

Regular Session, 2014

HOUSE BILL NO. 881

BY REPRESENTATIVE CHAMPAGNE

PARISHES: Requires parishes receiving RESTORE Act funds to provide certain information to the public

1 AN ACT

2 To enact R.S. 33:1236.30, relative to parish use of certain federal funds; to require reports
3 of the receipt and use of such funds; to require public hearings and to provide
4 relative to notice of public meetings; to provide relative to parish budgets; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 33:1236.30 is hereby enacted to read as follows:

8 §1236.30. Parishes receiving RESTORE Act funds

9 The governing authority of a parish receiving funds from the federal
10 government pursuant to the Resources and Ecosystems Sustainability, Tourist
11 Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 shall
12 comply with all of the following with respect to such funds, hereafter in this Section
13 referred to as RESTORE funds:

14 (1) The governing authority shall publish a quarterly report indicating, at a
15 minimum, the amount of RESTORE funds received during the previous quarter and
16 to date, and indicating how RESTORE funds have been spent or obligated. A copy
17 of the most recent report shall be available on the parish's official website; if the
18 parish does not have a website, it shall send a printed copy to any resident of the
19 parish who requests it. A copy of the report shall also be submitted to the Louisiana
20 Coastal Protection and Restoration Authority.

1 (2) Prior to expending RESTORE funds on a project, the governing authority
 2 shall hold a public meeting to receive public comment and suggestions on the project
 3 and the use of RESTORE funds therefor. Any such projects shall be in compliance
 4 with the master plan for integrated coastal protection developed pursuant to R.S.
 5 49:214.5.3.

6 (3) The governing authority shall not commingle RESTORE funds and
 7 proceeds from the obligation of RESTORE funds with other parish funds. The
 8 parish budget shall itemize the revenues and authorized expenditures associated with
 9 RESTORE funds or with the proceeds of an obligation of RESTORE funds.

10 (4) In addition to notification of open meetings as required by law, the parish
 11 governing authority shall provide additional public notice of any meeting at which
 12 the expenditure, investment, or obligation of RESTORE funds will be discussed.
 13 Such additional public notice shall give the date, time, and place of any such
 14 meeting, shall be published twice in the official journal of the political subdivision
 15 no more than sixty days nor less than thirty days before such public meeting, and
 16 shall be announced to the public during the course of a public meeting of the parish
 17 governing authority no more than sixty days nor less than thirty days before such
 18 public meeting.

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)]

Champagne

HB No. 881

Abstract: Provides relative to receipt and use by parish governing authorities of RESTORE Act funds.

Present Federal Law, the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (the RESTORE Act), provides for the allocation of civil penalties under the Federal Water Pollution Control Act, in connection with the Deepwater Horizon oil spill. Provides for allocation and distribution of some of those funds directly to coastal counties and parishes.

Proposed law provides the following requirements regarding the receipt and use by parishes of RESTORE Act funds:

- (1) The governing authority shall publish a quarterly report indicating the amount of RESTORE funds received during the previous quarter and to date, and indicating how RESTORE funds have been spent or obligated. Requires availability of the report on the parish's website or at the request of a parish resident and submission of a copy to the La Coastal Protection and Restoration Authority.
- (2) Prior to an expenditure on a project, the governing authority shall hold a public meeting to receive public comment and suggestions on the project. Requires that such projects be in compliance with the master plan for integrated coastal protection, which is provided for in present law.
- (3) Prohibits commingling of RESTORE funds with other parish funds. Requires that authorizations of expenditure of such funds be itemized in the parish budget.
- (4) Requires additional public notice of any meeting at which the expenditure, investment, or obligation of RESTORE funds will be discussed; requires publication of such notice not more than 60 and not less than 30 days prior to such meeting and announcing of the meeting during the course of a meeting of the parish governing authority no more than 60 days and not less than 30 days before such meeting.

(Adds R.S. 33:1236.30)