

2015 Regular Session

HOUSE BILL NO. 352

BY REPRESENTATIVE LEGER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COASTAL RESOURCES: Relative to approval for land acquisition for integrated coastal protection projects by "acquiring authorities"

1 AN ACT

2 To amend and reenact R.S. 41:1702(D)(introductory paragraph) and (2)(a)(ii)(introductory
3 paragraph), relative to land reclamation for coastal protection and restoration
4 purposes; to provide relative to approval of land reclamation by an "acquiring
5 authority" for integrated coastal protection purposes; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 41:1702(D)(introductory paragraph) and (2)(a)(ii)(introductory
9 paragraph) are hereby amended and reenacted to read as follows:

10 §1702. Reclamation of lands lost through erosion, compaction, subsidence, and sea
11 level rise; land acquisition for certain coastal projects; requirements

12 * * *

13 D. In all cases in which a definitive boundary may be arrived at by mutual
14 consent or through the procedures applicable to contested boundaries, the
15 administrator of the State Land Office, as provided in Paragraph (1) of this
16 Subsection, or the ~~secretary of the Department of Natural Resources~~ Coastal
17 Protection and Restoration Authority, as provided in Paragraph (2) of this
18 Subsection, may allow reclamation.

19 * * *

1 (2)(a)

2 * * *

3 (ii) When land is acquired from any person by an "acquiring authority" as
4 defined in R.S. 31:149, for the principal purpose of facilitating the development,
5 design, and implementation of ~~coastal conservation, restoration, protection or~~
6 ~~management plans and~~ integrated coastal protection projects, including hurricane
7 protection and flood control, by the state, its political subdivisions, or by the state
8 and federal government, the ~~secretary of the Department of Natural Resources~~
9 Coastal Protection and Restoration Authority may, in accordance with rules and
10 regulations adopted in accordance with the Administrative Procedure Act by the
11 ~~Department of Natural Resources~~ Coastal Protection and Restoration Authority after
12 consultation with other state agencies, enter into an agreement under this Section
13 with respect to the ownership of minerals and other matters to the same extent as
14 authorized under Item (i) of this Paragraph. In addition, such agreement shall, at a
15 minimum, specify:

16 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 352 Original 2015 Regular Session Leger

Abstract: Provides for approval by the Coastal Protection and Restoration Authority for an "acquiring authority" to purchase land for integrated coastal protection projects.

Present law authorizes an "acquiring authority" to acquire land for facilitation of the development, design, and implementation of coastal conservation, restoration, protection, or management plans by the state, its political subdivisions, or the state and federal governments. Further provides that the secretary of the Dept. of Natural Resources may, after consultation with other state agencies, enter into an agreement with respect to ownership of minerals and other matters.

Proposed law retains present law but uses the term "integrated coastal protection project" to cover all the possible projects outlined in present law and changes the approval authority from the secretary of the Dept. of Natural Resources to the Coastal Protection and Restoration Authority.

(Amends R.S. 41:1702(D)(intro. para.) and (2)(a)(ii)(intro. para.))