

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 1211 by Representative St. Germain

EMERGENCY/ENVIRONMENTAL: Provides relative to the Oil Spill Coordinators responsibilities

Synopsis of Senate Amendments

1. Change "emergency services" contracts to "legally sensitive" contracts.

Digest of Bill as Finally Passed by Senate

Proposed law provides that contracts for legally sensitive services provided by scientists, economists, modelers, statisticians, cultural resources experts, and other such practitioners assisting the state in assessment of damages under the state and federal oil pollution acts are professional services contracts.

Present law authorizes the coordinator to enter vessels or terminal facilities after a reasonable effort to obtain consent. Proposed law includes in that authorization agents, employees, contractors, and subcontractors of the oil spill coordinator.

Proposed law authorizes the oil spill coordinator and his agents, employees, contractors, and subcontractors, to enter lands, water, and premises to conduct assessments. Provides that such entering is not a civil or criminal trespass, temporary servitude, nor entry under any eminent domain. Except where the coordinator deems it necessary to immediately enter to prevent loss of ephemeral information, requires five-day notice to the property owner prior to entry. Requires the coordinator to indemnify the property owner for loss or injury related to the entry and requires reimbursement for actual damages.

Requires the Oil Spill Interagency Council to study the Oil Spill Contingency Fund and the fees charged that go into the fund and report recommendations for changes or enhancements to the House Committee on Natural Resources and Environment and the Senate Committee on Natural Resources prior to Jan. 15, 2013.

(Amends R.S. 30:2456(E); adds R.S. 30:2456(D)(3))