

House Committee on Natural Resources and Environment

Minutes of Meeting
2016 Regular Session
May 4, 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 9:04 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 Christopher J. Leopold, vice chairman
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 John E. Guinn

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

House Bill No. 1130 by Representative Garofalo

Representative Garofalo presented House Bill No. 1130, which allows for dual leasing of water bottoms for oyster cultivation and harvest.

Robert Baumann, Conoco Phillips, 616 Spanish Town Road, Baton Rouge, LA 70802, (225) 328-0330, spoke in support of House Bill No. 1130.

Representative Bishop offered amendments to:

- (1) Limit agreements between the state and a private claimant to a 15-year duration.
- (2) Require the Dept. of Wildlife and Fisheries to promulgate the processes by which the agreements will be negotiated and administered.
- (3) Remove the exemption from the oyster leasing moratorium.
- (4) Add a provision that states the bill will become effective if and when House Bill No. 902 of this 2016 R.S. is enacted and becomes effective.

Representative Bishop offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Bishop, Billiot, Chaney, Coussan, DeVillier, Gisclair, Leopold, Lyons, McFarland, Miguez, Jim Morris, White, and Zeringue voted yea.

Steven Adams, Louisiana Oysterman Association, 140 Espy Lane, Pointe à La Hache, LA 70082, (504) 583-9333, spoke in support of House Bill No. 1130.

John Tesvich, Louisiana Oyster Task Force, 30300 Highway 23, Buras, LA 70041, (504) 912-2750, initially spoke in opposition to House Bill No. 1130, but stated his support for the amended bill.

Mitch Jurisich, Louisiana Oyster Task Force, P.O. Box 82, Empire, LA 70050, (504) 564-2574, initially spoke in opposition to House Bill No. 1130, but stated his support for the amended bill.

Representative Billiot offered a motion to report House Bill No. 1130 with amendments. Without objection, House Bill No. 1130 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Bishop, Billiot, Chaney, Coussan, DeVillier, Gisclair, Leopold, Lyons, McFarland, Miguez, Jim Morris, White, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 for information only. 2 in support. 9 in opposition. Witness cards are included in the committee records.

House Bill No. 902 by Representative Leopold

Representative Leopold presented House Bill No. 902, which provides a process by which the oyster lease moratorium can be lifted.

John Tesvich, Louisiana Oyster Task Force, 30300 Highway 23, Buras, LA 70041, (504) 912-2750, gave a PowerPoint presentation and spoke in support of House Bill No. 902.

Tim Allen, Louisiana Landowners Association, 8982 Darby Avenue, Baton Rouge, LA 70806, spoke for information only on House Bill No. 902.

Paul Frey, Louisiana Landowners Association, 10705 Shoreline Drive, Baton Rouge, LA 70809, (225) 933-6451, spoke for information only on House Bill No. 902.

Representative Leopold offered amendments to:

- (1) Specify that there will be only one access channel for any single oyster lease.
- (2) Provide for a preliminary determination of state ownership by the state land office within 90 days of the date a protest is filed and a final determination within 180 days.
- (3) Prohibit oyster leasing on right-of-way purchased by pipelines.
- (4) Limit the availability of water bottoms eligible for leasing under the two lottery phases to those water bottoms for which there is not a pending application under any of the earlier phases.
- (5) Provide that the bill will become effective only if and when HB No. 1130 becomes effective.

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

Cole Garrett, Department of Wildlife and Fisheries, 2000 Quail Drive, Baton Rouge, LA 70808, (225) 763-5577, spoke for information only on House Bill No. 902.

Representative Bishop offered a motion to report House Bill No. 902 with amendments. Without objection, House Bill No. 902 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Bishop, Terry Brown, Chaney, Connick, Coussan, DeVillier, Gisclair, Leopold, Lyons, McFarland, Miguez, Montoucet, Jim Morris, White, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 for information only. 21 in support. Witness cards are included in the committee records.

Senate Bill No. 142 by Senator Gatti

Senator Gatti presented Senate Bill No. 142, which authorizes the commissioner of administration to transfer certain state property in Webster Parish.

Representative Jim Morris offered a motion to report Senate Bill No. 142 favorably. Without objection, Senate Bill No. 142 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Bishop, Terry Brown, Chaney, Connick, Coussan, DeVillier, Gisclair, Lyons, McFarland, Miguez, Montoucet, Jim Morris, White, and Zeringue voted yea.

House Concurrent Resolution No. 70 by Representative Zeringue

Representative Zeringue presented House Concurrent Resolution No. 70, which urges continued support for the efforts in the Mississippi River Basin to achieve the goals of the Gulf Hypoxia Action Plan.

Doug Daigle, Louisiana Hypoxia Working Group, LSU Energy, Coast and Environment Building, Room 1177, Baton Rouge, LA 70803, (225) 258-7028, spoke in support of House Concurrent Resolution No. 70.

Representative Miguez offered a motion to report House Concurrent Resolution No. 70 favorably. Without objection, House Concurrent Resolution No. 70 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Bishop, Terry Brown, Chaney, Connick, Coussan, DeVillier, 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.

Senate Concurrent Resolution No. 2 by Senator Ward

Senator Ward presented Senate Concurrent Resolution No. 2, which approves the Atchafalaya Basin Annual Plan for Fiscal Year 2016-2017, and provided a copy of the plan, Exhibit A, which is included in the committee records.

Don Haydel, Department of Natural Resources, Atchafalaya Basin Program, 617 N. Third Street, Baton Rouge, LA 70802, (225) 342-8953, gave a PowerPoint presentation and spoke for information only on Senate Concurrent Resolution No. 2.

Representative Zeringue offered a motion to report Senate Concurrent Resolution No. 2 favorably. Without objection, Senate Concurrent Resolution No. 2 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Bishop, Terry Brown, Chaney, Coussan, DeVillier, Gisclair, 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.

Senate Bill No. 186 by Senator Morrish

On behalf of Senator Morrish, Cole Garrett, Department of Wildlife and Fisheries, 2000 Quail Drive, Baton Rouge, LA 70808, (225) 763-5577, presented Senate Bill No. 186, which discontinues the White Lake Property Advisory Board.

Randy Myers, Department of Wildlife and Fisheries, P.O. Box 9800, Baton Rouge, LA 70808, (225) 765-2805, spoke for information only on Senate Bill No. 186.

Representative Lyons offered a motion to report Senate Bill No. 186 favorably. Without objection, Senate Bill No. 186 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Bishop, Terry Brown, Chaney, Coussan, DeVillier, Foil, Gisclair, Lyons, 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 Jim Morris in the chair.

Senate Bill No. 30 by Senator John Smith

On behalf of Senator John Smith, Representative Bishop presented Senate Bill No. 30, which authorizes the exchange of land between the Department of Agriculture and Forestry and the Cooper Cemetery Association in Beauregard Parish.

Representative Bishop offered amendments to provide that properties may be more specifically described in any agreement executed by the parties. Representative Bishop offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Bishop, Terry Brown, Chaney, Coussan, DeVillier, Foil, Gisclair, Lyons, Miguez, Jim Morris, White, and Zeringue voted yea.

Representative Bishop offered a motion to report Senate Bill No. 30 with amendments. Without objection, Senate Bill No. 30 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Bishop, Terry Brown, Chaney, Coussan, DeVillier, Foil, Gisclair, Lyons, Miguez, Jim Morris, White, and Zeringue voted yea.

Representative Bishop in the chair.

Senate Bill No. 390 by Senator Long

On behalf of Senator Long, Representative Terry Brown presented Senate Bill No. 390, which adds members to the Saline Lake Game and Fish Preserve Commission.

Representative Chaney offered a motion to report Senate Bill No. 390 favorably. Without objection, Senate Bill No. 390 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Bishop, Armes, Terry Brown, Chaney, Coussan, DeVillier, Foil, Gisclair, Leopold, Lyons, Miguez, Jim Morris, White, and Zeringue voted yea.

Senate Bill No. 296 by Senator Peterson

On behalf of Senator Peterson, Representative Zeringue presented Senate Bill No. 296, which provides for the transfer of the Jackson Avenue Terminal Ferry.

Matt Gresham, Port of New Orleans, 1350 Port of New Orleans Place, New Orleans, LA 70130, (504) 528-3255, spoke in support of Senate Bill No. 296.

Chance McNeely, Department of Transportation and Development, (no witness card provided), spoke for information only on Senate Bill No. 296.

Joshua Hollins, Department of Transportation and Development, 1201 Capitol Access Road, Baton Rouge, LA 70802, (225) 379-1200, spoke for information only on Senate Bill No. 296.

Representative Bishop offered an amendment to provide that properties may be more specifically described in any agreement executed by the parties. Representative Bishop offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 14 yeas and 0 nays. Representatives Bishop, Armes, Terry Brown, Chaney, Coussan, DeVillier, Foil, Gisclair, Leopold, Lyons, Miguez, Jim Morris, White, and Zeringue voted yea.

Representative Lyons offered a motion to report Senate Bill No. 296 with amendments. Without objection, Senate Bill No. 296 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Bishop, Armes, Terry Brown, Chaney, Coussan, DeVillier, Foil, Gisclair, Leopold, Lyons, Miguez, Jim Morris, White, and Zeringue voted yea.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The committee adjourned at 10:37 a.m.

Respectfully submitted,

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

Date adopted: