

Existing law (R.S. 56:428 et seq.), relative to oyster lease extensions and renewals, provides that the secretary of the Dept. of Wildlife and Fisheries has 60 days from the date of expiration of a lease to renew the lease. If the renewal of the lease is not executed within those 60 days, the lease is automatically renewed.

New law provides that for leases that terminate Jan. 1, 2006, and which are eligible for renewal or extension, the secretary has until May 1, 2006, to renew or extend the lease. The renewal or extension term shall be specified in the lease but may not exceed 15 years. Provides that if the lessee has been notified that the lease may be renewed or extended and the renewal or extension is not executed by May 1, 2006, the lease is automatically renewed or extended for the period provided in the renewal or extension. Further provides that the renewal or extension begins on the first day following the expiration date of the prior lease.

Existing law (R.S. 56:429) requires payment of oyster lease rent on or before each Jan. 1 each year. Provides that failure to pay within 30 days after Jan. 1 puts the lease in default and terminates and cancels the lease. New law requires payment of the 2006 annual lease rent by March 31, 2006.

Existing administrative code (§501(G)(1) of Chapter 5 of Part VII of Title 76 of the LAC) provides that a list of leases in default shall be compiled by the first working day of February each year. New law changes that date to April 3 for 2006 only.

Existing administrative code (§501(G)(2) of Chapter 5 of Part VII of Title 76 of the LAC) provides that leases in default shall be advertised by the first working day following the last day of February and that up to and including the second Monday in March the leases may be reinstated by payment of the rent plus 10% penalty and any advertising cost. New law changes the deadline for submission of advertisement to April 17 and for reinstatement to July 1 for 2006 only.

Existing administrative code (§501(G)(3) of Chapter 5 of Part VII of Title 76 of the LAC) provides for a public auction of leases in default to be held on the last Tuesday in March. New law suspends this rule until Dec. 31, 2006.

Effective upon signature of governor (November 29, 2005).