

January 2020 PAL Legislative Report

PAL Legislative Affairs Chairman Matt Gresham, Port NOLA

USACE Held a stakeholder meeting on December 11

Led by Major General (MG) Scott Spellmon, Deputy Commanding General for Civil and Emergency Operations, and Principal Deputy Assistant Secretary of the Army (Civil Works) Ryan Fisher, the four-hour, small-group meeting focused on gaining input from participants on potential policy provisions and cost share changes for the 2020 Water Resources Development Act, as well as ideas to improve Corps processes and procedures.

Spellmon gave a brief update on recent Corps activities. To date, sixteen Chief's reports have been submitted for consideration, with another twenty plus waiting in the wings. Additionally, the Corps received over 190 requests from Senators for potential legislative language for WRDA 2020. Finally, the Corps has been invited to testify before the House Transportation and Infrastructure Committee on January 9.

President Impeachment

On Dec. 19, the House of Representatives voted 230-197 to charge President Donald Trump with abuse of power and 229-198 to charge him with obstruction of Congress. This is only the third time in American history that a President has been impeached (Andrew Johnson in 1868 and Bill Clinton in 1998). The Senate process remains uncertain because the Speaker selected not to formally convey the articles of impeachment. It is virtually guaranteed that President Trump will not be convicted or removed from office by that body. At least 67 of 100 Senators would be required to vote for his removal, and given the Republican majority in the Senate, this is highly unlikely.

House Passes Strong FY20 E&WD Appropriations Bill

Congress passed the Fiscal Year 2020 (FY20) Energy and Water Development (E&WD) and Related-Agencies Appropriations Act. The House passed the bill on Dec. 17 by a vote of 297-120, and the Senate approved the bill on December 19 by a vote of 71-23. The President signed the bill into law on December 20. Passage of FY20 appropriations bills was critical, as the short-term Continuing Resolution funding the Federal government was set to expire at midnight Dec. 20.

The E&WD bill was part of a domestic spending package (H.R. 1865) that included funding for the departments of Transportation, Education, Health and Human Services, Agriculture and Housing and Urban Development, Interior, Labor, State, Veterans Affairs and Energy, the Food & Drug Administration (FDA), congressional operations and military construction work.

Army Corps of Engineers – Provides \$7.65 billion, an increase of \$652 million above the fiscal year 2019 level and \$2.69 billion above the budget request.

- **Funding for Investigations** is \$151 million, an increase of \$26 million above the fiscal year 2019 level and \$74 million above the request.
- **Funding for Construction** is \$2.68 billion, an increase of \$498 million above the fiscal year 2019 level and \$1.37 billion above the request.

- **Funding for Operation and Maintenance** is \$3.79 billion, an increase of \$1.86 billion above the request.
- **Harbor Maintenance Trust Fund** projects receive \$1.63 billion, an increase of \$665 million above the request. This exceeds the target set by the Water Resources Reform and Development Act of 2014, and represents 91.5 percent of estimated revenues compared to the fiscal year 2020 target of 80 percent.
- **Regional Dredge Program** provides \$377 million for multi-year work between the borders of Texas and Florida, which means funds for the Lower Mississippi River and Mobile Ship Channel.
- The bill makes full use of the estimated receipts and some additional prior year revenues for the **Inland Waterways Trust Fund**.
- Provides **six new study starts and six new construction starts**.

Grant Authorizations:

- \$1 billion for BUILD grants
- \$1 billion for Infrastructure for Rebuilding America (INFRA)
- \$200 million for Federal-State Partnership for State of Good Repair grants
- \$325 million for Consolidated Rail Infrastructure and Safety Improvements grants
- \$225 million for Port Infrastructure Development grants
 - \$200 million designated for coastal and Great Lakes ports.

House Passes USMCA, NAFTA 2.0

On Dec. 19, just before adjourning until January, the House passed the new North American trade agreement known as the U.S.-Mexico-Canada Agreement (USMCA). The deal heads next to the Senate for an up-or-down vote, but likely won't be considered until after the Senate impeachment trial in January. The deal is expected to pass with strong bipartisan support.

Amy Larson Departure from NWC

Amy Larson has retired from the National Waterways Conference after almost 12 years. Since early November, Julie Ufner has taken the reigns of NWC and visited New Orleans during the International Workboat Show and toured the Port of New Orleans. Previously, Ufner held several other positions in Washington, D.C., including Associate Legislative Director for Environment, Energy and Land Use at the National Association of Counties

Larson plans to join NWC as a member in January as Larson Strategies LLC, continuing to be involved in important policy issues. She can be reached at amy@larsonstrategies.com.

Louisiana Legislature

The 2020-2024 Louisiana Legislature will convene at 10 a.m. on January 13 for a three-day Organizational Session. A new House Clerk will be elected and conduct the Session for the election of the Speaker and Speaker Pro-Temp. Although the Republicans, who have a 68-seat majority have preliminarily endorsed a single candidate for Speaker there are several Republicans seeking to have a coalition of Republicans and Democrats, plus two Independents, elect a consensus Republican. There's a good chance the Speaker and Speaker Pro-Temp elections will be delayed to January 14 or January 15, as many members of the Legislature (House and Senate) will be going to New Orleans Monday for the College Football Championship Game between Clemson and LSU, which kicks off at 7 p.m.

The Senate seems to have resolved their Leadership issues and will have a smooth Organizational Session with 27 Republicans out of 39 in control of the proceedings. The Senate will also elect a new secretary to replace retiring Secretary Glenn Koepp.

Between Koepp and retiring House Clerk Butch Spears, the chambers will lose a combined 47 years of institutional knowledge and will be difficult to replace.

Agency Leadership

Dr. Rebecca Gee, Secretary of Health and Hospitals, announced January 6 that she would step down at the beginning of Gov. Edwards second term. This will be an interesting scenario with the position requiring a Republican super majority Senate to confirm whomever will be the Governor's new appointee.

Other heads of State agencies, namely DOTD Secretary Shawn Wilson and LED Secretary Don Pierson, will remain in their roles so far.

2020 Regular Legislative Session

The Regular Session convenes on March 9 and must adjourn no later than 6 p.m. on June 1. The session is general in nature, so no measure levying or authorizing a new state tax, tax increase, exemption, deduction or credit can be introduced or enacted.

Bill Filing Deadlines:

Bills relating to retirement or constitutional amendments relating to retirement, must be requested by 5 p.m. Jan. 22 and the pre-file deadline is Jan. 24.

Constitutional amendments have a request deadline of Feb. 26 and a pre-file deadline of Feb. 28

All other bills have a request deadline of Feb. 26 and a pre-file deadline of Feb. 28.

Bills for in-session introduction have a request deadline of March 30 and cannot be introduced after 6 p.m. March 31.

Upcoming Dates:

Washington Mardi Gras: Mystic Krewe of Louisiana

Mardi Gras events at Washington Hilton, Jan. 23-25

Gulf Ports Association/Dredge Contractors Association Annual Meeting

Feb. 4, 2020, 10:30 a.m. – 2 p.m. – Port of New Orleans Auditorium

1350 Port of New Orleans Place

Save the Date: Waterways Conference Inc. Washington Meeting

Feb. 12-14, 2020: Mayflower Hotel (Washington, DC)

Save the Date: National Waterways Conference Legislative Summit, March 9-11, 2020

Madison Hotel in Washington, D.C. Look for registration in early January