

2023 Regular Session

SENATE BILL NO. 68

BY SENATOR CONNICK

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PUBLIC LANDS. Provides for the lease of property located within Jefferson Parish.
(gov sig)

1 AN ACT

2 To authorize and provide for the lease of certain state property; to authorize the lease of
3 certain state property in Jefferson Parish; to provide for the property description; to
4 provide for reservation of mineral rights; to provide terms and conditions; to provide
5 an effective date; and to provide for related matters.

6 Notice of intention to introduce this Act has been published.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. The secretary of the Department of Transportation and Development,
9 notwithstanding any other provision of law to the contrary, is hereby authorized and
10 empowered to assign, lease, or deliver any interest, excluding mineral rights, the state may
11 have to portions of the property along Interstate Highway 10 in Jefferson Parish and United
12 States Highway 90 Business on the west bank of the Mississippi River in Jefferson Parish,
13 to the governing authority of Jefferson Parish.

14 Section 2. The secretary of the Department of Transportation and Development is
15 hereby authorized to enter into such agreements, covenants, conditions, and stipulations and
16 to execute such documents as necessary to properly effectuate any assignment, lease, or
17 delivery of interest, excluding mineral rights, to the property described in Section 1 of this

1 Act, and as more specifically described in any such agreements entered into and documents
2 executed by and between the secretary of the Department of Transportation and
3 Development and the governing authority of Jefferson Parish, in exchange of consideration
4 proportionate to the appraised value of the property. The consideration shall include the
5 value of any improvements constructed by the parish governing authority and of the
6 maintenance by the parish governing authority of the property and any improvements. Such
7 agreement may provide for the construction and maintenance of improvements by the parish
8 governing authority and the removal of obstacles or hazards in accordance with state laws
9 and regulations. No agreement entered into pursuant to this Act shall impose upon Jefferson
10 Parish any additional obligation to maintain, improve, or operate roadway shoulders,
11 lighting, or other facilities owned by the state of Louisiana. If required, the department is
12 authorized to secure, amend, or alter any and all agreements with the parish governing
13 authority or the federal government or to assist the parish governing authority to secure,
14 amend, or alter any agreement with the federal government providing for use of the property,
15 in accordance with existing agreements between the department and the federal government
16 and applicable federal and state laws and regulations.

17 Section 3. Nothing in this Act shall effect appropriations from the Regional
18 Maintenance and Improvement Fund to Jefferson Parish authorized by R.S. 48:197 or the
19 permitted uses of such appropriated funds.

20 Section 4. This Act shall become effective upon signature by the governor or, if not
21 signed by the governor, upon expiration of the time for bills to become law without signature
22 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
23 vetoed by the governor and subsequently approved by the legislature, this Act shall become
24 effective on the day following such approval.

The original instrument was prepared by Tyler McCloud. The following
digest, which does not constitute a part of the legislative instrument, was
prepared by Jacob Wilson.

the reservation of mineral rights to the state and other terms and conditions.

Provides that property agreements between DOTD and Jefferson Parish may provide for construction and maintenance of improvements on the property.

Provides that Jefferson Parish may remove obstacles and hazards from property under an agreement in accordance with applicable state laws and regulations.

Prohibits proposed law from effecting appropriations from the Regional Maintenance and Improvement Fund to Jefferson Parish or the permitted uses of such appropriated funds.

Provides that DOTD is authorized to secure, amend, or alter agreements with the federal or parish government or to assist the parish government in securing, amending, or altering agreements for use of property in accordance with existing agreements between DOTD and the federal government.

Effective upon signature of governor or lapse of time for gubernatorial action.

Summary of Amendments Adopted by Senate

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

1. Provides that agreements between DOTD and the parish may provide for construction and maintenance of improvements.
2. Provides that the parish government may remove obstacles and hazards from property in accordance with applicable state laws and regulations.
3. Provides that DOTD is authorized to secure, amend, or alter agreements with the federal or parish government or to assist the parish government in securing, amending, or altering agreements for use of property in accordance with existing agreements.