

House Committee on Natural Resources and Environment

Minutes of Meeting
2017 Regular Session
May 10, 2017

I. CALL TO ORDER

Representative Stuart J. Bishop, chairman of the House Committee on Natural Resources and Environment, called the meeting to order at 9:36 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 Malinda B. White
Representative Jerome "Zee" Zeringue

MEMBERS ABSENT:

Representative H. Eugene Reynolds

STAFF MEMBERS PRESENT:

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

ADDITIONAL ATTENDEES PRESENT:

Addison Nick, clerk
Myrtis Jarrell, sergeant at arms

III. DISCUSSION OF LEGISLATION

House Bill No. 77 by Representative Berthelot

Representative Berthelot presented House Bill No. 77, which provides with respect to penalties for the offense of littering.

Representative Terry Brown offered a motion to report House Bill No. 77 favorably. Without objection, House Bill No. 77 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Bishop, Armes, Billiot, Terry Brown, Connick, Gisclair, Leopold, Lyons, McFarland, Miguez, Jim Morris, White, and Zeringue 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. 423 by Representative Leopold

Representative Leopold presented House Bill No. 423, which authorizes the secretary of the Louisiana Department of Environmental Quality to establish and administer a water quality trading program.

Representative Bishop offered amendments to:

1. Change matters the regulations must provide for from the life of banked credits to the term of the banked credits.
2. Clarify that nonpoint sources may participate in the program by written agreement between the department and the governmental entity with jurisdiction over the nonpoint source.
3. Make technical changes.

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

Dr. Amanda Vincent, Department of Environmental Quality, 602 N. Fifth Street, Baton Rouge, LA 70802, (225) 219-3188, spoke for information only on House Bill No. 423.

Dr. Chuck Carr Brown, secretary of the Department of Environmental Quality, 602 N. Fifth Street, Baton Rouge, LA 70802, (225) 219-3951, spoke for information only on House Bill No. 423.

Representative Leopold offered a motion to report House Bill No. 423 with amendments. Without objection, House Bill No. 423 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Armes, Billiot, Bishop, Terry Brown, Connick, Guinn, Leopold, Lyons, McFarland, Miguez, Jim Morris, White, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 8 in support. Witness cards are included in the committee records.

House Bill No. 394 by Representative Cox

Representative Cox presented House Bill No. 394, which provides relative to fence-line air quality monitoring.

Representative Terry Brown offered amendments to change the requirement of installing fence-line air monitors from facilities that are repeat offenders as cited by the Department of Environmental Quality or the U.S. Environmental Protection Agency twice within a 25-month period to facilities that have had three accidental releases within a 25-month period. Representative Terry Brown 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, Connick, Coussan, DeVillier, Gisclair, Guinn, Leopold, Lyons, Magee, McFarland, Miguez, Jim Morris, White, and Zeringue voted yea.

Lt. General Russel Honore, retired, GreenARMY, 14443 Memorial Tower Drive, Baton Rouge, LA 70810, (404) 227-1527, spoke in support of House Bill No. 394.

Ms. Theresa Delafosse, Department of Environmental Quality, 602 N. Fifth Street, Baton Rouge, LA 70802, (225) 219-3322, spoke for information only on House Bill No. 394.

Ms. Selena Cage, Department of Environmental Quality, P.O. Box 4312, Baton Rouge, LA 70802, (225) 219-3715, spoke for information only on House Bill No. 394.

Mike Algero, Department of Environmental Quality, no witness card provided, spoke for information only on House Bill No. 394.

Mr. Elliott Vega, Department of Environmental Quality, P.O. Box 4313, Baton Rouge, LA 70821, (225) 219-3180, spoke for information only on House Bill No. 394.

Dr. Chuck Carr Brown, secretary of the Department of Environmental Quality, 602 N. Fifth Street, Baton Rouge, LA 70802, (225) 219-3951, spoke for information only on House Bill No. 394.

Ms. Anne Rolfes, Louisiana Bucket Brigade, 2803 St. Philip Street, New Orleans, LA 70119, (504) 452-4909, spoke in support of House Bill No. 394.

Ms. Martha Huckabay, St. Rose Community One Voice, 133 Riverwood Drive, St. Rose, LA 70087, (504) 468-2273, spoke in support of House Bill No. 394.

Representative Leopold in the chair.

Mr. Keith Adams, St. Rose Community One Voice, 544 Mockingbird Lane, St. Rose, LA 70087, (504) 469-9521, spoke in support of House Bill No. 394.

Representative Bishop in the chair.

Ms. Kathy Wascom, Louisiana Environmental Action Network, 1255 Aberdeen, Baton Rouge, LA 70808, (225) 344-4313, spoke in support of House Bill No. 394.

Ms. Elizabeth Bickham, 641 Turtle Creek Lane, St. Rose, LA 70087, (504) 466-0916, spoke in support of House Bill No. 394.

Representative Connick offered a motion to report House Bill No. 394 with amendments, to which Representative Bishop objected. Representative Bishop offered a substitute motion to involuntarily defer action on House Bill No. 394, to which Representative Connick objected. The secretary called the roll, and action on House Bill No. 394 was involuntarily deferred by a vote of 12 yeas and 3 nays. Representatives Bishop, Coussan, DeVillier, Foil, Guinn, Leopold, Magee, McFarland, Miguez, Jim Morris, White, and Zeringue voted yea. Representatives Terry Brown, Connick, and Gisclair voted nay.

Witness cards submitted by individuals who did not speak are as follows: 13 in support and 20 in opposition. Witness cards are included in the committee records.

The committee recessed at 11:48 a.m. The committee reconvened at 11:57 a.m.

House Bill No. 535 by Representative Marcelle

Representative Marcelle presented House Bill No. 535, which designates and provides for critical areas of ground water concern.

Representative Connick offered amendments to:

1. Remove declaring certain parishes as areas of ground water concern.
2. Require the chairman of the board of commissioners in a parish with a population greater than 400,000 be appointed by the governor. The appointee must not be a current member of the board and is not disqualified by the conflict of interest provisions currently in the bill. (Amendment #7)
3. Add a member to the board appointed by the governor nominated by the Louisiana Environmental Action Network.
4. Require submission of water usage reports to legislative oversight committees.

Representative Connick 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, Terry Brown, Connick, DeVillier, Gisclair, Guinn, Leopold, Magee, McFarland, Miguez, Jim Morris, White, and Zeringue voted yea.

Lt. General Russel Honore, retired, GreenARMY, 14443 Memorial Tower Drive, Baton Rouge, LA 70810, (404) 227-1527, spoke in support of House Bill No. 535.

Mr. Hays Town, Baton Rouge Citizens to Save Our Water, Inc., 1544 Stanford Avenue, Baton Rouge, LA 70808, (225) 252-6642, spoke in support of House Bill No. 535.

Ms. Kathy Wascom, Louisiana Environmental Action Network, 1255 Aberdeen, Baton Rouge, LA 70808, (225) 344-4313, spoke in support of House Bill No. 535.

Ms. Margie Vicknair-Pray, 27400 John Lane, Lacombe, LA 70445, (985) 373-7097, spoke in support of House Bill No. 535.

Mr. Andrew Jacoby, 906 Dumaine, New Orleans, LA 70116, (504) 224-0286, spoke in support of House Bill No. 535.

Representative Leopold in the chair.

Representative Bishop in the chair.

Representative Bishop offered a motion to voluntarily defer action on House Bill No. 535. Representative Connick offered a substitute motion to delete the previously adopted amendment #7, which requires the chairman of the board of commissioners in a parish with a population greater than 400,000 be appointed by the governor and the appointee must not be a current member of the board and is not disqualified by the conflict of interest provisions currently in the bill, to which Representative Bishop objected. The secretary called the roll, and the motion failed to pass by a vote of 2 yeas and 12 nays. Representatives Connick and Lyons voted yea. Representatives Bishop, Terry Brown, Coussan, DeVillier, Gisclair, Guinn, Leopold, Magee, McFarland, Miguez, Jim Morris, and Zeringue voted nay.

Representative Bishop offered a motion to voluntarily defer action on House Bill No. 535. Without objection, action on House Bill No. 535 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Bishop, Terry Brown, Connick, Coussan, DeVillier, Gisclair, Guinn, Leopold, Lyons, Magee, McFarland, Miguez, Jim Morris, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 for information only, 8 in support, and 16 in opposition. Witness cards are included in the committee records.

IV. OTHER BUSINESS

Dr. Chuck Carr Brown, secretary of the Department of Environmental Quality, 602 N. Fifth Street, Baton Rouge, LA 70802, (225) 219-3951, narrated a PowerPoint presentation entitled "2017 Overview of the Department of Environmental Quality".

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 12:27 p.m.

Respectfully submitted,

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

Date approved: