
SENATE COMMITTEE AMENDMENTS

2021 Regular Session

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 642
by Representative SchexnayderAMENDMENT NO. 1

On page 1, line 7, after "funds;" and before "to provide" insert the following:

"to create and establish the Water Sector Infrastructure Commission; to provide for the powers, duties, and authority of the Water Sector Commission;"

AMENDMENT NO. 2On page 4, at the end of line 13, delete "Small Business"AMENDMENT NO. 3On page 4, at the beginning of line 14, delete "and"AMENDMENT NO. 4

On page 4, delete lines 15 through 25, and insert:

"A.(1)(a) The division of administration, hereinafter referred to in this Section as the division, shall administer the Port Relief Program. The program shall provide funding to Louisiana port authorities for revenue loss and reimbursement of expenses related to COVID-19.

(b) For purposes of this Section, "port authority" means the governing authority of any port area or port, harbor, and terminal district.

(c) Any port authority receiving funding pursuant to this Section shall meet the following criteria:

(i) Had a physical and active operation in Louisiana as of March 1, 2020.

(ii) Experienced a revenue loss of gross revenue for the period of January 1, 2020, through December 31, 2020, as compared to the gross revenue of the port during the same period in 2019.

(d) The port authority seeking funding pursuant to this Section shall submit verification of revenue loss and COVID-19 expenses to the division of administration.

AMENDMENT NO. 5On page 4, line 28, after "Louisiana" delete "Small Business and"AMENDMENT NO. 6On page 4, at the end of line 29, delete "Small"AMENDMENT NO. 7On page 5, at the beginning of line 1, delete "Business and "AMENDMENT NO. 8

On page 5, delete lines 8 through 21

AMENDMENT NO. 9On page 5, line 22, between "Louisiana" and "Nonprofit", delete "Small Business and"

1 AMENDMENT NO. 10

2 On page 5, line 24, between "grants to" and "eligible", delete "small businesses and"

3 AMENDMENT NO. 11

4 On page 6, line 1, between "Any" and "eligible", delete "small business or"

5 AMENDMENT NO. 12

6 On page 6, delete lines 3 and 4, and insert the following:

7 "(a) Is a nonprofit corporation wholly owned by a nonprofit corporation."

8 AMENDMENT NO. 13

9 On page 6, line 7, change "(c)" to "(b)"

10 AMENDMENT NO. 14

11 On page 6, line 8, change "(d)" to "(c)"

12 AMENDMENT NO. 15

13 On page 6, line 9, change "(e)" to "(d)"

14 AMENDMENT NO. 16

15 On page 6, line 11, between "given to" and "nonprofit", delete "small business or"

16 AMENDMENT NO. 17

17 On page 6, line 13, between "Each" and "nonprofit", delete "small business or"

18 AMENDMENT NO. 18

19 On page 6, at the end of line 21, insert the following:

20 "The state treasurer is authorized and directed to deposit in and transfer into the fund
21 any federal monies allocated to Louisiana pursuant to the Coronavirus State Fiscal Recovery
22 Fund of the American Rescue Plan Act of 2021."

23 AMENDMENT NO. 19

24 On page 6, delete lines 22 through 26, and insert the following:

25 "B.(1) The state treasurer is hereby authorized and directed to transfer four hundred
26 ninety million dollars out of the Louisiana Rescue Plan Fund into the Clearing Account of
27 the Unemployment Compensation Fund pursuant to R.S. 23:1491, of which no more than
28 one hundred ninety million dollars shall be utilized to repay the federal government for the
29 federal unemployment insurance (UI) Title XII advances.

30 (2) The state treasurer is hereby authorized and directed to transfer five hundred
31 sixty-three million dollars out of the Louisiana Rescue Plan Fund into the Construction
32 Subfund of the Transportation Trust Fund in accordance with the provisions of the American
33 Rescue Plan Act of 2021 (P.L. 117-2) authorizing the use of the Coronavirus State Fiscal
34 Recovery Fund for the provision of government services to the extent of a reduction in state
35 revenues.

36 (3) The state treasurer is hereby authorized and directed to transfer fifteen million
37 dollars out of the Louisiana Rescue Plan Fund into the Capitol Technology Fund.

38 (4) The state treasurer is hereby authorized and directed to transfer the amount of ten
39 million dollars out of the Louisiana Rescue Plan Fund into the Major Events Fund.

1 (5) The state treasurer is hereby authorized and directed to transfer the amount of five
2 million dollars out of the Louisiana Rescue Plan Fund into the Health Care Employment
3 Reinvestment Opportunity (H.E.R.O.) Fund, in the event that Senate Bill No.229 of the 2021
4 Regular Session of the legislature is enacted into law."

5 AMENDMENT NO. 20

6 On page 7, line 6, after "Subpart" and before the period ".", insert "by approving a budget
7 adjustment"

8 AMENDMENT NO. 21

9 On page 7, line 9, after "Subpart" delete the remainder of the line and insert "by approving
10 a budget adjustment"

11 AMENDMENT NO. 22

12 On page 7, line 10, after "§100.52." change "Louisiana Water Infrastructure" to "Water
13 Sector"

14 AMENDMENT NO. 23

15 On page 7, at the beginning of line 12, change "Louisiana Water Infrastructure" to "Water
16 Sector"

17 AMENDMENT NO. 24

18 On page 7, at the end of line 14, "Louisiana Water" to "Water Sector"

19 AMENDMENT NO. 25

20 On page 7, line 15, delete "Infrastructure"

21 AMENDMENT NO. 26

22 On page 7, line 20, after "sewerage systems" and before "pursuant" insert "and repairs and
23 improvements necessitated by storm water"

24 AMENDMENT NO. 27

25 On page 7, line 21, change "Louisiana Water Infrastructure" to "Water Sector"

26 AMENDMENT NO. 28

27 On page 8, between lines 18 and 19, insert the following:

28 "§100.55.1. Louisiana Tourism Revival Fund

29 A. There is hereby created in the state treasury, as a special fund, the Louisiana
30 Tourism Revival Fund, hereinafter referred to in this Section as the "fund". The treasurer is
31 hereby authorized and directed to transfer seventy-seven million five-hundred thousand
32 dollars from the Louisiana Rescue Plan Fund into the fund.

33 B. All unexpended and unencumbered monies in the fund at the end of the fiscal
34 year shall remain in the fund. Monies in the fund shall be invested in the same manner as
35 monies in the state general fund. Interest earned on the investment of monies in the fund
36 shall be deposited in and credited to the fund.

37 C. Monies in the fund shall be utilized to support the efforts of the state, local, and
38 regional tourism entities to revive the tourism in Louisiana by investing in programs focused
39 on marketing and promoting Louisiana as a destination for in-state and out-of-state travel
40 activity.

41 D. Monies in the fund shall be distributed as follows: sixty million dollars shall be
42 used for the Louisiana Tourism Revival Program as provided for in R.S. 39:100.55.2 and

1 seventeen million five-hundred thousand dollars shall be appropriated to the Department of
2 Culture, Recreation and Tourism for the Marketing Program.

3 §100.55.2. Louisiana Tourism Industry Revival Program

4 A. The Louisiana Tourism Industry Revival Program is established to provide grants
5 to local and regional tourist commissions for marketing and promoting Louisiana as a
6 tourism destination for in-state and out-of-state travel activity. The GOHSEP shall
7 administer the program.

8 B. The division of administration shall establish a program portal in which
9 applications shall be submitted and the division shall publish information on the program.
10 The program portal page shall be operational no later than August 31, 2021.

11 C. In order to qualify to receive a grant award, the tourist commission must be
12 formed and created pursuant to R.S. 33:4574.

13 D. The division of administration shall submit a plan for the administration and
14 structure of the program to the Joint Legislative Committee on the Budget by July 31, 2021
15 for review and approval at the monthly August meeting. No grants shall be awarded prior
16 to Joint Legislative Committee on the Budget approving the plan submitted by the division
17 of administration."

18 AMENDMENT NO. 29

19 On page 8, at the beginning of line 19, delete "§100.55." and insert "§100.55.3."

20 AMENDMENT NO. 30

21 On page 9, line 3, after "§100.56." change "Louisiana Water Infrastructure" to "Water
22 Sector"

23 AMENDMENT NO. 31

24 On page 9, delete lines 7 through 29, on page 10, delete lines 1 through 28, and on page 11,
25 delete lines 1 through 9, and insert the following:

26 "(2) "Commission" shall mean the Water Sector Commission.

27 (3) "Fund" as used in this Section shall mean the Water Sector Fund.

28 B.(1) The Water Sector Commission is hereby created and established to
29 provide recommendations for grant funding for repairs, improvements, and
30 consolidation of community water and sewer systems, and repairs and improvements
31 necessitated by storm water, made possible by the American Rescue Plan Act. The
32 Commission shall be responsible for developing and directing the Water Sector
33 Program.

34 (2) The Commission shall be comprised of ten members, five members
35 appointed by the President of the Senate and five members appointed by the Speaker
36 of the House of Representatives. A Senate member of the Commission and a House
37 member of the Commission shall serve as co-chairmen of the Commission. A
38 quorum of the Commission shall be six members.

39 C.(1) The Commission shall develop the guidance and recommendations for
40 the distribution of grants from the Water Sector Fund, the monies in which fund
41 were received by the state pursuant to the American Rescue Plan Act.

42 (2)(a) The Commission shall meet no later than July 14, 2021, to adopt the
43 guidance, a recommendation process, and eligibility criteria for community water
44 systems, community sewer systems, and local governing authorities to participate in
45 the program. Such guidance, recommendations, and criteria shall include, but not
46 be limited to, the following:

47 (i) Application requirements;

48 (ii) A time line for application submissions and approval;

49 (iii) Criteria for ratings;

50 (iv) A process for prioritizing critical infrastructure needs; and

51 (v) Requirements for matching funds, waivers of matching funds or
52 decreasing the match requirement.

1 **(b) The guidance, recommendation process, and eligibility criteria shall be**
 2 **completed and published on the division of administration's program portal page in**
 3 **adequate time as to allow the program to commence no later than August 1, 2021.**

4 **D.(1) The Commission shall establish the direction and responsibilities of a**
 5 **working panel of professionals from the following offices: the office of public health**
 6 **in the Louisiana Department of Health, the office of community development in the**
 7 **division of administration, the office of facility planning and control in the division**
 8 **of administration, and the Department of Environmental Quality, hereinafter referred**
 9 **to as the "working panel".**

10 **(2) The office of facility planning and control and the division of**
 11 **administration shall be responsible for administering the program and establishing**
 12 **the program portal page in which applications shall be submitted.**

13 **(3) The Commission shall submit the adopted guidance, recommendations,**
 14 **and eligible criteria to the division of administration to be published on the program's**
 15 **portal page maintained by the division of administration. The program portal page**
 16 **shall be operational no later than August 1, 2021.**

17 **E.(1) The working panel shall assist the Subcommittee in its work and furnish**
 18 **such information, reports, aid, services, and assistance as may be requested by the**
 19 **Commission.**

20 **(2) The working panel shall review and rate applications submitted by**
 21 **community water systems, community sewer systems, and local governing**
 22 **authorities. The working panel shall make recommendations in accordance with the**
 23 **guidance established by the Commission.**

24 **(3) In recommending a process for prioritizing critical infrastructure needs,**
 25 **the working panel shall consider such factors as the condition of the system, the**
 26 **system's or local governing authority's available resources, and the other funding**
 27 **sources available to the system or local governing authority.**

28 **F. Interested participants shall apply through the division of administration's**
 29 **program portal page.**

30 **G. No later than seven business days after the program portal page receives**
 31 **applications, the working panel shall begin processing and reviewing applications.**
 32 **All applications shall include the following, at a minimum:**

33 **(1) The amount of grant funding requested.**

34 **(2) The current condition of the system and the proposed use of the grant**
 35 **funding.**

36 **(3) The amount and proposed source of funding for a required match.**

37 **(4) Proposals for repairs, improvements, or consolidation with neighboring**
 38 **systems.**

39 **(5) Proposals for ensuring the financial sustainability and compliance of the**
 40 **systems, including proposals for increasing rates paid by users of the system based**
 41 **on a fair assessment of the system to comparable systems.**

42 **H. The working panel shall make recommendations every fifteen days to the**
 43 **Commission. Recommendations to the Commission shall include:**

44 **(1) Recommendations for utilization of existing resources including the**
 45 **Drinking Water Revolving Loan Fund, Clean Water State Revolving Fund, and**
 46 **Community Water Enrichment and Other Improvements Fund.**

47 **(2) Certification that the local governing authority that operates the system**
 48 **either utilized funding received pursuant to the Coronavirus Local Fiscal Recovery**
 49 **Fund of the American Rescue Act Plan of 2021 as the source of funding for the**
 50 **required match or had legitimate cause that precluded the use of those funds for the**
 51 **match.**

52 **(3) The Commission shall make recommendations to the Committee every**
 53 **month until all funds are expended or obligated.**

54 **I. No money shall be expended from the program without the approval of the**
 55 **Committee.**

56 **J. The provisions of R.S. 39:72.1(A) shall not apply to monies appropriated**
 57 **from the fund pursuant to this Section.**

58 **K. If a community water system, community sewer system or a local**
 59 **governing authority has received or is on the list to receive a line of credit pursuant**
 60 **to the Act which originated as House Bill Number 2 of the 2021 Regular Session of**
 61 **the Legislature of Louisiana and, in accordance with the guidance, the project is**

1 eligible to receive funding through the Water Sector Program for the same project,
2 the Commission may recommend to the commissioner of administration that the
3 project not receive a line of credit in lieu of funding from the Water Sector
4 Program."

5 AMENDMENT NO. 32

6 On page 11, line 13, between "shall be" and "in accordance" insert "expended"

7 AMENDMENT NO. 33

8 On page 11, line 27, between "Louisiana" and "Nonprofit", delete "Small Business and"

9 AMENDMENT NO. 34

10 On page 11, line 29, between "Louisiana" and "Nonprofit", delete "Small Business and"

11 AMENDMENT NO. 35

12 On page 12, at the beginning of line 2, delete "small business and"

13 AMENDMENT NO. 36

14 On page 12, at the end of line 3, delete "Small Business and"

15 AMENDMENT NO. 37

16 On page 12, line 5, between "transfer" and "million", delete "fifty" and insert "ten"

17 AMENDMENT NO. 38

18 On page 12, at the end of line 18, change "fifty-five" to "fifty"

19 AMENDMENT NO. 39

20 On page 12, between lines 24 and 25, insert the following:

21 "§100.59.1. Southwest Louisiana Hurricane Recovery Fund
22 A. There is hereby created in the state treasury, as a special fund, the
23 Southwest Louisiana Hurricane Recovery Fund, hereinafter referred to in this
24 Section as the "fund". Monies in the fund shall be used to assist in repairing
25 structural damages caused by the 2020 hurricane season in Southwest Louisiana.
26 B. The treasurer is hereby authorized and directed to transfer thirty million
27 dollars from the Louisiana Rescue Plan Fund into this fund. Monies in the fund shall
28 be invested in the same manner as monies in the state general fund. Interest earned
29 on the investment of monies in the fund shall be deposited in and credited to the
30 fund.
31 C. Any remaining balance in the fund on January 1, 2022, shall be transferred
32 to the Louisianan Rescue Plan Fund.