

House Committee on Natural Resources and Environment

Minutes of Meeting
2020 Regular Session
May 27, 2020

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 8:24 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 Joseph Bourriaque, vice chairman
Representative Rhonda Gaye Butler
Representative R. Dewith Carrier
Representative Phillip R. DeVillier
Representative Daryl Andrew Deshotel
Representative Timothy P. Kerner
Representative Mandie Landry
Representative Rodney Lyons
Representative Buddy Mincey, Jr.
Representative Neil Riser
Representative Troy D. Romero
Representative William "Bill" Wheat, Jr.

MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Su King, legislative analyst
Tyler Bosworth, legislative analyst
Trinicia Bryant, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Angela McKnight, sergeant at arms

III. DISCUSSION OF LEGISLATION

Senate Concurrent Resolution No. 7 by Senator Hewitt

Senator Hewitt presented Senate Concurrent Resolution No. 7, which urges and requests certain officials and local governments to dismiss coastal lawsuits.

John Carmouche, Lead Counsel for Coastal Parishes, 4212 American Way, Suite B, Baton Rouge, LA, 70846, (225) 320-5785, spoke in opposition to Senate Concurrent Resolution No. 7.

Representative Landry offered amendments to make technical changes. Representative Landry offered a motion to adopt the proposed amendments, to which Representative DeVillier objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 3 yeas and 10 nays. Representatives Kerner, Landry, and Lyons voted yea. Representatives Coussan, Bourriaque, Butler, Carrier, DeVillier, Deshotel, Mincey, Riser, Romero, and Wheat voted nay.

Representative DeVillier offered a motion to report Senate Concurrent Resolution No. 7 favorably, to which Representative Landry objected. The administrative assistant called the roll, and Senate Concurrent Resolution No. 7 was reported favorably by a vote of 10 yeas and 3 nays. Representatives Coussan, Bourriaque, Butler, Carrier, DeVillier, Deshotel, Mincey, Riser, Romero, and Wheat voted yea. Representatives Kerner, Landry, and Lyons voted nay.

Witness cards submitted by individuals who did not speak are as follows: 8 in support, 10 in opposition, and 1 for information only. Witness cards are included on the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 2 in support, 1 in opposition, and 0 for information only. Copies of these statements are included in the committee records.

Senate Bill No. 353 by Senator Hewitt

Senator Hewitt presented Senate Bill No. 353, which provides for carbon sequestration.

Greg Schnacke, Denbury Resources, Inc., 5320 Legacy Drive, Plano, TX 75024, (972) 673-2000, spoke in support of House Bill No. 353.

Representative Bourriaque offered a motion to report Senate Bill No. 353 favorably. Without objection, Senate Bill No. 353 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Coussan, Bourriaque, Butler, Carrier, DeVillier, Deshotel, Kerner, Landry, Lyons, Mincey, Riser, Romero, and Wheat voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support, 0 in opposition, and 2 for information only. Witness cards are included on the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 0 in support, 2 in opposition, and 0 for information only. Copies of these statements are included in the committee records.

Senate Bill No. 440 by Senator Fesi

Senator Fesi presented Senate Bill No. 440, which provides for enforcement of the Coastal Zone Management Program.

Gifford Briggs, Louisiana Oil and Gas Association, P. O. Box 4069, Baton Rouge, LA 70821, no phone number provided, spoke in support of Senate Bill No. 440.

David Peterson, Coastal Protection and Restoration Authority, 150 Terrace Avenue, Baton Rouge, LA 70802, (225) 342-6505, spoke for information only on Senate Bill No. 440.

Tyler Gray, Louisiana Mid-Continent Oil and Gas Association, 730 North Boulevard, Baton Rouge, LA 70802, no phone number provided, spoke in support of Senate Bill No. 440.

Mike Moncla, Moncla Energy Services, 321 Renaud Drive, Lafayette, LA 70507, (337) 456-8799, spoke in support of Senate Bill No. 440.

Archie Chaisson, Lafourche Parish President, 402 Green Street, Thibodeaux, LA 70301, (985) 637-5215, spoke in support of Senate Bill No. 440.

Craig Romero, Port of Iberia, 4611 St. Lewis Street, New Iberia, LA 70560, (337) 364-1065, spoke in support of Senate Bill No. 440.

Cynthia Lee Sheng, Jefferson Parish President, 1221 Elmwood Park Boulevard., Suite 1002, Jefferson, LA 70123, (504) 736-6400, spoke in opposition to Senate Bill No. 440.

Guy McInnis, St. Bernard Parish President, 8201 W. Judge Perez Drive, Chalmette, LA 70043, (504) 278-4200, spoke in opposition to Senate Bill No. 440.

John Carmouche, Lead Counsel for Coastal Parishes, 4212 American Way, Suite B, Baton Rouge, LA 70846, (225) 320-5785, spoke in opposition to Senate Bill No. 440.

Representative DeVillier offered amendments to:

1. Authorize the secretary or the attorney general to bring such actions of state concern but no uses of local concern.
2. Authorize the appropriate district attorney and the local government, with an approved program, to bring actions of only local concern.
3. Limit the authority of a district attorney or local government to bring an action of local concern only within their jurisdiction.
4. Provide that the provisions of the Act are applicable to all claims existing or actions pending on the effective date of the Act and to all claims arising or actions filed on and after its effective date.
5. Make the bill effective upon signature of governor or lapse of time for gubernatorial action.

Representative DeVillier offered a motion to adopt the proposed amendments, to which Representative Kerner objected. The administrative assistant called the roll, and the amendments were adopted by a vote of 7 yeas and 5 nays. Representatives Coussan, Bourriaque, Butler, Carrier, DeVillier, Deshotel, and Riser voted yea. Representatives Kerner, Landry, Lyons, Mincey, and Wheat voted nay.

Representative Bourriaque offered amendments to add language stating that no district attorney shall have the authority to bring an action without the prior favorable vote of the local governing authority. Representative Bourriaque offered a motion to adopt the proposed amendments, to which Representative Kerner objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 6 yeas and 6 nays. Representatives Bourriaque, Carrier, DeVillier, Deshotel, Riser, and Wheat voted yea. Representatives Coussan, Butler, Kerner, Landry, Lyons, and Mincey voted nay.

Representative DeVillier offered a motion to report Senate Bill No. 440 with amendments, to which Representative Kerner objected. The administrative assistant called the roll, and Senate Bill No. 440 was reported with amendments by a vote of 9 yeas and 3 nays. Representatives Coussan, Bourriaque, Butler, Carrier, DeVillier, Deshotel, Mincey, Riser, and Wheat voted yea. Representatives Kerner, Landry, and Lyons voted nay.

Witness cards submitted by individuals who did not speak are as follows: 5 in support, 14 in opposition, and 2 for information only. Witness cards are included on the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 1 in support, 0 in opposition, and 0 for information only. Copies of these statements are included in the committee records.

IV. OTHER BUSINESS

Cheston Hill, public lands administrator, Office of State Lands, no witness card provided, spoke for information only and presented information about the Office of State Lands. Mr. Hill offered the assistance of the Office of State Lands to the committee. He informed the committee that the Office of State Lands is responsible for the identification, administration, and management of state public lands and that the majority of the lands managed by the Office of State Lands is sovereign lands. Mr. Hill further stated that the primary goal of the Office of State Lands is to ensure the highest economic return and the maximum public use and best protection of the office's holding which is ensured through permitting, leasing, management, and good stewardship.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Mincey offered a motion to adjourn. Without objection, the motion passed by a vote of 12 yeas and 0 nays. Representatives Coussan, Bourriaque, Butler, Carrier, DeVillier, Deshotel, Kerner, Landry, Lyons, Mincey, Riser, and Wheat voted yea.

The meeting was adjourned at 11:10 a.m.

Respectfully submitted,



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

Date adopted: April 22, 2021