
SENATE FLOOR AMENDMENTS

2021 Regular Session

Amendments proposed by Senator White to Reengrossed House Bill No. 642 by Representative Schexnayder

1 AMENDMENT NO. 1

2 Delete Senate Committee Amendment No. 2, 3, 13, 14, 15, and 17, proposed by the Senate
3 Committee on Finance and adopted by the Senate on May 25, 2021.

4 AMENDMENT NO. 2

5 In Senate Committee Amendment No. 4 proposed by the Senate Committee on Finance and
6 adopted by the Senate on May 25, 2021, on page 1, at the end of line 14, insert the following:
7 "Notwithstanding any provision of law to the contrary, expenses submitted to but not
8 reimbursed by the Coronavirus Local Recovery Allocation Program shall be eligible for
9 reimbursement pursuant to the provisions of this program. In no event shall the total amount
10 of an award made pursuant to the provisions of this program, when combined with all
11 monies received by the port authority pursuant to the Coronavirus Aid, Relief and Economic
12 Security Act (CARES), Coronavirus Response & Relief Supplemental Appropriations Act
13 (CRRSA), the American Rescue Plan Act (ARP), and the Coronavirus Local Recovery
14 Allocation Program, exceed the actual revenue loss of the port authority, as determined in
15 Item (c)(ii) of this Paragraph."

16 AMENDMENT NO. 3

17 In Senate Committee Amendment No. 4 proposed by the Senate Committee on Finance and
18 adopted by the Senate on May 25, 2021, on page 1, at the end of line 16, insert the following:
19 "The term "port authority" shall also include a subsidiary of a port, harbor, or terminal
20 district that has pledged its revenues to the indebtedness of the port, harbor, or terminal
21 district."

22 AMENDMENT NO. 4

23 In Senate Committee Amendment No. 4 proposed by the Senate Committee on Finance and
24 adopted by the Senate on May 25, 2021, on page 1, at the end of line 20, delete "January 1,"
25 and delete lines 21 and 22 in their entirety and insert in lieu thereof: "March 1, 2020, through
26 June 30, 2021, as compared to the gross revenue that the port authority would have received
27 during the same period pursuant to its financial plans."

28 AMENDMENT NO. 5

29 In Senate Committee Amendment No. 4, proposed by the Senate Committee on Finance and
30 adopted by the Senate on May 25, 2021, on page 1, between lines 25 and 26, insert the
31 following:

32 "(e) The division of administration is hereby authorized to promulgate emergency
33 rules to provide for administration of this program and to establish an application period for
34 awards pursuant to the provisions of this Paragraph.

35 (f) No funding shall be awarded pursuant to the provisions of this Paragraph until
36 after the application period has closed. Thereafter, available funds shall be allocated on a
37 pro rata basis to each port authority that qualifies for an award pursuant to the provisions of
38 this Paragraph. If a port authority does not qualify for its full pro rata allocation, the
39 remaining funds shall be aggregated for further pro rata distribution to remaining qualifying
40 port authorities once all initial awards have been made. Any remaining balance after the
41 second distribution shall be transferred to the Louisiana Rescue Plan Fund."

1 AMENDMENT NO. 6

2 In Senate Committee Amendment No. 16 proposed by the Senate Committee on Finance and
3 adopted by the Senate on May 25, 2021, on page 2, at the end of line 15, change "or" to
4 "and"

5 AMENDMENT NO. 7

6 In Senate Committee Amendment No. 19 proposed by the Senate Committee on Finance and
7 adopted by the Senate on May 25, 2021, on page 2, delete lines 25 through 30 in their
8 entirety and insert the following:

9 "On page 6, between lines 26 and 27, insert the following:

10 "B. (1) The state treasurer is hereby authorized and directed to transfer five hundred"

11 AMENDMENT NO. 8

12 In Senate Committee Amendment No. 19 proposed by the Senate Committee on Finance and
13 adopted by the Senate on May 25, 2021, on page 2, at the beginning of line 36, change "(3)"
14 to "(2)"

15 AMENDMENT NO. 9

16 In Senate Committee Amendment No. 19 proposed by the Senate Committee on Finance and
17 adopted by the Senate on May 25, 2021, on page 2, at the end of line 37, delete "Capitol
18 Technology Fund." and insert "Legislative Capitol Technology Enhancement Fund."

19 AMENDMENT NO. 10

20 In Senate Committee Amendment No. 19 proposed by the Senate Committee on Finance and
21 adopted by the Senate on May 25, 2021, on page 2, at the beginning of line 38, change "(4)"
22 to "(3)"

23 AMENDMENT NO. 11

24 In Senate Committee Amendment No. 28 proposed by the Senate Committee on Finance and
25 adopted by the Senate on May 25,2021, on page 4, line 3, between "Tourism" and "Revival"
26 delete "Industry" and on line 4, between "Tourism" and "Revival" delete "Industry"

27 AMENDMENT NO. 12

28 In Senate Committee Amendment No. 28, proposed by the Senate Committee on Finance
29 and adopted by the Senate on May 25, 2021, on page 4, delete lines 11 and 12, insert the
30 following:

31 "C. In order to qualify to receive a grant award, the recipient must be an official
32 tourism commission, convention and visitor's bureau, or official destination marketing
33 organization."

34 AMENDMENT NO. 13

35 Delete Senate Committee Amendment No. 31 proposed by the Senate Committee on
36 Finance and adopted by the Senate on May 25, 2021

37 AMENDMENT NO. 14

38 In Senate Committee Amendment No. 39, proposed by the Senate Committee on Finance
39 and adopted by the Senate on May 25, 2021, on page 6, delete lines 30 through 32 and insert
40 "fund."

1 AMENDMENT NO. 15

2 On page 1, line 4, change "100.59" to "100.59.2"

3 AMENDMENT NO. 16

4 On page 1, line 15, change "100.59" to "100.59.2"

5 AMENDMENT NO. 17

6 On page 1, delete lines 18 through 21, and on page 2, delete line 1, and insert the following:

7 "A. Notwithstanding the provisions of R.S. 39:100.44, the treasurer shall
8 administer the Louisiana Main Street Recovery Program for grants to the Louisiana
9 Loggers Relief Program and the Louisiana Save Our Screens Program as provided
10 in this Section. The treasurer may utilize up to five percent of the monies in the
11 Louisiana Main Street Recovery Rescue Plan"

12 AMENDMENT NO. 18

13 On page 3, line 2, after "business" delete the remainder of the line and on page 3, delete line
14 3, and insert the following:

15 "for the period of January 1, 2020, through December 31, 2020."

16 AMENDMENT NO. 19

17 On page 3, delete lines 8 through 10, and insert the following:

18 "E. The Louisiana Loggers Relief Program shall have priority for ten million
19 dollars of the money granted by the Louisiana Main Street Recovery Program.
20 Grants shall be distributed to eligible timber harvesting and timber hauling
21 businesses impacted"

22 AMENDMENT NO. 20

23 On page 3, delete lines 22 through 24, and insert the following:

24 "F. The Louisiana Save Our Screens Program shall have priority for four
25 million five hundred thousand dollars of the money granted by the Louisiana Main
26 Street Recovery Program. Grants shall be distributed to eligible movie theater
27 businesses impacted by COVID-19. Any"

28 AMENDMENT NO. 21

29 On page 4, between lines 12 and 13, insert the following:

30 "G. The theater receiving the grant shall be the entity holding the
31 occupational license for the physical location of the applicable auditorium.

32 H.(1) There is hereby created in the state treasury, as a special fund, the
33 Louisiana Main Street Recovery Rescue Plan Fund, hereinafter referred to in this
34 Section as the "fund". The treasurer is hereby authorized and directed to transfer
35 fourteen million five hundred thousand dollars from the Louisiana Rescue Plan Fund
36 into the fund. Of the monies in the fund, ten million shall be used for economic
37 support grants to eligible Louisiana timber harvesting and timber hauling businesses
38 and four million five hundred thousand shall be used for economic support grants to
39 eligible movie theater owners in accordance with the provisions of the Louisiana
40 Main Street Recovery Program as provided in this Section.

41 (2) Monies in the fund shall be invested in the same manner as monies in the
42 state general fund. Interest earned on the investment of monies in the fund shall be
43 deposited in and credited to the fund.

1 (3) Any remaining balance in the fund on June 30, 2022, shall be transferred to the
2 Louisiana Rescue Plan Fund.

3 I. The legislative auditor shall consult with and provide to the treasurer
4 recommendations about requirements necessary for eligibility criteria and verification of
5 such criteria for the programs in this Section.

6 J. No grants shall be awarded pursuant to this Section after January 30, 2022.

7 AMENDMENT NO. 22

8 On page 4, delete lines 13 and 14, and insert:

9 "§100.44.2. Port Relief; Nonprofit Assistance"

10 AMENDMENT NO. 23

11 On page 4, delete lines 26 and 27

12 AMENDMENT NO. 24

13 On page 4, at the beginning of line 28, delete "to" and insert:

14 "(2) The Department of Revenue shall"

15 AMENDMENT NO. 25

16 On page 6, line 22, after "B." and before "Except" insert "(1)"

17 AMENDMENT NO. 26

18 On page 7, at the end of line 3, delete "Subpart." and insert "Subpart and may be
19 appropriated for the Clearing Account of the Unemployment Compensation Fund pursuant
20 to R.S. 23:1491."

21 AMENDMENT NO. 27

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

24 AMENDMENT NO. 28

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

27 AMENDMENT NO. 29

28 On page 8, delete lines 6 through 29, and on page 9, delete lines 1 and 2

29 AMENDMENT NO. 30

30 On page 9, delete lines 6 through 29, delete page 10, and on page 11, delete lines 1 through
31 9 and insert the following:

32 "(1) "Commission" shall mean the Water Sector Commission.

33 (2) "Committee" shall mean the Joint Legislative Committee on the Budget.

34 (3) "Division" shall mean the division of administration.

35 (4) "Fund" shall mean the Water Sector Fund.

36 B.(1) The Water Sector Commission is hereby established to review
37 applications submitted pursuant to the Water Sector Program and make
38 recommendations for funding to the Joint Legislative Committee on the Budget.

39 (2) The commission shall be comprised of the following members:

1 (a) Five members of the House of Representatives appointed by the speaker
 2 of the House of Representatives.

3 (b) Five members of the Senate appointed by the president of the Senate.

4 (3) A Senate member of the commission and a House member of the
 5 commission shall serve as co-chairmen of the commission.

6 (4) A quorum of the commission shall be six members. Any
 7 recommendations made by the commission shall require a quorum for approval.

8 (5) The staffs of the Senate, House of Representatives, and legislative fiscal
 9 office shall provide staff support and otherwise assist the commission as requested
 10 by the commission.

11 C. The Water Sector Program is hereby established to provide grant funding
 12 for repairs, improvements, and consolidation of community water and sewer
 13 systems, and repairs and improvements necessitated by storm water. The division
 14 of administration, office of facility planning and control, and the office of
 15 community development shall administer the program in consultation with the
 16 Louisiana Department of Health and the Department of Environmental Quality. The
 17 division shall establish a working panel comprised of employees of the office of
 18 facility planning and control and the office of community development, within the
 19 division of administration, the office of public health within the Louisiana
 20 Department of Health, and the Department of Environmental Quality. The working
 21 panel shall review and rate applications submitted by community water systems,
 22 community sewer systems, and local governing authorities and submit
 23 recommendations for funding to the commission.

24 D.(1) The commission shall hold its first meeting no later than June 15,
 25 2021. At its first meeting, the commission shall issue directives to the division to
 26 utilize in the development of the guidance required in Paragraph (2) of this
 27 Subsection.

28 (2) The division shall promulgate guidance for the administration of the
 29 program. The guidance shall include application requirements, deadlines for
 30 application submissions and approval, criteria for ratings, and a process for
 31 prioritizing critical infrastructure needs. The Administrative Procedure Act, R.S.
 32 49:950 et seq., shall not apply to guidance promulgated pursuant to this Section. No
 33 later than August 1, 2021, the division shall submit the proposed guidance to the
 34 commission for review and approval. Any changes to the guidance shall require
 35 approval by the commission.

36 E. In addition to the guidance provided for in Subsection D of this Section,
 37 the division shall submit a proposal outlining administrative costs for the program
 38 to the commission for review and approval prior to implementing the program no
 39 later than July 15, 2021. The commission shall review the proposed administrative
 40 costs and make a recommendation to the Joint Legislative Committee on the Budget
 41 for funding for administrative costs. The Joint Legislative Committee on the Budget
 42 shall review the recommendations submitted by the commission and approve
 43 administrative costs for the program.

44 F. Notwithstanding any provision of law to the contrary, the division may
 45 enter into consulting services, professional services, and information and technology
 46 services contracts for the purpose of the procurement of any goods or services
 47 necessary to implement and expedite the distribution of funds as emergency
 48 procurements exempt from the provisions of the Louisiana Procurement Code and
 49 corresponding rules and regulations. The cost of such contracts shall be considered
 50 administrative costs.

51 G. Each grant recipient shall be required to provide matching funds unless
 52 the commission recommends waiving the match requirement.

53 H. The division shall begin accepting applications no later than August 1,
 54 2021. The applications shall include the following, at a minimum:

55 (1) The amount of grant funding requested.

56 (2) The amount and proposed source of funding for the proposed match.

57 (3) Proposals for repairs, improvements, or consolidation with neighboring
 58 systems.

59 (4) Assurance the entity will comply with the rate determination of the rate
 60 study completed by a third party chosen by the division prior to release of funds for
 61 construction and permission to bid.

1 (5) A certification from the local governing authority that operates the
2 system or the water system operator that funding from the Coronavirus Fiscal
3 Recovery Fund of the American Rescue Plan Act of 2021 is being used as a source
4 of funding for the required match or explanation of legitimate cause that precluded
5 the use of those funds for the match.

6 I. Within forty-five days of the end of the application period, the division
7 shall submit the working panel's ratings of proposed projects and recommendations
8 for funding for the projects to the commission. The working panel's
9 recommendations to the commission shall include recommendations for utilization
10 of existing funding sources including the Drinking Water Revolving Loan Fund,
11 Clean Water State Revolving Fund, and Community Water Enrichment and Other
12 Improvements Fund.

13 J. The commission shall review the ratings and recommendations submitted
14 by the working panel. The commission shall submit its recommendations for
15 projects to receive monies from the fund and funding amounts to the Joint
16 Legislative Committee on the Budget. The recommendations shall include proposed
17 matching funds unless the commission recommends a waiver of matching funds or
18 decreased match for any project based on the determination that the local governing
19 authority or water system is unable to provide the match.

20 K. The Joint Legislative Committee on the Budget shall review the
21 recommendations submitted by the commission and have final approval of funding
22 for projects. No monies shall be expended from the fund without approval of the
23 Joint Legislative Committee on the Budget.

24 L. Beginning January 1, 2022, the division shall submit a quarterly
25 construction progress report for projects that received funding approval to the Joint
26 Legislative Committee on the Budget.

27 M. Each grant recipient that receives funding pursuant to this Section shall
28 comply with the provisions of R.S. 24:513.

29 N. The provisions of R.S. 39:72.1(A) shall not apply to monies appropriated
30 pursuant to this Section.

31 O.(1) Priority for funding shall be given to community water system
32 projects, community sewer system projects, or projects necessitated by storm water
33 that are contained in the Act which originated as House Bill No. 2 of the 2021
34 Regular Session of the Legislature.

35 (2) Projects eligible pursuant to this Subsection shall not be required to
36 submit an application pursuant to the provisions of the Section. The division may
37 request supplemental information for the project as directed by the commission.

38 P. If an appropriation for a community water system project, community
39 sewer system project, or a project necessitated by storm water has received a line of
40 credit or is recommended for a line of credit pursuant to the Act which originated as
41 House Bill No. 2 of the 2021 Regular Session of the Legislature and the project is
42 eligible for funding through the Water Sector Program, the commission may
43 recommend to the commissioner of administration that the project not be
44 recommended for a line of credit in lieu of funding from the Water Sector Program."

45 AMENDMENT NO. 31

46 On page 11, delete lines 24 through 26 in their entirety

47 AMENDMENT NO. 32

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

49 "§100.59.2. Capital Outlay Relief Fund

50 A. There is hereby created in the state treasury, as a special fund, the Capital Outlay
51 Relief Fund hereinafter referred to in this Section as the "fund". Monies in the fund shall be
52 used for capital outlay projects.

53 B. The treasurer is hereby authorized and directed to transfer thirty-five million

1 dollars from the Louisiana Rescue Plan Fund into this fund. Monies in the fund shall be
2 invested in the same manner as monies in the state general fund. Interest earned on the
3 investment of monies in the fund shall be deposited in and credited to the fund."
4