

1 A JOINT RESOLUTION establishing the Working Group on Water and
2 Wastewater Infrastructure and reestablishing the Public Water and Wastewater System
3 Infrastructure Task Force.

4 WHEREAS, in 2019 the Legislative Research Commission established the Public
5 Water and Wastewater System Infrastructure Task Force to evaluate the problems faced
6 by the Commonwealth's water and wastewater systems; and

7 WHEREAS, the goal of the task force was to develop recommendations to improve
8 the operation and function of public drinking water and wastewater systems across the
9 Commonwealth; and

10 WHEREAS, in November 2019 the task force adopted a series of policy
11 recommendations to accomplish the task force's initial goals, but additional work needed
12 to proceed in the executive and legislative branches of state government; and

13 WHEREAS, in the executive branch level, agencies that regulate water and
14 wastewater systems could focus on the technical details required to develop best
15 management practices, reasonable conditions for grants and loans, and establish criteria
16 for identifying troubled water and wastewater systems; and

17 WHEREAS, in the legislative branch, the Public Water and Wastewater System
18 Infrastructure Task Force could continue its work on developing a comprehensive policy
19 that will protect the financial integrity and service delivery from the Commonwealth's
20 water and wastewater systems;

21 NOW, THEREFORE,

22 ***Be it resolved by the General Assembly of the Commonwealth of Kentucky:***

23 ➔Section 1. The Working Group on Water and Wastewater Infrastructure is
24 hereby established and shall be attached to the Energy and Environment Cabinet for
25 administrative purposes and staff support. The working group shall:

26 (1) Develop consensus strategies to identify public water and wastewater systems
27 that are failing and various action plans to enhance their financial, managerial, and

1 technical expertise to make those systems more resilient;

2 (2) Develop best management practices and evaluate how best to obtain
3 compliance with those best management practices;

4 (3) Identify methods of improving financing for public water and wastewater
5 systems including financing that is aimed at improving management and operations; and

6 (4) Report to the Public Water and Wastewater System Infrastructure Task Force
7 each month while the task force is authorized. The monthly report shall update the task
8 force on the working group's activities, the current status of water and wastewater systems
9 in the Commonwealth, and any regulatory and legislative proposals the working group
10 has developed.

11 ➔Section 2. The Executive Branch Working Group on Water and Wastewater
12 shall have the following seven (7) members:

13 (1) The director of the Division of Water or a designee who shall be an ex officio
14 member and serve as chair;

15 (2) The executive director of the Kentucky Public Service Commission or a
16 designee;

17 (3) The executive director of the Kentucky Infrastructure Authority or a designee;

18 (4) The executive director of the Kentucky Rural Water Association or a
19 designee;

20 (5) The executive director of the Kentucky Municipal Utility Association or a
21 designee;

22 (6) The president of the American Council of Engineering Companies or a
23 designee; and

24 (7) The director of the Kentucky Resources Council or designee.

25 ➔Section 3. The first meeting of the working group shall be not later than July 15,
26 2020, and thereafter the working group shall meet at least monthly or more frequently at
27 the call of the chair. The working group may create stakeholder advisory groups that will

1 provide technical advice, expertise, and present the perspectives of various industry,
2 citizen, and public-private interests.

3 ➔Section 4. The Public Water and Wastewater System Infrastructure Task Force
4 is hereby reestablished to continue to study the problems affecting public drinking water
5 and wastewater systems and to develop policy recommendations for the 2021 Regular
6 Session of the General Assembly. The task force also shall receive monthly reports from
7 the Working Group on Public Water and Wastewater Infrastructure.

8 ➔Section 5. The Public Water and Wastewater Infrastructure Task Force shall
9 have the following members, with the final membership of the task force being subject to
10 the consideration and approval by the Legislative Research Commission:

11 (1) Two members of the House of Representatives chosen by the Speaker of the
12 House of Representatives, one of whom shall be designated as co-chair;

13 (2) One member of the House of Representatives chosen by the House Minority
14 Floor Leader;

15 (3) Two members of the Senate chosen by the President of the Senate, one of
16 whom shall be designated as co-chair;

17 (4) One member of the Senate chosen by the Senate Minority Floor Leader;

18 (5) The executive director of the Kentucky League of Cities, or a designee;

19 (6) The executive director of the Kentucky Council of Area Development
20 Districts, or a designee;

21 (7) The director of the Division of Water, or a designee;

22 (8) The president of Kentucky American Water, or a designee;

23 (9) The executive director of the Kentucky County Judge/Executive Association,
24 or a designee;

25 (10) The director of the Kentucky Infrastructure Authority, or a designee;

26 (11) The executive director of the Kentucky Municipal Utilities Association, or a
27 designee;

1 (12) The executive director of the Kentucky Rural Water Association, or a
2 designee; and

3 (13) The executive director for the Kentucky Department for Local Government, or
4 a designee.

5 ➔Section 6. The task force shall meet during the 2020 Interim. The task force
6 shall submit its report or findings to the Legislative Research Commission by December
7 1, 2020.

8 ➔Section 7. Provisions of this Resolution to the contrary notwithstanding, the
9 Legislative Research Commission shall have the authority to alternatively assign the
10 issues identified herein to an interim joint committee or subcommittee thereof and to
11 designate a study completion date.