Legislative Update
2019 Fall Manager’s Forum

Hartford MDC Training Center
November 21, 2019
Jay Sheehan, PE – Woodard & Curran

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

1. Overview of the 2019 Legislative Session
2. 2019 Election
3. 2020 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.
What did the Associations do?

- Hosted a CT Legislative Water Day
  - May 14 at the Capitol Building in Hartford
  - Focused on “educating” the Legislature

- Visited state legislators in Hartford
  - Personal meetings w/ Sens & Reps in Jan & Feb

- Continued with our “Legislative Sub-committee”

- Federal legislative meetings in Washington DC
  (NEWEA Spring “Fly-in”)
  - Assembled various legislative facts & figures
1. 2019 Legislative Session Overview
How things work:

- **Even-numbered years, the CGA session: February to May**
  - Not budget years – new bills must relate to budget or committee proposals

- **Odd-numbered years, CGA session: January to June**
  - Budget years – things can get intense!
  - Budget must get passed before July 1 or bad things happen

- The Governor always has the right to call for a special session after the end of the regular session

- **2019: Started January 9th & “adjourned” June 5th**
  - efforts to hold special sessions all summer
2019 Legislative Session

- Dynamic in Hartford
  - Senate – Democrats have majority
    - 22 D’s – 14 R’s
  - House – Democrats have majority
    - 91 D’s – 60 R’s

- Legislation
  - 2,825 Bills introduced, 279 signed by Governor signed, 3 vetoed
  - Very different than 2018
    - 2018 session 432 bills, 214 signed, 7 vetoed
2019 was local municipal elections only

2020 will be an election year for all State Legislators!

CT has a “State Trifecta” – gov, house, senate all “D’s”

Other National State Trifectas
- 2018: 36 had trifecta (22 R’s – 14 D’s)
- 2019: 36 have trifecta (21 R’s – 15 D’s)
  - Nov 2019: Virginia went all D, Kentucky lost R trifecta
Old news, but happened in 2019...

- **Special Act No. 19-1 An Act Establishing the Federal Shutdown Affected Employees Loan Program**

- **Bill Summary:** Municipalities authorized to establish a program to allow employees affected by Federal shutdowns to defer payment of property taxes and waster & sewer bills
How Did Wastewater Do?

- HJ 171: Resolution Adopting the State Water Plan
- **Bill Summary:** State Water Plan submitted in January 2018 was adopted. Added provision clarifying that in event of conflict between Plan and existing statutes, statute controls.
- **CWPAA/CAWPCA Position:** this policy has far too much focus on drinking water, however, we do not believe it will substantially change how WPCAs operate
Two “Call Before You Dig” Bills

- SB 222: An Act Concerning CBYD Markings
  - Bill Summary: Requires markings to be made with materials that fade in 3 months

- SB 222: An Act Concerning CBYD Violations
  - Bill Summary: Requires civil penalties for failure to properly or timely mark utilities

- CWPAA Position: Opposed

DOUBLE LOSER!
How Did Wastewater Do?

- **SB 927** An Act Creating the Environmental Infrastructure Fund within the CT Green Bank
- **Bill Summary:** Expands the CT Green Bank’s duties to include developing & promoting programs to finance/invest in environmental infrastructure
- **CWPAA Position:** Strongly supportive
How Did Wastewater Do?

SB 222: An Act Concerning the Sale of Municipal Water Supply & Wastewater Utility Assets

Bill Summary: A water company regulated by PURA can buy a municipally owned wastewater or water system & charge the sale price back to the users in its rate base.

CWPAA Position: Opposed
How Did Wastewater Do?

- **SB 1029 An Act Concerning Public Utility Workforce Development**
- **Bill Summary:** Requires tech education leaders to meet with representatives of public utilities & state colleges to assess workforce needs & implement curriculum modifications
- **CWPAA Position:** Supportive (Bill driven by RWA)
How Did Wastewater Do?

- **HB 1062 An Act Authorizing Municipal Climate Change & Coastal Resiliency Reserve**
- **Bill Summary**: Authorizes muni’s to establish climate change & coastal resiliency reserve funds to be used to fund property loss & land acquisition
- **CWPAA Position**: Monitored HB 1062
PFAS Taskforce – formed by Governor

- Presented report in November 2019
  - Establish standards & discharge/emission limits for PFAS in air and water
  - Implement baseline sampling at WWTFs
  - Evaluate biosolids PFAS levels & ultimate use & disposal
  - Evaluate PFAS levels in compost derived from food waste (food containers, disposable cutlery, and/or PFAS-treated paper products)
  - Convene an ad-hoc group to review the most current research and nationwide actions regarding food packaging, consumer products, and the recycling thereof.
  - Educate CT residents, businesses, & local officials on BMPs to reduce PFAS discharges to subsurface sewage disposal
Topics we expect to see again...

- **PFAS, PFAS, PFAS!!!**
  - PFAS Taskforce was formed, made recommendations

- **Infrastructure** – more legislation about infrastructure improvements

- **Green Technologies** - more opportunities for Green Tech

- **Biosolids** – potential for discussions about biosolid use

- **DOT Paving** – conversation about approaching DOT to discuss their practice of paving over sewers
Topics we may see again...

- Utility Assets – Asset Management requirements sneaking into legislation
- WPCA Finance – proposals on oversight of rates, liens, etc.
- DPH Primacy – passed for drinking water, is DEEP next???
- Water as a Public Trust - State Water Plan identified this & it continues to appear as a campaign issue in several campaigns
2. 2019 Election
2019 Election in Brief

- 2019 – local municipal elections only!

- CT still has “Legislative Trifecta”

- House
  - 91 D’s – 60 R’s

- Senate
  - 23 D’s – 13 R’s

Other State Trifectas
- 34 states had trifectas (26 R’s – 8 D’s)
- Now: 36 have trifecta (22 R’s – 14 D’s)
3. 2019 Legislative Agenda
2020 Legislative Agenda

- Legislative Sub-Committee
  - Chair – Jay Sheehan
  - CWPAA – Ray Weaver, Virgil Lloyd, Mike Bisi
  - CAWPCA – Tom Sgroi, Brian Armet, Denis Cuevas
  - Meeting coming this winter

- Goals
  - Review & prioritize legislative issues
  - Clarify themes
  - Review lobbyist
  - Develop Action Plan for Hartford & DC
CAWPCA & CWPAA continues to co-sponsor a legislative partner

- They track legislation related to wastewater issues
- Help us improve Hartford legislative visits
- Gets us meetings & testimony opportunities

DePino, Nunez & Biggs, LLC
2020 Legislative Agenda

- Clean Water Funding advocacy
  - Hartford – Clean Water legislative day at Capitol, legislator visits
  - Washington DC – NEWEA fly-in
2020 Legislative Agenda

- Biosolids
  - CGS 22a-209-1 (regulated waste CR04, CR05)
  - Biosolids regs are prohibitive to options besides incineration
  - Growing opportunities around alternative biosolids (anaerobic digestion, land application, etc.)

Advocate for a Biosolids Market/Regulatory Study

PFAS has (at least) delayed our land application of Biosolids advocacy…
2020 Legislative Agenda

- Dispersables / non-dispersables
  - Continue to educate our communities
  Continue conversation in 2019

- Shoreline Wastewater Study / Solution
  - Shoreline pollution challenge needs attention
  - Legislation introduced in 2016 did not pass
  Explored in 2019
Collection System Funding

- As WPCF upgrades are being completed, do we re-focus on collection system
- CT DEEP had Collection Sys funds set-aside in prior years but removed due to lack of activity

*Started the conversation in 2019*
P-based Fertilizers

- CT DEEP had Collection Sys funds set-aside in prior years but removed due to lack of activity

*Do we wish to re-engage DEEP on this in 2020?*
2019 Legislative Agenda

- Water Reuse
  - Strongly support reuse of wastewater

Do we wish to become more active on this in 2020?
Pending 2020 Legislation

- New Bills have not been introduced yet!!!
  - Legislative Session begins February 5th
  - Session ends May 6th
4. Additional Operator Concerns
We Want Your Opinion!!!

- What other issues are worth tackling in 2020?
  - No promises – we will do what we can!

- What other things/actions do the Manager's want to do?

- Who will volunteer to support these legislative efforts?
THANK YOU!

QUESTIONS & ANSWERS

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Dedicated to the pursuit of pure water...