

2022 Regular Session

HOUSE BILL NO. 762

BY REPRESENTATIVE ZERINGUE

1 AN ACT

2 To amend and reenact R.S. 56:1684(D)(1) and to enact R.S. 36:610(B)(13), R.S.
3 56:10(B)(17), and Part VI of Chapter 8 of Title 56 of the Louisiana Revised Statutes
4 of 1950, to be comprised of R.S. 56:1931 through 1936, relative to the Louisiana
5 Outdoors Forever Program; to create the Louisiana Outdoors Forever Program and
6 the Louisiana Outdoors Forever Fund; to provide for executive branch organization;
7 to create a project selection board and a technical advisory board; to provide for
8 board membership and duties; to provide for program eligibility and applications; to
9 provide for natural areas; to provide for administrative rules; to provide for program
10 termination; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 36:610(B)(13) is hereby enacted to read as follows:

13 §610. Transfer of agencies and functions to Department of Wildlife and Fisheries

14 * * *

15 B. The following agencies, as defined in R.S. 36:3, are transferred to and
16 hereinafter shall be within the Department of Wildlife and Fisheries, as provided in
17 R.S. 36:802.

18 * * *

19 (13) The Louisiana Outdoors Forever Program project selection board and
20 technical advisory board (R.S. 56:1931 et seq.).

21 * * *

1 Section 2. R.S. 56:1684(D)(1) is hereby amended and reenacted and R.S.
2 56:10(B)(17) and Part VI of Chapter 8 of Title 56 of the Louisiana Revised Statutes of 1950,
3 comprised of R.S. 56:1931 through 1936, are hereby enacted to read as follows:

4 §10. Annual report to governor; estimate of proposed expenditures; particular funds;
5 limitations on purposes for use of monies in particular funds and accounts;
6 warrants; vouchers; surplus funds

7 * * *

8 B.

9 * * *

10 (17) There is hereby created within the Conservation Fund a special account
11 known as the "Louisiana Outdoors Forever Fund". The funds in this account shall
12 be used solely for and in accordance with the Louisiana Outdoors Forever Program,
13 provided for in R.S. 56:1931 et seq. Any appropriations, public or private grants,
14 gifts, or donations received by the state or the Department of Wildlife and Fisheries
15 for the purposes of this program shall be credited to the fund. The monies in the
16 fund shall be subject to the same requirements as provided for in Paragraph (1) of
17 this Subsection. The monies in the fund shall be invested by the treasurer in the
18 same manner as the monies in the state general fund and all interest earned shall be
19 deposited and credited to the fund after compliance with the requirements of Article
20 VII, Section 9(B) of the Constitution of Louisiana. All unexpended or
21 unencumbered monies remaining in the fund at the end of the fiscal year shall remain
22 to the credit of the fund.

23 * * *

24 §1684. Categories of classification

25 Each office of state parks holding will be identified and operated according
26 to the basic purpose for which it is established and will be selected, operated and
27 identified according to the following classification categories and the criteria thereof:

28 * * *

29 D. "State parks" are natural areas which, when evaluated on a statewide
30 basis, possess outstanding potential for recreation utilization. The natural area must

1 possess outstanding scenic and natural qualities to provide a recreation opportunity
 2 of high quality in a natural setting.

3 The criteria for the selection of areas to be designated as state parks shall be:

4 (1) Size: A state park shall be of sufficient size to insure efficient operation
 5 and maintenance of its recreation facilities and have sufficient buffer to preserve the
 6 natural integrity of the area.

7 All state parks, except those currently within the system and those in Caddo
 8 and Bossier Parishes, must adhere to an absolute minimum size standard of two
 9 hundred and fifty acres and preferred minimum size standard of four hundred acres.
 10 The secretary of the Department of Culture, Recreation and Tourism will determine
 11 in each case which minimum standard will be applicable.

12 * * *

13 PART VI. LOUISIANA OUTDOORS FOREVER PROGRAM

14 §1931. Louisiana Outdoors Forever Program; fund

15 There is hereby established within the Department of Wildlife and Fisheries
 16 the Louisiana Outdoors Forever Program for the purpose of providing funding for
 17 outdoor conservation projects in the state. The administration of the program and
 18 the conservation projects selected for funding under the program shall be funded by
 19 the Louisiana Outdoors Forever Fund as provided for in R.S. 56:10(B)(17).

20 §1932. Project selection board

21 A. The program shall be governed by a project selection board composed of
 22 the following members:

23 (1) The governor or his designee.

24 (2) The executive assistant to the governor for coastal activities or his
 25 designee.

26 (3) The lieutenant governor or his designee from the office of state parks.

27 (4) The commissioner of the Department of Agriculture and Forestry or his
 28 designee.

29 (5) The secretary of the Department of Environmental Quality or his
 30 designee.

1 (6) The secretary of the Department of Natural Resources or his designee.

2 (7) The secretary of the Department of Wildlife and Fisheries or his
3 designee.

4 (8) The speaker of the House of Representatives or his designee.

5 (9) The president of the Senate or his designee.

6 B. The members of the board representing the Louisiana Legislature shall
7 be nonvoting members.

8 C. The project selection board shall elect a chairman at its first meeting each
9 year. The chairman shall serve a one-year term and may be reelected by the board.

10 D. The project selection board shall make all final determinations regarding
11 the selection of projects for funding under the program.

12 §1933. Technical advisory board

13 A. The project selection board shall be advised by a technical advisory board
14 composed of the following members:

15 (1) Subject matter representatives from the following:

16 (a) The office of the governor.

17 (b) The division of administration.

18 (c) The office of coastal activities.

19 (d) The office of state parks.

20 (e) The Department of Agriculture and Forestry.

21 (f) The Department of Environmental Quality.

22 (g) The Department of Natural Resources.

23 (h) The Department of Wildlife and Fisheries.

24 (2) Up to three representatives of nonprofit conservation organizations
25 having offices in Louisiana and engaged in conservation efforts in the state may be
26 appointed by the governor, provided that no such representative may participate in
27 the evaluation of applications from their own organization.

28 B. The technical advisory board shall review and evaluate applications in
29 accordance with the program criteria and scoring and forward assessments to the
30 project selection board.

1 §1934. Program eligibility; application process

2 A.(1) State agencies, political subdivisions of the state, including local
3 governing authorities, and nongovernmental organizations working in coordination
4 with public agencies may apply to the program for funding.

5 (2) The program shall be strictly voluntary and in no way invokes eminent
6 domain.

7 B. The following types of projects may be eligible for funding:

8 (1) Land conservation of important natural areas, including fish and wildlife
9 habitat.

10 (2) Water quality projects related to land conservation or land management,
11 including those lands that protect drinking water supplies.

12 (3) Working land, farms, and forested land.

13 (4) Recreational properties related to important natural areas and public use.

14 (5) Historic properties adjacent to or integral to habitat restoration or
15 enhancement.

16 C. Application forms as well as information about application requirements
17 shall be made available online.

18 D. Submitted applications shall be evaluated by the technical advisory board
19 and selected by the project selection board using defined criteria and scoring based
20 on a clear, defensible, science-based process.

21 E. The department shall, in accordance with the Administrative Procedure
22 Act, promulgate rules and regulations necessary to implement this program. Such
23 rules shall include procedures for applying to the program and detailed criteria and
24 scoring to be used by the boards in their evaluation and selection of projects for
25 funding.

26 §1935. Transparency

27 The Louisiana Outdoors Forever Program, fund, project selection board, and
28 technical advisory board shall be subject to all applicable laws concerning public
29 meetings and public records, including the Open Meetings Law, the Public Records
30 Law, and the Ethics Code. In addition, the meetings of each board shall be open to

1 the public, broadcast via the internet when possible, and allow time for public
2 comment. Meeting minutes shall be made available to the public. Information about
3 the members of each board shall also be readily available to the public.

4 §1936. Program termination

5 The Louisiana Outdoors Forever Program shall terminate on July 1, 2033.

6 Section 3. This Act shall become effective upon signature by the governor or, if not
7 signed by the governor, upon expiration of the time for bills to become law without signature
8 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
9 vetoed by the governor and subsequently approved by the legislature, this Act shall become
10 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____