
The original instrument was prepared by J. W. Wiley. The following digest, which does not constitute a part of the legislative instrument, was prepared by Christopher D. Adams.

DIGEST

N. Gautreaux (SB 183)

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

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

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

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

Proposed law further provides that no lease shall be granted for hydrokinetic energy development that is inconsistent with the terms of a permit, license, exemption, or other authorization issued by the Federal Energy Regulatory Commission. No lease will be granted for alternative energy sources development on lands or public navigable waterways without prior written approval of a port or terminal, and the approval of the lease will not be unreasonably withheld unless the lease will be detrimental to the needs of commerce and navigation. Prohibits a port or terminal district from receiving compensation for its approval.

Effective August 15, 2010.

(Amends R.S. 30:124)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Natural Resources to the original bill.

1. Adds legislative findings.

2. Adds that no lease shall be granted for hydrokinetic energy development that is inconsistent with a permit, license, or exemption issued by the Federal Energy Regulatory Commission.

Senate Floor Amendments to engrossed bill.

1. Requires a port or terminal district to give prior approval for the lease.
2. Prohibits unreasonable withholding of lease approval.
3. Prohibits a port or terminal district from receiving compensation for lease approval.
4. Legislative Bureau technical amendments.