
The original instrument was prepared by Alan Miller. The following digest, which does not constitute a part of the legislative instrument, was prepared by Thomas L. Tyler.

DIGEST

SB 415 Reengrossed 2016 Regular Session Gatti

Proposed law creates the Lake Bistineau Recreation and Water Conservation District as a political subdivision of the state for the purpose of the preservation, promotion, and development of the wealth and natural resources of the district by the conservation of the soil and water of Lake Bistineau for agricultural, recreational, commercial, and sanitary purposes and by the regulation of aquatic plant growth.

Proposed law creates a board of commissioners to manage the district consisting of fifteen commissioners, each of whom must be a qualified elector of Bienville, Bossier, or Webster Parishes or own land in the district who are elected as follows:

- (1) Five members elected at-large from Ward 4, Precinct 4 in Bienville Parish.
- (2) Five members elected at-large from Ward 4, Precinct 9 in Bossier Parish.
- (3) Five members elected at-large from precincts 39, 40, and 41 in Webster Parish.

Proposed law provides for powers and duties of the district. Provides that the district have control over the supply of fresh water from Lake Bistineau in conjunction with the parish governing authorities of the district, including the authority to sell water for irrigation, municipal, and industrial uses both within and outside the district. Provides that the district has no authority to regulate or control the use by any municipality, district, or other person of the water which was being made on August 1, 2016, including no authority to charge or collect any fee or charge for such use. Proposed law requires that if the district sells water after August 1, 2016, the proceeds be disbursed 25% to the commission, and 25% each to the police juries of the parishes of Bienville, Bossier, and Webster. Further requires an affirmative majority vote of each police jury and the commission, if the district seeks to sell water to a public entity.

Proposed law authorizes the board of commissioners to do and perform all things necessary to fulfil the purposes for which the district is created and specifically includes salvinia eradication.

Proposed law authorizes the board of commissioners, in conjunction with the parish governing authorities, to make and enforce such rules and regulations deemed necessary including enforcement upon Lake Bistineau that are not regulated by the Louisiana Wildlife and Fisheries Commission.

Proposed law requires that all powers and duties regarding construction and letting of contracts are subject to and exercised under the supervisory control of the Department of Transportation and Development which shall also furnish the district with such engineering services as it shall require.

Proposed law authorizes the board of commissioners to create and construct playgrounds, picnic grounds, grounds for recreation, parks, and any and all other facilities to accommodate the public and to provide adequate access to the lake, as may, within the opinion of the board, become necessary. Requires that the board provide for the construction of public access boat ramps to allow for and maintain public access to Lake Bistineau for recreational purposes.

Proposed law is not to be construed to impede or interfere with the control and supervision of the wildlife, fisheries, and aquatic life of the state by the Louisiana Wildlife and Fisheries Commission or the regulatory authority of the Department of Environmental Quality. Requires that the Department of Wildlife and Fisheries and the Department of Environmental Quality assist the board in the conduct of its duties and functions, and requires the board to advise and consult with the departments in matters relating to their respective powers and responsibilities.

Proposed law requires that the Department of Wildlife and Fisheries, the Department of Environmental Quality, and the Department of Transportation and Development submit quarterly reports to the board, relative to their responsibilities within the district.

Effective August 1, 2016.

(Adds R.S. 38:3087.361 through 3087.373)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the original bill

1. Removes "or otherwise" from authority of district to acquire property.
2. Removes authority of district to grant franchises to telephone, telegraph, cable, and electric power companies.
3. Makes technical corrections primarily to correct spelling to "Bistineau" and to capitalize "Parishes".

Senate Floor Amendments to engrossed bill

1. Removes authority of the district to levy taxes.
2. Provides for election of the membership of the board of commissioners instead of appointment and deletes provisions for removal of appointed members for unexcused absences.
3. Removes specific authority for the board to purchase, acquire by donation, hold, sell,

and convey property.

4. Provides for authority of the board to recommend lake drawdowns to the La. Wildlife and Fisheries Commission for biological purposes and aquatic plant control after it receives a presentation from the Department of Wildlife and Fisheries.
5. Specifically authorizes the board do all things necessary including salvinia eradication.
6. Removes provisions allowing the board to incur debt, issue certificates of indebtedness and issue bonds.
7. Removes authority for the board to levy and collect a parcel fee.
8. Removes authority for the board to levy and collect a vessel fee on vessels operating within the district.
9. Removes authority for the board to prescribe the manner of building bridges, piers, boathouses, seawalls, roads, fences, including those to control livestock, or other works in, along, or across any channel or extending into the lake.
10. Removes authority for the board to prescribe the manner in which natural or artificial drains, ditches, sewers, pipelines, other works shall be adjusted to or connected with the works of the district or in any watercourse and the manner in which watercourses may be used for sewer outlets for disposal of waste. Removes authority to regulate the discharge into sewers of any liquid or solid waste detrimental to the works or improvements of the district.
11. Removes provisions regarding constructions which would impede the flow of water in the lake and penalties for violations.
12. Removes authority of the board as to mineral rights and mineral leases.
13. Removes authority of the board as to regulation of commercial establishments in the district.
14. Adds requirement for quarterly reports to the board from the Department of Wildlife and Fisheries, the Department of Environmental Quality, and the Department of Transportation and Development.