

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

FUNDS/FUNDING: (Constitutional Amendment) Requires that monies received by the state from violations of certain federal and state laws associated with the Deepwater Horizon oil spill shall be deposited into the Coastal Protection and Restoration Fund.

DIGEST

Present constitution establishes the Coastal Protection and Restoration Fund to provide a dedicated, recurring source of revenues for the development and implementation of a program to protect and restore La.'s coastal area.

Present constitution provides for allocations of mineral revenues into the fund, provided that balance in the fund which consists of mineral revenues from severance taxes, royalty payments, bonus payments, or rentals shall not exceed an amount provided by law.

Proposed constitutional amendment requires that any monies received for violations pursuant to Section 311 of the Federal Water Pollution Control Act, 33 U.S.C. 1321; R.S. 30:2025(E)(1) and (2); and R.S. 30:2001 et seq., including R.S. 30:2071 et seq., associated with the Deepwater Horizon oil spill that began on April 20, 2010, shall be deposited and credited by the treasurer to the Coastal Protection and Restoration Fund for integrated coastal protection efforts, including coastal restoration, hurricane protection, and improving the resiliency of the La. Coastal Area affected by the oil spill. Further specifies that proposed constitutional amendment shall not be construed to affect funds associated with the Natural Resources Damage Assessment Process. Further specifies that fund balance limitations under the present constitution relative to mineral revenues deposited into the fund shall not apply to deposits made under proposed constitutional amendment.

Proposed constitutional amendment authorizes the legislature by a favorable vote of two-thirds of the members of each house to spend monies received by the state from the Deepwater Horizon oil spill for any purpose not prohibited by the Louisiana Constitution or by Congressional Act or by Pact or Compact between the state and the U.S. Government related to the Deepwater Horizon oil spill monies. Any such authorization shall be approved by passage of a specific legislative instrument which specifies the purposes of the expenditures.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 6, 2012.

(Adds Const. Art VII, §10.2(G))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Appropriations to the original bill.

1. Deleted reference to lawsuits filed in response to the oil spill and instead provided that deposits be made for violations of specified state and federal laws.
2. Specified that deposits be used for integrated coastal protection efforts, including coastal restoration, hurricane protection, and improving the resiliency of the La. Coastal Area affected by the Deepwater Horizon oil spill.
3. Specified that proposed constitutional amendment shall not affect funds associated with the Natural Resources Damage Assessment process.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the reengrossed bill

1. Authorizes the legislature by a favorable vote of two-thirds of the members of each house to spend monies received by the state from the Deepwater Horizon oil spill for any purpose not prohibited by the Louisiana constitution or by Congressional Act or by Pact or Compact between the state and the U.S. Government related to the Deepwater Horizon oil spill monies. Any such authorization shall be approved by passage of a specific legislative instrument which specifies the purposes of the expenditures.
2. Adjusts ballot language accordingly.