Legislative Update
2016 Fall Manager’s Forum
Hartford MDC Training Center
November 17, 2016
Jay Sheehan, PE – Woodard & Curran

Dedicated to the pursuit of pure water...
Presentation Outline

1. Our Legislative Obligation
2. New 2016 Laws
3. 2017 Legislative Agenda
4. Additional Operator Concerns

Disclaimer:
This presentation includes factual information. However, some of the discussion will include personal commentary that may or may not reflect the position of the various Associations.
Legislative Update

1. Our Legislative Obligation
As wastewater professionals:

- We have an obligation to actively participate in events that affect our communities, sewer users, plants, employees, the environment, the regulations that govern us, and other related things that affect our wastewater world.

To actively participate means:

- We stay involved
- We are always aware of what is happening
- We provide our opinions
- We advocate when appropriate

*We need your help!*
Legislative Obligation Poll

Do we agree that we have a legislative obligation as Wastewater Managers in Connecticut?

- A – Absolutely. We have to be involved!
- B – Somewhat. We need to be aware...
- C – Nope. The Associations are supposed to do this for us!

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Legislative Obligation

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- Will you volunteer to get more involved in legislative activity in 2017?
  - A – Absolutely
  - B – Maybe…not sure yet
  - C – Nope
What can I do?

- CWPA, CAWPCA & NEWEA promoting state legislative meetings in Hartford (Legislative Breakfast each Spring)

- CWPA, CAWPCA & NEWEA promoting state legislative meetings in Washington DC (“Fly-in” each Spring)

- Join a Committee!
2. New 2016 Laws
State Water Plan (Public Act 16-137)

- Law now says that the WPC must prepare Plan by July 1, 2017 and submit to Leg. Committees by Jan 1, 2018
  - New law eliminates requirement for legislature to categorically approve / disapprove plan

Now legislature can return Plan to Water Planning Council for revision as needed…
Reporting of Environmental Spills (Public Act 16-199)

- DEEP must develop new regulations for spill reporting with specific numerical thresholds
  - Utility must act if exceeds threshold

*Current law already required any responsible party to report spills to DEEP if it threatens human health or the environment, regardless of the amount*
Phosphorus Reduction Reimbursement (Public Act 16-57)

- Expands eligibility for increased CWF grants for P removal projects
  - Current law is P removal projects entered into by July 1, 2018 qualify for 50% of P removal & 30% of nutrient removal
    - Extended to July 1, 2019
  - Current law P limit is 0.2 mg/L
    - Extended to 0.031 mg/L
- Eliminates project priority based upon total P removed annually
Revisions to Environmental Statutes (Public Act 16-89)

- Numerous changes to environmental statues
  - Requires applicant for a permit from DEEP for work in a wetland to:
    - Provide notice to neighbors within 500 feet
    - Publish in newspaper
    - Notify Chief Elected Official
    - Note that permit application is available for inspection at DEEP
Revised Bond Authorizations (Public Act 16-4)

- ~$1.6B of bond authorizations
  - Includes $ for CWF
  - Includes $ for DEEP grants to municipal projects
- Lots of other specific “earmarks” for public & quasi-public projects (132 pages)
New Laws – Labor & Employment

- **Fair Chance Employment (Public Act 16-83)**
  - Cannot ask about arrests & convictions

- **CT Family & Medical Leave (Public Act 16-195)**
  - Eligible employees can take up to 16 weeks of unpaid leave during any 24 month period if immediate family is on active duty

- **Unemployment Compensative Appeals (PA 16-169)**
  - Numerous changes to unemployment

- **Pay Practices (Public Act 16-125)**
  - Complicated payroll changes
New 2016 Laws

Do any of these new laws concern you?

- A – Absolutely
- B – Maybe…not sure yet
- C – Nope

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Reminder...

Tracking Legislation & Improving Regulation

- CAWPCA & CWPA co-sponsored legislative tracking tool (as mentioned earlier by Tom Sgroi)
  - www.CAWPCA.org (Current Legislation)
New 2016 Laws

Have you visited the CAWPCA legislative tracking site?

- A – Yes
- B – Not yet but I plan to
- C – Nope

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3. 2017 Legislative Agenda
2017 Legislative Agenda

1. Modify CT General Statute 22a-416 (2012): Continuing Education Requirements for Operators
   - Meeting with (potential) legislative sponsor upcoming
2017 Legislative Agenda

Would you be in favor of adjusting new Continuing Education requirements in 2017?

- A – Yes
- B – Unsure
- C – No way!

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2017 Legislative Agenda

1. Modify CT General Statute 22a-416 (2012): Continuing Education Requirements for Operators
   ➢ Meeting with (potential) legislative sponsor upcoming

2. Modify CT General Statute 31-53: Prevailing Wage thresholds
   ➢ Current rule applies to new public construction >$400,000 & rehabilitation/alteration >$100,000
   ➢ Last updated under Public Act 91-74 in 1991 (went from $200K - $400K and $50K to $100K)
2017 Legislative Agenda

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Would you be in favor of adjusting the Prevailing Wage thresholds in 2017?

- A – Yes
- B – Not sure
- C – Nope – doesn’t affect me
Pending 2017 Legislation

- Raised Bill No. 5381 – *Regulatory Authority for WW Permitting Programs*
  - Exempt categories of WW discharges from the submission of engineering plans & details
  - DEEP still to approve & issue permits

*Goal is to streamline & expedite the permitting process*
Pending 2017 Legislation

- Raised Bill 402 – *Connecticut Infrastructure Bank*
  - Not a State Agency
    - Managed by a Board of 13 unpaid appointees
    - 1 paid Executive Director
  - Can issue bonds & BANs, borrow for working capital, etc.
  - Will be seeded with $50M
Pending 2017 Legislation

- House Bill 5488 – *Taxing District to support Water Quality in a Lake*
  - Makes it easier to create a Special Taxing District to maintain water quality in a lake
  - Changes from 2/3 majority of voter approval rather than a simple majority
  - Non-resident property owners and non-voter registered property owners can still vote
Pending 2017 Legislation

- New Bills have not been introduced yet!!!
  - Legislative Session begins January 4th
  - Session ends June 7th
Operator Concerns

4. 2015 Operator Concerns - Update

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2015 Manager's Forum – Operator Issues
1. CT Statewide Water Policy
2. Flushables / Non Dispersables
3. Nutrients – Phosphorus
4. Wastewater Reuse
5. WPCA Issues (e.g., ownership of private sewer, sewer service maps)

- What issues are worth tackling in 2017?
  - No promises – we will do what we can!
THANK YOU!

QUESTIONS & ANSWERS

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