

LOUISIANA STATE LAW INSTITUTE

DEPARTMENT NAME CHANGES PURSUANT TO ACTS 2025, NO. 458, §12
EFFECTIVE OCTOBER 1, 2025

Code of Civil Procedure

Article 1552. Environmental management orders

Upon the request of any party in any civil action alleging environmental damage pursuant to R.S. 30:29, or the Department of Conservation and Energy ~~and Natural Resources~~, office of conservation, the court shall direct the attorneys for the parties to appear before the court to develop an environmental management order. The environmental management order shall authorize all parties to access the property allegedly impacted to perform inspections and environmental testing. The order shall require that all test results be submitted to all parties and the Department of Conservation and Energy ~~and Natural Resources~~, office of conservation, within thirty days of receipt thereof. Failure by a party to provide the results of testing to the other parties shall preclude that party from admitting those results into evidence in the civil action. The environmental management order shall include reasonable terms for all of the following:

* * *

Article 1563. Limited admission of liability in environmental damage lawsuits; effect

A.(1) * * *

(2) Upon the expiration of the delay in which a party may file a limited admission under Subparagraph (5) of this Paragraph, and if one or more of the defendants have made a timely limited admission, the court shall refer the matter to the Department of Conservation and Energy ~~and Natural Resources~~, office of conservation, hereinafter referred to as the "department", to conduct a public hearing to approve or structure a plan which the department determines to be the most feasible plan to evaluate or remediate the environmental damage under the applicable regulatory standards pursuant to the provisions of R.S. 30:29. There shall be a rebuttable presumption that the plan approved or structured by the department, after consultation with the Department of Environmental Quality as appropriate, shall be the most feasible plan to evaluate or remediate the environmental damage under the applicable regulatory standards pursuant to the provisions of R.S. 30:29. For cases tried by a jury, the court shall instruct the jury regarding this presumption if requested by a party.

* * *

B. The provisions of this Article shall not establish primary jurisdiction with the Department of Conservation and Energy ~~and Natural Resources~~.

1 **Title 3**

2
3 **R.S. 3:304. Master farmer certification**

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5 * * *

6
7 B. The commissioner may adopt rules and regulations setting out the requirements for
8 obtaining a certification. The curriculum shall be established by the Louisiana State University
9 AgCenter. The Louisiana State University AgCenter may consult with other agencies and
10 organizations as needed, including but not limited to the Department of Environmental Quality,
11 the Department of Conservation and Energy ~~and Natural Resources~~, Louisiana Farm Bureau,
12 the United States Department of Agriculture, Natural Resources Conservation Service, and the
13 State Soil and Water Conservation Commission. The curriculum shall include but is not limited to
14 the instruction on environmental issues in agriculture, nonpoint source pollution, best management
15 and conservation practices, soil and water quality monitoring demonstrations, and development
16 and implementation of an individual comprehensive soil and water conservation plan.

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18 * * *

19
20 **R.S. 3:1221. Carbon sequestration; emissions reduction of carbon dioxide and other**
21 **greenhouse gases**

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23 * * *

24
25 C. The provisions of this Section do not affect the authority of the Department of
26 Conservation and Energy ~~and Natural Resources~~ or benefits, credits, or offsets derived from
27 projects approved and undertaken by the Coastal Protection and Restoration Authority in the
28 coastal area.

29
30 * * *

31
32 **R.S. 3:3302. Definitions**

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34 As used in this Part, the following words shall have the following meanings ascribed to
35 them:

36
37 * * *

38
39 (2) "Appropriate governmental agency" means any federal, state, or local agency which
40 has jurisdiction over or expertise in the subject matter affected by this Part and includes but is not
41 limited to the United States Department of Agriculture, the United States Environmental Protection
42 Agency, the United States Geological Survey, the Department of Environmental Quality, the
43 Louisiana Department of Health, the Department of Conservation and Energy ~~and Natural~~
44 ~~Resources~~, the Department of Wildlife and Fisheries, and the Department of Transportation and
45 Development.

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47 * * *

48
49 **R.S. 3:3366. Administrative rules**

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51 * * *

52
53 C. Persons engaged in structural pest control work shall be governed exclusively by the
54 rules and regulations adopted by the commission. If the rules and regulations adopted by the
55 commission conflict with any rules or regulations adopted by any other agency, including but not
56 limited to the Department of Conservation and Energy ~~and Natural Resources~~, the Department
57 of Environmental Quality, or the Department of Public Safety and Corrections, the rules and
58 regulations adopted by the commission shall prevail.

59
60 * * *

1 **R.S. 3:3712. Purchase of feedstock by operators of renewable fuel manufacturing facilities;**
2 **notice requirements; annual report**

3
4 * * *

5
6 E. To improve dissemination of information regarding supply needs of renewable fuel
7 manufacturing facilities operating in Louisiana and to assure that Louisiana farmers are adequately
8 and timely informed about the feedstock needs of these facilities, the operators of all renewable
9 fuel manufacturing facilities shall, at least one hundred eighty days prior to the start of commercial
10 operation of such facilities, provide notice to the commissioner of agriculture and forestry, the
11 secretary of the Department of Conservation and Energy ~~and Natural Resources~~, and the
12 secretary of Louisiana Economic Development.

13
14 * * *

15
16 H. Each renewable fuels manufacturing facility operating in Louisiana shall provide an
17 annual report to the commissioner of agriculture and forestry, the secretary of the Department of
18 Conservation and Energy ~~and Natural Resources~~, and the secretary of Louisiana Economic
19 Development certifying that it has purchased all of the competitively priced Louisiana feedstock
20 available during its operations. The report shall also list the production levels for the previous
21 twelve months, the amount and type of feedstock used to achieve the production levels, the location
22 from where the feedstock originated, and the steps taken to obtain Louisiana harvested feedstock.
23 The report shall also itemize the financial benefits that the facility has received from the state,
24 including but not limited to the use of state grants, state-assisted financing, participation in the
25 Quality Jobs Program, the Enterprise Zone Program, and the 10-Year Industrial Exemption
26 Program.

27
28 * * *

1 Title 9

2
3 **R.S. 9:1152. Grant of mineral servitude on lands acquired by the state from agencies or**
4 **political subdivisions by subsidence or erosion**

5
6 * * *

7
8 B. The boundaries of such servitudes shall be fixed as follows:

9
10 (1) The state agency or political subdivision having an interest therein may submit to the
11 secretary of the Department of Conservation and Energy ~~and Natural Resources~~ a certified map
12 or plat of survey prepared by a registered land surveyor showing the exact extent of the servitude
13 area, along with such other proof of the boundaries thereof as the secretary may reasonably require.
14 Upon sufficient showing of the boundaries of the servitude area, the secretary shall indicate his
15 assent thereto on the plat and on his certificate evidencing the boundaries of such servitude.

16
17 (2) The office of mineral resources of the Department of Conservation and Energy ~~and~~
18 ~~Natural Resources~~ and the agency or political subdivision holding such servitude may fix the
19 boundaries of such servitudes or otherwise fix their respective interest with respect to such
20 servitude by written agreement.

21
22 (3) In the event the boundaries cannot be fixed in either manner provided for in Paragraphs
23 (1) and (2) of this Subsection, then the secretary of the Department of Conservation and Energy
24 ~~and Natural Resources~~, the office of mineral resources of the Department of Conservation and
25 Energy ~~and Natural Resources~~, or the agency or political subdivision holding such servitude may
26 institute an action in the parish where the property is located to fix the boundaries of such servitude
27 in accordance with applicable law.

28
29 (4) A true and certified copy of any certificates, plats, agreements, or judgments fixing the
30 boundaries of such servitudes shall be filed with the secretary of the Department of Conservation
31 and Energy ~~and Natural Resources~~ and shall be recorded in the parish where the affected
32 property is located.

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34 * * *

35
36 **R.S. 9:2800.14. Limitation of liability for damages to oyster leases**

37
38 Oil companies, including drilling, exploration, production, pipeline, and marine
39 contractors, and persons performing related services who cause any loss or damage to oyster leases
40 from exploration, excavation, construction, maintenance, remediation, operations, release and
41 response, or events and activities, which include the transportation of materials or equipment to or
42 from existing or proposed drilling sites, well sites, rights of way, or production, storage, and
43 pumping facilities within a designated water route or navigable waters approved by the Department
44 of Conservation and Energy ~~and Natural Resources~~ shall only be liable for the diminution in
45 market value of the oyster leases. Diminution in market value of the oyster leases shall be
46 calculated in accordance with the method used by the Louisiana Oyster Lease Damage Evaluation
47 Board. This Section shall have no effect as to judgments rendered by a court of competent
48 jurisdiction prior to August 15, 2004.

1 **Title 13**

2
3 **R.S. 13:5107. Service of citation and process**

4 * * *

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6
7 C. In all suits in which title to lands or waterbottoms under the jurisdiction of the state land
8 office is or may be at issue, and in all possessory actions, boundary disputes, trespass actions,
9 actions involving alleged acquisitive prescription of immovable property, declaratory judgments,
10 injunctions, and concursus proceedings involving such lands or waterbottoms, citation and service
11 of all pleadings also shall be made on the register of the state land office. In all suits in which
12 property rights, mineral rights, or authorities under the jurisdiction of the State Mineral and Energy
13 Board may also be at issue, citation and service of all pleadings shall also be made on the secretary
14 of the Department of **Conservation and Energy** ~~and Natural Resources~~.

15 * * *

1 Title 30

2
3 **R.S. 30:20. Illegal gas, etc., contraband; seizure and sale; procedure; disposition of proceeds**

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5 * * *

6
7 H. The proceeds of the sale of contraband shall be applied first to the payment of the cost
8 of the action and the expenses incident to the sale after these expenses have been approved and
9 allowed by the court. All funds then remaining shall be paid to the **department of conservation**
10 for the purpose of carrying out the provisions of this Chapter.

11
12 * * *

13
14 **R.S. 30:21.2. Bohemia Spillway Cost Recovery**

15
16 Upon the final disposition of each claim filed with the Department of Conservation and
17 Energy ~~and Natural Resources~~ pursuant to Act No. 233 of the 1984 Regular Session of the
18 Legislature, the secretary shall condemn one or more of the parties to the claim to pay the actual
19 cost of administering the claim and may apportion the cost among the parties. The funds received
20 pursuant to this Section shall be deposited immediately into the state treasury.

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22 * * *

23
24 **R.S. 30:29. Remediation of oilfield sites and exploration and production sites**

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26 * * *

27
28 C.(1) * * *

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32 (3)(a) * * *

33
34 (b)(i) If the department preliminarily approves or structures a preliminary plan that requires
35 the application of regulatory standards of an agency other than the department or that provides an
36 exception from the department's standards, within fifteen days of the preliminary structuring or
37 approval, the department shall submit the plan to the Department of Agriculture and Forestry, the
38 Department of Environmental Quality, and the Department of Conservation and Energy ~~and~~
39 ~~Natural Resources~~ for review and comment. Within thirty days after the department's submission
40 of the plan to all of the agencies, each agency may provide written comments regarding the plan.
41 Each agency providing written comments shall submit a schedule of the agency's costs for review
42 of the plan to the court for reimbursement by the responsible party. Failure of an agency to respond
43 to the department shall not affect the validity of the plan approved by the department. The
44 department and agency heads shall coordinate in order to establish protocol to ensure interagency
45 communication regarding plan development, timely delivery of all proposed plans to the
46 appropriate agency heads, and timely receipt of all agency comments back to the department.

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48 * * *

49
50 **R.S. 30:81. Policy and purpose**

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52 * * *

53
54 B. It is in the public interest and within the police power of this state to establish an oilfield
55 site restoration fund to provide for the proper and timely cleanup, closure, and restoration of
56 oilfield sites, to be administered by the Department of Conservation and Energy ~~and Natural~~
57 ~~Resources~~.

58
59 * * *

1 **R.S. 30:82. Definitions**

2
3 As used in this Part, the following terms shall have the meanings ascribed to them in this
4 Section, unless the context or use clearly indicates otherwise:

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6 * * *

7
8 ~~(4)~~ (2) "Department" means the Department of Conservation and Energy ~~and Natural~~
9 ~~Resources~~.

10
11 * * *

12
13 **R.S. 30:83. Oilfield site restoration; administration by the Department of Conservation and**
14 **Energy ~~and Natural Resources~~**

15 * * *

16
17 B. The Department of Conservation and Energy ~~and Natural Resources~~ shall adopt rules
18 and regulations, in accordance with the Administrative Procedure Act, to implement the provisions
19 of this Part and to provide for procedures for site assessments and restoration.

20
21 * * *

22
23 **R.S. 30:86. Oilfield Site Restoration Fund**

24
25 * * *

26
27 E. Except as otherwise provided in this Section, the monies in the fund may be disbursed
28 and expended pursuant to the authority and direction of the secretary or the Natural Resources
29 Trust Authority for the following purposes and uses:

30
31 (1) Any oilfield site assessment or restoration conducted by the Department of
32 Conservation and Energy ~~and Natural Resources~~ pursuant to this Part, and the payment of the
33 principal, interest, and legal fees, credit enhancement fees, trustee fees, and other related costs of
34 issuance or ongoing expenses in connection with issuance of bonds or other debt obligations on
35 behalf of the trust authority pursuant to R.S. 30:83.1 for the purpose of financing the costs of the
36 oilfield site assessments and restorations.

37
38 * * *

39
40 **R.S. 30:89.1. Credits for judgments or compromises**

41
42 In the event an owner of a property interest in an oilfield site, or in other property affected
43 by oil or gas exploration, development, or production activities on an oilfield site, obtains a final
44 judgment from a court of competent jurisdiction, pursuant to the provisions of this Title or any
45 other law or regulation or any obligation whatsoever, including but not limited to obligations
46 imposed by contract or by law, or enters into a binding compromise, which judgment or
47 compromise awards damages or other relief for injury to the property interest resulting from oil or
48 gas exploration, development, or production activities on an oilfield site, including but not limited
49 to damages equivalent to the costs of site assessment or restoration, or which judgment or
50 compromise requires the performance of site assessment, restoration, or any other operations or
51 activities on an oilfield site, in any action, judicial or administrative, by the state of Louisiana or
52 any state agency to enforce any law or regulation with regard to the consequences of the same oil
53 or gas exploration, development, or production activities on the same oilfield site, then solely to
54 the extent that a judgment or compromise after June 30, 2006, is shown to have been satisfied or
55 discharged by the actual performance of site restoration in accordance with the appropriate
56 regulatory standards of the Department of Conservation and Energy ~~and Natural Resources~~,
57 office of conservation at a minimum, or by actual site assessment, the party against whom the
58 judgment was rendered, or who is obligated by the compromise, shall be given full credit against
59 the obligation sought to be enforced by the state of Louisiana or any state agency, and the
60 obligation shall be reduced proportionately, in amounts equal to the portion of the judgment or
61 compromise paid, satisfied, or discharged or the costs of the performance of any site assessment,
62 restoration, or other operations or activities required by the judgment or compromise.

1 * * *

2
3 **R.S. 30:101.3. Definitions**

4
5 As used in this Part, the following terms shall have the meanings ascribed to them in this
6 Section, unless the context or use clearly indicates otherwise:

7
8 * * *

9
10 ~~(4)~~ (3) "Department" means the Department of Conservation and Energy ~~and Natural~~
11 ~~Resources~~.

12
13 * * *

14
15 **R.S. 30:101.13. Disbursement of funds; eligibility; hearings**

16
17 * * *

18
19 B. In order to be eligible to receive reimbursement from the account, a commercial
20 fisherman shall show that the commercial fisherman has a valid claim. A valid claim shall be
21 established by the hearing examiner, based on evidence that the following conditions have been
22 met:

23
24 * * *

25
26 (3) The fisherman made a good faith effort to locate the financially responsible party.
27 Evidence of a good faith effort shall be established by regulation and shall include attempts to
28 identify the responsible party with the assistance of the Department of Conservation and Energy
29 ~~and Natural Resources~~ where necessary.

30
31 * * *

32
33 **R.S. 30:111. Payment for materials furnished or used in drilling well; market price**

34
35 Owners of unleased mineral interests and lessees in any drilling unit authorized by the
36 **department of conservation** of this state, shall not be liable or obligated to pay to the operator or
37 producer for materials furnished or used in the drilling, completion, and production of any oil, gas,
38 or mineral well drilled on said unit a sum in excess of the prevailing market price of such materials.

39
40 * * *

41
42 **R.S. 30:124. Board may lease public lands; fee**

43
44 A. The legislature finds that the state, through the Department of Conservation and
45 Energy ~~and Natural Resources~~, should promote the generation and use of alternative energy
46 sources, including but not limited to wind energy, geothermal energy, solar energy, and
47 hydrokinetic energy, throughout the state to ensure the viability of the state's natural resources, to
48 provide a continuing utility-scale clean energy source for the citizens and businesses of Louisiana,
49 to support economic development through job retention and creation in Louisiana, and to promote
50 a clean environment.

51
52 * * *

53
54 **R.S. 30:126. Inspection; quantity of land; advertisements for bids; fees**

55
56 * * *

57 B.(1) * * *

58
59 * * *

1 (3) On its own motion and after complying with the provisions of R.S. 36:354(A)(2), or at
2 the request of the secretary of the Department of Conservation and Energy ~~and Natural~~
3 ~~Resources~~, the board shall advertise for bids for a lease in the same manner as if an application
4 had been made therefor.

5
6 * * *

7
8 **R.S. 30:132. Attorney for the board**

9
10 The attorney general shall be the attorney for the board, but the board shall have authority
11 to employ additional counsel and fix and pay the compensation for additional counsel or
12 counselors, subject, however, to the authority of the attorney general and the secretary of the
13 Department of Conservation and Energy ~~and Natural Resources~~ to approve the counsel,
14 whereupon the attorney general shall issue, under his power of appointment of assistants, a
15 commission to the counsel as assistant attorney general. However, any contract for legal services
16 which exceed two hundred fifty thousand dollars shall be subject to approval by the Joint
17 Legislative Committee on the Budget.

18
19 * * *

20
21 **R.S. 30:136. Funds; disposition and appropriation; penalties**

22
23 A.(1)(a) All bonuses, rentals, royalties, shut-in payments, or other sums payable to the state
24 as the lessor under the terms of valid existing mineral leases entered into under this Subpart or
25 previously granted by the state and under the supervision of the board or from leases hereafter
26 granted shall be paid to the office of mineral resources, by check or electronic wire transfers only,
27 and all payments, if made payable to the register of the state land office as previously required,
28 may be endorsed and otherwise processed by the secretary of the Department of Conservation
29 and Energy ~~and Natural Resources~~ pursuant to his general authority in regard to the functions of
30 that office as provided in R.S. 36:921 through 926. A payor of royalty whose total monthly
31 payment is fifty thousand dollars or more shall pay the royalty payment by electronic wire transfer.

32
33 * * *

34
35 B.(1) Any form required by the Department of ~~Natural Resources~~ Conservation and
36 Energy or the office of mineral resources to be filed in conjunction with the payment of any sum,
37 other than bonuses, rentals, or shut-in payments, which has been incorrectly completed in any part,
38 and which error results in the inability of any agency or subdivision thereof to carry out any of its
39 statutory or regulatory duties in a timely manner, unless corrected in full prior to the payment due
40 date, shall render the royalty pay or subject to a penalty of five percent of the total sum due or paid,
41 not to exceed five hundred dollars, as liquidated damages. The whole or any part of the damages
42 provided for in this Paragraph may be waived by the State Mineral and Energy Board and said
43 damages shall, as with any and all liquidated damages assessed and collected by the State Mineral
44 and Energy Board in accordance with any statutory or contractual provision, be deemed self-
45 generated funds to be deposited into the Mineral and Energy Operation Fund.

46
47 * * *

48
49 **R.S. 30:142. Board as agency to receive, administer, and control royalties in-kind; contract**
50 **authority**

51
52 * * *

53
54 E.(1)(a) Upon receipt of a written proposal by an applicant to enter into a contract with the
55 board authorized by Subsection C of this Section concerning the acquisition and use of available
56 in-kind natural gas royalties and after publication of its intent to do so in the official journal of the
57 state, the board may undertake arm's-length negotiations with the applicant resulting in terms
58 which it deems to be most advantageous to the state and assuring that the applicant will use the in-
59 kind royalties to satisfy and meet bona fide human needs, as defined herein. Under any such
60 contract, the price at which any natural gas is to be sold shall be not less than the first of the month
61 published price for the subject month for Henry Hub natural gas as reported in McGraw-Hill
62 Companies' Platts Inside FERC's Gas Market Report or its successor, plus or minus the basis

1 differential for the pipeline system into which the natural gas is delivered. However, for those
2 leases for which an existing pricing mechanism provides a higher price than the above published
3 price, the price that the state receives for those specific leases shall not be less than the existing
4 pricing mechanism. If the Inside FERC's Gas Market Report ceases to be published, the secretary
5 of the Department of Conservation and Energy ~~and Natural Resources~~ shall designate a
6 substitute published source for the price data. If the above-referenced Henry Hub natural gas spot
7 market price is discontinued, the secretary of the Department of Conservation and Energy ~~and~~
8 ~~Natural Resources~~ shall designate a substitute reference price to ensure a reasonably consistent
9 pricing mechanism until the legislature adopts a replacement.

10 * * *

11
12
13 **R.S. 30:143. Transfer of solid mineral leases; approval by board**

14 * * *

15
16
17 C. When a transfer is proposed under the circumstances described in Subsection B of this
18 Section, the proposed transferee shall first make application on forms to be prescribed by the
19 secretary of the Department of Conservation and Energy ~~and Natural Resources~~ pursuant to
20 regulation. The regulations shall require, at a minimum, detailed information concerning the
21 competence and integrity of the proposed transferee, including its financial and performance
22 capabilities, as these bear upon its ability to perform all obligations under the lease or sublease in
23 such a manner as not to adversely affect the public interest of the state as respects its natural
24 resources, including potential economic and physical waste and development of the resources, or
25 both. All applications shall be accompanied by a fee of one hundred dollars and a bond to secure
26 payment by the applicant of the actual costs of any investigation or hearing under this Section.

27
28 D.(1) Prior to any action by the board on any application, the secretary of the Department
29 of Conservation and Energy ~~and Natural Resources~~ shall conduct a hearing on the application,
30 which shall be conducted as expeditiously as practicable consistent with developing a full factual
31 record. The seller, assignor, or sublessor of the lease or sublease or the corporate entity whose
32 stock the transferee proposes to acquire under the circumstances described in Subsection B of this
33 Section shall be a necessary party to any hearing under this Paragraph, and to any investigation or
34 other proceedings had in connection therewith.

35 * * *

36
37
38 (4) Promptly after the conclusion of the hearing, the secretary of the Department of
39 Conservation and Energy ~~and Natural Resources~~ shall prepare written findings of fact and a
40 recommended decision on the application. The secretary shall transmit these to the State Mineral
41 and Energy Board together with a certified copy of the hearing record. After giving due
42 consideration to whether the evidence establishes that the proposed transferee is competent and
43 otherwise qualified to perform all of the obligations under the lease or sublease in such a manner
44 as not to adversely affect the public interest of the state as respects its natural resources, the State
45 Mineral and Energy Board shall issue a written decision granting or denying the application in
46 whole or in part or upon conditions as it may deem appropriate.

47 * * *

48
49
50 (6) Anything herein to the contrary notwithstanding, the secretary of the Department of
51 Conservation and Energy ~~and Natural Resources~~ may transmit a recommended decision to the
52 State Mineral and Energy Board without first conducting an investigation or holding a hearing if
53 all necessary parties to the hearing file affidavits with the secretary of the Department of
54 Conservation and Energy ~~and Natural Resources~~ attesting their belief that there are no
55 substantial issues requiring an investigation or hearing and the secretary independently determines
56 that there are no substantial issues requiring an investigation or hearing.

57
58 E. The secretary of the Department of Conservation and Energy ~~and Natural Resources~~
59 shall have authority to issue all necessary or appropriate regulations to implement this Section.

60
61 F. Whenever it appears to the State Mineral and Energy Board or the secretary of the
62 Department of Conservation and Energy ~~and Natural Resources~~ that any person has engaged or

1 is about to engage in any act or practice constituting a violation of any provision of this Section,
2 the secretary of the Department of Conservation and Energy ~~and Natural Resources~~ may
3 investigate and issue orders and notices. In addition to all other remedies, the State Mineral and
4 Energy Board or the secretary of the Department of Conservation and Energy ~~and Natural~~
5 ~~Resources~~ may bring an action in any court of competent jurisdiction in the name and on behalf
6 of this state against any person or persons participating in or about to participate in a violation of
7 this Section to enforce compliance with this Section or enjoin any action in violation of this
8 Section.

9
10 * * *

11
12 **R.S. 30:144. Sale of royalties in-kind to small refiners**

13
14 A. On or before December 31, 1979, the secretary of the Department of Conservation and
15 Energy ~~and Natural Resources~~ shall submit to the State Mineral and Energy Board for
16 implementation a regulatory program for the sale or processing of in-kind crude oil royalties to
17 refiners in the state and procedures for the sale or processing, delivery, and use of royalty crude
18 oil, which at a minimum include the following:

19
20 * * *

21
22 **R.S. 30:150. Louisiana Royalty Relief Dry Hole Credit Program; requirements; conditions;**
23 **limitations; expiration**

24
25 A. Notwithstanding any other provision of law to the contrary, the Department of
26 Conservation and Energy ~~and Natural Resources~~ may by rule provide a dry hole credit program
27 as set forth in this Section for certain drilling in mineral leases on state-owned lands or state-owned
28 water bottoms in the coastal zone, as defined in R.S. 49:214.24.

29
30 * * *

31
32 B. The requirements for the royalty relief dry hole credit are as follows:

33
34 * * *

35
36 (7) The dry hole well records and reports shall at all times be open to inspection and audit
37 by the Department of Conservation and Energy ~~and Natural Resources~~.

38
39 * * *

40
41 D. If a dry hole credit is offered as provided in this Section, the Department of
42 Conservation and Energy ~~and Natural Resources~~, office of mineral resources, shall certify
43 qualification for the royalty relief dry hole credit and provide forms and procedures relative to
44 certification. Application and obtaining certification as a well qualified to receive the royalty relief
45 dry hole credit shall be completed prior to drilling of the qualifying well.

46
47 * * *

48
49 F. To utilize the royalty relief dry hole credit:

50
51 * * *

52
53 (2) The applicant shall agree to fully compensate for the adverse impacts to coastal
54 wetlands in an amount equal to at least one hundred twenty-five percent of the habitat value of the
55 affected wetlands, calculated in accordance with an evaluation method adopted by the Department
56 of Conservation and Energy ~~and Natural Resources~~.

57
58 * * *

59
60 H. The Department of Conservation and Energy ~~and Natural Resources~~ shall
61 promulgate and adopt rules in accordance with the Administrative Procedure Act to implement the
62 provisions of this Section if a dry hole credit program is established.

1 * * *

2
3 **R.S. 30:206. Publication of survey**

4
5 The results of the geological surveys shall be published by the Department of
6 **Conservation and Energy ~~and Natural Resources~~.**

7
8 **R.S. 30:207. Office space to be furnished**

9
10 The president of the Louisiana State University and the director of the school of geology
11 shall furnish the **State Department of Conservation** with adequate office space to carry out the
12 survey under R.S. 30:206.

13
14 * * *

15
16 **R.S. 30:209. State Mineral and Energy Board; authority**

17
18 In order to carry out the provisions of R.S. 30:208, the State Mineral and Energy Board
19 may:

20
21 * * *

22
23 (4)(a) * * *

24
25 (b) The office of mineral resources, on behalf of the mineral board, shall administer all
26 operating agreements. After deposit of all revenues collected to the Bond Security and Redemption
27 Fund, an amount equal to twenty-five percent of the revenues collected from any operating
28 agreement entered into after August 15, 1997, shall be credited to the Mineral and Energy
29 Operation Fund for appropriation to the Department of **Conservation and Energy ~~and Natural~~**
30 **Resources.**

31
32 * * *

33
34 **R.S. 30:212. Permits for surveys on public lands**

35
36 A. The State Mineral and Energy Board shall have exclusive authority to grant exclusive
37 and nonexclusive permits to conduct geophysical and geological surveys of any kind on state-
38 owned lands, including water bottoms. No person shall conduct a geophysical or geological survey
39 on state-owned lands, including water bottoms, without obtaining a permit. These permits shall be
40 granted pursuant to rules promulgated under the provisions of the Administrative Procedure Act
41 by the Department of **Conservation and Energy ~~and Natural Resources~~.** No permit shall be
42 granted covering lands over which the state has a mere servitude without consent of the owner of
43 the abutting property.

44
45 * * *

46
47 **R.S. 30:215. Nonexclusive geophysical permits**

48
49 A. A nonexclusive permit to conduct seismic, geophysical, or geological surveying upon
50 state-owned lands, including water bottoms, shall be valid for one year from the date of issuance.
51 However, if operations commence within the year and are ceased due to unforeseen circumstances,
52 the term may be extended for up to one year from the cessation of operations by the secretary of
53 Department of **Conservation and Energy ~~and Natural Resources~~.** The permittee shall pay a fee
54 to the office of mineral resources at the time of application for the seismic permit. The fee shall be
55 determined by the State Mineral and Energy Board at least every twelve months or as often as
56 necessary. The fee shall be based upon market value but shall be no more than thirty dollars and
57 no less than five dollars per acre.

58
59 * * *

1 **R.S. 30:216. Exclusive geophysical permits**

2 * * *

3
4
5 C.(1) * * *

6
7 (2) The board may also cause notices to be sent to those whom the board determines would
8 be interested in submitting bids. Upon the request of the board, the office of mineral resources
9 shall prepare and mail the notice of publication. A reasonable fee adopted pursuant to the
10 Administrative Procedure Act to cover the cost of preparing the mailing of the notice of publication
11 may be charged by the office of mineral resources. On its own motion and after complying with
12 the policies adopted pursuant to the provisions of R.S. 36:354(A)(2), or at the request of the
13 secretary of the Department of Conservation and Energy ~~and Natural Resources~~, the board shall
14 advertise for bids for a permit in the same manner as if an application had been made therefor.

15 * * *

16
17
18 **R.S. 30:221. Aerial photographs or mosaics; filing; copies; penalty**

19
20 **A.** Any person who takes photographs from the air in this state for the purpose of making
21 aerial maps or mosaics must file a list of these photographs or mosaics within thirty days after their
22 completion with the **State Department of Conservation**. On request of the department a copy
23 shall be furnished on the same scale as it is offered for sale to the public. The cost of these copies
24 shall be borne by the department.

25
26 **B.** This Section does not apply to any federal agency or to any person making aerial
27 photographs or mosaics for any federal agency.

28
29 **C.** Whoever violates this Section shall be fined not less than five hundred dollars nor more
30 than one thousand dollars, or imprisoned for not less than thirty days nor more than six months, or
31 both.

32 * * *

33
34
35 **R.S. 30:401. Advisory Commission for Louisiana's Energy, Environment, and Restoration;**
36 **purpose**

37
38 There is hereby created the Advisory Commission for Louisiana's Energy, Environment,
39 and Restoration within the Department of Conservation and Energy ~~and Natural Resources~~.
40 The commission shall support programs designed to demonstrate to the general public the
41 importance of the Louisiana oil and natural gas exploration, production, and service industry;
42 encourage the wise and efficient use of energy; promote environmentally sound production
43 methods and technologies; develop existing supplies of Louisiana's oil and natural gas resources;
44 support research and educational activities concerning the oil and gas exploration and production
45 industry; cause remediation of historical oilfield environmental problems; and to have such other
46 authority as provided by law.

47 * * *

48
49
50 **R.S. 30:523. Transfer of records, money and equipment**

51
52 All books, paper, records, money, choses in action and other property of every kind and
53 description, movable and immovable, real and personal, heretofore possessed, controlled or used
54 by any of the agencies affected by this Part, in the exercise of functions hereby transferred, are
55 hereby transferred to the **State Department of Conservation**.

56 * * *

57
58
59 **R.S. 30:528. Agencies created at same session**

60
61 In the event that any other laws are enacted at this 1973 Extraordinary Session which create
62 and provide for boards or other agencies charged with the functions of the administration,

1 enforcement, management or operation of matters and facilities governed by this Chapter, each
2 such board or agency and its functions are hereby merged, consolidated and transferred into the
3 **State Department of Conservation** in the same manner and to the same extent as are the boards,
4 commissions, agencies and offices enumerated in this Part, such merger, consolidation and transfer
5 to be completed no later than April 1, 1974.

6 * * *

7
8
9 **R.S. 30:681.3. State Department of Conservation; powers, duties**

10
11 A. The **State Department of Conservation** shall be responsible for the effective
12 management and coordination of a state geothermal and geopressure energy research and
13 development program.

14 * * *

15
16
17 **R.S. 30:723. Expropriation authority**

18 * * *

19
20
21 G. Water used in the transportation of coal by pipeline to any point in Louisiana shall
22 conform to regulations of the Stream Control Commission and the Department of **Conservation**
23 **and Energy and Natural Resources** prior to its discharge into rivers or streams or holding pits
24 from which seepage can occur.

25 * * *

26
27
28 **R.S. 30:904. Definitions**

29 * * *

30
31
32 (5) "Department of **Conservation and Energy and Natural Resources**" and "department"
33 means the Department of **Conservation and Energy and Natural Resources** of the state of
34 Louisiana.

35 * * *

36
37
38 **R.S. 30:953. Limitations**

39 * * *

40
41
42 C. A copy of the bylaws of the Interstate Mining Commission shall be placed on file with
43 the secretary of the Department of **Conservation and Energy and Natural Resources** and be
44 available for inspection at any reasonable time by the legislature or any interested citizen.

45 * * *

46
47
48 **R.S. 30:962. Definitions**

49
50 As used in this Chapter, the following words, terms, and phrases have the meanings
51 ascribed to them in this Section, unless the context clearly indicates a different meaning:

52 * * *

53
54
55 (2) "Secretary" means the secretary of the Department of **Conservation and Energy and**
56 **Natural Resources** and his designees.

57 * * *

1 **R.S. 30:963. Management by the Department of Conservation and Energy and ~~Natural~~**
2 **~~Resources~~**

3
4 A. Except as otherwise provided by law, the Department of Conservation and Energy and
5 ~~Natural Resources~~ shall be the state agency charged with managing and monitoring the
6 implementation of all cooperative endeavor agreements to withdraw running surface water or
7 assignments thereof. The secretary shall have the authority to designate where within his agency
8 the various functions of this Chapter are to be performed, to issue contracts or enter into
9 agreements with other public entities when required in his opinion for the efficient administration
10 of this Chapter, and to establish any necessary policy or promulgate, in accordance with the
11 provisions of the Administrative Procedure Act, any regulations that in his opinion are necessary
12 for the efficient implementation of this Chapter.

13 * * *

14
15
16 **R.S. 30:1105. ~~Hearings; notice; rules of procedures; emergency; service of process; public~~**
17 **~~records; request for hearings; orders and compliance orders~~**

18 * * *

19
20
21 B. All rules, regulations, and orders made by the commissioner under this Chapter shall be
22 in writing and shall be entered in full by him in a book kept for that purpose. This book shall be a
23 public record and shall be open for inspection at all times during reasonable office hours and shall
24 be available on the Department of Conservation and Energy and ~~Natural Resources~~ website. A
25 copy of a rule, regulation, or order certified by the commissioner shall be received in evidence in
26 all courts of this state with the same effect as the original.

27 * * *

28
29
30 **R.S. 30:1152. Development and coordination of program; priorities**

31
32 A. The secretary of the Department of Conservation and Energy and ~~Natural Resources~~
33 or his designee, hereafter in this Chapter referred to as the "secretary," shall develop and coordinate
34 a program of research and development in solar energy supply, consumption, and conservation and
35 the technology of siting facilities and shall give priority to those forms of research and
36 development which are of particular importance to the state, including but not limited to all of the
37 following:

38 * * *

39
40
41 **R.S. 30:1154. Regulations governing solar power generation facilities; solar leases**

42
43 A. The secretary shall develop and adopt, in cooperation with affected utility, agricultural,
44 and solar industries; landowners; and consumer representatives and after one or more public
45 hearings, regulations governing solar power generation facilities and property leases for the
46 exploration, development, and production of solar energy. The regulations shall be designed to
47 encourage the development and use of solar energy and to provide maximum information to the
48 public concerning solar devices and solar power generation facilities. The regulations may include
49 all of the following:

50 * * *

51
52
53 (9)(a) Requirements for a permit to construct or operate a solar power generation facility
54 shall include a bond or other acceptable financial security in an amount determined by the secretary
55 to ensure proper site closure. Any bond shall be executed by the permittee and a corporate surety
56 licensed to do business in the state. The bond or other instrument shall be payable to the
57 Department of Conservation and Energy and ~~Natural Resources~~, except the secretary may
58 accept any financial security provided to the landowner or lessor for facilities exempted from
59 permit fees pursuant to Paragraph (D)(3) of this Section. Any bond or other instrument shall ensure
60 the following:

61 * * *

1 **R.S. 30:1202. Definitions**

2 Except where the context clearly indicates otherwise, as used in this Chapter:

3 * * *

4
5
6
7 (8) "Secretary" means the secretary of the Department of Conservation and Energy ~~and~~
8 ~~Natural Resources~~ or his designee.

9 * * *

10
11
12 **R.S. 30:1354. Definitions**

13
14 As used in this Chapter, the following terms shall have the following meanings unless the
15 context clearly indicates otherwise:

16 * * *

17
18
19 ~~(5)~~ (6) "Lignite resource development" means the mining of lignite and industries directly
20 related to the processing of lignite, including, but not limited to, the generation of electricity from
21 lignite or lignite products, lignite gasification, and lignite liquefaction.

22
23 ~~(6)~~ (7) "Secretary" means the secretary of the Department of Conservation and Energy
24 ~~and Natural Resources~~.

25
26 ~~(7)~~ (5) "Governmental unit" means a parish, municipality, or political subdivision of the
27 state or of local government having taxing authority

28 * * *

29
30
31 **R.S. 30:1401. Statement of findings**

32 * * *

33
34
35 B. With the approval of the United States Department of Energy, the Department of
36 Conservation and Energy ~~and Natural Resources~~ administers the federal oil overcharge monies
37 due the state, as appropriated by the legislature. Early legislative input and recommendations on
38 state expenditure plans will maximize efficient delivery of services and benefits to Louisiana's
39 consumers, particularly those interest groups including low income persons, educational
40 institutions, and hospitals, served by mandated federal programs.

41
42 C. The legislature finds and declares that in order to provide legislators with information
43 as to expenditure restrictions and to encourage interaction among the Department of Conservation
44 and Energy ~~and Natural Resources~~, the legislature, and the United States Department of Energy,
45 a special joint legislative committee on federal oil overcharge monies shall be created.

46
47 **R.S. 30:1402. Joint legislative committee on federal oil overcharge monies**

48 * * *

49
50
51 B. The Joint Committee on Federal Oil Overcharge Monies shall review the oil overcharge
52 refund program as a whole and provide legislative guidance to the Department of Conservation
53 and Energy ~~and Natural Resources~~ relative to the development of state plans to expend federal
54 oil overcharge refund monies.

55 * * *

56
57
58 D. In the conduct of its studies and proceedings, the Joint Committee on Federal Oil
59 Overcharge Monies shall utilize the personnel and services of the staff of the Senate and House of
60 Representatives. The Department of Conservation and Energy ~~and Natural Resources~~ shall
61 assist the committee in the performance of its duties and functions as the committee shall request.
62

1 * * *

2
3 **R.S. 30:2004. Definitions**

4
5 The following terms as used in this Subtitle, unless the context otherwise requires or unless
6 redefined by a particular Chapter of this Subtitle, shall have the following meanings:

7
8 * * *

9
10 (12) "Pollutant" means those elements or compounds defined or identified as hazardous,
11 toxic, or noxious, or as hazardous, solid, or radioactive wastes under this Subtitle and regulations,
12 or by the secretary, consistent with applicable laws and regulations. For the purposes of the
13 Louisiana Pollutant Discharge Elimination System, as defined in R.S. 30:2073, "pollutant" means
14 dredged spoil; solid waste; incinerator residue; filter backwash; sewage; garbage; sewage sludge;
15 munitions; chemical wastes; biological materials; radioactive materials, except those regulated
16 under the Atomic Energy Act of 1954, 42 U.S.C. 2011 et seq., as amended; heat; wrecked or
17 discarded equipment; rock; sand; cellar dirt; and industrial, municipal, and agricultural waste
18 discharged into water. For the purposes of the Louisiana Pollutant Discharge Elimination System,
19 as defined in R.S. 30:2073, "pollutant" does not mean:

20
21 (a) Water, gas, waste, or other material which is injected into a well for disposal in
22 accordance with a permit approved by the Department of Conservation and Energy ~~and Natural~~
23 ~~Resources~~ or the Department of Environmental Quality.

24
25 * * *

26
27 **R.S. 30:2011. Department of Environmental Quality; creation; duties; powers; structure**

28
29 * * *

30
31 D. The secretary shall have the following powers and duties:

32
33 * * *

34
35 (20) To develop and implement a nonpoint source management and groundwater quality
36 protection program and a conservation and management plan for estuaries, to receive federal funds
37 for this purpose and provide matching state funds when required, and to comply with terms and
38 conditions necessary to receive federal grants. The nonpoint source conservation and management
39 plan, the groundwater protection plan, and the plan for estuaries shall be developed in coordination
40 with, and with the concurrence of, the appropriate state agencies, including but not limited to the
41 Department of Conservation and Energy ~~and Natural Resources~~, the Department of Wildlife
42 and Fisheries, the Department of Agriculture and Forestry, and the State Soil and Water
43 Conservation Commission in those areas pertaining to their respective jurisdictions.

44
45 * * *

46
47 **R.S. 30:2015.1. Purpose; remediation of usable ground water**

48
49 * * *

50
51 L. This Section shall not apply to oilfield sites or exploration and production (E&P) sites
52 regulated by the Department of Conservation and Energy ~~and Natural Resources~~, office of
53 conservation. "Oilfield site" or "exploration and production (E&P) site" means any oilfield site or
54 exploration and production site as defined in R.S. 30:29(I).

55
56 * * *

57
58 **R.S. 30:2035. Environmental Emergency Response Training Program**

59
60 * * *

61
62 B.(1) * * *

1
2 (2) In order to encourage training programs to further the purposes of the Louisiana
3 Environmental Quality Act, as provided in R.S. 30:2011(D)(8), the department may make
4 allocations available only for those training programs which meet certain basic guidelines for
5 emergency response training established by the Department of Public Safety and Corrections or
6 the Department of Conservation and Energy ~~and Natural Resources~~ in conjunction with the
7 Peace Officers Standard Training (POST). At a minimum, the guidelines shall require that training
8 provide instruction in emergency response situations peculiar or applicable to Louisiana.

9
10 * * *

11
12 **R.S. 30:2074. Water quality control; secretary of environmental quality; powers and duties**

13
14 * * *

15
16 C. The office of the secretary shall, in conjunction and coordination with the Department
17 of Conservation and Energy ~~and Natural Resources~~, conduct a risk analysis of the discharge of
18 produced waters, excluding cavern leach waters, from oil and gas activities onto the ground and
19 into the surface waters in the coastal wetlands of this state. The analysis shall examine the
20 environmental risks and economic impact of allowing the discharges in the coastal wetlands and
21 the economic impact on the oil and gas industry if the discharges are prohibited. The analysis shall
22 be completed and delivered to the House and Senate committees on natural resources no later than
23 April 1, 1988.

24
25 * * *

26
27 E. No later than October 1, 1995, the secretary shall adopt rules and regulations to govern
28 the discharge from commercial facilities of liquid wastes that contain methanol alcohol. The rules
29 and regulations shall require pretreatment of the waste before entering any sewer system, septic
30 tank, or any surface waters of the state. The provisions of this Subsection shall not apply to
31 veterinarians and hospitals. The rules adopted pursuant to this Subsection shall not be applicable
32 to industrial facilities required to obtain permits for discharge of liquid wastes from the Louisiana
33 Department of Environmental Quality, the United States Environmental Protection Agency, or the
34 Louisiana Department of Conservation and Energy ~~and Natural Resources~~.

35
36 * * *

37
38 **R.S. 30:2248. Modification of contribution report**

39
40 * * *

41
42 C.(1) After all adjustments provided for in this Chapter, the total amount of dry weight tons
43 contributed by any disposer or generator to the hazardous waste content of Louisiana lands shall
44 be reduced by the total amount of dry weight tons of hazardous wastes generated or disposed
45 because of an order by the secretary, the secretary of the Department of Conservation and Energy
46 ~~and Natural Resources~~, or a court, ordering the cleanup of any abandoned waste site where the
47 parties held responsible for the waste at the site are bearing the cost of the cleanup.

48
49 * * *

50
51 **R.S. 30:2397. Distribution of revenue**

52
53 The state treasurer shall each fiscal year deposit the revenues generated under the
54 provisions of this Chapter from taxes applicable to the sale of reclaimed water or other sources as
55 provided for by law into the Bond Security and Redemption Fund. Out of the funds from such
56 sources remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated
57 from that fund to pay all obligations secured by the full faith and credit of the state which become
58 due and payable within any fiscal year, the treasurer shall deposit an amount equal to one-quarter
59 of the revenues generated from the reclaimed water program into the Clean Water State Revolving
60 Fund, enacted in R.S. 30:2301 et seq., which shall be used for making grants to local governments
61 to finance primary waste treatment facilities; one-quarter into the Coastal Resources Trust
62 Dedicated Fund Account, created in R.S. 49:214.40; and the remainder shall be used by the

1 Department of Conservation and Energy ~~and Natural Resources~~ for the protection of
2 groundwater resources. Use of these funds shall be subject to an appropriation by the legislature.

3
4 * * *

5
6 **R.S. 30:2459. State oil spill contingency plan**

7
8 A. The coordinator shall develop and distribute to the public a state oil spill contingency
9 plan of response for actual or threatened unauthorized discharges of oil and clean up of pollution
10 from the discharges. In addition, the Department of Environmental Quality, in cooperation with
11 the coordinator, shall recommend provisions of the plan relating to unauthorized discharges of oil.
12 The Department of Wildlife and Fisheries, in cooperation with the coordinator, shall recommend
13 provisions of the plan providing for protection, rescue, and rehabilitation of aquatic life and
14 wildlife and appropriate habitats on which they depend under its jurisdiction. The executive
15 director of the Coastal Protection and Restoration Authority, in cooperation with the coordinator,
16 shall recommend provisions of the plan for providing for the protection and restoration of the
17 coastal areas of the state. The Department of Conservation and Energy ~~and Natural Resources~~,
18 in cooperation with the coordinator, shall recommend provisions of the plan providing for
19 protection and rehabilitation of appropriate resources under its jurisdiction. The Department of
20 Public Safety and Corrections, in cooperation with the coordinator, shall recommend provisions
21 of the plan providing for emergency response coordination to protect life and property, excluding
22 prevention, abatement, containment, and removal of pollution from an unauthorized discharge.

23
24 * * *

25
26 D. Prior to adopting the state oil spill contingency plan, the coordinator shall adopt a fully
27 delineated inland boundary for coastal waters as defined in this Chapter, which boundary shall be
28 based upon data provided by, including but not limited to the United States Army Corps of
29 Engineers, the United States Department of the Interior, the Coastal Protection and Restoration
30 Authority, the Louisiana Department of Conservation and Energy ~~and Natural Resources~~, and
31 the oil and gas industry. The coordinator shall be authorized to amend the boundary by rule as
32 conditions may warrant. The boundary, as adopted, shall be clearly marked on large scale maps or
33 charts, official copies of which shall be available for public inspection in the Coastal Protection
34 and Restoration Authority, the office of coastal management in the Department of Conservation
35 and Energy ~~and Natural Resources~~, in each agency comprising the interagency council, and in
36 the parish seat of each parish located within the boundary.

37
38 **R.S. 30:2460. Contingency plan provisions**

39
40 A. The plan shall include all of the following:

41
42 * * *

43
44 (14) Procedures established in cooperation with the Department of Environmental Quality,
45 the Department of Wildlife and Fisheries, the Coastal Protection and Restoration Authority, and
46 the Department of Conservation and Energy ~~and Natural Resources~~ for assessment of natural
47 resources damages and plans for mitigation of damage to and restoration, protection, rehabilitation,
48 or replacement of damaged natural resources. Pursuant to R.S. 49:214.1 et seq., the Coastal
49 Protection and Restoration Authority is responsible for integrated coastal protection in the coastal
50 area of the state; therefore, the Coastal Protection and Restoration Authority and the Coastal
51 Protection and Restoration Authority Board shall assist the coordinator in a primary role in
52 assessing natural resource damages in the coastal area.

53
54 * * *

55
56 **R.S. 30:2495. Institutions of higher education**

57
58 The coordinator by interagency contract may provide grants to state institutions of higher
59 education for research, testing, and development of discharge prevention and response technology;
60 discharge response training; wildlife and natural resources protection, rescue, and rehabilitation;
61 development of computer models to predict the movements and impacts of discharges; and other
62 purposes consistent with and in furtherance of the purposes of this Chapter. Contracts or

1 agreements relating to wildlife, aquatic resources, and habitats under the jurisdiction of the
2 Department of Wildlife and Fisheries shall be made in coordination with that department.
3 Contracts or agreements relating to wetlands and coastal resources under the jurisdiction of the
4 Department of Conservation and Energy ~~and Natural Resources~~ shall be made in coordination
5 with that department. To the greatest extent possible, contracts shall be coordinated with studies
6 being done by other state agencies, the federal government, or private industry to minimize
7 duplication of efforts.

8
9 * * *

10
11 **R.S. 30:2575. Restrictions on the sale of certain mercury-added products**

12
13 * * *

14
15 D. On and after July 1, 2007, no mercury dairy or natural gas manometers shall be offered
16 for final sale or use or distributed for promotional purposes in Louisiana. Manufacturers that
17 produce and sell mercury dairy or natural gas manometers shall notify retailers about the
18 provisions of this product ban and how to dispose of the remaining inventory properly. The
19 Department of Environmental Quality, in consultation with the Department of Agriculture and
20 Forestry and the Department of Conservation and Energy ~~and Natural Resources~~, shall examine
21 the feasibility of implementing a collection and replacement program for dairy and natural gas
22 manometers, respectively, including technical and monetary assistance to operations that once
23 contained mercury manometers.

Title 31

R.S. 31:149. Mineral rights reserved from acquisitions of land by governments or agencies thereof imprescriptible; prescriptive period in acquisitions for economic development

A. "Acquiring authority" for the purposes of this Section means (1) the United States, the state of Louisiana, and a subdivision, department, or agency of either the United States or the state of Louisiana; (2) any legal entity with authority to expropriate or condemn, except an electric public utility acquiring land without expropriation. An electric public utility acquiring land through expropriation shall be considered as an acquiring authority; and (3) a nonprofit entity, recognized under Sections 501(c)(3) and 170 of the Internal Revenue Code as being organized and operated as a public charitable organization, that is certified by the secretary of the Department of Conservation and Energy ~~and Natural Resources~~ to be a state or national land conservation organization. The certification shall be in writing and shall be a public record. The certification shall not, for that reason alone, be construed to authorize the nonprofit entity to exercise expropriation powers. With respect to certifications occurring on and after August 1, 2004, an entity's certification shall require approval by official action of both the Senate Committee on Natural Resources and the House Committee on Natural Resources and Environment.

* * *

1 Title 32

2
3 **R.S. 32:1511. Illegal discharge of hazardous materials**

4
5 No person shall intentionally discharge or cause to be discharged the contents of any
6 transport vehicle containing hazardous material between the points of origin and the points of
7 billed destination, except as authorized by representatives of the Department of Public Safety and
8 Corrections or the Department of Conservation and Energy ~~and Natural Resources~~.

9
10 * * *

11
12 **R.S. 32:1513.1. Immunity from civil liability; limitations**

13
14 A. A person qualified by training, education, or experience shall be immune from civil
15 liability for the rendering of care, assistance, or advice in the area of these qualifications if
16 responding to an emergency dealing with the prevention or management of an incident resulting
17 from the storage or transportation of hazardous materials at the request of the local civil defense
18 director or his designee, the chief local law enforcement officer in the jurisdiction where the
19 incident occurs or his designee, the state police, or the hazardous waste division's emergency
20 response section within the Department of Conservation and Energy ~~and Natural Resources~~.

21
22 * * *

1 Title 33

2
3 **R.S. 33:1236. Powers of parish governing authorities**

4
5 The police juries and other parish governing authorities shall have the following powers:

6 * * *

7
8
9 (56) The Ouachita Parish Police Jury shall have the authority to enact ordinances regulating
10 the excavation of land within the unincorporated areas of the parish of Ouachita, including but not
11 by way of limitation the requirement that a permit be obtained prior to any excavation of land; that
12 all excavations of land conform to certain prescribed design criteria, and for other similar rules
13 and regulations as may be enacted by the Ouachita Parish Police Jury. However, nothing in this
14 Paragraph shall be construed to apply to facilities permitted or regulated by the Department of
15 Environmental Quality or the Department of Conservation and Energy ~~and Natural Resources~~.

16 * * *

17
18
19 **R.S. 33:1236.25. Pointe Coupee Parish; False River; encroachments**

20 * * *

21
22
23 C. Any ordinance adopted in accordance with Subsections A and B of this Section shall not
24 become effective until the ordinance is approved by the Department of Conservation and Energy
25 ~~and Natural Resources~~.

26 * * *

27
28
29 **R.S. 33:1236.27. Cameron Parish; liquid or solid waste**

30
31 A. The governing authority of Cameron Parish may provide by ordinance for zoning and
32 land use regarding any public or private facility for the disposal, incineration, or storage of liquid
33 or solid waste within the parish. The types and quantities of the waste to be disposed of,
34 incinerated, or stored at such a facility shall be in compliance with any permit granted by the
35 Department of Environmental Quality and with any permit issued by the office of conservation of
36 the Department of Conservation and Energy ~~and Natural Resources~~.

37
38 B. The authorization provided for in this Section shall not supersede the authority of the
39 Department of Environmental Quality or the authority of the Department of Conservation and
40 Energy ~~and Natural Resources~~.

41 * * *

42
43
44 **R.S. 33:1419.1. Legislative findings**

45 * * *

46
47
48 C.(1) To assist in financing its political subdivisions for these purposes, the Alternative
49 Fuel Vehicle Revolving Loan Fund Program is established in this Subpart to facilitate a state effort
50 and to operate to the extent determined feasible by the Department of Conservation and Energy
51 ~~and Natural Resources~~ in conjunction with federal assistance under a state transportation plan or
52 any other federal or private source of assistance or funding, or both.

53
54 (2) The financial administration of the Alternative Fuel Vehicle Revolving Loan Fund shall
55 be with the Department of Conservation and Energy ~~and Natural Resources~~.

56
57 (3) Relative to the Alternative Fuel Vehicle Revolving Loan Fund Program, the Department
58 of Conservation and Energy ~~and Natural Resources~~ shall have the authority to establish
59 assistance priorities and perform oversight and other related activities.

1 **R.S. 33:1419.2. Definitions**

2
3 As used in this Subpart, the following terms shall have the meanings ascribed to them in
4 this Section, unless the context clearly indicates otherwise:

5
6 (1) "Administrative costs" means costs incurred by the Department of Conservation and
7 Energy ~~and Natural Resources~~ in the administration of the program, including but not limited to:

8
9
10 * * *

11
12 (6) "Department" means the Department of Conservation and Energy ~~and Natural~~
13 ~~Resources~~.

14
15 * * *

16
17 **R.S. 33:1419.3. Alternative Fuel Vehicle Revolving Loan Fund Program**

18
19 A. There shall be an Alternative Fuel Vehicle Revolving Loan Fund Program within the
20 Department of Conservation and Energy ~~and Natural Resources~~ through which the state may
21 provide financial assistance to a local governing authority in the manner provided for in this
22 Subpart for the costs of converting all or a portion of the local governing authority's fleet of motor
23 vehicles to qualified clean fuel vehicles propelled by an alternative fuel.

24
25 B. The Department of Conservation and Energy ~~and Natural Resources~~ may promulgate
26 rules and regulations as are necessary to implement the provisions of this Subpart, in accordance
27 with the Administrative Procedure Act, subject to oversight by the Senate Committee on Natural
28 Resources and the House Committee on Natural Resources and Environment.

29
30 **R.S. 33:1419.4. Alternative Fuel Vehicle Revolving Loan Fund**

31
32 A. There is hereby established the Alternative Fuel Vehicle Revolving Loan Fund,
33 hereinafter referred to in this Subpart as the "alternative fuels loan fund", which shall be
34 maintained, operated, and administered by the Department of Conservation and Energy ~~and~~
35 ~~Natural Resources~~.

36
37 * * *

38
39 D.(1) The money in the alternative fuels loan fund shall be appropriated by the legislature
40 and shall be used by the Department of Conservation and Energy ~~and Natural Resources~~ solely
41 for administrative costs of and the purposes of the Alternative Fuel Vehicle Revolving Loan Fund
42 Program as provided for in this Subpart.

43
44 * * *

45
46 **R.S. 33:1419.5. Use of the alternative fuels loan fund**

47
48 Money from the alternative fuels loan fund may be used:

49
50 (1) To provide loans at or below market interest rates for a period not to exceed ten years
51 from the completion date of the conversion of all or a portion of local governing authorities' fleets
52 of motor vehicles to qualified clean fuel vehicles propelled by alternative fuels which are financed
53 by the loans. The loans shall be subject to approval by the Department of Conservation and
54 Energy ~~and Natural Resources~~.

55
56 * * *

57
58 (4) To provide a source of revenue or security for the payment of principal, interest, or
59 premium on revenue or general obligation bonds or other evidences of indebtedness issued by the
60 Department of Conservation and Energy ~~and Natural Resources~~, or any political subdivision,
61 governmental agency, public corporation, public trust, or any other entity having the authority to
62 issue debt for or on behalf of the state, if the net proceeds of the debt instruments are deposited in

1 the alternative fuels loan fund, are used to finance a fleet conversion approved by the Department
2 of Conservation and Energy ~~and Natural Resources~~, or are used to refund any obligation which
3 finances a fleet conversion approved under this Subpart.

4
5 **R.S. 33:1419.6. Loan conditions and repayment**

6
7 A. Upon approval of an application by the Department of Conservation and Energy ~~and~~
8 ~~Natural Resources~~, the department may lend amounts on deposit in the alternative fuels loan fund
9 to a local governing authority to finance all or a portion of the cost of a fleet conversion. The loans
10 are subject to the borrower's compliance with the conditions of the loan, as well as any applicable
11 rules or regulations promulgated by the department.

12
13 B. Prior to making a loan, the Department of Conservation and Energy ~~and Natural~~
14 ~~Resources~~ shall determine that the clean fuel vehicles will be fully insured and that the local
15 governing authority has the ability to repay the loan and may require a dedicated source of
16 repayment and impose additional requirements as the department deems necessary.

17 * * *

18
19
20 D.(1) The interest rate on each loan shall be established by the secretary of the Department
21 of Conservation and Energy ~~and Natural Resources~~, subject to any limitations provided for
22 federal assistance under a state transportation plan or other limitations required for the use of other
23 federal funds by applicable federal law. Criteria to be considered in the development of the interest
24 rate shall include but are not limited to administrative costs of the program, program priorities
25 established by the department, the creditworthiness of the applicant, the cost of bonds issued to
26 provide loan funding, and the long-term viability of the alternative fuels loan fund.

27
28 (2) The interest rate for a loan may include any additional rate that the Department of
29 Conservation and Energy ~~and Natural Resources~~ considers reasonable or necessary to provide
30 a reserve for the repayment of the loan. The additional rate may be fixed or variable, may be
31 calculated according to a formula, and may differ from the rate established for any other loans.

32
33 E. Each loan shall be evidenced by a bond, note, or other evidence of indebtedness of the
34 borrower, in a form prescribed or approved by the Department of Conservation and Energy ~~and~~
35 ~~Natural Resources~~. The evidences of indebtedness shall be consistent with the provisions of this
36 Subpart and, if federal funds are used, consistent with the terms of the appropriate federal act and
37 are not required to be identical for all loans.

38 * * *

39
40
41 **R.S. 33:4064.4. Powers of commission**

42 * * *

43
44
45 E. The commission may perform such tasks relative to sewerage and water systems as it
46 may be authorized to perform by the Louisiana Department of Health, the Department of
47 Environmental Quality, the Department of Transportation and Development, the Department of
48 Public Service, and the Department of Conservation and Energy ~~and Natural Resources~~. The
49 aforesaid departments shall be authorized to assist the commission in the enforcement of its
50 promulgated rules and regulations; to notify and advise the commission of any condition, hazard,
51 or other factor which may affect public health; and to make recommendations to the commission
52 which may affect the correction of the condition, hazard, or factor. Each aforesaid department shall
53 be authorized to execute with the commission a letter of understanding and/or agreement, the intent
54 of which shall be to assure no parallel, preemptive, and/or converse enforcement or regulatory
55 action by either entity.

56 * * *

57
58
59 J. In exercising its authority under this Subpart, the commission shall be subject to the
60 authority of the **Department of Health and Human Resources**, the Department of Environmental
61 Quality, and the Department of Conservation and Energy ~~and Natural Resources~~.

1 * * *

2
3 **R.S. 33:4065.3. Powers of commission**

4
5 * * *

6
7 E. The commission may perform such tasks relative to sewerage and water systems as it
8 may be authorized to perform by the Louisiana Department of Health, the Department of
9 Environmental Quality, and the Department of Conservation and Energy ~~and Natural~~
10 ~~Resources~~.

11
12 * * *

13
14 I. In exercising its authority under this Subpart, the commission shall be subject to the
15 authority of the Louisiana Department of Health, the Department of Environmental Quality, and
16 the Department of Conservation and Energy ~~and Natural Resources~~.

17
18 * * *

19
20 **R.S. 33:4522. Malodorants required**

21
22 All natural and other odorless gases shall be malodorized by the use of a malodorant in
23 accordance with pipeline safety rules and regulations promulgated by the assistant secretary of the
24 office of conservation of the Department of Conservation and Energy ~~and Natural Resources~~,
25 or in the case of liquefied petroleum gas, in accordance with R.S. 40:1846(B)(5) and (6).

26
27 **R.S. 33:4523. Method of use and containers and equipment regulated**

28
29 The method of using the malodorant and the containers and equipment used in connection
30 therewith are under the direction and subject to the approval of the assistant secretary of the office
31 of conservation of the Department of Conservation and Energy ~~and Natural Resources~~.

32
33 **R.S. 33:4524. Enforcement; rules and regulations**

34
35 A. The office of conservation of the Department of Conservation and Energy ~~and Natural~~
36 ~~Resources~~ shall enforce the provisions of this Subpart. The assistant secretary of the office may
37 prescribe any rules and regulations and conduct inspections as the assistant secretary deems
38 necessary to carry out the purposes of this Subpart.

39
40 * * *

41
42 **R.S. 33:4526. Construction of Subpart; surrender of powers**

43
44 Nothing contained in this Subpart shall be construed as surrendering to the office of
45 conservation of the Department of Conservation and Energy ~~and Natural Resources~~ any of the
46 powers of supervision, regulation, or control over any local public utility by any town or city, other
47 than those specifically provided in this Subpart.

48
49 * * *

50
51 **R.S. 33:4546.21. Construction contracts**

52
53 * * *

54
55 B. Whenever such a project includes a pipeline facility that is publicly bid, the authority or
56 the participating political subdivision in which the project will be completed may require, as part
57 of the bidding process, the prequalification of contractors and subcontractors to ensure compliance
58 with the certification requirements of 49 CFR 192.801 et seq., as mandated by the United States
59 Department of Transportation Pipeline and Hazardous Materials Safety Administration or the
60 Louisiana Department of Conservation and Energy ~~and Natural Resources~~. Any project subject
61 to prequalification shall otherwise comply with the provisions of R.S. 38:2211 et seq. and any
62 other applicable provisions regarding public procurement or public bidding.

1 Title 34

2
3 **R.S. 34:3116. Coordination and cooperation**

4 * * *

5
6
7 B. The executive director shall take affirmative steps to fully coordinate all aspects of the
8 authority development program with the secretary of the Department of Conservation and Energy
9 ~~and Natural Resources~~ or his designee charged with the development of the coastal zone
10 management plan.

11 * * *

12
13
14 **R.S. 34:3304. Coordination and cooperation**

15 * * *

16
17
18 B. The secretary of the Department of Transportation and Development is authorized to
19 call upon Louisiana Economic Development, the Department of Conservation and Energy ~~and~~
20 ~~Natural Resources~~, the Board of Commissioners of the Port of Iberia, and all other port
21 commissions and districts and state agencies, departments, and political subdivisions of the state
22 for full and complete cooperation and assistance in carrying out the provisions of this Chapter, and
23 all such entities are hereby directed and it shall be their duty to cooperate and assist the department
24 to the fullest possible extent.

25 * * *

1 Title 36

2
3 **R.S. 36:4. Structure of executive branch of state government**

4
5 A. In accordance with the provisions of Article IV, Section 1 and Article XIV, Section 6 of
6 the Constitution of Louisiana, all offices, boards, commissions, agencies, and instrumentalities of
7 the executive branch of state government, whether constitutional or statutory, and/or their
8 functions, powers, duties, and responsibilities shall be allocated, either in the Act by which this
9 Title was created or by legislation enacted subsequent thereto, within the departments listed in this
10 Section, except as provided in Subsections B and C of this Section, and in order to comply with
11 this constitutional mandate, the agencies of the executive branch of state government hereinafter
12 enumerated, whether heretofore created by the constitution or by statute, ~~and/or~~ or their functions,
13 powers, duties, and responsibilities are allocated, in the manner hereinafter set forth in this Title,
14 within the following designated departments:

15 * * *

16
17
18 (7) Department of Conservation and Energy ~~and Natural Resources~~.

19 * * *

20
21
22 **R.S. 36:8.1. Litigation oversight; reports to the legislature**

23 * * *

24
25
26 C. The provisions of this Section shall apply to any civil action filed by the following
27 departments or offices, including offices and agencies thereof, collectively referred to in this
28 Section as "agency":

29 * * *

30
31
32 (11) Department of Conservation and Energy ~~and Natural Resources~~.

33 * * *

34
35
36 **R.S. 36:356.1. Louisiana Natural Resources Trust Authority; establishment; powers**

37 * * *

38
39
40 B. The authority's powers shall also include the following:

41
42 (1) Setting financial obligations of operators or applicants, consistent with the purposes,
43 authorities, and functions of the Department of Conservation and Energy ~~and Natural Resources~~
44 and its officers.

45 * * *

46
47
48 **R.S. 36:629. Transfer of boards, commissions, departments, and agencies to the Department**
49 **of Agriculture and Forestry**

50 * * *

51
52
53 J. The Louisiana Forestry Commission (Article IX, Section 8(B) and (C) of the Constitution
54 of Louisiana and Chapter 28 of Title 3 of the Louisiana Revised Statutes of 1950) hereafter shall
55 be within the Department of Agriculture and Forestry in accordance with the provisions of R.S.
56 36:802, except as otherwise provided in this Subsection:

57 * * *

58
59
60 (2) All employees of the office of forestry of the Department of Conservation and Energy
61 ~~and Natural Resources~~ are transferred to the office of forestry of the Department of Agriculture
62 and Forestry.

1
2 (3) An appropriate percentage of the administrative employee positions, and the employees
3 holding those positions, of the Louisiana Forestry Commission which were transferred to the
4 Department of Conservation and Energy ~~and Natural Resources~~ are transferred to the
5 Department of Agriculture and Forestry. The secretary of natural resources and the commissioner
6 of agriculture and forestry shall jointly determine the appropriate number of administrative
7 positions and personnel to be transferred. This determination and the resulting transfer shall be
8 effected no later than the last day of September of 1986.

9
10 (4) All funds appropriated to the Louisiana Forestry Commission and the office of forestry
11 of the Department of Conservation and Energy ~~and Natural Resources~~ shall be transferred to
12 those entities in the Department of Agriculture and Forestry.

13
14 (5) Any appropriation for Fiscal Year 1986-1987 to the Louisiana Forestry Commission or
15 the office of forestry within the Department of Conservation and Energy ~~and Natural Resources~~
16 shall be deemed to be appropriated to those entities within the Department of Agriculture and
17 Forestry.

18
19 (6) All property and facilities owned and operated by or leased by or for the Louisiana
20 Forestry Commission or the office of forestry of the Department of Conservation and Energy ~~and~~
21 ~~Natural Resources~~ are transferred to those entities within the Department of Agriculture and
22 Forestry.

23
24 (7) The fleet of airplanes operated by the Louisiana Forestry Commission and the office of
25 forestry of the Department of Conservation and Energy ~~and Natural Resources~~ is specifically
26 transferred to the Department of Agriculture and Forestry. All airplanes operated by the
27 Department of Agriculture and Forestry shall be under the exclusive jurisdiction of that
28 department. Subject to the provisions of R.S. 2:1 et seq., the department may provide guidelines
29 and procedures for the use and operation of its aircraft.

30
31 (8) The office of forestry of the Department of Agriculture and Forestry shall be the
32 successor of the office of forestry of the Department of Conservation and Energy ~~and Natural~~
33 ~~Resources~~. For purposes of the transfer of functions of the office of forestry from the Department
34 of Conservation and Energy ~~and Natural Resources~~ to the Department of Agriculture and
35 Forestry, the Department of Agriculture and Forestry shall be the successor to the Department of
36 Conservation and Energy ~~and Natural Resources~~. All unfinished business of the former office
37 and of the former department related thereto shall be completed by, all references in laws and
38 documents to the former office and to the former department related thereto shall be deemed to
39 refer to, and all obligations of the former office and of the former department related thereto shall
40 be the obligations of the successor office and department. All legal proceedings of the former office
41 and of the former department related thereto shall be continued in the name of the former office
42 and department, and further proceedings shall be in the name of the successor office and
43 department without the necessity for amendment of any document.

44
45 * * *

46
47 **R.S. 36:957. Effective date of certain transfers and abolitions; continued merger and**
48 **consolidation within departments**

49
50 A. The transfer or abolition of each agency transferred or abolished by this Title, which
51 agency or the functions thereof are transferred to one of the following departments, shall be
52 effective upon the effective date of this Part: the Department of State Civil Service; Louisiana
53 Economic Development; the Department of Culture, Recreation and Tourism; ~~the Louisiana~~
54 ~~Workforce Commission Works~~; the Department of Conservation and Energy ~~and Natural~~
55 ~~Resources~~; the Department of Public Safety and Corrections; the Department of Revenue; the
56 Department of Transportation and Development; and the Department of Wildlife and Fisheries.

57
58 * * *

1 Title 37

2
3 **R.S. 37:711.4. Board; appointments; terms**

4
5 * * *

6
7 E. On or after January 1, 2013, no employee of the Department of Conservation and
8 Energy ~~and Natural Resources~~, including but not limited to the office of conservation, or the
9 Department of Environmental Quality shall be appointed to the board.

10
11 * * *

12
13 **R.S. 37:1377. Definitions; exceptions**

14
15 * * *

16
17 K. Gas fitting. "Gas fitting" means the work or business of installing, repairing, improving,
18 altering, or removing natural gas piping, fittings, valves, or tanks used for conveying fuel gas for
19 appliances on or in premises or in buildings annexed to immovable property. For purposes of this
20 Chapter, gas fitting does not include the following:

21
22 (1) The installation or maintenance of piping by any entity of a municipal or gas district
23 system that is subject to the regulatory authority of the Public Service Commission, the New
24 Orleans City Council, or the office of pipeline safety in the Department of Conservation and
25 Energy ~~and Natural Resources~~.

26
27 * * *

28
29 **R.S. 37:3151. Definitions**

30
31 As used in this Chapter, the following words shall have the meaning ascribed to them in
32 this Section unless the context clearly indicates otherwise:

33
34 (1) "Assistant secretary" means the assistant secretary of the office of environmental affairs
35 of the Department of Conservation and Energy ~~and Natural Resources~~.

36
37 * * *

38
39 **R.S. 37:3284. Training of security officers; requirements**

40
41 * * *

42
43 F. All firearms training required by this Chapter shall be administered by a licensed
44 instructor who:

45
46 * * *

47 (2) Has successfully completed training and possesses a National Rifle Association
48 Security or Police Firearms Instructor certificate, or a P.O.S.T. Firearm Instructor Certificate, or a
49 **Department of Energy** Firearms Instructor Certificate, or certification by a branch of the United
50 States military.

51
52 * * *

1 Title 38

2
3 **R.S. 38:25. Exemptions for other programs; additional requirements**

4
5 A. Where the impoundment of liquid substances or hazardous wastes and materials by
6 dikes, dams, or barriers is permitted or regulated under the Department of Conservation and
7 Energy ~~and Natural Resources~~, that office shall adopt rules and regulations for the construction,
8 operation, and maintenance of the facilities in accordance with the requirements, rules, and
9 regulations promulgated under this Chapter, and the impoundments are exempted from the
10 provisions of this Chapter.

11 * * *

12
13
14 **R.S. 38:327. Lake Borgne Basin Levee District Board of Commissioners; powers and duties**

15 * * *

16
17
18 F. The board shall operate and maintain the Violet Siphon in accordance with an operation
19 and maintenance plan developed jointly by the Lake Borgne Basin Levee District and the
20 Department of Conservation and Energy ~~and Natural Resources~~, office of coastal restoration
21 and management.

22 * * *

23
24
25 **R.S. 38:3087.134. Board of commissioners; tenure; replacement; compensation**

26 * * *

27
28
29 E. In addition, the following may serve at their pleasure as ex officio nonvoting members
30 of the board and shall not be considered in determining a quorum for the purpose of board
31 meetings:

32 * * *

33
34
35 (5) The secretary of the Department of Conservation and Energy ~~and Natural Resources~~
36 or his designee.

37 * * *

38
39
40 **R.S. 38:3098.2. Powers of the Department of Conservation and Energy ~~and Natural~~**
41 **~~Resources~~, office of conservation resources**

42 * * *

43
44
45 **R.S. 38:3098.6. Advisory committee**

46
47 A. The Department of Conservation and Energy ~~and Natural Resources~~ is hereby
48 authorized to appoint a committee to serve in an advisory capacity and to make recommendations
49 for the regulation and control of water well drillers as defined in this Chapter. This advisory
50 committee shall consist of the following members:

51
52 (2) The secretary of the Department of Conservation and Energy ~~and Natural Resources~~
53 or his designee.

54 * * *

1 Title 39

2
3 **R.S. 39:99.29. Governing board; membership; terms; compensation and expenses; chairman**
4 **and vice chairman; quorum; employees; agents; limitation of liability**

5
6 A. The board of the corporation shall exercise all powers, rights, and duties conferred by
7 this Subpart or other provisions of law upon the corporation. The board shall consist of the
8 governor, state treasurer, attorney general, president of the Senate and speaker of the House of
9 Representatives, chairman of the Coastal Protection and Restoration Authority Board, secretary of
10 the Department of **Conservation and** Energy ~~and Natural Resources~~, secretary of the
11 Department of Transportation and Development, or their designees, and seven members appointed
12 by the governor with one member appointed from each congressional district and the remaining
13 member or members appointed from the state at large. The members of the board who are
14 appointed by the governor shall represent the state's diverse population as near as practicable and
15 shall have a background and significant experience in financial management and investments. The
16 members of the board appointed by the governor shall be subject to Senate confirmation and shall
17 serve at the pleasure of the governor for terms of four years each, or until their successors shall
18 have been appointed and qualified, as designated by the governor. Any appointment to fill a
19 vacancy on the board shall be made for the unexpired term of the member whose death, resignation,
20 or removal created the vacancy. Members on the board may be appointed to an additional term.

21 * * *

22
23
24 **R.S. 39:253. Development and coordination of policy**

25
26 A.(1) * * *

27
28 (2) The division of administration shall use this information to develop and maintain a
29 database on all state buildings and facilities and their associated energy use, energy demand, and
30 energy cost. The Department of **Conservation and** Energy ~~and Natural Resources~~ shall provide
31 energy management training upon request to certain state personnel, such as building managers,
32 financial administrators, and others.

33 * * *

34
35
36 **R.S. 39:2007. Responsibilities of the commissioner of administration; training; reporting**

37 * * *

38
39
40 D.(1) The commissioner shall conduct a training program at least semiannually to acquaint
41 small entrepreneurs with state procurement and public contract proposal and bidding practices.
42 This shall include all state procurements which are governed by Chapter 10 of Title 38, Chapter
43 17 of Subtitle III of this Title, and Parts XIII and XIII-A of Chapter 1 of Title 48 of the Louisiana
44 Revised Statutes of 1950. The commissioner shall also secure the assistance of staff from either
45 the Department of Transportation and Development, Department of **Conservation and** Energy
46 ~~and Natural Resources~~, or Department of Environmental Quality who are knowledgeable about
47 state procurements undertaken pursuant to Chapter 10 of Title 38 and Parts XIII and XIII-A of
48 Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, for the purpose of providing
49 practical advice to small entrepreneurs relative to procurements and public contracts governed
50 by such law.

51 * * *

52
53
54 **R.S. 39:2177. Responsibilities of the commissioner of administration; training; reporting**

55 * * *

56
57
58 D. The commissioner shall conduct a training program at least semiannually to acquaint
59 veteran and service-connected disabled veteran-owned small entrepreneurs with state
60 procurement and public contract proposal and bidding practices. This shall include all state
61 procurements which are governed by Chapter 10 of Title 38, Chapter 17 of Subtitle III this Title,
62 and Parts XIII and XIII-A of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950. The

1 commissioner shall also secure the assistance of staff from the Louisiana Department of Veterans
2 Affairs for veteran-specific information and data, and either the Department of Transportation and
3 Development, Department of **Conservation and** Energy ~~and Natural Resources~~, or Department
4 of Environmental Quality who are knowledgeable about state procurements undertaken pursuant
5 to Chapter 10 of Title 38 and Parts XIII and XIII-A of Chapter 1 of Title 48 of the Louisiana
6 Revised Statutes of 1950, for the purpose of providing practical advice to veteran and service-
7 connected disabled veteran-owned small entrepreneurships relative to procurements and public
8 contracts governed by such law.

9
10

* * *

1 Title 40

2
3 **R.S. 40:1730.22. Louisiana State Uniform Construction Code Council; membership;**
4 **function of council; meeting requirements; immunity**

5
6 * * *

7
8 F.(1) Training and technical assistance in the implementation of the Louisiana State
9 Uniform Construction Code residential and commercial building energy code provisions shall be
10 the responsibility of the technology assessment division of the Department of Conservation and
11 Energy ~~and Natural Resources~~ in collaboration with the council, as provided for in Subsection C
12 of this Section.

13
14 (2) The technology assessment division of the Department of Conservation and Energy
15 ~~and Natural Resources~~ shall continue training and technical assistance as funding allows.

16
17 * * *

18
19 **R.S. 40:1730.28.4. Energy Code Commission: members; purpose; procedure; termination**

20
21 * * *

22
23 B. In addition to the voting members of the commission, the commission shall be composed
24 of the following nonvoting members:

25
26 (1) The secretary of the Department of Conservation and Energy ~~and Natural Resources~~
27 or his designee.

28
29 * * *

30
31 **R.S. 40:1892. Malodorants required**

32
33 All natural and other odorless gases shall be malodorized by the use of a malodorant in
34 accordance with pipeline safety rules and regulations promulgated by the assistant secretary of the
35 office of conservation of the Department of Conservation and Energy ~~and Natural Resources~~,
36 or in the case of liquefied petroleum gas, in accordance with R.S. 40:1846(B)(5) and (6).

37
38 **R.S. 40:1893. Method of use and containers and equipment regulated**

39
40 The method of using the malodorant and the containers and equipment used in connection
41 therewith are under the direction and subject to the approval of the office of conservation of the
42 Department of Conservation and Energy ~~and Natural Resources~~.

43
44 **R.S. 40:1894. Enforcement of Part; rules and regulations**

45
46 The office of conservation of the Department of Conservation and Energy ~~and Natural~~
47 ~~Resources~~ shall enforce the provisions of this Part. The assistant secretary of the office of
48 conservation may prescribe any rules and regulations on this subject necessary to carry out the
49 purposes of this Part. In addition to the rights, powers, and duties granted under this Part, the
50 assistant secretary shall exercise relative to this Part all of the rights, powers, and duties granted
51 under R.S. 30:501 et seq.; however, the provisions of R.S. 30:544 shall not apply to this Part.

1 **Title 41**

2
3 **R.S. 41:642. Sixteenth section lands; erosion; title and revenues**

4
5 A.(1) * * *

6
7 * * *

8
9 (2)(a) * * *

10
11 (b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph, in the event that
12 sixteenth section lands are comprised entirely of state-owned water bottoms and no school
13 indemnity lands were provided for the sixteenth section lands, all proceeds received by the state
14 from production and other revenues generated after July 1, 2007, from any oil and gas lease or
15 other contract granted by the state in its sovereign capacity attributable to the sixteenth section
16 lands shall be credited, subject to an appropriation specifically for proceeds attributable to Fiscal
17 Years 2007-2008, 2008-2009, and 2009-2010, to the account of the school fund of the parish in
18 which the sixteenth section lands are located. Beginning in Fiscal Year 2010-2011 and thereafter,
19 the proceeds shall be credited to the account of the current school fund of the parish in which the
20 sixteenth section lands are located. The secretary of the Department of **Conservation and** Energy
21 **and Natural Resources** shall certify to the treasurer the amount of proceeds to be credited
22 pursuant to this Subparagraph.
23

24 B. Proof of the extent of erosion or subsidence which may have occurred after the title to
25 the sixteenth section land or indemnity lands vested in the state as trustee for the benefit of the
26 school children of the townships in which the lands are located shall be made by the school board
27 having an interest therein to the Department of **Conservation and** Energy **and Natural Resources**
28 and shall consist of a certified map or plat of survey prepared by a professional land surveyor
29 qualified and currently licensed by the Louisiana Professional Engineering and Land Surveying
30 Board, showing the exact extent of land claimed to be lost through erosion or subsidence and by
31 evidence as may be required by the secretary showing the extent of the erosion or subsidence
32 claimed.
33

34 * * *

35
36 **R.S. 41:1602. Louisiana Archaeological Survey and Antiquities Commission**

37 * * *

38
39
40 B.(1) The commission shall be composed of eleven members. The person designated as
41 state archaeologist and one representative each from the Department of Culture, Recreation and
42 Tourism; the Department of **Conservation and** Energy **and Natural Resources**; and the
43 Governor's Commission on Indian Affairs shall be ex officio voting members of the commission.
44 The governor shall appoint seven members to the commission from a list of two nominees
45 submitted to him by the ex officio members for each appointment the governor is to make, provided
46 that at least one appointment shall be a member of the Louisiana Archaeological Society.
47

48 * * *

49
50 **R.S. 41:1701.1. State Land Office; powers, duties, functions, and responsibilities**

51 * * *

52
53
54 C. Subject to the approval of the commissioner of administration, the governor, the attorney
55 general, the Department of Wildlife and Fisheries, and the Department of **Conservation and**
56 Energy **and Natural Resources**, the State Land Office shall develop and promulgate a
57 comprehensive state master plan for the administration of state lands and water bottoms and shall
58 ensure that all public lands and water bottoms are protected, administered, and conserved in a
59 manner consistent with the constitution.
60

61 D. The State Land Office shall identify all public lands and water bottoms within the state
62 and develop and maintain a current master list of those lands and water bottoms. All state agencies,

1 including but not limited to Department of Culture, Recreation and Tourism, the Department of
2 **Conservation and Energy and Natural Resources**, the Office of Coastal Protection and
3 Restoration, the Department of Wildlife and Fisheries, the Department of Transportation and
4 Development, the Louisiana Geological Survey, the state's colleges and universities, all levee
5 boards, drainage boards, parish governing authorities, and any districts created under the
6 jurisdiction of levee boards, drainage boards, or parish governing authorities, shall cooperate with
7 the State Land Office in developing the master list.

8
9 * * *

10
11 **R.S. 41:1702. Reclamation of lands lost through erosion, compaction, subsidence, and sea**
12 **level rise; land acquisition for certain coastal projects; requirements**

13
14 * * *

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

21
22 (1) The administrator of the State Land Office may issue a permit for the carrying out of
23 the work necessary to implement the recovery of the land lost through erosion, compaction,
24 subsidence, or sea level rise; however, no permit shall be issued until plans and specifications for
25 the work have been first submitted to the governing authority of the parish in which the proposed
26 project is located, the Department of Transportation and Development, the Department of Wildlife
27 and Fisheries, the Coastal Protection and Restoration Authority, and the Department of
28 **Conservation and Energy and Natural Resources** for review and comment not less than sixty
29 days prior to the issuance of the permit. No permit shall be required for projects to facilitate the
30 development, design, engineering, implementation, operation, maintenance, or repair of integrated
31 coastal protection projects by the Coastal Protection and Restoration Authority under R.S.
32 49:214.1 et seq. or other applicable law or projects for the Atchafalaya Basin Program. Within
33 sixty days of completion of the reclamation project, the riparian owner shall submit to the State
34 Land Office proof of the extent of the land area actually reclaimed in the manner provided in
35 Subsection C of this Section for showing the submerged area, which map or plat shall be employed
36 for fixing the definitive boundary between the reclaimed land area and the state water bottoms.
37 Permits issued pursuant to these provisions shall be effective for a period not to exceed two years
38 from the date of issuance and shall thereupon expire. All work remaining or any additional work
39 may be completed only by application in the manner provided by this Section.

40
41 (2)(a)(i) To facilitate the development, design, and implementation of integrated coastal
42 protection projects, including hurricane protection and flood control, pursuant to R.S. 49:214.1 et
43 seq., the executive director of the Coastal Protection and Restoration Authority, after consultation
44 with other state agencies, including the Department of **Conservation and Energy and Natural**
45 **Resources** and the State Land Office, may enter into agreements with owners of land contiguous
46 to and abutting navigable water bottoms belonging to the state who have the right to reclaim or
47 recover the land, including all oil and gas mineral rights, as provided in Subsection B of this
48 Section, which agreements may establish in the owner the perpetual, transferrable ownership of
49 all subsurface mineral rights to the then-existing coast or shore line. The agreements may also
50 provide for a limited or perpetual alienation or transfer, in whole or in part, to the owner of
51 subsurface mineral rights owned by the state relating to the emergent lands that emerge from
52 waterbottoms that are subject to the owner's right of reclamation in exchange for the owner's
53 compromise of his ownership and reclamation rights within the area and for such time as the
54 executive director deems appropriate and in further exchange for the owner's agreement to allow
55 his existing property to be utilized in connection with the project to the extent deemed necessary
56 by the executive director.

57
58 (ii) When land is acquired from any person by an "acquiring authority" as defined in R.S.
59 31:149, for the principal purpose of facilitating the development, design, and implementation of
60 integrated coastal protection projects, including hurricane protection and flood control, by the
61 state, its political subdivisions, or by the state and federal government, the executive director of
62 the Coastal Protection and Restoration Authority, after consultation with other state agencies,

1 including the Department of Conservation and Energy ~~and Natural Resources~~ and the State
2 Land Office, may, in accordance with rules and regulations adopted in accordance with the
3 Administrative Procedure Act by the Coastal Protection and Restoration Authority after
4 consultation with other state agencies, including the Department of Conservation and Energy ~~and~~
5 ~~Natural Resources~~ and the State Land Office, enter into an agreement under this Section with
6 respect to the ownership of minerals and other matters to the same extent as authorized under Item
7 (i) of this Paragraph. In addition, the agreement shall, at a minimum, specify:

8
9 * * *

10
11 H. No reclamation by a riparian landowner shall be permitted if, in the determination of
12 the Department of Conservation and Energy ~~and Natural Resources~~, the State Land Office, the
13 Coastal Protection and Restoration Authority, or the attorney general, the activity would
14 unreasonably obstruct or hinder the navigability of any waters of the state or impose undue or
15 unreasonable restraints on the state rights which have vested in the areas pursuant to Louisiana
16 law, and to that extent the land area sought to be reclaimed may be limited.

17
18 I. Any person aggrieved either by a substantive agency decision made pursuant to the
19 provisions of this Section, including interlocutory decisions relating to boundaries and
20 determinations of areas reclaimed, or by a failure of the agency to render the decisions timely may
21 seek immediate judicial review of the agency action. Proceedings for review of decisions by the
22 Department of Conservation and Energy ~~and Natural Resources~~, the Coastal Protection and
23 Restoration Authority, or the State Land Office may be instituted by filing a petition in the
24 Nineteenth Judicial District Court within thirty days after mailing of notice of the final decision
25 by the administrator or secretary. Any party may request and be granted a trial de novo.

26
27 * * *

28
29 **R.S. 41:1703. Permits and licenses for encroachments other than reclamation projects**

30
31 * * *

32
33 B. The office, with the aid of the division, the Department of Conservation and Energy
34 ~~and Natural Resources~~, the Department of Wildlife and Fisheries, the Department of
35 Transportation and Development, and the attorney general, shall adopt regulations to implement
36 this Chapter, including the granting and revoking of permits, leases or licenses, processing of
37 applications, establishing fee schedules, collecting of fees or revenues for all manner of
38 encroachments, and shall create an overall and comprehensive plan for the orderly development
39 and preservation of state lands so as to ensure maximum benefit and use, all in accordance with
40 the law. The office shall maintain a current inventory of state lands and a depository in which shall
41 be recorded and preserved all records, surveys, plats, applications, permits, leases, licenses, and
42 other evidence pertaining to the trust lands, their description, disposition, and encroachments
43 thereon.

44
45 * * *

46
47 **R.S. 41:1712. Leases and permits; grant or denial; title**

48
49 * * *

50
51 D. When permit or lease applications involve projects over which the United States Army
52 Corps of Engineers, the Department of Conservation and Energy ~~and Natural Resources~~, or any
53 other federal or state agency asserts jurisdiction, and the governmental agencies have, by public
54 notice or regulations, established timetables for receipt of objections, public hearings, or other
55 proceedings, the office, to least inconvenience the applicant and prevent multiple hearings, shall
56 adopt and conform to the timetables or evidentiary requirements and shall attempt to coordinate
57 any public hearing with the agencies whenever feasible. When the United States Army Corps of
58 Engineers or other interested agencies do not assert jurisdiction over a given project, thirty days
59 from date of published notice by the applicant shall be allowed for receipt of objections in writing
60 by the office.

61
62 * * *

1 **R.S. 41:1731. Legislative findings**

2
3 To ensure the viability of the state's natural resources, to provide a continuing energy source
4 for the citizens and businesses of Louisiana, to promote economic development through job
5 retention and creation in Louisiana, and to promote a clean and lasting environment, the Louisiana
6 Legislature finds that the state, through the Department of Conservation and Energy ~~and Natural~~
7 ~~Resources~~, should promote the generation and use of the renewable energy derived from wind.
8

9 **R.S. 41:1732. Lease authority and royalties**

10
11 A. Notwithstanding any other provision of law except Subsection B of this Section, the
12 State Mineral and Energy Board, in conjunction with the secretary of the Department of
13 Conservation and Energy ~~and Natural Resources~~, shall have the authority to lease for the
14 exploration, development, or production of energy from wind any lands belonging to the state or
15 the title to which is held by the state, including water bottoms, vacant state lands, and lands
16 adjudicated to the state at tax sale, except lands that form any portion of state highway right-of-
17 way. The leases shall be granted through a public bid process which shall be promulgated by the
18 adoption of rules and regulations by the State Mineral and Energy Board. All bonuses, rentals,
19 royalties, payments, or other sums due the state as the lessor under the terms of leases granted
20 under the provisions of this Subsection for the exploration, development, and production of energy
21 from wind shall be paid to the office of mineral resources. Revenues received from these leases by
22 the office of mineral resources shall be remitted to the state treasurer who, after compliance with
23 Article VII, Section 9 of the Constitution of Louisiana, shall credit an amount equal to twenty-five
24 percent of the revenues to the Wetlands Conservation and Restoration Fund and an amount equal
25 to the seventy-five percent to the state general fund. The funds generated under leases granted
26 under the provisions of this Section shall not be included in calculations for the Budget
27 Stabilization Fund.
28

29 * * *

30
31 **R.S. 41:1733. Award of state wind leases**

32 * * *

33
34
35 B. After certification by the other state agencies, the State Mineral and Energy Board shall
36 forward the applications and certification with copies of any other leases on the proposed location
37 to the secretary of the Department of Conservation and Energy ~~and Natural Resources~~, who
38 shall evaluate whether the lands proposed for lease best support the exploration, development, or
39 production of energy from wind. In evaluating the proposed lease, the secretary of the Department
40 of Conservation and Energy ~~and Natural Resources~~ shall consider the capability of the lease
41 proposal to fulfill the intent of this Chapter, the environmental impact of the placement of wind
42 turbines and other equipment necessary for the exploration, development, or production of energy
43 from wind, the impact of the proposed lease on any other leases, including leases for the
44 exploration or production of subsurface deems appropriate. When evaluating the proposed lease,
45 the secretary of the Department of Conservation and Energy ~~and Natural Resources~~ shall
46 consult with the Department of Wildlife and Fisheries when the proposed lease lies within the
47 confines of properties under the jurisdiction of the Louisiana Wildlife and Fisheries Commission
48 or the Department of Wildlife and Fisheries and may consult any other state agency or
49 governmental entity that may have jurisdiction within the confines of the proposed lease.
50

51 C. If the secretary of the Department of Conservation and Energy ~~and Natural Resources~~
52 determines that a proposed lease for the exploration, development, or production of energy from
53 wind is appropriate, the secretary shall recommend to the State Mineral and Energy Board that the
54 board conduct a public bid process. If the secretary of Department of Conservation and Energy
55 ~~and Natural Resources~~ determines that a proposed lease for the exploration, development, or
56 production of energy from wind is not appropriate, the secretary shall notify the State Mineral and
57 Energy Board who shall then notify the applicant that no bid process shall occur.
58

59 * * *

1 **R.S. 41:1734. Powers and duties of the secretary of the Department of Conservation and**
2 **Energy and Natural Resources**

3
4 A. The secretary of the Department of Conservation and Energy ~~and Natural Resources~~
5 shall promulgate rules and regulations pursuant to the Administrative Procedure Act to implement
6 the provisions of this Chapter and to institute reasonable fees for services performed by the
7 department. The rules and regulations shall include all provisions necessary to accomplish the
8 intent of the legislature as stated in this Chapter and shall provide for the following:

9
10 * * *

1 Title 42

2
3 **R.S. 42:1113. Prohibited contractual arrangements; exceptions; reports**

4
5 * * *

6
7 D.(1)(a)(i) * * *

8
9 (ii) The provisions of this Subparagraph and other provisions which reference this Item
10 shall apply to the following persons:

11
12 * * *

13
14 (hh) The secretary, deputy secretary, undersecretary, and each assistant secretary, or the
15 equivalent position of the Department of Conservation and Energy ~~and Natural Resources~~.

16
17 * * *

18
19 (6) The provisions of Item (1)(a)(i) and Subparagraph (1)(b) of this Subsection, and other
20 provisions which reference these provisions of law shall not apply to the spouses and immediate
21 family members of the deputy secretaries, undersecretaries, assistant secretaries, or equivalent
22 positions in the following agencies:

23
24 * * *

25
26 (f) Department of Conservation and Energy ~~and Natural Resources~~.

27
28 * * *

29
30 **R.S. 42:1124. Financial disclosure; statewide elected officials; certain public servants**

31
32 A. The following persons shall annually file a financial statement as provided in this
33 Section:

34
35 * * *

36
37 (2) The secretary of each of the following departments of state government:

38
39 * * *

40
41 (f) The Department of Conservation and Energy ~~and Natural Resources~~.

42
43 * * *

44
45 **R.S. 42:1266. Required education; certain unclassified officials and employees**

46
47
48 C.(1) This Section shall apply to each person serving in the state unclassified service in one
49 of the following positions:

50
51 * * *

52
53 (f) The secretary, deputy secretary, undersecretary, and each assistant secretary, or an
54 equivalent position of the Department of Conservation and Energy ~~and Natural Resources~~.

55
56 * * *

1 Title 44

2
3 **R.S. 44:4. Applicability**

4
5 This Chapter shall not apply:

6
7
8 * * *

9
10 (8) To any records, data, writings, accounts, reports, letters, exhibits, pictures, photographs,
11 drawings, charts, maps or copies or memoranda thereof, whether written or oral, filed by or
12 received from any person by the commissioner of conservation, or any official or employee in the
13 **Department of Conservation**, or which in any manner is in the custody or control of the
14 commissioner of conservation, or any official or employee in the **Department of Conservation**,
15 which pertain to or in any way involve estimated or proven recoverable reserves of oil, gas or other
16 minerals in place, and the same has been declared, presented or received as confidential at the
17 request of the lawful owner thereof; provided, however, statistical reports which do not reveal the
18 identity of any owner or operator, either directly or by inference, may be released to the public by
19 the commissioner of conservation.

20
21 * * *

22
23 (10) To any records, data, writings, accounts, reports, letters, exhibits, pictures,
24 photographs, drawings, charts, maps, or copies or memoranda thereof, whether written or oral,
25 filed by or received from the Energy Information Administration of the United States Department
26 of Energy by the secretary of the Department of Conservation and Energy ~~and Natural~~
27 ~~Resources~~ or any official or employee in the Department of Conservation and Energy ~~and~~
28 ~~Natural Resources~~ if nondisclosure to any other person or public body was a requirement for
29 obtaining same and the information could not otherwise be obtained by law from that agency; and
30 to any records or information filed with or received by the secretary of the Department of
31 Conservation and Energy ~~and Natural Resources~~ or any official or employee in the Department
32 of Conservation and Energy ~~and Natural Resources~~ from any person who is required by federal
33 law to supply same to the state which information is not available to the public under federal law.
34 Statistical reports which do not reveal, directly or by inference, the identity of the individual
35 sources of the information compiled by the Department of Energy may be released to the public
36 by the secretary of the Department of Conservation and Energy ~~and Natural Resources~~.

37 * * *

1 Title 47

2
3 **R.S. 47:633.4. Tertiary recovery incentive**

4
5 * * *

6
7 B.(1) In order to accomplish the purposes set forth in Subsection A of this Section, no
8 severance tax shall be due in regard to production from a qualified tertiary recovery project
9 approved by the assistant secretary of the office of conservation of the Department of
10 Conservation and Energy ~~and Natural Resources~~ until such project has reached payout from
11 total production of:

12
13 * * *

14
15 **R.S. 47:633.5. Produced water injection incentive**

16
17 A. The office of water resources of the Department of Environmental Quality was directed
18 by R.S. 30:2074(C) to act in conjunction with the Department of Conservation and Energy ~~and~~
19 ~~Natural Resources~~ to conduct a risk analysis of the discharge of produced waters, excluding
20 cavern leach waters, from oil and gas activities onto the ground and into the surface waters in the
21 coastal wetlands of the state, and to examine the environmental risks and the economic impact on
22 the oil and gas industry if the discharge was to be prohibited. The risk analysis was not properly
23 conducted as directed, however, and the Department of Environmental Quality did in fact prohibit
24 the discharge of produced water into the surface waters of the state by rules promulgated and which
25 became effective on March 20, 1991.

26
27 * * *

28
29 **R.S. 47:648.2. Definitions**

30
31 Unless the context otherwise requires, the words defined in this Section have the following
32 meaning when found in this Part:

33
34 (1) A "certified new discovery oil and natural gas well" is one designated as such by the
35 Department of Conservation and Energy ~~and Natural Resources~~ after determining that:

36
37 * * *

38
39 **R.S. 47:648.3. Severance tax suspension on production from certified new discovery oil and**
40 **natural gas wells**

41
42 All severance taxes on production from certified new discovery oil and natural gas wells
43 are hereby suspended from the date of completion for a period of twenty-four months or until
44 recovery of payout of the well cost, whichever comes first. Payout of the well cost shall be
45 determined by the Department of Conservation and Energy ~~and Natural Resources~~.

46
47 * * *

48
49 **R.S. 47:1508. Confidentiality of tax records**

50
51 * * *

52
53 B. Nothing contained in this Section shall be construed to prevent:

54
55 * * *

56
57 (9) The furnishing, in the discretion of the secretary, of severance tax information to the
58 Department of Conservation and Energy ~~and Natural Resources~~ to be used solely for the
59 coordination and verification of revenue and production data relative to mineral resources
60 produced within the state. Any information so furnished shall be considered and held confidential
61 and privileged by the Department of Conservation and Energy ~~and Natural Resources~~ to the
62 same extent as heretofore provided.

* * *

R.S. 47:1515.2. Authority to collect fees; office of conservation

A. The secretary of the Department of Revenue is hereby authorized to enter into an agreement with the Department of Conservation and Energy ~~and Natural Resources~~, office of conservation, at the request of the commissioner of conservation, to collect fees assessed by the office of conservation.

B. The agreement between the Department of Revenue and the Department of Conservation and Energy ~~and Natural Resources~~, office of conservation shall be executed by the secretary of the Department of Revenue and the commissioner of conservation. The agreement shall provide the manner of collection, the fees to be collected, and the costs of collection, if any, to be paid by the office of conservation, and such other terms and conditions necessary to effectuate the agreement.

* * *

R.S. 47:1989. Review of appeals by tax commission

* * *

C.(1) * * *

(2)(a)(i) * * *

* * *

(vi) Nothing in this Subparagraph shall be construed to limit any of the following otherwise admissible data, guides, and resources that are publicly accessible:

* * *

(cc) Public records of the Department of Conservation and Energy ~~and Natural Resources~~ including but not limited to data from the Strategic Online Natural Resource Information System (SONRIS).

* * *

1 Title 48

2
3 **R.S. 48:224. Abandonment of highway; sale by department; acquisition by governing**
4 **authority; ratification**

5
6 * * *

7
8 C. If the governing authority or authorities are unwilling to accept and maintain the
9 highway or highway section to be abandoned, or in the event of the abandonment of any property
10 acquired and used for right-of-way purposes, the realignment of which has been changed so as to
11 make the right-of-way no longer needed for the original purpose, the secretary may at his discretion
12 dispose of the property at either public or private sale. Private sale shall be limited to the original
13 vendor of the property or his successors in title. If the sale is to the original vendor of the property,
14 the consideration for the private sale shall be the original cost to the department or its appraised
15 market value, whichever is greater. If the sale is to the successors in title to the original vendor, the
16 consideration for the private sale shall be the present appraised value. If sold, notice of
17 abandonment of the roadway shall be posted in accordance with Subsection E of this Section. If
18 the property cannot be sold at either public or private sale, then abandonment may be accomplished
19 as provided in Subsection E of this Section or transferred to the Department of Conservation and
20 Energy ~~and Natural Resources~~, state lands section.

21
22 * * *

1 Title 49

2
3 **R.S. 49:74. Registration of lobbyists with the ethics board; compilation of information**

4
5 A. Each lobbyist shall register with the ethics board as soon as possible after employment
6 as a lobbyist or after the first action requiring his registration as a lobbyist, whichever occurs first,
7 and in any event not later than five days after employment as a lobbyist or not later than five days
8 after the first action requiring his registration as a lobbyist, whichever occurs first. The lobbyist
9 shall electronically file with the ethics board, using forms provided by it, the following
10 information:

11 * * *

12
13
14 (5)(a) * * *

15
16 (b) For the purposes of this Paragraph, the following terms shall have the following
17 meanings:

18
19 (i) "Executive branch department head" means:

20
21 (aa) The secretary of each of the following departments of state government:

22 * * *

23
24
25 (VI) The Department of Conservation and Energy ~~and Natural Resources~~.

26 * * *

27
28
29 **R.S. 49:191. Termination of legislative authority for existence of statutory entities; phase-**
30 **out period for statutory entities; table of dates**

31
32 Notwithstanding any termination dates set by any previous Act of the legislature, the
33 statutory entities set forth in this Section shall begin to terminate their operations on July first of
34 each of the following years, and all legislative authority for the existence of any statutory entity,
35 as defined in R.S. 49:190, shall cease as of July first of the following year, which shall be the
36 termination date:

37 * * *

38
39
40 (2) July 1, 2028:

41 * * *

42
43
44 (d) The Department of Conservation and Energy ~~and Natural Resources~~ and all statutory
45 entities made a part of the department by law.

46 * * *

47
48
49 **R.S. 49:214.5.1. Coastal Protection and Restoration Authority Board**

50 * * *

51
52
53 B. The Coastal Protection and Restoration Authority Board shall consist of the following
54 members:

55 * * *

56
57
58 (2) Secretary of the Department of Conservation and Energy ~~and Natural Resources~~ or
59 his designee.

60 * * *

1 **R.S. 49:214.6.2. Functions and responsibilities; coastal activities**

2
3 * * *

4
5 C. The authority shall:

6
7 (1) Receive all monies appropriated from the Coastal Protection and Restoration Fund to
8 the Coastal Protection and Restoration Authority for implementation of all programs and projects
9 contained in an annual plan developed by the Coastal Protection and Restoration Authority Board
10 and approved by the legislature, except that the Department of **Conservation and** Energy ~~and~~
11 ~~Natural Resources~~, office of coastal management, shall receive any funds allocated in the annual
12 plan for the coastal zone management program.

13
14 * * *

15
16 D. The authority may:

17
18 (8) Utilize the services of the Department of **Conservation and** Energy ~~and Natural~~
19 ~~Resources~~, office of management and finance, for accounting and budgetary control, procurement
20 and contractual management, data processing, management and program analysis, and personnel
21 management and grants management, provided that the secretary of the Department of
22 **Conservation and** Energy ~~and Natural Resources~~ shall exercise no authority over the provision
23 of these services.
24
25

26
27 * * *

28
29 **R.S. 49:214.8.6. Annual basin plan**

30
31 * * *

32
33 B. As a part of the procedures to be followed by the director in the development of an
34 annual basin plan, the chair of the board shall appoint a technical advisory group to review,
35 evaluate, and approve all water management and water quality projects proposed for inclusion in
36 an annual plan. The technical advisory group shall consist of the following appointments:

37
38 * * *

39
40 (4) One member from the Department of **Conservation and** Energy ~~and Natural~~
41 ~~Resources~~.

42
43 * * *

44
45 **R.S. 49:214.23. Definitions**

46
47 * * *

48
49 (12) "Secretary" shall mean the secretary of the Department of **Conservation and** Energy
50 ~~and Natural Resources~~ or his designee.

51
52 * * *

53
54 **R.S. 49:214.24. Coastal zone boundary**

55
56 * * *

57
58 D. The secretary shall adopt a fully delineated inland boundary in accordance with the
59 provisions of Subsection C of this Section, which boundary shall not depart appreciably from the
60 boundary delineated therein. The secretary shall be authorized to amend the boundary as may be
61 appropriate to follow the corporate limits of any municipality divided by the boundary. The
62 boundary, as adopted, shall be clearly marked on large scale maps or charts, official copies of

1 which shall be available for public inspection in the office of coastal management of the
2 Department of Conservation and Energy ~~and Natural Resources~~ and each local government in
3 the coastal zone. The boundary shall also be available in an electronic format map available for
4 viewing or download from the office of coastal management website.

5
6 **R.S. 49:214.25. Types of uses**

7
8 * * *

9
10 C. The secretaries of the Departments of Conservation and Energy ~~and Natural~~
11 ~~Resources~~ and Wildlife and Fisheries are authorized to jointly develop for adoption by the
12 secretary, after notice and public hearing, rules for the further delineation of the types of uses that
13 have a direct and significant impact on coastal waters and that demonstrate a need for coastal
14 management, the classification of uses not listed herein, and for the modification and change of
15 the classifications of uses, provided that no changes shall be made in the classifications of the uses
16 listed in Subsection A of this Section.

17
18 * * *

19
20 **R.S. 49:214.26. Coastal management program; administration**

21
22 A.(1) A coastal management program is hereby established within the Department of
23 Conservation and Energy ~~and Natural Resources~~. The secretary or his designee shall administer
24 the coastal management program.

25
26 * * *

27
28 **R.S. 49:214.31. Existing authority of certain state departments and local governments**
29 **retained**

30
31 * * *

32
33 B. Permits issued pursuant to existing statutory authority of the office of conservation in
34 the Department of Conservation and Energy ~~and Natural Resources~~ for the location, drilling,
35 exploration, and production of oil, gas, sulphur, or other minerals shall be issued in lieu of coastal
36 use permits, provided that the office of conservation shall coordinate such permitting actions
37 pursuant to R.S. 49:214.32(B) and (D) and shall ensure that all activities so permitted are consistent
38 with the guidelines, the state program, and any affected local program.

39
40 * * *

41
42 **R.S. 49:214.33. Coordinated coastal permitting process**

43
44 * * *

45
46 B. To implement this intent, within one year of the effective date of this Subpart, the
47 secretary, local governments, and all other relevant governmental bodies having regulatory
48 jurisdiction or authority over uses of the coastal zone shall, in cooperation with one another and
49 under the direction of the governor, establish a coordinated coastal permitting process by means
50 of binding interagency agreements wherein:

51
52 * * *

53
54 (6) The coordinated coastal permitting process shall not affect the powers, duties, or
55 functions of any governmental body, particularly the Department of Wildlife and Fisheries and the
56 office of conservation in the Department of Conservation and Energy ~~and Natural Resources~~.

57
58 * * *

1 **R.S. 49:214.36. Enforcement; injunction; penalties and fines**

2
3 * * *

4
5 J. The monies collected by the state under the provisions of this Section shall be deposited
6 as follows:

7
8 (1) The monies collected by the secretary for violations relating to use of state concern
9 shall be used for the following purposes only in the proportions stated:

10
11 (a) After deducting the costs to reimburse the Department of Conservation and Energy
12 ~~and Natural Resources~~ for the expenses incurred enforcing the provisions of this Subpart,
13 seventy-five percent of the monies collected shall be placed in the Coastal Protection and
14 Restoration Fund established in Article VII, Section 10.2 of the Constitution of Louisiana and used
15 for projects that are consistent with Paragraph (O)(2) of this Section.

16
17 * * *

18
19 **R.S. 49:259. Department of Justice Legal Support Fund**

20
21 A. There is hereby established in the state treasury a special fund to be known as the
22 Department of Justice Legal Support Fund, hereinafter referred to as the "fund". The fund shall be
23 comprised of proceeds recovered by the attorney general on behalf of the state from court
24 judgments, settlements, fines, fees, forfeitures, and penalties; from the recovery or award of any
25 attorney fees as provided in R.S. 42:262; or from proceeds recovered by the attorney general from
26 any other source, which revenues are received by the attorney general for deposit into the fund,
27 except those judgments and recoveries made on or pertaining to any office of risk management
28 litigation, litigation involving the Department of Conservation and Energy ~~and Natural~~
29 ~~Resources~~ or the Department of Environmental Quality, or to the settlement funds, judgments, or
30 final disposition of the claims asserted in State of Louisiana v. BP Exploration & Production, et
31 al., consolidated with In Re: Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico,
32 on April 20, 2010, MDL No. 2179 (E.D. La.) (hereinafter "DWH litigation"), as provided in
33 Subsection D of this Section.

34
35 * * *

36
37 D. Notwithstanding the provisions of Subsection A of this Section, no proceeds shall be
38 deposited into the fund from court-awarded judgments and settlements involving the Department
39 of Conservation and Energy ~~and Natural Resources~~ as specified in R.S. 30:136.3(B)(1), nor any
40 judgments, settlements, or recoveries which are designated for credit to the Hazardous Waste Site
41 Cleanup Fund, the Environmental Trust Dedicated Fund Account, or any other funds administered
42 by the Department of Environmental Quality under the Environmental Quality Act.
43 Notwithstanding the provisions of Subsection A of this Section, no proceeds shall be deposited
44 into the fund from court-awarded judgments and settlements involving the Department of
45 Transportation and Development. Notwithstanding the provisions of Subsection A of this Section,
46 no proceeds shall be deposited into the fund from judgments, settlements, or recoveries arising
47 from the DWH litigation, including but not limited to litigation expenses, assessment costs, court
48 costs, or attorney fees.

49
50 * * *

51
52 **R.S. 49:330. Mineral Income Advisory Committee; mineral revenue contracts by state**
53 **treasurer**

54
55 A.(1) * * *

56
57 * * *

58
59 (4) The secretary of the Department of Conservation and Energy ~~and Natural Resources~~,
60 the secretary of the Department of Revenue, the commissioner of administration, and the state
61 treasurer shall be available to the committee for the research relative to mineral revenue contracts
62 as provided for in this Section.

1 * * *

2
3 **R.S. 49:966. Review of agency rules; fees**

4
5 * * *

6
7 B. Prior to the adoption, amendment, or repeal of any rule or the adoption, increase, or
8 decrease of any fee, the agency shall submit a report relative to the proposed rule change or fee
9 adoption, increase, or decrease to the appropriate standing committees of the legislature and the
10 presiding officers of the respective houses as provided in this Section. The report shall be submitted
11 on the same day that the notice of the intended action is submitted to the Louisiana Register for
12 publication in accordance with R.S. 49:961. The report shall be submitted to each standing
13 committee electronically if electronic means are available. If no electronic means are available,
14 the report shall be submitted to the committee's office in the state capitol by certified mail with
15 return receipt requested or by messenger who shall provide a receipt for signature. The electronic
16 receipt by the committee, return receipt or the messenger's receipt shall be proof of receipt of the
17 report by the committee.

18
19 * * *

20
21 (11) The Department of Conservation and Energy ~~and Natural Resources~~ and all of the
22 agencies made a part of it shall submit the report to the House Committee on Natural Resources
23 and Environment and the Senate Committee on Natural Resources. However, for exercises of the
24 commissioner of conservation's rulemaking authority pursuant to Chapter 13-A-1 of Title 38 of
25 the Louisiana Revised Statutes of 1950, the department shall submit the report to the House
26 Committee on Natural Resources and Environment and the Senate Committee on Environmental
27 Quality.

28
29 * * *

30
31 **R.S. 49:1053. Louisiana Geographic Information Systems Council; creation; membership;**
32 **quorum; domicile**

33
34 * * *

35
36 C. The council shall be composed of the following members:

37
38 * * *

39
40 (11) A representative of the Department of Conservation and Energy ~~and Natural~~
41 ~~Resources~~, appointed by the secretary.

42
43 * * *

1 Title 51

2
3 **R.S. 51:1601. Findings; policy and procedure**

4
5 The legislature finds and declares that:

6 * * *

7
8
9 (8) The public interest of the state in avoiding or ameliorating the effects of the conversion
10 of the state's industrial and powerplant fuel requirements from natural gas and petroleum to coal
11 or other alternate fuels can best be served by granting to the Department of **Conservation and**
12 **Energy ~~and Natural Resources~~** primary state governmental responsibility for intervening on
13 behalf of the state with the United States Department of Energy in the implementation and
14 administration of the Powerplant and Industrial Fuel Use Act of 1978, and authorizing the
15 department to implement measures within the state as may postpone untimely implementation of
16 federal laws and regulations and further, where use of or conversion to coal or other alternate fuel
17 is mandated, to take measures as may be required to ensure that mandated future use and
18 conversion proceeds in an orderly fashion and with a minimum of adverse economic effect upon
19 the state and to the maximum extent possible take measures to ensure that natural gas affected by
20 this conversion be retained within the state of Louisiana.

21
22 **R.S. 51:1602. Definitions**

23
24 As used in this Chapter, the following words and phrases have the meaning ascribed to
25 them in this Section except where otherwise provided in this Chapter or unless a different meaning
26 is plainly required by the context:

27 * * *

28
29
30 ~~(3)~~ **(4)** "Department of Energy" means the Department of Energy of the United States.

31
32 **(4)** ~~(3)~~ "Department of **Conservation and** Energy **~~and Natural Resources~~** " or
33 "department" means the Department of **Conservation and** Energy **~~and Natural Resources~~** of the
34 state of Louisiana.

35
36 (5) "Exemptions" as used in this Chapter shall mean those criteria established through rules
37 and regulations of the Department of **Conservation and** Energy **~~and Natural Resources~~**, in
38 accordance with federal law and in coordination with the rules of applicable federal agencies to
39 permit a powerplant or industry, when feasible or in the best interest of the state, to postpone or
40 avoid untimely use of coal or other alternate fuel or conversion of its fuel base from natural gas or
41 petroleum to coal or other alternate fuel.

42 * * *

43
44
45 (12) "Revenues" include fees, proceeds, moneys, receipts, and income derived for the
46 account of the Department of **Conservation and** Energy **~~and Natural Resources~~** in connection
47 with any revenue bond project or arising from the project.

48 * * *

49
50
51 (13) "Secretary of Energy" means the secretary of the United States Department of Energy.

52
53 (14) "Secretary of **Natural Resources**" or "secretary" means the secretary of the
54 Department of **Conservation and** Energy **~~and Natural Resources~~** of the state of Louisiana or
55 such persons as the secretary may authorize to act for him as provided in R.S. 51:1603.

56
57 (15) "State plan" means a program or plan of the state of Louisiana planned, prepared,
58 established, and administered by the Department of **Conservation and** Energy **~~and Natural~~**
59 **Resources** to implement the intent and purposes of this Chapter.

60 * * *

1 **R.S. 51:1603. Jurisdiction, powers, and responsibilities**

2
3 The Department of **Conservation and Energy and Natural Resources**, acting through the
4 secretary, shall administer this Chapter. The secretary may authorize officers or employees of the
5 department to administer the provisions of this Chapter, subject to the overall direction and
6 supervision of the secretary. The secretary shall have the following duties and powers and is
7 authorized, empowered, and, as applicable, required to:

8
9 * * *
10
11 (7)(a) * * *
12
13 * * *
14

15 (c) In establishing and implementing the state plan, the secretary may make rules and
16 regulations; construct and operate support facilities, whether through the department or by contract
17 with licensees under this Chapter or other third parties; issue licenses to persons to construct,
18 operate, and own support facilities; coordinate the state plan with the federal government and its
19 jurisdictional agencies; grant exemptions to conversion requirements under conditions stated in
20 rules and regulations promulgated by the Department of **Conservation and Energy and Natural**
21 **Resources** in accordance with the Powerplant and Industrial Fuel Use Act of 1978 and other
22 applicable federal law and regulation; issue bonds; and do other things as are necessary to establish
23 the state plan within the intent and purposes of this Chapter.

24
25 * * *
26

27 **R.S. 51:1605. Bonds; procedure for issuance**

28
29 * * *
30

31 B. Without reference to any other provisions of the laws of Louisiana and of the Louisiana
32 Constitution to carry out the purposes of this Chapter and promote continued industrial
33 development in the state, the secretary is authorized, acting through the State Bond Commission
34 in accordance with R.S. 39:1403, to issue revenue bonds and notes, herein collectively called
35 revenue bonds, as hereinafter provided, to finance or assist in the financing of the development,
36 acquisition, or construction, extension, or improvement of support facilities operated or licensed
37 to be operated under this Chapter. The revenue bonds shall be authorized, secured, and have the
38 details and characteristics set out hereunder.

39
40 * * *
41

42 (4) Lien and certain details of revenue bonds. (a) All revenue bonds issued shall be equally
43 and ratably secured by a prior and paramount pledge, charge, or lien upon the revenues pledged as
44 security therefor, as provided in the resolution or trust agreement, without priority by reason of
45 number or of dates of bonds, execution, or delivery, except that the secretary of natural resources
46 may provide in the resolution or trust agreement that revenue bonds issued pursuant thereto shall,
47 to the extent and in the manner prescribed in such resolution or trust agreement, be subordinate
48 and junior in standing, with respect to the payment of principal and interest and the security thereof,
49 to any other revenue bonds.

50
51 (b) Any pledge made by the secretary of natural resources pursuant to this Section shall be
52 valid and binding from the time that the pledge is made. The revenues, securities, and other moneys
53 so pledged and then held or thereafter received by the secretary of natural resources or any
54 fiduciary shall immediately be subject to the lien of such pledge without any physical delivery
55 thereof or further act, and the lien of any such pledge shall be valid and binding as against all
56 parties having claims of any kind in tort, contract, or otherwise against the Department of **Natural**
57 **Resources Conservation and Energy** whether or not such parties have notice thereof. Neither the
58 resolution nor any trust agreement by which a pledge is created need be filed or recorded except
59 in the official minutes of the State Bond Commission. The revenue bonds shall be of such series,
60 bear such date or dates, be serial or term bonds, mature at such time or times, bear interest at such
61 rate or rates, be payable on such date or dates, be in such denominations, be in such form, either
62 coupon or fully registered without coupons, carry such registration and exchangeability privilege,

1 be payable in such medium of payment and at such place or places, be subject to such terms of
2 redemption, and be entitled to such priorities as the resolution or trust agreement authorizing or
3 securing such bonds may provide.

4
5 * * *

6
7 (12) Limited liability of the state. The revenue bonds shall be limited obligations of the
8 state. The principal of and interest on the revenue bonds shall not be payable by the secretary
9 personally or from funds of the Department of Conservation and Energy ~~and Natural Resources~~
10 nor shall they constitute a pledge, charge, lien, or encumbrance upon any revenues except the
11 revenues, agreements, and funds pledged under the resolution or trust agreement authorizing the
12 bonds. Neither the credit nor the taxing power of the state shall be pledged for the payment of the
13 principal or interest, and no holder of revenue bonds shall have the right to compel the exercise of
14 the taxing power by the state or the forfeiture of its property in connection with any default thereon.
15 Every revenue bond shall recite in substance that the principal of and interest on the bond is
16 payable solely from the revenues pledged to its payment and that the Department of Conservation
17 and Energy ~~and Natural Resources~~ is not obligated to pay the principal or interest except from
18 the revenues. The face of each interest coupon shall bear a statement to the effect that the coupon
19 is payable solely from certain revenues as set forth in the bond to which the coupon pertains. The
20 revenue bonds issued under the provisions of this Section shall not constitute a debt of this state
21 or of the Department of Conservation and Energy ~~and Natural Resources~~, and the state shall
22 not be liable thereon.

23
24 (13) Proceeds and revenues to be deposited in separate funds. Subject to agreements with
25 the holders of revenue bonds, all proceeds of revenue bonds and all revenue pledged under a
26 resolution or trust agreement authorizing or securing the bonds shall be set aside as received and
27 shall be deposited and held in trust by a trustee appointed by the secretary in a fund or funds
28 separate and apart from all other funds of the Department of Conservation and Energy ~~and~~
29 ~~Natural Resources~~. Subject to the resolution or trust agreement, the trustee shall hold the same
30 for the benefit of the holders of the bonds for the application and disposition thereof solely to the
31 respective uses and purposes provided in the resolution or trust agreement.

32
33 (14) Agreement required prior to delivery of revenue bonds. Prior to the delivery of revenue
34 bonds under this Section, the secretary may enter into an agreement or agreements with one or
35 more licensees to lease, sublease, operate, construct, or otherwise utilize the support facilities
36 which constitute the revenue project or enter into a loan or other financing agreement with one or
37 more licensees providing that the licensee will construct, operate, and maintain the revenue bond
38 project or projects. Any agreement shall set forth the rights, duties, and obligations of the parties
39 thereto; provide for the completion of the revenue bond project or projects from bond proceeds or
40 other sources; provide that neither the state nor the Department of Conservation and Energy ~~and~~
41 ~~Natural Resources~~ shall have any liability or responsibility whatsoever for any loss or damage
42 arising out of the acquisition, construction, operation, and maintenance of the project or projects;
43 and also shall provide for the payment to the Department of Conservation and Energy ~~and~~
44 ~~Natural Resources~~ of rentals, installment payments, or other moneys as will be sufficient to pay
45 the principal of and interest on the revenue bonds issued to finance the revenue bond project or
46 projects and build up and maintain any reserves deemed advisable in connection therewith. This
47 agreement shall be made upon other terms and conditions and for a time as may be determined by
48 the secretary and may contain provisions authorizing the sale, resale, lease, sublease, operation,
49 usage, or purchase of the entire revenue bond project, or any portion thereof, for the consideration
50 and upon terms and conditions as the secretary may determine.

51
52 (15) Construction of Section. The powers and rights conferred by this Section shall be in
53 addition and supplemental to the powers and rights conferred by any other general or special law.
54 This Section does and shall be construed to provide a complete method for doing the things
55 authorized thereby. Neither the making of contracts nor the issuance of revenue bonds or refunding
56 revenue bonds or other obligations pursuant to the provisions of this Section need comply with the
57 requirements of any other state law applicable to the making of contracts and the issuance of the
58 revenue bonds or other obligations for the financing of any revenue bond project or projects
59 undertaken pursuant to this Section, except herein provided. The secretary acting through the State
60 Bond Commission and in accordance with R.S. 39:1403 is vested with and is hereby granted the
61 right, power, and authority to do, perform, and exercise for the behalf of the Department of
62 Conservation and Energy ~~and Natural Resources~~ all acts and things required to be done and

1 performed in connection with the authorization and issuance of revenue bonds under this Section.
2 No proceedings, notice, or approval shall be required for the issuance of any revenue bonds or any
3 instrument as security therefor, except as provided in this Section. The provisions of this Section
4 shall be liberally construed for the accomplishment of its purposes.

5
6

* * *

1 Title 56

2
3 **R.S. 56:4. Authority of Department of Conservation and Energy ~~and Natural Resources~~ over**
4 **navigable water bottoms**

5
6 Nothing in this Title and particularly in R.S. 56:3 affects in any way the authority of the
7 Department of Conservation and Energy ~~and Natural Resources~~ to lease or otherwise administer
8 the beds and bottoms of navigable rivers, streams, bayous, lagoons, lakes, bays, sounds, and inlets
9 bordering on or connecting with the Gulf of Mexico within the territory or jurisdiction of the state,
10 as established by law and regulations promulgated thereunder.

11 * * *

12
13
14 **R.S. 56:6. Special powers and duties; statistics; rules and regulations; reports**

15 The commission, through its secretary:

16 * * *

17
18 (5) Shall fully represent the commission and discharge all the obligations and duties
19 heretofore devolving upon the three members of the conservation commission, upon the
20 **department of conservation**, upon the commissioner of conservation and upon the department of
21 wildlife and fisheries with respect to those resources now under the jurisdiction of the director of
22 the Louisiana Wildlife and Fisheries Commission, which replaces these prior offices.
23
24

25 * * *

26
27
28 **R.S. 56:301.10. Louisiana Finfish Task Force**

29 * * *

30
31
32 E. The task force is hereby charged with responsibility to do the following:

33 * * *

34
35
36 (2) Provide for the study of the decline in finfish marketability and market price, provide
37 for the study of the impacts of imported finfish on the domestic market, assist in the development
38 of a state finfish inspection program, assist in the development of a Louisiana finfish certification
39 and branding program, and make recommendations to the Wildlife and Fisheries Commission, the
40 Department of Wildlife and Fisheries, the Department of Conservation and Energy ~~and Natural~~
41 **Resources**, the Department of Agriculture and Forestry, and the Louisiana Department of Health
42 for implementation of policies to help enhance the domestic finfish industry.
43

44 (3) Make recommendations with respect to issues pertaining to the finfish industry and
45 finfish production to the various state agencies charged with responsibility for differing elements
46 of the finfish industry in this state, including the Department of Wildlife and Fisheries, the
47 Department of Conservation and Energy ~~and Natural Resources~~, the Coastal Protection and
48 Restoration Authority, the Louisiana Department of Health, the Department of Agriculture and
49 Forestry, and the legislature.

50 * * *

51
52
53 **R.S. 56:421. Oyster Task Force**

54 * * *

55
56
57 B. The task force shall be composed as follows:

58 * * *

59
60
61 (3) One member appointed by the secretary of the Department of Conservation and
62 **Energy** ~~and Natural Resources~~.

1 * * *

2
3 E. The task force is hereby charged with responsibility to do the following:

4 * * *

5
6
7 (4) Make recommendations with respect to issues pertaining to the oyster industry and
8 oyster production to the various state agencies charged with responsibility for differing elements
9 of the oyster industry in this state, including the Department of Wildlife and Fisheries, the
10 Department of Conservation and Energy ~~and Natural Resources~~, the Coastal Protection and
11 Restoration Authority Board, the Coastal Protection and Restoration Authority, the Louisiana
12 Department of Health, the governor's executive assistant for coastal activities, and the legislature.

13 * * *

14
15
16 **R.S. 56:494. Louisiana Shrimp Task Force**

17 * * *

18
19
20 E. The task force is hereby charged with responsibility to do the following:

21 * * *

22
23
24 (2) Provide for the study of the decline in shrimp marketability and market price, provide
25 for the study of the impacts of imported shrimp on the domestic market, assist in the development
26 of a state shrimp inspection program, assist in the development of a Louisiana shrimp certification
27 and branding program, and make recommendations to the Wildlife and Fisheries Commission and
28 the Department of Wildlife and Fisheries, the Department of Conservation and Energy ~~and~~
29 ~~Natural Resources~~, the Department of Agriculture and Forestry, and the Louisiana Department of
30 Health for implementation of policies to help enhance the domestic shrimp industry.

31
32 (3) Make recommendations with respect to issues pertaining to the shrimp industry and
33 shrimp production to the various state agencies charged with responsibility for differing elements
34 of the shrimp industry in this state, including the Department of Wildlife and Fisheries, the
35 Department of Conservation and Energy ~~and Natural Resources~~, the Coastal Protection and
36 Restoration Authority, the Louisiana Department of Health, the Department of Agriculture and
37 Forestry, and the legislature.

38 * * *

39
40
41 **R.S. 56:700.11. Definitions**

42
43 As used in this Part, unless the context requires otherwise, the terms set forth below shall
44 have the following meanings:

45 * * *

46
47
48 (3) "Department" means the Department of Conservation and Energy ~~and Natural~~
49 ~~Resources~~.

50 * * *

51
52
53 (7) "Secretary" means the secretary of the Department of Conservation and Energy ~~and~~
54 ~~Natural Resources~~ or his designee.

55 * * *

56
57
58 **R.S. 56:700.13. Establishment of the board**

59
60 A. There is hereby established within the office of the secretary of the Department of
61 Conservation and Energy ~~and Natural Resources~~ the Oyster Lease Damage Evaluation Board,
62 hereinafter known as the board.

1 * * *

2
3 **R.S. 56:796. Lake Fausse Point, Lake Dauterive, and Grand Avoille Cove Advisory Board**

4
5 * * *

6
7 B.(1) The commission is comprised as follows:

8
9 * * *

10
11 (p) The lieutenant governor, the secretary of the Department of Wildlife and Fisheries, and
12 the secretary of the Department of Conservation and Energy ~~and Natural Resources~~ may each
13 designate an individual to serve as a nonvoting member of the board.

14
15 * * *

16
17 **R.S. 56:1431. Bayou Liberty; clearing; expropriation prohibited**

18
19 * * *

20
21 E. Subject to conditions stated herein, the Department of Conservation and Energy ~~and~~
22 ~~Natural Resources~~ is hereby authorized to purchase property along that portion of Bayou Liberty
23 from its headwaters to U.S. Hwy. 190 to be used as conservation easements. The purchase of
24 property for conservation easements shall only be authorized if and when funding for the purchase
25 is appropriated for that purpose by the legislature.

26
27 * * *

28
29 **R.S. 56:1808. Functions and duties of state agencies**

30
31 A. The Department of Wildlife and Fisheries, the office of tourism and promotion, the
32 Department of Transportation and Development, the Department of Conservation and Energy
33 ~~and Natural Resources~~, the Department of Agriculture, the State Soil and Water Conservation
34 Commission, and the Louisiana Cooperative Extension Service or their successor agencies shall
35 furnish assistance to the state liaison officer for the implementation of this Chapter in compliance
36 with the provisions of R.S. 49:661 and 663.

37
38 * * *

39
40 **R.S. 56:1932. Project selection board**

41
42 A. The program shall be governed by a project selection board composed of the following
43 members:

44
45 * * *

46
47 (6) The secretary of the Department of Conservation and Energy ~~and Natural Resources~~
48 or his designee.

49
50 * * *

51
52 **R.S. 56:1933. Technical advisory board**

53
54 A. The project selection board shall be advised by a technical advisory board composed of
55 the following members:

56
57 (1) Subject matter representatives from the following:

58
59 * * *

60
61 (g) The Department of Conservation and Energy ~~and Natural Resources~~.

1 * * *

2
3 **R.S. 56:2011. License to dredge; royalties; exemptions**

4 * * *

5
6
7 E. Any private landowner, state agency, political subdivision, or associated consultant or
8 contractor engaged in a coastal protection, conservation, or restoration activity consistent with an
9 annual plan or the comprehensive master plan established pursuant to R.S. 49:214.5.3 or engaged
10 in an activity to remove sediment buildup to preserve or restore the natural habitat of a water body
11 of the state or to enhance navigation and recreation activities on a water body of the state shall be
12 exempt from payment of the royalties and bond requirements of this Section. However, the private
13 landowner, state agency, political subdivision, or associated consultant or contractor shall be
14 required to apply for and receive the appropriate license required by this Section. To be eligible
15 for exemption from the royalty payment and bond requirements of this Section, a private
16 landowner shall obtain a letter of no-objection from either the governing authority of the political
17 subdivision within which the activity will occur or the local coastal management program under
18 which the activity is authorized and the approval, in writing, of the secretary of the Department of
19 **Conservation and** Energy ~~and Natural Resources~~, the secretary of the Department of
20 Transportation and Development, and the executive director of the Coastal Protection and
21 Restoration Authority.

22 * * *