

House Committee on Natural Resources and Environment

Minutes of Meeting
2021 Regular Session
April 28, 2021

I. CALL TO ORDER

Representative Jean-Paul P. Coussan, chairman of the House Committee on Natural Resources and Environment, called the meeting to order at 9:11 a.m. in Room 4, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Jean-Paul P. Coussan, chairman
Representative Ryan Bourriaque, vice chairman
Representative Rhonda Gaye Butler
Representative R. Dewith Carrier
Representative Mack Marcel Cormier
Representative Phillip R. DeVillier
Representative Brett F. Geymann
Representative Timothy P. Kerner
Representative Mandie Landry
Representative Buddy Mincey, Jr.
Representative Joseph A. Orgeron
Representative Neil Riser
Representative Troy D. Romero
Representative Rodney Wayne Schamerhorn
Representative William "Bill" Wheat, Jr.

MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Tyler Bosworth, legislative analyst
Robin Stalder, attorney
Trinicia Bryant, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Angela McKnight, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Bill No. 617 by Representative McCormick**

Representative McCormick presented House Bill No. 617, which establishes Louisiana as a fossil fuel sanctuary state.

Mr. Blake Canfield, executive counsel, Louisiana Department of Natural Resources, 617 N. 3rd Street, Baton Rouge, Louisiana 70802, no phone number provided, spoke for information only on House Bill No. 617.

Mr. Steven Giambrone, pipeline director, Louisiana Department of Natural Resources, office of conservation, no address provided, (225) 342-2889, spoke for information only on House Bill No. 617.

Mr. Haywood Martin, Sierra Club in Louisiana, 130 Fernhill Drive, Lafayette, Louisiana, (337) 298-8380, spoke in opposition to House Bill No. 617.

Representative Coussan offered a motion to voluntarily defer action on House Bill No. 617. Without objection, action on House Bill No. 617 was voluntarily deferred by a vote of 15 yeas and 0 nays. Representatives Coussan, Bourriaque, Butler, Carrier, Cormier, DeVillier, Geymann, Kerner, Landry, Mincey, Orgeron, Riser, Romero, Schamerhorn, and Wheat voted yea.

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

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 573 in support, 1 in opposition, and 1 for information only. Copies of these statements are included in the committee records.

House Bill No. 572 by Representative White

Representative White presented House Bill No. 572, which provides relative to the Carbon Dioxide Geologic Storage Trust Fund.

Mr. Blake Canfield, executive counsel, Louisiana Department of Natural Resources, 617 N. 3rd Street, Baton Rouge, Louisiana 70802, no phone number provided, spoke for information only on House Bill No. 572.

Mr. Steve Lee, Louisiana Department of Natural Resources, no address provided, Baton Rouge, Louisiana, (225) 342-5569, spoke for information only on House Bill No. 572.

Representative Coussan offered amendments to:

1. Define "Confidential Business Information".
2. Require the commissioner of conservation to adopt and apply certain federal regulations relative to confidential business information.
3. Make technical changes.

Representative Coussan offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Coussan, Bourriaque, Butler, Carrier, Cormier, DeVillier, Geymann, Kerner, Landry, Mincey, Orgeron, Riser, Romero, Schamerhorn, and Wheat voted yea.

Representative Romero offered a motion to report House Bill No. 572 with amendments. Without objection, House Bill No. 572 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Coussan, Bourriaque, Butler, Carrier, Cormier, DeVillier, Geymann, Kerner, Landry, Mincey, Orgeron, Riser, Romero, Schamerhorn, and Wheat 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.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 2 in opposition. Copies of these statements are included in the committee records.

House Bill No. 630 by Representative Horton

Representative Horton presented House Bill No. 630, which provides relative to the Cypress Black Bayou Recreation and Water Conservation District.

Ms. Shannon Brown, 235 Cattail Trail, Benton, Louisiana 71006, (318) 458-7194, spoke in support of House Bill No. 630.

Ms. Angelique Freel, Louisiana Department of Justice, 1885 N. 3rd Street, Baton Rouge, Louisiana 70804, (225) 326-6000, spoke for information only on House Bill No. 630.

Ms. Emily Andrews, Louisiana Department of Justice, 1885 N. 3rd Street, Baton Rouge, Louisiana 70804, (225) 326-6000, spoke for information only on House Bill No. 630.

Ms. Renee Hall, 482 Merritt Road, Benton, Louisiana 71006, (318) 470-1080, spoke in support of House Bill No. 630. Ms. Hall also provided the committee with constituent signatures obtained via petition to remove the executive director of the Cypress Black Bayou Recreation and Water Conservation District, Exhibit A, which is included in the committee records.

Mr. David Hall, 482 Merritt Road, Benton, Louisiana 71006, (318) 470-0502, spoke in support of House Bill No. 630. Mr. Hall also provided the committee with a profit and loss report for the Cypress Black Bayou Recreation, Exhibit B, which is included in the committee records.

Ms. Alexandra Vozzella, Cypress Black Bayou Recreation & Water Conservation District, 333 Texas Street, Shreveport, Louisiana 71101, (318) 227-3322, spoke in opposition to House Bill No. 630. Ms. Vozzella also provided the committee with a copy of a letter dated August 20, 2020, from Mr. Daryl Purpera, Louisiana legislative auditor to Louisiana State Representative Dodie Horton, Exhibit C, which is included in the committee records.

Mr. Robert A. Berry, executive director, Cypress Black Bayou Recreation & Water Conservation District, 135 Cypress Park Drive, no city and state provided, (318) 426-8786, spoke in opposition to House Bill No. 630.

Representative Coussan offered amendments to:

1. Require any vacancies in the office of commissioner to be filled by the appointing authority that the commissioner represented.
2. Require written recommendation of removal be submitted to the appointing authority that the commissioner represented.
3. Require the appointing authority to send notice of the recommendation for removal to such board member and identify the charges against the member.
4. Remove a proposed law provision that specified that unless the board member made a written request for a hearing before the police jury within ten days of receipt of notice the member would be deemed removed from office.
5. Grant the appointing authority the ability to hold a hearing to determine whether to uphold the removal within 45 days of receipt of written recommendation of removal.
6. Give the appointing authority 45 days from receipt of written recommendation of removal to challenge such removal and limit each appointing authority to one challenge per member per year.
7. Require removal by majority vote of the appointing authority.

Representative Coussan offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Coussan, Bourriaque, Butler, Carrier, Cormier, DeVillier, Geymann, Kerner, Landry, Mincey, Orgeron, Riser, Romero, Schamerhorn, and Wheat voted yea.

Representative Coussan offered amendments to remove the proposed law provision relative to waiver of sovereign immunity. Representative Coussan offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Coussan, Bourriaque, Butler, Cormier, DeVillier, Geymann, Kerner, Orgeron, Romero, Schamerhorn, and Wheat voted yea.

Representative Cormier offered a motion to report House Bill No. 630 with amendments. Without objection, House Bill No. 630 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Coussan, Bourriaque, Butler, Carrier, Cormier, DeVillier, Geymann, Kerner, Mincey, Orgeron, Romero, Schamerhorn, and Wheat voted yea.

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

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 13 in support. Copies of these statements are included in the committee records.

House Bill No. 331 by Representative Bourriaque

Representative Bourriaque presented House Bill No. 331, which authorizes the state to enter into certain agreements with landowners concerning boundaries between state claimed and privately claimed water bottoms.

Mr. Kevin Hayes, Louisiana Landowners Association, 412 N. 4th Street, Baton Rouge, Louisiana 70802, (225) 268-2725, spoke in support of House Bill No. 331.

Mr. Cheston Hill, Louisiana Division of Administration, office of state lands, no address provided, (225) 291-9454, spoke for information only on House Bill No. 331.

Mr. John Lovett, 934 Joseph Street, New Orleans, Louisiana 70115, (832) 439-2932, spoke in support of House Bill No. 331.

Mr. Emory Belton, Louisiana Sportsman Coalition, 7266 Tom Drive, Baton Rouge, Louisiana 70806, (225) 615-0212, spoke in opposition to House Bill No. 331.

Mr. Harold Schoeffler, 3502 E. Simcoe, Lafayette, Louisiana 70501, (337) 417-1550, spoke in opposition to House Bill No. 331.

Mr. Jody Meche, Louisiana Crawfish Producers Association - West, P. O. Box 699, Henderson, Louisiana 70517, (337) 257-3331, spoke in opposition to House Bill No. 331.

Mr. Richard Fischer, Louisiana Charter Boat Association, 4409 Meadowdale Street, Metairie, Louisiana 70006, (504) 430-1737, spoke in opposition to House Bill No. 331.

Mr. Sean Robbins, Louisiana Sportsmen's Coalition, 6364 Morgan Bend Drive, Baton Rouge, Louisiana 70820, (225) 270-5207, spoke in opposition to House Bill No. 331.

Representative Coussan offered amendments to:

1. Clarify that certain proposed law provisions only apply to the coastal zone.
2. Authorize the state to negotiate surface and mineral interests with riparian land owners.
3. Specify that "at a minimum" agreements entered into between the state and riparian land owners include certain information.

Representative Coussan offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Coussan, Bourriaque, Butler, Carrier, DeVillier, Kerner, Mincey, Orgeron, Romero, and Schamerhorn voted yea.

Representative Bourriaque offered a motion to report House Bill No. 331 with amendments, to which Representative Kerner objected. The administrative assistant called the roll, and House Bill No. 331 was reported with amendments by a vote of 9 yeas, 3 nays, and one abstention. Representatives Bourriaque, Butler, Carrier, DeVillier, Geymann, Orgeron, Riser, Romero, and Schamerhorn voted yea. Representatives Cormier, Kerner, and Wheat voted nay. Representative Coussan abstained from voting.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 72 in opposition. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 1 in opposition. Copies of these statements are included in the committee records.

House Bill No. 174 by Representative Huval

Representative Huval presented House Bill No. 174, which provides relative to the Louisiana Municipal Natural Gas Purchasing and Distribution Authority.

Ms. Karen White, executive counsel, Louisiana Municipal Association, 700 N. 10th Street, Baton Rouge, Louisiana 70802, (225) 344-5001, spoke in support of House Bill No. 174.

Representative Coussan offered a motion to report House Bill No. 174 favorably. Without objection, House Bill No. 174 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Coussan, Butler, Carrier, Cormier, Kerner, Orgeron, Riser, Romero, Schamerhorn, and Wheat voted yea.

Witness cards submitted by individuals who did not speak are as follows: 9 in support and 1 for information only. Witness cards are included in the committee records.

House Bill No. 246 by Representative Coussan

Representative Coussan presented House Bill No. 246, which provides relative to the storage of hydrogen in underground reservoirs and salt domes.

Representative Coussan offered a motion to report House Bill No. 246 favorably. Without objection, House Bill No. 246 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Coussan, Butler, Carrier, Cormier, Kerner, Orgeron, Riser, Romero, Schamerhorn, and Wheat voted yea.

Witness cards submitted by individuals who did not speak are as follows: 9 in support. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 2 in opposition. Copies of these statements are included in the committee records.

House Bill No. 537 by Representative Romero

Representative Romero presented House Bill No. 537, which provides relative to solid waste permitted capacity.

Representative Coussan offered amendments in the form of a substitute bill. Representative Coussan offered a motion to adopt the substitute bill. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Coussan, Butler, Carrier, Cormier, Kerner, Orgeron, Riser, Romero, Schamerhorn, and Wheat voted yea.

Representative Romero offered a motion to report House Bill No. 537 by substitute. Without objection, House Bill No. 537 was reported by substitute by a vote of 9 yeas and 0 nays. Representatives Coussan, Butler, Carrier, Cormier, Kerner, Orgeron, Riser, Romero, and Wheat voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 1 for information only. Witness cards are included in the committee records.

House Bill No. 399 by Representative Carrier

Representative Carrier presented House Bill No. 399, which allows state and private landowners to enter into boundary agreements concerning disputed property.

Mr. Kevin Hayes, Louisiana Landowners Association, 412 N. 4th Street, Baton Rouge, Louisiana 70802, (225) 268-2725, spoke in support of House Bill No. 399.

Representative Coussan offered amendments to:

1. Authorize the state to negotiate surface and mineral interests with riparian land owners.
2. Add the House Bill number for the proposed constitutional amendment that accompanies the enabling legislation.
3. Specify that "at a minimum" agreements entered into between the state and riparian land owners include certain information.

Representative Coussan offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Coussan, Butler, Carrier, Cormier, Kerner, Mincey, Orgeron, Riser, Romero, Schamerhorn, and Wheat voted yea.

Representative Coussan offered a concept amendment to make a technical change. Without objection, the concept amendment was adopted by a vote of 11 yeas and 0 nays. Representatives Coussan, Butler, Carrier, Cormier, Kerner, Mincey, Orgeron, Riser, Romero, Schamerhorn, and Wheat voted yea.

Representative Carrier offered a motion to report House Bill No. 399 with amendments. Without objection, House Bill No. 399 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Coussan, Butler, Carrier, Cormier, Kerner, Mincey, Orgeron, Riser, Romero, Schamerhorn, and Wheat voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support, 79 in opposition, and 1 for information only. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 1 in opposition. Copies of these statements are included in the committee records.

House Bill No. 626 by Representative Garofalo

Representative Garofalo presented House Bill No. 626, which authorizes flood protection authority spending across various levee districts.

Representative Coussan offered a motion to voluntarily defer action on House Bill No. 626. Without objection, action on House Bill No. 626 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Coussan, Bourriaque, Butler, Carrier, Cormier, Kerner, Mincey, Orgeron, Riser, Romero, Schamerhorn, and Wheat voted yea.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Wheat offered a motion to adjourn. Without objection, the motion passed by a vote of 12 yeas and 0 nays. Representatives Coussan, Bourriaque, Butler, Carrier, Cormier, Kerner, Mincey, Orgeron, Riser, Romero, Schamerhorn, and Wheat voted yea.

The meeting was adjourned at 2:01 p.m.

Respectfully submitted,

Chairman Jean-Paul P. Coussan
House Committee on Natural Resources and Environment

Date adopted: