

Prior law provided that the commissioner of conservation shall make, after notice and hearing, any reasonable rules, regulations, and orders that are necessary to control the drilling, operating, and plugging of solution mining injection wells, the permitting of such wells, and the resulting solution mined cavern.

Prior law provided that such permits include reimbursement to the state or any political subdivision of the state for reasonable and extraordinary costs incurred responding to or mitigating a disaster caused by a violation of a rule, regulation, or order issued by the commissioner. Required that such costs are subject to the approval by the director of Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) prior to being submitted to the permittee for reimbursement.

New law retains prior law and authorizes the commissioner to adopt rules and regulations in accordance with the APA to collect reimbursement.

New law requires that permits include reimbursement to any person who owns noncommercial residential immovable property located within an area under mandatory or forced evacuation for a period of more than 180 days, without interruption, due to a violation of a rule, regulation, or order issued by the commissioner.

New law requires an offer of reimbursement to be for the replacement value of the property. Further requires that the replacement value of the property will be calculated based on the estimated value of the property prior to the incident resulting in the declaration of the disaster or emergency.

New law provides that the reimbursement will be made to the property owner within 30 days after notice by the property owner to the permittee indicating acceptance of the offer, and showing proof of continuous ownership prior to and during an evacuation that lasts more than 180 days, provided that the offer for reimbursement is accepted within 30 days of receipt, and transfers the immovable property free and clear of any liens, mortgages, or encumbrances to the permittee.

Effective August 1, 2014.

(Amends R.S. 30:4(M)(6)(b); adds R.S. 30:4(M)(6)(c))