

DIGEST

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SB 48 Engrossed

2022 Regular Session

Reese

Present law (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 repeals present law.

Present law 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 repeals present law.

Present law 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 and prioritizing critical infrastructure needs.

Proposed law adds application period dates to the guidance requirements and adds that a purpose of the guidance is to provide a process for ensuring funding for small water and sewer systems. Otherwise retains present law.

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

Proposed law 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.

Present law 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 July 15, 2021.

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

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

Proposed law repeals present law.

Present law 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.

Present law 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.

Present law requires the commission to review the ratings and recommendations submitted by the working panel and to submit its recommendations for projects to receive funding to

JLCB. Requires the recommendations to include proposed matching funds, unless the commission recommends a waiver of matching funds or decreased match for any project.

Present law requires JLCB to review the recommendations submitted by the commission and approve funding for projects. Proposed law adds an exception authorizing the commission to approve adjustments to a grant award without JLCB approval for any of the following reasons:

- (1) Duplication of benefits.
- (2) Increase in project costs, not to exceed five percent of the total grant award for a project.
- (3) The inability of a grant recipient to complete one or more projects within the scope of the grant award.
- (4) Technical corrections.

Present law requires the division to submit a quarterly construction progress report to JLCB for projects that receive funding approval. Proposed law requires the division to submit a quarterly status update, including a construction progress report, to the commission and JLCB for projects that receive funding approval.

Proposed law retains present law but adds that the recommendations to the JLCB shall include funding for small water and sewer systems as provided for in the guidance.

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

Proposed law repeals present law.

Present law 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(C), (D), (E), (H)(intro. para.), and (I)-(L); Repeals R.S. 39:100.56(H)(5), (O), and (P))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the original bill

1. Removes provisions related to repairs and improvements necessitated by storm water.
2. Includes funding for small water and sewer systems as provided for in the guidance in the recommendations submitted by the commission to the Joint Legislative Committee on the Budget.
3. Technical amendments.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the engrossed bill:

1. Repeal provision requiring JLCB approval for any monies to be expended from the Water Sector Fund.

2. Add provision authorizing the commission to approve adjustments to grant awards for a project for certain enumerated reasons. Further provides that such adjustments shall be reported to JLCB but do not require approval of JLCB.
3. Add provision requiring the division to submit a quarterly status update to the commission and JLCB.