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PAL February 2022 Legislative Update ***PAL Legislative Affairs Chairman Matt Gresham, Port NOLA***

It was good to see many of you in Washington DC last week as Louisiana celebrated Washington Mardi Gras for the first time in two years. Both the Tiger Bands from Grambling and LSU made the trip, along with Southern University's Human Jukebox – so there wasn't a lack of entertainment. Elected officials and politicians didn't have long to recover as the State's three-week redistricting session kicked off at 5 p.m. Tuesday with a flurry of new maps introduced for everything from Louisiana's Congressional Districts to BESE Board seats.

The session preempts the Legislature's Regular Session, which gavel in March 14. Already legislators filed more than 50 bills ahead of the session – mostly pertaining to social issues and COVID-19 mandates. As redistricting is mostly a "between the rails" session, PAL will mainly monitor Regular Session bills as they come in and keep everyone updated.

Money "Troubles"

The State's Revenue Estimating Committee provided a rosy economic outlook last week forecasting an additional \$1.6 billion to spend over the next 18 months. Economists attribute it to the federal spending surge and higher tax collections rebounding from the pandemic. The additional State collections comes in addition to \$1.4 billion in federal pandemic relief funds the State has yet to spend and an expected budget surplus of \$500 million for the current cycle. Those surplus numbers will be finalized later this fiscal year – likely close to the end of the Regular Session in June. With those dollar amounts floating out there – Commissioner of Administration Jay Dardenne quipped: "there will be a lot of hands out."

Governor's Budget Big on Infrastructure

Governor John Bel Edwards introduced his budget last week including more than \$1.1 billion in funding for critical infrastructure, including \$500 million for a new Mississippi River Bridge in Baton Rouge, \$100 million for I-10 Calcasieu River Bridge in Lake Charles, \$100 million for the I-49 Lafayette Connector, and \$500 million for water and sewer improvements statewide. In addition, the budget asks for \$550 million to replenish the Unemployment Trust Fund and more than \$200 million on increasing teacher salaries and education initiatives. Gov. Edwards also pledged to spend other one-time monies on one-time projects and not recurring expenses. The budget is a starting point and the Legislature will unveil its own budget during the Regular Session.

New WTC Trade Podcast

The World Trade Center of New Orleans launched a new podcast online dubbed Louisiana Global Gumbo. Co-hosting the podcast is Jason French of French Strategic Partners and Ed Webb, the CEO of the World Trade Center. It will engage with Louisiana's most recognized names in business, trade and politics. The first episode is here with Commissioner of Agriculture Mike Strain.

On the Hill...

Appropriations Bill Talks Continue

Negotiations continue in the House and Senate to finalize the FY22 appropriations bills before the current Continuing Resolution funding the federal government expires Feb. 18. However, another short-term CR could be enacted to allow more time to craft an omnibus package that includes all unfunded appropriations bills. There are incentives to get the FY22 appropriations bills finished, not the least of which is the impact to earmarks in both the House and Senate bills. If a yearlong-CR is necessary, the earmarks would not get across the finish line. More than 220 House Democrats have requested more than 2,000 earmark projects for their districts, while 108 House Republicans — a majority of their caucus — requested more than 700 projects. More than 60 senators have secured earmarks in their appropriations bills, including 16 Republicans.

Once an omnibus bill is complete - the Corps will have a 60-day window to develop its FY22 Annual Work Plan designating specific allocations for the major accounts of Investigations, Construction, Operations & Maintenance.

FY23 Appropriations Delayed

The President's State of the Union address will be held March 1, delaying the release of the President's FY23 budget request until then. Senators will begin opening their FY23 online portals to receive requests any day now.

Emergency Supplemental Expected, Not Released Yet

The Biden Administration is still expected to file an Emergency Supplemental appropriations bill to address COVID 19/Omicron and recent natural disasters, including Hurricanes Ida, Delta and Zeta. It is uncertain if additional funds will be made available to the Corps. The bill was anticipated to be released to Congress by Jan. 24, but it has not yet been announced.

WRDA 2022 Requests Due In House Feb. 25

Both the House Transportation and Infrastructure (T&I) and the Senate's Environment and Public Works (EPW) Committees held WRDA-related hearings in January. The National Waterways Conference said the hearings featured Mr. Michael Connor, Assistant Secretary of the Army for Civil Works of the Department of the Army and Lieutenant General Scott A. Spellmon, the Chief of Engineers and Commanding General of the U.S. Army Corps of Engineers. Connor stressed in his testimony the administration's commitment to help disadvantaged communities, improve infrastructure, increase USACE effectiveness, and incorporate natural and nature-based infrastructure into water projects. Spellmon echoed Connor's comments and empathized the USACE's commitment to reduce risk to disadvantaged communities, while rebuilding infrastructure to be resilient to climate change. The Senate Environment & Public Works Committee's deadline to receive WRDA requests was last December, and the House Transportation & Infrastructure Committee's deadline to receive requests is Feb. 25. WRDA 2022 is expected to be a slimmed down bill given the recent passage of the infrastructure bill.

The Senate is currently drafting their WRDA bill based on Senator submissions from last December, with potential committee action by April and floor action by the May/June timeframe. The House is just starting to collect legislative requests from members and will likely take up their bill this summer with a potential House-Senate compromise bill by the fall.

USACE. USACE RELEASES IIJA (INFRASTRUCTURE) WORK SPEND PLAN

On January 19, the U.S. Army Corps of Engineers released USACE released its Infrastructure Investment and Jobs Act (IIJA) work spend plan. In November 2021, President Biden signed into law IIJA, which provided \$17 billion in funding to U.S. Army Corps of Engineers (USACE) civil works projects. Under IIJA, the Corps had 60 days to submit a FY2022 work plan to Congress. IIJA provided 17.1 billion in appropriations to primarily three civil works pots: 68% for construction; 23% for operations and maintenance (O&M) and 5% for Mississippi River and Tributaries (MR&T).

Highlights for Louisiana include: \$125 million to elevate structures to the 25 year flood plain in southwest Louisiana; \$23.4 million for repairs to the Gulf Intracoastal Waterway from the Harvey Canal Lock to the Calcasieu River; \$12.67 million for Mermentau River structures; \$15 million for repairs to the South Pass jetties on the Mississippi River; \$378.5 million for Morganza-to-the-Gulf levee system; and \$7 million for the Old River Lock repairs.

Senator Cassidy Honored

The American Association of Port Authorities has chosen Sens. Bill Cassidy, R-LA, and Mark Warner, D-VA, as Co-Port Persons of the Year. The Port of New Orleans and the Port of Virginia nominated the two for their bipartisan work on the Infrastructure Investment and Jobs Act, as well as Sen. Cassidy's assistance in the US Department of Commerce's tariff exemption on ship-to-shore cranes. Both will be honored at AAPA's Legislative Summit.

Upcoming Events:

March 7-8: 37th Annual Conference of the Ports Association of Louisiana at the Omni Royal Orleans.

March 29-31: American Association of Port Authorities: Info here: [Legislative Summit](#) in-person at Washington Marriott at Metro Center).