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## HOUSE FLOOR AMENDMENTS

2023 Regular Session

Amendments proposed by Representative Bourriaque to Reengrossed Senate Bill No. 42 by Senator Fred Mills

- 1 AMENDMENT NO. 1
- 2 On page 1, line 3, delete "220.45" and insert "220.50, and 966(B)(21)(e)"
- 3 AMENDMENT NO. 2
- On page 1, line 9, after "regulations" and before ";" insert "to be promulgated in accordance 4
- 5 with the Administrative Procedure Act"
- 6 AMENDMENT NO. 3
- 7 On page 1, line 11, after "allocations;" insert "to provide for program administrative
- operations; to provide for development of a plan; to provide for a dispute resolution process; 8
- to provide for legislative oversight; to provide for a program termination date;" 9
- AMENDMENT NO. 4 10
- 11 On page 2, line 12, after "220. 45, is" insert "220.50 and 966(B)(21)(e) are"
- 12 AMENDMENT NO. 5
- 13 On page 4, between lines 1 and 2, insert the following":
- "(3) "Oversight committees" means the House Committee on Transportation, Highways and Public Works and the Senate Committee on 14
- 15
- 16 Transportation, Highways and Public Works.'
- 17 AMENDMENT NO. 6
- On page 4, at the beginning of line 2, change "(3)" to "(4)" 18
- 19 AMENDMENT NO. 7
- 20 On page 6, delete lines 23 through 25 in their entirety and in lieu thereof insert the following:
- 21 "(13) Create and revise the Louisiana Watershed Initiative Plan in
- 22 accordance with R.S. 49:220.47."
- 23 AMENDMENT NO. 8
- On page 7, line 13, after "Part." add the following: 24
- 25 "Any rules or regulations promulgated by the council shall be in
- 26 compliance with the Administrative Procedure Act and subject to legislative
- oversight as provided for in R.S. 49:966(B)(21)(e)." 27

## 1 AMENDMENT NO. 9

- 2 On page 7, line 18, after "Council" delete the remainder of the line and insert "shall
- 3 designate watershed regions to coordinate flood risk reduction efforts among parishes.
- 4 The council may approve"
- 5 AMENDMENT NO. 10
- 6 On page 7, line 19, after "from" delete "the"
- 7 AMENDMENT NO. 11
- 8 On page 7, line 20, after "committees" delete "within" and insert "established within the"
- 9 AMENDMENT NO. 12
- On page 8, delete lines 17 through 19 in their entirety and insert the following:

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- "C. The council shall submit notice to the regional steering committee and the oversight committees of either of the following:
- 14 (1) Approval of a recommended regional watershed coalition, including 15 the composition of the coalition's membership.
  - (2) Failure to approve a recommended watershed coalition, including why the council returned the recommendation to the regional steering committee.
  - D. Notwithstanding any provision of law to the contrary, a regional watershed district statutorily created by the legislature shall be recognized by the council and considered immediately approved as the regional watershed coalition and shall supercede any regional watershed coalition previously approved by the council."
- 24 AMENDMENT NO. 13
- On page 8, at the beginning of line 20, change "C." to "E."
- 26 AMENDMENT NO. 14
- On page 8, at the beginning of line 24, change "D." to "F."
- 28 AMENDMENT NO. 15
- 29 On page 9, between lines 16 and 17, insert the following:

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- "§220.46. Watershed council; program administrative costs
- A.(1) Funding for the administrative operation of the council shall be
  from the United States Department of Housing and Urban Development's
  Community Development Block Grant Program, the United States Federal
  Emergency Management Agency's Hazard Mitigation Grant Program, United
  States Department of Agriculture's Natural Resources Conservation Service, or
  other federal funds in which use for administrative purposes is allowable in
  accordance with federal or state laws, rules, and regulations.
- 39 (2) No state general funds shall be used for the administrative operations 40 of the council unless specifically appropriated by the legislature.
  - B. In the event that there are not sufficient funds to maintin the administrative operation of the council, the council shall cease to operate until sufficient funding is acquired.
- 44 <u>C. Nothing in this Section shall be construed to prevent the council or the</u> 45 regional watershed coalitions from applying for or accepting funds from

1	federal, state, or private sources to continue the administrative operation of the
2	council.
3	§220.47. Louisiana Watershed Initiative Plan
4	A.(1)The Louisiana Watershed Initiative Plan created pursuant to this
5	Part shall be all of the following:
6	(a) In compliance with all applicable state and federal laws and
7	regulations.
8	(b) Consistent with the comprehensive master coastal protection plan
9	established by the Coastal Protection and Restoration Authority pursuant to
10	R.S. 49:214.5.3.
11 12	(2) Reviewed and revised by the council as necessary and shall be updated at least once annually unless required to do so more frequently by the
13	oversight committees.
14	(3) The initial plan and any revisions shall be submitted to the oversight
15	committees in acordance with this Section.
16	B. The Louisiana Watershed Initiative Plan shall be developed and
17	revised in accordance with the following procedure:
18	(1) The council shall conduct a public hearing in each of the watershed
19	regions for the purpose of receiving comments and recommendations from the
20	regional watershed coalitions and the public prior to submission of the plan to
21	the oversight committees.
22	(2) At least two weeks prior to each public hearing the council shall
23	contact the regional watershed coalitions, parish governing authorities, regional
24	flood protection authorities, levee districts, and the state legislators of the
25 26	parishes in the region to notify them of the public hearing.
26 27	(3) The council shall accept written comments and recommendations until thirty days prior to the submission of the plan to the oversight committees.
28	C. The plan shall be submitted to the oversight committees on or before
29	February first of each calendar year.
30	D. The council may submit additional reports to the oversight
31	committees as considered appropriate by the chairman of the council. In
32	addition, the oversight committees may ask for any information needed to
33	ensure the proper and successful implementation of the Louisiana Watershed
34	<u>Initiative.</u>
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35	§220.48. Dispute resolution among the regional watershed coalitions
36 37	A. The council shall foster collaboration among approved regional watershed coalitions by convening meetings to resolve disputes and issuing
38	recommendations for actions that prioritize the goals and objectives of this Part.
39	B. Disputes between two or more of the regional watershed coalitions
40	shall be resolved by the council in a open meeting upon request of any regional
41	watershed coalition involved in a dispute. The meeting to resolve the dispute
42	shall be properly noticed in accordance with the open meetings law, R.S. 42:11
43	et seq., and shall take place no later than thirty calendar days after receipt of
44	the request by the council.
45	C.(1) If the council is unable to resolve the dispute, the chairman of the
46	council may convene an executive committee for purposes of dispute resolution
47	in accordance with Subsections D and E of this Section.
48	(2) If the council resolves a dispute between two or more regional
49 50	watershed coalitions, a regional watershed coalition who was not the prevailing party in the dispute may request a reconsideration by an executive committee.
51	If a request for reconsideration is made, the chairman of the council shall
52	convene the executive committee for purposes of dispute resolution in
53	accordance with Subsections D and E of this Section.
54	D. The members of the executive committee of the council shall be the
55	individuals appointed to serve on the council in the following capacities:
56	(1) The commissioner of administration or his designee, who shall serve
57	as chairman of the executive committee.

<u>federal, state, or private sources to continue the administrative operation of the</u>

1	(2) The member appointed by the speaker of the House of
2	Representatives from the membership of the House Committee on
3	Transportation, Highways, and Public Works.
4	(3) The member appointed by the president of the Senate from the
5	membership of the Senate Committee on Transportation, Highways, and Public
6	Works.
7	(4) The secretary of the Department of Transportation and Development
8	or his designee on the council.
9	(5) The chairman of the Coastal Protection and Restoration Authority
10	or his designee on the council.
11	E. The executive committee shall meet in accordance with the open
12	meetings law, R.S. 42:11 et seq., and a meeting called by the executive
13	committee shall take place no later than thirty calendar days after receipt of the
14	request by the council.
15	F. The council shall submit a report of all disputes to the oversight
16	committees, which shall include but not be limited to the nature of the dispute,
17	whether it was resolved by the council or the executive committee, and how it
	was resolved or whether it remains unresolved and is being referred to the
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19	oversight committees for a potential oversight hearing.
20	G. Any regional watershed coalition may submit a request for
21	consideration of an oversight hearing to the oversight committees if the council
22	or the executive committee of the council has been unable to resolve a dispute,
21 22 23 24	or if the dispute has been resolved to the dissatisfaction of a regional watershed
24	coalition.
25	§220.49. Legislative oversight
26 27 28	A. The council shall be subject to legislative oversight by the House
27	Committee on Transportation, Highways, and Public Works and the Senate
28	Committee on Transportation, Highways, and Public Works.
29	<b>B.(1)</b> In addition to rulemaking oversight authority as provided for in the
30	Administrative Procedure Act, the oversight committees may convene for an
31	oversight hearing no later than thirty days after receipt of any of the following:
32	(a) Notice of the council either approving or failing to approve the
33	regional watershed coalition composition recommended by the regional steering
34	committees as is required by R.S. 49:220.45(C).
35	(b) The Louisiana Watershed Initiative Plan provided for in R.S.
36	<u>49:220.47.</u>
37	(c) Notice of a dispute between two or more regional watershed coalitions
38	that has been resolved by the council or the executive committee of the council
39	as provided for in R.S. 49:220.48.
40	(d) A request by a regional watershed coalition regarding a dispute with
41	another regional watershed coalition that the council or the executive committee
42	of the council has been unable to resolve, or that has been resolved to the
43	dissatisfaction of a regional watershed coalition as provided for in R.S.
44	49:220.48.
45	(2) The oversight committees may also convene for an oversight hearing
46	on any other matter considered necessary and appropriate by the chairman of
47	either oversight committee.
48	C. In exercising the oversight authority provided for in this Section, the
49	oversight committees may convene a meeting separately or jointly.
10	oversight committees may convene a meeting separately or jointly.
50	§220.50. Louisiana Watershed Initiative; termination
51	The provisions of this Part shall terminate on January 1, 2027.
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53	§966. Review of agency rules; fees
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4	(e) The Watershed Management Council shall submit the repo	rt
5	to the House Committee on Transportation, Highways and Public World	ks
6	and the Senate Committee on Transportation, Highways, and Publ	lic
7	Works.	
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