
DIGEST

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HB 1059 Original

2016 Regular Session

Davis

Abstract: Provides relative to permit fees charged by the Louisiana Liquefied Petroleum Gas Commission. Adds a class of permit holders for which an assessment shall be levied on by the Louisiana Liquefied Petroleum Gas Commission. Changes membership requirements of the board which advises the Louisiana Liquefied Petroleum Gas Commission on the expenditure of funds from such assessment.

Present law provides that the Louisiana Liquefied Petroleum Gas Commission (commission) has the power to make and enforce reasonable rules and regulations governing the storage, sale, and transportation of liquefied petroleum gases over the highways of the state, the installation of tanks or systems for the use of liquefied petroleum gases, and the installation and use of liquefied petroleum gas appliances as the commission may deem necessary in the interest of public safety.

Proposed law retains present law.

Present law requires that the rules and regulations adopted by the commission be printed in pamphlet form.

Proposed law deletes present law and instead requires the rules and regulations adopted by the commission be available on the commission's website.

Present law requires that every person, firm, or corporation, as a prerequisite to his or its right to store, sell, or transport liquefied petroleum gases over the highways of the state of Louisiana or to his or its right to install storage tanks or systems for the use of liquefied petroleum gases, or to his or its right to install liquefied petroleum gas appliances, to obtain a permit or registration from the commission.

Proposed law retains present law.

Present law requires that every applicant for a permit shall, at the time of the issuance of the permit by the commission and annually thereafter pay the commission a permit fee which is fixed by the commission in an amount which cannot exceed four-tenths of one percent of the gross annual sales of liquefied petroleum gas of such dealer or permit holder. The minimum permit fee cannot be less than \$75. Classes of permits are set by administrative rules promulgated by the commission.

Proposed law changes the requirement in present law that the permit cannot be less than \$75 to provide that the permit fee cannot be more than \$150.

Present law provides that an assessment in the amount of five one-hundredths of one percent of the gross annual sales of liquefied petroleum gas is levied on each person who holds a Class I or a Class IV permit.

Proposed law retains present law and adds Class VI permit holders to the class of permit holders for which an assessment is levied by present law.

Present law required the commission to conduct a referendum within 90 days after Sept. 3, 1989, on whether or not the assessment in present law would be levied.

Proposed law repeals present law.

Present law required the commission to conduct a new referendum within 90 days after Sept. 3, 2004, on whether or not the assessment in present law would be levied.

Proposed law repeals present law.

Present law establishes a board to advise the commission on the expenditure of funds collected by this assessment.

Proposed law retains present law.

Present law provides that each member of the advisory board shall be a holder of a Class I or Class IV permit.

Proposed law deletes present law and provides instead that each class of permit holders for which present law and proposed law levies an assessment on shall have at least two members who hold permits for their respective classes on the advisory board.

Present law provides that a referendum to terminate the assessment shall be called by the commission upon receipt of a petition signed by more than 50% of those Class I and Class IV permit holders subject to the assessment. Provides that the referendum is to be held within 90 days of the filing of a petition with the required number of signatures. Specifies that all Class I and Class IV permit holders are eligible to vote in the referendum. Specifies that the assessment would be terminated only if a majority of those eligible to vote approve the termination of the assessment.

Proposed law repeals present law.

(Amends R.S. 40:1846(C), 1849(A), and 1851(A) and (F); Repeals R.S. 40:1851(B), (G), and (H))