

Regular Session, 2010

SENATE CONCURRENT RESOLUTION NO. 39

BY SENATOR THOMPSON AND REPRESENTATIVE ELLINGTON

RECOVERY AUTHORITY. Approves an action plan amendment proposed by the Louisiana Recovery Authority for the Economic Development Infrastructure Program, the State Cost-share Reserves Program, the Interoperable Communications Infrastructure Program, and the Agriculture Program.

1 A CONCURRENT RESOLUTION

2 To approve a proposed amendment, Action Plan Amendment Number 4, to the State of
3 Louisiana Action plan for the utilization of Community Development Block Grant
4 Funds in Response to hurricanes Gustav and Ike, proposed and approved by the
5 Louisiana Recovery Authority, approved by the governor, and the Joint Legislative
6 Committee on the Budget for the Economic Development Infrastructure Program,
7 the State Cost-share Reserves Program, the Interoperable Communications
8 Infrastructure Program, and the Agriculture Program; and to provide for other
9 matters pertaining thereto.

10 WHEREAS, Act No. 5 of the First Extraordinary Session of 2006, hereinafter
11 referred to as "Act No. 5", created the Louisiana Recovery Authority, hereinafter referred
12 to as "LRA", as a state agency within the office of the governor, as was formerly established
13 by Executive Order No. 63 of 2005, to assist with state activities related to recommendation
14 and coordination of state and other entities' efforts, programs, and funding with respect to
15 recovery from the effects of hurricanes; and

16 WHEREAS, Act No. 5 provides for the powers and duties of the LRA relative to the
17 recovery from such hurricanes, including the recommendation and promotion of priorities
18 and plans for the recovery, identification of funding sources and innovative financing

1 alternatives to fund the recovery, recommendations regarding how monies received by the
2 state for the recovery shall be utilized, recommendation of recovery-related policy for all
3 agencies of the state, coordination with local governments and metropolitan planning
4 commissions to develop community-driven local and regional plans for recovery, and
5 reporting to the governor and the legislature no less than quarterly on the progress of the
6 recovery; and

7 WHEREAS, Act No. 5 provides that the LRA shall develop proposals related to the
8 recovery, including Community Development Block Grant proposals, Action Plans, Partial
9 Action Plans, amendments to the Action plans, or Partial Action Plans, or any other method
10 utilized for the allocation of dollars for the use of Community Development Block Grants,
11 hereinafter referred as "CDBG", or other funds provided for the recovery, hereinafter
12 referred as the "proposal"; and

13 WHEREAS, Act No. 5 further provides that, after a proposal is developed and
14 approved by the LRA, the proposal is to be sent to the governor for approval, and if
15 approved by the governor, the proposal shall then be submitted to the Joint Legislative
16 Committee on the Budget for approval. Upon receiving the required legislative approval,
17 the proposal shall then be submitted by the governor to the United States Department of
18 Housing and Urban Development or other appropriate federal agency, with the approval of
19 the Joint Legislative Committee on the Budget also being required for the incorporation of
20 any monies associated with such a proposal into the budget; and

21 WHEREAS, pursuant to Act No. 5, Action Plan Amendment Number 4 has been
22 submitted for review to the appropriate oversight committees of the House of
23 Representatives and the Senate; and

24 WHEREAS, Act No. 5 further requires that proposals related to the recovery which
25 provide for expenditures of ten million dollars or more which are approved by the Joint
26 Legislative Committee on the Budget shall be submitted for approval of a majority of the
27 elected members of each house of the legislature, which shall be by resolution or act if the
28 legislature is in session; and

29 WHEREAS, hurricanes Gustav and Ike devastated the parishes of Louisiana and
30 created long-lasting problems including, but not limited to, the economy, environment,

1 housing stock, public safety, education, health care, and transportation; and

2 WHEREAS, prioritization of projects that drive local recovery must ultimately come
3 from local communities; and

4 WHEREAS, the LRA has approved Action Plan Amendment number 4 in the amount
5 of eighty million dollars for the Economic Development Infrastructure Program, twenty
6 million dollars for the State Cost-share Reserves Program, seventeen million, ninety-nine
7 thousand forty dollars for the Interoperable Communication Infrastructure Program, and five
8 million dollars in additional funds for the Agriculture Program; and

9 WHEREAS, the Economic Development Infrastructure programs, the State Cost-
10 share Reserves Program, the Interoperable Communications Infrastructure Program, and the
11 additional allocation to the Agriculture Program will provide direct assistance to meet one
12 of three national objectives: benefit low to moderate income citizens and/or areas,
13 elimination or prevention of slums and blight, or urgent need; and

14 WHEREAS, on March 29, 2010, the Joint Legislative Committee on the Budget
15 approved Action Plan Amendment Number 4, proposed by the LRA which was subsequently
16 approved by the governor.

17 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
18 approve the proposed amendment, Action Plan Amendment Number 4, to the Action Plan
19 for the utilization of CDBG Disaster Recovery Funds in response to hurricanes Gustav and
20 Ike, proposed by the LRA, approved and submitted by the governor, and approved by the
21 Joint Legislative Committee on the Budget, which amendment provides one hundred twenty-
22 two million, ninety-nine thousand forty dollars of CDBG funds for the Economic
23 Development Infrastructure Program, the State Cost-share Reserves Program, the
24 Interoperable Communications Infrastructure Program, and the Agriculture Program.

25 BE IT FURTHER RESOLVED that in accordance with the recommendation of the
26 LRA, every project under the eighty million dollar Economic Development and Growth
27 Infrastructure Program submitted for final approval under Action Plan Amendment No. 4
28 must first be approved by the Joint Legislative Committee on the Budget and must include
29 documentation relative to any cooperative endeavor agreement (CEA) detailing how the
30 funds will be utilized; what the company in question is committing to create in terms of new

1 jobs, wages, health benefits, and capital investment; and clawback requirements for
2 underperformance.

The original instrument was prepared by Michelle Broussard-Johnson. The following digest, which does not constitute a part of the legislative instrument, was prepared by Jay Lueckel.

DIGEST

Thompson

SCR No. 39

Approves an action plan amendment proposed by the Louisiana Recovery Authority for the Economic Development Infrastructure Program, the State Cost-share Reserves Program, the Interoperable Communications Infrastructure Program, and the Agriculture Program.

Also recommends that every project under the \$80 million Economic Development and Growth Infrastructure Program submitted for final approval must first be approved by the Joint Legislative Committee on the Budget (JLCB) and must have documentation relative to any cooperative endeavor agreement (CEA) detailing how funds will be utilized; information about new jobs, wages, health benefits, and capital investment; and clawback requirements for underperformance.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the original bill.

1. Adds requirement that Economic Development and Growth Infrastructure Program projects seeking final approval must first be approved by JLCB and must include certain documentation relative to the CEA.