
SENATE COMMITTEE AMENDMENTS

2018 Regular Session

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 377 by Senator Allain

1 AMENDMENT NO. 1

2 On page 1, at the beginning of line 2, after "To" insert "amend and reenact R.S.
3 30:21(B)(2)(a) and (b) and to"

4 AMENDMENT NO. 2

5 On page 1, line 4, after "terms," insert "rules,"

6 AMENDMENT NO. 3

7 On page 1, line 7, after "Section 1." insert "R.S. 30:21(B)(2)(a) and (b) are hereby amended
8 and reenacted and"

9 AMENDMENT NO. 4

10 On page 1, line 8, after "wells" add "; appeal"

11 AMENDMENT NO. 5

12 On page 1, between lines 10 and 11, insert the following:

13 **"(1) "Inactive well" means an unplugged well that has been spud or has**
14 **been equipped with cemented casing and that has had no reported production,**
15 **disposal, injection, or other permitted activity for a period of greater than six**
16 **months and is not part of an approved production program."**

17 AMENDMENT NO. 6

18 On page 1, at the beginning of line 11, change "(1)" to "(2)"

19 AMENDMENT NO. 7

20 On page 1, at the beginning of line 12, change "(2)" to "(3)"

21 AMENDMENT NO. 8

22 On page 1, at the beginning of line 14, change "(3)" to "(4)"

23 AMENDMENT NO. 9

24 On page 1, line 16, change "has been" to "is"

25 AMENDMENT NO. 10

26 On page 2, line 2, after "under" delete the remainder of the line and at the beginning of line
27 3, delete "R.S. 30:88 or 88.1" and insert "an approved production program"

28 AMENDMENT NO. 11

29 On page 2, at the end of line 21, delete "in" and delete line 22, and insert the following:

30 **"and shall have the right to a public hearing if requested in writing within thirty**
31 **days of notification of the office's determination. The written request shall**

1 suspend the office's determination until after a hearing before an administrative
2 law judge or hearing officer. The hearing shall be in accordance with Part A
3 of Chapter 13-B of Title 49 of the Revised Statutes of 1950, comprised of R.S.
4 49:991 through 999.1, and the Administrative Procedure Act."

5 AMENDMENT NO. 12

6 On page 2, at the beginning of line 23, after "C." insert "(1)"

7 AMENDMENT NO. 13

8 On page 2, after line 28, insert the following:

9 "(2) After notification described in Paragraph (1) of this Subsection, if
10 the owner insists on an expedited determination, he may donate an amount
11 determined by the commissioner to be placed in the Oil and Gas Regulatory
12 Fund to defray the costs of an expedited determination. The office shall follow
13 the procedure set forth in R.S. 30:4(Q) to expedite the determination.

14 D. The commissioner shall adopt rules and regulations in accordance
15 with the Administrative Procedure Act to implement the provisions of this
16 Section, including but not limited to defining the term "future utility" and
17 establishing the factors to be considered when making the determination of
18 future utility.

19 * * *

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

23 B. * * *

24 (2)(a) There is hereby established a special fund in the state treasury to be
25 known as the Oil and Gas Regulatory Fund, hereafter referred to as the "fund". After
26 deposit in the Bond Security and Redemption Fund and after a sufficient amount is
27 allocated from that fund to pay all the obligations secured by the full faith and credit
28 of the state that become due and payable within each fiscal year, the treasurer shall
29 pay into the fund an amount equal to the monies generated from collection of the
30 fees provided for in this Title, R.S. 40:1749.11 et seq., or Title 47 of the Louisiana
31 Revised Statutes of 1950, the rules and regulations promulgated thereunder, any
32 fines and civil penalties or any other provision of law relative to fees, fines, or civil
33 penalties attributable to the office of conservation, **donations**, and fifty percent of
34 any annual assessment paid by an operator who chooses not to plug a well classified
35 as inactive with the remainder being deposited into the Oilfield Site Restoration
36 Fund.

37 (b) The monies credited to the fund shall be appropriated by the legislature
38 and dedicated solely to the use of the office of conservation for the regulation of the
39 oil and gas industry and other industries under the jurisdiction of the office of
40 conservation and shall be used solely for the purposes of that program. **The monies**
41 **credited to the fund generated from donations and any annual assessment paid**
42 **by an operator who chooses not to plug a well classified as inactive shall be used**
43 **to monitor and determine future utility of inactive wells.** Any monies remaining
44 in the fund at the end of any fiscal year shall remain with the fund and shall not
45 revert to the state general fund. All interest or earnings of the fund shall be credited
46 to the fund. All fees and self-generated revenue remaining on deposit for the office
47 of conservation at the end of any fiscal year shall be deposited into the fund. The
48 amount appropriated from the fund to the office of conservation shall be subject to
49 appropriation by the legislature.

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