

KY-TN Legislative & Regulatory Update

February 28, 2019 – 11:30 AM CDT, 12:30 PM EDT

Guest Speakers:

Ryan Swindell, Windrow Phillips Group
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Government Affairs Committee

Saya Qualls, TN Co-Chair
Wes Sydnor, KY Co-Chair



KY-TN WEA



KY-TN WEA

The banner features a background image of the United States Capitol building in Washington, DC, under a cloudy sky. At the top left, a red banner contains the text "REGISTRATION IS NOW OPEN". To the right of this is the Water Environment Federation logo, which includes a stylized 'W' and the text "Water Environment Federation" and "the water quality people". Below the red banner, a dark blue banner contains the event title "2019 NATIONAL WATER POLICY FLY-IN | APRIL 3-4" in white, bold, sans-serif font. To the right of the title, the text "WASHINGTON, DC" is displayed in a smaller white font. At the bottom of the banner, the text "HYATT REGENCY WASHINGTON | WWW.WEF.ORG/WATERWEEK" is written in white.

- EPA Roundtable Discussions
- Congressional Briefing
- Congressional Office Visits

Overview of Kentucky 2019 Legislative Session

Backdrop

- **Bill Filing Deadline Passes** – 70 Bills filed at the deadline, must remain steadfast to the committee process.
- **Pensions Still on the forefront** – A working group has been developed to work through the pension situation.
- **Statewide Constitutional Officer Election Year** – Might play a role in what is filed, passed, and the posturing that occurs.

Overview of Kentucky 2019 Legislative Session

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RETIREMENT

- Public Pension Working Group – Fourteen Senators and Representatives of both parties have been impaneled to examine the state’s public pension systems. The first meeting will be January 15, 2019 and they are tasked with making recommendations to the General Assembly by February 15. They will be able to request extensions if they are not able to meet the first deadline.
- Automatic Enrollment in 401(k) – SB 107 (Senator Higdon) would amend KRS Chapter 18A to automatically enroll employees hired after July 1, 2019 in the 401(k) voluntary retirement plan. SB 107 was assigned to the State and Local Government Committee and reported favorably. It has passed the Senate and resides in the House State Government Committee – posted on 2/26.
- Set Employer Contribution Rate – HB 307 (Representative Graviss) is a House Minority Party effort cosponsored by most of the Caucus. It has been assigned to the State Government Committee.
- Cessation of Participation in KERS – SB 10 (Senator McDaniel) would allow colleges and health departments to leave the system upon paying actuarial costs. This bill is similar to HB 358 (Certain universities- establishes rules to exit KRS) . The bill has two readings but no committee action.

Overview of Kentucky 2019 Legislative Session

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RETIREMENT

- Cap on CERS Contribution Rates – HB 384 (Representative Tipton) would cap the increase in rates to 12%. It was assigned to Local Government.
- Repeal of SB 151 Provisions – HB 401 (Representative Graham) would repeal the language of SB 151 from the 2018 Session and reenact original language. It is cosponsored by most of the Minority Caucus.
- Employer Contribution Rates – HB 505 (Representative J. Miller) would require TRS to pay the full ARC with a reduced payroll assumption and using the level dollar amortization method by 2025 along with other changes. For CERS, employer contribution rates shall not increase by more than 12% from July 1, 2018 to June 30, 2028. The bill has been assigned to State Government.
- Contracting or Reemployment of Retire State and Local Employees – HB 419 (Representative Roland) would place restrictions on returning to work or taking a contract after retirement. HB 419 passed the Local Government and is on Consent on the house floor.

Overview of Kentucky 2019 Legislative Session

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OTHER BILLS OF INTEREST

- Water Infrastructure – HJR 71 (Representative Gooch) directs the Energy and Environment Cabinet to establish a working task force to investigate methods of improving and funding the Commonwealth’s public water and wastewater infrastructure. It was assigned to Natural Resources and Energy and has been posted.
- “Call Before You Dig” – SB 129 (Senator Hornback) would mandate that owners of all underground facilities in the Commonwealth join the 811 One Call Center. Many municipalities and water districts in the state oppose mandatory membership, but support lessening the risks associated with excavation. Alternatives to the mandatory membership are currently being discussed. SB 129 was assigned to Natural Resources and Energy and reported favorably. It was recommitted to Natural Resources after it was on the orders of the day.

Overview of Kentucky 2019 Legislative Session

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OTHER BILLS OF INTEREST

- Small Public Drinking Water Systems Oversight – HCR 56 (Representative Tipton) creates a 17 member legislative task force to study small systems so as to prevent their decline and failure. It was assigned to Local Government and reported favorably with a committee Substitute. HCR 56 passed on the floor with the Committee Substitute.
- Acquisition of Water or Sewer Utilities – SB 163 (Senator Carpenter) would set procedures for valuation and acquisition of existing water or sewer facilities by investor-owned utilities. It was assigned to the Natural Resources and Energy Committee and was reported favorably. It is in the orders of the day.

Tennessee Capitol Hill Day


March 13, 2019

10:00 am – 3:00 pm (CST)

- Meet and greet with legislators and other decision-makers
- Senate Energy, Agriculture and Natural Resources Committee Meeting
- House Agriculture and Natural Resources Committee Meeting



Overview of the 2019 TN Legislative Session

- New Members
 - New Leadership
 - Inauguration of Governor Bill Lee
 - Bills filed this session
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Overview of the 2019 TN Legislative Session

- SB178/HB165 - Sen. Todd Gardenhire and Rep. Patsy Hazlewood
 - Septic permits while under a sewer moratorium
- SB916/HB259 - Sen. Steve Southerland and Rep. Pat Marsh
 - Alternatives analysis for road projects
- SB430/HB202 – Sen. Mike Bell and Rep. Kevin Vaughan
 - Online municipal utility training certificates

Overview of the 2019 TN Legislative Session

- Caption Bills
 - Can open up an entire TCA title
 - Placeholders
 - Eventually must be amended to clarify intent
- SB811/HB845 – Sen. Ed. Jackson and Rep. Chris Todd
 - Opens up all of titles 68 & 69
 - Regulation of effluent
 - Relative to environmental protection
- SB1223/HB1378 – Sen. Frank Niceley and Rep. Jerry Sexton
 - Opens up 4 titles (29, 66, 68 & 69)
 - Annual water quality quality report
 - Relative to water

Overview of the 2019 TN Legislative Session

Upcoming Events

- State of the State/Budget Address
- Legislative Budget Hearings
- Sub-committees (House only) scheduled to close mid-March

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