

**HOUSE COMMITTEE AMENDMENTS**

2017 Regular Session

Amendments proposed by House Committee on Natural Resources and Environment to Original House Bill No. 389 by Representative Carmody

1 AMENDMENT NO. 1

2 On page 1, line 2, after "To" delete "enact" and insert "amend and reenact R.S.  
3 30:21(B)(2)(a) and 544(A)(1) and R.S. 40:1749.23(A) and to enact R.S. 30:4(S) and"

4 AMENDMENT NO. 2

5 On page 1, line 2, after "to" delete the remainder of the line and delete lines 3 and 4 in their  
6 entirety and insert the following:

7 "the Louisiana Underground Utilities and Facilities Damage Prevention Law;  
8 to provide for the authority of the commissioner of conservation to enforce  
9 laws for the prevention of damage to pipelines; to"

10 AMENDMENT NO. 3

11 On page 1, between lines 8 and 9, insert the following:

12 "Section 1. R.S. 30:21(B)(2)(a) and 544(A)(1) are hereby amended  
13 and reenacted and R.S. 30:4(S) is hereby enacted to read as follows:

14 §4. Jurisdiction, duties, and powers of the assistant secretary; rules and  
15 regulations

16 \* \* \*

17 S. To enforce the provisions of Part VIII of Chapter 8 of Title 40,  
18 R.S. 40:1749.11 et seq., the Underground Utilities and Facilities Damage  
19 Prevention Law, as it pertains to the prevention of damage to pipelines.

20 \* \* \*

21 §21. Fees and charges of the commissioner of conservation; revisions;  
22 exceptions; collections; Oil and Gas Regulatory Fund; creation;  
23 amounts; requirements

24 \* \* \*

25 B.

26 \* \* \*

27 (2)(a) There is hereby established a special fund in the state treasury  
28 to be known as the Oil and Gas Regulatory Fund, hereafter referred to as the  
29 "fund". After deposit in the Bond Security and Redemption Fund and after  
30 a sufficient amount is allocated from that fund to pay all the obligations  
31 secured by the full faith and credit of the state that become due and payable  
32 within each fiscal year, the treasurer shall pay into the fund an amount equal  
33 to the monies generated from collection of the fees provided for in this Title,  
34 R.S. 40:1749.12 et seq., or Title 47 of the Louisiana Revised Statutes of  
35 1950, the rules and regulations promulgated thereunder, any fines and civil  
36 penalties or any other provision of law relative to fees, fines, or civil  
37 penalties attributable to the office of conservation, and fifty percent of any  
38 annual assessment paid by an operator who chooses not to plug a well  
39 classified as inactive with the remainder being deposited into the Oilfield Site  
40 Restoration Fund.

41 \* \* \*

42 §544. Violation; penalties, civil and criminal

43 A.(1) Any person who shall be determined by the assistant secretary,  
44 after notice and an opportunity for a hearing, to have violated any provision  
45 of this Chapter or any rule, regulation, or order promulgated or issued under

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 this Chapter shall be liable to the office of conservation for a civil penalty not  
2 to exceed ~~ten two hundred~~ thousand dollars for each violation for each day  
3 that the violation persists, except that the maximum civil penalty shall not  
4 exceed ~~five hundred thousand~~ two million dollars for any related series of  
5 violations.

6 \* \* \*

7 AMENDMENT NO. 4

8 On page 1, line 9, delete "Section 1." and insert in lieu thereof "Section 2. R.S.  
9 40:1749.23(A) is hereby amended and reenacted and"

10 AMENDMENT NO. 5

11 On page 1, delete lines 15 and 16 in their entirety and insert in lieu thereof the following:

12 "(17) "Commissioner" means the commissioner of conservation."

13 AMENDMENT NO. 6

14 On page 1, after line 19, add the following:

15 "§1749.23. Enforcement and adjudication; administration; levy of civil  
16 penalties  
17 A. ~~The~~ Except as provided in R.S. 40:1749.27, the provisions of this  
18 Part may be enforced by the Department of Public Safety and Corrections or  
19 by any local law enforcement agency. The Department of Public Safety and  
20 Corrections or its designee may provide forms, including citation, complaint,  
21 and incident report forms, to other law enforcement agencies for use in  
22 enforcement of the provisions of this Part.

23 \* \* \*

24 AMENDMENT NO. 7

25 On page 2, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

26 "§1749.27. Enforcement for the prevention of damage to pipelines; authority  
27 of the commissioner; administration; violations; penalties; disposition  
28 of monies"

29 AMENDMENT NO. 8

30 On page 2, at the end of line 3, delete "assistant" and on line 4, delete "secretary" and insert  
31 "commissioner"

32 AMENDMENT NO. 9

33 On page 2, delete line 5 in its entirety and insert in lieu thereof "as it applies to the  
34 prevention of damage to pipelines."

35 AMENDMENT NO. 10

36 On page 2, line 8, change "assistant secretary" to "commissioner" and at the end of the line  
37 delete "Part III of"

38 AMENDMENT NO. 11

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 On page 2, delete line 9 in its entirety and insert "Subtitle I of Title 30 of the Louisiana  
2 Revised Statutes of 1950."

3 AMENDMENT NO. 12

4 On page 2, delete line 13 in its entirety and insert in lieu thereof the following:

5 "B. For the prevention of damage to pipelines, the powers of the  
6 commissioner shall include"

7 AMENDMENT NO. 13

8 On page 2, line 22, change "assistant secretary" to "commissioner"

9 AMENDMENT NO. 14

10 On page 2, lines 25 and 26, change "Section" to "Part"

11 AMENDMENT NO. 15

12 On page 3, line 15, change "assistant secretary" to "commissioner" and at the end of the line,  
13 after "involving" add "the prevention of damage to"

14 AMENDMENT NO. 16

15 On page 3, line 17, change "Section" to "Part"

16 AMENDMENT NO. 17

17 On page 3, line 18, delete "assistant" and on line 19, change "secretary" to "commissioner"  
18 and change "Section" to "Part"

19 AMENDMENT NO. 18

20 On page 3, line 26, change "assistant secretary" to "commissioner"

21 AMENDMENT NO. 19

22 On page 3, line 27, delete "Section" and insert in lieu thereof "Part as they apply to the  
23 prevention of damage to pipelines"

24 AMENDMENT NO. 20

25 On page 4, line 1, change "Section 2." to "Section 3."