

2018 Regular Session

SENATE BILL NO. 372

BY SENATOR CORTEZ

FLOOD PROTECTION AUTH. Provides for Rural Grant Opportunity Program in the Statewide Flood Control Program. (8/1/18)

1 AN ACT

2 To amend and reenact R.S. 38:90.9, and to enact R.S. 38:90.1(12) and 90.4.1, relative to the
3 Statewide Flood Control Program; to provide for the Rural Grant Opportunity
4 Program within the Statewide Flood Control Program; to provide for requirements,
5 limitations, and eligibility for participation in the rural program; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 38:90.9 is hereby amended and reenacted and R.S. 38:90.1(12) and
9 90.4.1 are hereby enacted to read as follows:

10 §90.1. Definitions

11 As used in this Chapter, unless the context clearly indicates otherwise, the
12 following terms shall have the meanings ascribed to them as follows:

13 * * *

14 **(12) "Rural Grant Opportunity Program" means a mechanism for an**
15 **authority with a population of less than fifty thousand people located in a rural**
16 **area that lacks the financial ability to satisfy the local match requirements to**
17 **participate in the Statewide Flood Control Program.**

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§90.4.1. Rural Grant Opportunity Program

A. Applications for funds in the Rural Grant Opportunity Program may be submitted by an authority located in a rural area with a population of less than fifty thousand people. Applications shall be reviewed in accordance with R.S. 38:90.4(B).

B. Funds for the program shall not exceed twenty-five percent of the annual capital outlay appropriation of the legislature for the Statewide Flood Control Program.

C. Information included in the application shall satisfy the requirements of R.S. 38:90.4(A)(1) and shall also include, but is not limited to the following:

(1) A resolution from the authority declaring its financial inability to satisfy the local match required pursuant to R.S. 38:90.9(A)(4).

(2) Financial documentation to support its declaration of financial inability in the resolution.

D. If the grant application is approved, the authority shall not be required to satisfy the ten percent local match for construction.

E. Federal matching projects shall not be eligible for funds in accordance with this Section.

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§90.9. Statement of sponsorship

A. Prior to the commencement of any work, the office shall require the presiding officer of each authority involved in a project to execute a statement of sponsorship. The statement of sponsorship shall include but not be limited to the following:

(1) Agreement to furnish all lands, easements, rights-of-way, permits, and spoil disposal areas necessary to construct and maintain the project without cost to the state.

(2) Agreement to assume all maintenance and operation costs for the project

1 and all future alterations as may be required without cost to the state.

2 (3) Agreement to accomplish all necessary utility and any other facility
3 relocations, alterations, and maintenance without cost to the state.

4 (4) Agreement to provide at least a ten percent local match for cost of the
5 project; however, the Statewide Flood Control Program may provide funds for the
6 total cost for any modifications to drainage structures located within state highway
7 rights-of-way. Where practical, the local levee board may authorize payment of part
8 or all of the local authority's costs.

9 **B. If a sponsoring authority representing a population of less than fifty**
10 **thousand people in a rural area lacks the financial ability to satisfy the local**
11 **match required to participate in the Statewide Flood Control Program, the**
12 **authority may apply for funds pursuant to R.S. 38:90.4.1.**

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Sharon F. Lyles.

DIGEST

SB 372 Engrossed

2018 Regular Session

Cortez

Present law provides for the Statewide Flood Control Program administered by the office of engineering in the Department of Transportation and Development. The program requires a local match of 10% of the cost of construction from an authority.

Proposed law creates the Rural Grant Opportunity Program to provide a mechanism for an authority with a population of less than 50,000 people located in a rural area without financial ability to provide the local match requirement of the Statewide Flood Control Program to apply for funds.

Proposed law provides that funds for the Rural Grant Opportunity Program shall not exceed 25% of the annual capital outlay appropriation by the legislature for the Statewide Flood Control Program.

Proposed law requires an authority's application to meet the requirements of R.S. 38:90.4(A)(1) and also to include, but is not limited to a resolution declaring its financial inability to meet a 10% local match and documentation to support its declaration.

Proposed law relieves an authority whose grant application is approved from satisfying the 10% local match.

Proposed law makes federal matching projects ineligible for funds under the Rural Grant Opportunity Program.

Effective August 1, 2018.

(Amends R.S. 38:90.9; adds R.S. 38:90.1(12) and 90.4.1)