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HOUSE FLOOR AMENDMENTS

2023 Regular Session

Amendments proposed by Representative Bourriaque to Reengrossed Senate Bill No. 42 by Senator Fred Mills

1 AMENDMENT NO. 1

2 On page 1, line 3, delete "220.45" and insert "220.50, and 966(B)(21)(e)"

3 AMENDMENT NO. 2

4 On page 1, line 9, after "regulations" and before "." insert "to be promulgated in accordance
5 with the Administrative Procedure Act"

6 AMENDMENT NO. 3

7 On page 1, line 11, after "allocations;" insert "to provide for program administrative
8 operations; to provide for development of a plan; to provide for a dispute resolution process;
9 to provide for legislative oversight; to provide for a program termination date;"

10 AMENDMENT NO. 4

11 On page 2, line 12, after "220. 45, is" insert "220.50 and 966(B)(21)(e) are"

12 AMENDMENT NO. 5

13 On page 4, between lines 1 and 2, insert the following":

14 **"(3) "Oversight committees" means the House Committee on**
15 **Transportation, Highways and Public Works and the Senate Committee on**
16 **Transportation, Highways and Public Works."**

17 AMENDMENT NO. 6

18 On page 4, at the beginning of line 2, change "**(3)**" to "**(4)**"

19 AMENDMENT NO. 7

20 On page 6, delete lines 23 through 25 in their entirety and in lieu thereof insert the following:

21 **"(13) Create and revise the Louisiana Watershed Initiative Plan in**
22 **accordance with R.S. 49:220.47."**

23 AMENDMENT NO. 8

24 On page 7, line 13, after "**Part.**" add the following:

25 **"Any rules or regulations promulgated by the council shall be in**
26 **compliance with the Administrative Procedure Act and subject to legislative**
27 **oversight as provided for in R.S. 49:966(B)(21)(e)."**

1 AMENDMENT NO. 9

2 On page 7, line 18, after "**Council**" delete the remainder of the line and insert "**shall**
3 **designate watershed regions to coordinate flood risk reduction efforts among parishes.**
4 **The council may approve**"

5 AMENDMENT NO. 10

6 On page 7, line 19, after "**from**" delete "**the**"

7 AMENDMENT NO. 11

8 On page 7, line 20, after "**committees**" delete "**within**" and insert "**established within the**"

9 AMENDMENT NO. 12

10 On page 8, delete lines 17 through 19 in their entirety and insert the following:

11
12 **"C. The council shall submit notice to the regional steering committee**
13 **and the oversight committees of either of the following:**

14 **(1) Approval of a recommended regional watershed coalition, including**
15 **the composition of the coalition's membership.**

16 **(2) Failure to approve a recommended watershed coalition, including**
17 **why the council returned the recommendation to the regional steering**
18 **committee.**

19 **D. Notwithstanding any provision of law to the contrary, a regional**
20 **watershed district statutorily created by the legislature shall be recognized by**
21 **the council and considered immediately approved as the regional watershed**
22 **coalition and shall supercede any regional watershed coalition previously**
23 **approved by the council."**

24 AMENDMENT NO. 13

25 On page 8, at the beginning of line 20, change "**C.**" to "**E.**"

26 AMENDMENT NO. 14

27 On page 8, at the beginning of line 24, change "**D.**" to "**F.**"

28 AMENDMENT NO. 15

29 On page 9, between lines 16 and 17, insert the following:

30
31 **"§220.46. Watershed council; program administrative costs**

32 **A.(1) Funding for the administrative operation of the council shall be**
33 **from the United States Department of Housing and Urban Development's**
34 **Community Development Block Grant Program, the United States Federal**
35 **Emergency Management Agency's Hazard Mitigation Grant Program, United**
36 **States Department of Agriculture's Natural Resources Conservation Service, or**
37 **other federal funds in which use for administrative purposes is allowable in**
38 **accordance with federal or state laws, rules, and regulations.**

39 **(2) No state general funds shall be used for the administrative operations**
40 **of the council unless specifically appropriated by the legislature.**

41 **B. In the event that there are not sufficient funds to maintain the**
42 **administrative operation of the council, the council shall cease to operate until**
43 **sufficient funding is acquired.**

44 **C. Nothing in this Section shall be construed to prevent the council or the**
45 **regional watershed coalitions from applying for or accepting funds from**

1 federal, state, or private sources to continue the administrative operation of the
 2 council.

3 §220.47. Louisiana Watershed Initiative Plan

4 A.(1)The Louisiana Watershed Initiative Plan created pursuant to this
 5 Part shall be all of the following:

6 (a) In compliance with all applicable state and federal laws and
 7 regulations.

8 (b) Consistent with the comprehensive master coastal protection plan
 9 established by the Coastal Protection and Restoration Authority pursuant to
 10 R.S. 49:214.5.3.

11 (2) Reviewed and revised by the council as necessary and shall be
 12 updated at least once annually unless required to do so more frequently by the
 13 oversight committees.

14 (3) The initial plan and any revisions shall be submitted to the oversight
 15 committees in accordance with this Section.

16 B. The Louisiana Watershed Initiative Plan shall be developed and
 17 revised in accordance with the following procedure:

18 (1) The council shall conduct a public hearing in each of the watershed
 19 regions for the purpose of receiving comments and recommendations from the
 20 regional watershed coalitions and the public prior to submission of the plan to
 21 the oversight committees.

22 (2) At least two weeks prior to each public hearing the council shall
 23 contact the regional watershed coalitions, parish governing authorities, regional
 24 flood protection authorities, levee districts, and the state legislators of the
 25 parishes in the region to notify them of the public hearing.

26 (3) The council shall accept written comments and recommendations
 27 until thirty days prior to the submission of the plan to the oversight committees.

28 C. The plan shall be submitted to the oversight committees on or before
 29 February first of each calendar year.

30 D. The council may submit additional reports to the oversight
 31 committees as considered appropriate by the chairman of the council. In
 32 addition, the oversight committees may ask for any information needed to
 33 ensure the proper and successful implementation of the Louisiana Watershed
 34 Initiative.

35 §220.48. Dispute resolution among the regional watershed coalitions

36 A. The council shall foster collaboration among approved regional
 37 watershed coalitions by convening meetings to resolve disputes and issuing
 38 recommendations for actions that prioritize the goals and objectives of this Part.

39 B. Disputes between two or more of the regional watershed coalitions
 40 shall be resolved by the council in an open meeting upon request of any regional
 41 watershed coalition involved in a dispute. The meeting to resolve the dispute
 42 shall be properly noticed in accordance with the open meetings law, R.S. 42:11
 43 et seq., and shall take place no later than thirty calendar days after receipt of
 44 the request by the council.

45 C.(1) If the council is unable to resolve the dispute, the chairman of the
 46 council may convene an executive committee for purposes of dispute resolution
 47 in accordance with Subsections D and E of this Section.

48 (2) If the council resolves a dispute between two or more regional
 49 watershed coalitions, a regional watershed coalition who was not the prevailing
 50 party in the dispute may request a reconsideration by an executive committee.
 51 If a request for reconsideration is made, the chairman of the council shall
 52 convene the executive committee for purposes of dispute resolution in
 53 accordance with Subsections D and E of this Section.

54 D. The members of the executive committee of the council shall be the
 55 individuals appointed to serve on the council in the following capacities:

56 (1) The commissioner of administration or his designee, who shall serve
 57 as chairman of the executive committee.

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(e) The Watershed Management Council shall submit the report to the House Committee on Transportation, Highways and Public Works and the Senate Committee on Transportation, Highways, and Public Works.