## SLS 15RS-1515

#### ORIGINAL

2015 Regular Session

### SENATE CONCURRENT RESOLUTION NO. 105

BY SENATOR GALLOT

MINERALS. Requests the Louisiana State Law Institute study and make recommendations regarding whether the Constitution of Louisiana should be amended to provide that mineral interests of the state, school boards, or levee districts should be subject to loss by prescription or other means.

1	A CONCURRENT RESOLUTION
2	To urge and request the Louisiana State Law Institute to study and make recommendations
3	regarding whether the Constitution of Louisiana should be amended to provide that
4	mineral interests of the state, school boards, or levee districts should be subject to
5	loss by prescription or other means, and that private purchasers of land belonging to
6	the state, school boards, or levee districts should gain the ability to acquire the
7	mineral interests in those lands upon prescription resulting from nonuse without
8	interruption or other means.
9	WHEREAS, Article IX, Section 4, of the Constitution of Louisiana provides that
10	lands and mineral interests of the state, a school board, or of a levee district shall not be lost
11	by prescription except as authorized in certain exceptions; and
12	WHEREAS, mineral rights on property sold or otherwise transferred by these entities
13	must be reserved to the entity; and
14	WHEREAS, private citizens or entities who purchase land from the state, a school
15	board, or a levee district are therefore perpetually unable to acquire such mineral rights by
16	prescription resulting from nonuse without interruption or other means, unlike transactions
17	involving other property; and
18	WHEREAS, the Louisiana State Law Institute should study and report to the

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legislature its findings concerning whether the appropriate provisions of the Constitution of
Louisiana should be revised to authorize mineral interests of the state, a school board, or a
levee district to be subject to loss by prescription or other means and, if so, the wording of
such revisions in the form of proposed legislation and appropriate text.

5 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby 6 urge and request the Louisiana State Law Institute to study and make recommendations 7 regarding whether the Constitution of Louisiana should be amended to provide that mineral 8 interests of the state, school boards, or levee districts should be subject to loss by 9 prescription or other means, and that private purchasers of land belonging to the state, school 10 boards, or levee districts should gain the ability to acquire mineral interests in those lands 11 upon prescription resulting from nonuse without interruption or other means.

12 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the

13 Louisiana State Law Institute.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Julie J. Baxter.

# DIGEST

SCR 105

# 2015 Regular Session

Gallot

Requests the Louisiana State Law Institute study and make recommendations regarding whether the Constitution of Louisiana should be amended to provide that mineral interests of the state, school boards, or levee districts should be subject to loss by prescription or other means, and that private purchasers of land belonging to the state, school boards, or levee districts should gain the ability to acquire the mineral interests in those lands upon prescription resulting from nonuse without interruption or other means.