

House Committee on Natural Resources and Environment

Minutes of Meeting
2019 Regular Session
May 1, 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 9:07 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
Danny Leming, sergeant at arms

III. DISCUSSION OF LEGISLATION

House Bill No. 326 by Representative Hill

Representative Hill presented House Bill No. 326, which authorizes the transfer of state property in Rapides Parish.

Mr. Nick Cahanin, St. Mary's Residential Training School, 1200 Camellia Boulevard, Lafayette, LA 70508, (337) 989-0071, spoke in support of House Bill No. 326.

Representative Terry Brown offered a motion to report House Bill No. 326 favorably. Without objection, House Bill No. 326 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Connick, Gisclair, Guinn, Leopold, Lyons, Magee, McFarland, Stefanski, White, and Zeringue voted yea.

House Bill No. 166 by Representative Gisclair

Representative Gisclair presented House Bill No. 166, which requires the use of a safety harness in an open deer stand when hunting or taking deer.

Mr. Roddy Gisclair, 145 E. 110th Street, Galliano, LA 70354, (985) 691-7197, spoke in support of House Bill No. 166.

Ms. Tammy Gisclair, 145 E. 110th Street, Galliano, LA 70354, (985) 691-1813, spoke in support of House Bill No. 166.

Mr. Cole Garrett, Department of Wildlife and Fisheries, no address or phone number provided, spoke for information only on House Bill No. 166.

Representative Gisclair offered a motion to voluntarily defer action on House Bill No. 166. Without objection, action on House Bill No. 166 was voluntarily deferred by a vote of 11 yeas and 0 nays. Representatives Bishop, Billiot, Connick, Gisclair, Guinn, Lyons, McFarland, Jim Morris, Stefanski, White, and Zeringue voted yea.

House Bill No. 355 by Representative Gisclair

Representative Gisclair presented House Bill No. 355, which prohibits the taking of immature female crabs and provides for enhanced penalties for certain crab fishing violations.

Representative Gisclair offered an amendment to:

1. Add the following enhancements to class four punishments crab-related violations other than theft of crab traps or crabs from within a trap:

1st offense: Performance of 40 hours of community service preferably in litter abatement and mandatory use of an approved vessel monitoring system (VMS) on any vessel used by the violator for a one-year period.

2nd offense: Suspension of crab gear license for one year; 40 hours community service preferably in litter abatement; mandatory use of an approved VMS on any vessel used by the violator for the one-year suspension period.

3rd offense: Suspension of crab gear license for three years; 90 hours community service preferably in litter abatement; mandatory use of an approved VMS on any vessel used by the violator for the three-year suspension period.

4th offense: Suspension of crab gear license for 10 years; 120 hours community service preferably in litter abatement; mandatory use of an approved VMS on any vessel used by the violator for the ten-year suspension period.

Representative Gisclair offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 11 yeas and 0 nays. Representatives Bishop, Billiot, Connick, Gisclair, Guinn, Lyons, McFarland, Jim Morris, Stefanski, White, and Zeringue voted yea.

Captain Harris Rouse, Cut Off, LA, no address or phone number provided, spoke in support of House Bill No. 355.

Captain Dickie Cheramie, Golden Meadow, LA, no address or phone number provided, spoke in support of House Bill No. 355.

Mr. Cole Garrett, Department of Wildlife and Fisheries, no address or phone number provided, spoke for information only on House Bill No. 355.

Representative Guinn offered a motion to report House Bill No. 355 with amendments. Without objection, House Bill No. 355 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Bishop, Billiot, DeVillier, Gisclair, Guinn, Leopold, Magee, McFarland, Jim Morris, Stefanski, and Zeringue voted yea.

House Bill No. 315 by Representative Gisclair

Representative Gisclair presented House Bill No. 315, which requires that agreements between an acquiring agency and a landowner for integrated coastal protection projects ensure public recreational access to waterways in the reclaimed lands.

Representative Gisclair offered amendments to change from requiring agreements to grant public access to waterways to requiring agreements to provide whether or not public access to waterways is granted. Representative Gisclair 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, Billiot, Terry Brown, Connick, Gisclair, Guinn, Leopold, Magee, McFarland, Jim Morris, Stefanski, and Zeringue voted yea.

Mr. David Peterson, Coastal Protection and Restoration Authority, 150 Terrace Avenue, Baton Rouge, LA 70802, (225) 342-6505, spoke for information only on House Bill No. 315.

Mr. Kevin Hayes, Louisiana Landowners Association, 412 N. Fourth Street, Baton Rouge, LA 70802, (225) 268-2725, spoke in opposition to House Bill No. 315.

Mr. Harold Shoemaker, Sierra Club, 3502 E. Simcoe Street, Lafayette, LA 70501, (337) 234-4042, spoke for information only on House Bill No. 315.

Representative Gisclair offered a motion to voluntarily defer action on House Bill No. 315. Without objection, action on House Bill No. 315 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Connick, Foil, Gisclair, Guinn, Lyons, Magee, McFarland, White, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support and 6 in opposition. Witness cards are included in the committee records.

House Bill No. 86 by Representative Terry Brown

Representative Terry Brown presented House Bill No. 86, which includes in the definition of "bona fide resident" honorably discharged veterans of the United States armed forces.

Representative Guinn offered a motion to report House Bill No. 86 favorably. Without objection, House Bill No. 86 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Connick, Foil, Guinn, Lyons, Magee, McFarland, White, and Zeringue voted yea.

House Bill No. 142 by Representative Leopold

Representative Leopold presented House Bill No. 142, which authorizes additional means of harvesting oysters on the oyster seed grounds under the oyster seed ground vessel permit.

Mr. Cole Garrett, Department of Wildlife and Fisheries, no address or phone number provided, spoke for information only on House Bill No. 142.

Representative Guinn offered a motion to report House Bill No. 142 favorably. Without objection, House Bill No. 142 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Bishop, Billiot, Connick, Coussan, Foil, Guinn, Lyons, Magee, McFarland, Stefanski, 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.

House Concurrent Resolution No. 42 by Representative Zeringue

Representative Zeringue presented House Concurrent Resolution No. 42, which urges and requests the Department of Environmental Quality to study the overall impacts of wetland assimilation projects prior to approval of additional such projects.

Ms. Rebecca Triche, Louisiana Wildlife Federation, 337 S. Acadian Thruway, Baton Rouge, LA 70806, (225) 344-6707, spoke in support of House Concurrent Resolution No. 42.

Representative Zeringue offered a motion to report House Concurrent Resolution No. 42 favorably. Without objection, House Concurrent Resolution No. 42 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Bishop, Billiot, Connick, Coussan, Gisclair, Guinn, Leopold, Lyons, McFarland, Stefanski, White, and Zeringue voted yea.

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

House Bill No. 269 by Representative Zeringue

Representative Zeringue presented House Bill No. 269, which requires a license for taking alligators and eliminates the additional license for an assistant to an alligator hunter.

Mr. Cole Garrett, Department of Wildlife and Fisheries, no address or phone number provided, spoke for information only on House Bill No. 269.

Mr. Randall Meyers, Department of Wildlife and Fisheries, 2000 Quail Drive, Baton Rouge, LA 70808, (225) 715-2805, spoke for information only on House Bill No. 269.

Representative Zeringue offered a motion to report House Bill No. 269 favorably. Without objection, House Bill No. 269 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Connick, Coussan, Guinn, Leopold, Lyons, McFarland, Stefanski, and Zeringue voted yea.

House Bill No. 182 by Representative Chaney

Representative Chaney presented House Bill No. 182, which provides for penalties for hunting without the required license.

Mr. Cole Garrett, Department of Wildlife and Fisheries, no address or phone number provided, spoke for information only on House Bill No. 182.

Representative Terry Brown offered a motion to report House Bill No. 182 favorably. Without objection, House Bill No. 182 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Connick, Coussan, Gisclair, Guinn, Leopold, Lyons, McFarland, Stefanski, and Zeringue voted yea.

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.

Mr. Tyler Gray, Louisiana Mid-Continent Oil and Gas Association, 730 North Boulevard, Baton Rouge, LA 70802, (225) 387-3205, spoke in support of House Bill No. 510.

Mr. David Neef, Legislative Fiscal Office staff, spoke for information only on House Bill No. 510.

Representative Coussan offered amendments in the form of a substitute bill. Representative Coussan offered a motion to adopt the substitute bill. Without objection, the motion passed by a vote of 11 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Connick, Coussan, Gisclair, Leopold, Lyons, McFarland, Jim Morris, and White voted yea.

Ms. Kathy Wascom, Louisiana Environmental Action Network, 1255 Aberdeen Avenue, Baton Rouge, LA 70808, (225) 344-4313, spoke in opposition to House Bill No. 510.

General Russel Honore, retired, Green Army, 14443 Memorial Tower Drive, Baton Rouge, LA 70810, (404) 277-1527, spoke in opposition to House Bill No. 510.

Mr. Jonathan Henderson, Sierra Club, 938 Pleasant Street, New Orleans, LA 70115, (504) 453-1375, spoke in opposition to House Bill No. 510.

Mr. Bill Goodell, P.O. Box 52663, Lafayette, LA 70505, (337) 412-2724, spoke in opposition to House Bill No. 510.

Ms. Kim Goodell, Watermark Alliance and Tulane University, 304 Woodbluff Drive, Lafayette, LA 70503, (337) 962-4462, spoke in opposition to House Bill No. 510. She provided a copy of her remarks, "Testimony of Oliver A. Houck ...", Exhibit A, which is included in the committee records.

Mr. William Wallis, no address provided, (504) 287-9052, spoke in opposition to House Bill No. 510.

Mr. Harold Shoeffler, Acadian Group of the Sierra Club, 3502 E. Simcoe Street, Lafayette, LA 70501, (337) 234-4042, spoke in opposition to House Bill No. 510.

Mr. Perry Theriot, Department of Environmental Quality, 602 N. Fifth Street, Baton Rouge, LA 70802, (225) 219-3985, spoke for information only on House Bill No. 510.

Ms. Celena Cage, Department of Environmental Quality, P.O. Box 7312, Baton Rouge, LA 70802, (225) 219-3712, spoke for information only on House Bill No. 510.

Representative McFarland offered a motion to report House Bill No. 510 by substitute, to which Representative Connick objected. Representative Connick offered a substitute motion to involuntarily defer action on House Bill No. 510, to which Representative DeVillier objected. The secretary called the roll, and the substitute motion failed by a vote of 2 yeas and 14 nays. Representatives Billiot and Connick voted yea. Representatives Bishop, Armes, Coussan, DeVillier, Gisclair, Guinn, Leopold, Lyons, McFarland, Miguez, Jim Morris, Stefanski, White, and Zeringue voted nay.

The original motion to report House Bill No. 510 by substitute was considered, to which Representative Connick objected. Representative Connick offered a substitute motion to report House Bill No. 510 by substitute with recommendation that it be recommitted to the House Committee on House and Governmental Affairs, to which Representative DeVillier objected. The secretary called the roll, and the motion failed by a vote of 6 yeas and 10 nays. Representatives Billiot, Connick, Coussan, Lyons, Jim Morris, and White voted yea. Representatives Bishop, Armes, DeVillier, Gisclair, Guinn, Leopold, McFarland, Miguez, Stefanski, and Zeringue voted nay.

The original motion to report House Bill No. 510 by substitute was considered, to which Representative Connick objected. The secretary called the roll, and the motion to report House Bill No. 510 by substitute passed by a vote of 13 yeas and 3 nays. Representatives Bishop, Armes, DeVillier, Gisclair, Guinn, Leopold, Lyons, McFarland, Miguez, Jim Morris, Stefanski, White, and Zeringue voted yea. Representatives Billiot, Connick, and Coussan voted nay.

Witness cards submitted by individuals who did not speak are as follows: 20 in support and 2 in opposition. Witness cards are included in the committee records.

House Bill No. 206 by Representative Hilferty

Representative Hilferty presented House Bill No. 206, which authorizes the lease of property in the parishes of Orleans and Jefferson.

Representative Billiot offered a motion to report House Bill No. 206 favorably. Without objection, House Bill No. 206 was reported favorably by a vote of 16 yeas and 0 nays. Representatives Bishop, Armes, Billiot, Connick, Coussan, DeVillier, Gisclair, Guinn, Leopold, Lyons, McFarland, Miguez, Jim Morris, Stefanski, 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 Bill No. 501 by Representative Bishop

Representative Bishop presented House Bill No. 501, which transfers the Louisiana Environmental Education Commission to the Department of Education.

Representative Bishop offered amendments to:

1. Clarify that the Louisiana Environmental Education Commission is transferring to the state Department of Education and will be under the direction and control of the state superintendent of education.
2. Add reporting to the House Committee on Education and Senate Committee on Education.

3. Remove creation of the Litter Abatement and Education Fund.
4. Add transitional provisions regarding obligations, rules and regulations, pending legal proceedings, and continuation of performance of duties by employees.

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, Billiot, Coussan, DeVillier, Guinn, Leopold, Lyons, McFarland, Miguez, Stefanski, White, and Zeringue voted yea.

Mr. Cole Garrett, Department of Wildlife and Fisheries, no address or phone number provided, spoke for information only on House Bill No. 501.

Representative Stefanski offered a motion to report House Bill No. 501 with amendments. Without objection, House Bill No. 501 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Bishop, Billiot, Coussan, DeVillier, Guinn, Leopold, Lyons, McFarland, Miguez, Stefanski, 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.

Representative Bishop in the chair.

IV. OTHER BUSINESS

Chronic Wasting Disease (CWD) presentation

Johnathan Bordelon, Department of Wildlife and Fisheries, 669 Highway 1192, Marksville, LA 71351, (318) 487-5885, gave a PowerPoint presentation on chronic wasting disease (CWD), the current policies to prevent CWD in the Louisiana deer population, and the response by the Department of Wildlife and Fisheries to outbreaks in neighboring states. The PowerPoint, Exhibit B, is included in the committee records.

Mr. Randall Meyers, Department of Wildlife and Fisheries, 2000 Quail Drive, Baton Rouge, LA 70808, (225) 715-2805, spoke for information only on the CWD presentation.

Mr. Cary Koch, Tinks Deer Urine Products, 8440 Jefferson Highway, Baton Rouge, LA 70809, (225) 929-7033, spoke for information only on the CWD presentation.

Consideration of the sale of state properties

DHH Region 2 HDG - Mental Health Clinic

Mr. Jonathan Robillard, State Land Office, no address provided, (225) 342-4575, gave a presentation relative to the sale of the DHH Region 2 HDG - Mental Health Clinic, located at 4615 Government Street, Baton Rouge, LA in East Baton Rouge Parish.

Representative Bishop offered a motion to approve the sale. Without objection, the motion passed by a vote of 13 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Connick, Coussan, Gisclair, Guinn, Leopold, Lyons, McFarland, Jim Morris, Stefanski, and Zeringue voted yeas.

Louisiana Workforce Commission - Tallulah Office of Employment

Mr. Jonathan Robillard, State Land Office, no address provided, (225) 342-4575, gave a presentation relative to the sale of the Louisiana Workforce Commission - Tallulah Office of Employment, located at 405 N. Cedar Street, Tallulah, LA in Madison Parish.

Representative Bishop offered a motion to approve the sale. Without objection, the motion passed by a vote of 11 yeas and 0 nays. Representatives Bishop, Billiot, Terry Brown, Connick, Gisclair, Guinn, Leopold, Lyons, Stefanski, White, and Zeringue voted yeas.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 12:58 p.m.

Respectfully submitted,

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

Date adopted: