

The Senate Natural Resources and the Environment Committee offered the following substitute to SB 370:

LOST

A BILL TO BE ENTITLED
AN ACT

1 To enact and revise provisions of law relating to water supply and water conservation; to
2 state legislative findings; to amend Chapter 5 of Title 12 of the Official Code of Georgia
3 Annotated, relating to water resources, so as to require the Georgia Department of Natural
4 Resources, including its Environmental Protection Division, the Georgia Environmental
5 Facilities Authority, the Georgia Department of Community Affairs, the Georgia Forestry
6 Commission, the Georgia Department of Community Health, including its Division of Public
7 Health, the Georgia Department of Agriculture, and the Georgia Soil and Water Conservation
8 Commission to examine their practices, programs, policies, rules, and regulations in order
9 to develop programs and incentives for voluntary water conservation and to make regular
10 reports of measurable progress to the Governor, Lieutenant Governor, Speaker of the House,
11 and General Assembly; to require the establishment of best management practices by public
12 water systems; to provide for the classification and continuation or discontinuation of certain
13 farm use water withdrawal permits; to provide for measuring and separate charging of water
14 to units in certain new construction; to amend Article 1 of Chapter 2 of Title 8 of the Official
15 Code of Georgia Annotated, relating to buildings in general, so as to require high-efficiency
16 toilets, shower heads, and faucets; to require high-efficiency cooling towers; to create the
17 Joint Committee on Water Supply; to provide for related matters; to provide for an effective
18 date; to repeal conflicting laws; and for other purposes.

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

20 **SECTION 1.**

21 The General Assembly recognizes the imminent need to create a culture of water
22 conservation in the State of Georgia. The General Assembly also recognizes the imminent
23 need to plan for water supply enhancement during future extreme drought conditions and
24 other water emergencies. In order to achieve these goals, the General Assembly directs the
25 Georgia Department of Natural Resources to coordinate with its Environmental Protection
26 Division, the Georgia Environmental Facilities Authority, the Georgia Department of

Community Affairs, the Georgia Forestry Commission, the Georgia Department of Community Health, including its Division of Public Health, the Georgia Department of Agriculture, and the Georgia Soil and Water Conservation Commission to work together as appropriate to develop programs for water conservation and water supply.

SECTION 2.

Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to water resources, is amended by inserting in lieu of reserved Code Section 12-5-4 a new Code Section 12-5-4 to read as follows:

"12-5-4.

(a) As used in this Code section, the term 'agency' or 'agencies' means the Georgia Department of Natural Resources, including its Environmental Protection Division, the Georgia Environmental Facilities Authority, the Georgia Department of Community Affairs, the Georgia Forestry Commission, the Georgia Department of Community Health, including its Division of Public Health, the Georgia Department of Agriculture, and the Georgia Soil and Water Conservation Commission individually or collectively as the text requires.

(b) On or before August 1, 2010, the agencies shall examine their practices, programs, policies, rules, and regulations to identify opportunities to provide enhanced programming and incentives for voluntary water conservation. The agencies shall, without limitation, identify and provide for rules, regulations, incentives, or opportunities to:

(1) Include water conservation measures in the comprehensive plans submitted to the Department of Community Affairs by local governments;

(2) Provide technical assistance to local governments and public water systems for water loss abatement activities;

(3) Support state-wide water campaigns and public outreach programs, such as Conserve Georgia and WaterFirst programs;

(4) Encourage residential and commercial retrofits for water efficient fixtures and equipment;

(5) Encourage residential and commercial retrofits for water efficient landscaping irrigation systems;

(6) Encourage the installation of landscapes in commercial and residential settings utilizing landscape best management practices that include soil preparation, plant selection, and water use efficiency;

(7) Encourage the use of rain water and gray water, where appropriate, in lieu of potable water;

- 62 (8) Encourage the installation of submeters on existing nonsubmetered multifamily
63 complexes and multiunit commercial and industrial complexes;
64 (9) Encourage public water systems to develop and improve water loss abatement
65 programs;
66 (10) Encourage public water systems to implement the industry's best management
67 practices for controlling water loss and achieve the recommended standards;
68 (11) Provide incentives for residential and commercial water conservation pricing by
69 public water systems;
70 (12) Provide incentives for public water systems to use full cost accounting;
71 (13) Encourage voluntary inclusion of water conservation guidelines in applications for
72 new ground-water withdrawal permits and surface-water withdrawal permits; and
73 (14) Examine the effect that water conservation has on water rates and consider policies
74 to mitigate the financial impact that rate increases or reductions in water use have on
75 water utilities and water users.

76 (c) On or before August 1, 2010, the agencies shall examine their practices, programs,
77 policies, rules, and regulations to identify opportunities to enhance the state's water supply.
78 The agencies shall, without limitation, identify opportunities to:

- 79 (1) Prioritize funding, when available, for interconnections of systems, ground water,
80 expanded reservoirs, and new reservoirs; and
81 (2) Conduct feasibility studies on reservoir dredging and water management measures
82 that could enhance water supply when funding is available.

83 (d) Each agency shall coordinate with the Department of Natural Resources to:

- 84 (1) Establish administrative programs and procedures to encourage water conservation
85 and to enhance the state's water supply consistent with the results of the reviews required
86 under subsections (b) and (c) of this Code section;
87 (2) Submit an interim report of the reviews required under subsections (b) and (c) of this
88 Code section to the Governor, Lieutenant Governor, and Speaker of the House on or
89 before July 1, 2010, which shall include, at a minimum, the programmatic changes and
90 proposed changes being implemented to encourage water conservation and to enhance
91 the state's water supply;
92 (3) Submit a final report of the review required under subsections (b) and (c) of this
93 Code section to the General Assembly by August 1, 2010, which report shall include at
94 a minimum an outline and narrative summary of the rules, regulations, and policies that
95 have been adopted to encourage water conservation and to enhance the state's water
96 supply; and
97 (4) Submit a report to the General Assembly on or before January 1 of 2011, 2012, 2013,
98 2014, and 2015 including an outline and narrative summary of the the programmatic

changes encouraging water conservation and to enhance the state's water supply that were implemented during the immediately preceding calendar year, outlining the agency's goals for the next calendar year, and identifying the rules, regulations, and policies that were adopted to support those programmatic changes."

SECTION 3.

Said chapter is further amended by adding a new Code Section 12-5-4.1, to read as follows:

"12-5-4.1.

(a) As used in this Code section, the term:

(1) 'Division' means the Environmental Protection Division of the Department of Natural Resources.

(2) 'Public water system' means a system for the provision to the public of piped water for human consumption, if such system regularly serves at least 3,300 individuals. Such term includes but is not limited to any collection, treatment, storage, and distribution facilities under the control of the operator of such system and used primarily in connection with such system and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system.

(b) The Board of Natural Resources shall by January 1, 2011, adopt rules for the minimum standards and best practices for monitoring and improving the efficiency and effectiveness of water use by public water systems to improve water conservation. The best practices program shall include without limitation:

(1) The establishment of an infrastructure leakage index;

(2) The establishment of categories of public water systems based on geographical size and service population;

(3) A phased-in approach requiring public water systems to conduct standardized annual water loss audits according to the International Water Association water audit method/standard and to submit those audits to the division;

(4) A phased-in approach requiring public water systems to implement water loss detection programs; and

(5) The development of a technical assistance program to provide guidance to public water systems for water loss detection programs, to include without limitation metering techniques, utilization of portable and permanent water loss detection devices, and funding when available.

By January 1, 2012, public water systems serving at least 10,000 individuals shall have conducted a water loss audit pursuant to the minimum standards and best practices adopted by the Board of Natural Resources. By January 1, 2013, all other public water systems shall have conducted a water loss audit pursuant to the minimum standards and best

135 practices adopted by the Board of Natural Resources. Audit results shall be submitted to
136 the division within 60 days of completion and shall be posted on the division's website in
137 a timely manner after receipt by the division."

138 **SECTION 4.**

139 Said chapter is further amended in Code Section 12-5-31, relating to permits for withdrawal,
140 diversion, or impoundment of surface waters, by adding a new subsection to read as follows:

141 "(p) In addition to the other provisions of this Code section, there shall be established three
142 categories of farm use surface water withdrawal permits: active, inactive, and unused. The
143 rules and regulations implementing this subsection shall provide without limitation for the
144 following:

145 (1) An active farm use surface water withdrawal permit means one that has been acted
146 upon and used for allowable purposes;

147 (2) An inactive farm use surface water withdrawal permit means one where the permit
148 holder has requested inactive status in order to retain ownership of the permit for possible
149 future use or reuse. Inactive permits shall be retained by the permit holder without
150 modification;

151 (3) An unused farm use surface water withdrawal permit means one that has never been
152 used for allowable purposes. Unused permits expire after two years unless changed to
153 active or inactive status. Unused permits shall not be transferred or assigned to
154 subsequent owners of the lands as provided in paragraph (3) of subsection (a) of this
155 Code section;

156 (4) An inactive farm use surface water withdrawal permit shall be reclassified to an
157 active permit when the permit holder has given the director 60 days' written notice and
158 paid any applicable fees in accordance with paragraph (3) of subsection (a) of this Code
159 section; and

160 (5) The director shall, via certified mail, return receipt requested, contact, or cause to be
161 contacted, any person who holds a permit that the director has determined is unused. The
162 notification shall include the permit identification and information regarding the
163 classifications and procedures for changing classifications. The permit holder shall have
164 120 days to respond after which the director shall issue a second notice via certified mail,
165 return receipt requested. Two years after the date on which the director first notified the
166 permit holder via certified mail, return receipt requested, of the unused status
167 determination of the permit, the director shall revoke the permit if the permit holder has
168 not requested that the unused permit be reclassified as inactive or active."

SECTION 5.

Said chapter is further amended in Code Section 12-5-105, relating to permits for use of ground waters, by adding a new subsection to read as follows:

"(d) In addition to the other provisions of this Code section, there shall be established three categories of farm use ground-water withdrawal permits: active, inactive, and unused. The rules and regulations implementing this subsection shall provide without limitation for the following:

(1) An active farm use ground-water withdrawal permit means one that has been acted upon and used for allowable purposes;

(2) An inactive farm use ground-water withdrawal permit means one where the permit holder has requested inactive status in order to retain ownership of the permit for possible future use or reuse. Inactive permits shall be retained by the permit holder without modification;

(3) An unused farm use ground-water withdrawal permit means one that has never been used for allowable purposes. Unused permits expire after two years unless changed to active or inactive status. Unused permits shall not be transferred or assigned to subsequent owners of the lands as provided in paragraph (1) of subsection (b) of this Code section:

(4) An inactive farm use ground-water withdrawal permit shall be reclassified to active when the permit holder has given the director 60 days' written notice and paid any applicable fees in accordance with subsection (a) of this Code section;

(5) The director shall, via certified mail, return receipt requested, contact, or cause to be contacted, any person who holds a permit that the director has determined is unused. The notification shall include the permit identification and information regarding the classifications and procedures for changing classifications. The permit holder shall have 120 days to respond after which the director shall issue a second notice via certified mail, return receipt requested. Two years after the date on which the director first notified the permit holder via certified mail, return receipt requested, of the unused status determination of the permit, the director shall revoke the permit if the permit holder has not requested that the unused permit be reclassified as inactive or active."

SECTION 6.

Said chapter is further amended by revising Code Section 12-5-180.1, relating to allocating water and waste-water usage among tenants and charging tenants for usage, as follows:

"12-5-180.1.

(a) Except as otherwise provided in subsections (c) and (d) of this Code section, the The owner or operator of a building containing residential units may install equipment or use

205 an economic allocation methodology to determine the quantity of water that is provided to
206 the tenants and used in the common areas of such a building; and the owner of such a
207 building may charge tenants separately for water and waste-water service based on usage
208 as determined through the use of such equipment or allocation methodology.

209 (b) Except as otherwise provided in subsections (c) and (d) of this Code section, the The
210 owner or operator of a building containing residential units may charge tenants separately
211 for water and waste-water service, provided that the total amount of the charges to the
212 tenants of such a building shall not exceed the total charges paid by the owner or operator
213 for water and waste-water service for such building plus a reasonable fee for establishing,
214 servicing, and billing for water and waste-water service and provided, further, that the
215 terms of the charges are disclosed to the tenants prior to any contractual agreement.

216 (c) All new multiunit residential buildings permitted on or after July 1, 2012, shall be
217 constructed in a manner which will permit the measurement by a county, municipal, or
218 other public water system or by the owner or operator of water use by each unit. This
219 subsection shall not apply to any building constructed or permitted prior to July 1, 2012,
220 which is thereafter: (1) renovated; or (2) following a casualty or condemnation, renovated
221 or rebuilt.

222 (d) All new multiunit retail and light industrial buildings permitted or with a pending
223 permit application on or after July 1, 2012, shall be constructed in a manner which will
224 permit the measurement by the owner or operator of water use by each unit. This
225 subsection shall not apply to any building constructed or permitted prior to July 1, 2012,
226 which is thereafter: (1) renovated; or (2) following a casualty or condemnation, renovated
227 or rebuilt. This subsection is not intended to apply to newly constructed multiunit office
228 buildings or office components of mixed use developments. Multiunit office buildings and
229 the office component of mixed use developments may seek reimbursement from office
230 tenants for water and waste-water use through an economic allocation which approximates
231 the water use of each tenant based on square footage. The retail component of a mixed use
232 development shall be constructed in a manner which will permit the measurement by the
233 owner or operator of water use by each retail unit.

234 (e)(1) A county, municipal, or other public water system, if applicable, or the owner or
235 operator of a building which is subject to subsection (c) or (d) of this Code section shall
236 seek reimbursement for water and waste-water usage by the units through an economic
237 allocation methodology which is based on the measured quantity of water used by each
238 unit.

239 (2) The owner or operator of such a building which includes common areas for the
240 benefit of the units may also seek reimbursement for common area water and waste-water

use through an economic allocation which approximates the portion of the common area water and waste-water services allocable to each unit.

(3) The total amount of charges to the units under paragraphs (1) and (2) of this subsection shall not exceed the total charges paid by the owner or operator for water and waste-water service for the building, plus a reasonable fee for establishing, servicing, and billing water and waste-water consumption.

(4) The director shall be empowered to issue a temporary waiver of this subsection upon a showing by an owner or operator of a building subject to this subsection that compliance with this subsection has temporarily become impracticable due to circumstances beyond the control of the owner or operator. Such waiver shall be limited in duration to the period during which such circumstances remain in effect and beyond the control of the owner or operator to change.

(5) The owner or operator who seeks reimbursement for water and waste-water usage as required by this chapter shall be relieved of liability for actions or inactions that occur as a result of errors by an unaffiliated third-party billing or meter-reading company.

(f) A county, municipal, or other public water system shall be prohibited from charging any fee or levy for the installation or use of privately owned meters or other devices which measure or assist in the measurement of water use under subsection (c) of this Code section; provided, however, a county, municipal or other public water system shall be permitted to charge a fee or levy for the installation or use of publicly owned meters or other devices which measure or assist in the measurement of water use.

(g) Subsections (c), (d), and (e) of this Code section shall not apply to any construction of a building the permit for which was granted prior to July 1, 2012."

SECTION 7.

Article 1 of Chapter 2 of Title 8 of the Official Code of Georgia Annotated, relating to buildings in general, is amended by revising Code Section 8-2-3, relating to requirements for toilets, shower heads, and faucets, as follows:

"8-2-3.

(a) On or before July 1, 2012, the department, with the approval of the board, shall amend applicable state minimum standard codes to require the installation of high-efficiency plumbing fixtures in all new construction permitted on or after July 1, 2012.

(b) As used in this Code section, the term:

(1) 'Commercial' means any type of building other than residential.

(2) 'Construction' means the erection of a new building or the alteration of an existing building in connection with its repair or renovation or in connection with making an

addition to an existing building and shall include the replacement of a malfunctioning, unserviceable, or obsolete faucet, showerhead, toilet, or urinal in an existing building.

(2) 'Department' means the Department of Community Affairs.

(3) 'Residential' means any building or unit of a building intended for occupancy as a dwelling but shall not include a hotel or motel. 'Lavatory faucet' means a faucet that discharges into a lavatory basin in a domestic or commercial installation.

(4) 'Plumbing fixture' means a device that receives water, waste, or both and discharges the water, waste, or both into a drainage system. The term includes a kitchen sink, utility sink, lavatory, bidet, bathtub, shower, urinal, toilet, water closet, or drinking water fountain.

(5) 'Plumbing fixture fitting' means a device that controls and directs the flow of water. The term includes a sink faucet, lavatory faucet, showerhead, or bath filler.

(6) 'Pressurized flushing device' means a device that contains a valve that:

(A) Is attached to a pressurized water supply pipe that is of sufficient size to deliver water at the necessary rate of flow to ensure flushing when the valve is open; and

(B) Opens on actuation to allow water to flow into the fixture at a rate and in a quantity necessary for the operation of the fixture and gradually closes to avoid water hammer.

(7) 'Toilet' means a water closet.

(8) 'Water closet' means a fixture with a water-containing receptor that receives liquid and solid body waste and on actuation conveys the waste through an exposed integral trap into a drainage system and which is also referred to as a toilet.

(9) 'WaterSense™' means a voluntary program of the United States Environmental Protection Agency designed to identify and promote water efficient products and practices.

(b) After April 1, 1992, there shall not be initiated within this state the construction of any residential building of any type which:

(c) The standards related to high-efficiency plumbing fixtures shall include without limitation, the following:

(1) Employs a gravity tank-type, flushometer-valve, or flushometer-tank toilet that uses more than an average of 1.6 gallons of water per flush; provided, however, this paragraph shall not be applicable to one-piece toilets until July 1, 1992; A water closet or toilet that:

(A) Is a dual flush water closet that meets the following standards:

(i) The average flush volume of two reduced flushes and one full flush may not exceed 1.28 gallons;

(ii) The toilet meets the performance, testing, and labeling requirements prescribed by the following standards, as applicable:

(I) American Society of Mechanical Engineers Standard A112.19.2-2008; and

313 (II) American Society of Mechanical Engineers Standard A112.19.14-2006

314 'Six-Liter Water Closets Equipped with a Dual Flushing Device'; and

315 (iii) Is listed to the WaterSense™ Tank-Type High Efficiency Toilet Specification;

316 or

317 (B) Is a single flush water closet, including gravity, pressure assisted, and
318 electro-hydraulic tank types, that meets the following standards:

319 (i) The average flush volume may not exceed 1.28 gallons;

320 (ii) The toilet must meet the performance, testing, and labeling requirements
321 prescribed by the American Society of Mechanical Engineers Standard
322 A112.192/CSA B45.1 or A112.19.14; and

323 (iii) The toilet must be listed to the WaterSense™ Tank-Type High Efficiency Toilet
324 Specification;

325 (2) Employs a A shower head that allows a flow of no more than an average of 2.5
326 gallons of water per minute at 60 pounds per square inch of pressure;

327 (3) Employs a A urinal that uses more than an average of 1.0 gallon of water per flush;
328 and associated flush valve that:

329 (A) Uses no more than 0.5 gallons of water per flush;

330 (B) Meets the performance, testing, and labeling requirements prescribed by the
331 American Society of Mechanical Engineers Standard A112.19.2/CSA B45.1;

332 (C) For flushing urinals, meets all WaterSense™ specifications for flushing urinals;
333 and

334 (D) Where nonwater urinals are employed, complies with American Society of
335 Mechanical Engineers Standard A112.19.3/CSA B45.4, American Society of
336 Mechanical Engineers Standard A112.19.19/CSA B45.4, or International Association
337 of Plumbing and Mechanical Officials Z124.9. Nonwater urinals shall be cleaned and
338 maintained in accordance with the manufacturer's instructions after installation. Where
339 nonwater urinals are installed they shall have a water distribution line roughed-in to the
340 urinal location at a minimum height of 56 inches (1,422 mm) to allow for the
341 installation of an approved backflow prevention device in the event of a retrofit. Such
342 water distribution lines shall be installed with shut-off valves located as close as
343 possible to the distributing main to prevent the creation of dead ends. Where nonwater
344 urinals are installed, a minimum of one water supplied fixture rated at a minimum of
345 one water supply fixture unit shall be installed upstream on the same drain line to
346 facilitate drain line flow and rinsing;

347 (4) Employs a A lavatory faucet or lavatory replacement aerator that allows a flow of no
348 more than 2.0 1.5 gallons of water per minute at a pressure of 60 pounds per square inch
349 in accordance with American Society of Mechanical Engineers Standard A112.18.1/CSA

350 B.125.1 and listed to the WaterSense™ High-Efficiency Lavatory Faucet Specification;

351 or and

352 (5) ~~Employs a A~~ kitchen faucet or kitchen replacement aerator that allows a flow of ~~no~~
353 more than ~~2.5~~ 2.0 gallons of water per minute.

354 (c) ~~On and after July 1, 1992, there shall not be initiated within this state the construction~~
355 ~~of any commercial building of any type which does not meet the requirements of~~
356 ~~paragraphs (1) through (5) of subsection (b) of this Code section.~~

357 (d) ~~The requirements of subsection (b) of this Code section shall apply to any residential~~
358 ~~construction initiated after April 1, 1992, and to any commercial construction initiated after~~
359 ~~July 1, 1992, which involves the repair or renovation of or addition to any existing building~~
360 ~~when such repair or renovation of or addition to such existing building includes the~~
361 ~~replacement of toilets or showers or both. To the extent that the standards set forth in this~~
362 ~~Code section exceed the National Energy Conservation Policy Act, as amended, and 10~~
363 ~~C.F.R. 430.32, the department is directed to petition the Department of Energy for a waiver~~
364 ~~of federal preemption pursuant to 42 U.S.C. Section 6297(d).~~

365 (e) The department is directed to amend the applicable state minimum codes so as to
366 permit counties Counties and municipalities ~~are authorized and directed to provide by~~
367 ordinance for an exemption to the requirements of ~~subsections (b), (c), and (d) subsection~~
368 (c) of this Code section, relative to new construction and to the repair or renovation of an
369 existing building, under the following conditions:

370 (1) When the repair or renovation of the existing building does not include the
371 replacement of the plumbing or sewage system servicing toilets, faucets, or shower heads
372 within such existing building;

373 (2) When such plumbing or sewage system within such existing building, because of its
374 capacity, design, or installation, would not function properly if the toilets, faucets, or
375 shower heads required by this part were installed;

376 (3) When such system is a well or gravity flow from a spring and is owned privately by
377 an individual for use in such individual's personal residence; or

378 (4) When units to be installed are:

379 (A) Specifically designed for use by persons with disabilities;

380 (B) Specifically designed to withstand unusual abuse or installation in a penal
381 institution; or

382 (C) Toilets for juveniles.

383 (f) The ordinances adopted by counties and municipalities pursuant to subsection (e) of
384 this Code section shall provide procedures and requirements to apply for the exemption
385 authorized by said subsection.

386 (g) This Code section shall not apply to any construction of a residential building the
387 contract for which was entered into prior to April 1, 1992, and shall not apply to any
388 construction of a commercial building the contract for which was entered into prior to July
389 1, 1992.

390 (h) Any person who installs any toilet, faucet, urinal, or shower head in violation of this
391 Code section shall be guilty of a misdemeanor.

392 (i) Before April 1, 1992 July 1, 2012, a city, county, or authority shall adopt and
393 enforce the provisions of this Code section in order to be eligible to receive any of the
394 following grants, loans, or permits:

- 395 (1) A water or waste-water facilities grant administered by the Department of Natural
396 Resources or the Department of Community Affairs; or
397 (2) A water or waste-water facilities loan administered by the Georgia Environmental
398 Facilities Authority.

399 (j) For purposes of this part, after April 1, 1992, After July 1, 2012, the sale of a gravity
400 tank-type, flushometer-valve, or flushometer-tank toilet that uses more than an average of
401 1.6 1.28 gallons of water per flush shall be is prohibited in this state.

402 (k) The provisions of this Code section shall not be construed to prohibit counties or
403 municipalities from adopting and enforcing local ordinances which provide requirements
404 which are more stringent than the requirements of this Code section."

405 SECTION 8.

406 Said article is further amended in Code Section 8-2-23, relating to amendment and revision
407 of state minimum code standards, by adding a new subsection to read as follows:

408 "(c)(1) On or before July 1, 2012, the department, with the approval of the board, shall
409 amend applicable state minimum standard codes to require the installation of
410 high-efficiency cooling towers in new construction permitted on or after July 1, 2012.

411 (2) As used in this subsection, the term 'cooling tower' means a building heat removal
412 device used to transfer process waste heat to the atmosphere.

413 (3) The standards related to high-efficiency cooling towers shall include without
414 limitation the minimum standards prescribed by the American Society of Heating,
415 Refrigerating, and Air-Conditioning Engineers Standard 90.1 as adopted and amended
416 by the department."

417 SECTION 9.

418 There is created the Joint Committee on Water Supply to be composed of ten members as
419 follows: five members of the House of Representatives shall be appointed by the Speaker of
420 the House with one being the chairperson of the House Natural Resources Committee and

421 five members of the Senate shall be appointed by the President of the Senate with one being
422 the chairperson of the Senate Natural Resources Committee. The House and Senate Natural
423 Resources Committee chairpersons shall serve as co-chairpersons. The committee shall meet
424 on the call of either co-chairperson. The committee shall undertake a study and analysis of
425 the current status of the state's reservoir system and shall conduct a comprehensive analysis
426 of the state's strategic needs for additional water supply, including without limitation the
427 identification of creative financing options for water reservoirs and other opportunities for
428 water supply enhancement. The committee may conduct its meetings at such places and at
429 such times as it may deem necessary or convenient to enable it to exercise fully and
430 effectively its powers, perform its duties, and accomplish its objectives and purposes. The
431 legislative members of the committee shall receive the allowances authorized for legislative
432 members of interim legislative committees but shall receive the same for not more than five
433 days unless additional days are authorized. No allowance shall be paid to other members of
434 the committee. The funds necessary to carry out the provisions of this section shall come
435 from the funds appropriated to the House of Representatives and Senate. The committee is
436 directed to make a report of its findings and recommendations not later than December 31,
437 2010. The committee shall stand abolished on December 31, 2010.

438 **SECTION 10.**

439 This Act shall become effective upon its approval by the Governor or upon its becoming law
440 without such approval.

441 **SECTION 11.**

442 All laws and parts of laws in conflict with this Act are repealed.