

2022 Regular Session

HOUSE BILL NO. 762

BY REPRESENTATIVE ZERINGUE

CONSERVATION: Creates and provides for the Louisiana Outdoor Forever Program

1 AN ACT

2 To enact R.S. 36:610(B)(13), R.S. 56:10(B)(17), and Part VI of Chapter 8 of Title 56 of the  
3 Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:1931 through 1936,  
4 relative to the Louisiana Outdoor Forever Program; to create the Louisiana Outdoor  
5 Forever Program and the Louisiana Outdoor Forever Fund; to provide for executive  
6 branch organization; to create a project selection board and a technical advisory  
7 board; to provide for board membership and duties; to provide for program eligibility  
8 and applications; to provide for administrative rules; to provide for program  
9 termination; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 36:610(B)(13) is hereby enacted to read as follows:

12 §610. Transfer of agencies and functions to Department of Wildlife and Fisheries

13 \* \* \*

14 B. The following agencies, as defined in R.S. 36:3, are transferred to and  
15 hereinafter shall be within the Department of Wildlife and Fisheries, as provided in  
16 R.S. 36:802.

17 \* \* \*

18 (13) The Louisiana Outdoor Forever Program (R.S. 56:1931).

19 \* \* \*

1 Section 2. R.S. 56:10(B)(17) and Part VI of Chapter 8 of Title 56 of the Louisiana  
2 Revised Statutes of 1950, comprised of R.S. 56:1931 through 1936, are hereby enacted to  
3 read as follows:

4 §10. Annual report to governor; estimate of proposed expenditures; particular funds;  
5 limitations on purposes for use of monies in particular funds and accounts;  
6 warrants; vouchers; surplus funds

7 \* \* \*

8 B.

9 \* \* \*

10 (17) There is hereby created within the Conservation Fund a "Louisiana  
11 Outdoor Forever Fund". The funds in this account shall be used solely for and in  
12 accordance with the Louisiana Outdoor Forever Program, provided for in R.S.  
13 56:1931 et seq. Any appropriations, public or private grants, gifts, or donations  
14 received by the state or the Department of Wildlife and Fisheries for the purposes of  
15 this program shall be credited to the fund. The monies in the fund shall be subject  
16 to the same requirements as provided for in Paragraph (1) of this Subsection. The  
17 monies in the fund shall be invested by the treasurer in the same manner as the  
18 monies in the state general fund and all interest earned shall be deposited and  
19 credited to the fund after compliance with the requirements of Article VII, Section  
20 9(B) of the Constitution of Louisiana. All unexpended or unencumbered monies  
21 remaining in the fund at the end of the fiscal year shall remain to the credit of the  
22 fund.

23 \* \* \*

24 PART VI. LOUISIANA OUTDOOR FOREVER PROGRAM

25 §1931. Louisiana Outdoor Forever Program; fund

26 There is hereby established within the Department of Wildlife and Fisheries  
27 the Louisiana Outdoor Forever Program for the purpose of providing funding for  
28 outdoor conservation projects in the state. The administration of the program and

1 the conservation projects selected for funding under the program shall be funded by  
2 the Louisiana Outdoor Forever Fund as provided for in R.S. 56:10(B)(17).

3 §1932. Project selection board

4 A. The program shall be governed by a project selection board composed of  
5 the following members:

6 (1) The governor or his designee.

7 (2) The executive assistant to the governor for coastal activities his designee.

8 (3) The lieutenant governor or his designee from the office of state parks.

9 (4) The commissioner of the Department of Agriculture and Forestry or his  
10 designee.

11 (5) The secretary of the Department of Environmental Quality or his  
12 designee.

13 (6) The secretary of the Department of Natural Resources or his designee.

14 (7) The secretary of the Department of Wildlife and Fisheries or his  
15 designee.

16 (8) The speaker of the House of Representatives or his designee.

17 (9) The president of the Senate or his designee.

18 B. The members of the board representing the Louisiana Legislature shall  
19 be nonvoting members.

20 C. The project selection board shall elect a chairman at its first meeting each  
21 year. The chairman shall serve a one year term and may be reelected by the board.

22 D. The project selection board shall make all final determinations regarding  
23 the selection of projects for funding under the program.

24 §1933. Technical advisory board

25 A. The project selection board shall be advised by a technical advisory board  
26 composed of the following members:

27 (1) Subject matter representatives from the following:

28 (a) The office of the governor.

29 (b) The division of administration.

1           (c) The office of coastal activities.

2           (d) The office of state parks.

3           (e) The Department of Agriculture and Forestry.

4           (f) The Department of Environmental Quality.

5           (g) The Department of Natural Resources.

6           (h) The Department of Wildlife and Fisheries.

7           (2) Up to three representatives of nonprofit conservation organizations  
8 having offices in Louisiana and engaged in conservation efforts in the state may be  
9 appointed by the governor, provided that no such representative may participate in  
10 the evaluation of applications from their own organization.

11           B. The technical advisory board shall review and evaluate applications in  
12 accordance with the program criteria and scoring and forward assessments to the  
13 project selection board.

14           §1934. Program eligibility; application process

15           A. Political subdivisions of the state, including state agencies and local  
16 governing authorities, and nongovernmental organizations working in coordination  
17 with public agencies may apply to the program for funding.

18           B. The following types of projects may be eligible for funding:

19           (1) Land conservation of important natural areas, including fish and wildlife  
20 habitat.

21           (2) Water quality projects related to land conservation or land management,  
22 including those lands that protect drinking water supplies.

23           (3) Working land, farms, and forested land.

24           (4) Recreational properties related to important natural areas and public use.

25           (5) Historic properties adjacent to or integral to habitat restoration or  
26 enhancement.

27           C. Application forms as well as information about application requirements  
28 shall be made available online.

1           D. Submitted applications shall be evaluated by the technical advisory board  
2           and selected by the project selection board using defined criteria and scoring based  
3           on a clear, defensible, science-based process.

4           E. The department shall, in accordance with the Administrative Procedure  
5           Act, promulgate rules and regulations necessary to implement this program. Such  
6           rules shall include procedures for applying to the program and detailed criteria and  
7           scoring to be used by the boards in their evaluation and selection of projects for  
8           funding.

9           §1935. Transparency

10           The Louisiana Outdoor Forever Program, fund, project selection board, and  
11           technical advisory board shall be subject to all applicable laws concerning public  
12           meetings and public records, including the Open Meetings Law, the Public Records  
13           Law, and the Ethics Code. In addition, the meetings of each board shall be open to  
14           the public, broadcast via the internet when possible, and allow time for public  
15           comment. Meeting minutes shall be made available to the public. Information about  
16           the members of each board shall also be readily available to the public.

17           §1936. Program termination

18           The Louisiana Outdoor Forever Program shall terminate on July 1, 2033.

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)]

HB 762 Original

2022 Regular Session

Zeringue

**Abstract:** Creates the Louisiana Outdoor Forever Program and the Louisiana Outdoor Forever Fund for the purpose of funding public conservation projects in the state.

Present law provides for the offices and agencies within the Dept. of Wildlife and Fisheries.

Proposed law adds the La. Outdoor Forever Program to the list of agencies within the department.

Proposed law creates a La. Outdoor Forever Fund within the Conservation Fund for the purpose of funding the La. Outdoor Forever Program.

Proposed law creates a La. Outdoor Forever Program, which will be governed by a project selection board and advised by a technical advisory board.

Proposed law provides that the project selection board will make all final decisions about which projects will be selected for funding and will have the following subject matter members:

- (1) The governor or his designee.
- (2) The executive assistant to the governor for coastal activities his designee.
- (3) The lieutenant governor or his designee from the office of state parks.
- (4) The commissioner of the Dept. of Agriculture and Forestry or his designee.
- (5) The secretary of the Dept. of Environmental Quality or his designee.
- (6) The secretary of the Dept. of Natural Resources or his designee.
- (7) The secretary of the Dept. of Wildlife and Fisheries or his designee.
- (8) The speaker of the House of Representatives or his designee. (nonvoting)
- (9) The president of the Senate or his designee. (nonvoting)

Proposed law provides that the technical advisory board will evaluate applications submitted under the program and provide recommendations to the project selection board. Specifies that the technical advisory board will be made up of up to three representatives from nonprofit conservation groups in the state and subject matter representatives from:

- (1) The office of the governor.
- (2) The division of administration.
- (3) The office of coastal activities.
- (4) The office of state parks.
- (5) The Dept. of Agriculture and Forestry.
- (6) The Dept. of Environmental Quality.
- (7) The Dept. of Natural Resources.
- (8) The Dept. of Wildlife and Fisheries.

Proposed law provides that eligible applicants for program funding are state and local government entities as well as nonprofit organizations working in coordination with public agencies.

Proposed law provides that certain types of conservation projects are eligible for funding under the program, including:

- (1) Land conservation of important natural areas, including fish and wildlife habitat.
- (2) Water quality projects related to land conservation or land management, including those lands that protect drinking water supplies.

- (3) Working land, farms, and forested land.
- (4) Recreational properties related to important natural areas and public use.
- (5) Historic properties adjacent to or integral to habitat restoration or enhancement.

Proposed law requires that projects be evaluated and selected based on a clear, defensible, science-based process, which will be detailed in rules promulgated by the Dept. of Wildlife and Fisheries.

Proposed law requires that applications and information about applying be provided online.

Proposed law specifies that the program and all board activities will be subject to public meetings, public records, and ethics code requirements.

Proposed law specifies that the program will sunset on July 1, 2033.

(Adds R.S. 36:610(B)(13) and R.S. 56:10(B)(17) and 1931-1936)