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HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Stuart Bishop to Reengrossed Senate Bill No. 425 by Senator Cortez

1 AMENDMENT NO. 1

2 Delete House Committee Amendments Nos. 1, 2, and 3 proposed by the House Committee
3 on Municipal, Parochial and Cultural Affairs and adopted by the House of Representatives
4 on May 12, 2014.

5 AMENDMENT NO. 2

6 Delete Amendments Nos. 1, 2, and 3, proposed by the Legislative Bureau and adopted by
7 the House of Representatives on May 12, 2014.

8 AMENDMENT NO. 3

9 On page 1, line 2, after "R.S. 33:42" insert "and 43 and R.S. 40:4.15"

10 AMENDMENT N O. 4

11 On page 1, line 7, after "procedures;" insert "to provide for certain rulemaking;"

12 AMENDMENT NO. 5

13 On page 1, delete lines 13 and 14 in their entirety and insert "located within any parish with
14 a population of not less than one hundred seven thousand persons and not greater than one
15 hundred ten thousand persons and to any political subdivision located within any parish with
16 a population of not less than two hundred thousand persons and not greater two hundred
17 thirty thousand persons according to the latest federal decennial census."

18 AMENDMENT NO. 6

19 On page 1, line 16, delete "defined" and insert "set forth"

20 AMENDMENT NO. 7

21 On page 1, line 17, delete "health"

22 AMENDMENT NO. 8

23 On page 2, delete lines 1 through 22 in their entirety and insert the following:

24 "relative to chlorination and iron and manganese control and disinfection of waste
25 water discharged in compliance with such sewer system provider's permit, rules,
26 regulations, and laws governing the operation of such sewer system provider.

27 C.(1) In addition to any other penalty or liability authorized by law that may
28 be imposed upon a private water supply or sewer system provider that fails to meet
29 applicable standards, a political subdivision may by ordinance adopt a remediation
30 charge to be imposed upon such a system operating therein in accordance with such

1 conditions and in such an amount as the political subdivision determines in order to
 2 implement the provisions of the Section.

3 (2) A private water supply or sewer system provider that is penalized by the
 4 state or political subdivision within which it operates at least two separate times
 5 within a consecutive twelve-month period due to failure to comply with applicable
 6 laws and regulations relative to water supply or wastewater treatment and discharge
 7 shall, upon request of the governing authority of the political subdivision, transfer
 8 such system to the political subdivision for just compensation or be subject to
 9 receivership pursuant to R.S. 30:2075.3 or R.S. 40:5.9. Such a transfer shall be
 10 subject to applicable rules, regulations, and laws governing the transfer of a permit,
 11 license, or certificate for a private water supply or sewer system provider and shall
 12 be subject to approval by the Public Service Commission.

13 D. The Department of Health and Hospitals shall provide technical
 14 assistance to private water providers to pursue possible solutions such as installing
 15 new wells with greater depths and to assist impacted populations to resolve their
 16 drinking water issues.

17 E. Private water supply providers that have on-site water filtration systems
 18 shall be required to maintain and utilize such systems. Any private water supply
 19 provider that fails to maintain and utilize any such system shall be subject to a fine
 20 by the Department of Health and Hospitals of one thousand dollars per day until the
 21 system is maintained and utilized.

22 Section 2. R.S. 40:4.15 is hereby enacted to read as follows:

23 §4.15. Water systems; iron and manganese control

24 The office of public health of the Department of Health and Hospitals shall
 25 promulgate and adopt rules in accordance with the Administrative Procedure Act to
 26 implement iron and manganese control requirements for water systems.

27 Section 3. R.S. 33:43 is hereby enacted to read as follows:

28 §43. Water supply and sewer system providers; receivership

29 Notwithstanding any other provision of law to the contrary, if a private water
 30 supply or sewer system provider located in any parish with a population of not less
 31 than one hundred seven thousand persons and not more than one hundred ten
 32 thousand persons according to the latest federal decennial census fails to comply
 33 with applicable laws and regulations concerning health standards and the failure to
 34 comply with such standards has caused a grave public emergency, the Department
 35 of Environmental Quality or the parish may petition the court to place the private
 36 water supply or sewer system provider into receivership in order to operate and
 37 maintain the system, collect any records relating to the current operation and users
 38 of the system, and collect money owed to the system.

39 Section 4. The provisions of this Act shall not apply to any private water supplier
 40 or sewer system operator, who on January 1, 2014, conducts operations in three or fewer
 41 parishes.

42 Section 5. If any provision of this Act or the application thereof is held invalid, such
 43 invalidity shall not affect other provisions or applications of this Act which can be given
 44 effect without the invalid provisions or applications, and to this end the provisions of this
 45 Act are hereby declared severable."