

Regular Session, 2014

SENATE CONCURRENT RESOLUTION NO. 172

BY SENATOR LONG

CONSERVATION. Requests the office of conservation, in conjunction with the Public Service Commission, to study landowner's rights concerning expropriation or condemnation for the purpose of construction and operation of pipelines transporting any form of hydrocarbon in a liquid or gaseous state.

A CONCURRENT RESOLUTION

To urge and request the office of conservation, in conjunction with the Public Service Commission, to study landowner's rights concerning expropriation or condemnation for the purpose of construction and operation of pipelines transmitting any form of hydrocarbon in a liquid or gaseous state.

WHEREAS, the right to own land is one of the most sacred rights in our nation, enshrined in the U.S. Constitution and the Louisiana Constitution; and

WHEREAS, the legislature should be ever mindful of preserving this fundamental right, particularly in cases where the landowner's property may be acquired by expropriation or condemnation by a governmental authority; and

WHEREAS, the development of oil and gas fields may necessitate the construction and operation of pipelines, including interstate pipelines, to transmit hydrocarbons for the nation's energy needs; and

WHEREAS, the commissioner of conservation is charged with promulgating rules, regulations, and orders for the construction, operation, and maintenance of pipelines; and

WHEREAS, such rules, orders, and regulations should always seek to inform and protect landowners.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby

1 urge and request the commissioner of conservation to study the feasibility and impact of
2 providing a prepared written declaration of rights to be distributed to landowners concerning
3 expropriation or condemnation for the purpose of construction and operation of pipelines
4 transporting any form or hydrocarbon.

5 BE IT FURTHER RESOLVED that such written declaration include a description
6 of the expropriation and condemnation procedure, the acquiring entity's obligations to the
7 landowner, and the landowner's right to compensation to a trial by a court and appeal.

8 BE IT FURTHER RESOLVED that the study should include the feasibility of
9 creating and maintaining a registry made available to the public, listing the authorities with
10 the power to expropriate and condemn property.

11 BE IT FURTHER RESOLVED that the commissioner of conservation shall
12 cooperate with any state, federal, or private entity, including the Public Service Commission,
13 the Federal Energy Regulatory Commission, and the United States Department of
14 Transportation, in the study to ensure the appropriate distribution of the declaration of rights
15 to the greatest extent possible, or to maintain the accuracy of the registry of entities.

16 BE IT FURTHER RESOLVED the findings and recommendations of the study shall
17 be made to the legislature no later than sixty days prior to the 2015 Regular Session.

18 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to
19 commissioner of conservation and the Public Service Commission.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by McHenry Lee.

DIGEST

Long

SCR No. 172

Requests the commissioner of conservation to study the feasibility of providing a written declaration of landowner's rights, concerning expropriation or condemnation for the purpose of construction and operation of pipelines transporting any form of hydrocarbon in a liquid or gaseous state, and to maintain a registry of entities with expropriation and condemnation authority.