

Coast, Water, and Environment House 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
HB40	Coastal Resources	Sherman Q. Mack	Requires that agreements between an acquiring agency and a landowner for integrated coastal protection projects ensure public recreational access to waterways in the reclaimed lands	To enact R.S. 41:1702(D)(2)(a)(ii)(gg)	Present law authorizes "acquiring authorities" to enter into agreements with respect to the ownership of minerals and surface rights for purposes of integrated coastal restoration projects.	Proposed law requires that the agreement contain a provision that ensures the public has access to the waterways in the acquired land for navigation, boating, and recreational fishing.
HB59	Hunting	Rodney Schamerhorn	Allows hunting feral hogs, nutria, and beaver at night during deer season and repeals requirement for notification to the sheriff	To amend and reenact R.S. 56:116.1(D)(2)	Present law allows taking outlaw quadrupeds, nutria, or beaver on private property during nighttime hours from one-half hour after official sunset on the last day of February to one-half hour after official sunset the last day of August of that same year. Requires written permission of the land owner and notification to the local sheriff at least twenty-four hours prior to such hunting at night	Proposed law allows nighttime taking of outlaw quadrupeds, nutria, and beaver on private property year round. Retains the requirement for written permission by the land owner but removes the requirement for notification to the local sheriff at least twenty-four hours prior to such hunting
HB97	Capital Outlay	Jeremy LaCombe	Removes certain limitations on the exemption from local match requirements for certain rural water system projects	To amend and reenact R.S. 39:112(E)(2)(c)	Present law requires the governor to submit his capital outlay budget which implements the first year of the five-year capital outlay program and the bond authorization bill for the sale of bonds to fund projects included in the bond portion of the capital outlay bill to the legislature no later than the eighth day of each regular session. Present law requires nonstate entities applying for capital outlay funding to provide a match of not less than 25% of the total requested funding amount with the following exceptions: (1) Projects deemed to be an emergency by the commissioner. (2) Projects for which a nonstate entity has demonstrated its inability to provide a local match. (3) Projects for rural water systems servicing less than 1,000 customers to extend or connect waterlines to other water systems.	Proposed law retains present law but removes the limitation that in order for a rural water system project to be exempt from its local match requirement, the project must extend or connect waterlines to other water systems.
HB111	Public Property	Daryl Deshotel	Authorizes the Red River, Atchafalaya, and Bayou Beouf Levee Districts to exchange property in Avoyelles Parish	n/a	n/a	n/a
HB143	Sunset Law	Jean-Paul Coussan	Re-creates the Department of Wildlife and Fisheries	To enact R.S. 49:191(12)(b) and to repeal R.S. 49:191(9)(d)	Present law (Sunset) provides that the Dept. of Wildlife and Fisheries and all statutory entities made a part of that department by law shall begin to terminate their operations on July 1, 2020, and that all legislative authority for such entities shall cease as of July 1, 2021, unless the legislature enacts a bill authorizing the re-creation of the department and its statutory entities prior thereto	Proposed law provides for the general re-creation of the Dept. of Wildlife and Fisheries and its statutory entities, effective June 30, 2020, in accordance with the "sunset" law. Proposed law supersedes the provisions of the "sunset" law which set out the procedure for review and re-creation and which require a separate bill to re-create each statutory entity within the department along with additional provisions. Proposed law makes July 1, 2025, the new termination date and termination would begin July 1, 2024 unless the department is recreated again.
HB159	Wildlife & Fisheries	Jack McFarland	Allows nighttime hunting of outlaw quadrupeds, nutria, and beaver on private property at any time of the year	To amend and reenact R.S. 56:116.1(D)(2)	Present law allows taking outlaw quadrupeds, nutria, or beaver on private property during nighttime hours from one-half hour after official sunset on the last day of Feb. to one-half hour after official sunset the last day of Aug. of that same year. Requires written permission of the land owner and notification to the local sheriff at least 24 hours prior to such hunting at night.	Proposed law allows nighttime taking of outlaw quadrupeds, nutria, and beaver on private property year round. Retains requirement for written permission by the land owner and notification to the local sheriff at least 24 hours prior to such hunting. Adds an option to notify the local sheriff immediately after taking an animal at night. Prohibits any person convicted of a class three or greater wildlife violation within the previous five years or any person having any other prohibition which would prevent the legal use of a firearm or participation in a hunting activity from participating or being present during nighttime hunting activities.
HB181	Water/Resources	Neil Riser	Extends cooperative endeavor agreements for use of surface waters	To amend and reenact R.S. 30:961(E)	Present law allows a person or entity to enter into a cooperative endeavor agreement to withdraw running surface water. Present law requires that a cooperative endeavor agreement to withdraw running surface water will have an initial term not to exceed two years. Further requires that no new cooperative endeavor agreement can be entered into for which an application was received by the Dept. of Natural Resources after Dec. 31, 2020. Present law authorizes renewal of agreements in two-year increments but specifies that such agreements can terminate no later than Dec. 31, 2028.	Proposed law retains present law but extends the date for which an application can be received from Dec. 31, 2020, to Dec. 31, 2022. Proposed law retains present law but extends the final termination date from Dec. 31, 2028, to Dec. 31, 2032.
HB187	Environment/Enforcement	Rodney Lyons	Increases the maximum civil penalties for violations of environmental laws	To amend and reenact R.S. 30:2025(E)(1)(a) and (E)(2)	Present law provides for a maximum civil penalty of \$32,500 for each day a violation of the environmental laws of the state occurs. Present law authorizes a maximum civil penalty of \$50,000 for each day a person fails to take corrective action under a compliance order or a cease and desist order	Proposed law increases that maximum civil penalty to \$47,500 per day. Proposed law increases that maximum penalty to \$65,000 per day of noncompliance.
HB227	Minerals	Jean-Paul Coussan	Provides relative to the nature of production payments	To amend and reenact R.S. 31:212.21	Present law requires written notice of the nonpayment of a production payment to be provided prior to a judicial demand for damages.	
HB245	Water/Resources	C. Denise Marcelle	Provides relative to determination of area of groundwater concern	To amend and reenact R.S. 38:3097.6(A)	Present law provides that only the owner of a well has the right to file an application to request the commissioner to declare that an area underlain by an aquifer is an area of groundwater concern. Proposed law retains present law.	Proposed law further grants any local official in an area underlain by an aquifer with the right to file such application with the commissioner and gives the commissioner the authority to initiate a study to determine areas of groundwater concern.

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HB260	Water/Drinking Water	Mark Wright	Requires testing by the state for secondary contaminants in privately operated community water systems	To enact R.S. 40:5.6.2	Present law requires the office of public health (OPH) to perform all inspections, tests, or procedures on public water supplies as may be authorized by the administrator of the Environmental Protection Agency (EPA) under the federal Safe Drinking Water Act. Proposed law retains present law. Present law defines "community water system" as a public water system that serves year-round residents within a residential setting. Provides that examples of community water systems include systems serving municipalities, water districts, subdivisions, and mobile home parks. Proposed law retains present law.	Proposed law defines "secondarycontaminant", for purposes of proposed law, as a substance for which secondarymaximum contaminant levels are established in the National Secondary Drinking Water Regulations of the EPA. Proposed law provides that in addition to the requirements of present law relative to testing of water supplies, OPH shall, at least once per calendar year, perform tests for secondary contaminants in water supplied by each privately operated community water system in La. at no cost to the water system or to any municipality or parish governing authority that contracts with the water system.
HB350	Wildlife & Fisheries CMN	Ryan Bourriaque	Changes the frequency of mullet stock assessments	To amend and reenact R.S. 56:333(G)(1)	Present law requires that the Wildlife and Fisheries Commission conduct an assessment of the mullet stock annually	Proposed law changes the requirement of the stock assessment from annually to every five years
HB351	Fishing/Seasons	Ryan Bourriaque	Changes the date the Department of Wildlife and Fisheries may allow for the taking of gulf bait menhaden when the quota has not been met	To amend and reenact R.S. 56:325.6(B)	Present law provides that if the quota for bait gulf menhaden has not been reached outside of the regular season by Dec. 1st, the department may allow the taking of menhaden for bait starting on April 1st of the following year and until the department determines the quota has been met	Proposed law modifies present law by changing the date the department may allow the taking of menhaden for bait from April 1st of the following year to March 1st of the following year.
HB352	Wildlife/Enforcement	Ryan Bourriaque	Prohibits the collection or harvest of turtle eggs and diamondback terrapins	To amend and reenact R.S. 56:635 and to repeal R.S. 56:326(A)(11)	Present law prohibits the trapping of diamondback terrapins and prohibits taking the terrapins out of the state between April 15th and June 15th each year. Further prohibits taking the eggs of any species of turtle, except the red ear (Trachemys Scripta). Present law provides for a 6-inch size limit for the taking of diamondback terrapins.	Proposed law prohibits the taking of diamondback terrapins by any means and prohibits the taking of eggs of any species of turtle with no exceptions. Proposed law repeals the size limit.
HB392	Agriculture/Forest Dept	Jack McFarland	Removes a specific function of the office of forestry and certain authority of the Louisiana Forestry Commission related to production and prices of forest tree seedlings grown by the department	To amend and reenact R.S. 36:628(F) and to repeal R.S. 3:4303	Present law requires the office of forestry to perform functions relating to the practice of forestry including the administration and supervision of programs for the protection, management, and preservation of forests, which includes the production of seedlings and other propagation stock. Present law authorizes the La. Forestry Commission to fix prices for the sale of forest tree seedlings, grown by LDAF nurseries, to landowners involved in forestry activities, and requires all receipts from such sale be retained and expended on department nurseries for purposes of scientific forestry research and experimentation, land acquisition, and general operations.	Proposed law removes the specific function of producing forest seedlings and propagation stock, but otherwise retains present law. Proposed law repeals present law in its entirety
HB393	Agriculture/Forest Comr	Jack McFarland	Provides for the commissioner's authority to regulate cooperative agreements within the Louisiana Forestry Productivity Program	To amend and reenact R.S. 3:4412(C)	Present law requires the commissioner to determine the extent of the state's involvement in each cooperative agreement but creates financial thresholds not exceeding 50% of the cost of the agreement or a total value of assistance of \$10,000 to any one landowner in a fiscal year.	Proposed law modifies present law by removing the financial thresholds and adding a requirement that the commissioner establish rules and regulations setting the state's level of involvement in the cooperative agreements with landowners.
HB394	Forestry	Jack McFarland	Provides relative to the State Forestry Commission's comprehensive management plan for the Alexander State Forest and Indian Creek	To amend and reenact R.S. 3:4402(A)	Present law requires the State Forestry Commission to adopt a forest and recreational management plan for the Alexander State Forest and Indian Creek by rule under the APA with oversight by the House and Senate Agriculture committees.	Proposed law changes present law to require the management plan be adopted and posted to the LDAF website and published in the Potpourri section of the La. Register, instead of adopted by rule under the APA with oversight by the House and Senate Agriculture committees.
HB426	Agricultural Commodities	Francis C. Thompson	Provides relative to seed testing and labeling	To amend and reenact R.S. 3:1435(5)	Present law requires the analyses of purity, germination, and additional tests of seeds be confidential and available only to the requestor.	Proposed law maintains present law and makes the test analyses exempt from La. Public Records Law.
HB433	Fishing/Oysters	Mark Cormier	Reduces the oyster seed ground vessel permit fee and creates associated gear fees	To amend and reenact R.S. 56:433.1(A)(1)	Present law provides for an oyster seed ground vessel permit. Provides for a permit fee of \$250 per year for residents and \$1,000 per year for nonresidents.	Proposed law retains the requirement for an oyster seed ground vessel permit but lowers the annual fee for such permit to \$50 for residents and \$200 for nonresidents. Adds an annual oyster seed ground gear fee of \$200 per scraper for residents and \$800 per scraper for nonresidents. Limits the number of scrapers authorized on the public seed grounds to two per vessel.
HB439	Coastal Res/Coastal Zone	Jerome Zeringue	Provides relative to the application of local ordinances to integrated coastal projects	To enact R.S. 49:214.5.3(F)	n/a	Proposed law prohibits a political subdivision, local governing authority, or any other local government entity, from interfering with an integrated coastal protection project or program provided for in an approved master plan or annual plan by way of enactment, adoption, or enforcement of any ordinance, law, permit, or regulation. Proposed law further provides that the Coastal Protection and Restoration Authority and the board may consider compliance with local ordinances, laws, regulations, or other policies that might otherwise apply to integrated coastal protection projects and programs.

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HB456	Environment/Waste Tires	Mandie Landry	Provides for fees imposed to waste tire disposal	To amend and reenact R.S. 30:2418(I)(1) and (2)	Present law provides that \$2.25 per passenger/light truck tire, \$5 per medium truck tire, and \$10 per off-road tire be collected for every tire sold. These fees are deposited into the Waste Tire Management Fund which is used to operate the waste tire program in the Dept. of Environmental Quality. One aspect of that program is to reimburse waste tire processors from the fund for recycling waste tires generated within the state. Present law requires permitted waste tire processing facilities to be paid a minimum of 7½¢ per pound of waste tire material that is recycled or that reaches end market uses or per pound of whole waste tires that are recycled or that reach end market uses.	Proposed law increases the fees in present law (chart for fees is to the right). Proposed law changes present law by removing the set amount processing facilities shall be paid in favor of adopting a rate schedule based on either the per pound of waste tire material that is recycled or that reaches end market uses or per pound of whole waste tires that are recycled or that reach end market uses and establishing minimum amounts as follows: (1) 9½¢ per pound for processing waste tires that remove the steel and tire cord and produce crumb rubber with a granular consistency. (2) 7¼¢ per pound for processing waste tires to the minimum required pursuant to present law. Proposed law prohibits charging an amount above the fees authorized by proposed law for the disposal, transporting, or processing of waste tires. Specifies that prohibition does not apply to the sale or marketing of recycled waste tire material or whole waste tires.
HB520	Coastal Resources	Phillip DeVillier	Provides relative to the authority to bring enforcement actions under the Louisiana Coastal Zone Management Program	To amend and reenact R.S. 49:214.36(D) and (E)	Present law provides that the secretary of the Dept. of Natural Resources, the attorney general, an appropriate district attorney, or a local government with an approved coastal program may bring actions to ensure compliance with the permitting program under the La. Coastal Zone Management Program.	Proposed law divides the authority between "uses of state concern" and "uses of local concern". For "uses of state concern," proposed law authorizes only the secretary of the Dept. of Natural Resources and the attorney general to bring actions to ensure compliance with the permitting program under the La. Coastal Zone Management Program. For "uses of local concern," proposed law authorizes the secretary of the Dept. of Natural Resources, the attorney general, an appropriate district attorney, or a local government with an approved coastal program to bring actions to ensure compliance with the permitting program under the La. Coastal Zone Management Program. Limits the district attorney and local government to "uses of local concern" only within their own jurisdiction.
HB587	Environment/Quality Dept	Jean-Paul Coussan	Authorizes the secretary of the Department of Environmental Quality to establish a voluntary environmental self-audit program	To enact amend and reenact R.S. 30:2030(A) and to enact R.S. 30:2044	Present law provides that department records and information obtained from rules, regulations, orders, licenses, or permits are available to the public unless the secretary determines that release of the information may impair an investigation or the protection of trade secrets and proprietary information.	Proposed law authorizes the secretary of the Dept. of Environmental Quality to establish a program for voluntary environmental self-audits. Requires that the regulations provide for the conduct of the self-audit, submission of the results to the department, the period of time that information contained in the self-audit may be held confidential, incentives to encourage the use of self-audits, corrective actions for violations discovered by the self-audit, submission of a corrective plan, and fees for reviewing the audit and corrective plan. Proposed law provides that information obtained through a voluntary environmental selfaudit must be held confidential for a limited time as specified in the rules applicable to voluntary environmental self-audits. Further provides that information disclosed to the department under a self-audit that is required to be reported to a state or federal agency by statute regulations or permits will not be held confidential.
HB592	Coastal Resources	Tanner Magee	Allows the Coastal Protection and Restoration Authority to incur debt or issue bonds	To amend and reenact R.S. 49:214.2(10) and 214.6.2(D)(7) and to enact R.S. 39:1367(E)(2)(b)(viii) and R.S. 49:214.5.4(G)(10) and (J)	Present law defines "net state tax supported debt" to include the debt obligations issued by the state or any entity of the state and lists general obligation bonds, debt secured by capital leases, debt secured by statewide tax revenues, any funds advanced by a political subdivision, and bonds secured by self-supported revenues. Present law further defines what is not "net state tax supported debt." Present law for purposes of coastal projects defines "infrastructure" as publically-owned facilities or systems that serve a critical public purpose but are negatively impacted by coastal land loss. Present law provides relative to the purposes for which the monies in the Coastal Protection and Restoration Fund can be used. Present law provides generally for the functions and responsibilities of the CPRA.	Proposed law includes indebtedness of the Coastal Protection and Restoration Authority (CPRA) in the list of what is not "net state tax supported debt". Proposed law removes the "publically-owned" limitation. Proposed law adds the payment of debt services or other debt payment obligations of the CPRA. Proposed law further authorizes the creation of construction or project funds within the Coastal Protection and Restoration Fund. Proceeds of bonds or other debt obligations may be deposited to those funds and held only for the purpose for which the obligation were issued. Proposed law includes issuing bonds or incurring other debt obligations provided that the issuance of such debt obligations is approved by the State Bond Commission

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HB650	Waterways/Canals	Beryl Amedee	Provides relative to the regulation of gates across waterways in the coastal areas	To enact R.S. 34:347	n/a	Proposed law provides that any person who erects a gateway, fence, or any structure that prevents or restricts access to any river, stream, canal, bayou, bay, lake, or any waters that are navigable or subject to the ebb and flow of the tide, is required to ensure that the gateway, fence, or other structure is visible at night, and in low light conditions to indicate its location, and is constructed in a manner to stay above the water during high tide or other high water events, and displays the owner's contact information including name, address, and telephone number. Requires the Dept. of Wildlife and Fisheries to promulgate rules and regulations to specify the details regarding marking, lighting, siting, manner of construction, and any other requirements it deems necessary in order to promote the safety and welfare of people, property, and the environment. Proposed law provides that violations will result in civil penalties of not less than \$50 per day, up to a maximum penalty of \$5,000 per year. Provides for enforcement by the Dept. of Wildlife and Fisheries and any local law enforcement agency. Provides that civil penalties collected by the department will be credited to the Conservation Fund, while any civil penalties collected by any local law enforcement agency be retained by the law enforcement agency that issued the citation. Proposed law specifies that nothing in proposed law can be used as a basis of estoppel to confirm or deny ownership, or any rights of public or private access related to the water, or to the beds and bottoms of any waterway covered by proposed law.
HB659	Environment/Solid Waste	R. Dewith Carrier	Provides relative to requirements for establishing a solid waste incineration facility	To repeal R.S. 30:2157 and 2157.1 and Section 2 of Act No. 862 of the 2010 Regular 3 Session of the Legislature	Present law requires applicants for a solid waste disposal facility permit to obtain certification from the local fire department as to the department's ability to meet certain response standards. Industrial waste disposal facilities response standards are the requirements of Section 472 of the Life Safety Code of the National Fire Protection Association	Proposed law repeals present law. Present law conditions repeal of present law on adoption by the Dept. of Environmental Quality of rules and regulations requiring an emergency response plan from an applicant for a solid waste disposal treatment facility. Proposed law repeals present law
HB691	Environment	Rodney Lyons	Reinstates the Brownfields Cleanup Revolving Loan Fund and program	To reenact R.S. 30:2551 and 2552(A) and (C), to amend and reenact R.S. 30:2552(B) and 3 Section 22 of Act No. 612 of the 2018 Regular Session, and to repeal R.S. 4 30:2552(A), (B), and (C) as amended by Section 9 of Act No. 612 of the 2018 5 Regular Session	n/a	Proposed law reinstates the fund and program
HB710	Environment/Fees	Gary Carter	Allows the Department of Environmental Quality to increase hazardous waste fees	enact R.S. 30:2014(D)(4)(d), relative to fees collected by the Department of 3 Environmental Quality; to authorize an increase of hazardous waste fees paid to the 4 department; and to provide for related matters.	allows DEQ to charge an annual hazardous waste fee on small quantity and large quantity generators	authorizes DEQ to increase the fee for small quantity generators to an amount not to exceed \$600 and the fee for large quantity generators to an amount not to exceed \$750
HB711	Environment/Enforcement	Gary Carter	Increases certain fees and establishes a new fee for radioactive disposal processing	To amend and reenact R.S. 30:2351.59(C)(1)(b), (3)(a)(i) and (iii), and (b)(i) and (iii), and 3 to enact R.S. 30:2014(D)(4)(d), relative to fees collected by the Department of 4 Environmental Quality	allows DEQ to charge certain fees. Proposed law retains present law.	Proposed law authorizes a minimum fee of \$250 for any permit, license, registration, or variance except for the Underground Storage Tank registration fee which will not be increased. Proposed law authorizes increases in air fees as follows: (1) Criteria pollutant annual all fee not to exceed \$20 per ton (2) Agent accreditation fee for asbestos fee not to exceed \$350 (3) Emergency processing fees not to exceed one and one-half times the fee in effect on 7/1/20 (4) New fee for asbestos disposal certification forms \$5000 for one fiscal year Proposed law authorizes increases in solid waste fees as follows: (1) Waste tire transporter authorization application fee not to exceed \$250 (2) Authorize an annual fee schedule for all transporters of solid waste with a facility in La. Proposed law relative to radioactive waste disposal processing authorizes fees to be billed at the wellhead regardless of the field. Further authorizes fees for a commercial naturally occurring radioactive materials waste disposal application fee of \$23,000 and a commercial naturally occurring radioactive materials waste disposal annual fee of \$20,000. Proposed law increases fees paid into the Lead Hazard Reduction Fund as indicated: Present Proposed Lead project supervisor \$ 275 \$ 350 Risk assessor \$ 275 \$ 350 Lead inspector \$ 165 \$ 250 Lead worker \$ 55 \$ 250 Proposed law provides for the following notification fees for contaminated buildings and soil as indicated: Present Proposed Buildings 2,000 sq. ft. and under \$ 220 \$ 250 Revisions to notifications \$ 55 \$ 250 One-half acre or less of soil \$ 220 \$ 250 Revisions \$ 55 \$ 250
HB724	Coastal Resources	Cormier	provides relative to guidelines for granting coastal use permits	To enact R.S. 49:214.27(F), relative to coastal use permits	provides for guidelines to be used by the coastal management program in the Dept. of Natural Resources for the issuance of coastal use permits.	prohibits the issuance of a coastal use permit for a project requiring a federal environmental impact statement unless the project is fully reviewed under all sections and provisions of that environmental impact statement. Further provides that any waivers obtained under the federally required environmental impact statement shall not be recognized for purposes of issuing a La. coastal use permit. Further provides that proposed law cannot be construed to preclude the department from conducting an analysis of an application for a coastal use permit.

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HB794	Coastal Resources/ Coastal z	Kerner	Requires that mitigation monies associated with the funding for the Mid-Barataria Sediment Diversion integrated coastal protection project shall be allocated to the Lafitte Area Independent Levee District and used to complete levee improvements	To enact R.S. 49:214.5.9, relative to integrated coastal protection	N/a	requires the use of mitigation monies associated with the funding for the MidBarataria Sediment Diversion integrated coastal protection project shall be allocated to the Lafitte Area Independent Levee District and used to complete levee improvements. Levee improvements will be determined by the Lafitte Area Independent Levee District.
HB795	Coastal Resources	Kerner	Requires the Lafitte, Crown Point, and Barataria levee projects to be completed prior to the completion of the Mid-Barataria Sediment Diversion project	To provide relative to the Coastal Protection and Restoration Authority's completion of certain levee projects in a specific order of priority; and to provide for related matters	N/a	requires the Lafitte, Crown Point, and Barataria levee projects to be completed prior to the completion of the Mid-Barataria Sediment Diversion projec
HB796	Coastal Resources	Kerner	Requires that mitigation funding associated with the Mid-Barataria Sediment Diversion project be used to compensate commercial fishermen for losses associated with that project	To enact R.S. 49:214.5.9, relative to integrated coastal protection	N/a	requires the use of mitigation monies included in the funding for the MidBarataria Sediment Diversion project to compensate commercial fishing losses resulting from that project. Provides that claims for commercial fishing compensation be submitted to the Coastal Protection and Restoration Authority (CPRA) and that a determination of the amount of losses be made based on the most recent seven years of tax returns. Requires the CPRA to promulgate rules and regulations for implementation.