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## Bills and Resolutions Passed in the 2003 Regular Legislative Session of the Louisiana Legislature Affecting Coastal Resource Use and Conservation

By Mindy Heidel

This annual Legislative issue of Louisiana Coastal Law is devoted to summarizing acts and resolutions enacted during the Regular Legislative Session 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.

### Wildlife and Fisheries

**Act No. 3**  
SB 14; Cain

(Amends and reenacts R.S. 56:302.9(A)(1)). Permits individuals who were born prior to June 1, 1940, or that have a valid senior hunting and fishing license, to represent themselves as saltwater charter boat fishing guides, even if they do not possess a valid state saltwater charter boat fishing guide license.

**Act No. 27**  
HB 559; Pierre and Sen. Romero

(Enacts R.S. 49:191(14) and repeals R.S. 49:191(12)(i)). Recreates the Department of Wildlife and Fisheries until July 1, 2009.

**Act No. 45**  
SB 45; McPherson

(Amends and reenacts R.S. 56:332(E)(1) and (G) and enacts R.S. 56:332(M)). Authorizes the removal of abandoned crab traps found in state-owned lakes, riverbeds, and other water bottoms of the state. Considers a crab trap abandoned when found in such location during a time when such traps are prohibited.

**Act No. 50**  
SB 210; Barham and Reps. McDonald and Thompson

Authorizes the Department of Wildlife and Fisheries to sell or exchange 615 acres of land in Ouachita Parish with the U.S. Fish and Wildlife Service. Sanctions the sale or exchange of 341 acres in Morehouse Parish to George B. Franklin, Jr. Requires that all land be sold at appraised value with the proceeds deposited in the Wildlife Habitat and Natural Heritage Trust fund or exchanged for property adjacent to existing wildlife management areas.

**Act No. 77**  
HB 30; Baudoin and Sen. Marionneau

(Amends and reenacts R.S. 56:104(A)(8) and 56:302.1(C)(2)(d)). Reduces hunting license fees to five dollars and fishing license fees to two dollars and fifty cents for residents who are totally and permanently disabled.

**Act No. 90**  
HB 552; Baldone and Pierre

(Amends and reenacts R.S. 56:30.1 and 56:641.1(A)). Gives the Department of Wildlife and Fisheries the power to issue all hunting and fishing licenses electronically, including all commercial fishing licenses.

**Act No. 91**  
HB 553; Daniel

(Amends and reenacts R.S. 56:319(A) and (D)). Requires that persons possessing or transporting live freshwater electric eel, rudd, all members of the Asian swamp eel family, walking catfishes, and all species of tilapia and carp (except common carp and gold fish) receive written permission from the Department of Wildlife and Fisheries. Prohibits the possession of piranhas or Rio Grand Chichlids within the state except by certain public aquariums and by special permit.

**Act No. 176**  
SB 2; Dupre

(Enacts R.S. 40:940.52). Exempts commercial fishermen from having to possess a mobile food vendor's permit when selling their catch from their boat or place of residence. Requires such a permit for the sale of oysters.

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**Act No. 182**  
SB 49; Dupre

(Enacts R.S. 56:306.3(L) and 56:307.1). Authorizes the Department of Wildlife and Fisheries to issue a four-year wholesale/retail seafood dealer's license and a four-year seafood transport license at four times the annual cost.

**Act No. 189**  
SB 122; Dupre

(Amends and reenacts R.S. 56:499.3(A)). Authorizes the use of butterfly and bottom nets in Grand Pass from any vessel regardless if it is propelled or underway for the purposes of taking shrimp.

**Act No. 250**  
SB 1067; Dupre and Gautreaux and Rep. Baldone

(Enacts R.S. 30:2050.7(E)). Allows the Department of Wildlife and Fisheries to certify a commercial fishing license if the fisher presents a notarized statement from a tax preparer certifying that at least half of the fisher's income in the last year was from commercial fishing activities.

**Act No. 261**  
HB 271; Pitre

(Amends and reenacts R.S. 56:649.3). Creates a combination lifetime hunting and lifetime sports fishing license and sets the fee of this license at five hundred dollars for those over the age of thirteen and three hundred dollars for those under the age of thirteen. Entitles the holder of the lifetime hunting and sports fishing license to purchase a lifetime individual gear license at ten times the annual fee. Dictates that one-tenth of the purchase price of the individual gear license be deposited in the Conservation Fund and that the remaining nine-tenths be deposited into the Lifetime License Endowment Fund.

**Act No. 268**  
HB 555; Kenny and Pierre

(Amends and reenacts R.S. 56:327(A)(1)(b)(i)). Increases from six inches to ten inches the maximum length of largemouth bass, spotted bass, and striped bass that may be brought into the state from certified out-of-state fisheries to stock private and approved public waters.

**Act No. 269**  
HB 556; Odinet

(Amends and reenacts R.S. 56:499(C)). Prohibits the use of sweeper devices, leads, extensions, wings, or other attachments in conjunction with butterfly nets or skimmer nets.

**Act No. 271**  
HB 749; Cazayoux, Arnold Baudoin, Beard, Downs, Fannin, Frith, Hill, Odinet, Schneider, and Jack Smith and Sen. Hines and Marioneaux

(Amends and reenacts R.S. 56:643(B)(2)). Enables active duty Louisiana National Guard members to receive an active military hunting and fishing license for a five-dollar fee.

**Act No. 274**  
HB 901; DeViller and Pierre

(Amends and reenacts R.S. 56:8(116), 56:305(B)(16) and 56:322(E)(2)). Imposes a twenty-dollar fee on commercial fishermen who use shad seines in fresh water and limits them to a single shad seine labeled with their license number. Approves the use of the shad seines only when strike fishing. Permits only shad and skipjack herring to be taken with the shad seine and requires that all other fish be returned to where they were caught. Closes the commercial shad and skipjack season from July to October and prohibits fishing after sunset and before sunrise on Saturday and Sunday.

**Act No. 278**  
HB 1136; Odinet

(Amends and reenacts R.S. 56:421(B) and (D)). Adds an oyster grower appointed by the Louisiana Farm Bureau to the Louisiana Oyster Task Force.

**Act No. 323**  
HB 561; Jack Smith and Pierre

(Amends and reenacts R.S. 56:302.3(B) and 56:500(A)). Increases the maximum recreational shrimp trawl length from sixteen feet to twenty-five feet. Sets the licensing fee of a trawl measuring between sixteen feet and twenty-five feet at eighty dollars and maintains the twenty-five dollar licensing fee for trawls sixteen feet or less. Limits the amount of shrimp that may be taken by recreational fishers to one hundred pounds if using a trawl sixteen feet or smaller and two hundred and fifty pounds if using a trawl greater than sixteen feet and less than twenty-five feet in length. Proclaims that shrimp taken in this manner may only be used by the fisher personally and may not enter commerce.

**Act No. 325**  
HB 563; Jack Smith and Pierre

(Amends and reenacts R.S. 56:302.10). Prohibits the sale of fish taken under the authority of a recreational fishing license. Revokes the fishing license of anyone found to be in violation for a specified time depending on the number of prior violations and whether the individual's fishing license was revoked at the time of the illegal sale.

**Act No. 357**  
HB 131; Baldone

(Amends and reenacts R.S. 56:10(B)(1)(b) and 578.12(B)). Limits the use of the funds in the Shrimp Marketing and Promotion Account to the promotion of shrimp harvested in Louisiana waters.

**Act No. 379**  
HB 900; Gary Smith and Pierre

(Amends and reenacts R.S. 56:8(38), 56:8(166), and 56:322(E)(4)). Defines "fish" to mean all finfish, shellfish, crustaceans, and all other species of aquatic life. Imposes a twenty-five dollar fee to use one shad net in Lac des Allemands and restricts each individual to one such net. Allows commercial fishers to take shad and skipjack by strike fishing with a shad gill net and requires that all other species caught be returned to where they were caught. Closes the commercial harvesting of shad from July to October of each year.

**Act No. 380**  
HB 1296; Triche

(Enacts R.S. 47: 296.2 and 56:647(L)). Allows the Department of Revenue upon receiving a final and nonappealable judgment against an individual in excess of five hundred dollars to suspend, revoke, or deny an individual's hunting or fishing license until such time as the judgment is paid.

**Act No. 448**  
HB 1133; Odinet

(Amends and reenacts R.S. 56:433(F)). Makes the culling size limits of oysters taken from natural reefs applicable year around and not simply from January first through the last day of the seasons. Continues to exempt seed oysters taken from natural reefs from the statute.

**Act No. 449**  
HB 1155; Odinet

(Amends and reenacts R.S. 56:432). Limits the size of new oyster lease applications to one thousand acres. Increases the maximum number of acres a single person or corporation can lease from one thousand-five hundred acres to two thousand-five hundred acres. Eliminates the provision allowing those who operate oyster canning plants in Louisiana to obtain more than one oyster lease.

**Act No. 450**  
HB 1156; Odinet

(Amends and reenacts R.S. 56:430.1(A)). Removes the requirement that the holders of oyster leases report to the Department of Wildlife and Fisheries the number of marketable oysters removed by March 31<sup>st</sup> of each year.

**Act No. 451**  
HB 1167; Odinet

(Amends and reenacts R.S. 56:424(G)). Requires all oyster leasees who take oysters from state waters to obtain a permit in order to land those same oysters outside the state. Calls for the installation of a vessel monitoring system on any vessel that transports oysters taken from state waters to another state and directs that access to the monitoring system be given to the Department of Wildlife and Fisheries before a permit is granted.

**Act No. 463**  
HB 1894; Wooton

(Amends and reenacts R.S. 56:302.9.1(A)). Requires motorized boats used by a charter fishing operation to have a charter boat fishing guide present and exempts non-motorized boats from this requirement.

**Act No. 503**  
SB 715; B. Jones

(Enacts R.S. 56:410.8). Requires that all trotlines placed on Lake D'Arbonne be marked with the owner's name, address, phone number, and date of placement. Sets a maximum of fifty hooks per trotline. Calls for all trotlines to be removed when not in use and dictates that all trotlines have an eight foot long cotton leader, which will force them to sink if they are left unattended.

**Act No. 504**  
SB 716; B. Jones

(Enacts R.S. 56:410.8). Prohibits an individual from using more than fifty yo-yos or trigger devices on Lake D'Arbonne and requires that each be tagged with the owner's name, address, and telephone number. Dictates that each yo-yo or trigger device be rebaited and checked every twenty-four hours and that any yo-yo or trigger device found in violation of these requirements be confiscated and the owner subjected to a fifty-dollar fine.

**Act No. 565**  
HB 165; Powell and Sen. Dupre

(Amends and reenacts R.S. 56:332(K)). Changes the previous requirement that escape ring openings on crab traps be unobstructed from March 1<sup>st</sup> through June 30<sup>th</sup> to April 1<sup>st</sup> through June 30<sup>th</sup>.

**Act No. 566**  
HB 170; Powell and Sen. Dupre

(Amends and reenacts R.S. 56:8(28)). Limits entrance funnels on crab traps to seven inches and requires that the horizontal openings to the entrance funnels on the vertical walls of the trap be at least one and one-half times the vertical diameter of the opening. Allows a commercial fisher to retain up to twenty-five finfish per day for personal consumption that are caught in crab traps.

**Act No. 696**  
HB 991; Pierre

(Enacts R.S. 56:428.3). Requires that oysters leases temporarily affected by coastal restoration projects shall not be renewed upon expiration. Allows the owner of such a lease to submit an application to lease the same area within sixty days after the expiration of the lease. Requires that any lease granted after being terminated in this manner contain the provision that the lessee accepts the water bottoms leases in the condition that they existed on the date the new lease was issued. Declares that these new leases are subject to R.S. 56:427.1 and R.S. 56:428.2, which state that these oyster leases are subservient to any coastal restoration project, and that the United States, Louisiana, and their political subdivisions will be held harmless for any damage that may occur. Provides that the owner must submit a lease application or a notice of intent every year thereafter or any interest in the use in the water bottom shall revert back to the state.

**Act No. 716**  
HB 1374; Daniel

(Amends and reenacts R.S. 9:2791(A)). Protects landowners against liability claims made by hunters, fishers, campers, hikers, sightseers, or boaters regardless of

whether the condition causing the harm is one normally found in the outdoors or one created by the placement of buildings or by conducting commercial activities on the property, assuming the property is not used primarily for commercial recreational purposes.

**Act No. 784**  
SB 1024; Romero

(Amends and reenacts R.S. 56:40.9(A)). Creates within the Conservation Fund an "enforcement emergency situation response account" which is to be used by the Department of Wildlife and Fisheries for emergency situation preparedness, operations in emergency situations, responses to emergency situations, and emergency search and rescue operations. Designates that any monies recovered through civil penalties for injury to fish, birds, and wild quadrupeds be deposited into the account. Stipulates that if the balance in the account at the end of any year is one hundred thousand dollars or more that no monies be deposited in the account until the balance at the end of a fiscal year is less than one hundred thousand dollars.

**Act No. 830**  
SB 673; Ullo and Rep. Baldone

(Amends and reenacts Section 3 of Act No. 666 of the 1997 Regular Session). Requires the State Treasurer to deposit two hundred and fifty thousand dollars in the Underwater Obstruction Removal Fund on June 30, 2007 instead of July 1, 2004.

**Act No. 855**  
HB 469; Salter and Bruce

(Amends and reenacts R.S. 56:643(B)(2)). Requires active military personnel to show that they are a Louisiana resident before receiving a hunting and fishing license for five dollars.

**Act No. 920**  
HB 551; LaFleur

(Enacts R.S. 56:434). Creates the Oyster Seed Bed Ground and Development Account. Authorizes the Secretary of the Department of Wildlife and Fisheries to

accept monies and material as compensation for damage done to public oyster seed grounds, seed reservations, and tonging areas. Requires that funds in the account be used to enhance the state's oyster seeding grounds.

**Act No. 945**  
HB 1173; Triche

(Amends and reenacts R.S. 56:326.5). Changes the minimum length of bowfin that may be harvested by recreational fishers from twenty-two inches to sixteen inches. Permits commercial fishers to harvest bowfin that are twenty-two inches or longer in length.

**Act No. 1015**  
HB 250; Daniel

(Amends and reenacts R. S. 56:639.8(E)). Authorizes the withdrawal of monies from the Artificial Reef Development Fund for the evaluation of the Artificial Reef Development Program.

**Act No. 1026**  
HB 454; Jack Smith

(Amends and reenacts R.S. 56:578.10 and 56:578.11). Requires that all catfish sold in retail establishments be labeled as farm-raised or as naturally produced (wild). Prohibits fish from being sold as catfish unless they belong to the *Ictaluridae*, *Ariidae*, or *Loricariidae* families and specifically prohibits fish of the family *Pangasiidae* from being sold as catfish.

**Act No. 1164**  
HB 2003; Baldone, Oinet, Jack Smith and Sen. Dupre

(Amends and reenacts R.S. 56:325(A)(1) and (C)). Requires the Louisiana Wildlife and Fisheries Commission to establish an open season for the commercial taking of spotted sea trout from January 2<sup>nd</sup> through the last day of July each year or until the quota is reached, whichever comes first. Establishes a quota of between one million pounds and five hundred thousand pounds (to be set by the

commission) of spotted sea trout that may be taken from Louisiana waters or landed in Louisiana. Prohibits the purchase of spotted sea trout from a commercial fishers without a spotted sea trout permit.

**Act No. 1221**  
HB 1468; Schwegmann

(Enacts R.S. 56:6(30)). Requires the Department of Wildlife and Fisheries to make and enforce regulations regarding the importation and possession of nonindigenous reptiles and nonhuman primates. Excepts owners that can prove ownership prior to July 1, 2003, zoos, animal sanctuaries, aquariums, wildlife research centers, scientific organizations, and medical research facilities.

**Act No. 1227**  
HB 812; Townsend

(Amends and reenacts R.S. 56:410.7). Outlaws the use of gill nets, trammel nets, and leaded gill nets that have less than a three and one-half inch bar and seven inches stretch. Prohibits the unattended use of yo-yo and trigger nets from two hours after sunrise to one-half hour after sunset. Assess a twenty-five dollar fee for the violation of the above provisions payable to the Northwest Game and Fish Preserve Commission. Gives the Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries the ability to administer the Northwest Louisiana Game and Fish Preserve.

**Act No. 1248**  
HB 1137; Townsend

(Amends and reenacts R.S. 56:103, 56:104, and 56:140). Authorizes the taking of bobcats with a big game hunting license.

**HCR 89; McDonald and Downer and Sens. Barham, Gautreaux, Hines, Malone, McPherson, Romero, and Ullo**

Requests that the United States Congress stops funding programs that encourage farmers to leave grain unharvested for migratory birds. Asks that the United States Fish and Wildlife Service study the effect that such programs have had on migratory birds.

**HCR 216;** Thompson, Wallsworth, Hammett, Kenney, and Kats and Sens. Barham, C. Jones, Gautreaux, Hines, Malone, Michot, Romero, and Ullo

Asks that the United States Department of the Interior and the United States Congress rename the Tensas National Wildlife Refuge the Theodore Roosevelt-Tensas National Wildlife refuge

**SCR 20;** McPherson

Requests that the United States Fish and Wildlife Service research and document the number of ducks in federal refuges in the Mississippi Flyway.

**Act No. 1286**

SB 732; Romero

(Amends and reenacts R.S. 56:322(I)). Retains a hexagon of three-quarters by eleven-sixteenths of one inch as the minimum mesh size for traps used to harvest wild crawfish for commercial purposes.

**HCR 108;** Pierre, Downer, Baldone, Darte, Odinet, Wooton, and Sen. Dupre

Implores the California Legislature to end the ban on the sale of raw oysters harvested from the Gulf of Mexico.

**SCR 18;** Dupre

Implores the Congress of the United States to improve the enforcement of food import restrictions on seafood, especially shrimp, that contain banned antibiotics, in order to prevent potentially devastating impacts on human health.

**SCR 19;** McPherson

Establishes a commission to develop a plan for achieving reliable long term funding for the Louisiana Department of Wildlife and Fisheries and names members to the commission.

**SCR 58;** Holden

Requests that the House and Senate Committees on Natural Resources meet as a joint committee to study the effects of mercury in seafood.

**SCR 64;** Mount

Creates the Louisiana Waterfowl Study Commission to evaluate waterfowl throughout the state, make recommendations on how to manage Louisiana's waterfowl, and names members to the commission.

#### Vetoed Bill

HB 2013; Townsend

Vetoed by Governor M.J. "Mike" Foster

(The bill was to amend R.S. 44:4.1(B)(1) and enact R.S. 3:559.13, 36:629(Q), and 36:919.7). HB 2013 sought to create the Louisiana Aquaculture Coordinating Council, which was to oversee aquaculture in the state. Specifically, this council was to devise a regulatory framework for sustainable development of aquaculture in Louisiana and recommend to the Commissioner of the Department of Agriculture and Forestry which species were suitable for aquaculture and how they should be regulated. The bill gave the council the authority to hold hearings regarding the breach of regulations created by the council and to recommend appropriate civil penalties. In addition, HB 2013 gave the commissioner specific authority to adopt regulations, collect fees, institute civil proceedings, issue licenses, conduct inspections, and seek injunctive relief. The bill also provided guidelines for deciding which species could be used for aquaculture and gave the Department of Wildlife and Fisheries the right to inspect aquaculture facilities and ensure regulatory compliance. In his letter accompanying the veto of HB 2013, Governor Foster cited the importance of protecting the state from the introduction and escape of invasive species. Also, he argued that the bill violated the Louisiana Constitution, which vested control of Louisiana wildlife to the Wildlife and Fisheries Commission, not the Department of Agriculture and Forestry.

#### Environmental Quality

**Act No. 8**

SB 15; Dupre and Rep. Pitre

(Amends and reenacts R.S. 40:1156). Requires that the Secretary of the Department of Health and Hospitals determine guidelines for the installation and maintenance of individual aerobic sewage

treatment-systems by homeowners and waive fees charged to commercial septic system installers for homeowners.

**Act No. 120**

HB 1396; Thompson, Hill, LaFleur, Moorish, Baudoin, Bruce, DeViller, Downs, Frith, Fruge, Hudson, Iles, Kenney, Jack Smith, Strain and Sens. Gautreaux, Hines, Hoyt, Theuissen, and Thomas

(Amends and reenacts R.S. 3:3210(C)(5), 3:3221(A), and 3:3251). Increases the annual fee for various pesticide registration, licensing, and certification requirements. Mandates that the monies in the Pesticide Fund pledged to secure the repayment of revenue bonds not fall below the levels existent at the time of the pledge.

**Act No. 154**

HB 175; Bruneau and Katz

(Amends and reenacts R.S. 40:31.33(A)). Changes the method of assessment of the safe drinking water administration fee from three dollars and twenty cents per service to three dollars and twenty cents per metered connection or account for community systems. Excludes metered connections or accounts that are not involved in providing drinking water from the fee.

**Act No. 165**

HB 875; Damico and Sens. Fontenot and Cain

(Enacts R.S. 30:2050.7(E)(4)). Permits the Secretary of the Department of Environmental Quality to enter into settlements that require respondents to make payments to the Central States Air Resources Agencies Association or the Southern Environmental Enforcement network.

**Act No. 217**

SB 402; Fontenot

(Amends and reenacts R.S. 30:2012(D)). Gives the Department of Environmental Quality greater freedom in developing guidelines for compliance inspections. Removes the requirement that inspections be completed at least once annually. Allows the Department to develop guidelines for

compliance inspections based on facility compliance history, facility location, and the potential environmental impact among other factors.

**Act No. 280**  
HB1170; Damico

(Amends and reenacts R.S. 30:2158(A)(2)(b) and 30:2226(H)(1)). Requires that those individuals seeking permits to build new sanitary landfills or expand existing sanitary landfills prevent groundwater contamination through migration. Dictates that the Department of Environmental Quality should consider the use of innovative technologies such as horizontally or vertically positioned high-density polyethylene that is impermeable to water for preventing the contamination of groundwater. Encourages the use of these technologies in abandoned sites.

**Act No. 382**  
HB 1334; Beard

(Enacts R.S. 30:2074 (B)(9)). Instructs the Secretary of Environmental Quality to establish and administer a point source-to-point source effluent reduction credit banking system for the state's watersheds where total maximum daily load limitations are in place. Requires the Secretary of Environmental Quality to provide for the administration of the banking system, limit the trading of credits to the same watershed in which the credits are earned, establish pollutant specific credits, require program participants to monitor water quality, and limit participants to only using credits earned by other participants to twenty months within any twenty-four month period.

**SCR 15;** Gautreaux, Lambert, McPherson and Rep. Murray

Recreates and continues the study commission for the implementation of President Bush's Global Climate Policy Change Initiatives in Louisiana. Appoints members to the commission. Requests that the commission identify opportunities for voluntary greenhouse gas emission reductions, identify the potential for carbon sequestration, identify the potential impacts of climate change on the state, and assess risks to public health.

**SCR 38;** Fields

Requests that the Department of Health and Hospitals, the Department of Environmental Quality, the Department of Wildlife and Fisheries, the Department of Agriculture and Forestry, and the federal Agency for Toxic Substances and Disease Registry jointly study the health risks to humans, wildlife, and fisheries located within close proximity to facilities involved in the handling of hazardous waste.

**Act No. 441**  
HB 886; Damico

(Enacts R.S. 30:2066). Authorizes the Department of Environmental Quality to collect a fee from major emitters of volatile organic compounds or nitrogen oxides that are located in severe or extreme ozone non-attainment areas that fail to meet the national primary ambient air standard by the year 2005.

**Act No. 542**  
SB 693; Ullo

(Enacts R.S. 33:4735). Requires that local governing authorities in cities with a population between four hundred fifty thousand and four hundred sixty thousand notify the senators and representatives in that district of any request for a hazardous waste zoning variance.

**Act No. 582**  
HB 522; Jane Smith, Damico, Montgomery, Paychaud, Waddell, and Wooten

(Amends and reenacts 30:2418(I) and enacts R.S. 30:2418). Prohibits a waste tire processor from requesting funds from the Waste Tire Management Account unless the waste tires are generated and processed in Louisiana. Requires those that sell new tires to remit the fees collected to the Waste Tire Management Account in a timely fashion. Bars those who fraudulently collect funds from participating in the program again.

**Act No. 666**  
HB 1321; Carter

(Enacts R.S. 40:1300.171 and 40:1300.172). Creates a working group to establish an Environmental Health Surveillance System. Requests that technical experts from the Department of Health and Human Services and the Department of Environmental Quality develop approaches to establish the system, develop the health and environmental measurements necessary to obtain a picture of the health of the citizens of Louisiana, and establish a database that facilitates the examination of the relationship between chronic diseases and the environment.

**Act No. 789**  
SB 1080; Ellington and Sens. LeBlanc and Murray

(Amends and reenacts R.S. 30:2418(G) and enacts R.S. 36:104). Requires that five percent of the funds from fees collected from new tire sales be used to develop products that have a marketable and beneficial use and are made from recycled tires.

**Act No. 918**  
HB 545; Daniel

(Enacts R.S. 30:2054(B)(2)(b)(ix)). Prohibits the Secretary of Environmental Quality from issuing a permit by rule for less than one hundred and eighty days for any facility, which is a new major stationary source or a major modification to an existing source subject to the New Source Review Requirements of the federal Clean Air Act. Forbids the Secretary from establishing permit regulations for facilities that emit less than five tons of any regulated pollutant defined by the Clean Air Act per year, less than fifteen tons of all pollutants combined per year, or less than the minimum emission rate established by R.S. 30:2060, unless a permit is required under the federal Clean Air Act.

**Act No. 950**  
HB 1281; Baldone and Peychaud

(Amends and reenacts R.S. 10:2586(C)(2), 13:2587.1, 32:414, 30:2522, 30:2531, 30:2535, and 30:2544). Increases fines for intentional litter. Enacts fines for simple

littering. Defines simple littering as creating a condition that an individual knew or should have known would result in littering.

**Act No. 1127**

HB 1733; Damico

(Amends and reenacts R.S. 30:227(3) and enacts R.S. 30:2272 and R.S. 30:2277). Provides purchasers a defense to penalties imposed for the release of hazardous waste provided the purchasers had reasonably inquired into the former owners and uses of the property before making the purchase and did not know of the presence of any hazardous waste at the time of the release.

**Act No. 1166**

HB 1932; Daniel

Requires that anyone filing suit for the pollution of ground water inform the Department of Natural Resources and the Department of Environmental Quality of the suit. Gives these agencies the authority to intervene in the suit. Allows the court, upon a finding that ground water contamination exists which poses a threat to public health, to order the responsible party to deposit the funds necessary to carry out the plan in the registry of the court. Allows the harmed party to recover reasonable attorney's fees and expert witness fees directly relating to the contamination of ground water claim in addition to damages.

**Act No. 1176**

SB 174; Hanikel

(Amends and reenacts R.S. 30:2157.1). Requires applicants seeking a Type One or Type Two solid waste permit to obtain certification from the local fire department and the local hospital stating that they can meet the emergency needs of the applicant. Allows the Department of Environmental Quality to issue the permits even if prior certification is not obtained, provided that the Department considers the potential emergency needs of the applicant.

**Act No. 1196**

SB 577; Fontenot and Rep. Thompson

(Enacts R.S. 30:2025(D)). Allows the Secretary of Environmental Quality to create a pilot program to enforce minor hazardous waste violations in an expedited manner. Provides that the penalty created by the Secretary cannot exceed fifteen hundred dollars per violation or three thousand dollars per violator. Requires that the Secretary evaluate the program and report to Congress about its effectiveness no later than March 1, 2004.

**HCR 175; Baudoin**

Asks the Department of Environmental Quality and the Department of Health and Hospitals to study the elevated dioxin levels in the residents of Lafayette Parish.

**Public Lands and Resources**

**Act No. 104**

HB 896; Pierre and Sen. Romero

(Enacts R.S. 49:191(14) and repeals R.S. 49:191(12)(j)). Recreates the Department of Natural Resources until July 1, 2009.

**Act No. 243**

SB 953; Dardenne, Fields, and Fontenot and Reps. Welch and Daniel

(Amends and reenacts R.S. 38:301(A)(3)). Authorizes the construction of bicycle paths and walkways by levee boards and levee and drainage boards along the main levee lines of the Mississippi River in Ascension, East Baton Rouge, Iberville, Jefferson, Orleans, St. Charles, St. James, and St. John parishes. See also Act 916.

**Act No. 262**

HB 280; DeWitt, Daniel, and Sen. Hoyt and McPherson

(Enacts R.S. 41:151). Requires the Commissioner of Administration to obtain approval from both the House and the Senate Committees on Natural Resources before accepting a donation of immovable property on behalf of the state. Compels the Commissioner of Administration to issue a quarterly report to the committees of any properties that

were not accepted as donations on behalf of the state (unless the donor has requested to remain anonymous) and dictates the Commissioner of Administration issue an annual report to the committees describing the amount of immoveable property received by the state, the value of the property, and the agencies that received the property.

**Act No. 345**

HB 1841; Fannin

(Amends R.S. 56:1685(C)(20)). Renames the Caney Creek Lake State Park the Jimmie Davis State Park.

**Act No. 375**

HB 544; Daniel

(Enacts R.S. 49:213.9). Prohibits the willful altering of a dune, and driving or hauling a motorized vehicle over a dune located in the coastal zone (with the exception of public roads). Allows private landowners to drive motorized vehicles over their own dunes in order to inspect, repair, and make improvements to the land.

**Act No. 466**

SB 39 Dupre and Rep. Pitre

(Enacts R.S. 49:126 and Repeals R.S. 49:121). Permits promotional stickers for the "America's WETLAND: Campaign to Save Coastal Louisiana" to be placed on any watercraft, aircraft, or vehicle owned by the state or political subdivision of the state. Requires that every automobile, truck, or other vehicle owned by the state or any of its political subdivisions prominently display the official state anti-litter message.

**Act No. 583**

HB 531; Pitre, Johns, Thompson, Walsworth and Sens. Hainkel and Romero

(Enacts R.S. 49:213.9). Limits the amount recoverable for the taking or damage of property caused by coastal restoration to the amount required by the Fifth Amendment of the Constitution of the United States.

**Act No. 652**

HB 766; Pitre, Johns, Walsworth, and Scalise

(Amends and reenacts R.S. 49:214.5). States that in accordance with Article XII, Section 10 of the Louisiana Constitution, the State of Louisiana, its political subdivisions, and their employees will be held harmless for any takings or damage suffered by anyone holding a lease, permit, or license on state lands or water bottoms caused by fresh water or sediment diversions for coastal management or restoration.

**Act No. 725**

HB 1592; Daniel

(Amends and reenacts R.S. 9:2800). Exempts the state from liability for damages caused by improvements placed on state land by others, after the right to keep them there has expired, unless the state affirmatively takes control and uses the improvement for the state's benefit.

**Act No. 916**

HB 458; Cazayoux and Broome and Sen. Marionneaux

(Amends and reenacts R.S. 38:301(A)(3)). Authorizes the construction of bike paths and walkways along the top of the main line levees of the Mississippi River in West Baton Rouge Parish. See also Act 243.

**Act No. 941**

HB 1116; Landrieu and Psychaud

(Enacts R.S. 49:214.16). Establishes America's WETLAND Trail across Louisiana's southernmost border from Texas to Mississippi. Directs the Governor's Office of Coastal Activities to heighten awareness of Louisiana's coastal land loss and how important wetlands are to the state and to the country. Instructs the Governor's Office of Coastal Activities to highlight wildlife preserves and refuges, cultural resource centers, birding and nature trails, and historic sites along the trail in order to increase eco-tourism opportunities.

**Act No. 999**

HB 1945; Diez

(Amends and reenacts R.S. 56:1948.1, 56:1948.3, 56:1948.4, and 56:1948.7(A)). Makes the Louisiana Byways Commission a state agency and places it within the Department of Culture, Recreation, and Tourism. Expands the commission's authority to the entire state and implores the commission to designate and develop educational, historical, recreational, and natural scenic routes along Louisiana's highways.

**Act No. 1077**

HB 1255; Psychaud

(Amends and reenacts R.S. 9:2800(C) and (E)). Declares that a public entity who inspects any public site, over which they have no control, in response to complaints of a defective condition on the property and takes steps to warn the public of the defect does not assume a duty to prevent loss to the public unless it is shown that the entity failed to notify the public entity who has control over the area.

**Act No. 1192**

SB 504; Dardenne and Rep. Baldone

(Enacts R.S. 49:214.51). Creates the Louisiana Coastal Restoration Fund from a portion of the monies derived from the securitization of tobacco settlement proceeds and authorizes the State Treasurer to invest this money. The monies in the fund will be appropriated by the legislature to the Department of Natural Resources solely for coastal restorations.

**Act No. 1195**

SB 568; Dupre, Cain, Schedler, Adley, Barham, Boissiere, Chaisson, Cravins, Dardenne, Fields, Fontenot, Gautreaux, Hines, Hollis, Hoyt, Irons, Lambert, McPherson, Michot, Mount, Romero, Smith, Tarver, and Theunissen, and Rep. Baldone, Cazayoux, Downer, Fauchaux, LaFleur, LeBlanc, Murray, Nevers, Pitre, Salter, Scalise, Thompson, Triche, Welch, and Winston

(Amends and reenacts R.S. 39:97(B) and (C) and R.S. 49:213(B)(1) and (D)). Permits the Governor to recommend that any unreserved nonrecurring revenue be

appropriated for deposit into the Wetlands Conservation and Restoration Fund. Instructs the Treasurer to transfer thirty-five million dollars from the Mineral Revenue Audit and Settlement Fund into the Wetlands Conservation and Restoration Fund and thereafter, the legislature may appropriate monies from the Mineral Fund to the Wetlands Conservation Fund if there are settlement funds remaining in the account. Increases the cap of the Wetlands Conservation and Restoration Fund from forty million to five hundred million. Establishes the "State Disaster and Emergency Relief Fund" and vests control of this fund in the Military Department of Homeland Security.

**Act No. 1215**

SB 1117; Gautreaux

(Amends and reenacts R.S. 30:2000.3 (B), 30:2000.4(A) and (B), and 30:2000.5(B)(1) and (2)). Gives the Secretary of the Department of Natural Resources power over the Atchafalaya Basin Promotion and Research Board and requests that the board advise the secretary on matters pertaining to the board's programs. Stipulates that the bill is remedial and that it should be applied retroactively.

**Act No. 1242**

HB 932; Pitre, Baldone, and Downer and Sen. Dupre

(Amends and reenacts R.S. 47:463(A)(3)). Requires that all privately-owned personal trucks registered after January 1, 2004 be issued "Sportsman's Paradise" license plates. Authorizes the production of "America's WETLAND" license plates after one thousand applications for such a license plate. Imposes a twenty-five dollar a year fee on individuals wishing to have such a license plate and designates that the fee be forwarded to the America's Wetland Foundation.

**Act No. 1246**

HB 1043; Fauchaux

(Enacts R.S. 25:1261 through 25:1264, and 36:209(T)). Creates the Manchac Parkway Commission to preserve, enhance, and promote the Manchac Parkway and to provide recreational and



educational opportunities while managing the area with sound ecosystem management policies and practices. Appoints members to the commission.

**HCR 24;** Pierre

Approves the Coastal Wetlands Conservation and Restoration Plan for fiscal year 2003-2004, as recommended by the Wetlands Conservation and Restoration Authority.

**HCR 115;** Strain

Urges and requests the U.S. Environmental Protection Agency and the U.S. Corps of Engineers to revise their regulatory authority in light of a U.S. Supreme Court decision denying jurisdiction over isolated intrastate, non-navigable waters to the Corps of Engineers.

**HCR 116;** Baldone, Downer, and Powell, and Sen. Ullo

Urges the Governor and the Commissioner of Administration to take the necessary steps to purchase Elmer's Island in Jefferson Parish in the hopes of preserving the island as a recreational area and preventing development, which may further endanger the state's coastal areas.

**SCR 66;** Romero

Requests that the Atchafalaya Basin Program study Lake Henderson and make recommendations for its long term viability, including water quality, recreation features, and economic development.

### Oil, Gas, and Minerals

**Act No. 139**

HB 1533; Daniel, Baudoin, Bruce, DeVillier, Downs, Frith, Fruge, Hudson, Iles, Kenney, Morrish, Jack Smith, Strain and Sens. Gautreaux, Hines, Hoyt, Smith, Theuissen, and Thomas

(Amends and reenacts R.S. 3:4602, 3:4607, 3:4608, 3:4608, 3:4611, 3:4612, 3:4623, 3:4624, 47:718, enacts 3:4602, 3:4621, and 3:4671 through 3:4690, and repeals 3:4622(F) and 51:781 through 51:831). Moves the regulation and verification of commercial weighing and

measuring of motor fuel from the authority of the Secretary of Agriculture and Forestry to the Commissioner of Agriculture and Forestry and expands this authority to include all petroleum products.

**Act No. 585**

HB 599; Johns and Fruge and Sen. Michot

(Amends and reenacts R.S. 40:1299.41(A)(1)). Includes offshore health service providers as those protected as qualified health care providers thus limiting their liability for medical malpractice.

**Act No. 711**

HB 1323; Pierre

(Amends and reenacts R.S. 30:706 and 30:707). Increases fees for hazardous liquid pipelines from fifteen dollars to twenty-two dollars and forty cents for each mile of pipeline operated or four hundred dollars per pipeline facility which ever is greater. Replaces the Department of Revenue with the Commissioner of Conservation as the entity responsible for collecting these fees and deems that all money collected be deposited in the Oil and Gas Regulatory Fund.

**Act No. 733**

SB 733; Adley

(Amends and reenacts R.S. 30:9.1). Allows the commissioner to terminate a drilling unit after five years has lapsed without any oil production, if no well is located on the unit, if a period of one hundred and ninety days has lapsed without any drilling, reworking, plugging back, or deepening operations, and if there is no unexpired drilling permit for the drilling of a new well.

**Act No. 879**

HB 1327; Pierre

(Amends and reenacts R.S. 30:560 and 30:561). Adds an additional one-time fee not to exceed seven dollars and forty cents per mile of pipeline for those who transport or distribute natural gas, flammable gas, or toxic or corrosive gas. Replaces the Department of Revenue

with the Commissioner of Conservation as the entity responsible for collecting these fees and deems that all money collected be deposited in the Oil and Gas Regulatory Fund.

### Water and Waterways

**Act No. 49**

SB 99; Cain, Fontenot, Hollis, McPherson and Reprs. Beard and Daniel

(Amends and reenacts R.S. 36:358 (C), R.S. 38:3076 (A), R.S. 49:968(B)(11), enacts R.S. 36:359(K) and 36:802.18, and R.S. 38:3076 (A)(24) and 3087.136(4) and repeals chapter 13-C of Louisiana Revised Statutes of 1950). Gives the Commissioner of Conservation power to regulate groundwater to provide for the most advantageous use consistent with the protection, conservation, and protection of the state's ground water supply. Requires registration of certain new wells and gives the Commissioner the ability to place restrictions on such wells. Creates the Groundwater Resource Commission, which has the authority to review all acts of the Commissioner and the Groundwater Advisory Task Force and to form and implement a comprehensive groundwater management program.

**Act No. 67**

SB 381; Schedler

(Amends and reenacts R.S. 30:201 and R.S. 40:2821). Transfers the authority to administer the Drinking Water Revolving Loan Fund from the Department of Environmental Quality to the Department of Health and Hospitals.

**Act No. 71**

SB 475; Thomas and Rep. Nevers and Strain

Creates the Washington Parish Reservoir District and establishes a process by which members are appointed to the board of commissioners.

**Act No. 98**

HB 640; Winston and Sen. Schedler

(Amends and reenacts R.S. 56:1851(C)). Pronounces that violations of the Natural Scenic Rivers Act are class three violations, subject to the penalties

proscribed in R.S. 56:33, with the exception that anything seized will not be forfeited.

**Act No. 105**  
HB 898; Pitre

(Amends and reenacts R.S. 34:1652(C)(20)). Expands the Greater Lafourche Port Commission's ability to make road and bridge improvements by giving the commission authority under the Louisiana Transportation Development Act.

**Act No. 109**  
HB 1003; Martiny

(Amends and reenacts R.S. 38:291 (D) (1)). Declares that all land in Jefferson Parish east of the Mississippi River constitutes the East Jefferson Levee District.

**Act No. 149**  
SB 1048; Theunissen, Mount and Reps. Flavin, Johns, Morrish, and Stelly

(Amends and reenacts R.S. 34:202 and 204 and enacts R.S. 34:204.1). Stipulates the qualifications, appointment procedures, and duties of the Lake Charles Harbor and Terminal District Board of Commissioners, and Port Director.

**Act No. 177**  
SB 31; Dupre

(Amends and reenacts R.S. 34:1651(F)). Increases the per diem allotment paid to members of the Greater Lafourche Port Commission.

**Act No. 178**  
SB 32; Dupre

(Enacts R.S. 38:291(U)(2)(d)). Declares that the original method by which members of the Terrebonne Levee and Conservation District were appointed to the district board is to be used to fill all vacancies on the board.

**Act. No. 179**  
SB 34; Dupre

(Amends and reenacts R.S. 38:91(T)(2) and 38:304(B)). Revises the method used by the Governor to appoint members to the North Lafourche Conservation, Levee, and Drainage District Board.

**Act No. 187**  
SB 109; Dupre and Reps. Pitre and Quezaire

(Enacts R.S. 38:3086.21 through 38:3086.26). Forms the Bayou Lafourche Fresh Water District for the purpose of finding fresh water and supplying it to sanitation facilities and enacts a special tax to pay for the activities of the district. Creates a board to oversee the activities of the district and adopts a method for the appointment of board members. Provides the board with authority to implement programs to beautify the banks of the bayou including the removal of water hyacinths and litter abatement programs.

**Act No. 233**  
SB 829; Barham and Reps. McDonald and Thompson

(Enacts R.S. 38:3087.190 through 38:3087.194). Creates the Moorehouse Parish Lake Commission and provides a mechanism to appoint members to the commission.

**Act No. 295**  
HB 1264; Salter and Iles

(Amends and reenacts R.S. 38:2325(A)). Prohibits the Sabine River Authority from hydroelectric power generation in the Toledo Bend Reservoir when the mean sea level falls below 168 feet except for in certain enumerated circumstances.

**Act. No. 324**  
HB 562; Jack Smith and Pierre

(Repeals R.S. 34:851.8 and 34:851.31). Repeals the prohibition of the operation of a motorboat while intoxicated. The statute repealed was a duplicate of the prohibition in R.S. 14:98 which remains in effect.

**Act No. 446**  
HB 1124; Hammett

(Amends and reenacts R.S. 38:3087.114 (A) and (B)). Adds a member to the Black River Lake Recreation and Water Conservation District.

**Act No. 462**  
HB 1671

(Enacts R.S. 38:226). Requires the board or commission having jurisdiction over a levee to issue use permits for a levee if the United States Army Corps of Engineers and the Louisiana Department of Transportation and Development approve the permit.

**Act No. 724**  
HB 1587; Walsworth and Thompson and Sen. Ellington

(Enacts R.S. 38:3087.191 through 38:3087.205). Creates the West Ouachita Reservoir Commission as a political subdivision of the state and places it within the Department of Transportation and Development. Empowers the commission to create a lake, golf course, and park and to provide public access to these places.

**Act No. 768**  
SB 781; Boissiere and Rep. Murray

(Enacts R.S. 33:4159.10). Allows communities of four hundred seventy-five thousand or more to privatize their public sewage and water treatment systems upon approval from the Senate Local and Municipal Affairs Committee, the House Committee on Municipal, Parochial and Cultural Affairs, and the voters of the jurisdiction.

**Act No. 884**  
HB 1598; Powell

(Amends and reenacts R.S. 34:1959). Prohibits the South Tangipahoa Port Commission from levying any tax unless it is authorized to do so by voters and unless the levy, the maximum rate, and maximum duration of the tax is approved by a majority of the qualified electors voting on the proposition at an election held for that purpose.

**Act No. 889**  
HB 1800; Powell

(Amends and reenacts R.S. 34:1951(A) and (B)). Suspends compensation for members of the South Tangipahoa Parish Port Commission and shortens terms of members already appointed to the commission. Provides a means of selecting new members to the commission.

**Act No. 890**  
HB 1809; Thompson

(Enacts R.S. 56:1687(11)). Permits the Secretary of the Department of Tourism to enact rules and regulations governing the recreational uses of water bodies located within Poverty Point Reservoir State Park.

**Act No. 921**  
HB 560

(Enacts R.S. 34:851.36). Requires individuals born after January 1, 1988 to complete a boat safety class approved by the National Association of State Boating Law Administrators before operating a motorboat that has larger than a ten horsepower engine.

**Act No. 970**  
HB 1720; Flavin

(Enacts R.S. 33:3827 (I) and 33:4045.1). Permits the city of Lake Charles to collect sewage assessments in order to establish and maintain a city waterworks system.

**Act No. 985**  
HB 2016; Beard

(Enacts R.S. 30:2391 through 30:2399). Prohibits the use of potable ground water suitable for domestic use for the irrigation of the non-developed areas of cemeteries, golf courses built or completed on or after August 15, 2003, parks, and highway landscaped areas, if an available reclaimed water source exists.

**Act No. 1034**  
HB 775; Powell

(Amends and reenacts R.S. 34:3472(13), 34:3472(B)(2)(b) and 34:3480(A) and (C)). Classifies the West Cameron Port Commission as a deep water port and gives the commission the ability to nominate a voting member of the Millennium Port Authority Commission.

**Act No. 1085**  
HB 1348

(Amends and reenacts R.S. 34:3254(C)). Authorizes the Grand Isle Port Commission to issue more than fifteen million dollars in

bonds. Removes the requirement that the town of Grand Isle guarantee all bonds issued by the Grand Isle Port Commission.

**Act No. 1102**  
HB 1514; Powell

(Enacts R.S. 38:1491). Deems all drainage or outfall channels that have been, or are later maintained by the parish or any drainage district for three years public. Allows these channels to be shared with sewage districts, provided it is in the best interest of the parish's general population.

**Act No. 1228**  
HB 174; Doerge

(Enacts R.S. 38:3087.191 through 3087.203). Creates the Webster Watershed District to develop and protect the natural resources of Webster Parish. Establishes a board of commissioners for the district and provides a method for their appointment.

**HCR 80; Faucheux**

Memorializes the U.S. Coast Guard, Eight Coast Guard District, to coordinate with the Louisiana Oil Spill Coordinator's Office in an effort to prevent the dumping of materials from vessels in state coastal waters.

#### Miscellaneous

**Act No. 143**  
HB 1696; Thompson, Hill, LaFleur, Morrish, Baudoin, Bruce, DeVillier, Downs, Frith, Fruge, Hudson, Iles, Kenney, Jack Smith, and Strain

(Amends and reenacts R.S. 3:1655). Raises the fees charged for nursery inspections from five cents to ten cents per nursery permit tag and from fifty dollars to one hundred dollars per nursery location. Requires the deposit of such fees in the Bond Security and Redemption fund with any monies remaining at the end of the year to be deposited into the newly created Crop Pests and Diseases Fund.

**Act No. 145**  
HB 1827; Thompson

(Enacts R.S. 3:304). Empowers the Department of Agriculture and Forestry to create rules and regulations to certify individuals as master farmers. Requires the farmers to implement a conservation plan prior to certification that meets the standards set by the U.S. Department of Agriculture, Natural Resources and Conservation Service, the Louisiana Department of Agriculture and Forestry and the Soil and Water Conservation District(s) where the property is located. Farmers are presumed to be in compliance with soil and water conservation requirements as long as certification is maintained.

**Act 802**  
SB 98; Lentini and Reps. Thompson, McDonald, Schneider, and Walsworth

(Amends and reenacts La. R.S. 14:63 and repeals La. R.S. 14:63.1, 14:63.2, 14:63.5-14:63.10, and 14:63.12). Prohibits an individual from entering or remaining in or on any structure, watercraft, moveable, or immovable of another without express, legal, or implied authorization. Excludes law enforcement officials and various emergency personnel carrying out their lawful duties. Makes other exceptions for persons engaged in various other necessary or required activities, but does not exclude hunters who must now assume that property is closed to the public for hunting whether or not the land is posted. Sets penalties as follows: first offense at a fine of between one hundred dollars and five hundred dollars and/or imprisonment for not more than thirty days; second offense at a fine of between three hundred dollars and seven hundred and fifty dollars and/or imprisonment for not more than ninety days; and third offense at a fine of between five hundred dollars and one thousand dollars and/or imprisonment for not less than sixty days and not more than six months and requires the forfeiture to law enforcement any property seized in connection to the violation. Exempts homeowners from liability for any damage sustained by the trespasser unless the damage was the result of intentional gross negligence on

the part of the property owner. Provides that children ten years or younger not be detained or arrested for trespass.

**Act No. 1257**

HB 1499 Pitre, Durand, Baudoin, Bruce, DeVillier, Downs, Frith, Fruge, Hudson, Iles, Kenney, Morrish, Jack Smith, and Strain

(Enacts R.S. 3:4617). Prohibits the labeling and advertising of food products in Louisiana as "Cajun" or "Louisiana Creole" unless the product has been substantially transformed by processing in Louisiana.

**HR 13; Thompson  
SR 9; Smith**

(Amends House Rules 6.1(3), 6.6 (B) and 6.7 (C)). Changes the name of the House Agriculture Committee to the Agriculture, Forestry, Aquaculture, and Rural Development Committee.

**Constitutional Amendments Proposed During the 2003 Louisiana Regular Session and Approved by Voters on October 4, 2003**

**Act No. 1295**

HB 424; Pitre and Walworth and Sen. Hainkel

Proposes to amend Article I, Section 4 of the Constitution of Louisiana in order to allow the legislature to limit recovery for the taking or destruction of property caused by coastal wetland conservation, management, preservation, creation, or restoration activities.

Proposes to add Article VII, Section 21(J) of the Louisiana Constitution in order to exempt drilling rigs used exclusively for the exploration and development of mineral rights outside the territorial limits of the state from ad valorem taxation for storage, and repair, and further exempts any property from ad valorem taxation that is being incorporated in such rigs within the state.

to twenty percent of the tobacco settlement monies be transferred from the Millennium Trust Fund to the recreation fund and stipulates that the funds should be transferred only up to the amount necessary to receive the maximum sum of federal monies for coastal restoration. Specifies that the funds removed from the Millennium Fund be taken from one-third from the Health Excellence Fund, one-third from the Education Excellence Fund, and one-third from the TOPS Fund.

**Act No. 1297**

HB 425; Pitre and Downer and Sen. Adley, Barham, Bean, Cain, Dardenne, Dean, Dupre, Ellington, Fontenot, Hines, Hollis, Lentini, Malone, Michot, Mount, Romero, Schedler, Smith, Theunissen and Thomas

SB 213; Dardenne and Reps. Baldone, Dartez, Downer, and Pitre

Proposes to add Article VII, Section 10.11 to the Constitution of Louisiana to create the "Louisiana Coastal Restoration Fund." Designates that up

**Announcements**

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Four times a year, the Louisiana Sea Grant Legal Program disseminates an e-mail/ web based update to our biannual newsletter. The updates cover environmental law news relevant to the LCL's audience as well as summaries of recently introduced environmental legislation and recent court case decisions. To sign up for the LCL E-mail Update Service, send an e-mail to [lisas@lsu.edu](mailto:lisas@lsu.edu).

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