Regional Wastewater Advisory Committee

2021 Legislative Update

Carmine DeBonis, Jr.
Deputy County Administrator – Public Works

March 25, 2021
Pima County Legislative Priorities

The general legislative priorities of Pima County are as follows:

1. Criminal Justice Reform
2. Transportation Funding
3. Strengthening County Public Health Functions
4. Reducing or Eliminating Annual State Cost Transfers to Counties
5. Public Works - Wastewater Reclamation Fees – Billing and Collection
6. Support the County Supervisors Association Adopted Legislative Agenda
Wastewater Reclamation Fees Billing and Collection

Pima County’s Regional Wastewater and Reclamation Department (RWRD) now spends $5.3 million in having various water utilities provide a billing and collection system for wastewater fees. This is done primarily due to the inability to turn off sewer service as opposed to metered water service. The RWRD has only this mechanism as well as a Court mechanism to collect delinquent fees. Given, RWRD fees rarely vary not only month-to-month but also year-to-year, the actual billed amount remains constant over an entire year and sometimes over multiple years. Therefore, the funding provided to various water utilities for this analysis service of three-month water average water billing is highly inefficient and unnecessary except for delinquent collections.

A much more efficient manner would be to have the RWRD delinquent bills become a lien against the real property served by wastewater connection this would require that when property ownership is transferred, any liens regarding delinquent sewer user fees would be required to be paid before title to a property with delinquent fees could transfer.

To reduce costs, legislation should be enacted allowing a property lien for nonpayment of sewage system user fees be allowed if payment is delinquent for more than 90 days. Such would result in lower operating cost of the RWRD and if legislation is provided, the differential in costs or cost savings could be then rebated to customers.
2021 Arizona legislative session

General information

Session start: January 11, 2021
Session end: April 24, 2021
Leadership

Senate President
Karen Fann (R)

House Speaker
Russell Bowers (R)

Majority Leader
Senate: Rick Gray (R)
House: Ben Toma (R)

Minority Leader
Senate: Rebecca Rios (D)
House: Reginald Bolding (D)
### Arizona State Senate

<table>
<thead>
<tr>
<th>Party</th>
<th>As of January 2021</th>
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<tbody>
<tr>
<td>Democratic Party</td>
<td>14</td>
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<tr>
<td>Republican Party</td>
<td>16</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>30</strong></td>
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### Arizona House of Representatives

<table>
<thead>
<tr>
<th>Party</th>
<th>As of January 2021</th>
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<tbody>
<tr>
<td>Democratic Party</td>
<td>29</td>
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<tr>
<td>Republican Party</td>
<td>31</td>
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<tr>
<td><strong>Total</strong></td>
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</table>
Recently Passed Legislation

**AZ HB2160 - Occupational safety; advisory committee; enforcement**
- Occupational safety; advisory committee; enforcement
- 03/23/2021: Governor Signed

**AZ HB2580 - Environmental quality omnibus**
- Environmental quality omnibus
- 03/23/2021: Governor Signed

**AZ HB2441 - Water; substitute acreage**
- Water; substitute acreage
- 03/23/2021: Governor Signed
FACT SHEET FOR H.B. 2160

**ARIZONA STATE SENATE**
Fifty-Fifth Legislature, First Regular Session

**occupational safety; advisory committee; enforcement**

**Purpose**

Allows the Director of the Arizona Division of Occupational Safety and Health (ADOSH) to excuse an employer's late notification to contest a citation if the employer shows the notice was not received.
ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
First Regular Session

House: NREW DPA 7-3-0-0 | 3rd Read 34-24-1-0-0-1
Senate: NREW DP 5-4-0-0 | 3rd Read 16-14-0-0

HB 2441: water; substitute acreage
Sponsor: Representative Griffin, LD 14
Transmitted to the Governor

Overview
Allows someone to permanently retire acreage from irrigation and substitute the same amount of acreage if those retired lands were damaged by a flood or have a limiting condition, if the person can meet certain criteria.

History
Statute allows those who own land that can be legally irrigated in an active management area (AMA) or an irrigation non-expansion area (INA) to apply to the Arizona Department of Water Resources (ADWR) Director to permanently retire those lands from irrigation and instead irrigate a substitute amount of acreage if they can meet certain prescribed statutory criteria.
ARIZONA HOUSE OF REPRESENTATIVES
Fifty-fifth Legislature
First Regular Session

House: NREW DP 9-0-0-1 | 3rd Read 59-1-0-0
Senate: NREW DP 8-1-0-0 | 3rd Read 27-3-0-0

HB 2580: environmental quality omnibus
Sponsor: Representative Griffin, LD 14
Transmitted to the Governor

Overview
Repeals and revises statutes for various programs administered by the Arizona Department of Environmental Quality (ADEQ).

History
ADEQ was created in 1986 and administers several programs that regulate air quality, water quality, solid waste, and hazardous waste. The U.S. Environmental Protection Agency (EPA) has delegated regulatory responsibility to ADEQ for some programs that are required under federal environmental laws such as the Clean Air Act, the Safe Drinking Water Act, the Clean Water Act and the Resource Conservation and Recovery Act. This delegation requires enactment of state laws that are at least as stringent as the federal law and adequate state resources to manage the program. Other programs administered by ADEQ are required by state law.

Provisions

Remedial Water Quality Actions

1. Deletes language that:
   a) Outlined how ADEQ would (until January 1, 1999) handle Section 401 certification applications that needed additional information for the agency to make a certification determination; (Sec. 2)
   b) Required the ADEQ Director to adopt rules for site boundary adjustment petitions for remedial water quality actions; and (Sec. 4)
   c) Required, when developing a community involvement plan for each site, ADEQ to participate in scheduling public meetings. (Sec. 5)

2. Replaces the requirement that each community advisory board meet with ADEQ at least quarterly with a requirement that this body meet with ADEQ in response to site activities or a request from a community advisory board member or a city, town, or county in which the site is located. (Sec. 5)
## Wastewater Related Legislation

### Bills search results for 'wastewater'

Your search for wastewater resulted in 44 document(s) (max 1000). Up to 50 documents will be displayed on each page.

<table>
<thead>
<tr>
<th>Document</th>
<th>Phrase Hit Count</th>
<th>Last Updated</th>
<th>Document Description</th>
<th>Bill #</th>
<th>Short/NOW Title</th>
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</table>
| PDF      | 36               | 03/04/2021    | HB2691 - 551R - H Ver | HB2691 | groundwater permits; technical correction
| PDF      | 22               | 01/26/2021    | SB1386 - 551R - I Ver | SB1386 | water; augmentation authority; special districts                              |
| PDF      | 19               | 01/22/2021    | HB2520 - 551R - I Ver | HB2520 | hydraulic fracturing; prohibitions.                                             |
| PDF      | 19               | 01/14/2021    | HB2199 - 551R - I Ver | HB2199 | hydraulic fracturing; prohibitions.                                             |
| PDF      | 16               | 01/22/2021    | SB1307 - 551R - I Ver | SB1307 | water; wastewater system; county operation
**NOW:** water; wastewater system; corrective actions
Purpose

Applies current statutory application of *Navigable Waters* to waters that are classified as *Waters of the United States* (WOTUS) and establishes requirements, prohibitions and processes for water quality standards and permitting of specified protected surface waters.
Other Bills of Interest / Concern

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-fifth Legislature
First Regular Session
House: NREW DP 6-4-0-0

HB 2057: land divisions; county regulation; surveys
Sponsor: Representative Griffin, LD 14
House Engrossed

Overview
Prohibits a county from requiring a land division applicant to survey the land before receiving approval to divide or convey the land or issue a building permit.
Other Bills of Interest / Concern

Assigned to NREW

AS PASSED BY COMMITTEE

ARIZONA STATE SENATE
Fifty-Fifth Legislature, First Regular Session

AMENDED
FACT SHEET FOR S.B. 1431

flood control districts: advisory board

Purpose

Requires, rather than allows, the board of directors of a county flood control district (district) to appoint a citizen's flood control advisory board, modifies the requirements for membership and grants the board access to flood control budget information.
Question

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