

SB9

215367-1

By Senator Elliott

RFD: Finance and Taxation General Fund

First Read: 11-JAN-22

PFD: 10/19/2021

SYNOPSIS:           This bill provides for the expenditure of funds received by the Alabama Department of Conservation and Natural Resources, pursuant to the Gulf of Mexico Energy Security Act of 2006, for coastal conservation, restoration and protection.

A BILL  
TO BE ENTITLED  
AN ACT

To provide for the expenditure of funds received by the Alabama Department of Conservation and Natural Resources for coastal conservation, restoration and protection, pursuant to Public Law 109-432, Division C, Title I, §§105, 120 Stat. 3000 (43 U.S.C. 1331 note), known as the "Gulf of Mexico Energy Security Act of 2006."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Legislature finds and declares that the following facts are true and correct:

(a) The 109th Congress of the United States of America enacted into law Public Law 109-432, Division C, Title I, §§105, 120 Stat. 3000 (43 U.S.C. 1331 note), commonly known as the "Gulf of Mexico Energy Security Act of 2006."

(b) Congress, in the federal act, created revenue sharing provisions for the four Gulf oil and gas producing States of Alabama, Louisiana, Mississippi, and Texas and their coastal political subdivisions.

(c) The federal act requires that each Gulf oil and gas producing state receive a minimum of 10 percent of the amount available from federal qualified Outer Continental Shelf revenues receive each fiscal year.

(d) The federal act requires that 20 percent of the amount allocated to each state shall be distributed directly to the coastal political subdivisions in the states in accordance with subparagraphs (B), (C), and (E) of Section 31(b)(4) of the Outer Continental Shelf Lands Act (43 U.S.C. 1356a(b)(4)).

(e) The federal act further requires that all amounts received by the Gulf oil and gas producing states and their coastal political subdivisions be used only for one or more of the following purposes:

(1) Projects and activities for the purposes of coastal protection, including conservation, coastal restoration, hurricane protections, and infrastructure directly affected by coastal wetland losses;

(2) Mitigation of damage to fish, wildlife or natural resources;

(3) Implementation of a federally approved marine, coastal or comprehensive conservation management plan;

(4) Mitigation of the impact of Outer Continental Shelf activities through funding of onshore infrastructure projects; and

(5) Planning assistance and administrative costs necessary to comply with the provisions of the Act.

Section 2. It is the intent of the Legislature, by the passage of this act, to require that all federal funds made available to the state through Public Law 109-432, Division C, Title I, §§105, 120 Stat. 3000 (43 U.S.C. 1331 note), and administered by the Alabama Department of Conservation and Natural Resources pursuant to the purposes authorized by the federal act, be expended only within the coastal political subdivisions of the state.

Section 3. This act shall become effective immediately following its passage and approval by the Governor, or its otherwise becoming law.