
HOUSE COMMITTEE AMENDMENTS

Substitute for Original House Bill No. 933 by Representative Montoucet as proposed by the House Committee on Natural Resources and Environment

This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.

To amends and reenacts R.S. 45:260 and to enact R.S. 30:4(N), relative to pipelines; to provide for the duties and powers of the commissioner of conservation and the Public Service Commission; to provide for the authority to promulgate rules and regulations; to provide for a declaration of right for landowners; to provide for a registry of entities with expropriation or condemnation authority; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 30:4(N) is hereby enacted to read as follows:

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

* * *

N.(1) After notice and hearings as provided in this Chapter, the commissioner shall promulgate any reasonable rules, regulations, and orders in accordance with the Administrative Procedure Act that are necessary to prepare a written declaration of the rights of a landowner whose immovable property may be acquired by an entity authorized by R.S. 19:2(5),(8),(9),(10), or (12) to expropriate or to condemn as authorized by federal law for the purpose of construction and operation of interstate pipelines transmitting any form of hydrocarbon in a liquid or gaseous state and to maintain a registry of such entities.

(2) The declaration of rights shall include a description of the expropriation and condemnation procedure; the acquiring entity's obligations to the landowner; and the landowner's right to compensation, to trial by a court, and to appeal. When an entity delineated in Paragraph 1 of this Subsection, makes first contact with a landowner whose immovable property may be acquired, the entity shall provide to

the landowner a printed copy of the declaration of rights and a written disclosure of the product the pipeline will transport, the agency or agencies that regulate the pipeline and the agency's or agencies' contact information.

(3) The rules, regulations, and orders authorized by this Subsection shall require entities with the authority to expropriate delineated in Paragraph 1 of this Subsection to register with the department. The department shall make the registry available to the public, including access through the department's website.

(4) The commissioner shall cooperate with any state, federal, or private entity, including the Public Service Commission, the Federal Energy Regulatory Commission, and the United States Department of Transportation, that is convenient or necessary to ensure the distribution of the declaration of rights to the greatest extent possible or to maintain the registration of entities with accurate information.

Section 2. R.S. 45:260 is hereby amended and reenacted to read as follows:

§260. Rules and regulations, general or applicable to particular fields

The commission shall make and enforce all other needful rules and regulations, either general in their nature or applicable to particular oil fields, covering fully the duties of common carrier pipe lines as defined in R.S. 45:251, including rules and regulations to carry out the purposes of R.S. 30:4(N).

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Abstract: Requires the commissioner of conservation to prepare a written declaration of rights to be distributed to landowners and to maintain a registry of entities with expropriation and condemnation authority.

Proposed law requires the commissioner of conservation to promulgate any reasonable rules, regulations, and orders that are necessary to prepare a written declaration of the rights of a landowner whose immovable property may be acquired by expropriation or condemnation as authorized by state or federal law for the purpose of construction and operation of pipelines transmitting any form of hydrocarbon in a liquid or gaseous state and to maintain a registry of such entities.

Proposed law requires the declaration of rights to include the following:

- (1) A description of the expropriation and condemnation procedure.
- (2) The acquiring entity's obligations to the landowner.
- (3) The landowner's right to compensation, to trial by a court, and to appeal.

Proposed law requires when an entity makes first contact with a landowner whose immovable property may be acquired, to provide the landowner with a printed copy of the declaration of rights and a written disclosure of the product the pipeline will transport, the agency or agencies that regulate the pipeline and the agency's or agencies' contact information.

Proposed law requires the commissioner to make the registry of entities with the authority to expropriate or condemn for pipelines. Requires the registry to be available to the public, including access through the department's website.

Proposed law requires the commissioner to cooperate with any state, federal, or private entity, including the Public Service Commission, the Federal Energy Regulatory Commission, and the United States Department of Transportation, to ensure the distribution of the declaration of rights to the greatest extent possible or to maintain the registration of entities with accurate information.

Present law requires the Public Service Commission to make and enforce all other needful rules and regulations, either general in their nature or applicable to particular oil fields, covering fully the duties of common carrier pipelines.

Proposed law retains present law and includes rules and regulations to carry out the purposes of proposed law.

(Amends R.S. 45:260, Adds R.S. 30:4(N))