



April 2020 PAL Legislative Report

PAL Legislative Affairs Chairman Matt Gresham, Port NOLA

There is an internet meme going around that states “Today is March 397th.” Considering what we have been through in the last three weeks it might as well be a lifetime ago when it comes to port operations, and legislative priorities, not to mention concerns about the safety and wellbeing of friends and family.

No one predicted in February the impact the spread of Covid-19 would have on the nation, the world and each of our daily lives.

Instead of meeting in Shreveport-Bossier this week for our annual conference, many of us are working remotely and practicing a new skill called social distancing, which Louisiana is not known for doing.

The action in Baton Rouge and on The Hill has changed dramatically, as well. There are exponentially more unknowns than answers when it comes to priorities, budgets, and timelines. Here goes a shot at putting it all in perspective.

Louisiana Legislature

In addition to the State and local response to Covid-19, the double whammy facing Louisiana and many of our members is the global price war between Saudi Arabia and Russia plunging oil prices 66 percent to a close March 31 of \$20.24, the worst quarter ever for oil prices.

With Louisiana’s budget so dependent on oil prices and a tourism-based economy, and the uncertainty with how federal stimulus dollars will flow, the State’s budget forecasters on the Revenue Estimating Committee are dumfounded. However, the one industry that continues to answer the call and work on a daily basis to keep critical cargo moving is our port industry and freight-based economy. This could present a unique opportunity in the coming months to tell that story to lawmakers both in Baton Rouge and in Washington DC.

2020 Regular session

Lawmakers returned to the Capitol Tuesday to reconvene from a two-week recess only to adjourn until an unspecified date. Senate President Page Cortez told members things are “changing so rapidly we can’t say from one day to the next where we are.” At this point, lawmakers predict they will return in

May when; hopefully, Louisiana has “flattened the curve.” According to the State Constitution, lawmakers must adjourn the session June 1 and pass a balanced State budget by July 1, the start of the State’s next fiscal year.

Bills and Priorities

Tuesday marked the deadline for filing bills for the 2020 Regular session, as well. During the abbreviated meeting, the House introduced 164 additional bills for a total of 868 this session and the Senate introduced an additional 96 bills for a total of 512.

If lawmakers come back in May, there will be little time for legislation to move through the process. Priority 1 will be the budget and budgetary matters.

There were a handful of bills filed that affect ports and state agencies Tuesday and a few more important bills, which create a new “LSU National Championship” prestige license plate.

HB 845 by Rep. Dwight, creates the Calcasieu Ship Channel Funding Management Board and SB 441 by Sen. Abraham allows the Board’s president to defer calling a required quarterly meeting.

SB 489 by Sen. McMath limits the liability of governmental entities requiring employees to work during declared state of emergencies and SCR 27 by Sen. Henry requests a study to determine the ability of the legislature to vote remotely during emergency declarations.

The question will be which bills will take priority? Will tort reform move through the process and will the legislature be faced with a series of special sessions throughout 2020 to address budgetary issues, economic stimulus or other matters as we saw after Hurricane Katrina and Hurricane Rita in 2006.

President Cortez told members they may not know the extent of the current economic crisis until the fall. Next week’s Revenue Estimating Conference has already been canceled. Commissioner of Administration said a REC meeting now would not be very “instructive” and we could know more in May.

Stay tuned...

Capitol Hill Update

The headline on Capitol Hill is the \$2 trillion CARES Act, the largest stimulus bill in U.S. history. The legislation was Phase III of Covid-19-related packages. It will provide direct payments to taxpayers, expand unemployment benefits, offer student loan forbearance and a lot more, There are opportunities for ports and state agencies through federal loans, relief packages and yet-to-be determined assistance through individual states. The CARES Act also provides \$70 million to the Corps to support its current mission to retrofit structures to provide hospital capacity infrastructure. I am sure we will have a full breakdown of funding opportunities in the coming weeks.

HMTF

One major development for ports was Sen. Shelby’s effort to include in the CARES ACT a provision for the Harbor Maintenance Trust Fund to allow Congress to appropriate the entirety of receipts from the

previous year's HMTF by exempting that amount from the Appropriations Committees' domestic discretionary spending cap. Those funds typically range between \$1.8 billion and \$1.9 billion. The provision will go into effect on Jan. 1 or upon the passage of the next WRDA bill. The provision does not dedicate 100 percent of the funds, but it makes it easier for Congress to decide on the higher number or total amount collected for its intended purpose.

WRDA Work Continues

Both the Senate and House continue to work on a new WRDA bill, which is up for authorization this year. In the Senate, final draft bill language is still being negotiated between Republicans and Democrats. One of the sticking points continues to be formula changes within the Harbor Maintenance Trust Fund (HMTF) for donor and energy ports. Additionally, the Senate continues to work with the Corps on finessing agency-related language. The House Transportation and Infrastructure Committee is ramping up their WRDA process. On March 13, a Dear Colleague was sent to T&I members soliciting WRDA requests by April 1. Concurrently, the T&I committee is working on an online submission platform for members to submit requests; the committee plans to have this running by April 1. The online platform will be used to gather member requests from the full House of Representatives. but the ongoing reaction to the COVID-19 outbreak now makes timing uncertain.

Infrastructure Next Stimulus

The fourth phase of the Covid-19 stimulus is likely to include a transportation infrastructure title to spur construction and economic development projects. Ports should look at their current project list, which are "shovel ready" and discuss what might be a fit. If you missed it, President Trump tweeted yesterday "With interest rates for the United States being at ZERO, this is the time to do our decades long awaited Infrastructure Bill. It should be VERY BIG & BOLD, Two Trillion Dollars, and be focused solely on jobs and rebuilding the once great infrastructure of our Country!" News today is that Speaker Nancy Pelosi, House Ways and Means Chair Richard Neal and Senate EPW Chairman John Barasso are all on board, as well.

IHNC Lock Repairs/Closure

The Corps plans a 30-60-day closure of the Inner Harbor Navigational Canal Lock in the coming months to perform repairs to the lock wall, address chamber leaks and levee issues. The \$9 million project will require the lock to be dewatered when the Carrollton gauge in New Orleans reaches 6 feet. During the closure, the Coast Guard and Corps will require shallow-draft and deep draft vessels to use the Chandeleur Sounds alternate Route used in 2016. The Coast Guard will establish navigational aids for the route that takes vessels downriver and through Baptiste Collette and up through the Mississippi Sound.

Essential Personnel

During the early days of the Covid-19 pandemic, multiple stay-at-home orders were enacted by states or local municipalities and port representatives and associations worked to ensure freight personnel were deemed essential. The Department of Homeland Security (DHS) Cybersecurity and Infrastructure Security Agency (CISA) guidance ultimately deemed port workers essential and DHS has published its second round of guidance. This second round expands the essential workforce to include truckers, warehouse workers, and other critical port partners.

High River

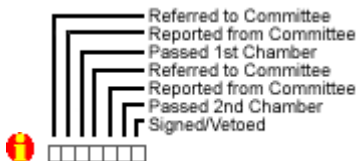
Due to a rising Mississippi River, the U.S. Army Corps of Engineers could open the Bonnet Carré Spillway by Friday to allow for a predicted crest of 17.3 feet April 12 at the Carrollton Gauge. Currently, the Corps expects to open about half of the Spillways capacity for about three weeks. Water has been flowing through the Spillway's pins for weeks now as River stages have remained above 15 feet. A slow fall is then expected to 15.6 feet by April 28.



Bill Status Report

04-01-2020 - 15:23:54

 - Action in the date range  - Link to Related Information () - Priority



PAL Legislation

[HB 128](#)

[Wright, Mark\(R\)](#)

Limits monies deposited into the Transportation Trust Fund from being used to pay for certain Dept. of Transportation and Development expenses.



Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-20-20 H Referred to House Committee on House Appropriations

[HB 276](#)

[Mack, Sherman\(R\)](#)

Limits monies deposited into the Transportation Trust Fund from being used to pay for certain Dept. of Transportation and Development expenses.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-26-20 H Referred to House Committee on House Appropriations

[HB 302](#)

[Stagni, Joe\(R\)](#)

Increases the amount of supplemental pay for eligible law enforcement and fire protection officers.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-26-20 H Referred to House Committee on House Appropriations

[HB 314](#)

[Schamerhorn, Rodney\(R\)](#)

Provides relative to the official journal of parishes, municipalities, school boards, and other political subdivisions.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-26-20 H Referred to House Committee on House Municipal and Parochial Affairs

[HB 315](#)

[Stefanski, John\(R\)](#)

Provides relative to meetings of public bodies.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-26-20 H Referred to House Committee on House and Governmental Affairs

[HB 322](#)

[Echols, Michael\(R\)](#)

Provides relative to the theft of metals.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-27-20 H Referred to House Committee on House Administration of Criminal Justice

[HB 323](#)

[Echols, Michael\(R\)](#)

Requires scrap metal recyclers to follow certain guidelines when purchasing and processing certain items.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-27-20 H Referred to House Committee on House Commerce

[HB 390](#)

[Larvadain, Ed\(D\)](#)

Establishes a parking fee exemption for disabled veterans at cruise terminals for the Port of New Orleans.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 03-26-20 H Committee Hearing Cancelled House Transportation

[HB 445](#)

[Schexnayder, Clay\(R\)](#)

(Constitutional Amendment) Dedication of unclaimed property funds and creation of Louisiana Unclaimed Property Permanent Trust Fund.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-27-20 H Referred to House Committee on House Appropriations

[HB 472](#)

[DeVillier, Phillip\(R\)](#)

Requires law enforcement officers have reasonable belief of a weight violation prior to checking the weight of certain vehicles.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-28-20 H Referred to House Committee on House Transportation

[HB 479](#)

[Ivey, Barry\(R\)](#)

Establishes the State Budget Authority Shortfall Trust for exclusive use by agencies who experience budget shortfalls during the course of the fiscal year.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-28-20 H Referred to House Committee on House Appropriations

[HB 487](#)

[Stefanski, John\(R\)](#)

Prohibits the Dept. of Transportation and Development from using Transportation Trust Fund monies for certain expenses.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-28-20 H Referred to House Committee on House Appropriations

[HB 493](#)

[Stefanski, John\(R\)](#)

Prohibits the Dept. of Transportation and Development from using Transportation Trust Fund monies for benefits for retired employees.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-28-20 H Referred to House Committee on House Appropriations

[HB 495](#)

[Fontenot, Bryan\(R\)](#)

Creates an overweight permit to transport earthen materials for government funded levee projects.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 03-26-20 H Committee Hearing Cancelled House Transportation

[HB 543](#)

[Nelson, Richard\(R\)](#)

Creates the Louisiana Innovation Infrastructure Registry.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-28-20 H Referred to House Committee on House Commerce

[HB 592](#)

[Magee, Tanner\(R\)](#)

Allows the Coastal Protection and Restoration Authority to incur debt or issue bonds.

Position: Support

Track Name(s): PAL Legislation (Support)

Bill History: 02-28-20 H Referred to House Committee on House Natural Resources and Environment

[HB 633](#)

[Freiberg, Barbara\(R\)](#)

Provides for the mandatory training in cybersecurity awareness for all state and local employees, officials, and contractors.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-28-20 H Referred to House Committee on House and Governmental Affairs

[HB 636](#)

[Ivey, Barry\(R\)](#)

Creates and provides for the Joint Legislative Committee on Technology and Cybersecurity.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-28-20 H Referred to House Committee on House and Governmental Affairs

[HB 650](#)

[Amedee, Beryl\(R\)](#)

Provides relative to the regulation of gates across waterways in the coastal areas.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-28-20 H Referred to House Committee on House Natural Resources and Environment

[HB 669](#)

[Pierre, Vincent\(D\)](#)

Re-creates the Department of Transportation and Development.

Position: Support

Track Name(s): PAL Legislation (Support)

Bill History: 03-26-20 H Committee Hearing Cancelled House Transportation

[HB 694](#)

[Glover, Cedric\(D\)](#)

Provides relative to funding for a Jimmie Davis Bridge (LA511) construction project.

Position: Opposed

Track Name(s): PAL Legislation (Oppose)

Bill History: 02-28-20 H Referred to House Committee on House Appropriations

[HB 834](#)

[Deshotel, Daryl\(R\)](#)

Changes the composition of the Avoyelles Parish Port Commission.

Track Name(s): PAL Legislation

Bill History: 03-31-20 H Introduced

[HB 845](#)

[Dwight, Stephen\(R\)](#)
[Abraham\(R\)](#)

Provides relative to the Calcasieu Ship Channel public-private partnership.

Position: Support

Track Name(s): PAL Legislation (Support)

Bill History: 03-31-20 H Introduced

[SB 41](#)

[Hensgens\(R\)](#)

Exempts certain activities performed by a levee district, a levee and drainage district, or a drainage district from the requirements for a coastal use permit.

Position: Support

Track Name(s): PAL Legislation (Support)

Bill History: 03-16-20 S Withdrawn

[SB 89](#)

[Peacock\(R\)](#)

Phases in the dedication of the temporary state sales tax levy to the Transportation Trust Fund.

Companions: [SB 21](#) Peacock, Barrow (Refiled from 45R Session)

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-24-20 S Referred to Senate Committee on Senate Finance

[SB 132](#)

[Henry\(R\)](#)

Provides for reporting to and approval of all state contracts valued at twenty-five million dollars or more annually by the Joint Legislative Committee on the Budget.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 03-16-20 S Meeting set for 10:00 a.m. Rm. A-B - Senate Finance

[SB 141](#)

[Ward\(R\)](#)

Constitutional amendment to reallocate severance tax to parishes for Parish Transportation Funds.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-25-20 S Referred to Senate Committee on Senate Revenue and Fiscal Affairs

[SB 154](#)[Hewitt\(R\)](#)

Authorizes Plaquemines Port, Harbor and Terminal District to apply for designation as a foreign trade zone.

Position: Support**Track Name(s):** PAL Legislation (Support)**Bill History:** 02-25-20 S Referred to Senate Committee on Senate Transportation[SB 157](#)[Womack\(R\)](#)

Provides relative to audit requirements for recipients of state funds.

Position: Neutral**Track Name(s):** PAL Legislation (Neutral)**Bill History:** 02-25-20 S Referred to Senate Committee on Senate Finance[SB 189](#)[White\(R\)](#)

Provides for the creation, transfer, dedication, deposit, and use of certain funds in the state treasury.

Position: Neutral**Track Name(s):** PAL Legislation (Neutral)**Bill History:** 02-26-20 S Referred to Senate Committee on Senate Finance[SB 190](#)[White\(R\)](#)

Provides for the creation, transfer, dedication, deposit, and use of certain funds in the state treasury.

Companions: [SB 157](#) LaFleur, Eric (Refiled from 45R Session)**Position:** Neutral**Track Name(s):** PAL Legislation (Neutral)

Bill History: 02-26-20 S Referred to Senate Committee on Senate Finance

[SB 192](#)

[White\(R\)](#)



Provides relative to the Department of Economic Development and the Board of Commerce and Industry.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-26-20 S Referred to Senate Committee on Senate Commerce

[SB 200](#)

[Fesi\(R\)](#)



Provides for awards in actions enforcing provisions of the Coastal Zone Management Program.

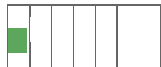
Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 03-16-20 S Withdrawn

[SB 217](#)

[Carter\(D\)](#)



Provides relative to rebates to certain businesses domiciled in certain parishes for use of certain bridges and tunnels.

Position: Support

Track Name(s): PAL Legislation (Support)

Bill History: 02-27-20 S Referred to Senate Committee on Senate Transportation

[SB 232](#)

[Hensgens\(R\)](#)
[Beaullieu, Beau\(R\)](#)



Provides for the enforcement of coastal use permits.

Companions: [SB 359](#) Hensgens, Bob (Identical)

2-28-20 S Referred to Senate Committee on
Senate Natural Resources

Position: Support

Track Name(s): PAL Legislation (Support)

Bill History: 03-09-20 S Withdrawn

[SB 234](#)

[Hewitt\(R\)](#)

Provides for the issuance of bonds by the Louisiana
International Gulf Transfer Terminal Authority.

Position: Support

Track Name(s): PAL Legislation (Support)

Bill History: 02-27-20 S Referred to Senate Committee on
Senate Transportation

[SB 285](#)

[McMath\(R\)](#)

Provides relative to the dedication and use of certain
monies to be deposited into the Transportation Trust
Fund.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-27-20 S Referred to Senate Committee on
Senate Finance

[SB 321](#)

[Hewitt\(R\)](#)

Provides relative to the Louisiana International Deep
Water Gulf Transfer Terminal.

Position: Support

Track Name(s): PAL Legislation (Support)

Bill History: 02-27-20 S Referred to Senate Committee on
Senate Transportation

[SB 323](#)[Morris\(R\)](#)

Dedicates monies in the Deepwater Horizon Economic Damages Collection Fund for certain infrastructure projects.

Position: Opposed

Track Name(s): PAL Legislation (Oppose)

Bill History: 02-27-20 S Referred to Senate Committee on Senate Finance

[SB 359](#)[Hensgens\(R\)](#)
[Beaullieu, Beau\(R\)](#)

Provides for the enforcement of coastal use permits.

Companions: [SB 232](#) Hensgens, Bob (Identical)

3- 9-20 S Withdrawn

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-28-20 S Referred to Senate Committee on Senate Natural Resources

[SB 413](#)[Price\(D\)](#)

Provides for transfer of stationary weight enforcement to DOTD.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 02-28-20 S Referred to Senate Committee on Senate Transportation

[SB 416](#)[Carter\(D\)](#)

Provides relative to the New Orleans Public Belt Railroad.

Position: Support

Track Name(s): PAL Legislation (Support)

Bill History: 02-28-20 S Referred to Senate Committee on Senate Local and Municipal Affairs

[SB 421](#)

[Peacock\(R\)](#)

Provides for additional rights and powers of certain port commissions regarding economic and industrial growth.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 03-11-20 S Referred to Senate Committee on Senate Transportation

[SB 440](#)

[Fesi\(R\)](#)

Provides for enforcement of the Coastal Zone Management Program.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 03-31-20 S Introduced

[SB 463](#)

[Ward\(R\)](#)

Provides for the dedication of certain revenues to transportation.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 03-31-20 S Introduced

[SB 466](#)

[Hewitt\(R\)](#)

Provides for teleconferencing of public bodies under certain circumstances.

Position: Support

Track Name(s): PAL Legislation (Support)

Bill History: 03-31-20 S Introduced

[SB 475](#)

[Womack\(R\)](#)

Provides relative to workers' compensation claims filed by essential workers in the workplace.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 03-31-20 S Introduced

[SB 487](#)

[Allain\(R\)](#)

Provides relative to the capital outlay application process.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 03-31-20 S Introduced

[SB 489](#)

[McMath\(R\)](#)

Provides relative to limitation of liability of governmental entities which require its employees to work during a declared state of emergency.

Position: Neutral

Track Name(s): PAL Legislation (Neutral)

Bill History: 03-31-20 S Introduced

Total Bills: 49

