

S 2039

A bill to allow a State or local government to construct levees on certain properties otherwise designated as open space lands.

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Emergency Management

Introduced: Jan 26, 2012

Current Status: On motion to suspend the rules and pass the bill Failed by the Yeas and Nays: (2/3 required): 126 -

Latest Action: On motion to suspend the rules and pass the bill Failed by the Yeas and Nays: (2/3 required): 126 - 254 (Roll no. 500). (text: CR H5105) (Jul 23, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/2039>

Sponsor

Name: Sen. Hoeven, John [R-ND]

Party: Republican • **State:** ND • **Chamber:** Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Conrad, Kent [D-ND]	D · ND		Jan 26, 2012

Committee Activity

Committee	Chamber	Activity	Date
Transportation and Infrastructure Committee	House	Referred to	Jan 30, 2012

Subjects & Policy Tags

Policy Area:

Emergency Management

Related Bills

No related bills are listed.

Directs the Administrator of the Federal Emergency Management Agency (FEMA) to approve the construction of a permanent flood risk reduction levee by a state, local, or tribal government under specified circumstances on land: (1) acquired and deed restricted under hazard mitigation provisions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; and (2) located in North Dakota in a community that is participating in the National Flood Insurance Program on the date on which a state, local, or tribal government requests construction of such a levee and certifies to the Administrator and the Chief of Engineers that the community will continue to participate in the Program.

Requires such approval if the Administrator and the Chief of Engineers determine that: (1) construction of the proposed levee would more effectively mitigate against flooding risk than an open floodplain; (2) the proposed levee complies with federal, state, and local requirements, including the consideration of mitigation of adverse impacts and floodplain management requirements; and (3) the state, local, or tribal government seeking to construct the levee has provided an adequate maintenance plan that meets specified requirements.

Requires: (1) a state, local, or tribal government that constructs such a levee to submit to the Administrator and the Chief of Engineers an annual certification indicating whether such government is in compliance with the maintenance plan; and (2) the Chief to review such certification and determine whether such government has complied with that plan.

Actions Timeline

- **Jul 23, 2012:** Mr. Young (AK) moved to suspend the rules and pass the bill.
- **Jul 23, 2012:** Considered under suspension of the rules. (consideration: CR H5105-5110)
- **Jul 23, 2012:** DEBATE - The House proceeded with forty minutes of debate on S. 2039.
- **Jul 23, 2012:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Jul 23, 2012:** Considered as unfinished business. (consideration: CR H5115-5116)
- **Jul 23, 2012:** Failed of passage/not agreed to in House: On motion to suspend the rules and pass the bill Failed by the Yeas and Nays: (2/3 required): 126 - 254 (Roll no. 500).(text: CR H5105)
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- **Jan 30, 2012:** Referred to the Subcommittee on Water Resources and Environment.
- **Jan 27, 2012:** Received in the House.
- **Jan 27, 2012:** Referred to the House Committee on Transportation and Infrastructure.
- **Jan 26, 2012:** Introduced in Senate
- **Jan 26, 2012:** Introduced in the Senate, read twice.
- **Jan 26, 2012:** Measure laid before Senate by unanimous consent. (consideration: CR S136-137)
- **Jan 26, 2012:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Jan 26, 2012:** Passed Senate with an amendment by Unanimous Consent.
- **Jan 26, 2012:** Message on Senate action sent to the House.