HLS 14RS-740 ENGROSSED

Regular Session, 2014

22

HOUSE CONCURRENT RESOLUTION NO. 50

BY REPRESENTATIVE CHAMPAGNE

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

1 A CONCURRENT RESOLUTION 2 To memorialize the United States Congress to take such actions as are necessary for the 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 7 of 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

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

1 Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (RESTORE) 2 that requires eighty percent of the fines to be deposited into the Gulf Coast Restoration Trust 3 Fund (trust fund) for restoration efforts in the five coastal states damaged by the spill: 4 Alabama, Florida, Louisiana, Mississippi, and Texas; and 5 WHEREAS, the monies from the trust fund will be principally divided into three 6 funding mechanisms, the Direct Component that evenly distributes thirty-five percent to the 7 five affected states; the Comprehensive Plan Component that directs thirty percent to the 8 Gulf Coast Ecosystem Restoration Council to implement a comprehensive Gulf Coast wide 9 recovery plan; and the Spill Impact Component that distributes thirty percent to the affected 10 states based upon a formula calculated on the miles of coastline affected by the oil spill, 11 distance from Deepwater Horizon, and the average 2010 population; and 12 WHEREAS, unfortunately, Louisiana has recent experience in administering 13 restoration and recovery programs in the wake of disasters such as hurricanes Katrina, Rita, 14 Gustay, and Isaac and has learned the value of real-time audit practices in terms of ensuring 15 proper expenditures, providing guidance to program administrators, and assuring 16 transparency of decisions for the public; and 17 WHEREAS, auditing after the fact provides little assistance for parish and county 18 governments with minimal resources to recoup large sums in the case of improper 19 expenditures; and 20 WHEREAS, the RESTORE Act provides for up to three percent for administrative 21 costs; there remains uncertainty whether those funds are only for the cost of the United 22 States Treasury Department administering the RESTORE Act and whether those funds can 23 be utilized by state and local governments for real-time audits. 24 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby 25 memorialize the United States Congress to take such actions as are necessary for the proper 26 allocation of resources on the federal, state, and local level to fund real-time audit practices 27 in developing, planning, constructing, and executing projects funded by the RESTORE Act's 28 Gulf Coast Restoration Trust Fund to ensure proper expenditures and the restoration of the 29 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)]

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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.