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## ***PAL February 2021 Legislative Update 02/04/21***

### ***PAL Legislative Affairs Chairman Matt Gresham, Port NOLA***

As we opened the New Year with optimism and hope, it seems 2021 is shaping up a lot like 2020 so far.

Louisiana football fans had Super Bowl dreams dashed by Tom Brady and the Tampa Bay Buccaneers and hopes of a swift COVID-19 vaccine rollout is fading, as the pandemic continues to restrict the Bayou State and we find ways to celebrate Mardi Gras at home with “house floats.”

Louisiana also lost another political leader to COVID-19 recently in former Rep. Steve Carter, who was just in a runoff for Baton Rouge Mayor-President in December. Carter was a passionate advocate for Louisiana education and its children. “Coach Carter” also understood the need to invest in infrastructure and authored the last real attempt to raise the State’s gas tax, despite opposition from his own party. He will be dearly missed as a friend to many and as a principled legislator.

Work has started in earnest for the upcoming legislative session, which begins April 12. Revenue and Fiscal Affairs Chairman Bret Allain and Ways and Means Chairman Stuart Bishop will co-author a package of tax reform bills for the spring session. The duo look to tackle phasing out and replacing the franchise tax and create a fairer playing field for severance taxes in partnership with the oil and gas industry. No bills have been filed yet, but PAL will monitor all legislation filed.

### **Speaking of Tax Reform**

The Louisiana Coalition to Fix Our Roads is drafting its bill it has called the GRIT Act, or Government Reform in Transportation Act, which aims to increase revenue for transportation infrastructure maintenance and new projects through adjusting the State’s fuel tax and adding provisions for electric and hybrid vehicles to pay their fair share. A draft of the legislation’s outline is attached for your review. The push has attracted some strong support so far from regional economic development organizations, business-lobbying groups and others.

### **Louisiana Special Elections Heating Up**

While it feels like we just finished a turbulent election season, get ready for a second round in the northeastern/central and southeast part of the State. There are 70 new members of Congress, with three vacant seats. Two of the three are in Louisiana.

In the 2<sup>nd</sup> District State Sens. Troy Carter and Karen Carter-Peterson look to be the front runners in the race, with Carter receiving the endorsement of former Congressman Cedric Richmond, who resigned in January to take a senior advisory role in the White House. The 5<sup>th</sup> District is

vacant due to the passing of Congressman-elect Luke Letlow in December. His widow – Julia Letlow – has decided to run for the seat and garnered the backing of the Louisiana GOP over the weekend. There will also be a special election held for House District 82 in Jefferson Parish to replace Charles Henry, who resigned for a job at Adams & Reese. Elections are scheduled for March 20 with a runoff April 24 if needed.

### **On the Hill....**

The 117<sup>th</sup> Congress was sworn in and there is an abundance of leadership changes, as the Democrats hold slim majorities in the House and Senate. Firstly, House members reelected Nancy Pelosi as Speaker and on Tuesday (Feb. 2) the Senate confirmed Pete Buttigieg, former Mayor of South Bend, Indiana, as Secretary of the U.S. Department of Transportation.

### **House T&I Leadership**

Last week, the House Transportation and Infrastructure Committee Chair Peter DeFazio and Ranking Member Sam Graves released their leadership rosters.

They are as follows:

- Subcommittee on Aviation: Chair Rick Larsen of Washington.
- Subcommittee on Coast Guard and Maritime Transportation: Chair Salud Carbajal of California.
- Subcommittee on Economic Development, Public Buildings, and Emergency Management: Chair Dina Titus of Nevada.
- Subcommittee on Highways and Transit: Chair Eleanor Holmes Norton of DC.
- Subcommittee on Railroads, Pipelines, and Hazardous Materials: Chair Donald M. Payne, Jr. of New Jersey.
- Subcommittee on Water Resources and Environment: Chair Grace F. Napolitano of California.

### **USACE Leadership**

Until R.D. James' replacement is nominated and confirmed, Vance Stewart, the Deputy Assistant Secretary of the Army – Office of Management and Budget - will be serving as the Senior Official Performing the Duties of Assistant Secretary of the Army (Civil Works).

### **Notable Committee Chairs**

In the House:

- Rep. Rosa DeLauro is the new Chair of the House Appropriations Committee.
- Rep. Richard Neal remains Chairman of the House Ways & Means Committee.
- Rep. David Scott of Georgia is Chairman of the House Agriculture Committee.

In the Senate:

- Sen. Patrick Leahy will chair the Senate Appropriations Committee, with former Chairman Sen. Richard Shelby of Alabama moving into the Ranking Member position.
- Sen. Tom Carper of Delaware is Chairman of the Senate Environment and Public Works Committee, with Sen. Shelley Moore Capito of West Virginia the Ranking Member.
- Sen. Ron Wyden is Senate Finance Chairman, with Sen. Mike Crapo serving as Ranking Member.

### **Biden Executive Orders**

Only two weeks into office and President Biden has issued 42 executive orders.

Most notably to Louisiana, Biden announced last week a 60-day suspension of new oil and gas leasing and drilling permits on public lands and waters. The suspension is part of a broad review

of the Department of Interior's policies signed by Acting Interior Secretary Scott de la Vega. The President campaigned on halting new drilling on federal lands and ultimately ending leasing policies of publicly owned energy reserves as a way to address climate change. Of course, this directive brought immediate condemnation from the Louisiana delegation and oil and gas associations both in Louisiana and nationally.

Another notable executive order is "Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis." The order reinstates the U.S.'s participation in the Paris Climate Accord and revoked Trump's executive order green lighting the Keystone XL pipeline permit and expediting environmental reviews.

### **Biden Introduces COVID Relief Package**

President Biden released a \$1.9 trillion COVID relief package, which included \$1,400 stimulus checks, \$350 billion for state and local governments, resources for national programs to address COVID testing and vaccinations, and \$15/hour minimum wage among other items. A group of GOP senators, including Sen. Bill Cassidy, countered with a \$618 billion plan and met with the President Monday night. It appears as of this writing Senate democrats will try to invoke budget reconciliation with its plan, which would require only a simple majority of the 50/50 split Senate with Vice President Harris casting the deciding vote to pass the President's plan.

### **AAPA/Port COVID Relief Advocacy**

The Ports Association of Louisiana joined 37 other maritime trade and labor associations on a letter (attached) seeking relief eligibility in subsequent COVID Relief packages and for funding for the Maritime Transportation System Emergency Relief Act. While transit authorities and airports have received billions of dollars in previous bills, ports have been left out.

There are three identified options for funding of seaports in one of the upcoming COVID relief packages:

**1. Maritime Transportation System Emergency Relief Act (MTSERA):** In the Fiscal Year 2021 National Defense Authorization Act (NDAA), a new program, MTSERA, was authorized under which grants could be made by the Maritime Administration within the Department of Transportation to ports and other maritime stakeholders that have been significantly impacted by the pandemic. Although this authorization was enacted last year, there were no appropriations made to fund this urgently needed program. Senators Sullivan and Merkley are seeking an appropriation of \$3.5 billion for MTSERA in the next COVID bill. Cong. Peter DeFazio, Chairman of the House Transportation and Infrastructure Committee, is supporting an appropriation of the same amount in the House.

**2. State and Local Funding:** A second option would be to include language in any provision in the upcoming COVID relief bills funding state and local governments that would make it clear that any such funds could be provided to eligible ports in those jurisdictions. Language along these lines was included in the HEROES Act, which passed the House last year, but died in the Senate.

**3. Funding of Special Districts:** Most ports in Louisiana and around the country are established as special state or local government districts. Members of the California and Florida delegations are pursuing a separate bill (HR 7073) that would provide COVID relief funding to special districts throughout the country, including ports.

**Upcoming “Meetings”**

Feb. 9 – The Inland Waterways Users Board will meet virtually from 8 a.m. until noon.

The virtual meeting can be accessed at <https://usace1.webex.com/meet/ndc.nav>

The Public Call-in access is USA Toll-Free 844-800-2712, Access Code: 199 117 3596, Security Code 1234.

Feb. 23 – The Waterways Conference Inc. will hold a virtual Fly-in. WCI members will receive invitations soon to sign up and an agenda will be provided once Congressional committees are organized.