

SENATE BILL NO. 432

BY SENATOR EDMONDS

1 AN ACT

2 To amend and reenact R.S. 38:3073(3) and R.S. 38:3074(A)(2) and (3), to enact R.S.
3 38:3076(F), and to repeal R.S. 38:3076(A)(22), relative to the capital area
4 groundwater conservation district; to provide for definitions; to provide for
5 appointment of commissioners; to provide for powers of the board; and to provide
6 for related matters.

7 Notice of intention to introduce this Act has been published.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 38:3073(3) and R.S. 38:3074(A)(2) and (3) are hereby amended and
10 reenacted, and R.S. 38:3076(F) is hereby enacted to read as follows:

11 §3073. Definitions

12 Unless the context otherwise requires, the following terms shall have the
13 following meanings for purposes of this Part:

14 * * *

15 (3) "Commissioner" means a commissioner of the district who has been
16 appointed ~~or elected~~ in accordance with this part.

17 * * *

18 §3074. Board of commissioners; appointments; tenure; replacement; compensation

19 A. Members of the board of commissioners shall be appointed by the
20 governor. Each appointment by the governor shall be submitted to the Senate for
21 confirmation. The members shall be appointed as follows:

22 * * *

23 (2) Three members shall be appointed from nominations by the ~~industrial~~
24 ~~users in the district~~ **Louisiana State University Center for Energy Studies, the**
25 **College of Engineering at Southern University and Agricultural and Mechanical**
26 **College, the Greater Baton Rouge Industrial Alliance, the Louisiana Association**
27 **of Business and Industry, the Louisiana Chemical Association, the Louisiana**

1 Mid-Continent Oil & Gas Association, and the Louisiana Oil & Gas
 2 Association.

3 (3) Three members shall be appointed from nominations by privately or
 4 publicly owned entities that furnish water for rural or municipal use within the
 5 district. One of the three members shall be from nominations by privately owned
 6 users furnishing a municipal water supply to no fewer than two hundred fifty-
 7 thousand persons.

8 * * *

9 §3076. Powers of the board

10 * * *

11 F.(1) The board shall not require users to undertake the installation of
 12 additional metering devices or prescribe new requirements thereof if the user's
 13 installation of metering devices meets all the following criteria:

14 (a) Demonstrates compliance with the user's obligation to meter.

15 (b) Measures flow data at least hourly for each well, for each stratum
 16 from which the well draws, and reports the data to the board monthly.

17 (c) Ensures proper operation of the metering device through installation,
 18 calibration, validation, and maintenance practices that are consistent with the
 19 accepted capability of that type of metering device. Calibration of each metering
 20 device shall be performed at least once a year by a qualified source, which is a
 21 person or entity that has received formal training or has practical field
 22 experience in the calibration of that type of metering device.

23 (d) Adheres to accepted scientific practices to safeguard the accuracy
 24 and reliability of measurements of the volume of monitored withdrawals.

25 (e) Measures flows with a maximum deviation of less than five percent
 26 from true withdrawal rates throughout the range of expected withdrawal
 27 volumes.

28 (2) The board shall have authority to audit the performance of flow
 29 measurement devices installed and maintained by users. Audits of the flow
 30 measurement devices of all users other than nuclear electric generating stations

1 may include temporary installation of a flow measurement device and other
2 necessary equipment by the board, at the board's expense, in order to verify
3 performance of a user-installed flow measurement device. Each user-installed
4 flow measurement device may be audited once per calendar year.

5 Section 2. R.S. 38:3076(A)(22) is hereby repealed.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____