



Legislative Update - July 2015

The last legislative session was overflowing with some legislation that was very questionable in some cases. While working with a lobbyist on the notorious "PVC" Bill (Opposed by ARWA, AWWMA members, ASPE/ACEC, General Contractors) with a lobbyist from DIPRA, he was amazed at how the tide had turned in opposition to that bill due to the immediate response and involvement of persons in our industry from all over the state. This year, water and wastewater professionals had a direct impact on major legislation and the defeat of questionable or poorly written legislation. You should be proud.

Best of all, we supported a resolution that is now law, ACT 335 Nutrient Trading is now law. Two of your AWWMA members Larry Lloyd of Beaver Water District and my self were just appointed by Governor Hutchinson on the new Nutrient Trading Water Quality Advisory Panel that will advise and make recommendations on regulations and implementation of this issue. We feel this panel of nie will be key on moving this forward for the future of water quality management in our state, EPA Region 6 and the south.

Some of the cities have written an informational "White Paper" on their vision of nutrient trading the needed change of culture in relationships between regulators and those they regulate. Local initiative to benefit the environment is the focus. It advocates a bottom up instead of a top down approach to improving water quality in our state. A short read but a good synopsis of the history and evolvement of ACT 335.

Things we officially supported and became law:

ACT 335-(HB1067-Collins/Lindsey) Nutrient Trading-We started working on this bill in July of 2014, knowing the craziness would start after elections. The was not a single "no" vote in either house. Our efforts paid off and the Governor signed into law.

Things we generally supported that became law:

ACT 336-(HB1280-Davis/Woods) Shut Off Legislation. Towns like Elm can request water shut off from another utility if their people did not pay their sewer bill. We had input and supported this for our neighbors. Prior, we did this for water utilities only.

Things we successfully had to fight late in the game and stopped in the original house or second committee once it amazingly passed the first house:

SB762-Mandatory Hook Up Bill-required cities to hook up any one in the service area if infrastructure exists. Was meant to force Hot Springs to hook up developers' land during water shortage. This hopefully will be resolved locally before next session.

SB540-PVC Bill-Bill that used tricky wording to "wedge" a lawsuit in on a system that required ductile iron. This was proposed by the PVC industry as a "benign" bill, but we discovered the purpose and exposed them. It was "backdoored" out of the Senate.

HB1700-Mandatory equal rates for those outside the city as in the city. This has much to do with a local issue between developers, the city and real estate folks in Garland County. We felt solving locally was best.

HB1717- (Shell Bill) Mandatory equal rates for those outside the city as in the city. Same as above
The PVC bill will be back and we need to be ready. I will be glad to discuss this with anyone who will listen.

The bottom line is the AWWMA membership stood up and weighed in appropriately on key policies either as individual utilities, cities, or associated professional group. In the case of Nutrient Trading, we stood officially as an organization and actually passed a law we thought might no see the light of day. Thanks for your hard work. Keep your eyes and ears open and never assume something is such a crazy idea, it will never be law. It almost happened several times!!!

Stay informed, read publications, talk to your peers. The educated professional armed with good information is a powerful tool and key to protecting our environment and people with good, common sense laws and regulations.

I would also like to thank my committee members who made calls and fed me information. I think we were engaged and active. Thank you, again.

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