

SENATE RESOLUTION NO. 84

BY SENATOR ALLAIN

A RESOLUTION

To urge and request the Louisiana State Law Institute, in consultation with the director of the Louisiana Mineral Law Institute, to study the feasibility and constitutionality of utilizing alternative dispute resolutions as a means of resolving "legacy" disputes and report its recommendations to the Senate on or before February 24, 2014.

WHEREAS, Article IX, Section 1 of the Constitution of Louisiana mandates that the natural resources and the environment of the state, including air and water, are to be protected, conserved, and replenished insofar as possible and consistent with the health, safety, and welfare of the people, and requires the legislature to enact laws to implement this policy; and

WHEREAS, "legacy" lawsuits are lawsuits filed by a landowner claiming that oil and gas operations caused his property or groundwater located beneath his property to become polluted and contaminated; and

WHEREAS, it is the duty of the legislature to set forth procedures to ensure that damage to the environment is remediated to a standard that protects the public interest; and

WHEREAS, Act 312 of the 2006 Regular Session of the Legislature of Louisiana and Act 779 of the 2012 Regular Session of the Legislature of Louisiana established judicial and administrative procedures relative to "legacy" lawsuits, environmental remediation and protection of the public interest; and

WHEREAS, the legislature should be fully informed as to the legal aspects of all alternative dispute resolution methods to expedite the resolution of "legacy" disputes.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana does hereby urge and request the Louisiana State Law Institute, in consultation with the director of the Louisiana Mineral Law Institute, to study the feasibility and constitutionality of utilizing alternative dispute resolutions as a means of resolving "legacy" disputes and report its recommendations to the Senate on or before February 24, 2014.

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ENROLLED

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the director of the Louisiana State Law Institute and the director of the Louisiana Mineral Law Institute.

PRESIDENT OF THE SENATE