



RYAN SWINDELL

GOVERNMENT RELATIONS

Clean Water Professionals of Kentucky-Tennessee

Calendar Report - Week of March 15, 2021

Mon 3/15/21 2:00pm - House Hearing Rm I, House Government Operations Committee

MEMBERS: CHAIR J. Ragan (R); VICE CHAIR J. Reedy (R); D. Byrd (R); K. Calfee (R); K. Camper (D); M. Cochran (R); V. Dixie (D); J. Faison (R); G. Johnson (D); J. Lafferty (R); W. Lamberth (R); M. Littleton (R); P. Marsh (R); M. Stewart (D); T. Warner (R)

3. 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; Title 43, Chapter 14; Title 43, Chapter 34; Title 64 and Title 69, Chapter 6, relative to soil and water conservation.
SB719 - J. Johnson - 03/10/21 - Set for Senate Government Operations Committee 03/17/21.

Mon 3/15/21 4:00pm - Senate Chamber, Senate Consent 2

19. 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 - 03/11/21 - Set for House Agriculture & Natural Resources Committee 03/17/21.
33. 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 - 03/08/21 - House passed.
42. 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-lieu 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 - 03/11/21 - Set for House Agriculture & Natural Resources Committee 03/17/21.

Mon 3/15/21 4:00pm - Senate Chamber, Senate Floor

9. 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: Senate Energy, Agriculture & Natural Resources Committee amendment 1, House Agriculture and Natural Resources Committee 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 - 03/10/21 - House Agriculture & Natural Resources Committee recommended with amendment 1 (004191). Sent to House Calendar & Rules.
15. 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.
Amendment Summary: House Agriculture & Natural Resources Subcommittee amendment 1, Senate Energy, Agriculture & Natural Resources Committee amendment 1 (004416) Deletes and replaces language in the original bill such that the only substantive change clarifies that the system of incentives includes regulatory flexibility recognizing increased environmental performance and enhanced water quality under specified permitted activities through permit conditions pursuant to duly promulgated rules.
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 - 03/11/21 - Set for House Agriculture & Natural Resources Committee 03/17/21.

Tue 3/16/21 8:30am - Senate Hearing Rm I, Senate Finance, Ways & Means Committee

HEADER: The committee will have a budget hearing by the TN Department of Revenue. They will also have an expansion request by the TN Department of Human Services. MEMBERS: CHAIR B. Watson (R); VICE CHAIR J. Stevens (R); 2ND VICE CHAIR J. Hensley (R); T. Gardenhire (R); B. Gilmore (D); F. Haile (R); J. Johnson (R); J. Lundberg (R); D. White (R); K. Yager (R); J. Yarbro (D)

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 - 03/11/21 - Set for House Consent on 03/15/21.

Tue 3/16/21 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. HB584 Terry B. **ENVIRONMENT & NATURE: Annual reports submitted by municipal solid waste regions to commissioner.** Extends the deadline for municipal solid waste regions to submit their annual reports to the commissioner of environment and conservation from March 31 to April 15. Broadly captioned.
Fiscal Note: (Dated February 5, 2021) NOT SIGNIFICANT
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7 and Title 68, relative to environmental protection.
SB1137 - D. White - 03/10/21 - Set for Senate Energy, Agriculture & Natural Resources Committee 03/17/21.
2. HB1138 Grills R. **ENVIRONMENT & NATURE: West Tennessee River Basin Flood Resiliency Fund Act.** Enacts the "West Tennessee River Basin Flood Resiliency Fund Act," which creates the West Tennessee River basin authority flooding resiliency fund. Establishes regulations regarding sources for the fund. Specifies that the fund can be used for flood control, flood risk reduction, stream and wetland restoration, water resource education and other uses for flood resiliency. Authorizes county mayors to appoint a designee to serve on the West Tennessee River basin authority board of directors.
Caption: AN ACT to amend Tennessee Code Annotated, Title 64, Chapter 1, Part 11, relative to the West Tennessee River Basin Authority.

Tue 3/16/21 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)

11. 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.

Tue 3/16/21 12:00pm - House Hearing Rm I, House Local Government Committee

MEMBERS: CHAIR J. Crawford (R); VICE CHAIR D. Wright (R); K. Calfee (R); D. Carr (R); M. Carter (R); J. Chism (D); R. Gant (R); E. Helton (R); J. Hodges (D); J. Holsclaw, Jr. (R); T. Leatherwood (R); H. Love Jr. (D); E. Mannis (R); L. Miller (D); D. Moody (R); J. Moon (R); J. Reedy (R); T. Rudd (R); J. Sexton (R); J. Shaw (D); R. Williams (R)

1. HB652 Hazlewood P. **PUBLIC FINANCE: Requirements for annual budget of a local government.** Establishes accounting requirements for the annual budget of local governments. Requires the comptroller of the treasury provide guidance to the form of that budget. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Section 4- 3-305; Title 7; Title 9 and Title 68, relative to public finance.
SB534 - F. Haile - 03/08/21 - Senate passed.

Tue 3/16/21 4:30pm - House Hearing Rm II, House K-12 Subcommittee

MEMBERS: CHAIR K. Haston (R); M. Carringer (R); G. Casada (R); S. Cepicky (R); J. Clemmons (D); C. Hurt (R); H. Love Jr. (D); J. Ragan (R); M. White (R)

4. HB727 Potts J. **EDUCATION: Water bottle filling stations in schools.** Requires each public school to have at least one student-accessible water bottle filling station within the school.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to water bottle filling stations.
SB463 - H. Campbell - 02/11/21 - Referred to Senate Education Committee.

Wed 3/17/21 8:30am - Senate Hearing Rm I, Senate Government Operations Committee

MEMBERS: CHAIR K. Roberts (R); VICE CHAIR E. Jackson (R); 2ND VICE CHAIR J. Bowling (R); M. Bell (R); H. Campbell (D); R. Crowe (R); S. Kyle (D); M. Pody (R); P. Rose (R)

1. SB719 Johnson J. **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; Title 43, Chapter 14; Title 43, Chapter 34; Title 64 and Title 69, Chapter 6, relative to soil and water conservation.
HB764 - W. Lamberth - 03/11/21 - Set for House Government Operations Committee 03/15/21.
8. SB152 Briggs R. **ENVIRONMENT & NATURE: Tennessee Cleaner Landscapes for the Economy, Agriculture, and Nature (CLEAN) Act.** Establishes the Tennessee CLEAN Commission consisting of 13 members and specifies appointment process for members. Specifies that the purpose of the commission is to create and implement a program for plastic, glass, and aluminum beverage containers which utilizes a redemption deposit value to incentivize consumers to collect and deliver beverage containers to redemption centers in order to collect the redemption deposit value. Also requires the commission to develop and implement a statewide litter program to comprehensively address litter prevention and reduction.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 39; Title 57; Title 62; Title 68; Title 69 and Title 70, relative to the Tennessee CLEAN Act.
HB174 - J. Faison - 02/01/21 - Referred to House Agriculture & Natural Resources Subcommittee.

Wed 3/17/21 11:30am - Senate Hearing Rm I, Senate Energy, Agriculture & Natural Resources Committee

HEADER: Final Calendar. The committee will have a budget hearing by the TN Department of Tourist Development. 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)

2. SB1492 Akbari R. **ENVIRONMENT & NATURE: Persons who withdraw 10,000 or more gallons of water per day.** Requires those who withdraw 10,000 or more gallons of water per day to respond to an emergency to provide written notice to the director of the water resources division within 90 days of the withdraw. Broadly captioned.
Fiscal Note: (Dated February 24, 2021) NOT SIGNIFICANT
Caption: AN ACT to amend Tennessee Code Annotated, Title 65 and Title 69, relative to water resources. HB1136 - H. Love Jr. - 02/24/21 - Referred to House Agriculture & Natural Resources Subcommittee.
3. SB742 Johnson J. **ENERGY & MINING: Time limit for notifying applicants under the Primacy and Reclamation Act of TN regarding approval of an application.** Clarifies that 60-day time limit for notifying applicants under the Primacy and Reclamation Act of Tennessee whether an application has been approved or disapproved applies to new applications rather than new amendments to existing applications. Broadly captioned.
Fiscal Note: (Dated January 12, 2021) NOT SIGNIFICANT
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 10; Title 50; Title 59; Title 60; Title 67; Title 68; Title 69 and Chapter 839 of the Public Acts of 2018, relative to coal mining and reclamation.
Comment: TDEC Administration Bill
HB90 - W. Lamberth - 01/27/21 - Referred to House Agriculture & Natural Resources Subcommittee.
5. SB1080 Roberts K. **ECONOMIC DEVELOPMENT: Development of strategies for improvements for non-fish and game recreational activities.** Requires the department to review for possible funding resources and develop strategies for improvements for non-fish and game recreational activities, in conjunction with the Tennessee wildlife resources agency and the department of environment and conservation and report its findings to the governor and the general assembly by January 1, 2022. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 69 and Title 70, relative to recreational activities.
HB1389 - C. Todd - 03/01/21 - Referred to House Agriculture & Natural Resources Subcommittee.
6. SB1137 White D. **ENVIRONMENT & NATURE: Annual reports submitted by municipal solid waste regions to commissioner.** Extends the deadline for municipal solid waste regions to submit their annual reports to the commissioner of environment and conservation from March 31 to April 15. Broadly captioned.
Fiscal Note: (Dated February 5, 2021) NOT SIGNIFICANT
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7 and Title 68, relative to environmental protection.
HB584 - B. Terry - 03/11/21 - Set for House Agriculture & Natural Resources Subcommittee 03/16/21.
8. 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.
10. SB940 Kyle S. **ENERGY & MINING: Annual reporting by persons engaged in mining, quarrying, production of minerals or gas.** Changes from February 15 to February 1 the due date for persons engaged in mining, quarrying, production of minerals or gas, manufacture of gas or pig iron, and similar businesses to annually report output to the department of labor and workforce development. Broadly captioned.
Fiscal Note: (Dated February 12, 2021) NOT SIGNIFICANT
Caption: AN ACT to amend Tennessee Code Annotated, Title 59; Title 67, Chapter 7; Section 68-105-120 and Title 69, Chapter 3, relative to mining.
HB1435 - G. Johnson - 02/25/21 - Caption bill held on House clerk's desk.
11. SB1189 Jackson E. **ENVIRONMENT & NATURE: West Tennessee River Basin Flood Resiliency Fund Act.** Enacts the "West Tennessee River Basin Flood Resiliency Fund Act," which creates the West Tennessee River basin authority flooding resiliency fund. Establishes regulations regarding sources for the fund. Specifies that the fund can be used for flood control, flood risk reduction, stream and wetland restoration, water resource education and other uses for flood resiliency. Authorizes county mayors to appoint a designee to serve on the West Tennessee River basin authority board of directors.
Caption: AN ACT to amend Tennessee Code Annotated, Title 64, Chapter 1, Part 11, relative to the West Tennessee River Basin Authority.
HB1138 - R. Grills - 03/11/21 - Set for House Agriculture & Natural Resources Subcommittee 03/16/21.
17. SB836 Niceley F. **LOCAL GOVERNMENT: Open pit mines and quarries - exemption from local regulations.** Establishes that formerly operating pit mines or quarries that agree to receive fill or borrow material from state highway construction projects are exempt from local regulations that limit the operator's ability to fill the pit and reclaim and restore the site. Requires the fill work to comply with the Tennessee Water Pollution Control Act and the applicable state rules.
Caption: AN ACT to amend Tennessee Code Annotated, Title 59, Chapter 8, relative to reclamation.
HB871 - S. Campbell - 02/20/21 - Referred to House Agriculture & Natural Resources Subcommittee.

Wed 3/17/21 2:00pm - House Hearing Rm III, House Agriculture & Natural Resources Committee

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. 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 - 03/11/21 - Set for Senate Consent 2 03/15/21.
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 - 03/11/21 - Set for Senate Consent 2 03/15/21.
6. 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.
Amendment Summary: House Agriculture & Natural Resources Subcommittee amendment 1, Senate Energy, Agriculture & Natural Resources Committee amendment 1 (004416) Deletes and replaces language in the original bill such that the only substantive change clarifies that the system of incentives includes regulatory flexibility recognizing increased environmental performance and enhanced water quality under specified permitted activities through permit conditions pursuant to duly promulgated rules.
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 - 03/11/21 - Set for Senate Floor 03/15/21.

Wed 3/17/21 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)

1. HB1382
Todd C. **UTILITIES: TPUC annual report to general assembly and governor.** Requires the public utility commission to make an electronic copy of its annual report to the general assembly and governor available on its website and accessible to the general public. Broadly captioned.
Fiscal Note: (Dated February 13, 2021) NOT SIGNIFICANT
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 7; Title 8; Title 13; Title 47, Chapter 18 and Title 65, relative to oversight of utility providers.
SB1572 - P. Bailey - 02/22/21 - Referred to Senate Commerce & Labor Committee.
7. 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.
9. HB390
Harris T. **UTILITIES: Policies governing discontinuation of service for nonpayment.** Prohibits a utility governing body from discontinuing service on a day on which reconnections cannot take place within 24 hours or on the day preceding or following a legal holiday. Makes statewide the requirement for utilities to establish a policy governing discontinuation of service for nonpayment. In current law, requirement only applies to Davidson County.
Fiscal Note: (Dated February 5, 2021) NOT SIGNIFICANT
Caption: AN ACT to amend Tennessee Code Annotated, Title 7 and Title 65, relative to utilities.
SB1305 - J. Yarbro - 02/22/21 - Referred to Senate State & Local Government Committee.

10. HB1328 **UTILITIES: Cutting off of service by a utility.** Prohibits a utility from cutting off an existing service at an address to establish a new service at the same address without the utility first contacting the registered customer with the existing service at the address and confirms the utility has the correct address; this would apply to all counties. Broadly captioned.
Harris T.
- Fiscal Note:** (Dated February 19, 2021) NOT SIGNIFICANT
Caption: AN ACT to amend Tennessee Code Annotated, Title 7; Title 47, Chapter 18 and Title 65, relative to utilities.
SB1304 - J. Yarbro - 02/22/21 - Referred to Senate State & Local Government Committee.