

1 SB3
2 202591-2
3 By Senator Elliott
4 RFD: Governmental Affairs
5 First Read: 04-FEB-20
6 PFD: 07/17/2019

2
3
4
5
6
7
8 SYNOPSIS: This bill provides for the expenditure of
9 funds received by the Alabama Department of
10 Conservation and Natural Resources, pursuant to the
11 Gulf of Mexico Energy Security Act of 2006, for
12 coastal conservation, restoration and protection.
13

14 A BILL
15 TO BE ENTITLED
16 AN ACT
17

18 To provide for the expenditure of funds received by
19 the Alabama Department of Conservation and Natural Resources
20 for coastal conservation, restoration and protection, pursuant
21 to Public Law 109-432, Division C, Title I, §§105, 120 Stat.
22 3000 (43 U.S.C. 1331 note), known as the "Gulf of Mexico
23 Energy Security Act of 2006."

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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

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

13 (d) The federal act requires that 20 percent of the
14 amount allocated to each state shall be distributed directly
15 to the coastal political subdivisions in the states in
16 accordance with subparagraphs (B), (C), and (E) of Section
17 31(b) (4) of the Outer Continental Shelf Lands Act (43 U.S.C.
18 1356a(b) (4)).

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

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

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

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

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

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

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

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