifteen dollars per day, or purchase a four-day saltwater license for forty-five dollars which is valid for four consecutive days.

**Act No. 449**

HB No. 1716; Pierre

(Enacts R.S. 56:302.9.1) Requires a charter boat license for a charter fishing operation that does not have a charter boat fishing guide on board. Applies to large vessels carrying small skiffs with the skiffs to be used by no more than two persons. The main vessel must carry the charter boat license and the captain shall have a valid captain's license issued by the U.S. Coast Guard. For vessels that carry up to six skiffs, the fee shall be one thousand dollars per year. For vessels carrying more than six skiffs, the fee shall be two thousand dollars per year. Each skiff shall also have a license at a cost of fifty dollars per year. Each nonresident fishing from a skiff must purchase a charter fishing trip license at a cost of thirty dollars, which is valid for three consecutive days.

**Act No. 582**

HB No. 569; Mccallum and Sen. Gautreaux  
(Enacts R.S. 56:647.1) Directs the LWFC to establish a special press license for purchase by nonresident members of the outdoor press at a cost of twenty dollars each. The licenses shall be valid for no longer than seven consecutive days. Also directs the LWFC to establish the rules, regulations, and privileges associated with the license as well as the criteria for determining who is a member of the outdoor press. The outdoor press license entitles members of the outdoor press to enjoy hunting and fishing activities without the necessity of purchasing the ordinarily required licenses.

**Act No. 591**

HB No. 787; Frith  
(Amends and reenacts R.S. 14:67.5 (B)) Creates a specific statute detailing the punishments for the crime of theft of crawfish and no longer makes reference to R.S. 14:67 (general theft article in the criminal code). If the revenues from the value of the stolen crawfish amounts to \$500, the violator shall be imprisoned for not more than ten years or fined not more than \$3,000, or both. If the value is between \$300 and \$500, the violator shall be imprisoned for not more than two years or fined not more than \$2,000, or both. If the value is less than \$300, the violator shall be imprisoned for not more than six months or fined not more than \$500, or both. If the violator is a repeat offender, he shall be imprisoned for not more than two years, or may be fined not more than \$2,000, or both.

**Act No. 663**

HB No. 446; Gary Smith  
(Enacts R.S. 47:463.83 and R.S. 56:10(B)(11)) Establishes the white-tailed deer prestige license plate upon

the receipt of one thousand applicants for the plate by the secretary of the Louisiana Department of Public Safety and Corrections. Creates a special account in the Conservation fund titled the "white-tailed deer account" which shall consist of those sales of the white-tailed deer prestige plates to be used solely on white-tail deer programs in Louisiana.

**Act No. 706**

SB No. 578; Ullo  
(Enacts R.S. 39:1651.1) States that regulations by the commissioner of administration or other purchasing entity, governing the purchase or use of shrimp, require that the bid specifications for purchase or use of shrimp refer to count size and not to specify size as "jumbo", "large", "medium", "small" or other such language.

**Act No. 761**

SB No. 1073; Ellington et al.  
(Amends and reenacts R.S. 56:578.11) Requires that the labels on any catfish sold either for resale or wholesale in Louisiana be printed with the country of origin of the catfish preceded by the words "Product of." The label must also specify whether the catfish were farm-raised or naturally produced. This act defines "farm-raised" as including procedures whereby catfish are raised in controlled environments preventing ingress or egress of animal and plant life at all times. The definition of "farm-raised" excludes production or harvesting in cages or other enclosures in natural streams or rivers.

**Act No. 805**

HB No. 337; Daniel  
(Amends and reenacts R.S. 56:30.1 and 31.1(F)) Allows fines for class one hunting and fishing violations to be paid through the electronic licensing system.



**Act No. 901**

HB No. 1427; Pierre  
(Amends and reenacts R.S. 56:302.1(C)(2)(c)) Allows Louisiana residents, in addition to nonresidents, to purchase a charter passenger fishing trip license for five dollars which will be good for three consecutive days.

**Act No. 902**

HB No. 1429; Flavin  
(Amends and reenacts R.S. 56:302.9(A)(1)) Provides that no person shall act as or represent himself to be a saltwater charter boat fishing guide unless that person has in his name a valid state charter boat fishing license, valid captain's license and valid state recreational fishing license. Any person acting as a saltwater charter boat fishing guide who is in charge of the vessel shall have the required licenses on his person while on the water.

**Act No. 1037**

SB No. 1055; Barham  
Authorizes the LDWF to transfer title to certain property in Ouachita Parish to William G. Brockman, as trustee, and in return receive property from Brockman contiguous to Russell Sage Wildlife Management Area.

**Act No. 1210**

HB No. 48; Hammett  
(Enacts R.S. 56:116.3(G)) Authorizes the use of a leashed dog to trail and retrieve unrecovered or wounded deer during legal hunting hours, except in Wildlife Management Areas. A leashed dog may also be used after legal hunting hours, but no person accompanying the dog may carry any sort of firearm. Any dog used must have a collar with the owner's name, address and phone number.

RESOLUTIONS

**HR No. 114**

Pitre  
**Also SR No. 50;** Dupre  
In light of Louisiana's budding charter fishing industry and the benefits it has and may continue to have on Louisiana's economy, the House of Representatives memorializes the Louisiana Congressional delegation and the United States Congress to inform the National Marine Fisheries Service to forgo implementing the charter boat moratorium in the Gulf of Mexico. The House points out the impetus for the moratorium is the overcrowding of the industry in Florida and that Louisiana does not suffer from the same afflictions as Florida where charter boat fishing is concerned.

**HCR No. 36**

Odinot  
In awareness of the increase in Americans who have physical or mental disabilities, and to alleviate some of the problems a disabled recreational fisherman may encounter (such as access to the water, lack of dexterity, and lack of wrist and hand strength), the legislature urges and requests the LDWF to double the daily creel limits for disabled recreational fishermen.

**HCR No. 69**

McVea and Thompson  
Urges and requests the LDWF to adopt rules and regulations to prohibit the taking of juvenile male turkeys in order to properly conserve the wild turkey population in Louisiana.

**HCR No. 76**

Townsend  
To facilitate the relationship between the LDWF and the Louisiana Wildlife and Fisheries Foundation so that LDWF can maximize the potential benefits of the Foundation, the legislature urges and requests LDWF to cooperate and interact with the Foundation.

**HCR No. 92**

Odinot  
Creates the Louisiana Seafood Advisory Board in order to improve the communications between the seafood industry and the agencies that regulate it, assess the affects of regulations on the industry, and to inform the legislature and regulating agencies of the needs of the industry. This resolution specifies who will make up the twenty-three-member Board consisting of, but not limited to, representatives of various seafood harvesters and marketers, seafood purchasers, and relevant state agency representatives.

**HCR No. 143**

Baudoin et al.  
To support the Louisiana crawfish and catfish industries, the legislature memorializes the United States Congress to assist the Federal Trade Commission in preventing the sale of crawfish and catfish imported from Asia and Spain at prices that Louisiana producers cannot compete with.

**HCR No. 168**

Romero, Hebert and Sen. Romero  
Urges and requests the USACE to increase the flow from the Mississippi River into the Atchafalaya River through the Old River Control Structure in order to alleviate the effects of the drought experienced by south Louisiana. The agricultural and freshwater fishing industries, particularly the crawfishing industry in the Atchafalaya Basin, have suffered because of the drought. When the USACE approved an increase above the usual thirty- percent in the amount diverted from the Mississippi, the crawfish crop was better than in the past three years. Because south Louisiana is still experiencing the drought, the legislature requests that the increase in diversion into the Atchafalaya be maintained.



**HCR No. 177**

Frith

As a result of the tremendous amount of man hours and financial resources expended by the LDWF in enforcing the federal Migratory Bird Treaty Act, the legislature memorializes Congress to have the U.S. Fish and Wildlife Service establish and fund a cooperative enforcement program with LDWF.

**HCR No. 233**

Frith

In response to interest expressed by individuals in recreational cast netting, the legislature urges and requests the LDWF to study the feasibility of a recreational cast netting license and using the fees collected from the issuance of the licenses to construct and maintain restrooms near certain waterways.

**SR No. 60**

McPherson

In anticipation of the LDWF lowering the season limit on gobblers from three to two, the Senate urges and requests the LDWF to refrain from lowering the limit. Additionally, the Senate urges and requests the LDWF to refrain from opening turkey season statewide on the same day.

**SCR No. 25**

Ullo

In view of the Seafood Standards of Identity Task Force finding that the "General Requirements for Fish and Fishery Products" are extremely out of date, the legislature urges and requests the division of administration to review and update the state bid specifications for those requirements.

**SCR No. 35**

Dupre

Urges and requests LWFC to redesignate the Point au Chien Wildlife Management Area (WMA) to Pointe-aux-

Chenes WMA due to the fact that the bayou for which the WMA was originally named has been changed to Point-aux-Chenes as well as the local community and school. The English translation for Point au Chien is "Point of Dogs" whereas the English translation for Point-aux-Chenes is "Point of Oaks."

**SCR No. 46**

McPherson

To address the problems associated with Louisiana's overabundance of bobcats, the legislature urges and requests the LWFC to establish a recreational hunting season and daily bag and possession limits for bobcat if the LDWF recommends so after a study.

**SCR No. 47**

McPherson and Malone

To address the dilemma caused by the enormous and destructive nutria population, the legislature urges and requests the LWFC to establish a recreational hunting season on nutria if recommended by the LDWF after a study.

**SCR No. 48**

McPherson

On account of the popularity of birdwatching throughout the nation, the state's birding resources, and the potential economic boost Louisiana could receive from bird tourism, the legislature urges and requests itself, state agencies and universities currently involved to encourage bird eco-tourism in Louisiana.

**SCR No. 49**

McPherson

To alleviate the hardships suffered by those who wish to enjoy outdoor recreational activities such as hunting, hiking and birding, but who cannot because of the limited availability of lands for such activities and the high costs of leasing lands that are avail-

able, the legislature urges the office of state lands and other departments and agencies to identify possible state lands that could be used for outdoor recreational activities.

**SCR No. 50**

McPherson

Due to the success of the wood duck population in the flyway, the legislature urges and requests the LWFC and the U.S. Fish and Wildlife Service to increase the daily bag limit for wood ducks from two to four and increase possession limits accordingly for a three year trial basis so that the feasibility of a permanent daily bag limit of four may be assessed.

**STUDY REQUESTS**

HSR No. 19

Hopkins

Requests the House Committee on Natural Resources to study the importing and raising of exotic species for hunting purposes and to report to House prior to convention of the 2003 Regular Session.

**PUBLIC LANDS AND RESOURCES****Act No. 12**

HB No. 1; Leblanc

Authorizes the expenditure of capital outlay in the amount of \$2,993,000 for Brown Marsh Research, Mitigation and Nutria Control

Project which is to restore, enhance and conserve 6,523 acres of vegetated coastal wetlands.

**Act No. 16**

HB No. 1297; Durand

Authorizes the state to convey five tracts of land (eighty-five acres) in St. Martin Parish to the St. Martin Land Company in exchange for four tracts of land (one hundred forty-one acres) in St. Martin Parish.



**Act No. 86**

SB No. 352; McPherson and Ellington  
Directs the office of state lands to transfer the titles of two tracts of land located in Catahoula Parish to the LDWF.

**Act No. 132**

HB No. 771; Toomy  
(Enacts R.S. 33:9064) Authorizes the government authority of Jefferson Parish to create a special district for green space purposes in the Woodland West Subdivision.

**Act No. 414**

HB No. 625; Flavin  
(Amends and reenacts R.S. 48:1002(A)) Terminates state funding for the Monkey Island Ferry in Cameron Parish as of July 1, 2003.

**Act No. 432**

HB No. 1263; Clarkson, Tucker and Sens. Hainkel, Johnson  
(Amends and reenacts R.S. 38:301(A)(3)) Authorizes the Orleans Levee District to construct bicycle paths and walkways on certain levees.

**Act No. 919**

HB No. 1696; Pierre, Frith and McDonald  
(Amends and reenacts R.S. 41:1701 et seq.) States that the beds and bottoms of all navigable waters, banks or shores of bays, arms of the sea, the Gulf of Mexico and navigable lakes belong to the state of Louisiana and shall be protected, administered and conserved to best ensure public utility of those lands. They shall be managed by the LDNR with the State Lands Office being responsible for the control, permitting and leasing of encroachments upon those lands.

**Act No. 938**

HB No. 1858; Broome

(Amends and reenacts R.S. 41:1610) Requires persons to have a permit for any archaeological-like activity on state property. Provides maximum sentences and fines. Allows for seizure of any vehicle used in violation of this statute.

**Act No. 1026**

SB No. 778; Dardenne  
(Amends and reenacts R.S. 39:13(B); enacts R.S. 39:13(C), and (D)) Regarding state lands that are determined to be non-productive, the commissioner of administration shall submit an inventory report to the proper legislative committees before March 1 of each year and make recommendations as to which property should be sold. On approval by the Joint Legislative Committee on Budget, the commissioner may sell the property with the proceeds going to the state general fund.

**Act No. 1061**

HB No. 998; Pierre  
(Amends and reenacts R.S. 41:1222(A)) Changes the authority to execute surface leases on state lands from the secretary of LDNR to the Registrar of State Land Office. Also adds water bottoms to the list of lands that can be leased.

**Act No. 1129**

SB No. 366; McPherson  
Authorizes Louisiana Department of Transportation and Development to transfer title to certain lands between the diversion canal and I-49 in Rapides, Evangeline, Avoyelles and St. Landry Parishes to the LDWF.

**Act No. 1199**

HB No. 1917; Quezair, Daniel  
(Amends and reenacts R.S. 9:2795(A)(1),(3) and (E)(2)(a)-(c)) In regards to the State's civil liability to persons in public parks, clarifies that "land" means "urban or rural"

land. Also adds unmotorized vehicle use, roller skating, roller blading, and skate boarding to the list of recreational purposes. Provides that the supervision of any land managed as a public park does not create any greater duty of care and does not create a duty of care or basis for liability for personal injury or for damage to personal property except as provided in R.S. 9:2795(E)(2)(d). These liability limitations do not apply to playground equipment or stands which are defective.

RESOLUTIONS

**HCR No. 90**

Hudson, Durand, Devillier and Sen. Marionneaux  
The legislature authorizes a one-year study of certain proposals regarding the Atchafalaya Basin Program pursuant to Act 920 of the 1999 Regular Session to determine, if included, whether the proposals would cause the expenditures to exceed the budgeted amount, if the requirement for local participation is met, and if the proposals justify a yearly appropriation by the legislature.

**HCR No. 167**

Damico  
Memorializes the United States Congress to implement the Estuary Restoration Act of 2000 as developed by Congress. The Act provides resources and assistance for coastal and estuary restoration.

**HCR No. 198**

Pitre and Sen. Dupre  
To replenish the coastal marsh, prevent saltwater intrusion, and improve drinking water quality in Bayou Lafourche, the legislature memorializes the U.S. Congress to support, through funding, the proposed Bayou Lafourche restoration and diversion project from the Mississippi River.





**SR No. 70**

Ullo and Romero

Directs the Wetlands Conservation and Restoration Authority to present its plan for approval to the Senate and House Committees on Natural Resources at least thirty days prior to the beginning of the legislative session.

**SCR No. 51**

Mcperson

As the result of a small watershed project in St. Landry Parish, habitat along Bayou Barbeau was damaged. The Natural Resource and Conservation Service (NRCS) is responsible for habitat conservation and restoration programs, and to ensure projects are conducted in a manner which causes minimal damage to the habitat surrounding the projects. Therefore, the legislature urges and requests the NRCS to mitigate the damages caused to the Bayou Barbeau habitat in St. Landry Parish, and to heighten its scrutiny of current and future projects so that this type of incident does not happen again.

**SCR No. 74**

Cain

The legislature urges and requests the office of state parks to evaluate parts of Bundick Swamp in Beauregard Parish for suitability for placement in the state park system because Beauregard Parish has no areas in the state park system or other similar program and the natural areas of Beauregard Parish are steadily being depleted.

**SCR No. 130**

Cain

Nominates portions of waterways for inclusion into the Louisiana Natural and Scenic Rivers Systems: Whisky Chitto Creek (Beauregard), Barnes Creek (Allen and Beauregard), Bearhead Creek (Beauregard and Calcasieu), Bundicks Creek

(Vernon, Beauregard and Allen), Beckwith Creek (Beauregard and Calcasieu), and Hickory Creek (Beauregard and Calcasieu).

**STUDY REQUESTS****HSR No. 15**

Pitre

Because eighty-percent of land in the coastal zone is privately owned and practically all coastal restoration projects affect private lands to some degree, the House requests the House Committee on Natural Resources study the effects of coastal restoration projects on public and private property rights.

**OIL, GAS AND MINERALS****Act No. 14**

HB No. 1273; Damico

(Amends R.S. 30:88(F)) Requires a site restoration trust account under the Oilfield Site Restoration Plan to be fully-funded before the site and all prior owners, operators and working interest owners can be exempted from liability.

**Act No. 15**

HB No. 1269; Pierre

(Amends R.S. 30:83(B)(9) and (D)) Provides that the governor will appoint a member of the Oilfield Site Restoration Commission from a list submitted by the Nature Conservancy.

Requires the Commission to hold quarterly meetings or more, as required.

**Act No. 130**

HB No. 735; Hopkins

(Amends and reenacts the title of Chapter 5-E of Title 25 of LA R.S. of 1950 and R.S. 25:380.21, 380.22(A), 380.23(B)(5) and (C)(1), 380.24, 380.25(A), (B), (C)(1), (2)(b)(iii) and (3), and 380.26 and R.S. 36:744(N) and 801.9(A) and (C))

Changes the name of the Caddo Pine Island Oil and Historical Museum to the Louisiana State Oil and Gas Museum.

**Act No. 260**

HB No. 1270; Daniel

(Amends and reenacts R.S. 30:21(B)(1)(d)) Removes the \$2,250,000 cap on the Oil and Gas Regulatory Fund which consists of the application fees of industries under the jurisdiction of the office of conservation.

**Act No. 649**

HB No. 1895; Pierre

(Amends and reenacts R.S. 30:2480(I), 2483(D), and 2484; enacts R.S. 30:2480.1 and 2480.2) Changes the requirement from always requiring that a public hearing be conducted of any assessments issued by the oil spill coordinator to having a public hearing only on request, and changes the comment period from a maximum of ten days to a minimum of thirty days. Creates the Regional Restoration Planning Program and the Natural Resource Restoration Trust Fund in the oil spill coordinator's office. No longer allows the expenses of the oil spill technical assistance program to be paid from the Oil Spill Contingency Fund, and raises the limits of administrative and personnel expenses, operating costs and contracts for response and prevention expenses paid out of the fund from \$450,000 each to \$600,000 each.

**Act No. 864**

HB No. 1010; Thompson et al.

(Amends and reenacts R.S. 30:142(E)(1)(a)) To alleviate the rising costs of natural gas, and to allow Louisiana residents to share in the benefit of gas produced on lands owned by the state, the legislature changed the way natural gas produced on state lands is priced for sale. Under former pricing schedules, the natural



gas was not to be sold for less than the price as certified to the State Mineral Board by the Public Works Commission (PWC) which represented the average purchases per thousand cubic feet reported to PWC by the pipeline companies subject to jurisdiction of the PWC. The new price shall be no less than the first-of-the-month published price for Henry Hub natural gas as reported by the McGraw-Hill Companies' Platts Inside FERC's Gas Market Report, plus or minus the basis differential for the pipeline system into which the natural gas is delivered.

**Act No. 963**  
**HB No. 338; Daniel**

(Amends and reenacts R.S. 9:1151) Provides that if ownership of land changes as the result of change of course, bed, bottom, accretion or dereliction, or erosion and subsidence on the shore of the sea or arm of the sea, the new owner, including the state of Louisiana, shall take subject to oil, gas and mineral leases and that the rights of the lessors shall not be affected by the change in ownership of the leased property.

**Act No. 973**

HB No. 624; Flavin  
(Amends and reenacts R.S. 30:103, 103.1 and 103.2) Operators and producers of oil and gas on unleased mineral interests must now send production reports to each owner of oil and gas interest by certified mail rather than registered mail. Requires operators or producers to issue a report within ninety days of well completion and detailed quarterly reports. Failure to timely submit the reports shall cause the operator or producer to forfeit his right to demand contribution from the owner of unleased oil and gas interests.

**Act No. 1182**

HB No. 1565; Leblanc, Dewitt, Win-

ston, Thompson and Sen. Schedler (Amends and reenacts R.S. 30:136.3) Establishes in the state treasury the Mineral Resources Audit and Collection Fund. \$1,600,000 will be paid each year from funds received through the office of mineral resources until the fund reaches \$4,000,000 and deposits will resume if the fund falls below \$2,000,000. The fund shall be used by the LDNR, office of mineral resources, for payment of legal costs, auditing and collection expenses and administration of leases on state-owned lands. Each year, the secretary of the department shall submit an expenditure report to the legislature by May 1.

RESOLUTIONS

**HR No. 149**

Pitre, Fauchoux, Gary Smith and Sen.

Dupre

**Also SR No. 76; Dupre**

In response to the fact that it has been four years since an Environmental Impact Statement was prepared for a number of Oil and Gas Lease Sales in the Gulf of Mexico that were found to have a significant impact on Port Fourchon and areas of Lafourche Parish, the House of Representatives memorializes the U.S. Congress and the Mineral Management Service to develop a plan for mitigation of impact in relation to oil and gas leases on the Outer Continental Shelf in the Gulf of Mexico.

**ENVIRONMENTAL**  
**QUALITY**

**Act No. 252**

HB No. 1029; Damico and Sen. Fontenot

(Amends and reenacts R.S. 30:2050.7(A), and (E); enacts R.S. 30:2050.7(F)) Authorizes the secretary of the Louisiana Department of Environmental Quality (LDEQ) to

settle or resolve disputes, or portions of disputes, in a manner advantageous to the state without the concurrence of the Attorney General if the dispute is in regards to a compliance order. Throughout the section it changes the language from "environmentally beneficial projects" to "beneficial environmental projects." Settlements must be submitted to the Attorney General for his approval, the secretary may settle without Attorney General approval if the Attorney General does not give written rejection within ninety days of the notice of the proposed settlement. Settlements are considered civil penalties for tax purposes. A settlement of a civil penalty assessment that allows the respondent to perform beneficial environmental projects that resulted from law enforcement actions at a facility owned by a port commission shall consider giving preference to those projects that will directly benefit the port commission unless the port commission was the violator.

**Act No. 446**

SB No. 965; Hoyt et al.

(Enacts R.S. 36:4 (V) and R.S. 38:3099.1-3099.4) Establishes the Groundwater Management Commission and the Groundwater Management Task Force in the office of the Governor, determines the membership of the Commission and Task Force, and its powers and duties. Its powers and duties include, but are not limited to, determining critical groundwater areas, issuing permits for wells in critical groundwater areas, and adopting a contingency plan for emergency situations.

**Act No. 537**

HB No. 1272; Pierre

(Enacts R.S. 49:191(12)(j); repeals R.S. 49:191(11)(g)) Re-creates the LDNR and all statutory entities made a part of the department. Terminates legislative authority for the depart-



ment on July 1, 2003.

**Act No. 549**

HB No. 1482; Damico  
(Amends and reenacts R.S. 49:191(13); repeals R.S. 49:191(11)(h)) Re-creates LDEQ and all statutory entities made a part of the department. Provides for the termination of legislative authority for the department on July 1, 2005.

**Act No. 562**

HB No. 254; Damico  
(Amends and reenacts R.S. 30:2413(A)(8); enacts R.S. 2413(A)(9)) Eliminates the twenty-cent per ton fee charged by LDEQ on solid waste management facilities and related matters. Authorizes the secretary of the department to adopt rules regarding fees to administer the waste tire activities as provided in R.S. 30:2418. Mandates the secretary to compile information on resource recovery and recycling programs and report to certain legislative committees.

**Act No. 596**

HB No. 873; Holden  
(Amends and reenacts R.S. 30:2014(A)(3); enacts R.S. 30:2014.4)  
Changes the language in (A)(3) regarding the prohibition on permitting the construction or modification of a facility used in shipping of sulphur from "shipping" sulphur to "receiving" sulphur. R.S. 30:2014.4 requires any holder of a permit or license for a hazardous waste disposal facility under review by LDEQ to notify LDEQ of the transferee if the holder decides to transfer the permit or license. The department will then give notice to each legislator in whose district the facility is located.

**Act No. 618**

HB No. 1502; Waddell  
(Enacts R.S. 32:1521(E)(11) and (12))

Adds LA Highway 3132 and LA Highway 526 to the list of permissible routes for transportation of hazardous waste materials through Caddo and Bossier Parishes.

**Act No. 820**

HB No. 598; Crowe and Strain  
(Amends and reenacts R.S. 30:2180(D)(1), R.S. 40:4(A)(2)(b); enacts R.S. 30:2180(D)(2)(i)) Gives LDEQ authority to enact rules for the cleanup of infectious medical waste and recover costs. Authorizes LDEQ to regulate permits for all handling of infectious waste and requires transporters of infectious waste to have a LDEQ permit.

**Act No. 821**

HB No. 602; Daniel  
(Amends and reenacts R.S. 40:1154) Requires that sewage treatment facilities with capacity of 1,500 gallons per day that do not by design limit offsite effluent to have an effluent limiter or reducer approved by Department of Health and Hospitals (DHH). Also requires that all sewage treatment facilities of a 1,500-gallon daily capacity have a means of disinfecting effluent approved by DHH.

**Act No. 862**

HB No. 1005; R. Alexander  
(Amends and reenacts R.S. 40:5.8(6) and 2822(20)) Changes the definition of public water system from system "intended to provide potable water" to system "for the provision to the public of water for potable purposes, through pipes or other constructed conveyances." The system must also have at least fifteen service connections or regularly serve an average of at least twenty-five individuals daily for at least sixty days out of the year.

**Act No. 1025**

SB No. 762; Malone, Cain, Ellington, Barham and Marionneaux  
(Enacts R.S. 3:4701-4702) Creates

the Drought Protection Trust Fund to assist farmers who voluntarily forgo irrigating with groundwater for the purpose of conservation of the groundwater supply during periods of drought, and to provide for enhancement of surface water as a primary source of irrigation. This act will not become effective unless the voters of Louisiana vote on November 5, 2001 to amend the Louisiana Constitution to allow this fund. See Act No. 1233 below.

**Act No. 1233**

SB No. 244; Malone, Marionneaux  
Proposal to allow voters to vote on whether or not to amend the Louisiana Constitution by adding Article VII Section 10.11 authorizing the legislature to establish the Drought Protection Trust Fund. The Fund would assist farmers who voluntarily forgo irrigating with groundwater for agricultural production for the purpose of conserving, protecting, or replenishing groundwater during periods of drought. The amendment would also allow the legislature to implement programs to enhance and develop surface water resources as an irrigation source for farmers. See Act No. 1025 above.

**Act No. 1047**

HB No. 659; Pinac  
(Amends and reenacts R.S. 30:2281) Requires the LDEQ to include the name of the record owner of immovable property in addition to the legal description of the property when perfecting a lien filed against the immovable for the recovery of costs incurred as a result of remedial action taken by LDEQ. Also provides that the lien shall have priority in rank over all other security interests except for those filed prior to the state lien, but only to the extent of the fair market value of the property. Those security interests filed prior to a state lien shall be subordinate to the state lien for any



amount in excess of such pre-remediation fair market value.

**Act No. 1087**

HB No. 1556; Kennard, Durand (Amends and reenacts R.S. 30:2373(D)(2), (E)(2) and 2374 (B)(1)) Adds "person" to list of those subject to civil penalties under the Hazardous Materials Information Development, Preparedness and Response Act. Reduces the fees for violations and makes the new fee schedule effective until June 30, 2003.

**Act No. 1138**

SB No. 989; Michot (Enacts R.S. 33:4065.11-4065.14) Creates the Broussard Environmental Service and Enhancement District in the city of Broussard intended for the protection and development of the environment and to perform educational and research projects related to such. Those purposes may be carried out through treatment, processing and recycling of sewerage.

**Act No. 1185**

HB No. 1641; Leblanc, Dewitt, Thompson Reenacts several funds including the Coastal Environmental Protection Trust Fund (R.S. 30:311-30:316).

**Act No. 1197**

HB No. 1897; Perkins (Amends and reenacts R.S. 30:2050.1(B), 2050.4(E), and (G); enacts R.S. 30:2050.4(J)) Changes the LDEQ secretary's responsibility to maintain a list of all notices of violation, compliance orders, and penalty assessments issued from the preceding twelve months to the preceding three months. Requires the secretary to publish a list of proposed projects on the department's website. Provides more detail regarding the procedures to follow if the secretary denies a respondent's request for a hearing, fails to respond to such a request, or if

the secretary and respondent agree to enter dispute resolution discussions.

RESOLUTIONS

**HR No. 149**

Pitre, Faucheux, Gary Smith and Sen.

Dupre

**Also SR No. 76; Dupre**

In response to the fact it has been four years since an Environmental Impact

Statement was prepared for a number of Oil and Gas Lease Sales in the Gulf of Mexico that were found to have a significant impact on Port Fourchon and areas of Lafourche Parish, the House of Representatives memorializes the U.S. Congress and the Mineral Management Service to develop a plan for mitigation of impact in relation to oil and gas leases on the Outer Continental Shelf in the Gulf of Mexico.

**HCR No. 86**

Faucheux and Sen. Fontenot Memorializes the United States Congress to support the proposed Maurepas Swamp diversion project by providing funding. The legislature expresses the need for the project because it would help prevent saltwater intrusion into Maurepas Swamp and restore the struggling marshes. Furthermore, the concerns associated with other diversion projects, such as changes in salinity, are not issues with this project because the affected area is a freshwater estuary.

**HCR No. 129**

Pitre et al.

During the 2000 Regular Session the legislature memorialized the Gulf of Mexico/Mississippi River Watershed Nutrient Task Force to find a solution to the hypoxia problem plaguing the Gulf. The Task Force has developed the Gulf Hypoxia Action Plan, and the legislature urges the President of the United States and memorializes Congress to implement the Action

Plan.

**HCR No. 157**

Damico

In consideration of the fact that environmental issues are usually common to states in the same regions and geographic formations, the legislature urges the LDEQ to study the reasonableness of a consortium of southern states to study the environmental problems common to the southern states including those affecting aquifers, rivers and coastlines.

**SR No. 44**

Marionneau

In light of the discovery of vinyl chloride in the water system at the Myrtle Grove Trailer Park in Iberville, LA located in Plaquemine Parish, the Senate urges and requests the United States Environmental Protection Agency to investigate the vinyl chloride contamination.

**SR No. 51**

Marionneau

In response to a recent fish kill in False River, the source of which has not been determined, the Senate urges and requests the LDEQ to initiate a testing program to study the water quality of False River.

STUDY REQUESTS

**SSR No. 8**

Gautreaux

Requests the Senate Environmental Quality Committee to study the feasibility and methods of wastewater reclamation and the negative affects of wastewater reclamation and discharge.

**PORTS, HARBORS AND WATERWAYS**

**Act No. 51**

HB No. 329; Odinet and Sen. Dean



(Amends and reenacts R.S. 56:333(C); enacts R.S. 56:322(F)) Considers the water of the Intracoastal Waterway in Orleans Parish, from the overhead power lines at the Interharbor Navigation Canal east to the Rigolets, to be both salt and fresh water for fishing or gear use. Requires that commercial fishing operators in this area not interfere with the normal commercial traffic. In addition to the aforementioned areas, mullet may be taken from the portion of Lake Pontchartrain located south and east of the I-10 bridge.

**Act No. 142**

HB No. 1139; Jack Smith  
Authorizes and provides for the transfer or lease of certain state property in St. Mary Parish to the Port of West St. Mary from the division of administration.

**Act No. 323**

SB No. 465; Smith  
(Amends and reenacts R.S. 42:1123(27)) Exempts the members of the Sabine River Authority who own lots on the shore of Toledo Bend from the prohibition against exercising his option to lease back the shoreline area contiguous to his property and obtaining a permit for domestic use.

**Act No. 334**

SB No. 1058; Mount and Rep. Guillory  
(Amends and reenacts R.S. 33:4699.1(A),(B)) Allows the city of Lake Charles to grant leases on Lake Charles (the lake) for commercial purposes, other than gaming, in the geographic area described in the statute.

**Act No. 350**

HB No. 295; Townsend  
(Amends and reenacts R.S. 34:3269(8)) Raises the annual tax the

Cane River Waterway Commission may levy from five mills to six mills on the dollar of the assessed valuation of all taxable property lying within the district. Adds costs of maintenance and operation of the waterway to the list of expenses that may be paid from the tax.

**Act No. 1040**

SB No. 1106; Thomas, Schedler and Cain  
(Enacts R.S. 51:951-952) Applies to all entities that own, lease, and/or operate new or expanded electric generation facilities that commence operation in the state on or after Jan. 1, 2003 that use or consume groundwater of the state in its process for generating electricity for sale in the wholesale electricity market. Requires the entities to provide notice 180 days in advance of operation to Louisiana Department of Economic Development, Louisiana Public Service Commission and the Groundwater Management Commission to be published by those agencies on their official websites and/or in their official publications. Requires the entities to submit semi-annual reports to the department and commissions if less than twenty-five percent of the power sales in megawatt hours during its last six months were sold to in-state purchasers.

RESOLUTIONS

**HR No. 1**

Ansardi  
In awareness of the increasing volume of chemicals and hazardous materials being transported on the state's navigable waterways and the potential for danger associated with that cargo, the House of Representatives memorializes U.S. Department of Commerce, U.S. Department of Transportation, National Transportation Safety Board, and the U.S. Environmental Protection Agency to use

the United Nations or North American placarding system. A placarding system would allow immediate identification of the vessels contents which is essential for emergency situations.

**HR No. 111**

Pinac  
**Also SR No. 37;** Heitmeier  
Together request the House Committee on Commerce and the Senate Committee on Transportation, Highways and Public Works to study the value of the state's maritime industry of waterways, ports and shipyards, to bring attention to the value of the industry on the state's economy, and to study trends affecting the industry. Also requests the committees to hold meetings in Baton Rouge and New Orleans sponsored by the Governor's Task Force on Maritime.

**HCR No. 23**

Odinet, Richmond, Hutter  
Urges and requests the Department of Transportation and Development to conduct a study of the replacement project for the Inner Harbor Navigation Canal Lock in Orleans Parish. The study is requested because the number and size of vessels using the waterway will increase resulting in longer more frequent bridge openings at St. Claude and Claiborne Avenues. Longer more frequent openings will compound the traffic problems in the area including emergency medical transportation to the trauma care center in New Orleans. The legislature also questions the reliability of the study conducted by the USACE.

**HCR No. 198**

Rep. Pitre and Sen. Dupre  
To replenish the coastal marsh, prevent saltwater intrusion, and improve drinking water quality in Bayou Lafourche, the legislature memorializes the U.S. Congress to support,



through funding, the proposed Bayou Lafourche restoration and diversion project from the Mississippi River.

**SR No. 71**

Romero

Memorializes Congress to provide emergency funds to dredge the jetty section of the Calcasieu ship channel from mile zero to mile thirty-six because current funding will only support dredging to mile twenty-four. If not dredged to mile thirty-six, the Lake Charles area and southwest Louisiana will experience hardships and detrimental economic consequences.

**SCR No. 52**

Mcperson

In light of the fact that the public has historically been able to access the state's natural navigable waterways and recently individuals claiming to be owners or lessees have prevented public access to waterways historically open to the public, the legislature urges and requests the attorney general, Coastal Zone Management Program and office of state lands to give the public notice prior to any public waterways being barricaded or gated.

**SCR No. 91**

Heitmeier

In light of the importance of Louisiana's deep and shallow water ports on its economy, the legislature urges and requests the Joint Committee on Transportation, Highways, and Public Works to conduct a study of both deep draft and shallow draft ports throughout the state.

**SCR No. 107**

Marionneaux et al.

In response to the insufficiency of the thirty-two percent diversion rate at the Mississippi Old River control structure agreed to by the USACE, the legislature urges and requests the USACE to increase the flow at the

Old River Control from the Mississippi River into the Atchafalaya Basin so that a minimum stage of twelve feet National Geodetic Vertical Datum is maintained at the Butte La Rose gauge throughout the spring.

**SCR No. 130**

Cain

Nominates portions of waterways for inclusion into the Louisiana Natural and Scenic Rivers Systems: Whisky Chitto Creek (Beauregard), Barnes Creek (Allen and Beauregard), Bearhead Creek (Beauregard and Calcasieu), Bundicks Creek (Vernon, Beauregard and Allen), Beckwith Creek (Beauregard and Calcasieu), and Hickory Creek (Beauregard and Calcasieu).

STUDY REQUESTS

**HSR No. 6**

Salter

Requests the House Committee on Commerce to study the issues relative to establishing a conservation pool level and prohibiting a hydro-electric power plant at the Toledo Bend Reservoir.

**HCSR No. 4**

Heaton

In appreciation of the concern for watercraft safety, the legislature requests the House Committee on Natural Resources and the Senate Committee on Natural Resources work as a joint committee to explore the possibility of a licensure system for operation of watercraft in the state.

**HCSR No. 12**

Thompson

Due to Louisiana's extensive levee system and historical drainage problems, the legislature requests the House Committee on Transportation, Highways and Public Works and Senate Committee on Transportation Highways and Public Works work

together and study the present structure of Louisiana's levee districts and boards to insure that Louisiana residents are receiving the maximum benefits of levee protection.

**MISCELLANEOUS**

**Act No. 123**

HB No. 603; Diez

(Enacts R.S. 32:387.15) Requires the secretary to issue special permits for transportation of boats not to exceed sixteen feet in width on interstate highways in Louisiana. Also limits the speed of the vehicles transporting boats to fifty-five miles per hour. The secretary may refuse the permit due to road conditions, etc.

**Act No. 213**

HB No. 124; Bruce

(Amends and reenacts R.S. 14:102.8(B); enacts R.S. 14:102.8(E)) Expands the definition of killing or injuring a police animal to include dogs in the service of public safety agencies.

**Act No. 215**

HB No. 179; Nevers

(Enacts R.S. 47:306 (B)(1)(d)(iii)) Provides that the advance collection of state sales tax not apply to dealers of all-terrain vehicles or of marine products who are licensed by the Louisiana Used Motor Vehicle and Parts Commission.

**Act No. 364**

HB No. 674; Pitre and Sen. Dupre (Amends and reenacts R.S. 34:1652(C)(20) and R.S. 34:1652.1; enacts R.S. 34:1652(C)(21), (22) and (D)) Grants the Greater Lafourche Planning Commission the authority to enter into contracts and receive funds and assistance for the improvement of LA Highway 1 and its bridge infrastructure from its junction with LA Highway 3235 to Jefferson Parish line at Grand Isle and LA Highway 3090. Authorizes the commission to



exercise powers which may be exercised by an airport district within the geographic jurisdiction of commission. Lowers the age requirement for harbor police persons to eighteen.

**Act No. 474**

SB No. 379; Ellington and Smith (Enacts R.S. 38:3087.141-3087.155) Creates the recreation and water conservation district to be known as the Castor Creek Reservoir District out of the watershed of the portion of Castor Creek located within the boundaries of Caldwell, Winn and LaSalle Parishes.

**Act No. 475**

SB No. 412; Ellington (Enacts R.S. 38:3087.141-3087.148) Creates the recreation and water conservation district to be known as the Turkey Creek Reservoir District out to the watershed of the portion of Turkey Creek located in Franklin Parish.

**Act No. 548**

HB No. 1481; Johns (Amends and reenacts R.S. 56:322(A), and (B)) Changes the boundaries for the freshwater/saltwater division of Louisiana in a north/south direction. Specifics are available on request.

**Act No. 615**

HB No. 1318; Damico (Amends and reenacts R.S. 30:2503(A)(2)(a); enacts R.S. 30:2503(A)(2)(j)) Now allows the Board of Regents to either have a member on the Louisiana Environmental Education Commission, or appoint a designee to be on the commission. Adds the Secretary of the Department of Culture, Recreation and Tourism or his designee to the commission.

**Act No. 803**

HB No. 312; Pitre, Triche and Sen. Dupre

(Enacts Section (4)(J) of Act No. 113 of the 1950 Regular Legislative Session) Authorizes the board of commissioners of the Bayou Lafourche Freshwater District to implement measures to prevent the intrusion of saltwater into the flow of freshwater.

**Act No. 917**

HB No. 1686; Broome (Repeals R.S. 56:1692.1(B)) Repeals certain complete fee exemptions at state parks during the winter camping season.

**Act No. 942**

HB 1904; Dartez (Enacts R.S. 27:43(C)) Provides that for purposes of riverboat gaming, Bayou Beouf within or forming the borders of St. Mary Parish is to be part of the Intracoastal Waterway.

**Act No. 948**

HB No. 1966; Cazayoux (Repeals R.S. 33:4574.1A(A)(6)(g)) Allows tourist commission to levy hotel taxes on overnight camping spaces under certain conditions.

**Act No. 1081**

HB No. 1370; Thompson and Sens. Barham, Ellington (Enacts R.S. 14:56.3) Makes it a crime to damage a genetically engineered crop, crop facility or crop information. Provides definitions and sentences for violation of such crimes.

**Act. No. 1121**

HB No. 2046; Damico (Enacts R.S. 30:2195(F)) Provides that all interest monies earned by the Motor Fuels Underground Storage Tank Trust Fund shall be used for the closure of abandoned motor fuel underground storage tanks and for remediation of the contaminated property. Gives the State authority to establish a lien on the immovable property for the costs incurred by remediation by filing the lien in the

mortgage records of the parish where the immovable is located. Establishes the State's lien as superior to other security interests filed against the property except for those filed previous to the State to the extent of the pre-remedial fair market value.

**Act No. 1137**

SB No. 974; Ullo and Rep. Bruneau Abolishes several agencies and commissions including the following: Alligator Market Development Authority (R.S. 3:559-559.11), Environment and Natural Resources Council (R.S. 30:2005), Catahoula Parish Port Commission (R.S. 34:11851-1857), Concordia Parish Port Commission (R.S. 34:2151-2157), Grant Parish Port Commission (R.S. 34:2351-2357), Rapides Parish Port Commission (R.S. 34:3201-3208), Washington Parish Port Commission (R.S. 34:3351-3356), Tri-Parish Drain/Water Conservation District (R.S. 38:3361-3369), Southern Louisiana Drinking Water Study (R.S. 40:2491-2494), Recreational Fishing Development Board (R.S. 56:580.1-580.6).

**Act No. 1184**

HB No. 1640; Reprs. Leblanc, Faucheux and Sen. Campbell (Amends and reenacts R.S. 39:251-257) Revitalizes the energy management policy for operation of state buildings. Includes a mandate to the division of administration to implement standardized reporting method for energy usage and costs, detail bill assessments and energy audits on state buildings and creation of a database on all state buildings and their associated energy usage.

**Act No. 1226**

SB No. 987; Johnson et al. (Enacts R.S. 9:5633) Provides that blighted property may be acquired by three-year acquisitive prescription without the need of just title or good faith. This is an exception to the



requirements of acquisitive prescription of an immovable which requires either ten years possession, just title and good faith, or thirty years possession. There are many requirements and conditions that must be met in order to qualify for this exception, a complete listing of which is available on request.

RESOLUTIONS

**HCR No. 187**  
Strain, Kenney, Schneider  
Because Louisiana and its neighbor-

ing states share aquifers and groundwater resources, and the need to con-serve those resources is significant, the legislature urges and requests the recently formed Groundwater Management Commission and Groundwater Advisory Task Force to develop a cooperative aquifer and groundwater stewardship policy with Arkansas, Mississippi, and Texas.

**HCR No. 203**  
Damico et al.  
**Also HSR No. 18;** Gary Smith  
Urges and requests the House Com-

mittee on Environment (HSR No. 18 requests only the House Committee on Environment) and the Senate Committee on Environmental Quality to conduct a joint study on the status, enforcement, and effectiveness of the state's litter laws and report back before the 2002 Regular Session.

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