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HOUSE FLOOR AMENDMENTS

2016 Regular Session

Amendments proposed by Representative Montoucet to Engrossed House Bill No. 729 by Representative Montoucet

1 AMENDMENT NO. 1

2 On page 1, line 4, after "definitions;" delete the remainder of the line, and delete lines 5
3 through 7 in their entirety and insert in lieu thereof the following:

4 "to regulate rate change procedures; to provide for applicability; to provide
5 for effectiveness; and to provide for related matters."

6 AMENDMENT NO. 2

7 On page 1, delete lines 12 through 19 in their entirety, and delete pages 2 and 3 in their
8 entirety and insert the following:

9 "§1601. Definitions

10 As used in this Chapter, the following terms and phrases have
11 the meanings hereinafter ascribed to them:

12 (1) "Department" means the Louisiana Department of Health
13 and Hospitals.

14 (2) "Lending entity" means the governmental or financial
15 entity providing financing to a water cooperative.

16 (3) "U.S.D.A." means the United States Department of
17 Agriculture.

18 (4) "Water cooperative" means any nonprofit water utility
19 cooperative or corporation that is wholly owned by water user
20 members and eligible to receive financing from a lending entity.

21 §1602. Water cooperative rate change; regulation

22 A. Any request for a change to the rate structure of a water
23 cooperative that receives financing from the U.S.D.A. shall be
24 granted when all of the following requirements are satisfied:

25 (1) A rate assessment or study has been conducted by a
26 qualified third party.

27 (2) A majority vote of the board of directors of a water
28 cooperative has been conducted in accordance with the bylaws of the
29 water cooperative and approves the proposed rate structure.

30 (3) Final approval of the U.S.D.A. has been granted.

31 B. Any request for a change to the rate structure of a water
32 cooperative that receives financing from the department shall be
33 granted when all of the following requirements are satisfied:

34 (1) A rate assessment or study has been conducted by a
35 qualified third party.

36 (2) A majority vote of the board of directors of a water
37 cooperative has been conducted in accordance with the bylaws of the
38 water cooperative and approves the proposed rate structure.

1 (3) Final approval of the department has been granted.

2 C. Any request for a change to the rate structure of a water
3 cooperative that receives no financing from a lending entity or that
4 receives financing and the lending entity is neither the U.S.D.A. nor
5 the department shall be granted when all of the following
6 requirements are satisfied:

7 (1) A rate assessment or study has been conducted by the
8 Louisiana Rural Water Association.

9 (2) The rate assessment or study conducted by the Louisiana
10 Rural Water Association has been approved by the legislative auditor.

11 (3) A majority vote of the board of directors of a water
12 cooperative has been conducted in accordance with the bylaws of the
13 water cooperative and approves the proposed rate structure.

14 D. Any request for a change to the rate structure of a water
15 cooperative that receives financing from multiple lending entities
16 shall be granted when the water cooperative obtains approval in
17 accordance with one of the applicable Subsections of this Section.

18 §1603. Applicability

19 The provisions of this Chapter apply only to water
20 cooperatives that were eligible to receive financing from the
21 U.S.D.A. prior to January 1, 2011.

22 Section 2. This Act shall become effective upon signature by the governor or, if not
23 signed by the governor, upon expiration of the time for bills to become law without signature
24 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
25 vetoed by the governor and subsequently approved by the legislature, this Act shall become
26 effective on the day following such approval."