

SENATE BILL NO. 119

BY SENATOR PERRY

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

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AN ACT

To amend and reenact R.S. 41:1217.1(B) and R.S. 56:30.3(B) and to enact R.S. 56:799.7, relative to leases of public lands; to provide for certain provisions regarding leases on public lands; to exempt lands administered, controlled or managed by the Department of Wildlife and Fisheries from certain restrictions on public leases; to provide for terms of a lease transferred to the state from another party; to provide terms, conditions, and requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R. S. 41:1217.1(B) is hereby amended and reenacted to read as follows:

§1217.1. Renewal of lease; highest bid option

* * *

B. Notwithstanding any provision of law to the contrary, if the commissioner or secretary determines there exists a public need to maintain the ~~current lessee~~ **most recent lessee of record, his heirs, or assignees**, the commissioner or secretary may offer the ~~current lessee~~ **most recent lessee of record, his heirs, or assignees**, if he made a bid, the option to match the highest bid in order to **continue to** lease the state lands. **The provisions of this Subsection shall apply to lessees who held a lease with another party, which lease was subsequently transferred to the state.** The provisions of this Subsection shall not apply to oyster leases, alligator leases, or oil and gas leases entered into by the Department of Wildlife and Fisheries, or to any lease entered into by the State Mineral and Energy Board.

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1 Section 2. R.S. 56:30.3(B) is hereby amended and reenacted and R.S. 56:799.7 is
2 hereby enacted to read as follows:

3 §30.3. Lease of state lands; access to public waterways

4 * * *

5 B. Notwithstanding any provision of law to the contrary, if the secretary
6 determines there exists a public need to maintain the ~~current lessee~~, **most recent**
7 **lessee of record, his heirs, or assignees**, the secretary may offer the ~~current lessee~~
8 **most recent lessee of record, his heirs, or assignees**, if he made a bid, the option
9 to match the highest bid in order to **continue to** lease the state lands. **The**
10 **provisions of this Subsection shall apply to lessees who held a lease with another**
11 **party, which lease was subsequently transferred to the state.** The provisions of
12 this Subsection shall not apply to oyster leases, oil and gas leases or alligator leases
13 entered into by the department, or to any lease entered into by the State Mineral and
14 Energy Board. The department shall promulgate rules and regulations providing for
15 uniform criteria to assess the management of leased property.

16 * * *

17 **§799.7. Exemption from restrictions of area and number; fair market value**

18 **A. At the end of the term of a lease which was issued on property**
19 **governed by the provisions of this Subpart which lease was transferred to the**
20 **state through the act of donation, the property subject to such lease may be**
21 **offered by the department for lease. Such lease shall be deemed a new lease and**
22 **shall be offered for public bid under the provisions of Part 1 of Chapter 10 of**
23 **Title 41 of the Louisiana Revised Statutes of 1950. The provisions of R.S.**
24 **41:1217.1 and R.S. 56:30.3 which allow the secretary to offer the most recent**
25 **lessee of record, his heirs, or assignees, the option to match the highest bid in**
26 **order to continue to lease the state land shall apply to any bid process under the**
27 **provisions of this Subsection. However, such leases, renewals, or extensions**
28 **shall be exempt from the provisions of R.S. 41:1216(A) which limit the total**
29 **acreage which may be leased and the number of leases which may held by any**
30 **one lessee.**

1 **B. All leases or extensions of leases issued on property governed by the**
2 **provisions of this Subpart shall be in exchange of consideration proportionate**
3 **to the fair market lease value of the property to be leased.**

4 Section 3. This Act shall become effective on June 23, 2011.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____