

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 819** HLS 16RS 497  
 Bill Text Version: **ENGROSSED**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> April 26, 2016 5:15 PM	<b>Author:</b> MORRIS, JIM
<b>Dept./Agy.:</b> Department of Natural Resources, Office of Conservation	<b>Analyst:</b> Mason Hess
<b>Subject:</b> Provides for the Oilfield Site Restoration Fund	

CONSERVATION  
Provides for the Oilfield Site Restoration Fund

EG SEE FISC NOTE SD EX

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Present law establishes the Oilfield Site Restoration Fund (Fund) to place fees collected on oil and gas production in the state and authorizes the Department of Natural Resources (DNR) to use monies in the Fund for oilfield site restoration programs. Proposed law authorizes the issuance of bonds to raise funds for authorized purposes and provides that the bonds shall not include site specific trust account monies. Proposed law eliminates the 1.5¢ fee on oil and condensate in present law, and replaces it with a fee schedule based on the price of oil. Present law suspends fee collection when the Fund balance equals or exceeds \$10 M and authorizes fee collection to resume when the Fund is below \$6 M. Site-specific trust accounts are not counted toward the balance of the Fund. Proposed law increases the Fund balance for suspending fee collections from \$10 M to \$12 M and increases the balance to resume fee collection from \$6 M to \$8 M. Proposed law requires \$1 M from the Fund to be used to plug orphaned wells in Shreveport and Monroe. Present law limits the liability or responsibility of the commission or the state to pay for site restoration beyond the Fund. Proposed law adds funds from the issuance of bonds to this limit.

<b>EXPENDITURES</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	SEE BELOW	SEE BELOW	SEE BELOW	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>				<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

  

<b>REVENUES</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>5 -YEAR TOTAL</b>
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Ded./Other	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

Proposed law stipulates that \$1 M from the Oilfield Site Restoration Fund (Fund) be spent in the Shreveport and Monroe districts to plug orphaned wells for three fiscal years beginning in FY 16-17. This will not result in an increased expenditure from the Fund because OSR funds are used for such purposes as plugging wells regardless. Proposed law simply requires existing funds to be dedicated to certain projects in certain districts. Proposed law may result in an increase in expenditures related to oilfield site restoration activities to the extent that the Oilfield Site Restoration Commission decides to issue bonds.

**REVENUE EXPLANATION**

OSR funds are used to plug and abandon orphan wells and to restore sites for redevelopment. Proposed law eliminates the current 1.5¢ assessment per barrel of oil deposited into the Statutory Dedication - Oilfield Site Restoration Fund (Fund), and replaces the assessment with the following fee schedule based on the price of oil.

Price per barrel \$60 or less	1.5¢ per barrel
Price per barrel more than \$60 and at or less than \$90	3.0¢ per barrel
Price per barrel more than \$90	4.5¢ per barrel

There is no anticipated direct material effect on governmental revenues as a result of this bill at this time. Both the current official forecast of the Revenue Estimating Conference and the current New York Mercantile do not forecast prices for oil or gas to increase to the prices outlined in the fee schedule requiring a fee increase during the five-year window addressed in this fiscal note. To the extent oil prices may exceed current forecasts and cross the \$60 per barrel threshold for oil, the state would realize an increase in statutorily dedicated revenues deposited into the Oilfield Site Restoration Fund. Oil prices can exhibit substantial volatility and the extent to which they may exceed the thresholds of the bill in the future are largely speculative.

To the extent that bonds are issued, the collected monies will be used to pay for the principle, interest, and other related costs of the bond issuance for the purpose of financing OSR activities. The bonding funds will not be counted toward the balance of the Fund for cap purposes. The issuing bonds may result in a revenue increase in addition to the projected revenue increase from the proposed assessment increases. If the revenue is securitized through a bond sale, the bonds could be considered net state tax supported debt, which is subject to certain limitations.

Senate Dual Referral Rules House

13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

*Evan Brasseaux*

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