

House Committee on Natural Resources and Environment

Minutes of Meeting
2016 Regular Session
May 11, 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 9:32 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 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 Christopher J. Leopold, vice chairman
Representative Rodney Lyons
Representative Jack G. McFarland
Representative Blake Miguez
Representative James H. "Jim" Morris
Representative Malinda B. White
Representative Jerome "Zee" Zeringue

MEMBERS ABSENT:

Representative James K. Armes III
Representative Jack Montoucet

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 Concurrent Resolution No. 118 by Representative Reynolds

Representative Reynolds presented House Concurrent Resolution No. 118, which provides for environmental study of conditions present when munitions are burned for destruction.

Representative Bishop offered amendments to specify that the sampling plan applies to "commercial" facilities. Representative Bishop 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, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Leopold, McFarland, Miguez, Jim Morris, White, and Zeringue voted yea.

Dr. Chuck Carr Brown, Department of Environmental Quality, P.O. Box 4301, Baton Rouge, LA 70821, (225) 219-3950, spoke for information only on House Concurrent Resolution No. 118.

Liz Mangham, Clean Harbors / Southern Strategy Group, 543 Spanish Town Road, Baton Rouge, LA 70802, (225) 939-6169, spoke in support of House Concurrent Resolution No. 118.

Representative Terry Brown offered a motion to report House Concurrent Resolution No. 118 with amendments. Without objection, House Concurrent Resolution No. 118 was reported with amendments by a vote of 17 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Leopold, 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.

Senate Concurrent Resolution No. 6 by Senator Claitor

On behalf of Senator Claitor, Senator Chabert presented Senate Concurrent Resolution No. 6, which expresses legislative intent for enforcement of laws regulating fishing gear authorized for use in Louisiana's offshore waters.

Cole Garrett, Department of Wildlife and Fisheries, 2000 Quail Drive, Baton Rouge, LA 70808, (225) 763-5577, spoke for information only on Senate Concurrent Resolution No. 6.

Representative Jim Morris offered a motion to report Senate Concurrent Resolution No. 6 favorably. Without objection, Senate Concurrent Resolution No. 6 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Bishop, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Leopold, Lyons, McFarland, Miguez, Jim Morris, White, and Zeringue voted yea.

Senate Bill No. 161 by Senator Chabert

Senator Chabert presented Senate Bill No. 161, which provides for exceptions from the retail seafood dealer's license.

Representative Gisclair offered a motion to report Senate Bill No. 161 favorably. Without objection, Senate Bill No. 161 was reported favorably by a vote of 16 yeas and 0 nays. Representatives Bishop, Billiot, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Leopold, 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. 1 in support. Witness cards are included in the committee records.

Senate Bill No. 165 by Senator Allain

Senator Allain presented Senate Bill No. 165, which requires landowner notification when an operator transfers an oil or gas well.

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 Senate Bill No. 165.

Representative Bishop offered amendments to:

- (1) Remove the process by which an operator of record may be declared orphaned.
- (2) Provide that an oilfield site may be declared orphaned if the operator of that site is the operator of any oilfield site that has been declared orphaned.

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, Guinn, Leopold, Lyons, McFarland, Miguez, Jim Morris, White, and Zeringue voted yea.

Representative Jim Morris offered a motion to report Senate Bill No. 165 with amendments. Without objection, Senate Bill No. 165 was reported with amendments by a vote of 16 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Guinn, Leopold, 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. 2 in opposition. Witness cards are included in the committee records.

Senate Bill No. 427 by Senator Allain

Senator Allain presented Senate Bill No. 427, which provides for powers and duties of the commissioner of conservation.

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 Senate Bill No. 427.

Representative Chaney offered amendments to:

- (1) Remove requirement for the commissioner to make rules, regulations, and orders that are necessary to require the plugging of each dry or abandoned well and to perform site cleanup that were to include provisions for inactive wells classified as future utility.
- (2) Add exceptions from the reasonable bond with security requirement for wells exempt prior to September 1, 2015, that remain with the operator of record as of that date, wells utilizing plugging credits, and wells exempt pursuant to proposed law in House Bill 632 of the 2016 R.S.

Representative Chaney 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, Terry Brown, Chaney, Connick, Coussan, Foil, Guinn, Leopold, Lyons, McFarland, Miguez, Jim Morris, White, and Zeringue voted yea.

Senator Allain asked that action on Senate Bill No. 427 be voluntarily deferred.

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

House Bill No. 631 by Representative Miguez

Representative Miguez presented House Bill No. 631, which provides for types of tires and penalties for failure to comply with the Waste Tire Program.

Representative Miguez offered amendments to add spare tires to the definition of tire. Representative Miguez offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Chaney, Coussan, DeVillier, Foil, Guinn, Leopold, Lyons, McFarland, Miguez, White, and Zeringue voted yea.

Representative Lyons offered a motion to report House Bill No. 631 with amendments. Without objection, House Bill No. 631 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Chaney, Coussan, DeVillier, Foil, Guinn, Leopold, Lyons, McFarland, Miguez, White, and Zeringue voted yea.

Further action was taken by the committee on House Bill No. 631 at a later point in the meeting. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 631.

Representative Leopold in the chair.

Senate Bill No. 140 by Senator Walsworth

On behalf of Senator Walsworth, Representative Bishop presented Senate Bill No. 140, which provides for the organization of the Department of Environmental Quality.

Dr. Chuck Carr Brown, Department of Environmental Quality, P.O. Box 4301, Baton Rouge, LA 70821, (225) 219-3950, spoke for information only on Senate Bill No. 140.

Representative White offered a motion to report Senate Bill No. 140 favorably. Without objection, Senate Bill No. 140 was reported favorably by a vote of 17 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Leopold, Lyons, McFarland, Miguez, 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. 110 by Representative Robby Carter

On behalf of Representative Robby Carter, Representative Bishop presented House Concurrent Resolution No. 110, which urges and requests the Department of Wildlife and Fisheries and the

Department of Natural Resources to study the use of water from natural and scenic rivers for certain uses.

Representative Leopold offered amendments to make technical changes. Representative Leopold 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, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Leopold, Lyons, McFarland, Miguez, Jim Morris, White, and Zeringue voted yea.

Representative Leopold offered a motion to report House Concurrent Resolution No. 110 with amendments. Without objection, House Concurrent Resolution No. 110 was reported with amendments by a vote of 17 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Leopold, 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. 1 in support. Witness cards are included in the committee records.

House Concurrent Resolution No. 115 by Representative Robby Carter

On behalf of Representative Robby Carter, Representative Bishop presented House Concurrent Resolution No. 115, which urges and requests the office of conservation to study the effects of ground water withdrawals from the Southern Hills Aquifer System.

Representative Foil offered a motion to report House Concurrent Resolution No. 115 favorably. Without objection, House Concurrent Resolution No. 115 was reported favorably by a vote of 17 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Leopold, 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. 1 in support. 3 in opposition. Witness cards are included in the committee records.

Representative Bishop in the chair.

House Bill No. 631 by Representative Miguez

This is a continuation of the discussion on House Bill No. 631 from earlier in the meeting. Please check for the prior action to complete the record of discussion and motions on House Bill No. 631.

Representative Bishop offered a motion to reconsider the vote by which House Bill No. 631 was reported with amendments. Without objection, the motion to reconsider the vote passed by a vote of 17 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Leopold, Lyons, McFarland, Miguez, Jim Morris, White, and Zeringue voted yea.

Representative Bishop offered amendments to:

- (1) Dedicate proceeds from the delinquent fee provided for in proposed law to special waste tire projects.
- (2) Require any proceeds that have not been used for special projects by the end of the fiscal year be deposited in the Waste Tire Management Fund.
- (3) Add an effective date of Oct. 1, 2016.

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

Representative Gisclair offered a motion to report House Bill No. 631 with amendments. Without objection, House Bill No. 631 was reported with amendments by a vote of 17 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Chaney, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Leopold, Lyons, McFarland, Miguez, 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.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The committee adjourned at 10:30 a.m.

Respectfully submitted,

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

Date adopted: