

SENATE BILL NO. 23

BY SENATOR ALLAIN

1 AN ACT

2 To amend and reenact R.S. 30:86(C) and (E)(7) and to enact R.S. 30:86(D)(11) and (H),
3 relative to the Oilfield Site Restoration Fund; to provide for the deposit of monies
4 into the fund; to provide for technical changes; to provide for an effective date; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 30:86(C) and (E)(7) are hereby amended and reenacted and R.S.
8 30:86(D)(11) and (H) are hereby enacted to read as follows:

9 §86. Oilfield Site Restoration Fund

10 * * *

11 C. The treasurer of the state of Louisiana shall certify to the secretary of the
12 Department of Revenue the date on which the balance in the fund equals or exceeds
13 fourteen million dollars. The oilfield site restoration fees on oil and gas provided for
14 in R.S. 30:87 shall not be collected or required to be paid on or after the first day of
15 the second month following the certification, except that the secretary of the
16 Department of Revenue shall resume collecting the fees on receipt of a certification
17 from the treasurer that, based on the expenditures or commitments to expend monies,
18 the fund has fallen below ten million dollars. The secretary of the Department of
19 Revenue shall continue collecting the fees until collections are again suspended in
20 the manner provided by this Section. The **following sums in the site-specific shall**
21 **not be counted to determine the balance of the fund for the purposes of this**

22 **Subsection:**

23 **(1) Site-specific** trust accounts within the fund, ~~the sums collected from~~
24 ~~financial.~~

25 **(2) Financial** security instruments required by rules and regulations adopted
26 by the assistant secretary pursuant to R.S. 30:4(R) and 4.3, ~~sums deposited.~~

1 (3) Deposits pursuant to Paragraph ~~Paragraphs~~ (D)(9), (10), or (11) of this
2 Section, any sums deposited from federal appropriations, or any federal grant
3 program established by the United States Congress for the purpose of restoring
4 orphan oilfield sites, and sums.

5 (4) Monies generated from the issuance of bonds pursuant to R.S. 30:83.1
6 shall not be counted to determine the balance of the fund for the purposes of this
7 Subsection.

8 D. The following monies shall be placed into the Oilfield Site Restoration
9 Fund:

10 * * *

11 (11) Any other source of funding for which restoring orphan oilfield sites
12 is an allowable use, as determined by the Joint Legislative Committee on the
13 Budget.

14 E. Except as otherwise provided in this Section, the monies in the fund may
15 be disbursed and expended pursuant to the authority and direction of the secretary
16 or assistant secretary for the following purposes and uses:

17 * * *

18 (7) Except for the costs of administration of this Part by the Department of
19 Natural Resources not exceeding ~~five percent of~~ the limitations set by the United
20 States Congress or administering federal agency for the federal funds
21 appropriated or granted, the monies deposited into the fund pursuant to Paragraph
22 Paragraphs (D)(9), (10), and (11) of this Section, ~~any other monies deposited from~~
23 ~~federal appropriations, or from federal grant programs authorized by the United~~
24 ~~States Congress for the purpose of restoring orphan oilfield sites,~~ shall be used only
25 for the purposes of assessing and restoring orphan oilfield sites. Notwithstanding any
26 other requirements in this Part, such monies may be expended by the secretary
27 through a contract entered into under any competitive process authorized by Title 38
28 or 39 of the Louisiana Revised Statutes of 1950. The contract may be awarded to any
29 qualified party ~~regardless as to whether or not such~~ the party ~~has been approved to~~
30 ~~be on the~~ is on the approved list of contractors acceptable to conduct site

1 assessment and restoration by the commission.

2 * * *

3 **H. At the direction of the secretary, federal monies dedicated pursuant**
4 **to Subsections (D)(9) or (10) of this Section shall be placed into the department's**
5 **federal funds account instead of the Oilfield Site Restoration Fund but such**
6 **money shall otherwise be subject to the same requirements applicable to money**
7 **identified in Subsection (D)(9) or (10) of this Section.**

8 Section 2. This Act shall become effective upon signature by the governor or, if not
9 signed by the governor, upon expiration of the time for bills to become law without signature
10 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
11 vetoed by the governor and subsequently approved by the legislature, this Act shall become
12 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____