

## RÉSUMÉ DIGEST

ACT 727 (HB 810)

2024 Regular Session

Geymann

### DEPARTMENT OF ENERGY AND NATURAL RESOURCES

Existing law establishes the Dept. of Energy and Natural Resources (DENR) and provides for its organization, offices, powers, duties, and functions.

Existing law provides that the DENR is responsible for the conservation, management, and development of water, minerals, and other natural resources of the state, including coastal management, but excepting timber and fish and wildlife habitats.

New law adds that the DENR is also responsible for state land and water bottom management and permitting and energy-related rights of way and leases on state lands and water bottoms.

### OFFICES OF THE DEPARTMENT

New law creates and provides for the functions of the following new offices within DENR:

- (1) The office of enforcement.
- (2) The office of energy.
- (3) The office of land and water.

New law tasks the office of enforcement with inspecting the regulated community and enforcing laws and regulations within the DENR's jurisdiction.

New law requires the office of energy to manage functions and programs related to the deployment and operation of alternative energy infrastructure in the state and to cooperate with the Center for Energy Studies in the development of a unified energy data and information program.

New law specifies that the office of land and water is responsible for the following:

- (1) State water bottom management.
- (2) Energy-related rights of way and leases on state lands and water bottoms.
- (3) Administration of groundwater, surface water, and other water resources for quantity purposes, unless otherwise provided by the secretary.

Prior law established the office of the oil spill coordinator and its functions within the Dept. of Public Safety and Corrections.

New law transfers the office of the oil spill coordinator and its functions from the Dept. of Public Safety and Corrections to the DENR.

Existing law establishes the office of conservation and provides for its purposes and functions.

New law adds permitting and compliance to the functions exercised by the office of conservation.

Prior law provided for cooperation between the office of mineral resources and La. State University and Agricultural and Mechanical College regarding geological surveys, mapping, hazard assessments, and inventories of the state.

New law provides for cooperation with the Center for Energy Studies rather than La. State University and Agricultural and Mechanical College.

### OFFICERS OF THE DEPARTMENT

Existing law provides for the functions, powers, and duties of the secretary, undersecretary, assistant secretaries, and other officers of the DENR.

Existing law requires that if the secretary determines that the department could operate more efficiently, he must present plans for improvement to the legislature.

New law retains existing law and adds that beginning Jan. 15, 2026, and then each time that the department is scheduled to sunset, the secretary must submit recommendations to either terminate or continue each board and commission within the department to the House and Senate committees on natural resources. Specifies that recommendations to terminate a board or commission must include plans for how to handle that board or commission's functions and responsibilities going forward.

Prior law required the secretary to set priorities for coastal energy impact program funds as provided in R.S. 49:213.10(D).

New law removes this requirement.

New law requires the secretary to set priorities for the Oil Spill Contingency Fund, as provided in R.S. 30:2483.

New law adds duties for the secretary related to the deployment and operation of energy infrastructure that results in affordable and reliable energy and the creation and use of an energy and natural resources data and information program.

Existing law authorizes the secretary to appoint advisory councils, boards, and commissions for the administration of the department.

New law further authorizes the secretary to appoint advisory councils, boards, and commissions for providing expertise within the department's jurisdiction.

Prior law authorized the secretary to designate the assistant secretary of the office of conservation to represent the state in matters relative to energy and natural resources and within the jurisdiction of the DENR.

New law authorizes the secretary to designate any assistant secretary of the DENR to represent the state in matters relative to energy and natural resources and within the jurisdiction of DENR.

Existing law establishes the functions and responsibilities of the undersecretary of the DENR, including responsibility for the office of management and finance, accounting, and budgetary control.

New law adds that the undersecretary is also responsible for the La. Natural Resources Trust Authority and its functions.

Prior law limited the authority of the secretary, deputy secretary, and undersecretary of the department to exercise, review, administer, or implement the quasi judicial, licensing, permitting, regulatory, rulemaking, and enforcement powers of the assistant secretary of the office of conservation.

New law removes this limitation.

#### LA. NATURAL RESOURCES TRUST AUTHORITY

New law creates the La. Natural Resources Trust Authority within the DENR and provides for its functions, including the development of strategic plans to address financial challenges facing energy and natural resources-related projects in the state, and the authority to establish an executive committee with delegated responsibilities other than rate determinations.

New law further provides that the authority has the power to do the following:

- (1) Set financial obligations of operators or applicants, consistent with the purposes, authorities, and functions of the DENR and its officers.
- (2) Indemnify members, officers, and employees against liabilities.
- (3) Execute necessary contracts and instruments.
- (4) Enter agreements for deductions, payments, and the administration of grants.
- (5) Solicit, accept, and expend grants.

New law further provides that the authority has the power to promulgate rules regarding the following:

- (1) Residency requirements, participant limits, and account accrual limits.
- (2) Substitutions, transfers, or other financial instruments necessary to meet plugging or abandonment obligations.
- (3) Interest rates with state treasurer approval.
- (4) Abandoned accounts as provided by law.
- (5) Investment guidelines.
- (6) Procedures and standards for worthiness of applications.
- (7) Fees and other provisions necessary to implement the authority's functions.

Effective July 1, 2024.

(Amends R.S. 36:351(B) and (C), 354(A)(15) and (B)(2) and (6), 356(B), 357(B) and (C), 358(C) and (D)(2), 359(B)(1) and (2), 401(C)(1)(b)(i), and 405(A)(1)(b); Adds R.S. 36:354(A)(19), 356.1, 358(E) through (G), and 359(B)(4); Repeals R.S. 36:408(I) and 409(C)(8))