

Regular Session, 2014

HOUSE BILL NO. 850

BY REPRESENTATIVE DOVE

1 AN ACT

2 To enact R.S. 49:214.5.2(G), relative to the responsibilities of the Coastal Protection and  
3 Restoration Authority Board; to authorize the board to authorize the Coastal  
4 Protection and Restoration Authority to contract for the study, investigation, and  
5 cleanup of, or response to hazardous substances located in an integrated coastal  
6 protection program project; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 49:214.5.2(G) is hereby enacted to read as follows:

9 §214.5.2. Functions and responsibilities; Coastal Protection and Restoration  
10 Authority Board

11 \* \* \*

12 G. Notwithstanding any law to the contrary, the Coastal Protection and  
13 Restoration Authority, upon approval by the board, may enter into a contract for the  
14 study, investigation, and cleanup of, or response to, hazardous substances directly  
15 with any person or entity who has entered into a contract with the United States  
16 Army Corps of Engineers for an integrated coastal protection program or project  
17 where the hazardous substance is located and if federal law, rules, regulations,  
18 guidance, or the terms of a cooperative, partnership, or other agreement for the  
19 program or project require the state of Louisiana to directly take action with regard  
20 to the study, investigation, and cleanup of, or response to, the hazardous substance.  
21 Nothing in this Section shall prevent the authority from contracting with any person  
22 or entity in any other manner permitted by law. In approving the contract with the  
23 United States Army Corps of Engineers contracting entity or person, the board shall  
24 do all of the following:

1                   (1) Make a determination that the United States Army Corps of Engineers  
2                   entered into the contract with its contractor through a public bid process.

3                   (2) Obtain from contractors other than the one under contract with the United  
4                   States Army Corps of Engineers, at least two estimates for the needed work to be  
5                   conducted under the contract for study, investigation, and cleanup of, or response to,  
6                   hazardous substances from persons or entities qualified to conduct such work, as  
7                   determined by the board.

8                   (3) Obtain an estimate for the needed work from the United States Army  
9                   Corps of Engineers contractor.

10                  (4) Make a determination that contracting directly with the United States  
11                  Army Corps of Engineers contractor is economical, feasible, and in the best interest  
12                  of the health, safety, and welfare of the citizens of the state of Louisiana.

13                  Section 2. This Act shall become effective upon signature by the governor or, if not  
14                  signed by the governor, upon expiration of the time for bills to become law without signature  
15                  by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
16                  vetoed by the governor and subsequently approved by the legislature, this Act shall become  
17                  effective on the day following such approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_