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## Review of Arkansas Legislative Session (2017): David Johnson (Central Arkansas Water) Arkansas Waterworks and Water Environment Association Presentation

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David Johnson undertook a presentation at the Arkansas Waterworks and Water Environment Association conference titled:

*Review of Legislative Session – 2017 (“Presentation”)*

Mr. Johnson serves as General Counsel at Central Arkansas Water (“CAW”).

CAW is an Arkansas metropolitan water system that services a population of approximately 400,000. It has 125,000 residential, commercial, industrial, and water-metered customers in Pulaski, Saline, and Grant counties.

Mr. Johnson’s *Presentation* addressed a variety of legislative topics associated with both water and wastewater legislation. Stuart Jackson of Wright, Lindsey & Jennings was a co-presenter and addressed legislative issues associated with medical marijuana.

By way of summary, Mr. Johnson noted that in terms of “water and wastewater legislation” there were:

- 92 “water” bills
- 47 “water” acts
- 16 “wastewater” bills
- 9 “wastewater” acts

An initial focus of the *Presentation* was the Arkansas Freedom of Information Act and related legislation. The potential relevance to water and wastewater facilities was addressed.

Legislation addressing wastewater package plants was reviewed. Mr. Johnson noted that the legislation’s purpose was to:

- Shore up nonmunicipal wastewater system trust fund
- Enhance Arkansas Department of Environmental Quality (“ADEQ”) enforcement against noncompliant providers

Legislation addressing “design-build” issues was also addressed. This was described as:

- An additional procurement option for municipal sewage system

- Design and construction services are provided by a single entity
- Project minimum: \$2 million

The enactment of legislation creating an “Arkansas Water Provided Legislative Task Force” was reviewed. ([The legislation was previously discussed in a post which can be downloaded here.](#)) Mr. Johnson notes that members of the Water Task Force include:

- Governor appointees
- Legislators
- Legislative appointees
- Arkansas Natural Resource Commission representative
- Arkansas Waterworks and Water Environment Association representative
- Arkansas Wastewater Management Association representative
- Arkansas Rural Water Association representative
- Etc.

The Task Force is required to issue a report by January 1, 2019.

Miscellaneous issues addressed were:

- DROP – Return to Work (Repealing prohibition against DROP participant’s future employment in position covered by Arkansas public retirement systems)
- Concealed Carry
- Issue 3 – Permits funding of “economic development services”

Legislation that was not enacted of some relevance included:

- PVC
- Eminent domain
- SB35
- Fluoride I (Ladyman)
- Fluoride II (King)

[A copy of Mr. Johnson’s slides can be downloaded here.](#)