HLS 14RS-740 ORIGINAL

Regular Session, 2014

1

HOUSE CONCURRENT RESOLUTION NO. 50

BY REPRESENTATIVE CHAMPAGNE

COASTAL RESOURCES: Memorializes congress to provide for certain aspects of the RESTORE Act

A CONCURRENT RESOLUTION

| 2  | To memorialize the United States Congress to take such actions as are necessary for the        |
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| 3  | proper allocation of resources on the federal, state, and local level to fund real-time        |
| 4  | audit practices in developing, planning, constructing, and executing projects funded           |
| 5  | by the RESTORE Act's Gulf Coast Restoration Trust Fund to ensure proper                        |
| 6  | expenditures and the restoration of the gulf coast for the benefit of all the citizens of      |
| 7  | the United States.   |
| 8  | WHEREAS, on April 20, 2010, an explosion occurred on the mobile offshore drilling              |
| 9  | unit Deepwater Horizon which resulted in the fire that eventually sank the rig, killing eleven |
| 10 | crewmen, and destroying Louisiana's delicate coast and industries that rely on the coast with  |
| 11 | an estimated 4.1 million barrels of oil released over an eighty-seven day period from the      |
| 12 | Macondo well five thousand feet below on the ocean bottom; and                                 |
| 13 | WHEREAS, this incident has had a long-lasting impact on the state's natural                    |
| 14 | resources, including land, water, fish, wildlife, fowl, and other biota, and likewise on the   |
| 15 | livelihoods of Louisiana's citizens living along the coast; and                                |
| 16 | WHEREAS, the Federal Water Pollution Control Act also known as the Clean Water                 |
| 17 | Act, 33 U.S.C. 1321, provides for administrative and civil penalties for parties responsible   |
| 18 | for unauthorized discharge of pollutants into United States waters as occurred during the      |
| 19 | Deepwater Horizon disaster; and  |
| 20 | WHEREAS, these fines estimated between \$5.4 billion and \$21.1 billion would                  |
| 21 | ordinarily be deposited into the Oil Spill Liability Trust Fund pursuant to the Clean Water    |

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1 Act; however, congress passed Resources and Ecosystems Sustainability, Tourist

2 Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (RESTORE)

3 that requires eighty percent of the fines to be deposited into the Gulf Coast Restoration Trust

4 Fund (trust fund) for restoration efforts in the five coastal states damaged by the spill;

5 Alabama, Florida, Louisiana, Mississippi, and Texas; and

WHEREAS, the monies from the trust fund will be principally divided into three funding mechanisms, the Direct Component that evenly distributes thirty-five percent to the five effected states; the Comprehensive Plan Component that directs thirty percent to the Gulf Coast Ecosystem Restoration Council to implement a comprehensive gulf coast wide recovery plan; and the Spill Impact Component that distributes thirty percent to the effected states based upon a formula calculated on the miles of coastline affected by the oil spill, distance from Deepwater Horizon, and the average 2010 population; and

WHEREAS, unfortunately, Louisiana has recent experience in administering restoration and recovery programs in the wake of disasters such as Hurricanes Katrina, Rita, Gustav, and Isaac and has learned the value of real-time audit practices in terms of ensuring proper expenditures, providing guidance to program administrators, and transparency of decisions for the public; and

WHEREAS, auditing after the fact presents potential problems in the case of improper expenditures of recouping large sums from parish and county governments with minimal resources; and

WHEREAS, the RESTORE Act provides for up to three percent for administrative costs; there remains uncertainty whether those funds are only for the cost of the United States Treasury Department administering the RESTORE Act and whether those funds can be utilized by state and local governments for real-time audits.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary for the proper allocation of resources on the federal, state, and local level to fund real-time audit practices in developing, planning, constructing, and executing projects funded by the RESTORE Act's Gulf Coast Restoration Trust Fund to ensure proper expenditures and the restoration of the gulf coast for the benefit of all the citizens of the United States.

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BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the

- 2 presiding officers of the Senate and the House of Representatives of the Congress of the
- 3 United States of America and to each member of the Louisiana congressional delegation.

## **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)]

Champagne HCR No. 50

Memorializes congress to take such actions as are necessary for the proper allocation of resources to fund real-time audit practices for projects funded by the RESTORE Act.