

Regular Session, 2012

HOUSE BILL NO. 838

BY REPRESENTATIVE CHAMPAGNE

FUNDS/FUNDING: Requires that monies received from violations of certain federal and state laws associated with the Deepwater Horizon oil spill be deposited into the Coastal Protection and Restoration Fund

1 AN ACT

2 To enact R.S. 49:214.5.4(I), relative to the Coastal Protection and Restoration Fund; to  
3 dedicate certain monies into the fund; to provide for effectiveness; and to provide for  
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 49:214.5.4(I) is hereby enacted to read as follows:

7 §214.5.4. Funding and resource allocation

8 \* \* \*

9 I.(1) Any monies received by the state for violations pursuant to section 311  
10 of the Federal Water Pollution Control Act, 33 U.S.C. 1321; R.S. 30:2025(E)(1) and  
11 (2); and R.S. 30:2001 et seq., including R.S. 30:2071 et seq., associated with the  
12 Deepwater Horizon oil spill that began on April 20, 2010, shall be deposited and  
13 credited by the treasurer to the Coastal Protection and Restoration Fund for  
14 integrated coastal protection efforts, including coastal restoration, hurricane  
15 protection, and improving the resiliency of the Louisiana Coastal Area affected by  
16 the Deepwater Horizon oil spill.

17 (2) Nothing in this Subsection shall be construed as affecting funds  
18 associated with the Natural Resources Damage Assessment process.

1 Section 2. This Act shall take effect and become operative if and when the proposed  
2 amendment of Article VII, Section 10.2 of the Constitution of Louisiana contained in the Act  
3 which originated as House Bill No. 812 of this 2012 Regular Session of the Legislature is  
4 adopted at a statewide election and becomes effective.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Champagne

HB No. 838

**Abstract:** Dedicates state revenues received from violations of federal and state environmental and water quality laws associated with the Deepwater Horizon oil spill of 2010 be deposited into the Coastal Protection and Restoration Fund.

Present law establishes the Coastal Protection and Restoration Fund for the purposes of integrated coastal protection. The money in the fund is subject to legislative appropriation and may be used only for those projects and programs which are consistent with the statement of intent and the annual plan as it pertains to the integrated coastal protection.

Proposed law requires that any monies received for violations pursuant to section 311 of the Federal Water Pollution Control Act, 33 U.S.C. 1321; R.S. 30:2025(E)(1) and (2); and R.S. 30:2001 et seq., including R.S. 30:2071 et seq., associated with the Deepwater Horizon oil spill that began on April 20, 2010, shall be deposited and credited by the treasurer to the Coastal Protection and Restoration Fund for integrated coastal protection efforts, including coastal restoration, hurricane protection, and improving the resiliency of the La. Coastal Area affected by the oil spill.

Proposed law shall not be construed to affect funds associated with the Natural Resources Damage Assessment Process.

Effective if and when the proposed amendment of Article VII, §10.2 of the Constitution of La. contained in the Act which originated as House Bill No. 812 of this 2012 R.S. is adopted at a statewide election and becomes effective.

(Adds R.S. 49:214.5.4(I))

#### Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Appropriations to the original bill.

1. Deleted reference to lawsuits filed in response to the oil spill and instead provided that deposits be made for violations of specified state and federal laws.
2. Specified that deposits be used for integrated coastal protection efforts, including coastal restoration, hurricane protection, and improving the resiliency of the La. Coastal Area affected by the Deepwater Horizon oil spill.