

SENATE BILL NO. 447

BY SENATOR ALLAIN

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AN ACT

To amend and reenact R.S. 30:92(C) and to enact R.S. 30:4(T) and 83(F)(4) and R.S. 37:2157(A)(10), relative to the powers and duties of the commissioner of conservation; to provide relative to orphaned wells and certain agreements; to provide terms and conditions; to provide relative to plugging of wells; to provide relative to the Oilfield Site Restoration Commission; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 30:92(C) is hereby amended and reenacted and R.S. 30:4(T) and 83(F)(4) are hereby enacted to read as follows:

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

\* \* \*

**T. In addition to the requirements set forth in Subsection R of this Section, an organization seeking to enter into a cooperative endeavor agreement with the assistant secretary to assist with plugging orphaned wells, in order to alleviate the burden on operators in meeting financial security requirements, shall include in the cooperative endeavor agreement a provision that allows full access to their operations and financial records for the purpose of any audit**

1 conducted by the legislative auditor.

2 \* \* \*

3 §83. Oilfield Site Restoration Commission; Department of Natural Resources

4 \* \* \*

5 F. The powers of the commission shall be limited to the following:

6 \* \* \*

7 (4) Approve a cooperative endeavor agreement between the  
8 commissioner and an organization seeking to assist with plugging orphaned  
9 wells in order to alleviate the burden on operators in meeting financial security  
10 requirements.

11 \* \* \*

12 §92. Orphan site restoration

13 \* \* \*

14 C. A contract for site assessment or site restoration ~~shall require a cash bond,~~  
15 ~~performance bond, or other equivalent surety instrument approved by the assistant~~  
16 ~~secretary, and shall require a formal bid process. All contracts herein shall be exempt~~  
17 ~~from the provisions of the Public Bid Law and the Procurement Code; however,~~  
18 ~~before this exemption from the Public Bid Law and the Procurement Code can be~~  
19 ~~effective the assistant secretary shall promulgate rules in accordance with the~~  
20 ~~Administrative Procedure Act to set forth the procedures, which, to the extent~~  
21 ~~practicable, shall be in substantial compliance with the Public Bid Law and shall~~  
22 ~~require a formal bid process. A project which the assistant secretary has declared in~~  
23 ~~writing to be an emergency may employ a written and thoroughly documented~~  
24 ~~informal bidding procedure in which bids are solicited from at least three bidders.~~  
25 All such contracts shall be reviewed prior to execution by the assistant secretary and  
26 all informally bid contracts shall be reviewed by the secretary.

27 Section 2. R.S. 37:2157(A)(10) is hereby enacted to read as follows:

28 §2157. Exemptions

29 A. The provisions of this Part shall not apply to any of the following:

30 \* \* \*

