



Louisiana Natural Resources Trust Authority Statutory Provisions

Current through December 2024 Elections

REVISED STATUTES

TITLE 36. ORGANIZATION OF THE EXECUTIVE BRANCH CHAPTER 8. DEPARTMENT OF ENERGY AND NATURAL RESOURCES

§351. Department of Energy and Natural Resources; creation; domicile; composition; purposes and functions

A. The Department of Energy and Natural Resources is created and shall be a body corporate with the power to sue and be sued. The domicile of the department shall be in Baton Rouge.

B. The Department of Energy and Natural Resources, through its offices and officers, shall be responsible for the conservation, management, and development of water, minerals, and other such natural resources of the state, including coastal management, state water bottom management and permitting, the issuance of energy-related rights of way on state water bottoms and state lands, and energy-related leasing of state water bottoms and state lands as further set forth in law, but not including timber or fish and wildlife and their habitats.

C.(1) The Department of Energy and Natural Resources shall be composed of the executive office of the secretary, the office of management and finance, the office of conservation, the office of mineral resources, the office of coastal management, the office of enforcement, the office of energy, the office of land and water, the Oilfield Site Restoration Commission, and other offices as shall be created by law.

(2) Whenever the secretary determines that the administration of the functions of the department may be more efficiently performed by eliminating, merging, or consolidating existing offices or establishing new offices, the secretary shall present a plan therefor to the legislature for its approval by statute. In addition, beginning January 15, 2026, and thereafter in the same year as the sunset of the Department of Energy and Natural Resources, the secretary shall recommend to the Senate Committee on Natural Resources and the House Committee on Natural Resources and Environment to either terminate or continue the boards and commissions provided for in this Chapter. Any recommendation to terminate a board or commission shall include a plan to eliminate, merge, or consolidate the functions and responsibilities of that board or commission.

Acts 1983, No. 97, §3, eff. Feb. 1, 1984; Acts 1986, No. 581, §2, eff. July 2, 1986; Acts 1987, No. 736, §1; Acts 1989, No. 282, §2, eff. June 27, 1989; Acts 1989, 2nd Ex. Sess., No. 6, §1, eff. July 14, 1989; Acts 1993, No. 404, §3; Acts 2009, No. 523, §1, eff. July 10, 2009; Acts 2010, No. 734, §2; Acts 2023, No. 150, §10, eff. Jan. 10, 2024; Acts 2024, No. 727, §1, eff. July 1, 2024.

NOTE: See Acts 1987, No. 736, §3.

NOTE: See Acts 1989, No. 282, §5.

NOTE: See Acts 1990, No. 601, §§3-5.

NOTE: See Acts 2009, No. 523, §§9 and 10.

§356. Undersecretary; functions; office of management and finance

A. There shall be an undersecretary of the Department of Energy and Natural Resources, who shall be appointed by the governor with consent of the Senate and who shall serve at the pleasure of the governor at a salary fixed by the governor, which salary shall not exceed the amount approved for the position by the legislature while in session. The undersecretary shall be directly responsible to and shall perform his functions under the supervision and control of the secretary.

B. The undersecretary shall direct and be responsible for the functions of the office of management and finance and the Louisiana Natural Resources Trust Authority within the Department of Energy and Natural Resources. In this capacity, the undersecretary shall be responsible for accounting and budget control, procurement and contract management, data processing, management and program analysis, personnel management, and grants management for the department and all of its offices, including all agencies transferred to the Department of Energy and Natural Resources, except as otherwise specifically provided in this Title. The undersecretary shall employ, appoint, remove, assign, and promote personnel as is necessary for the efficient administration of the office of management and finance and the Louisiana Natural Resources Trust Authority and the performance of their powers, duties, functions, and responsibilities, in accordance with applicable civil service laws, rules, and regulations, and with policies and rules of the department, all subject to budgetary control and applicable laws. The undersecretary shall exercise all powers and authority granted to him in this Title subject to the overall direction and control of the secretary.

C. The duties and functions of the office of management and finance and of the undersecretary shall be as provided in this Section, and these duties and functions shall not be subject to change by the secretary, except that the undersecretary shall perform such additional duties and functions as are assigned by the secretary.

Acts 1976, No. 513, §1. Amended by Acts 1977, No. 83, §1, eff. June 22, 1977; Acts 2023, No. 150, §10, eff. Jan. 10, 2024; Acts 2024, No. 727, §1, eff. July 1, 2024.

§356.1. Louisiana Natural Resources Trust Authority; establishment; powers

A. The Louisiana Natural Resources Trust Authority, empowered and governed by the State Mineral and Energy Board pursuant to R.S. 30:121 et seq., possesses the authorities outlined in this Chapter, operating in conjunction with and through the State Bond Commission and the Louisiana Department of Treasury as required by law. The authority shall develop a strategic plan outlining the financial challenges facing energy and natural resources-related projects in the state and the authority's plans and goals in addressing them. The authority may establish an executive committee with delegated responsibilities, excluding interest rate determinations.

B. The authority's powers shall also include the following:

- (1) Setting financial obligations of operators or applicants, consistent with the purposes, authorities, and functions of the Department of Energy and Natural Resources and its officers.
- (2) Indemnifying members, officers, and employees against liabilities.
- (3) Executing necessary contracts and instruments.
- (4) Entering agreements for deductions, payments, and the administration of Paragraph (5) of this Subsection.
- (5) Soliciting, accepting, and expending grants.

C. The authority may adopt rules and regulations in accordance with the Administrative Procedure Act for the following purposes:

- (1) Establishing residency requirements, participant limits, and account accrual limits.
 - (2) Regulating substitutions, transfers, or other financial instruments necessary to meet plugging or abandonment obligations.
 - (3) Setting interest rates with state treasurer approval.
 - (4) Handling abandoned accounts as provided by law.
 - (5) Adopting investment guidelines.
 - (6) Establishing procedures and standards for worthiness of applications.
 - (7) Establishing fees and other provisions necessary to implement this Chapter.
- Acts 2024, No. 727, §1, eff. July 1, 2024.