SLS 22RS-183 ORIGINAL

2022 Regular Session

SENATE BILL NO. 48

BY SENATOR REESE AND REPRESENTATIVE ZERINGUE

FUNDS/FUNDING. Provides for changes to the Water Sector Program. (gov sig)

1	AN ACT
2	To amend and reenact R.S. 39:100.56(D), (E), the introductory paragraph of (H), and (I) and
3	to repeal R.S. 39:100.56(G)(5), (O), and (P), relative to the Water Sector Program;
4	to provide relative to application period dates; to require the division of
5	administration to post certain documents; to require the division of administration
6	to conduct outreach efforts; to repeal provisions relative to capital outlay; to provide
7	for an effective date; and to provide for related matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 39:100.56(D), (E), the introductory paragraph of (H), and (I) are
10	hereby amended and reenacted to read as follows:
11	§100.56. Water Sector Program
12	* * *
13	D.(1) The commission shall hold its first meeting no later than June 30, 2021.
14	At its first meeting, the commission shall issue directives to the division to utilize in
15	the development of the guidance required in Paragraph (2) of this Subsection.
16	(2) The division shall promulgate guidance for the administration of the
17	program. The guidance shall include application requirements, application period

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1	dates and deadlines for application submissions and approval, criteria for ratings,
2	and a process for prioritizing critical infrastructure needs. The Administrative
3	Procedure Act, R.S. 49:950 et seq., shall not apply to guidance promulgated pursuant
4	to this Section. No later than July 15, 2021, the The division shall submit the
5	proposed guidance to the commission for review and approval. Any changes to the
6	guidance shall require approval by the commission.
7	(2) Prior to the application period, the division shall conduct outreach
8	and educational efforts for all water and sewer systems to raise awareness
9	regarding the program.
10	(3) The division shall post on its website a copy of the guidance
11	promulgated pursuant to this Section as well as any additional information
12	regarding the program, including the application process, procurement, or
13	scoring criteria upon request of the commission.
14	E. In addition to the guidance provided for in Subsection D of this Section,
15	the division shall submit a proposal outlining administrative costs for the program
16	to the commission for review and approval prior to implementing the program no
17	later than July 15, 2021. The commission shall review the proposed administrative
18	costs and make a recommendation to the Joint Legislative Committee on the Budget
19	for funding for administrative costs. The committee shall review the
20	recommendations submitted by the commission and approve administrative costs for
21	the program.
22	* * *
23	H. The division shall begin accepting applications no later than August 1,
24	2021. The applications Applications shall include the following, at a minimum:
25	* * *
26	I. Within forty-five days of the end of the application period, the The division
27	shall submit the working panel's ratings of proposed projects and recommendations
28	for funding for the projects to the commission. The working panel's

recommendations to the commission shall include recommendations for utilization

1 of existing funding sources including the Drinking Water Revolving Loan Fund, 2 Clean Water State Revolving Fund, and Community Water Enrichment and Other 3 Improvements Fund. 4 Section 2. R.S. 39:100.56(G)(5), (O), and (P) are hereby repealed in their entirety. 5 Section 3. This Act shall become effective upon signature by the governor or, if not 6 7 signed by the governor, upon expiration of the time for bills to become law without signature 8 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If 9 vetoed by the governor and subsequently approved by the legislature, this Act shall become 10 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Curry Lann.

## DIGEST

SB 48 Original

2022 Regular Session

Reese

<u>Present law</u> (R.S. 39:100.56) creates the Water Sector Program to provide grants for repairs, improvements, and consolidation of community water and sewer systems. Establishes the Water Sector Commission to review and approve applications submitted pursuant to the program and make recommendations to Joint Legislative Committee on the Budget (JLCB) for approval of funding.

## Proposed law retains present law.

<u>Present law</u> requires the commission to hold its first meeting no later than June 30, 2021, and issue directives to the division to utilize in the development of the guidance at its first meeting.

## Proposed law removes present law.

<u>Present law</u> requires the division to promulgate guidance for the administration of the program, including application requirements, deadlines for application submissions and approval, criteria for ratings, and a process for prioritizing critical infrastructure needs.

<u>Proposed law</u> adds application period dates to the guidance requirements and otherwise retains present law.

<u>Proposed law</u> requires the division to conduct outreach and educational efforts for all water and sewer systems to raise awareness regarding the program.

<u>Proposed law</u> requires the division to post on its website a copy of the guidance as well as any additional information regarding the program, including the application process, procurement, or scoring criteria upon request of the commission.

<u>Present law</u> requires the division to submit the proposed guidance and a proposal outlining administrative costs for the program to the commission for review and approval no later than

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Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

July 15, 2021.

Proposed law retains present law but removes the July 15, 2021, deadline.

<u>Present law</u> requires the division to begin accepting applications no later than August 1, 2021.

Proposed law removes present law.

<u>Present law</u> requires the division to submit the working panel's ratings and recommendations for funding to the commission within 45 days of the end of the application period.

Proposed law retains present law but removes the 45-day deadline.

<u>Present law</u> requires that applications include a certification from water system operators that funding from the American Rescue Plan Act of 2021 is being used as match or an explanation that precluded the use of those funds as match.

Proposed law repeals present law.

<u>Present law</u> requires projects included in the Capital Outlay Act receive priority for funding and exempts those entities from submitting an additional application to be considered for a grant.

Proposed law repeals present law.

<u>Present law</u> authorizes the commission to make recommendations to the commissioner of administration regarding lines of credit on capital outlay projects.

Proposed law repeals present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 39:100.56(D), (E), (H) (intro para), and (I); repeals R.S. 39:100.56(G)(5), (O), and (P))