

## **House Committee on Natural Resources and Environment**

Minutes of Meeting  
2016 Regular Session  
April 20, 2016

### **I. CALL TO ORDER**

Representative Stuart J. Bishop, chairman of the House Committee on Natural Resources and Environment, called the meeting to order at 9:02 a.m. in Room 4, in the State Capitol in Baton Rouge, Louisiana. The secretary called the roll.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Stuart J. Bishop, chairman  
Representative James K. Armes III  
Representative Robert E. Billiot  
Representative Terry R. Brown  
Representative Charles R. Chaney  
Representative Patrick Connick  
Representative Jean-Paul P. Coussan  
Representative Phillip R. DeVillier  
Representative Franklin J. Foil  
Representative Jerry Gisclair  
Representative John E. Guinn  
Representative Rodney Lyons  
Representative Jack G. McFarland  
Representative Blake Miguez  
Representative Jack Montoucet  
Representative James H. "Jim" Morris  
Representative Malinda B. White  
Representative Jerome "Zee" Zeringue

#### **MEMBERS ABSENT:**

Representative Christopher J. Leopold, vice chairman

**STAFF MEMBERS PRESENT:**

Su King, legislative analyst  
Tyler S. McCloud, attorney  
Karen Stephens, secretary

**ADDITIONAL ATTENDEES:**

Larry Warino, clerk  
Myrtis Jarrell, sergeant at arms

**III. DISCUSSION OF LEGISLATION**

*Representative Morris in the chair.*

**House Bill No. 900 by Representative Leopold**

On behalf of Representative Leopold, Representative Bishop presented House Bill No. 900, which authorizes an increase in fees collected by the Department of Environmental Quality.

Dr. Chuck Carr Brown, Department of Environmental Quality, P.O. Box 4301, Baton Rouge, LA 70821, (225) 219-3853, spoke for information only on House Bill No. 900.

Karyn Andrews, Department of Environmental Quality, P.O. Box 4303, Baton Rouge, LA 70821, (225) 219-3865, spoke for information only on House Bill No. 900.

Russel Honore, GreenARMY, 14443 Memorial Tower Drive, Baton Rouge, LA 70810, (441) 227-1527, spoke for information only on House Bill No. 900.

Representative Bishop offered amendments to remove authorization for the department, in even numbered years, to adjust fees that are assessed, charged, and collected by the Department of Environmental Quality after June 1, 2018, by an amount not to exceed the annual percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) (All Items - U.S. City Average) maintained by the U.S. Department of Labor, Bureau of Labor Statistics, rounded downward to the nearest dime. Representative Bishop offered a motion to adopt the proposed amendments to which Representative Montoucet objected. The secretary called the roll and the amendments were adopted by a vote of 14 yeas and 4 nays. Representatives Bishop, Armes, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Guinn, Lyons, Miguez, Jim Morris, and Zeringue voted yea. Representatives Gisclair, McFarland, Montoucet, and White voted nay.

Representative Bishop offered a motion to report House Bill No. 900 with amendments. Without objection, House Bill No. 900 was reported with amendments by a vote of 18 yeas and 0 nays.

Representatives Bishop, Armes, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Lyons, McFarland, Miguez, Montoucet, Jim Morris, White, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support. Witness cards are included in the committee records.

**House Bill No. 181 by Representative Bishop**

Representative Bishop presented House Bill No. 181, which recreates the Department of Natural Resources.

Tom Harris, Department of Natural Resources, P.O. Box 94396, Baton Rouge, LA 70804, (225) 342-2710, spoke for information only on House Bill No. 181.

Representative Jim Morris offered amendments to make a technical change. Representative Jim Morris offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 17 yeas and 0 nays. Representatives Bishop, Armes, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Lyons, McFarland, Miguez, Jim Morris, White, and Zeringue voted yea.

Representative Bishop offered a motion to report House Bill No. 181 with amendments. Without objection, House Bill No. 181 was reported with amendments by a vote of 17 yeas and 0 nays. Representatives Bishop, Armes, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Lyons, McFarland, Miguez, Jim Morris, White, and Zeringue voted yea.

**House Bill No. 464 by Representative Bishop**

Representative Bishop presented House Bill No. 464, which provides for pipeline safety inspection fees.

Representative Bishop offered amendments to make a technical change. Representative Bishop offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Lyons, McFarland, Miguez, Jim Morris, White, and Zeringue voted yea.

Representative Bishop offered a motion to report House Bill No. 464 with amendments. Without objection, House Bill No. 464 was reported with amendments by a vote of 16 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Lyons, McFarland, Miguez, Jim Morris, White, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 for information only. 1 in support. Witness cards are included in the committee records.

**House Bill No. 465 by Representative Bishop**

Representative Bishop presented House Bill No. 465, which provides for certain fees collected by the office of conservation.

Randy Haynie, R-360, P.O. Box 44032, Baton Rouge, LA 70802, (225) 336-4143, spoke in support of House Bill No. 465.

Luke Bross, R-360, 3 Waterway Square Place, Suite 110, The Woodlands, TX 77380, (281) 873-3202, spoke in support of House Bill No. 465.

Representative Jim Morris offered amendments to:

- (1) Repeal certain fees collected by the office of conservation.
- (2) Add a fee of two cents per barrel of exploration and production waste delivered to certain facilities from the original generator.

Representative Jim Morris offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Lyons, McFarland, Miguez, Jim Morris, White, and Zeringue voted yea.

Representative Guinn offered a motion to report House Bill No. 465 with amendments. Without objection, House Bill No. 465 was reported with amendments by a vote of 16 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Lyons, McFarland, Miguez, Jim Morris, White, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

*Representative Bishop in the chair.*

**House Bill No. 670 by Representative Hensgens**

Representative Hensgens presented House Bill No. 670, which provides for a temporary waiver for individual sewerage systems in parishes of a certain size.

Representative Bishop offered an amendment to make a technical change. Representative Bishop offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 15 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Lyons, McFarland, Miguez, Jim Morris, White, and Zeringue voted yea.

Representative Billiot offered a motion to report House Bill No. 670 with amendments. Without objection, House Bill No. 670 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Lyons, McFarland, Miguez, Jim Morris, White, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 for information only. Witness cards are included in the committee records.

**House Bill No. 632 by Representative Jim Morris**

Representative Jim Morris presented House Bill No. 632, which provides for financial security required by applicants for drilling permits.

Karen LeBlanc, Louisiana Legislative Auditor, 1600 N. Third Street, Baton Rouge, LA 70802, (225) 339-3800, spoke for information only on House Bill No. 632.

Representative Jim Morris offered amendments to:

- (1) Remove the definition of "operator in good standing".
- (2) Remove setting the amount of financial security for wells located on land deeper than 3,001 feet, in water, and offshore.
- (3) Set the amount of required financial security at \$2 per foot for individual wells drilled 3,000 feet or less.
- (4) Provide for exceptions from financial security requirements.

Representative Jim Morris offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 18 yeas and 0 nays. Representatives Bishop, Armes, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Lyons, McFarland, Miguez, Montoucet, Jim Morris, White, and Zeringue voted yea.

Russel Honore, GreenARMY, 14443 Memorial Tower Drive, Baton Rouge, LA 70810, (441) 227-1527, spoke in opposition to House Bill No. 632.

Representative Terry Brown offered a motion to report House Bill No. 632 with amendments. Without objection, House Bill No. 632 was reported with amendments by a vote of 16 yeas and 0 nays. Representatives Bishop, Armes, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Guinn, McFarland, Miguez, Montoucet, Jim Morris, White, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support. Witness cards are included in the committee records.

*Representative Foil in the chair.*

**House Bill No. 819 by Representative Jim Morris**

Representative Jim Morris presented House Bill No. 819, which provides for the Oilfield Site Restoration Fund.

Representative Jim Morris offered amendments to:

- (1) Change the balance of the Oil Field Site Restoration Fund reaches to stop the collection of the per barrel fee from \$10 million to \$12 million and the balance collection resumes from \$6 million to \$8 million.
- (2) Require \$1 million from the Oil Field Site Restoration Fund to plug orphaned well drilled less than 3000 ft. wells in the Shreveport and Monroe office of conservation districts for 3 fiscal years.
- (3) Change the fee on crude oil and condensate from 1½¢ per barrel to a fee based on the price of a barrel of crude oil.
- (4) Effective date is if and when HB 632 of this 2016 R.S. is enacted and becomes effective.

Representative Jim Morris offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Armes, Billiot, Terry Brown, Chaney, DeVillier, Foil, Gisclair, Guinn, Lyons, McFarland, Miguez, Montoucet, Jim Morris, White, and Zeringue voted yea.

Kathy Wascom, Louisiana Environmental Action Network (LEAN), 1255 Aberdeen, Baton Rouge, LA 70808, (225) 344-4313, spoke in support of House Bill No. 819.

*Representative Bishop in the chair.*

Representative White offered a motion to report House Bill No. 819 with amendments. Without objection, House Bill No. 819 was reported with amendments by a vote of 16 yeas and 0 nays.

Representatives Bishop, Armes, Billiot, Chaney, Coussan, DeVillier, Foil, Gisclair, Guinn, Lyons, McFarland, Miguez, Montoucet, Jim Morris, White, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support. Witness cards are included in the committee records.

**House Concurrent Resolution No. 72 by Representative Jim Morris**

Representative Jim Morris presented House Concurrent Resolution No. 72, which urges and requests the commissioner of conservation to develop and implement a pilot program to reduce the cost of plugging orphaned wells and decrease the number of wells on the orphan wells list.

Richard Ieyoub, Department of Natural Resources, office of conservation, 617 N. Third Street, Baton Rouge, LA 70802, (225) 342-5540, spoke for information only on House Concurrent Resolution No. 72.

Representative Montoucet offered a motion to report House Concurrent Resolution No. 72 favorably. Without objection, House Concurrent Resolution No. 72 was reported favorably by a vote of 16 yeas and 0 nays. Representatives Bishop, Armes, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Gisclair, Guinn, Lyons, Miguez, Montoucet, Jim Morris, White, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 for information only. 1 in support. Witness cards are included in the committee records.

**House Bill No. 837 by Representative Gisclair**

Representative Gisclair presented House Bill No. 837, which provides relative to the Oilfield Site Restoration program. He stated his intent with the bill was to establish a trust fund to address oilfield issues and problems in south Louisiana in particular, and that he would defer action on the bill after testimony.

Tyler Gray, Louisiana Mid-Continent Oil and Gas Association (LMOGA), 730 North Boulevard, Baton Rouge, LA 70802, (225) 387-3205, spoke in opposition to House Bill No. 837.

Robert Baumann, Hood Baumann, 616 Spanish Town Road, Baton Rouge, LA 70802, (225) 328-0330, spoke for information only on House Bill No. 837.

John Adams, Department of Natural Resources, office of conservation, 617 N. Third Street, Baton Rouge, LA 70802, (225) 342-5540, spoke for information only on House Bill No. 837.

Representative Bishop announced that action on House Bill No. 837 is voluntarily deferred.

Witness cards submitted by individuals who did not speak are as follows: 1 for information only. 2 in opposition. Witness cards are included in the committee records.

**House Bill No. 1125 by Representative Jim Morris**

Representative Bishop announced that House Bill No. 1125, which re-creates the Department of Natural Resources, is voluntarily deferred.

**House Concurrent Resolution No. 50 by Representative Jim Morris**

Representative Bishop announced that House Concurrent Resolution No. 50, which amends rules relative to financial security requirements, is voluntarily deferred.

The committee recessed at 11:13 a.m. The committee reconvened at 11:17 a.m.

**House Bill No. 823 by Representative Hunter**

Representative Hunter presented House Bill No. 823, which provides for heightened drinking water quality standards and increased enforcement of water system safety regulations in certain parishes. He presented a video to further illustrate the water quality issues faced by the citizens of St. Joseph, Louisiana.

- (1) Limit the application of proposed law to a water utility system servicing municipalities having a population less than 1,200 but greater than 700 located in parishes having a population of less than 6,000.
- (2) Require the secretary to appoint a certified operator with certain duties for systems in those municipalities with inspections that show an imminent danger to human health.
- (3) Remove requirements to establish penalties.
- (4) Make technical changes.

Representative Bishop offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Lyons, Miguez, Montoucet, Jim Morris, White, and Zeringue voted yea.

Russel L. Honore, GreenARMY, 14443 Memorial Tower Drive, Baton Rouge, LA 70810, (441) 227-1527, spoke in support of House Bill No. 823.



Kathy Wascom, Louisiana Environmental Action Network (LEAN), 1255 Aberdeen, Baton Rouge, LA 70808, (225) 344-4313, spoke in support of House Bill No. 823.

Mayor Edward L. Brown, Town of St. Joseph, 127 Plank Road, St. Joseph, LA 71366, (318) 766-3713, spoke for information only on House Bill No. 823.

Karl Koch, Town of St. Joseph, P.O. Box 359, Baton Rouge, LA 70821, (225) 223-6215, spoke for information only on House Bill No. 823.

Pat Credeur, Louisiana Rural Water Association, P.O. Box 180, Kinder, LA 7, (338) 230-8446, spoke in opposition to House Bill No. 823.

H. Davis Cole, town engineer for the Town of St. Joseph, 1340 Poydras Street, Suite 1850, New Orleans, LA 70112, (504) 836-2020, spoke for information only on House Bill No. 823.

Representative McFarland offered an amendment to remove Ouachita Parish from the bill. Representative McFarland offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 16 yeas and 0 nays. Representatives Bishop, Armes, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Gisclair, Guinn, Lyons, McFarland, Miguez, Montoucet, White, and Zeringue voted yea.

Representative Armes offered a motion to call the question on the bill, to which Representative Guinn objected. The secretary called the roll, and the motion failed by a vote of 1 yeas and 16 nays. Representative Armes voted yea. Representatives Bishop, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Lyons, McFarland, Miguez, Montoucet, White, and Zeringue voted nay.

Representative Bishop offered a motion to report House Bill No. 823 with amendments. Without objection, House Bill No. 823 was reported with amendments by a vote of 17 yeas and 0 nays. Representatives Bishop, Armes, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Lyons, McFarland, Miguez, Montoucet, White, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 for information only. 10 in support. 6 in opposition. Witness cards are included in the committee records.

#### **IV. OTHER BUSINESS**

##### **Consideration of approval of the sale of Northwestern State University property consisting of approximately 5 acres in Grant Parish.**

Representative Terry Brown offered a motion to approve the sale of Northwestern State University property consisting of approximately 5 acres in Grant Parish. Without objection, the sale was

approved by a vote of 16 yeas and 0 nays. Representatives Bishop, Armes, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Gisclair, Guinn, Lyons, McFarland, Montoucet, Jim Morris, White, and Zeringue voted yea.

**V. ANNOUNCEMENTS**

There were no announcements.

**VI. ADJOURNMENT**

The committee adjourned at 1:14 p.m.

Respectfully submitted,

Chairman Stuart J. Bishop  
House Committee on Natural Resources and Environment

Date adopted: