

Regular Session, 2014

SENATE CONCURRENT RESOLUTION NO. 78

BY SENATOR CLAITOR

WATER/WATERWAYS. Requests the Louisiana State Law Institute to create a Water Code Committee.

1 A CONCURRENT RESOLUTION

2 To urge and request the Louisiana State Law Institute to create a Water Code Committee.

3 WHEREAS, Senate Concurrent Resolution No. 53 of the 2012 Regular Session of
4 the Legislature requested the Louisiana State Law Institute to conduct a study on surface
5 water and groundwater law in Louisiana; and

6 WHEREAS, on April 4, 2014, the Louisiana State Law Institute submitted its report
7 to the Legislature in response to Senate Concurrent Resolution No. 53; and

8 WHEREAS, such report discusses at length issues, problems, and questions arising
9 from the present state of Louisiana law concerning surface water and groundwater, and
10 concludes by stating:

11 "The time has come for water law reform in Louisiana. It is recommended that a
12 Louisiana State Law Institute Water Code Committee be created and invested with
13 the responsibility of continuing to study Louisiana's current treatment of running
14 surface water and groundwater, with a view towards the development of a
15 comprehensive Water Code that integrates all of Louisiana's water resources.

16 The Louisiana State Law Institute recommends that the proposed Water Code
17 Committee be an interdisciplinary committee, composed of academicians,
18 practitioners, scientists with expertise in hydrology, and government representatives
19 with expertise in Louisiana's water resources and the state's existing administrative
20 system of water management.

21 Current Louisiana law provides insufficient guidance on the rules that govern
22 the nature and scope of riparian and groundwater rights. Louisiana needs a Water
23 Code that integrates all of its water resources, a Water Code that will enable
24 Louisiana to successfully manage and conserve its water resources as it prepares to
25 face the inevitable challenges that lie ahead. Therefore, it is recommended that the

1 legislature implement the foregoing recommendations and that it entrust this
2 important project to the Louisiana State Law Institute."
3

4 THEREFORE, BE IT RESOLVED that, in accordance with the above
5 recommendation, the Legislature of Louisiana does hereby urge and request the Louisiana
6 State Law Institute to create a Water Code Committee in order to develop proposed
7 legislation establishing a comprehensive Water Code that integrates all of Louisiana's water
8 resources.

9 BE IT FURTHER RESOLVED that such Water Code Committee shall be an
10 interdisciplinary committee and shall include academicians, practitioners, landowners,
11 scientists with expertise in hydrology, and government representatives with expertise in
12 Louisiana's water resources and the state's existing administrative system of water
13 management.

14 BE IT FURTHER RESOLVED that such Water Code Committee shall provide
15 annual reports to the Legislature not later than February first of each year indicating its status
16 in developing a comprehensive Water Code for Louisiana, and including as appropriate
17 specific recommendations in the form of proposed legislation to achieve establishment of
18 a comprehensive Water Code that integrates all of Louisiana's water resources.

19 BE IT FURTHER RESOLVED that a copy of this Resolution shall be transmitted
20 to the director of the Louisiana State Law Institute.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Jerry G. Jones.

DIGEST

Claitor

SCR No. 78

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