The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Tyler S. McCloud.

DIGEST

SB 490 Original

2020 Regular Session

Lambert

<u>Proposed law</u> creates the State and Parish Coastal Zone Recovery Authority and its board of directors that is charged with implementing any settlement of the coastal zone lawsuits and approving the use of funds deposited from such settlement.

<u>Proposed law</u> provides for the membership of the board as follows:

- (1) A member from each settling parish appointed by the appropriate parish governing authority.
- (2) The executive assistant to the governor for coastal activities or his designee.
- (3) The chairman of the Governor's Advisory Commission on Coastal Protection, Restoration, and Conservation.
- (4) The executive director of the Coalition to Restore Coastal Louisiana.
- (5) The executive director of the Louisiana Mid-Continent Oil & Gas Association.
- (6) The president of the Louisiana Oil and Gas Association.
- (7) The president of the Louisiana Association of Business and Industry.

<u>Proposed law</u> provides for terms of office of the members, frequency, location, time, place, and the necessary quorum of meetings. <u>Proposed law</u> prohibits members from receiving compensation, but authorizes members to seek travel reimbursement from their respective agencies.

<u>Proposed law</u> provides the board and its staff shall be subject to the Code of Governmental Ethics, the Open Meetings Law, annual reports to the legislature, and to the jurisdiction of the legislative auditor and the office of the state inspector general.

<u>Proposed law</u> defines "coastal zone lawsuits" as any action to enforce coastal use permits requirements in <u>present law</u> by the secretary, the attorney general, an appropriate district attorney, or a local government with an approved coastal program.

<u>Proposed law</u> defines "settling parish" as any parish where either the appropriate district attorney or the local government with an approved coastal program filed a coastal zone lawsuit and entered into an agreement or compromise to settle the suit.

Proposed law establishes the Coastal Zone Recovery Fund funded by monies paid from settlement

or by final judgement for assessed damages, restoration costs, actual restoration of areas disturbed, or reasonable and proper sanctions and all interest income and all realized capital gains on investment of any such monies. <u>Proposed law</u> provides for the retention in the fund of any unexpended money remaining in the fund at the end of the fiscal year.

<u>Proposed law</u> limits the use of the fund, subject to appropriation by the legislature, for the purposes of the implementing of any settlement or final judgment in the of the coastal zone lawsuits.

<u>Proposed law</u> further limits the use of the funds to only those projects and programs consistent with the terms and conditions of any final settlement of the coastal zone lawsuits, consistent with the master plan for integrated coastal protection projects and program, and that support the long-term health of Louisiana's coastal communities through investments in ecological restoration and remediation, community protection, including infrastructure, business and residential resilience, economic development, and administrative costs. <u>Proposed law</u> creates accounts within the Coastal Zone Recovery Fund for use for those specific purposes.

<u>Proposed law</u> provides for the remediation, restoration, and protection account that setting parishes submit to the board every three years a funding priority list from which the board approves projects that comply with <u>proposed law</u> and the terms and conditions of the settlement agreements. <u>Proposed law</u> requires the board to coordinate with CPRA to determine if proposed projects qualify for funding from other sources.

<u>Proposed law</u> provides that the funds in the resiliency account are be distributed through a grant program administered by the board. <u>Proposed law</u> provides for both settling parishes and settling defendants are eligible to receive funding for projects.

<u>Proposed law</u> provides the proceeds of any settlement involving more than one parish shall be allocated to each settling parish in accordance with the terms of such settlement.

Effective August 1, 2020.

(Amends R.S. 49:214.36(J) (intro para); adds R.S. 36:4(CC) and R.S. 49:214.51-214.54)