

SENATE BILL NO. 471

BY SENATOR MICHOT

1 AN ACT

2 To amend and reenact R.S. 30:2483(E) and 2484(A)(1) and (7) and to enact R.S.
3 30:2486(F), relative to special treasury funds; to remove the cap on the Oil Spill
4 Contingency Fund in certain circumstances; to provide for the use of monies in the
5 Oil Spill Contingency Fund during declared emergencies or disasters; to provide for
6 the collection of the oil spill contingency fee during declared emergencies or
7 disasters; to provide for an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 30:2483(E) and 2484(A)(1) and (7) are hereby amended and
10 reenacted and R.S. 30:2486(F) is hereby enacted to read as follows:

11 §2483. Oil Spill Contingency Fund

12 * * *

13 E. After compliance with the requirements of Article VII, Section 9(B) of the
14 Constitution of Louisiana relative to the Bond Security and Redemption Fund, and
15 prior to monies being placed in the state general fund, an amount equal to that
16 deposited, as required in Subsection D hereof, and monies appropriated by the
17 legislature shall be credited to a special fund hereby created in the state treasury to
18 be known as the "Oil Spill Contingency Fund". The monies in this fund shall be used
19 solely as provided in this Section and only in the amounts appropriated by the
20 legislature. All unexpended and unencumbered monies in this fund at the end of the
21 fiscal year shall remain in the fund. The monies in this fund shall be invested by the
22 state treasurer in the same manner as monies in the state general fund, and interest
23 earned on the investment of these monies shall remain in the fund. Except as

1 ~~otherwise provided in this Section, the~~ The balance of the fund shall not exceed
 2 thirty million dollars, exclusive of all fees, other than all fees collected pursuant to
 3 R.S. 30:2485 and 2486, penalties, judgments, reimbursements, charges, interest, and
 4 federal funds collected pursuant to the provisions of this Chapter. As authorized by
 5 Article VII, Section 10.7(C) of the Constitution of Louisiana, the amount of
 6 monies in the fund shall not be limited to thirty million dollars during a
 7 declared state of emergency or disaster caused by an unauthorized discharge of
 8 oil.

9 §2484. Uses of fund

10 A. Money in the fund may be disbursed for the following purposes and no
11 others:

12 (1) Administrative and personnel expenses of the office of the coordinator,
 13 excluding those of the oil spill technical assistance program, not to exceed six
 14 hundred thousand dollars in any fiscal year; except that during a declared state of
 15 emergency or disaster caused by an unauthorized discharge of oil, more than
 16 six hundred thousand dollars in a fiscal year may be disbursed from the fund
 17 after approval of the commissioner of administration and the Joint Legislative
 18 Committee on the Budget.

19 * * *

20 (7) Operating costs and contracts for response and prevention as provided in
 21 this Chapter, excluding operating costs and contracts where indicated of the oil spill
 22 technical assistance program, not to exceed six hundred thousand dollars in any
 23 fiscal year; except that during a declared state of emergency or disaster caused
 24 by an unauthorized discharge of oil, more than six hundred thousand dollars in
 25 a fiscal year may be disbursed from the fund after approval of the
 26 commissioner of administration and the Joint Legislative Committee on the
 27 Budget.

28 * * *

29 §2486. Determination of fee

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1 **F. Notwithstanding any other provision of law to the contrary, the**
 2 **amount of monies in the fund shall not be limited to seven million dollars during**
 3 **a declared state of emergency or disaster caused by an unauthorized discharge**
 4 **of oil.**

5 Section 2. This Act shall become effective upon signature by the governor or, if not
 6 signed by the governor, upon expiration of the time for bills to become law without signature
 7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 8 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 9 effective on the day following such approval.

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____