



# RYAN SWINDELL

## GOVERNMENT RELATIONS

### Clean Water Professionals of Kentucky-Tennessee

Calendar Report - Week of March 8, 2021

Mon 3/8/21 4:00pm - Senate Chamber, Senate Consent 2

23. SB495 Pody M. **ENVIRONMENT & NATURE: Member of board of commissioners of a water and wastewater treatment authority - per diem.** Increases from \$100 to \$300 the maximum per diem payment to a member of the board of commissioners of a water and wastewater treatment authority for attending a board meeting, not to exceed six board meetings per calendar year.  
**Fiscal Note:** (Dated February 3, 2021) NOT SIGNIFICANT  
**Caption:** AN ACT to amend Tennessee Code Annotated, Section 68-221-618, relative to per diem payment for board members of water and wastewater treatment authorities.  
HB398 - C. Boyd - 03/04/21 - Set for House Agriculture & Natural Resources Committee 03/10/21.

Tue 3/9/21 9:00am - Senate Hearing Rm I, Senate Finance Revenue Subcommittee

HEADER: The Finance Revenue Subcommittee will meet immediately following the Finance, Ways & Means Committee. MEMBERS: CHAIR J. Hensley (R); VICE CHAIR T. Gardenhire (R); B. Gilmore (D); F. Haile (R); K. Yager (R)

10. SB215 Watson B. **TAXES SALES: Definition of tangible personal property.** Clarifies that the definition of "tangible personal property" does not include mains, pipes, pipelines, or tanks after they have become attached to a building, or other structure, or installed underground for conducting steam, heat, water, wastewater, oil, electricity, gas, or any property, substance, or product capable of transportation or conveyance therein or that is protected thereby, except for propane tanks for residential use and above ground storage tanks that can be moved without disassembly and are not affixed.  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 67, relative to taxes.  
HB131 - P. Hazlewood - 03/04/21 - Set for House Finance, Ways & Means Committee 03/09/21.

Tue 3/9/21 10:30am - House Hearing Rm III, House Agriculture & Natural Resources Subcommittee

MEMBERS: CHAIR C. Todd (R); M. Cochran (R); T. Darby (R); C. Halford (R); B. Hulseley (R); C. Hurt (R); J. Potts (D); J. Reedy (R); J. Shaw (D)

1. HB517 Gant R. **ENVIRONMENT & NATURE: Membership of the Chickasaw Basin Authority.** Expands the scope of the Chickasaw Basin Authority to include all counties located within the drainage area of the authority.  
**Fiscal Note:** (Dated January 26, 2021) Other Fiscal Impact The extent and timing of any shift in permissive local expenditures cannot reasonably be determined; however, the net fiscal impact to local government is considered not significant.  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 64, Chapter 1, Part 2, relative to the membership of the Chickasaw Basin Authority.  
SB276 - P. Rose - 03/04/21 - Set for Senate Energy, Agriculture & Natural Resources Committee 03/10/21.
2. HB729 Ragan J. **ENERGY & MINING: Membership of state energy policy council.** Increases the number of members on the state energy policy council from 14 members to 15 members and adds the Tennessee public utility commission chair or the chair's designee as a voting member of the council.  
**Caption:** AN ACT to amend Tennessee Code Annotated, Section 68-204-104, relative to the state energy policy council.  
SB849 - M. Pody - 02/22/21 - Referred to Senate Energy, Agriculture & Natural Resources Committee.

3. HB227  
Vaughan K. **ENVIRONMENT & NATURE: Water Quality Control Act - permits.** Requires the department of environment and conservation to take certain actions to ensure that in-lie fee sponsors secure mitigation for permanent impacts to waters. Allows the commissioner to assess the liability of any polluter or violator for damages to the state resulting from any person's pollution or violation, failure, or neglect in complying with any rules or standards of water quality promulgated by the board or permits, including failure by an in-lieu fee sponsor to timely complete land acquisition and initial physical and biological improvements.  
**Fiscal Note:** (Dated January 30, 2021) NOT SIGNIFICANT  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 69, Chapter 3, Part 1, relative to water quality. SB1049 - S. Southerland - 03/04/21 - Set for Senate Energy, Agriculture & Natural Resources Committee 03/10/21.
5. HB1144  
Grills R. **ENVIRONMENT & NATURE: Incentives the TN board of energy and natural resources may adopt for alternatives to discharges to surface waters.** Specifies that the board of energy may provide land application, credits to recognize increased environmental performance and beneficial reuse of wastewater as incentives for using alternatives to pollution discharge to surface waters. Broadly captioned.  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 4; Title 7, Chapter 35; Title 65; Title 68 and Title 69, relative to water quality. SB790 - P. Walley - 03/04/21 - Set for Senate Energy, Agriculture & Natural Resources Committee 03/10/21.

## Tue 3/9/21 10:30am - House Hearing Rm I, House Commerce Committee

MEMBERS: CHAIR K. Vaughan (R); VICE CHAIR R. Bricken (R); R. Alexander (R); C. Boyd (R); K. Calfee (R); K. Camper (D); J. Faison (R); K. Haston (R); P. Hazlewood (R); J. Hodges (D); J. Holsclaw, Jr. (R); C. Johnson (R); S. Lynn (R); E. Mannis (R); J. Moon (R); J. Powell (D); D. Powers (R); M. Sparks (R); D. Thompson (D); J. Towns Jr. (D); J. Zachary (R)

10. HB1140  
Grills R. **LOCAL GOVERNMENT: Compensation for board of directors of Reelfoot Lake regional utility and planning district.** Changes the compensation for the board of directors of the Reelfoot Lake regional utility and planning district from a maximum of \$1,000 annually to a maximum of \$200 monthly.  
**Fiscal Note:** (Dated February 19, 2021) Increase Local Expenditures \$7,000/FY21-22 and Subsequent Years/Permissive/ Reelfoot Lake Regional Utility and Planning District  
**Caption:** AN ACT to amend Tennessee Code Annotated, Chapter 222 of the Public Acts of 1983, and any other acts amendatory thereto, relative to Reelfoot Lake Regional Utility and Planning District. SB1187 - E. Jackson - 02/22/21 - Referred to Senate State & Local Government Committee.

## Tue 3/9/21 3:00pm - House Hearing Rm I, House Finance, Ways & Means Committee

HEADER: The committee will hear from the Division of TennCare. MEMBERS: CHAIR P. Hazlewood (R); VICE CHAIR C. Baum (R); S. Campbell (R); K. Camper (D); J. Crawford (R); J. Faison (R); B. Freeman (D); R. Gant (R); J. Garrett (R); J. Gillespie (R); D. Hawk (R); G. Hicks (R); L. Lamar (D); W. Lamberth (R); S. Lynn (R); L. Miller (D); B. Ogles (R); J. Sexton (R); J. Shaw (D); M. Sparks (R); C. Todd (R); S. Whitson (R); R. Williams (R); J. Windle (D); J. Zachary (R)

7. HB131  
Hazlewood P. **TAXES SALES: Definition of tangible personal property.** Clarifies that the definition of "tangible personal property" does not include mains, pipes, pipelines, or tanks after they have become attached to a building, or other structure, or installed underground for conducting steam, heat, water, wastewater, oil, electricity, gas, or any property, substance, or product capable of transportation or conveyance therein or that is protected thereby, except for propane tanks for residential use and above ground storage tanks that can be moved without disassembly and are not affixed.  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 67, relative to taxes. SB215 - B. Watson - 03/04/21 - Set for Senate Finance Revenue Subcommittee 03/09/21.

## Wed 3/10/21 11:30am - Senate Hearing Rm I, Senate Energy, Agriculture & Natural Resources Committee

HEADER: The committee will have **budget hearings** by the TN Wildlife Resources Agency and the **TN Department of Environment & Conservation**. MEMBERS: CHAIR S. Southerland (R); VICE CHAIR F. Niceley (R); 2ND VICE CHAIR M. Pody (R); J. Bowling (R); H. Campbell (D); S. Reeves (R); K. Robinson (D); P. Rose (R); P. Walley (R)

1. SB113  
Gardenhire T. **ENVIRONMENT & NATURE: Stormwater management - abatement of fees owed by property owner.** Requires a municipality to abate the storm water fees owed by a property owner until such fees equal the construction costs of any holding or retention ponds constructed by the property owner pursuant to the Clean Water Act.  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 221, relative to storm water management. HB199 - M. Carter - 02/09/21 - Referred to House Agriculture & Natural Resources Subcommittee.
2. SB428 Yager  
K. **ENVIRONMENT & NATURE: Loans from the wastewater facility revolving loan fund.** Expands the definition of "local government" for purposes of wastewater facilities to also mean a privately owned for-profit community wastewater treatment system subject to regulation by the Tennessee public utility commission. Authorizes loans from the wastewater facility revolving loan fund for privately owned for-profit community

wastewater treatment systems that are subject to state regulation and meet certain financial qualifications, including having a debt service coverage ratio of 1.25.

**Amendment Summary:** House Agriculture and Natural Resources Subcommittee amendment 1 (004191) expands the definition of "local government" to include a privately owned community wastewater treatment system that is subject to regulation by the public utility commission. Specifies that the definition only applies to this part.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 221, Part 10, relative to the wastewater facility revolving loan fund.

HB586 - P. Marsh - 03/04/21 - Set for House Agriculture & Natural Resources Committee 03/10/21.

4. SB740 Johnson J. **PUBLIC FINANCE: Time frame within which loans from the drinking water revolving loan fund must be amortized.** Increases from 20 to 30 years the amount of time within which loans from the drinking water revolving loan fund must be amortized. Also increases from 30 to 40 years the time within which such loans must be amortized when made to disadvantaged communities.

**Fiscal Note:** (Dated January 20, 2021) NOT SIGNIFICANT

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 221, Part 12, relative to the drinking water revolving loan fund.

**Comment:** TDEC Administration Bill

HB91 - W. Lamberth - 03/04/21 - Set for House Consent on 03/08/21.

6. SB276 Rose P. **ENVIRONMENT & NATURE: Membership of the Chickasaw Basin Authority.** Expands the scope of the Chickasaw Basin Authority to include all counties located within the drainage area of the authority.

**Fiscal Note:** (Dated January 26, 2021) Other Fiscal Impact The extent and timing of any shift in permissive local expenditures cannot reasonably be determined; however, the net fiscal impact to local government is considered not significant.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 64, Chapter 1, Part 2, relative to the membership of the Chickasaw Basin Authority.

HB517 - R. Gant - 03/04/21 - Set for House Agriculture & Natural Resources Subcommittee 03/09/21.

7. SB790 Walley P. **ENVIRONMENT & NATURE: Incentives the TN board of energy and natural resources may adopt for alternatives to discharges to surface waters.** Specifies that the board of energy may provide land application, credits to recognize increased environmental performance and beneficial reuse of wastewater as incentives for using alternatives to pollution discharge to surface waters. Broadly captioned.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 4; Title 7, Chapter 35; Title 65; Title 68 and Title 69, relative to water quality.

HB1144 - R. Grills - 03/04/21 - Set for House Agriculture & Natural Resources Subcommittee 03/09/21.

8. SB1049 Southerland S. **ENVIRONMENT & NATURE: Water Quality Control Act - permits.** Requires the department of environment and conservation to take certain actions to ensure that in-lie fee sponsors secure mitigation for permanent impacts to waters. Allows the commissioner to assess the liability of any polluter or violator for damages to the state resulting from any person's pollution or violation, failure, or neglect in complying with any rules or standards of water quality promulgated by the board or permits, including failure by an in-lieu fee sponsor to timely complete land acquisition and initial physical and biological improvements.

**Fiscal Note:** (Dated January 30, 2021) NOT SIGNIFICANT

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 69, Chapter 3, Part 1, relative to water quality.

HB227 - K. Vaughan - 03/04/21 - Set for House Agriculture & Natural Resources Subcommittee 03/09/21.

## Wed 3/10/21 2:00pm - House Hearing Rm III, House Agriculture & Natural Resources Committee

HEADER: The committee will hear a presentation on Bees by Howard Kerr with the TN Beekeepers Association. MEMBERS: CHAIR C. Halford (R); VICE CHAIR R. Grills (R); M. Cochran (R); B. Cooper (D); T. Darby (R); C. Doggett (R); G. Hardaway (D); B. Hulsey (R); C. Hurt (R); J. Potts (D); J. Reedy (R); I. Rudder (R); J. Shaw (D); C. Todd (R); R. Travis (R); D. Wright (R)

1. HB586 Marsh P. **ENVIRONMENT & NATURE: Loans from the wastewater facility revolving loan fund.** Expands the definition of "local government" for purposes of wastewater facilities to also mean a privately owned for-profit community wastewater treatment system subject to regulation by the Tennessee public utility commission. Authorizes loans from the wastewater facility revolving loan fund for privately owned for-profit community wastewater treatment systems that are subject to state regulation and meet certain financial qualifications, including having a debt service coverage ratio of 1.25.  
**Amendment Summary:** House Agriculture and Natural Resources Subcommittee amendment 1 (004191) expands the definition of "local government" to include a privately owned community wastewater treatment system that is subject to regulation by the public utility commission. Specifies that the definition only applies to this part.  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 221, Part 10, relative to the wastewater facility revolving loan fund.  
SB428 - K. Yager - 03/04/21 - Set for Senate Energy, Agriculture & Natural Resources Committee 03/10/21.
4. HB398 Boyd C. **ENVIRONMENT & NATURE: Member of board of commissioners of a water and wastewater treatment authority - per diem.** Increases from \$100 to \$300 the maximum per diem payment to a member of the board of commissioners of a water and wastewater treatment authority for attending a board meeting, not to exceed six board meetings per calendar year.  
**Fiscal Note:** (Dated February 3, 2021) NOT SIGNIFICANT  
**Caption:** AN ACT to amend Tennessee Code Annotated, Section 68-221-618, relative to per diem payment for board members of water and wastewater treatment authorities.  
SB495 - M. Pody - 03/04/21 - Set for Senate Consent 2 03/08/21.
5. HB764 Lamberth W. **ENVIRONMENT & NATURE: Rewrites Soil Conservation Districts Law.** Rewrites the Soil Conservation Districts Law to be the Soil and Water Conservation Districts Law. Establishes Tennessee soil and water conservation commission guidelines, duties, and powers. Requires commission to publish reports (28 pp.).  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29; Section 5-9-106; Section 6-58-104;

## Wed 3/10/21 3:30pm - House Hearing Rm III, House Business & Utilities Subcommittee

MEMBERS: CHAIR C. Boyd (R); R. Alexander (R); K. Calfee (R); P. Hazlewood (R); J. Hodges (D); J. Holsclaw, Jr. (R); C. Johnson (R); E. Mannis (R); D. Thompson (D); K. Vaughan (R); J. Zachary (R)

5. HB649 Darby T. **UTILITIES: Utility management review board to approve mergers, consolidations.** Authorizes the utility management review board to approve mergers, as well as consolidations, involving financially distressed utility districts.  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 82, Part 7, relative to the utility management review board.  
SB517 - R. Briggs - 02/11/21 - Referred to Senate State & Local Government Committee.
7. HB651 Alexander R. **UTILITIES: Redefines "change in net position" for purposes of financially distressed utility districts and water or wastewater facilities.** Redefines "change in net position" for purposes of financially distressed utility districts and water or wastewater facilities. Removes excluded non-cash items from reduction. Corrects a reference that should be to a petition for a new utility system.  
**Caption:** AN ACT to amend Tennessee Code Annotated, Section 7- 82-401; Section 68-221-1017 and Section 68-221- 1010, relative to utilities.  
SB533 - S. Reeves - 02/11/21 - Referred to Senate State & Local Government Committee.