

House Committee on Natural Resources and Environment

Minutes of Meeting
2019 Regular Session
April 24, 2019

I. CALL TO ORDER

Representative Stuart J. Bishop, chairman of the House Committee on Natural Resources and Environment, called the meeting to order at 9:01 a.m. in Room 4, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Stuart J. Bishop, chairman
Representative James K. Armes, III
Representative Robert E. Billiot
Representative Terry R. Brown
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 Tanner D. Magee
Representative Jack G. McFarland
Representative Blake Miguez
Representative James H. "Jim" Morris
Representative John M. Stefanski
Representative Malinda B. White
Representative Jerome "Zee" Zeringue

MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

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

ADDITIONAL ATTENDEES PRESENT:

David Koke, clerk
Myrtis Jarrell, sergeant at arms

III. DISCUSSION OF LEGISLATION

House Bill No. 545 by Representative Jim Morris

Representative Jim Morris presented House Bill No. 545, which provides for the disposal of produced waters.

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 12 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Connick, DeVillier, Foil, Gisclair, Guinn, Leopold, McFarland, Jim Morris, and White voted yea.

Mr. Greg Hall, Hall-Hargraves, LLC, P.O. Box 578, Oil City, LA 71061, (318) 995-7070, spoke in support of House Bill No. 545.

Mr. Jeff Watkins, Allen Brothers, P.O. Box 248, Oil City, LA 71061, (318) 423-8091, spoke in support of House Bill No. 545.

Mr. Mathew Davis, Frog Island, P.O. Box 31, Oil City, LA 71061, (318) 773-7760, spoke in support of House Bill No. 545.

Representative Jim Morris offered a motion to report House Bill No. 545 with amendments. Without objection, House Bill No. 545 was reported with amendments by a vote of 17 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Connick, Coussan, Foil, Gisclair, Guinn, Leopold, Lyons, Magee, McFarland, Miguez, Jim Morris, Stefanski, 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. 490 by Representative Gaines

Representative Bishop announced that action on House Bill No. 490, which provides relative to testing child-occupied facilities for lead and mercury hazards, was voluntarily deferred.

House Bill No. 175 by Representative Bouie

Representative Bouie presented House Bill No. 175, which requires fence-line monitoring systems at certain facilities.

Representative Lyons offered amendments to:

1. Remove minor stationary sources and landfills designated by the parish governing authority.
2. Apply proposed law only to facilities that have been issued three or more compliance orders by DEQ or EPA for air emission violations within a 24-month period.
3. Make proposed law effective July 1, 2019.

Representative Lyons 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, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Leopold, Lyons, Magee, McFarland, Miguez, Stefanski, and Zeringue voted yea.

Ms. Wilma Subra, Louisiana Environmental Action Network, P.O. Box 9813, New Iberia, LA 70562, (337) 364-7155, spoke in support of House Bill No. 175.

General Russel Honore, retired, Green Army, 14443 Memorial Tower Drive, Baton Rouge, LA 70810, (404) 277-1527, spoke in support of House Bill No. 175.

Ms. Kathy Wascom, Louisiana Environmental Action Network, 1255 Aberdeen Avenue, Baton Rouge, LA 70808, (225) 344-4313, spoke in support of House Bill No. 175.

Mr. Michael O'Brien, 152 Garden Road, River Ridge, LA 70123, (504) 460-6660, spoke in support of House Bill No. 175.

Mr. Mike Algero, Department of Environmental Quality, P.O. Box 4312, Baton Rouge, LA 70821, (225) 219-3611, spoke for information only on House Bill No. 175.

Representative Foil in the chair.

Mr. Bryan Johnston, Department of Environmental Quality, 602 N. Fifth Street, Baton Rouge, LA 70802, (225) 219-3450, spoke for information only on House Bill No. 175.

Representative Bishop in the chair.

Mr. Robert Bailey, Department of Environmental Quality, P.O. Box 4312, Baton Rouge, LA 70821, (225) 219-5991, spoke for information only on House Bill No. 175.

Ms. Celena Cage, Department of Environmental Quality, P.O. Box 3712, Baton Rouge, LA 70791, (225) 219-3712, spoke for information only on House Bill No. 175.

Mr. Robert Schromm, Louisiana Chemical Association, One American Place, Suite 2040, Baton Rouge, LA 70825, (225) 376-7652, spoke in opposition to House Bill No. 175.

Mr. Robert Baumann, Hood Baumann & Associates, 616 Spanish Town Road, Baton Rouge, LA 70802, (225) 328-0330, spoke in opposition to House Bill No. 175.

Representative Lyons offered a motion to report House Bill No. 175 with amendments, to which Representative DeVillier objected. The secretary called the roll, and the motion failed by a vote of 4 yeas and 12 nays. Representatives Billiot, Terry Brown, Connick, and Lyons voted yea. Representatives Bishop, Armes, Coussan, DeVillier, Foil, Gisclair, Guinn, Leopold, Magee, McFarland, Jim Morris, and Stefanski voted nay.

Witness cards submitted by individuals who did not speak are as follows: 1 for information only, 4 in support, and 22 in opposition. Witness cards are included in the committee records.

House Bill No. 125 by Representative Lyons

Representative Lyons presented House Bill No. 125, which provides for the maximum civil penalty for citations issued through the expedited enforcement program.

Representative Leopold in the chair.

Representative Billiot offered amendments to make technical changes. Representative Billiot offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Armes, Billiot, Terry Brown, Coussan, DeVillier, Foil, Guinn, Leopold, Lyons, Magee, McFarland, and Jim Morris voted yea.

Ms. Celena Cage, Department of Environmental Quality, P.O. Box 3712, Baton Rouge, LA 70791, (225) 219-3712, spoke for information only on House Bill No. 175.

Mr. Ted Broyles, Department of Environmental Quality, P.O. Box 4312, Baton Rouge, LA 70791, (225) 219-3985, spoke for information only on House Bill No. 175.

Representative Lyons offered a motion to report House Bill No. 125 with amendments. Without objection, House Bill No. 125 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Armes, Billiot, Terry Brown, Connick, Coussan, DeVillier, Foil, Gisclair, Guinn, Leopold, Lyons, McFarland, and Jim Morris voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in support. Witness cards are included in the committee records.

House Bill No. 316 by Representative Hollis

Representative Hollis presented House Bill No. 316, which provides for remote monitoring of certain sewerage facilities.

Representative Leopold offered amendments to remove the requirement that the Department of Environmental Quality issue a compliance order to require remote monitoring and place the burden on the facility to install the equipment within ninety days after the fifth overflow. Representative Leopold offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Armes, Billiot, Terry Brown, Connick, Coussan, DeVillier, Foil, Guinn, Leopold, Lyons, and Jim Morris voted yea.

Representative Bishop in the chair.

Mr. Guy Cormier, Police Jury Association of Louisiana, 707 N. Seventh Street, Baton Rouge LA, 70802, (225) 343-2835, spoke in opposition to House Bill No. 316.

Representative Bishop offered a motion to voluntarily defer action on House Bill No. 316. Without objection, action on House Bill No. 316 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Bishop, Armes, Billiot, Terry Brown, Connick, Coussan, Foil, Gisclair, Guinn, Leopold, Lyons, McFarland, and Zeringue voted yea.

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

Representative Leopold in the chair.

House Bill No. 510 by Representative Bishop

Representative Bishop presented House Bill No. 510, which authorizes certain voluntary health, safety, and environmental audits by facilities subject to regulation by the Department of Environmental Quality.

Representative Bishop offered a motion to voluntarily defer action on House Bill No. 510. Without objection, action on House Bill No. 510 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Bishop, Armes, Billiot, Terry Brown, Connick, Coussan, Foil, Gisclair, Guinn, Leopold, Lyons, McFarland, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 for information only, 13 in support, and 7 in opposition. Witness cards are included in the committee records.

Representative Bishop in the chair.

House Bill No. 163 by Representative Crews

Representative Crews presented House Bill No. 163, which provides relative to responsibilities for actions related to sequestration of carbon dioxide.

Representative Bishop offered amendments to specify that, unless the person is the owner or operator of a facility or activity, the owner, shipper, or generator of carbon dioxide is not responsible for performing the actions required by the commissioner of conservation relative to carbon sequestration. Representative Bishop offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Bishop, Armes, Billiot, Terry Brown, Connick, Coussan, Foil, Guinn, Lyons, and McFarland voted yea.

Mr. Jordan Gleason, Louisiana Oil and Gas Association, no address or phone number provided, spoke in support of House Bill No. 163.

Representative Bishop offered a motion to report House Bill No. 163 with amendments. Without objection, House Bill No. 163 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Bishop, Armes, Billiot, Terry Brown, Coussan, DeVillier, Foil, Gisclair, Guinn, Lyons, McFarland, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 for information only and 4 in support. Witness cards are included in the committee records.

House Bill No. 183 by Representative Cox

Representative Cox presented House Bill No. 183, which levies an annual reclamation fee on surface mining operations.

Mr. Brian Bond, Southwestern Electric Power Company, 428 Travis Street, Shreveport, LA 71101, (318) 455-4255, spoke in support of House Bill No. 183.

Mr. Blake Canfield, Department of Natural Resources, 617 N. Third Street, Baton Rouge, LA 70802, (225) 342-3024, spoke for information only on House Bill No. 183.

Representative Terry Brown offered a motion to report House Bill No. 183 favorably. Without objection, House Bill No. 183 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Coussan, Foil, Gisclair, Guinn, Lyons, McFarland, Jim Morris, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 for information only, 6 in support, and 1 in opposition. Witness cards are included in the committee records.

House Concurrent Resolution No. 31 by Representative Marcelle

Representative Marcelle presented House Concurrent Resolution No. 31, which urges and requests the commissioner of conservation to study the necessity of declaring an area of groundwater concern or critical area of ground water concern in the Baton Rouge area.

General Russel Honore, retired, Green Army, 14443 Memorial Tower Drive, Baton Rouge, LA 70810, (404) 277-1527, spoke in support of House Concurrent Resolution No. 31.

Mr. Anthony Duplechin, Capital Area Groundwater Conservation District, 3535 S. Sherwood Forest Boulevard, Suite 137, Baton Rouge, LA 70816, (225) 293-7370, spoke for information only on House Concurrent Resolution No. 31.

Ms. Alyssa Dausman, The Water Institute of the Gulf, no address provided, (954) 288-2165, spoke for information only on House Concurrent Resolution No. 31. She provided a handout, Exhibit A, which is included in the committee records.

Mr. Barry Hugghins, West Baton Rouge, Parish Council, 5622 Elm Grove Road, Port Allen, LA 70767, (225) 802-2664, spoke in opposition to House Concurrent Resolution No. 31.

Mr. Patrick Kerr, Baton Rouge Water Company, P.O. box 96016, Baton Rouge, LA 70806, (225) 231-0335, spoke for information only on House Concurrent Resolution No. 31.

Mr. John Adams, Department of Natural Resources, office of conservation, no address provided, (225) 342-7889, spoke for information only on House Concurrent Resolution No. 31.

Representative Foil offered a motion to report House Concurrent Resolution No. 31 favorably. Without objection, House Concurrent Resolution No. 31 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Billiot, Terry Brown, Coussan, DeVillier, Foil, Guinn, Leopold, Lyons, McFarland, Miguez, Stefanski, White, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 4 in opposition. Witness cards are included in the committee records.

IV. OTHER BUSINESS

Representative Leopold offered a motion to approve the minutes of the 2017-2018 Interim meeting dated November 8, 2017, and the 2018 Regular Session meetings dated March 21, March 28, April 4, April 5, April 11, April 12, April 17, May 1, and May 8. Without objection, the motion passed by a vote of 12 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Connick, DeVillier, Foil, Gisclair, Guinn, Leopold, McFarland, Jim Morris, and White voted yea.

V. ANNOUNCEMENTS

Representative Bishop introduced new committee member, Representative Stefanski, and new committee clerk, David Koke. He wished Representative White a happy birthday.

VI. ADJOURNMENT

The meeting was adjourned at 12:34 p.m.

Respectfully submitted,

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

Date adopted: