



LEGISLATIVE FISCAL OFFICE

Fiscal Note

Fiscal Note On: HB 424 HLS 03- 816

Bill Text Version: ORIGINAL

Opp Chamb Action:

Sub Bill For:

Proposed Amd:

Date: April 21, 2003 1:38 PM Author: PITRE
Dept/Agy: Natural Resources Analyst: Stephanie C. Blanchard
Subject: Limitation of recovery damages

PROPERTY/RIGHTS OR DECREASE GF EX See Note Page 1 of 1
(Constitutional Amendment) Authorizes the legislature to limit recovery for damages to property rights affected by coastal conservation activities
The proposed constitutional amendment authorizes the legislature to place limitations on the extent of recovery for the taking of, or loss, or damage to, property rights affected by coastal wetlands conservation, management, preservation, enhancement, creation or restoration activities. Provides for submission of the proposed amendment to the voters at the gubernatorial primary election in 2003.

Table with columns: EXPENDITURES, REVENUES, 2003-04, 2004-05, 2005-06, 2006-07, 2007-08, 5 YEAR TOTAL. Rows include State General Fd., Agy. Self-Gen., Stat. Deds./Other, Federal Funds, Local Funds, and Annual Total.

EXPENDITURE EXPLANATION:

If the proposed constitutional amendment passes the state will realize a cost savings, however, an exact amount is indeterminable. The proposed legislation will bar claims against the state for injuries flowing from efforts to restore the coastal zone. Any cost savings estimate would depend on several factors, including the number, nature, and type of coastal preservation programs undertaken in the future, the areas where these projects are built, as well as the types of interests that may be impacted.

According to the Department of Natural Resources, as a result of the two cases that went to trial, the state is currently facing \$999,984,405 in judgments filed by state issued oyster lease holders due to the alleged effects/damages from the coastal restoration freshwater diversion projects. Two additional cases have not gone to trial as yet, which could result in additional judgments.

The amendment shall be submitted to the electors of the state of Louisiana at the gubernatorial primary election to be held in 2003, thus there will be no additional election expenses.

REVENUE EXPLANATION:

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Dual Referral Rules

Senate

- 13.5.1 >= \$500,000 Annual Fiscal Cost
13.5.2 >= \$500,000 Annual Tax or Fee Change

House

- 6.8(F) >= \$500,000 Annual Fiscal Cost
6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease per year

Signature of Robert E. Hosse

Robert E. Hosse
ECONOMIST/SECTION DIRECTOR