



January 23, 2018

SENATE BILL No. 361

DIGEST OF SB 361 (Updated January 22, 2018 11:15 am - DI 84)

Citations Affected: IC 2-5.

Synopsis: Water infrastructure task force. Establishes a water infrastructure task force (task force) consisting of two members of the senate, two members of the house of representatives, and five governor's appointees, one of whom the governor shall appoint to serve as chair of the task force. Requires the task force to: (1) study drinking water systems and wastewater management systems; and (2) develop a long term plan for addressing drinking water and wastewater needs in Indiana. Requires the Indiana Finance Authority to provide staff support to the task force. Requires the task force to submit a report containing certain recommendations to the general assembly and the governor not later than December 1, 2018.

Effective: Upon passage.

Charbonneau, Eckerty, Merritt

January 4, 2018, read first time and referred to Committee on Environmental Affairs.
January 22, 2018, reported favorably — Do Pass.

SB 361—LS 7016/DI 55



January 23, 2018

Second Regular Session 120th General Assembly (2018)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2017 Regular Session of the General Assembly.

SENATE BILL No. 361

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 2-5-41 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
3 PASSAGE]:

4 **Chapter 41. Water Infrastructure Task Force**

5 **Sec. 1. As used in this chapter, "task force" refers to the water**
6 **infrastructure task force established by section 2 of this chapter.**

7 **Sec. 2. The water infrastructure task force is established.**

8 **Sec. 3. The task force consists of the following members:**

9 (1) **Two (2) members of the senate, of whom:**

10 (A) **one (1) shall be appointed by the president pro**
11 **tempore; and**

12 (B) **one (1) shall be appointed by the minority leader.**

13 (2) **Two (2) members of the house of representatives, of**
14 **whom:**

15 (A) **one (1) shall be appointed by the speaker; and**

16 (B) **one (1) shall be appointed by the minority leader.**

17 (3) **Five (5) members appointed by the governor.**

SB 361—LS 7016/DI 55



1 **Sec. 4. (a) The governor shall appoint one (1) member appointed**
2 **under section 3(3) of this chapter as chair of the task force.**

3 **(b) The task force shall meet at the call of the chair.**

4 **Sec. 5. (a) A majority of the members of the task force constitute**
5 **a quorum.**

6 **(b) The affirmative vote of at least a majority of the members of**
7 **the task force is necessary for the task force to take official action**
8 **other than to meet and take testimony.**

9 **Sec. 6. The task force shall do the following:**

10 **(1) Review public and private studies and reports on Indiana's**
11 **water and wastewater systems.**

12 **(2) Assess the value of Indiana's water and wastewater**
13 **systems to the economy of the state.**

14 **(3) Examine recommended standards and best practices for**
15 **the maintenance and life cycle management of:**

16 **(A) drinking water systems; and**

17 **(B) wastewater management systems.**

18 **(4) Analyze whether individual:**

19 **(A) drinking water systems; and**

20 **(B) wastewater management systems;**

21 **in Indiana are achieving the recommended standards referred**
22 **to in subdivision (3).**

23 **(5) Assess the adequacy of present sources of funding for the**
24 **maintenance and life cycle management of:**

25 **(A) drinking water systems; and**

26 **(B) wastewater management systems;**

27 **and, if necessary, identify additional sources of funding.**

28 **(6) Evaluate whether, considering:**

29 **(A) the availability of resources;**

30 **(B) the ownership of resources;**

31 **(C) changing population demographics;**

32 **(D) appropriate system capacity;**

33 **(E) operational expertise;**

34 **(F) public health and safety; and**

35 **(G) economic development;**

36 **the regionalization of water infrastructure could improve**
37 **system performance and ratepayer value.**

38 **(7) Assess the extent to which an improved system of water**
39 **infrastructure would enhance economic development in**
40 **Indiana.**

41 **Sec. 7. The task force shall develop a long term plan for**
42 **addressing drinking water and wastewater needs in Indiana. The**



1 long term plan must include recommendations to the general
2 assembly and the governor concerning the following:

3 (1) Outcomes that must be achieved in order to overcome
4 challenges facing Indiana's local water infrastructure, and the
5 benchmarks and timelines that must be met in order to
6 achieve these outcomes.

7 (2) Metrics to be used in assessing the current status of:

8 (A) drinking water systems; and

9 (B) wastewater management systems;

10 and in tracking the progress made toward accomplishing all
11 goals, benchmarks, and recommended standards.

12 (3) Funding and financing mechanisms that should be used to
13 achieve necessary improvements in:

14 (A) drinking water systems; and

15 (B) wastewater management systems.

16 (4) A determination of who should bear the financial burden
17 of improving:

18 (A) drinking water systems; and

19 (B) wastewater management systems;

20 and how the financial burden should be apportioned among
21 those bearing the financial burden.

22 (5) The definition of proper roles and responsibilities for all
23 state agencies involved in regulating, financing, or managing
24 of:

25 (A) drinking water systems; and

26 (B) wastewater management systems.

27 (6) Appropriate legislation for the 2019 legislative session
28 based on the recommendations made under subdivisions (1)
29 through (5).

30 Sec. 8. The task force shall:

31 (1) issue a report setting forth the recommendations made
32 under section 7 of this chapter; and

33 (2) not later than December 1, 2018, submit the report:

34 (A) in an electronic format under IC 5-14-6 to the
35 executive director of the legislative services agency for
36 distribution to the members of the general assembly; and

37 (B) to the governor.

38 Sec. 9. The Indiana finance authority shall provide staff support
39 to the task force.

40 Sec. 10. This chapter expires January 1, 2019.

41 SECTION 2. An emergency is declared for this act.



COMMITTEE REPORT

Madam President: The Senate Committee on Environmental Affairs, to which was referred Senate Bill No. 361, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 361 as introduced.)

ECKERTY, Chairperson

Committee Vote: Yeas 8, Nays 0

