

2016 Regular Session

HOUSE BILL NO. 241

BY REPRESENTATIVE ZERINGUE

COASTAL COMMISSION: Relative to administrative and budgetary services for the Coastal Protection and Restoration Authority

1 AN ACT

2 To amend and reenact R.S. 9:1103, R.S. 30:961(G)(3), 2000.11(E), 2459(A) and (D),
3 2460(14), R.S. 35:411(A), (B), and (E), R.S. 38:100(introductory paragraph),
4 106(A)(2)(introductory paragraph) and (B), 111, 112, 213(D), 214(B), 218(B),
5 221(F), 225(A)(2), (D)(2)(b), (F), 226, 301(B), 301.1(A), (B), and (C), 306(C),
6 313(B)(2), 315, 329.6(H), 330.1(C)(2)(c) and (3)(a), 3097.4(A)(9), R.S. 39:99.29(A),
7 366.3(1), 2202(1), (3), (5), and (6), R.S. 48:264.1(B), and R.S. 56:301.10(E)(3),
8 425(E), 427.1(C), 494(E)(3) and 2011(E), to enact R.S. 49:214.6.2(D)(8) and to
9 repeal R.S. 49:214.6.2(C)(4), relative to the Coastal Protection and Restoration
10 Authority Board; to change certain references to the "Office of Coastal Protection
11 and Restoration" to "Coastal Protection and Restoration Authority"; to change certain
12 references to the "Office of Coastal Protection and Restoration" to the "Coastal
13 Protection and Restoration Authority Board"; to make technical corrections to
14 references to the "executive director", the "chair", the "chairman"; to make other
15 technical corrections; to provide for the utilization of certain services provided by
16 the Department of Natural Resources; and to provide for related matters.

17 Be it enacted by the Legislature of Louisiana:

18 Section 1. R.S. 9:1103 is hereby amended and reenacted to read as follows:

19 §1103. Carbon sequestration on surface or water bottom

20 Any monetary compensation derived from the sequestration of carbon on the
21 surface of land or water bottoms through biological processes, including but not

1 limited to the growth of plants or animals or other natural or induced processes, is
 2 the property of the owner of the land or water bottom upon which such sequestration
 3 occurs, unless (a) contractually assigned to another party; or (b) the sequestration,
 4 uptake, or prevention of emission of greenhouse gases is directly related to the
 5 avoided conversion or avoided loss attributable to a project carried out or sponsored
 6 by the Coastal Protection and Restoration Authority or the Coastal Protection and
 7 Restoration Authority Board, including use of public resources as provided in R.S.
 8 49:214.5.4. In such instance, the monetary compensation is the property of the state.
 9 Section 2. R.S. 30:961(G)(3), 2000.11(E), 2459(A) and (D), 2460(A)(14) are hereby
 10 amended and reenacted to read as follows:

11 §961. Cooperative endeavor agreements; withdrawal of surface water; intent

12 * * *

13 G.

14 * * *

15 (3) The management of cooperative endeavor agreements to withdraw
 16 running surface water shall be consistent with the comprehensive master plan for
 17 coastal restoration and protection as approved by the Coastal Protection and
 18 Restoration Authority Board and the legislature.

19 * * *

20 §2000.11. Annual Basin plan

21 * * *

22 E. The annual Basin plan shall be submitted to the Coastal Protection and
 23 Restoration Authority Board for their review and approval as consistent with the
 24 master plan for coastal protection and restoration for a sustainable coast prior to final
 25 adoption by the board.

26 * * *

27 §2459. State oil spill contingency plan

28 A. The coordinator shall develop and distribute to the public a state oil spill
 29 contingency plan of response for actual or threatened unauthorized discharges of oil

1 and clean up of pollution from such discharges. In addition, the Department of
 2 Environmental Quality, in cooperation with the coordinator, shall recommend
 3 provisions of the plan relating to unauthorized discharges of oil. The Department of
 4 Wildlife and Fisheries, in cooperation with the coordinator, shall recommend
 5 provisions of the plan providing for protection, rescue, and rehabilitation of aquatic
 6 life and wildlife and appropriate habitats on which they depend under its jurisdiction.
 7 The executive director of the ~~Office of~~ Coastal Protection and Restoration Authority,
 8 in cooperation with the coordinator, shall recommend provisions of the plan for
 9 providing for the protection and restoration of the coastal areas of the state. The
 10 Department of Natural Resources, in cooperation with the coordinator, shall
 11 recommend provisions of the plan providing for protection and rehabilitation of
 12 appropriate resources under its jurisdiction. The Department of Public Safety and
 13 Corrections, in cooperation with the coordinator, shall recommend provisions of the
 14 plan providing for emergency response coordination to protect life and property,
 15 excluding prevention, abatement, containment, and removal of pollution from an
 16 unauthorized discharge.

17 * * *

18 D. Prior to adopting the state oil spill contingency plan, the coordinator shall
 19 adopt a fully delineated inland boundary for coastal waters as defined in this Chapter,
 20 which boundary shall be based upon data provided by, including but not limited to
 21 the United States Army Corps of Engineers, United States Department of the
 22 Interior, Minerals Management Service, the Coastal Protection and Restoration
 23 Authority, the Louisiana Department of Natural Resources, and the oil and gas
 24 industry. The coordinator shall be authorized to amend the boundary by rule as
 25 conditions may warrant. The boundary, as adopted, shall be clearly marked on large
 26 scale maps or charts, official copies of which shall be available for public inspection
 27 in ~~the Office of~~ Coastal Protection and Restoration Authority, the office of coastal
 28 management in the Department of Natural Resources, in each agency comprising the

1 interagency council, and in the parish seat of each parish located within the
2 boundary.

3 §2460. Contingency plan provisions

4 A. The plan shall include all of the following:

5 * * *

6 (14) Procedures established in cooperation with the Department of
7 Environmental Quality, Department of Wildlife and Fisheries, the Coastal Protection
8 and Restoration Authority, and Department of Natural Resources for assessment of
9 natural resources damages and plans for mitigation of damage to and restoration,
10 protection, rehabilitation, or replacement of damaged natural resources. Pursuant to
11 R.S. 49:214.1 et seq., the Coastal Protection and Restoration Authority is responsible
12 for integrated coastal protection in the coastal area of the state, therefore, the Coastal
13 Protection and Restoration Authority and the ~~Office of Coastal Protection and~~
14 Restoration Authority Board shall assist the coordinator in a primary role in
15 assessing natural resource damages in the coastal area.

16 * * *

17 Section 3. R.S. 35:411(A), (B), and (E) are hereby amended and reenacted to read
18 as follows:

19 §411. Ex officio notaries public for the ~~Office of Coastal Protection and Restoration~~
20 Authority

21 A. The executive director of the ~~Office of Coastal Protection and Restoration~~
22 Authority may designate as ex officio notaries public up to five employees of the
23 office.

24 B. Employees so designated may administer oaths, take acknowledgments,
25 and attest on affidavits, and the authority granted under this Section is limited to acts
26 and instruments to which the ~~office~~ authority, the executive director acting for the
27 ~~office~~ authority, or the Coastal Protection and Restoration Authority Board, is a

1 party, and other documents concerning any matter in which the ~~office~~ authority or
2 the Coastal Protection and Restoration Authority Board has an official interest.

3 * * *

4 E. The cost of each notarial seal shall be paid by the ~~Office~~ of Coastal
5 Protection and Restoration Authority.

6 Section 4. 38:100(introductory paragraph), 106(A)(2)(introductory paragraph) and
7 (B), 111, 112, 213(D), 214(B), 218(B), 221(F), 225(A)(2), (D)(2)(b), (F), 226, 301(B),
8 301.1(A), (B), and (C), 306(C), 313(B)(2), 315, 329.6(H), 330.1(C)(2)(c) and (3)(a),
9 3097.4(A)(9) are hereby amended and reenacted to read as follows:

10 §100. Object and purpose

11 It is the object and purpose of this Chapter to provide for participation by the
12 state of Louisiana in the Westwego to Harvey Canal hurricane protection project, for
13 modifications of the Westwego to Harvey Canal hurricane protection project to
14 include the Lake Cataouatche area, the East of Harvey Canal hurricane protection
15 project, and for any other future project modifications or additions within the
16 parishes of Jefferson, Orleans, Plaquemines, and St. Charles. It is further the object
17 of this Chapter to designate the Coastal Protection and Restoration Authority Board
18 as the nonfederal sponsor for the construction of the projects and to furnish the
19 United States such assurances and cooperation as may be required by the Congress
20 of the United States that the department will:

21 * * *

22 §106. Object and purpose

23 A.

24 * * *

25 (2) It is further the object of this Chapter to designate the Coastal Protection
26 and Restoration Authority Board as the nonfederal sponsor for the construction of
27 the projects and to furnish the United States such assurances and cooperation as may
28 be required by the Congress of the United States that the authority shall:

29 * * *

1 the channel of the Mississippi River have been separated from other parts of the state
2 of Louisiana, and which are now on the east side of the present channel of the river,
3 and attached to the mainland of the state of Mississippi. The levees shall be of the
4 dimensions and shall be located, and built from adjacent soil, along the lines, and for
5 the distances, determined by the engineers in charge of levee construction either for
6 the United States or for the state of Mississippi, or for both.

7 * * *

8 §213. Riding or hauling on levees prohibited

9 * * *

10 D. Nothing in this Section shall interfere with the crossing over any public
11 levees, at ramps or inclines established under plans and specifications of the
12 Department of Transportation and Development, or, for levees or integrated coastal
13 protection projects in the coastal area as defined in R.S. 49:214.2, the Coastal
14 Protection and Restoration Authority. Nothing in this Section shall interfere with the
15 ability of the Coastal Protection and Restoration Authority or the Coastal Protection
16 and Restoration Authority Board to carry out its responsibilities as the local sponsor
17 for all integrated coastal protection projects, in its jurisdiction, pursuant to R.S.
18 49:214.1(F).

19 §214. Interference with drainage prohibited

20 * * *

21 B. Upon the request of the Department of Transportation and Development,
22 the Coastal Protection and Restoration Authority, or the Coastal Protection and
23 Restoration Authority Board, if the area is located within the coastal area, as defined
24 in ~~R.S. 49:214.2(3)~~ R.S. 49:214.2(4), and involves integrated coastal protection, as
25 defined in ~~R.S. 49:214.2(10)~~ R.S. 49:214.2(11), the state police shall issue a citation
26 to any person who is in violation of this Section. Every person convicted of a
27 violation of this Section shall be fined not less than twenty-five dollars nor more than
28 three hundred dollars.

29 * * *

1 §218. Diversion of natural drain prohibited

2 * * *

3 B. Upon request of the Department of Transportation and Development, the
4 Coastal Protection and Restoration Authority, or the Coastal Protection and
5 Restoration Authority Board, if the area is located within the coastal area, as defined
6 in ~~R.S. 49:214.2(3)~~ R.S. 49:214.2(4), and involves integrated coastal protection, as
7 defined in ~~R.S. 49:214.2(10)~~ R.S. 49:214.2(11), the state police shall issue a citation
8 to any person who is in violation of this Section. Every person who is convicted of
9 a violation of this Section shall be fined not less than twenty-five dollars nor more
10 than one hundred dollars or imprisoned for not less than ten days nor more than
11 thirty days, or both.

12 * * *

13 §221. Rice-flumes, dahls, or pipes in public levees prohibited

14 * * *

15 F. The laying of such pipes through or under the public levees in cities,
16 municipalities, or parishes shall be with the consent and approval of the levee board,
17 the Department of Transportation and Development, for levees in the coastal area as
18 defined in ~~R.S. 49:214.2(3)~~ R.S. 49:214.2(4), the Office of Coastal Protection and
19 Restoration Authority, and the governing authorities of the cities, municipalities, or
20 parishes and under the supervision of the Department of Transportation and
21 Development, or the ~~Office of Coastal Protection and Restoration~~ Authority.

22 * * *

23 §225. Obstructions on levees, waterways, and rights-of-way therefor; removal at
24 expense of person responsible; destroying markers prohibited

25 No person shall:

26 * * *

27 (2)(a)(i) Tie or moor logs, rafts, boats, watercraft, or floating objects of any
28 description to the levees, or, when the water is against the levees, tie or moor any
29 floating objects to mooring posts, revetments, trees, or other objects within one

1 hundred eighty feet from the crown of any federally authorized and funded levees
2 or levees designated by the ~~Office of~~ Coastal Protection and Restoration Authority
3 or the Department of Transportation and Development;

4 (ii) When the water is against the levees, drive or push any logs, rafts, boats,
5 watercraft, or floating objects of any description onto or against any levees;

6 (b) Nothing herein shall prohibit the mooring or berthing of floating vessels
7 at such locations as have been permitted for this purpose by the United States Coast
8 Guard Captain of the Port, United States Army Corps of Engineers, the Louisiana
9 Department of Transportation and Development, the jurisdictional levee district or
10 flood protection authority, the ~~Office of~~ Coastal Protection and Restoration
11 Authority, or any other permitting authority;

12 * * *

13 D. Whoever violates this Section shall be subject to the following penalties:

14 * * *

15 (2)

16 * * *

17 (b) The provisions of this Paragraph shall remain in effect until such time as
18 the Coastal Protection and Restoration Authority promulgates regulations that will
19 provide levee districts, within the coastal area, as defined in ~~R.S. 49:214.2(3)~~ R.S.
20 49:214.2(4), with the authority to enforce the necessary prohibitions related to
21 Subparagraph (2)(a) of this Section as determined or approved by the Coastal
22 Protection and Restoration Authority.

23 * * *

24 F. Nothing in this Section shall interfere with the ability of the Coastal
25 Protection and Restoration Authority or the Coastal Protection and Restoration
26 Authority Board to carry out its responsibilities as the local sponsor for all flood
27 control projects, in its jurisdiction, pursuant to R.S. 49:214.1(F).

1 §226. Permits for levee crossings

2 If an appointed board or commission having jurisdiction over levees receives
3 letters of no objection from the United States Army Corps of Engineers and the
4 Department of Transportation and Development, office of engineering, or, for levees
5 in the coastal area as defined in ~~R.S. 49:214.2(3)~~ R.S. 49:214.2(4), the Coastal
6 Protection and Restoration Authority, in response to a request to the board or
7 commission for a permit or letter of no objection to a levee crossing or a request to
8 renew or transfer an existing permit, it shall be incumbent upon and a ministerial
9 duty of the executive or administrative officer to issue the requested permit or letter
10 of no objection to the crossing, subject to any conditions or stipulations contained
11 in the letters received from the United States Army Corps of Engineers and the
12 Department of Transportation and Development, office of engineering, or for levees
13 in the coastal area as defined in ~~R.S. 49:214.2(3)~~ R.S. 49:214.2(4), the Coastal
14 Protection and Restoration Authority. The board or commission may impose
15 customary fees, bonds, and other general stipulations. The executive or
16 administrative officer shall enforce such permits for levee crossings only to the
17 extent of the conditions and stipulations contained in the permit or letter of no
18 objection.

19 * * *

20 §301. Construction and maintenance of levees and drainage; care and inspection of
21 levees; measure of compensation; right of entry; bicycle paths and walkways

22 * * *

23 B. Except as provided in R.S. 38:330.2(I), the care and inspection of levees
24 shall devolve on resident commissioners, assisted by such inspectors and watchmen
25 as may be appointed pursuant to regulations, which the boards are hereby authorized
26 to adopt. Each resident commissioner and any inspector or watchman who may be
27 appointed shall attend once during his term of office an educational training program
28 conducted by the Department of Transportation and Development or, if the levee
29 district is located within the coastal area, as defined in ~~R.S. 49:214.2(3)~~ R.S.

1 and equipment, the ~~Office of~~ Coastal Protection and Restoration Authority shall
2 provide technical assistance and shall provide guidance in conducting the survey.

3 C. Every levee district located wholly or partially in the coastal area may, in
4 addition to any other powers and duties provided by law for the boards of
5 commissioners of levee districts, establish on its own behalf or for the areas or the
6 levee districts under its authority adequate drainage, flood control, water resources
7 development, and integrated coastal protection, including but not limited to the
8 studying, engineering, designing, planning, maintenance, operation, and construction
9 of erosion control measures, marsh management, coastal restoration, reservoirs,
10 diversion canals, gravity and pump drainage systems, and other flood control works
11 as such activities, facilities, and improvements related to tidewater flooding, riverine
12 flooding, hurricane protection, conservation, and saltwater intrusion. Levee districts
13 located wholly or partially in the coastal area may enter into contracts or other
14 agreements, including cooperative endeavor agreements, with any public or private
15 person or persons, corporation, association, or other entity, including the Coastal
16 Protection and Restoration Authority, ~~Office of Coastal Protection and Restoration,~~
17 the state and other agencies thereof, public corporations, port authorities, levee
18 districts, parishes, other political subdivisions, or the United States government or
19 agencies thereof, or any combination thereof, or with instrumentalities of any kind
20 to provide such adequate drainage, flood control, water resources development, and
21 integrate coastal protection, and to this end, may contract for the acceptance of any
22 grant of money upon the terms and conditions, including any requirement of
23 matching the grants in whole or in part, which may be necessary.

24 * * *

25 §306. General powers and duties of board

26 * * *

27 C. The board shall examine all of the accounts and operations of the board
28 and determine in what manner work shall be undertaken. The board shall also be
29 invested with the control of all public levees in the district, with authority to require

1 the Department of Transportation and Development or the Coastal Protection and
 2 Restoration Authority Board, if the area is located within the coastal area, as defined
 3 in ~~R.S. 49:214.2(3)~~ R.S. 49:214.2(4), and involves integrated coastal protection, as
 4 defined in ~~R.S. 49:214.2(10)~~ R.S. 49:214.2(11), to lay off, furnish estimates, and
 5 perform all engineering work necessary to the location, construction, and repairs of
 6 levees, reserving, however, the right to the parishes in which the levees are located,
 7 also to provide funds and to construct and repair levees and exercise the powers now
 8 conferred to it by law. All works shall be advertised in accordance with the
 9 provisions of R.S. 38:2211 et seq., to be let out by means of sealed proposals to the
 10 lowest responsible bidder, reserving to the board authority to reject all bids. In case
 11 of emergency as defined in R.S. 38:2211(A)(6), the board may make contracts for
 12 the building and repair of and guarding the levees without advertisement or sealed
 13 proposals. It shall use all means at its command to strengthen, repair, or construct
 14 any portion of the levees that may demand attention.

* * *

16 §313. Cessation of activities

* * *

18 B. Within six months after the end of the five-year period delineated in
 19 Subsection A of this Section, the Louisiana legislative auditor shall certify the
 20 following:

* * *

22 (2) Whether or not there has been a protection levee constructed in the
 23 district, as certified by the Department of Transportation and Development or the
 24 Coastal Protection and Restoration Authority Board, if the area is located within the
 25 coastal area, as defined in ~~R.S. 49:214.2(3)~~ R.S. 49:214.2(4), and involves integrated
 26 coastal protection, as defined in ~~R.S. 49:214.2(10)~~ R.S. 49:214.2(11).

* * *

1 §330.1. Southeast Louisiana Flood Protection Authority-East and Southeast
2 Louisiana Flood Protection Authority-West Bank; territorial jurisdiction;
3 board of commissioners; appointments; terms; compensation; vacancy;
4 officers; meetings; domicile

5 * * *

6 C.

7 * * *

8 (2)

9 * * *

10 (c) The chairman of the Coastal Protection and Restoration Authority Board
11 shall be the custodian of the records of the nominating committee. The chairman of
12 the authority nominating committee, or in his absence, the chairman of the Coastal
13 Protection and Restoration Authority Board, shall call the meeting of the nominating
14 committee. The chairman of the Coastal Protection and Restoration Authority
15 Board, or his designee, shall serve as secretary for the nominating committee.

16 (3)(a) Within ten days after the occurrence of a vacancy on the flood
17 protection authority board, the board shall advise the chairman of the Coastal
18 Protection and Restoration Authority Board of such vacancy. Within fourteen days
19 after being advised of a vacancy on a board, the chairman of the Coastal Protection
20 and Restoration Authority Board shall publish notice of the vacancy in the official
21 journal of the state and of each parish within the territorial jurisdiction of the
22 authority.

23 * * *

24 §3097.4. Water Resources Commission; membership; powers and responsibilities

25 A. The Water Resources Commission is hereby created and shall be
26 composed of the following members:

27 * * *

1 §366.3. Definitions

2 In this Part, the following words and terms shall have the meanings ascribed
3 in this Section unless the context clearly requires otherwise:

4 (1) "Cooperative endeavor" means any agreement including one of
5 cooperative financing, other than a competitive bid or competitively negotiated
6 contract, whether contracted pursuant to Chapter 10 of Title 38 or Chapter 17 of Title
7 39 of the Louisiana Revised Statutes of 1950 or pursuant to a request for proposals,
8 request for qualifications, solicitation for offers, or other recognized process for
9 competitively seeking qualified contractors, to which the state is a party and pursuant
10 to which the state has obligated state resources, whether funds, credit, property, or
11 things of value of the state to a nonpublic person for the accomplishment of a public
12 purpose or in the public interest, but shall not include projects contained in the
13 comprehensive state capital outlay budget, projects pursuant to the Governor's
14 Economic Development Rapid Response Program, and integrated coastal protection
15 programs and projects authorized in the annual coastal protection and restoration
16 plan and administered by the ~~Office of~~ Coastal Protection and Restoration Authority.

17 * * *

18 §2202. Definitions

19 As used in this Chapter the following terms have the following meanings
20 unless the context clearly indicates otherwise:

21 (1) "Agency" means the ~~Office of~~ Coastal Protection and Restoration
22 Authority.

23 * * *

24 (3) "Contractor" means any person who has a contract with the ~~Office of~~
25 Coastal Protection and Restoration Authority or a political subdivision to perform
26 a public work as defined in this Chapter.

27 * * *

28 (5) "Director" means the executive director of the ~~Office of~~ Coastal
29 Protection and Restoration Authority.

1 Department of Wildlife and Fisheries, the Department of Natural Resources, the
2 ~~Office of Coastal Protection and Restoration~~ Authority, the Department of Health
3 and Hospitals, the Department of Agriculture and Forestry, and the legislature.

4 * * *

5 §425. Lease of water bottoms; stipulations; boundary disputes

6 * * *

7 E. No lease shall be granted for any water bottom for which any lease was
8 previously acquired by the state for integrated coastal protection, unless the
9 executive director of the ~~Office of Coastal Protection and Restoration~~ Authority
10 determines that leasing would otherwise be appropriate under the provisions of this
11 Subpart and the executive director of the ~~Office of Coastal Protection and~~
12 Restoration Authority affirms that the water bottom is not necessary for integrated
13 coastal protection. Unless this determination has been made prior to issuance of the
14 lease, a lease of water bottom for which a lease was previously acquired shall be null
15 and void for such water bottom and shall be of no force or effect. No person shall
16 have any claim against the state of Louisiana, its political subdivisions, the United
17 States, or any agency, agent, contractor, or employee thereof or any other person in
18 relation to the nullity of such lease.

19 * * *

20 §427.1. State, political subdivisions of the state, and the United States held harmless
21 in coastal restoration

22 * * *

23 C.(1) A leaseholder whose oyster lease is acquired in whole or in part by the
24 ~~Office of Coastal Protection and Restoration~~ Authority pursuant to R.S. 56:432.1 for
25 dredging, direct placement of dredged or other materials, or other work or activities
26 necessary for the construction or maintenance of a project for integrated coastal
27 protection may seek compensation from the ~~Office of Coastal Protection and~~
28 Restoration Authority pursuant to that Section.

1 by this Section. To be eligible for exemption from the royalty payment and bond
 2 requirements of this Section, a private landowner shall obtain a letter of no-objection
 3 from either the governing authority of the political subdivision within which the
 4 activity will occur or the local coastal management program under which the activity
 5 is authorized, and the approval, in writing, of the secretary of the Department of
 6 Natural Resources, the secretary of the Department of Transportation and
 7 Development, and the ~~chair~~ executive director of the Coastal Protection and
 8 Restoration Authority.

9 Section 7. R.S. 49:214.6.2(D)(8) is hereby enacted to read as follows:

10 §214.6.2. Functions and responsibilities; coastal activities

11 * * *

12 D. The authority may:

13 * * *

14 (8) Utilize the services of the Department of Natural Resources, office of
 15 management and finance, for accounting and budgetary control, procurement and
 16 contractual management, data processing, management and program analysis, and
 17 personnel management and grants management, provided that the secretary of the
 18 Department of Natural Resources shall exercise no authority over the provision of
 19 these services.

20 * * *

21 Section 8. R.S. 49:214.6.2(C)(4) is hereby repealed in its entirety.

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 241 Engrossed

2016 Regular Session

Zeringue

Abstract: Provides for discretion in utilizing administrative and budgetary services provided by the Dept. of Natural Resources to the Coastal Protection and Restoration Authority.

Present law requires the Coastal Protection and Restoration Authority (CPRA) to utilize the Dept. of Natural Resources, office of management and finance, for accounting and budgetary

control, procurement and contractual management, data processing, management and program analysis, and personnel management and grants management.

Proposed law modifies present law by allowing, instead of requiring, the CPRA to utilize the Dept. of Natural Resources, office of management and finance, for those services.

Present law prohibits the secretary of the Dept. of Natural Resources from exercising authority over the provision of these services. Proposed law retains present law.

Proposed law makes technical changes throughout the statutes to correct references to the Coastal Protection and Restoration Authority, Coastal Protection and Restoration Authority Board, the chairman of the board, the executive director, and the executive director of the Coastal Protection and Restoration Authority.

(Amends R.S. 9:1103, R.S. 30:961(G)(3), 2000.11(E), 2459(A) and (D), 2460(14), R.S. 35:411(A), (B), and (E), R.S. 38:100(intro. para.), 106(A)(2)(intro. para.) and (B), 111, 112, 213(D), 214(B), 218(B), 221(F), 225(A)(2), (D)(2)(b), (F), 226, 301(B), 301.1(A), (B), and (C), 306(C), 313(B)(2), 315, 329.6(H), 330.1(C)(2)(c) and (3)(a), 3097.4(A)(9), R.S. 39:99.29(A), 366.3(1), 2202(1), (3), (5), and (6), R.S. 48:264.1(B), and R.S. 56:301.10(E)(3), 425(E), 427.1(C), 494(E)(3) and 2011(E); Adds R.S. 49:214.6.2(D)(8); Repeals R.S. 49:214.6.2(C)(4))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill:

1. Make technical changes throughout the statutes to correct references to the Coastal Protection and Restoration Authority, Coastal Protection and Restoration Authority Board, the chairman of the board, the executive director, and the executive director of the Coastal Protection and Restoration Authority.