

Regular Session, 2010

SENATE BILL NO. 183

BY SENATOR N. GAUTREAUX

ENERGY DEVELOPMENT. Authorizes the State Mineral and Energy Board to lease state lands for the development or production of alternate energy resources. (8/15/10)

1 AN ACT  
2 To amend and reenact R.S. 30:124, relative to the State Mineral and Energy Board; to  
3 provide for alternate energy resources; to authorize the State Mineral and Energy  
4 Board to lease state lands for the exploration, development, and production of energy  
5 from alternative energy resources; to provide definitions, terms, and conditions; to  
6 provide for rulemaking authority; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 30:124 is hereby amended and reenacted to read as follows:

9 §124. Board may lease public lands; fee

10 A. The State Mineral and Energy Board, hereinafter referred to as the  
11 "board," has authority to lease for the development and production of minerals, oil,  
12 ~~and~~ gas, or alternative energy sources, any lands belonging to the state, or the title  
13 to which is in the public, including road beds, water bottoms, vacant state lands, and  
14 lands adjudicated to the state at tax sale. The board shall adopt rules and  
15 regulations in accordance with the Administrative Procedure Act to implement  
16 the provisions of this Subpart.

17 B. As used in this Section, "alternative energy sources" means energy

1            **sources other than oil, gas, and other liquid, solid or gaseous minerals. It shall**  
2            **include, but not be limited to, wind energy, geothermal energy, solar energy and**  
3            **hydrokinetic energy. It shall not include the cultivation or harvesting of**  
4            **biomass fuels or the use of state land or water bottoms for facilities which utilize**  
5            **biomass fuel to produce energy.**

6            C. The ~~mineral~~ board is further authorized to collect a fee for such leasing  
7            in the amount of ten percent of the total cash bonus paid at the lease sale. The fee  
8            shall be in addition to the total cash bonus paid.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by J. W. Wiley.

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#### DIGEST

Present law authorizes the State Mineral and Energy Board ("board") to lease for the development and production of minerals, oil, and gas, any lands belonging to the state, or the title to which is in the public, including road beds, water bottoms, vacant state lands, and lands adjudicated to the state at tax sale.

Proposed law retains present law and authorizes the board to lease for the development and production of "alternative energy sources".

Proposed law authorizes the board to adopt rules and regulations in accordance with the APA.

Proposed law defines "alternative energy sources" as energy sources other than oil, gas, and other liquid, solid or gaseous minerals. It will include, but not limited to, wind energy, geothermal energy, solar energy and hydrokinetic energy. It does not include the cultivation or harvesting of biomass fuels or the use of state land or water bottoms for facilities which utilize biomass fuel to produce energy.

Effective August 15, 2010.

(Amends R.S. 30:124)