

March 2020 PAL Legislative Report

PAL Legislative Affairs Chairman Matt Gresham, Port NOLA

As of this report – Monday, March 2, there have been 1,125 bills and resolutions pre-filed for the upcoming Regular Session of the Louisiana Legislature, which begins Monday, March 9.

Of those, 709 are House measures and 416 are Senate bills.

Everything from ITEP and TORT reform to bills battling wild hogs and “cauliflower rice” are on the table. And yes, there’s will be a budget that Democrats and Republicans will have to agree to in there, as well.

The deadline for pre-filing bills was last Friday at 5 p.m. However, legislators still have until Tuesday March 31 to introduce additional bills during session. So far there aren’t a lot of measures out there affecting ports directly and we are still going through the list and reading the fine print as there are always unintended consequences or impacts that may or may not be intended.

We will provide a full list of bills we are watching and monitoring and taking positions on at the Annual PAL conference in April.

Here are a few news items of interest in Louisiana politics this week:

- Congressman Ralph Abraham of Louisiana’s Fifth District announced last week he would not seek reelection. Abraham, who finished third in this year’s gubernatorial primary, had vowed not to serve more than three terms when elected. He was a true supporter of ports and maritime as he understands the impact we have on the State’s agriculture industry, which dominates his district. There have already been a few candidates announce their intention to the run for the seat and one – Abraham’s Chief of Staff Luke Letlow – who will likely jump into the fray soon.
- Rep. Sam Jenkins of Shreveport will likely be elected chair of the Democratic caucus next week, while Sen. Troy Carter of New Orleans will serve as the Senate Democratic Caucus Chair. An increase in the State’s minimum wage and pay equity will likely be cornerstone issues for the caucus.
- New Key Committee leadership include:
 - House Transportation: Rep Vincent Pierre, Lafayette; (Chair) and Rep. Ken Brass, Vacherie, (Vice Chair).
 - Senate Transportation: Sen. Rick Ward, Port Allen, (Chair), and Sen. Patrick McMath, Covington, (Vice Chair).
 - House Appropriations: Rep. Jerome “Zee” Zeringue, Houma, (Chair); and Rep. Gary Carter, New Orleans, (Vice Chair).

- Senate Finance: Sen. Mack “Bodi” White, Baton Rouge, (Chair); Sen. Heather Cloud, Turkey Creek, (Vice Chair).
- House Ways and Means: Rep. Stuart Bishop, Lafayette, (Chair); Rep. John Stefanski, Crowley, (Vice Chair).
- Senate Revenue and Fiscal Affairs: Sen. Brett Allain, Morgan City, (Chair); and Sen. Jay Luneau, Alexandria, (Vice Chair).

On the Hill

Congress is in session this week, but will be out the week of March 16, and the weeks of April 6 and 13. With primaries on the schedule the amount of time the House and Senate are in session for votes will become constrained. And in an election year things can get really tight especially after August when most members are home campaigning. In the meantime, some things get accomplished.

Corps of Engineers Work Plan

The big news for Louisiana was the Corps’ Work Plan release last month. The First Phase of the Mississippi River Ship Channel of \$85.3 million was included to “initiate construction of channel deepening to a depth of 50 Linear Feet.” This project, which the Corps hopes to complete in three years, would deepen the River from the Head of Passes to the Crossings, approximately 150 river miles.

Also, the President’s Budget Request of \$91,970,000 for Fiscal Year 2020 (FY 2020) for the Operations and Maintenance (O&M) of the Mississippi River Ship Channel was plussed up by an additional \$154 million to raise the total O&M funding for FY 2020 to \$249.9 million. Funds will be used for commonly performed O&M work. Funds will also be used for specific work activities including dredging - \$87.9 million. Funds will also be used for 2018 flood event maintenance for navigation at Southwest Pass Foreshore Protection and Jetty Repairs and dredging to include additional dredging in support of the Gulf Regional Demonstration Program.

The Corps Work Plan also included funding for other critical projects benefiting ports throughout the State:

- \$18 million to construct disposal capacity containment dikes for the Calcasieu River and Pass.
- \$500,000 to complete the Iberia Parish El Wastewater Improvements Master Plan.
- \$40.58 million for the J Bennett Johnston Waterway (Red River).
- \$5 million for Houma Navigation Canal dredging and maintenance needs.
- \$1.35 million for Mississippi River, Outlets at Venice for dredging and maintenance needs.

Emergency Supplemental Bill

The House has passed an emergency supplemental appropriations bill that primarily addressed Puerto Rico hurricanes and earthquakes, but it is growing in size as a result of the coronavirus

pandemic. Some House leaders say the amount appropriated for the “pandemic” will be close to \$4 billion. A vote in the Senate is likely before they recess at the end of this week. However, the bill is worth watching as emergency supplemental appropriations bills often provide additional dredge funding for the Corps of Engineers.

WRDA and HMT

As many of you know we received an alert from AAPA this week to contact our senators as a hearing was held Tuesday by Environment and Public Works on WRDA and inclusion of AAPA’s HMT agreement was on the table. The Senate is moving aggressively to draft a bill and a hearing with the Corps is being planned for either March 11 or 12th. Senate EPW will try to release a draft of the bill by Easter recess.

The House Transportation Committee held a “Member Day” hearing on WRDA 2020 February 27 to receive testimony from House members on their WRDA priorities. At the hearing, 65 different Members testified in person or provided written testimony.

Federal Grants

Congratulations are in order for the Port of South Louisiana, which received a \$13.4 million Port Infrastructure Development Grant for improvements at Globalplex; and the Port of New Orleans, which was awarded a \$7.3 million CRISI grant last week for railroad capacity, safety and efficiency improvements for the New Orleans Public Belt Railroad.

Additionally, there are two more rounds of funding opportunities ports can apply for now.

The FY 2020 Round of PID grant made \$225 million available for projects to improve facilities within, or outside of and directly related to operations of coastal seaports, inland river ports, and Great Lakes ports. The new round of PID grants expands the use of PID to include inland river and Great Lakes ports and decreases amount of funding available from \$292.7 million last year.

The BUILD grant program also has \$1 billion available for the program this year. The Department of Transportation intends these grants to be used for “capital investments in surface transportation infrastructure” and will award them “on a competitive basis for projects that will have a significant local or regional impact.”

At least \$15 million will be awarded for planning grants.

The deadline for submissions for both grant programs is May 18th.

Staff Changes:

Many of you are also members of Waterways Conference Inc. On Feb. 12, Michael Toohey announced his retirement from WCI as president and CEO for a position elsewhere. Senior VP Deb Calhoun will be interim President while a search is conducted for a permanent replacement.

Events:

National Waterways Legislative Summit, March 9-11 in Washington DC

AAPA Spring Meeting, March 17-19, Washington DC

PAL Annual Conference, April 1-2, Bossier City

Regular Session of the Louisiana Legislature March 9 – June 1