

Coast, Water, and Environment Senate Bills for the 2020 Louisiana Legislature Regular Session (last updated March 31, 2020)

Bill Number	Bill Name	Sponsor	Summary of Changes	Enact	Present Law	Proposed Law
SB41	Coastal Resources	Hensgens	Exempts certain activities performed by a levee district, a levee and drainage district, or a drainage district from the requirements for a coastal use permit	To enact R.S. 49:214.3(A)(11)	requires a coastal use permit for any activity in the coastal area. Requires applications to be made to the secretary of the Dept. of Natural Resources. Requires the secretary to ensure that any activity in the coastal area is consistent with the state's master plan for integrated coastal activities	exempts from the requirement for a coastal use permit those activities performed by or at the direction of a levee district, a levee and drainage district, or a drainage district acting pursuant to the authority granted by law including but not limited to construction or maintenance of levees and water control structures including laterals associated with levees or water control structures, spraying, dredging, and placement of spoil material for the normal maintenance of the drainage channels and outfall canals for the purpose of maintaining drainage.
SB57	Minerals	McMath	Removes award of attorney fees in proceedings relative to the remediation of oilfield sites and exploration and production sites.	To amend and reenact R.S. 30:29(B)(6), (E)(1) and (2), (J)(2) and (M)(2) and 29:2(G).	provides that in the event a settlement is agreed to between the parties in a case in which the Dept. of Natural Resources or the attorney general has intervened, such agency shall be entitled to recover from the settling defendants all costs, including investigation, evaluation, and review costs, expert witness fees, and reasonable attorney fees. Proposed law deletes language authorizing award of attorney fees and provides that costs shall not include attorney fees	also provides relative to alternative dispute resolution for disputes relating to remediation of oilfield sites and exploration and production sites. Provides that if any mediation held pursuant to present law, a representative of each party who has settlement authority or who is in direct contact with a person having settlement authority on behalf of the party shall be present. If a party fails to comply with this requirement, the court may, in its discretion and after contradictory hearing, order that party to pay costs and attorney fees associated with the mediation. Proposed law deletes language authorizing award of attorney fees and provides that costs shall not include attorney fees.
SB117	Sunset Law	Hensgens	Re-creates the Department of Natural Resources	To enact R.S. 49:191(12)(b) and repeal R.S. 49:191(9)(e)	requires the Dept. of Natural Resources to terminate one year from July 1, 2020, and to begin termination on July 1, 2020, unless legislation is enacted to re-create the department prior to that date.	Requires the Dept. of Natural Resources to terminate on July 1, 2024, and to begin the process of terminating on July 1, 2024. Supercedes provisions of "Sunset Law" requiring certain procedures for re-creation and a separate bill to re-create each statutory entity within the department
SB154	Ports/Harbors/Terminals	Hewitt	Authorizes Plaquemines Port, Harbor and Terminal District to apply for designation as a foreign trade zone	To amend and reenact R.S. 51:61, 64, and 65	authorizes the following entities to make application to be designated as a foreign trade zone and to establish, maintain, and operate as a foreign trade zone: (1) New Orleans Aviation Board, (2) Board of Commissioners of the Lake Charles Harbor and Terminal District, (3) South La. Port Commission, (4) Livingston-Tangipahoa Parishes Port Commission, (5) Greater Baton Rouge Port Commission, (6) Caddo-Bossier Port Commission, (7) Vidalia Port Commission, (8) Board of Commissioners of the England Economic and Industrial Development District, (9) Board of Commissioners of the Port of New Orleans, (10) Any port commission or port, harbor, and terminal district, (11) New Orleans Regional Business Park, (12) Any airport with an industrial park or property designated for industrial development.	retains present law and adds the Plaquemines Port, Harbor and Terminal District
SB159	Fish/Fishing	Smith	Provides for possession limits of red drum taken by means of bow and arrow	To enact R.S. 56:325.1(A)(5)	provides that any red drum, regardless of the actual size, taken by bow and arrow shall be retained and count toward any possession limit, quota, or daily take limit provided for in this Section or by the rules and regulations promulgated pursuant to present law. Proposed law further provides any red drum taken by bow and arrow that measures either two inches below the minimum size or two inches above the maximum size, shall also be retained and count as a second fish toward any such possession limit, quota, or daily take limit	N/A
SB 163	Horticulture	Cathey	Provides an exemption for certain contractors to the licensure requirements of the Horticulture Commission	To enact R.S. 3:3816(8)	creates the Horticulture Commission which regulates the following professions: (1) Arborist, (2) Retail florist, (3) Wholesale florist, (4) Landscape horticulturist, (5) Landscape architect, (6) Utility arborist, (7) Landscape irrigation contractor	prohibits a person from receiving fees for engaging in a regulated profession, or advertising as engaged in a regulated profession, or soliciting business in a regulated profession, unless the person holds a valid appropriate license issued by the commissioner of agriculture and forestry, or has a regular employee who holds a valid appropriate license issued by the commissioner of agriculture and forestry, or is employed by or is working under the direct supervision of a person who holds a valid appropriate license issued by the commissioner of agriculture and forestry; retains present law, exempts a licensed contractor that is performing repair work within a right-of-way that constitutes less than five percent of the total value of a construction contract from the licensure requirements of present law, defines "repair work" as the restoration or replacement of sod disrupted during the course of performing work within the scope of a construction contract or permit
SB167	Special Districts	Mills	Authorizes creation of regional drainage and flood mitigation districts	To enact Chapter 2-A-1 of Title 38 of the Louisiana Revised Statutes of 1950	N/A	authorizes the governing authorities of any two or more parishes located wholly or partially within one of the eight watershed regions identified by the Council on Watershed Management created by Executive Order JSE 15-16, upon their own initiative, to form and create a regional drainage and flood mitigation district to increase community and regional resilience relative to drainage and flooding by managing, mitigating and adapting to future flood risk; identifies the eight watershed regions in Louisiana by parish; provides definitions for "council", "district", "governing board", and "watershed region"; specifies the purposes of the regional drainage and flood mitigation district and the district's governing board; provides that the governing board shall have the duty and authority to do the following: (1) Represent the public interest in supporting drainage, flood reduction, and mitigation in the district. (2) Advise on issues concerning drainage, and the reduction and mitigation of flood risk in the district (3) Conduct public hearings and share public input on the community's priorities relative to drainage, flood risk and mitigation in the district. (4) Appoint the necessary standing and special committees that may be necessary to carry out the purposes of this Chapter. (5) Enter into contracts, agreements, or cooperative endeavors with the state and its political subdivisions and with any public or private person to promote the public purposes of the district; provides that the governing board shall appoint a fiscal agent to collect or cause to be collected all public moneys identified by the district as available for the purpose of serving as state match for federal matching funds to ensure the provision of drainage, flood reduction, and mitigation projects in the district; provides that DCA, DOTD, or CPRA shall not displace, replace, or supplant state appropriations from the state general fund or other state funds designated for the district; provides that the governing board shall submit any reports or information related to the district to the chairman of the Senate and House committees on transportation, highways, and public works upon request of the chairman of either committee; provides for the governing board of the district and additionally provides for the membership, term, and compensation of governing board members; provides that all governing board members of the district shall be subject to the Code of Governmental Ethics. No member of the governing board or his immediate family shall own or have any interest in any public or private organization, business, company, or entity conducting business of any kind with the district
SB168	Water Quality	Mills	Creates and provides for the Community Drinking Water Infrastructure Sustainability Act	To enact R.S. 40:5-9.1	N/A	provides that LDH shall publish scores and letter grades earned by each community water system on its website in a frequency and duration established by LDH in rulemaking; provides that any community water system that receives a letter grade of "D" or "F" shall be considered operationally unacceptable and may be subject to present law enforcement actions including administrative compliance orders, civil actions, and court appointed receivership; LDH mandated receivership, oversight of federal or state grant funding by an auditor approved by the Louisiana legislative auditor, or being placed on notice to the State Bond Commission, Public Service Commission, and attorney general's office to prohibit the incurring of any additional debt for anything not directly related to the water system; provides that no local governing authority that operates a community water system that receives a grade of "D" or "F" shall expend any money raised through payment by citizens for access to water or other water system revenue for any item, debt payment, or public purpose other than the improvement and sustainability of the community water system, except as otherwise provided by law; provides that LDH shall publish the first letter grades no later than January 1, 2021
SB176	Public Lands	Allain	Allows for the state and private landowners to enter into boundary agreements concerning disputed property	To enact Part III of Chapter 4 of Title 41 of the Louisiana Revised Statutes of 1950, to be 3 comprised of R.S. 41:211	N/A	authorizes the commissioner of administration may enter into agreements with riparian landowners to establish a permanent, fixed boundary between state owned or claimed and privately owned or claimed waterbottoms, regardless of the navigability of the water body; authorizes the state in such agreements to accept a donation of any riparian landowner owned or claimed lands or water bottoms, subject to a perpetual reservation of minerals, regardless of any subsequent erosion or loss of the land donated, or of the present or future navigability of the water bottom donated; requires all agreements and donations to provide that the public shall enjoy a permanent right of reasonable, regulated public access over all present water bottoms allocated to the riparian landowner and all future water bottoms created from the riparian land as a result of natural erosion, subsidence or rising sea levels
SB177	Public Lands	Allain	Constitutional amendment to authorize the state to enter into certain agreements with landowners concerning boundaries between state claimed and privately claimed water bottoms	Proposing to amend Article IX, Section 3 and 4(A) of the Constitution of Louisiana	prohibits the state from alienating the bed of a navigable water body except for purposes of reclamation by the riparian owner of property lost through erosion. Further, requires the reclamation of water bottoms be only for public use, except as provided in present constitution; provides the prohibition on alienating the water bottoms of navigable water bodies does not apply to leasing of water bottoms for minerals or other purposes	authorizes the state to enter into agreements with riparian landowners to establish a permanent, fixed boundary between state owned or claimed and privately owned or claimed water bottoms, regardless of the navigability of the water body; authorizes the state in such agreements to accept a donation of any riparian landowner owned or claimed lands or water bottoms, subject to a perpetual reservation of minerals, regardless of any subsequent erosion or loss of the land donated, or of the present or future navigability of the water bottom donated. However, all such agreements must provide that the public enjoy a permanent right of reasonable, regulated public access over all present water bottoms allocated to the riparian landowner and all future water bottoms created from the riparian land as a result of natural erosion, subsidence or rising sea levels
SB200	Minerals	Fesi	Provides for awards in actions enforcing provisions of the Coastal Zone Management Program	To amend and reenact R.S. 49:214.36(E)	requires the secretary of the Dept. of Environmental Quality, at least every two years, to evaluate the volume and types of solid waste managed in Louisiana that includes solid waste that is reduced, generated, transported, recycled, processed, incinerated, treated, stored, or disposed; requires the secretary to determine the permitted capacity based on the evaluation that is available to safely manage the solid waste and report to the oversight committees and the public; requires the secretary to consider permitted capacity, along with other relevant factors, in the permitting of solid waste	requires any monies ordered for the payment of restoration costs shall be expended only for the actual restoration of the areas disturbed; authorizes the court to award costs and reasonable attorney fees to the prevailing party; removes the authority to award reasonable attorney fees and prohibits including attorney fees as costs
SB210	Environmental Control	Barrow	Requires certain landfills to close when they exceed capacity	To enact R.S. 30:2162(B)(3)	prohibits the secretary from issuing or renewing any permit, registration, variance, and license to operate any landfill that has reached capacity in a parish having a population of 430,000 or greater according to the most recent federal decennial census	prohibits the secretary from issuing or renewing any permit, registration, variance, and license to operate any landfill that has reached capacity in a parish having a population of 430,000 or greater according to the most recent federal decennial census
SB228	Water/Sewage Operators	Hensgens	Provides for the continuous revision of the Children's Code	To amend and reenact R.S. 33:3887.7 and R.S. 40:1281.26	provides for the consolidation and merger of certain individual sewerage districts; provides for individual sewerage systems to be exempt from certain regulations on a temporary basis and provides that a parish or municipality may provide appropriate enforcement mechanisms to prohibit individual behaviors regarding connection to a community water system	retains present law and makes technical changes
SB232	Coastal Resources	Hensgens	Provides for the enforcement of coastal use permits	To amend and reenact R.S. 49:214.36(D) and (E)	prohibits the secretary of the Dept. of Natural Resources from issuing or renewing any permit, registration, variance, and license to operate any activity in the coastal area that is not in accordance with the terms and conditions of a coastal use permit. This enforcement authority is irrespective of whether the use is a state concern or a local concern; defines "uses of state concern" as those that directly and significantly affect coastal waters and which are in need of coastal management and which have impacts of greater than local significance or which significantly affect interests of regional, state, or national concern. Present law provides examples of uses of state concern as follows: (1) Any dredge or fill activity which intersects with more than one water body. (2) Projects involving use of state owned lands or water bottom(s) State publicly funded projects (4) National interest projects.(5) Projects occurring in more than one parish(6) All mineral activities, including exploration for, and production of, oil, gas, and other minerals, all dredge and fill uses associated therewith, and all other associated uses (7) All pipelines for the gathering, transportation or transmission of oil, gas, and other minerals(8) Energy facility siting and development. (9) Uses of local concern defines "uses of local concern" as those that directly and significantly affect coastal waters and are in need of coastal management but are not uses of state concern and which should be regulated primarily at the local level if the local government has an approved program. Present law provides examples of uses of local concern as follows: (1) Privately funded projects which are not uses of state concern(2) Publicly funded projects which are not uses of state concern(3) Maintenance of uses of local concern(4) Jetty or breakwaters(5) Dredge or fill projects not intersecting more than one water body(6) Bulkheads(7) Piers (8) Camps and cattlewalks(9) Maintenance dredging(10) Private water control structures less than fifteen thousand dollars in cost(11) Uses on chemers, salt domes, or similar land forms; authorizes a court to impose civil liability and assess damages, order the payment of the restoration costs, require actual restoration of areas disturbed, or otherwise impose reasonable and proper sanctions for uses conducted within the coastal zone without a permit	requires any monies ordered for the payment of restoration costs shall be expended only for the actual restoration of the areas disturbed; authorizes the court to award costs and reasonable attorney fees to the prevailing party; removes the authority to award reasonable attorney fees and prohibits including attorney fees as costs
SB234	Ports/Harbors/Terminals	Hewitt	Provides for the issuance of bonds by the Louisiana International Gulf Transfer Terminal Authority	To amend and reenact R.S. 34:3492(1), (10), (11), and (14), 3493(A)(1), 3499(F), 3501, and 3503(A)(2) and (3)	prohibits the secretary from issuing or renewing any permit, registration, variance, and license to operate any activity in the coastal area that is not in accordance with the terms and conditions of a coastal use permit. This enforcement authority is irrespective of whether the use is a state concern or a local concern; defines "uses of state concern" as those that directly and significantly affect coastal waters and which are in need of coastal management and which have impacts of greater than local significance or which significantly affect interests of regional, state, or national concern. Present law provides examples of uses of state concern as follows: (1) Any dredge or fill activity which intersects with more than one water body. (2) Projects involving use of state owned lands or water bottom(s) State publicly funded projects (4) National interest projects.(5) Projects occurring in more than one parish(6) All mineral activities, including exploration for, and production of, oil, gas, and other minerals, all dredge and fill uses associated therewith, and all other associated uses (7) All pipelines for the gathering, transportation or transmission of oil, gas, and other minerals(8) Energy facility siting and development. (9) Uses of local concern defines "uses of local concern" as those that directly and significantly affect coastal waters and are in need of coastal management but are not uses of state concern and which should be regulated primarily at the local level if the local government has an approved program. Present law provides examples of uses of local concern as follows: (1) Privately funded projects which are not uses of state concern(2) Publicly funded projects which are not uses of state concern(3) Maintenance of uses of local concern(4) Jetty or breakwaters(5) Dredge or fill projects not intersecting more than one water body(6) Bulkheads(7) Piers (8) Camps and cattlewalks(9) Maintenance dredging(10) Private water control structures less than fifteen thousand dollars in cost(11) Uses on chemers, salt domes, or similar land forms; authorizes a court to impose civil liability and assess damages, order the payment of the restoration costs, require actual restoration of areas disturbed, or otherwise impose reasonable and proper sanctions for uses conducted within the coastal zone without a permit	provides for the issuance of bonds by the Louisiana International Gulf Transfer Terminal Authority
SB264	Local Agencies	Peterson	Provides relative to the public water system, the public sewerage system, and the public drainage system of the city of New Orleans	To amend and reenact R.S. 33:4071(A)(1)(e) as provided in Act No. 366 of the 2018 3 Regular Session of the Louisiana Legislature, 4084(A)(1)(b) and (2) and (E), 4085(A) and (B), 4090, and 4091 and to enact R.S. 33:4084(A)(1)(c) and 5:4086(A)(1)(c)(iv)	provides for the sewerage and water board to be composed as follows: (1) The mayor. (2) The chair of the Public Works, Sanitation and Environment Committee of the New Orleans city council, a member of the committee appointed by the chair, or a civil engineer appointed by the chair. Any member appointed by the chair shall serve at the pleasure of the chair. (3) Two syndicate members of the board of liquidation, city debt, to be appointed by the mayor on the recommendation of the board of liquidation, city debt. (4) Seven citizens, to be appointed by the mayor, with the advice and consent of the city council from a list of nominees submitted by the Sewerage and Water Board Selection Committee; requires the advertisement and letting a contract when the board purchases materials or supplies exceeding \$30,000 for the conduct, operation, maintenance, and repair of the city's systems; provides for the Sewerage and Water Board of New Orleans to do construction work on its public systems with its own forces when the amount of work involved in the project does not exceed a total value of \$150,000; provides for the board to install and pay the cost to connect one sewer connection and one water connection extending from the respective main to the property line and from that point on, each must be made at the cost and expense of the owner of the property for a lot of record which existed prior to 1954; requires the property owner for all lots created after 1954, to bear all costs for connections extended from the sewer and water main to the property line, and an additionally costs from the property line to on-site facilities must be installed and maintained at the cost of the property owner; requires for the board to make to the city council, in writing, a full and detailed report of its acts, receipts, and expenditures, on or prior to the first day of May of each year. Additionally, present law provides that the board report quarterly, in September, December, March, and June to the city council relative to contracts let in the construction and repair of its public systems; provides for the Orleans Parish School Board to be exempt from water rates in certain circumstances	provides for the sewerage and water board to be composed as follows: (1) The mayor. (2) The chair of the Public Works, Sanitation and Environment Committee of the New Orleans city council, a member of the committee appointed by the chair, or a civil engineer appointed by the chair. Any member appointed by the chair shall serve at the pleasure of the chair. (3) Two syndicate members of the board of liquidation, city debt, to be appointed by the mayor on the recommendation of the board of liquidation, city debt. (4) Seven citizens, to be appointed by the mayor, with the advice and consent of the city council from a list of nominees submitted by the Sewerage and Water Board Selection Committee; requires the advertisement and letting a contract when the board purchases materials or supplies exceeding \$30,000 for the conduct, operation, maintenance, and repair of the city's systems; provides for the Sewerage and Water Board of New Orleans to do construction work on its public systems with its own forces when the amount of work involved in the project does not exceed a total value of \$150,000; provides for the board to install and pay the cost to connect one sewer connection and one water connection extending from the respective main to the property line and from that point on, each must be made at the cost and expense of the owner of the property for a lot of record which existed prior to 1954; requires the property owner for all lots created after 1954, to bear all costs for connections extended from the sewer and water main to the property line, and an additionally costs from the property line to on-site facilities must be installed and maintained at the cost of the property owner; requires for the board to make to the city council, in writing, a full and detailed report of its acts, receipts, and expenditures, on or prior to the first day of May of each year. Additionally, present law provides that the board report quarterly, in September, December, March, and June to the city council relative to contracts let in the construction and repair of its public systems; provides for the Orleans Parish School Board to be exempt from water rates in certain circumstances
SB275	Coastal Resources	Hewitt	Provides relative to the coastal management program, designees of the secretary, and prohibition of certain contracts	To enact R.S. 49:214.26(E) and (F)	provides for the sewerage and water board to be composed as follows: (1) The mayor. (2) The chair of the Public Works, Sanitation and Environment Committee of the New Orleans city council, a member of the committee appointed by the chair, or a civil engineer appointed by the chair. Any member appointed by the chair shall serve at the pleasure of the chair. (3) Two syndicate members of the board of liquidation, city debt, to be appointed by the mayor on the recommendation of the board of liquidation, city debt. (4) Seven citizens, to be appointed by the mayor, with the advice and consent of the city council from a list of nominees submitted by the Sewerage and Water Board Selection Committee; requires the advertisement and letting a contract when the board purchases materials or supplies exceeding \$30,000 for the conduct, operation, maintenance, and repair of the city's systems; provides for the Sewerage and Water Board of New Orleans to do construction work on its public systems with its own forces when the amount of work involved in the project does not exceed a total value of \$150,000; provides for the board to install and pay the cost to connect one sewer connection and one water connection extending from the respective main to the property line and from that point on, each must be made at the cost and expense of the owner of the property for a lot of record which existed prior to 1954; requires the property owner for all lots created after 1954, to bear all costs for connections extended from the sewer and water main to the property line, and an additionally costs from the property line to on-site facilities must be installed and maintained at the cost of the property owner; requires for the board to make to the city council, in writing, a full and detailed report of its acts, receipts, and expenditures, on or prior to the first day of May of each year. Additionally, present law provides that the board report quarterly, in September, December, March, and June to the city council relative to contracts let in the construction and repair of its public systems; provides for the Orleans Parish School Board to be exempt from water rates in certain circumstances	retains present law and adds that the provisions of present law shall not authorize nor be construed to allow the secretary or his designee to execute or enter into an employment contract with a private entity for legal services. This includes but is not limited to a contingency fee contract or other form of contract whereby payment of attorney fees under the contract are shifted to another person or entity through court award or other means; further provides that a contract in violation of the proposed law shall be contrary to public policy and null. This includes such a contract in existence on the effective date of the proposed law; also provides that a person who acts as a designee of the secretary pursuant to present law shall be subject in the same manner as the secretary to laws, requirements, and prohibitions pertaining to ethics, financial disclosure, and employment of outside legal counsel
SB306	Wild Refugees/Preserves	Hewitt	Provides for certain ecological tours traversing wildlife management areas	To enact R.S. 56:109(D)(6)	authorizes the La. Wildlife and Fisheries Commission to establish, maintain, and manage any state wildlife management area, wildlife refuge, public hunting ground, or outdoor recreation area, as it deems proper for wildlife management purposes; requires a user of department administered lands including wildlife refuges and wildlife management and habitat conservation areas, to hold a Wild Louisiana Stamp, hunting license, or fishing license. Present law further exempts persons under 16 years of age or 60 years of age or older, and persons attending official functions of private, nonprofit, and charitable organizations; also provides for an exemption to the stamp or license requirement for persons using department administered lands for commercial purposes who pay a royalty or special fee, and for persons or groups who use department administered lands for purposes other than fishing or hunting that receive, for good cause, a letter of permit from the secretary	exempts from the requirement for a coastal use permit those activities performed by or at the direction of a levee district, a levee and drainage district, or a drainage district acting pursuant to the authority granted by law including but not limited to construction or maintenance of levees and water control structures including laterals associated with levees or water control structures, spraying, dredging, and placement of spoil material for the normal maintenance of the drainage channels and outfall canals for the purpose of maintaining drainage.

Coast, Water, and Environment Senate Bills for the 2020 Louisiana Legislature Regular Session (last updated March 31, 2020)

Bill Number	Bill Name	Sponsor	Summary of Changes	Enact	Present Law	Proposed Law	
SB311	Public Health	Peterson	Requires annual testing of drinking water at certain child care facilities and schools	To enact R.S. 40:5.6(C)	N/A	requires every public water system to perform an annual test of drinking water at every high risk tier 1 child day care center, elementary school, junior high school, middle school, and high school	
SB312	Education Department	Fesi	Provides relative to environmental education	To amend and reenact R.S. 30:2506(A) and (B)(1), (2), (7)(a), and (9)	Provides for Environmental Education and Reduction Act and the environmental education and litter reduction section within the state Department of Education (DOE), and provides for	retains present law and clarifies provisions relative to the activities of the section	
SB313	Local Agencies	Peterson	Provides relative to exemptions related to the New Orleans Sewerage and Water Board	To enact R.S. 33:4096(A)(1)(c)(v)	provides that the Sewerage and Water Board of New Orleans will fix the rates to be charged consumers of water, including the power to exceed the total rates in force on November 1, 1913, and will collect the same from all persons who use water from the public water supply except that the Orleans Parish School Board will be exempt as follows: (1) Those Orleans Parish School Board accounts which are presently exempt will be exempt from said charges through June 30, 1992. (2) Effective July 1, 1992 through June 30, 1993, each school campus and each nonschool facility of the Orleans Parish School Board will be exempt for all water consumed which does not exceed six gallons per day, for the 365 days of that year, for each student enrolled and any other person regularly assigned to that campus or facility within 30 school days of the commencement of school year. Effective July 1, 1993, and thereafter, each school campus and each nonschool facility of the Orleans Parish School Board will be exempt from said charges for all water consumed which does not exceed four gallons per day, per 365 days a year for each student enrolled and any other person regularly assigned to that campus or facility within 30 school days of the commencement of school year. Effective July 1, 1993, and thereafter, each school campus and each nonschool facility of the Orleans Parish School Board will be exempt from all water service charges. (3) The above exemption is determined by the student/employee census report or equivalent as submitted to the state Department of Education. If said report is discontinued, a similar report will substitute.	retains present law but adds an additional exemption which provides that the exemption outlined in present law may be superseded by a mutually agreed upon and executed cooperative endeavor agreement between the Sewerage and Water Board of New Orleans and the Orleans Parish School Board, wherein the terms of the cooperative endeavor agreement will govern the rate and means by which public schools in Orleans Parish are charged for water and sewer services	
SB316	Environmental Quality	Fields	Provide for penalties for violations of the "Right-to-Know" law	To amend and reenact R.S. 30:2373(C)(1), (2), and (3), (D)(2), and (E)(2)	provides for the "Hazardous Materials Information Development, Preparedness, and Response Act" also known as the "Right-to-Know" law that creates a comprehensive information system containing specific data regarding the presence and location of hazardous materials in the state to be shared with the public and among state agencies and local governing authorities; requires all owners and operators to report required information regarding the manufacture, storage, or use of hazardous materials by no later than March first of each year; provides that owners and operators who knowingly fail to file an inventory form on hazardous materials are subject to a civil penalty, which shall not exceed \$25,000 per hazardous material not reported. Small businesses who have an omission from the inventory reporting forms shall receive a warning only for their first offense. (3) Any person who handles, stores, or otherwise maintaining hazardous material in a negligent or unreasonable manner without regard for the hazards of the material and causing a significant impact to public health and safety as a result of a reportable release of a hazardous material. Present law authorizes the department to levy upon violators of present law a civil penalty not to exceed \$10,000 per violation; prohibits the intentional handling, storing, or otherwise maintaining any hazardous material regulated by present law in a manner which endangers human life; provides for civil penalties for violating present law to not exceed \$25,000 per day or upon first conviction, not more than \$500 or imprisoned for not more than six months, or both. Upon second or subsequent conviction that endangers human life, the minimum fine is \$500 and the maximum is \$10,000, or imprisoned with or without hard labor for not less than six months nor more than 10 years.	increases the civil penalty from \$25,000 to \$50,000; increases the civil penalty from \$10,000 to \$20,000; increases the civil penalty from \$25,000 per violation per day to \$50,000 per violation per day or upon first conviction from not more than \$500 to not more than \$1,000 or imprisonment from not more than six months to one year; or both; increases the penalty for the second or subsequent conviction that endangers human life from a minimum of \$500 to a minimum of \$1,000 and from the maximum of \$10,000 to \$20,000, or imprisonment with or without hard labor from not less six months to one year and from no more than 10 years to 20 years	
SB320	Trespass	Allain	Allows the occupant of a watercraft traveling on state waters and engaged in any lawful activity to remain on those waters unless forbidden to do so by the owner	To amend and reenact the introductory paragraph of R.S. 14:63(J) and (J)(2)(b) and to enact 3 R.S. 14:63(E)(8) and (J)(3)	provides relative to criminal trespass. Present law provides that no person can enter any structure, watercraft, or movable owned by another without express, legal, or implied authorization. Present law further provides that no person can enter upon immovable property owned by another without express, legal, or implied authorization. Present law further provides that no person can remain in or upon property, movable or immovable, owned by another without express, legal, or implied authorization; provides that the following persons may enter or remain upon the structure, watercraft, movable or immovable property, of another: (1) A duly commissioned law enforcement officer in the performance of his duties(2) Any firefighter, whether or not a member of a volunteer fire department, and any member or agent of the La. Dept. of Agriculture and Forestry engaged in locating and suppressing a fire. (3) Emergency medical personnel engaged in the rendering of medical assistance to an individual. (4) Any federal, state, or local government employee, public utility employee, or agent engaged in suppressing or dealing with an emergency that presents an imminent danger to human safety or health or to the environment. (5) Any federal, state, or local government employee, public utility employee, or agent in the performance of his duties when otherwise authorized by present law to enter or remain on immovable or movable property. (6) Any person authorized by a court of law to enter or remain on immovable property. (7) Any person exercising the mere right of passage to an enclosed estate, as provided that notice that entrance upon any structure, watercraft, movable or immovable property owned by another is prohibited may be indicated by either of the following: (1) A sign or signs posted on or in the property at a place or places where such sign or signs may be reasonably expected to be seen(2) The placement of identifying purple paint marks on the trees or posts on the property, provided that such marks are: (a) Vertical lines of not less than 18 inches in length and not less than one inch in width(b) Placed so that the bottom of the mark is not less than three feet from the ground and no more than five feet from the ground(c) Placed at locations that are readily visible to any person approaching the property and no more than one hundred feet apart on forest land, as defined in present law, or 1,000 feet apart on land other than forest land.	retains present law; retains present law and adds that the following to the list of persons who may enter or remain: (8) The owner or occupant of a watercraft or vessel traveling on any waters of the state who is engaged in any lawful activity, unless notice is provided that the owner or occupant of a watercraft or vessel is forbidden to enter or remain by the owner or other person with authority to prohibit or limit access to the waters; provides that for purposes of proposed law, "waters of the state" means all surface waters within the state that are subject to the ebb and flow of the tide, but "waters of the state" does not include any landlocked lake, farm pond, private lake or pond, or any other nonnavigable water body that is entirely enclosed and not connected to a navigable water body. Present law further provides that notice pursuant to proposed law is to be indicated in any manner provided for such notice by present law relative to signs and purple; retains present law and adds that the required distance of purple paint marks is from the ground to "other surface" paint; provides that any theft of or damage to a sign or marker provided for in present law and proposed law is punishable pursuant to present law relative to aggravated criminal damage to property, simple criminal damage to property, theft, or any other applicable provision of present law	
SB321	Ports/Harbors/Terminals	Hewitt	Provides relative to the Louisiana International Deep Water Gulf Transfer Terminal	To amend and reenact R.S. 34:3494(A) and (B), 3495(A), (C), and (G) and 3496(A)	established a 15-member board of commissioners for the La. International Deep Water Gulf Transfer Terminal, consisting of the Secretary of Transportation and Development and the secretary of the Dept. of Transportation and Development, the chairman of the House and Senate committees on transportation, highways, and public works or their designees and 11 commissioners to be appointed by the governor; requires the commissioners be chosen as follows: one member selected from a list of three nominees submitted by the La. Association of Business and Industry; one member selected from a list of three nominees submitted by the La. Maritime Association; one member selected from a list of three nominees submitted by the La. River Pilots Association; two members at large; one member appointed by the American Federation of Labor-Congress of Industrial Organizations; one member selected from a list of three nominees submitted by the president of the Senate; one member selected from a list of three nominees submitted by the speaker of the House; one member selected from a list of three nominees who are residents of Plaquemines Parish, submitted jointly by the chief executive officer and the governing authority of Plaquemines Parish; and one member selected by the N.O. Public Belt Railway appointed by the governor, who must be a nonvoting member; specifies that the commissioners appointed are appointed for terms of six years and that no commissioner can serve more than two consecutive terms; requires the board of commissioners to seek the approval of the House and Senate committees on transportation, highways, and public works and the Legislative Committee on the Budget prior to the adoption of any rule or regulation for the maintenance and operation of the authority; requires the board of commissioners to elect a president, two vice-presidents, a secretary, and a treasurer among its members; the board specifies that all matters to be acted upon by the board of commissioners or the executive board require the affirmative vote of a majority of the board, with the exception that the affirmative vote of not less than 10 commissioners is required to select the executive director; requires the board to make an annual report to the governor, the House and Senate committees on transportation, highways, and public works, and the Joint Legislative Committee on the Budget	reduces the membership of the board from 15 to 9 and removes the chairman of the House of Senate committees on transportation, highways, and public works; reduces the member at-large appointment from 2 to 1; removes the member from the House that is selected from a list of three names submitted by the speaker of the House of Representatives and removes the member from the Senate that is selected from a list of three nominees submitted by the president of the Senate; removes the member selected from a list of three names submitted jointly by the chief executive officer and the governing authority of Plaquemines Parish; removes the member selected by the N.O. Public Belt Railway who is appointed by the governor; removes the member that is selected from a list of three nominees submitted by the La. Maritime Association and the member that is selected from a list of three names submitted by the La. River Pilots Association, and adds that one member shall be selected from a list of two nominees, with one nominee being submitted by both the La. River Pilots Association and the La. Maritime Association; adds one member, who must reside in and be registered to vote in Plaquemines Parish, to the commission that is appointed by the legislative delegation of the parish; further provides that if the appointee is a member of the legislative delegation of St. Bernard Parish the term of the appointment will run concurrent with the term in office; adds one member, who must reside in and be registered to vote in St. Bernard Parish to the commission that is appointed by the legislative delegation of the parish; further provides that if the appointee is a member of the legislative delegation of St. Bernard Parish the term of the appointment will run concurrent with the term in office; increases the amount of consecutive terms that a commissioner may serve from 2 to 3; removes present law; reduces the amount of vice-presidents to be elected from 2 to 1; changes present law by requiring the affirmative vote of a majority of the members present constituting a quorum of the board, and reduces the number of affirmative votes of commissioners to select the executive director from 10 to 6; removes the Joint Legislative Committee on the Budget from the entities to which the board must make an annual report	
SB321	Ports/Harbors/Terminals	Hewitt	Provides relative to the Louisiana International Deep Water Gulf Transfer Terminal	To amend and reenact R.S. 34:3494(A) and (B), 3495(A), (C), and (G) and 3496(A)	provides that beginning July 1, 2020, and each year thereafter through and including Fiscal Year 2023, after any debt service is paid for bonds issued pursuant to present law, the treasurer shall transfer the annual payments of \$53,333,333 to the Construction Subfund of the Transportation Trust Fund (TTF). The economic damage proceeds and the bond proceeds, if any, are to be used for the following projects: (1) For Fiscal years 2021-2022, \$25,000,000 per year for Phase Two of the LA 1 Improvement Project between Golden Meadow and Leveille \$150,000,000 (2) LA 415 Bridge at the Intracoastal Canal \$125,000,000 (3) I-49 South \$150,000,000 (4) LA Hwy. 3241 from I-12 to Bush, La. \$50,000,000 (5) I-49 N. Inter-City Connector in Cade Parish \$100,000,000 (6) Acquisition of a new Cameron Parish Ferry \$100,000,000 (7) On-System Bridge Program for the replacement and rehabilitation program for highway bridges on any federal-aid system over waterways, other topographical barriers, major highways, and railroads, and for replacement and rehabilitation of highway bridges on state highways that are ineligible for federal highway funding \$400,000,000 (8) Sugarhouse Road Extension/Eddie Williams Boulevard to LA 43 Highway 1, Phase I and II \$19,000,000 (9) Acquisition of Two Cranes for the Port of New Orleans \$200,000,000 (10) Hooper Road Widening from LA 3034 to LA 37 \$15,000,000	reduces the amount of the On-System Bridge Program, allocates the monies from the On-System Bridge Program to the following projects in the following amounts: (11) Department of Transportation and Development District No. 05 for replacement and rehabilitation of highway bridges on state highways that are ineligible for federal highway funding assistance \$4,291,667 (12) Department of Transportation and Development District No. 08 for replacement and rehabilitation of highway bridges on state highways that are ineligible for federal highway funding assistance \$4,291,667 (13) Department of Transportation and Development District No. 58 for replacement and rehabilitation of highway bridges on state highways that are ineligible for federal highway funding assistance \$4,291,667 (14) Grambling State University, Repair of Underground Utilities \$2,500,000 (15) Louisiana Tech University, Rebuilding of Women's Softball Facility and Associated Infrastructure \$2,500,000 (16) University of Louisiana at Monroe, Americans with Disabilities Act Remediation to Fant-Ewing Coliseum \$2,500,000 (17) Franklin Parish, Repair of La. Hwy. 577 Bridge Over Bull Bayou \$500,000 (18) Grant Parish, Repair to Highway 472 Bridge \$500,000 (19) Grant Parish, Repairs to Grant Parish (20) Grant Parish, Replace La. Hwy. 524 Bridge Over Fish Creek \$1,940,000 (21) Jackson Parish, La. Hwy. 486 Repairs between La. Hwy. 4 and La. Hwy. 34 \$900,000 (22) Jackson Parish, Design and Construction of Horse and Livestock Pavilion \$550,000 (23) Morehouse Parish/Town of Mer Rouge, Repair North 28th Street from U.S. Hwy. 165 for 1,000 feet, Repair of North 22nd Street from U.S. Hwy. 165 for 1,000 feet, Repair of South 22nd Street from U.S. Hwy. 165 for 1,000 feet \$500,000 (24) Morehouse Parish, Rebuild Azalea Drive Bridge over Bayou Bonne \$1,200,000 (25) Ouachita Parish, Repairs to La. Hwy. 143 Whites Ferry Road Bridge over Cross Bayou \$2,200,000 (26) Ouachita Parish, Sheehy Bayou Sewerage Expansion \$2,500,000(27) Richland Parish, Repairs to Jagers Lane Bridge \$320,000 (28) Richland Parish/City of Rayville, Repair to Christian Drive/Hospital Access Road \$300,000 (29) West Carroll Parish, Repair of One Mile of La. Hwy. 17 in and around the Town of Repair of \$800,000 (30) Winn Parish, Repair of Hwy.	
SB323	Funds/Funding	Morris	Dedicates monies in the Deepwater Horizon Economic Damages Collection Fund for certain infrastructure projects	To amend and reenact R.S. 39:91(B)(6), to enact R.S. 39:91(B)(5)(k) through (kk), and to repeal R.S. 39:91(B)(5)(g)	provides that beginning July 1, 2020, and each year thereafter through and including Fiscal Year 2023, after any debt service is paid for bonds issued pursuant to present law, the treasurer shall transfer the annual payments of \$53,333,333 to the Construction Subfund of the Transportation Trust Fund (TTF). The economic damage proceeds and the bond proceeds, if any, are to be used for the following projects: (1) For Fiscal years 2021-2022, \$25,000,000 per year for Phase Two of the LA 1 Improvement Project between Golden Meadow and Leveille \$150,000,000 (2) LA 415 Bridge at the Intracoastal Canal \$125,000,000 (3) I-49 South \$150,000,000 (4) LA Hwy. 3241 from I-12 to Bush, La. \$50,000,000 (5) I-49 N. Inter-City Connector in Cade Parish \$100,000,000 (6) Acquisition of a new Cameron Parish Ferry \$100,000,000 (7) On-System Bridge Program for the replacement and rehabilitation program for highway bridges on any federal-aid system over waterways, other topographical barriers, major highways, and railroads, and for replacement and rehabilitation of highway bridges on state highways that are ineligible for federal highway funding \$400,000,000 (8) Sugarhouse Road Extension/Eddie Williams Boulevard to LA 43 Highway 1, Phase I and II \$19,000,000 (9) Acquisition of Two Cranes for the Port of New Orleans \$200,000,000 (10) Hooper Road Widening from LA 3034 to LA 37 \$15,000,000	Proposed law removes from that definition pipelines owned or operated by the storage operator used to transport the carbon dioxide from one purpose capture facility or sources to the storage and injection site, retains present law and adds nor does present law prevent the commissioner from approving, validating or verifying the documentation and quantification of carbon dioxide stored in association with the production of hydrocarbons at an enhanced oil and gas recovery project, authorizes the approval of a conversion to geologic storage facilities of hydrocarbon-bearing formations, including depleted oil formations as well as existing or pre-existing enhanced oil or gas recovery operations; Proposed law retains present law; retains present law and adds that the a reservoir is also suitable and feasible if a reservoir is capable of producing mineral in paying quantities and all the owners have agreed to such use; requires the commissioner issue such order upon the request of the owner of the carbon dioxide; requires the interested person requesting a hearing allege an injury in fact that may result from the proposed storage facility; retains present law and adds to the purposes of exercising the authority for utilities necessary to the operation of storage facility; prohibits the right of eminent domain from prejudicing landowner rights or mineral rights not reasonably necessary for the use of the acquired property; authorizes a time shorter than 10 years if established by rule. Proposed law requires the storage operator show substantial evidence of completion and the associated facilities have been decommissioned. Proposed law authorizes the ownership of the project to transfer to a party that has established a site-specific trust account rather than to the state; removes the limitation of when the liabilities arise; removes present law limitation on release of liability; increases the minimum number of months from 120 to 144, thereby changing the formula from F x 120 to F x 144 < 144 < 144; removes the limitation of liability from only the state, extends that expropriation authority for the purpose of transporting carbon dioxide by pipeline to a carbon dioxide storage facility.	
SB353	Environmental Control	Hewitt	Provides for carbon sequestration	To amend and reenact R.S. 30:1103(3), (6), and (9), 1104(A)(8) and (9), the introductory 3 paragraph of (C), (C)(1), (E), 1105(C), 1108(A)(1) and (B), 1109(A), 1110(C)(1)(a) 4 through (e), 1111(F), and R.S. 19:21(2)	provides for carbon sequestration. Present law does not prevent an enhancement or an gas recovery project using injected carbon dioxide; authorizes the commissioner to approve conversion of an existing enhanced oil recovery operation into a storage facility, if necessary, taking into consideration prior approvals of the commissioner regarding such enhanced oil recovery operations; provides that prior to using a reservoir and prior to the exercise of eminent domain the commissioner shall determine and find that such use is suitable and feasible, will not contaminate other formations containing fresh water, oil, gas, or other commercial mineral deposits, and will not endanger lives or property; provides that a reservoir is suitable and feasible for use as carbon dioxide storage when that either of the following conditions exists: (1) The volumes of original oil, gas, condensate, salt, or other commercial mineral are capable of being produced in paying quantities have all been produced. (2) The reservoir has a greater value or utility as carbon dioxide storage than mineral production and at least 34 of the one acre sections in a new carbon dioxide storage reservoir remain the property of the owner of the carbon dioxide, not the surface or mineral rights owner, and to issue orders to the reservoir; requires a public hearing to be conducted as provided by present law and to require such hearings when requested by an interested person and within 30 days after hearing, the commissioner shall take whatever action he deems appropriate. Present law requires the exercise of eminent domain in accordance with present law; prohibits the right of eminent domain in present law from prejudicing the rights of the owners of the lands, minerals, or other rights or interests not acquired for the storage facility; provides that after 10 years, or other time established by rule, after cessation of operations the commissioner shall issue a certificate of completion of injection operations if showing the reservoir is expected to retain integrity, at which time ownership is transferred to the state and the storage operator and all generators of the carbon dioxide shall be released from any and all duties under present law and any and all liability; provides that the release from liability applies to liability which arises after the issuance of the certificate of completion. Proposed law removes the limitation of when the liabilities arise; provides that the last operator or owner shall not be released of liability if the Carbon Dioxide Geologic Trust Fund has been depleted; authorizes the commissioner to levy per percentage of carbon dioxide stored fee on operators of up to a maximum of \$5,000,000. The rate of collecting the fee shall be determined by the commissioner based on the formula F x 120 < M, where "F" is the per unit fee, "120" is the minimum number of months over which	Proposed law provides for notice to homeowners when full or partial lead service lines are replaced	
SB357	Public Health	Peterson	Provides for testing certain drinking water systems	To enact R.S. 40:5.6(C) through (I)	N/A	establishes a coastal zone management program within the Dept. of Natural Resources administered by the secretary of the department. An aspect of the program is the application and issuance of required coastal use permits prior to commencing a use of state or local concern in the coastal zone; authorizes the secretary, the attorney general, an appropriate district attorney, or a local government with an approved program to bring injunctive, declaratory, or other actions necessary to ensure the use of the coastal zone is made without the necessary permit or that is not in accordance with the terms and conditions of a coastal use permit. Defines "uses of state concern" as those that directly and significantly affect coastal waters and which are in need of coastal management and which have impacts greater than local significance or which significantly affect interests of regional, state, or national concern. Present law provides examples of uses of state concern as follows: (1) Any dredge or fill activity which intersects with more than one waterbody. (2) Projects involving use of state owned lands or water bottoms. (3) State publicly funded projects. (4) National interest projects. (5) Projects occurring in more than one parish. (6) All mineral activities, including exploration for, and production of, oil, gas, and other minerals, all dredge and fill uses associated therewith, and all other associated uses. (7) All pipelines for the gathering, transportation or transmission of oil, gas, and other minerals. (8) Energy facility siting and development. (9) Uses of local concern which may significantly affect interests of regional, state, or national concern; defines "uses of local concern" as those that directly and significantly affect coastal waters and are in need of coastal management but are not uses of state concern and which should be regulated primarily at the local level if the local government has an approved program. Present law provides examples of uses of local concern as follows: (1) Privately funded projects which are not uses of state concern(2) Publicly funded projects which are not uses of state concern(3) Maintenance of uses of local concern (4) Jetties or breakwaters(5) Dredge or fill projects not intersecting more than one waterbody(6) Bulkheads(7) Piers(8) Camps and catwalks(9) Maintenance dredging(10) Private water control structures of less 15,000 in cost (11) Uses on cheniers, salt domes, or similar land forms; authorizes a court to impose civil liability and assess damages, order the payment of the restoration costs, require actual restoration of areas disturbed, or otherwise impose reasonable and proper sanctions for uses conducted within the coastal zone without a coastal use permit where a coastal use permit is required or which are not in accordance with the terms and conditions of a coastal use permit. Further authorizes the court to award costs and reasonable	authorizes the secretary or the attorney general to bring such actions necessary to ensure no uses of state concern and no uses of local concern are made in the coastal zone without the necessary permit or which are not in accordance with the terms and conditions of a coastal use permit; authorizes the appropriate district attorney and the local government, with an approved program, to bring such actions as are necessary to ensure that no uses of only local concern are made of the coastal zone without the required coastal use permit or which are not in accordance with the terms and conditions of a coastal use permit; provides that the authority of such district attorney or local government to bring an action shall be limited to uses of local concern within their jurisdiction; Proposed law authorizes such court action subject to the requirements of the proposed law; requires on or before July 1, 2021, the owner or operator of each facility operate an air monitoring system at a location determined by the department. Proposed law provides for the criteria pollutants the system must monitor; requires a monitoring system to be installed by the facility and any monitoring costs incurred by the department be borne by the facility; defines "facility" as any stationary source or any group of stationary sources that are located on one or more contiguous or adjacent properties, which are under common control of the same person or persons and are defined as a major source under the federal Clean Air Act, present law, or any rule or regulation promulgated pursuant to either law; defines an "air monitoring system" as equipment required to be installed by present law that measures and records air pollutant concentrations along the property boundary of a facility used for detecting an exceedance of air quality standards or the existence of a public health threat. Requires that the system include real-time data collection and real-time data public alerts; requires facility owners or operators required to operate an air monitoring system to maintain the records of all data from such system for five years; further requires compliance with the Environmental Protection Agency's monitoring requirements.
SB359	Coastal Resources	Hensgens		To amend and reenact R.S. 49:214.36(D) and (E)			
SB367	Environmental Quality	Fields	Provides for the enforcement of coastal use permits	To enact R.S. 30:2376.1, relative to the "Right-to-Know" law	N/A		

Coast, Water, and Environment Senate Bills for the 2020 Louisiana Legislature Regular Session (last updated March 31, 2020)

Bill Number	Bill Name	Sponsor	Summary of Changes	Enact	Present Law	Proposed Law
SB386	Minerals	Allain	Establishes the Commission for Louisiana's Energy, Environment, and Restoration	To enact Part I of Chapter 6 of Title 30 of the Louisiana Revised Statutes of 1950	N/A	creates the Commission for Louisiana's Energy, Environment, and Restoration within the Department of Natural Resources (DNR) for the purpose of supporting programs designed to demonstrate to the general public the importance of the Louisiana oil and natural gas exploration, production, and service industry; encouraging the wise and efficient use of energy; promoting environmentally sound production methods and technologies; developing existing supplies of Louisiana's oil and natural gas resources; supporting research and educational activities concerning the oil and gas exploration and production industry; causing remediation of historical oilfield environmental problems; and having such other authority as provided by law; requires that the commission be composed of the following members: (1) (a) One member appointed by the governor chosen from a list of three names submitted by the Louisiana Landowners Association board of directors. (b) One member appointed by the governor chosen from a list of three names submitted by the Louisiana Oil and Gas Association board of directors. (c) One member appointed by the governor chosen from a list of three names submitted by the Louisiana Mid-Continent Oil and Gas Association board of directors. (2) Two members appointed by the speaker of the House of Representatives chosen from a list of six names submitted by the Louisiana Oil and Gas Association board of directors. (3) Two members appointed by the president of the Senate chosen from a list of six names submitted by the Louisiana Mid-Continent Oil and Gas Association board of directors; requires the commission to develop an operational plan and legislative recommendations for the 2021 Regular Session of the Legislature necessary to implement the operational plan by July 1, 2021; requires that DNR and legislative staff to assist the commission in developing the operational plan and legislative recommendations; requires the operational plan of the commission and legislative recommendations to be presented to the Senate Committee on Natural Resources and the House Committee on Natural Resources and Environment no later than March 1, 2021.
SB390	Local Agencies	Peterson	Provides relative to the public water system, the public sewerage system, and the public drainage system of the city of New Orleans	To amend and reenact R.S. 33:407(A)(1)(e), 4084(A)(1)(b) and (2) and (E), 4085(A) and 3 (B), 4090, and 4091, and to enact R.S. 33:4084(A)(1)(c)	present law provides for the Sewerage and Water Board of New Orleans' board to be composed as follows: (1) The mayor. (2) The chair of the Public Works, Sanitation and Environment Committee of the New Orleans city council, a member of the committee appointed by the chair, or a civil engineer appointed by the chair. Any member appointed by the chair shall serve at the pleasure of the chair. (3) Two syndicate members of the board of liquidation, city debt, to be appointed by the mayor on the recommendation of the board of liquidation, city debt. (4) Seven citizens, to be appointed by the mayor, with the advice and consent of the city council from a list of nominees submitted by the Sewerage and Water Board Selection Committee; requires the advertisement and letting of a contract when the board purchases materials or supplies exceeding \$30,000 for the conduct, operation, maintenance, and repair of its systems; provides for the board to do construction work on its public systems with its own forces when the amount of work involved in the project does not exceed a total value of \$50,000; provides for the board to install and pay the cost to connect one sewer connection and one water connection extending from the respective main to the property line and from that point on, each must be made at the cost and expense of the owner of the property for a lot or record which existed prior to 1954; requires the property owner for all lots created after 1954, to bear all costs for connections extended from the sewer and water main to the property line, and any additionally costs from the property line to on-site facilities must be installed and maintained at the cost of the property owner; requires for the board to make to the city council, in writing, a full and detailed report of its acts, doings, receipts, and expenditures, on or prior to the first day of May of each year. Additionally, present law provides that the board report quarterly, in September, December, March, and June to the city council relative to contracts let in the construction and repair of its public systems; requires the board to report quarterly no later than the first day of the second month following the close of each calendar quarter to the city council relative to its operations. The report shall include the following in a manner as prescribed by the city council: (1) Standard industry metrics for best practice (2) Processes and indicators for prevention of waste or fraud (3) Performance metrics for employees and contractors. (4) Benchmarks of success regarding improved coordination between the board and the Department of Public Works to ensure priority and resource alignment (5) Report on the efficiency and effectiveness of information systems (6) Detailed reports on assessment and	provides that the members appointed pursuant to (3) and (4) above shall include one citizen from each of the five councilmanic districts within the city of New Orleans. In addition, two of the appointments shall be consumer advocates with community advocacy or consumer protection experience or experience in a related field, and one of the appointments shall be a retired civil engineer; retains present law but eliminates the mandate that one of the appointments to the board must be a retired civil engineer; retains present law and provides that purchases of \$10,000 or more but less than \$30,000, must be made by obtaining at least three telephone or facsimile quotations; Proposed law further provides for a written confirmation of the accepted offer to be obtained and made a part of the purchase file; authorizes the Sewerage and Water Board of New Orleans to contract with the lowest bidder after advertising for all public works contracts exceeding the legal limit; provides that each property owner may contract with a licensed plumber in the state of Louisiana for the installation of connectors and any subsequent work, however all such work shall be subject to the regulation, inspection and control of the board. Proposed law further provides that if the work is performed by the board and a disruption of the water or sewer connection from the main to the property line is caused, the board will bear the cost of repairing the disrupted connection; provides for the board to report to the city council on the first weekday of March, June, September and December of each year and sewer systems and operations; in June on the condition of its drainage and power systems and operations; in September on its financial condition, including its latest audited financial report of the previous year and its estimated financial condition year to date; and in December on the condition of the workforce; retains present law and provides that the exemptions afforded to the Orleans Parish School Board may be succeeded by a mutually agreed upon and executed cooperative endeavor agreement between the Sewerage and Water Board of New Orleans and the Orleans Parish School Board, wherein the terms of the cooperative endeavor agreement shall govern the rate and means by which public schools in Orleans Parish are charged for water and sewer services
SB399	Environmental Quality	Fields	Provides for reporting and notification of releases of certain materials that cause an emergency condition	To amend and reenact R.S. 30:2363(10) and 2373(B)(2) and (6) and to enact R.S. 30:2363(21) and 2365(A)(8)	provides for the "Hazardous Materials Information Development, Preparedness, Response Act" also known as the "Right-to-Know" law that creates a comprehensive information system containing specific data regarding the presence and location of hazardous materials in the state to be shared with the public and among state agencies and local governing authorities; defines "immediately" as a reasonable period of time after identifying the nature, quantity, and potential off-site impact of a release, considering the exigency of the circumstances; authorizes the rules and regulations to implement and clarify the reporting requirements of present law and to address changes in federal regulations	defines an "emergency condition" as any condition that could reasonably be expected to endanger the health and safety of the public; cause significant adverse impact to the land, water, or air environment; or cause severe damage to property, premises, the existence of an emergency condition whenever a reportable hazardous material release causes an injury requiring hospitalization, or a fatality, or results in a fire or explosion which could reasonably be expected to affect the public safety beyond the boundaries of the facility; retains present law and adds that in cases of an emergency condition, "immediately" means as soon as possible not to exceed 15 minutes from the discovery of the condition; requires the deputy secretary of the Dept. of Public Safety and Corrections to develop or utilize an electronic or telephonic public notification system that, in addition to any other appropriate technology, includes cell tower or cellular base station location to aid in the dissemination of information to the public; requires owners or operators to immediately report to the department any reportable release of any hazardous material regulated by present law which causes an emergency condition; requires the department to utilize the public notification system upon receipt; provides that any additional information required by rules and regulations promulgated pursuant to present law shall be reported to the department after a reasonable amount of time to take prompt measures to determine the nature, quantity, and potential off-site impact of a release, considering the exigency of the circumstances; requires such rules and regulations provide that any written notification reports on releases that caused an emergency condition shall be submitted within 24 hours from the emergency condition report
SB400	Environmental Quality	Fields	Provides for penalties for violation of the Environmental Quality Act	To amend and reenact R.S. 30:2025(E)(1)(a) and (2) and (F)(1)(a) and (2)(a)	assessed by the secretary, the assistant secretary of the office of environmental compliance, or the court, of not more than the cost to the state of any response action made necessary by such violation which is not voluntarily paid by the violator, and a penalty of not more than \$32,500 for each day of violation; provides that when any such violation is done intentionally, willfully, or knowingly, or results in a discharge or disposal which causes irreparable or severe damage to the environment or if the substance discharged is one which endangers human life or health, such person may be liable for an additional penalty of not more than \$1,000,000, subjects any person to whom a compliance order or a cease and desist order is issued and fails to take corrective action within the time specified in said order to a civil penalty to be assessed by the secretary, the assistant secretary of the office of environmental compliance, or the court of not more than \$50,000 for each day of continued violation or noncompliance; provides for felony criminal penalties for any person who willfully or knowingly discharges, emits, or disposes of any substance in violation of present law, of the regulations, or of the permit or license terms and conditions, when the substance is one that endangers or that could endanger human life or health. Present law provides for a fine of not more than \$1,000,000 or the cost of any cleanup made necessary by such violation and provides for an additional fine of not more than \$100,000 per violation, which may be assessed for each day the violation continues, and costs of prosecution, or imprisoned at hard labor for not more than 10 years, or both, provided that a continuous violation extending beyond a single day shall be considered a single violation; provides for misdemeanor criminal penalties for any person who willfully or knowingly discharges, emits, or disposes of any substance in contravention of present law, of the regulations, or of the permit or license terms and conditions in pursuance thereof, when the substance does not endanger or could not endanger human life or health, or who willfully or knowingly violates any fee or filing requirement, or who willfully or knowingly makes any false statement, representation, or certification in any form, application, record, label, manifest, report, plan, or other document filed or required to be maintained or who willfully or knowingly falsifies, intentionally tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained. Present law provides for a fine of not more than \$25,000 per violation, which may be assessed for each day the violation continues, and costs of prosecution, or imprisoned for not more than one year or both, provided that a continuous violation extending beyond a single day shall be considered a single violation	increases such civil penalty from \$32,500 per day to \$65,000 per day; increase such additional penalty from not more than \$1,000,000 to \$2,000,000; increases the civil penalty from not more than \$50,000 per day to not more than \$100,000 per day; increases the fine from \$1,000,000 to \$2,000,000, the additional fine from \$100,000 per violation to \$200,000 per violation, and the imprisonment from not more than 10 years at hard labor to 20 years at hard labor; increases the fine from \$25,000 per violation to \$50,000 per violation and imprisonment from not more than one year to two years, or both.
SB440	Coastal Resources	Fesi	Provides for enforcement of the Coastal Zone Management Program	To amend and reenact R.S. 49:214.36(E), the introductory paragraph of R.S. 49:214.36(J) 3 and (J)(1), and (2), relative to the Coastal Zone Management Program	authorizes a court to impose civil liability and assess damages, order the payment of the restoration costs, require actual restoration of areas disturbed, or otherwise impose reasonable and proper sanctions for uses in the coastal zone that were either without a coastal use permit or not in accordance with the terms and conditions of a coastal use permit; authorizes the court to award costs and reasonable attorney fees to the prevailing party; provides for the distribution of monies collected by the secretary through enforcement actions for uses of state concern and uses of local concern. Proposed law, in cases involving uses of state concern, provides for the distribution of monies collected by the secretary or the attorney general; provides for the distribution of monies collected from enforcement actions for uses of state concerns as follows: (1) 50% deposited into the Coastal Resources Trust Fund for reimbursement to the department for the cost of enforcing the coastal zone management program. (2) 25% deposited in the local government's mitigation banks. (3) 25% deposited in the Wetlands Conservation and Restoration Fund; provides that 100% of monies collected from enforcement actions for uses of local concerns be deposited in local government mitigation banks. Present law provides for a pro rata division in cases involving two or more local governments. Present law provides for the monies deposit in the Wetlands Conservation and Restoration Fund, but can only be used for mitigation projects within the geographic borders of that local government in the event there is no local government mitigation bank	requires any monies collected for the payment of restoration costs be expended consistent with present law; in cases involving uses of local concern, provides for the distribution of monies collected by the secretary, the attorney general, an appropriate district attorney, or a local government with an approved program
SB447	Conservation	Allain	Provides relative to plugging of orphaned wells and certain agreements by the commissioner of conservation	To enact R.S. 30:4(T) and 83(F)(4), relative to the powers and duties of the commissioner 3 of conservation	requires the commissioner of conservation to make, after notice and public hearings, any rules, regulations, and orders that are necessary to require reasonable bond with security for the performance of the duty to plug each dry and abandoned well and the closure and to perform the site cleanup. Present law authorizes the rules, regulations, and orders to classify based on location of the well but require the following exceptions from the reasonable bond and security requirement: (1) Wells exempt prior to September 1, 2015, that remain with the operator of record as of that date. (2) Wells utilizing plugging credits. (3) Wells exempt that meet the following criteria: (a) Any well declared to be orphaned by the commissioner and subsequently transferred to another operator. (b) Any well to be drilled by an operator who has an agreement with the office of conservation to plug a well that has been declared to be orphaned by the commissioner and that orphaned well is similar to the proposed well in terms of depth and location; provides for the powers and duties of the Offfield Site Restoration (OSR) Commission; provides for the powers and duties of the Offfield Site Restoration (OSR) Commission	requires that if the commissioner seeks to enter into a cooperative endeavor agreement with an organization to assist with plugging orphaned wells and alleviating the burden on operators in meeting financial security requirements, that organization be chartered as a Louisiana trust company and comply with the Louisiana Trust Company Law; retains present law and adds the requirement that the OSR commission approve any cooperative endeavor agreement between the commissioner and an organization seeking to assist with plugging orphaned wells in order to alleviate the burden on operators in meeting financial security requirements
SB490	Coastal Resources	Lambert	Creates the State and Parish Coastal Zone Recovery Authority.	o enact R.S. 36:4(CC), the introductory paragraph to R.S. 49:214.36(J) and Part II-A of 3 Chapter of Title 49 of the Louisiana Revised Statutes of 1950	N/A	creates the State and Parish Coastal Zone Recovery Authority and its board of directors that is charged with implementing any settlement of the coastal zone lawsuits and approving the use of funds deposited from such settlement. Proposed law provides for the membership of the board as follows: (1) A member from each setting parish appointed by the appropriate parish governing authority. (2) The executive assistant to the governor for coastal activities or his designee. (3) The chairman of the Governor's Advisory Commission on Coastal Protection, Restoration, and Conservation. (4) The executive director of the Coalition to Restore Coastal Louisiana. (5) The executive director of the Louisiana Mid-Continent Oil & Gas Association. (6) The president of the Louisiana Oil and Gas Association. (7) The president of the Louisiana Association of Business and Industry. Proposed law provides for terms of office of the members, frequency, location, time, place, and the necessary quorum of meetings. Proposed law prohibits members from receiving compensation, but authorizes members to seek travel reimbursement from their respective agencies. Proposed law provides the board and its staff shall be subject to the Code of Governmental Ethics, the Open Meetings Law, annual reports to the legislature, and to the jurisdiction of the legislative auditor and the office of the state inspector general. Proposed law defines "coastal zone lawsuits" as any action to enforce coastal use permits requirements in present law by the secretary, the attorney general, an appropriate district attorney, or a local government with an approved coastal program. Proposed law defines "settling parish" as any parish where either the appropriate district attorney or the local government with an approved coastal program filed a coastal zone lawsuit and entered into an agreement or compromise to settle the suit. Proposed law establishes the Coastal Zone Recovery Fund funded by monies paid from settlement or by final judgement for assessed damages, restoration costs, actual restoration of areas disturbed, or reasonable and proper sanctions and all interest income and all realized capital gains on investment of any such monies. Proposed law provides for the retention in the fund of any unexpended money remaining in the fund at the end of the fiscal year. Proposed law limits the use of the fund, subject to appropriation by the legislature, for the purposes of the implementing of any settlement or final judgment in the of the coastal