ACEC/CITIZENS:  
HIGHER LEVEL AGENDA  
January 14, 2019 – Langsdale Operations Conf Room  
Attendees: Beth Bauer, Dan Cutshaw, Chris Gale, Mark Jacob, Dave Mohler, Joe Sutherland, Jeff Willman

- Legislation  
  - Water Infrastructure  
    - Funding bill will be released to public today. Hearing Wednesday in House Utilities and then to Ways and Means  
      - Project prioritization is included  
    - Senate Bill No. 4 addresses the policy side - most of task force items are in bill, to be heard on Thursday.  
      - Non-revenue water - report to IFA  
      - Collaboration efforts - report to IFA  
      - Soliday & Charbonneau signed off on language.  
        - Charbonneau is looking for people the testify  
      - Data hub could have a high fiscal cost. Pence admin started a hub. Will ask for a piece of that hub to be for water.  
        “Performance and Efficiency hub…”  
    - Storm water T.F. - Charbonneau wanted EQSC (group has been disbanded) - now includes second year of T.F. for agricultural runoff/storm water and urban  
      - There is a McCordsville issue being handled in a separate bill

- PVC Pipe Materials  
  - Bill No. 1157  
    - Chairman Mahan likely to hear the bill  
    - AWWA is adamantly opposed to bill  
    - Bill being pushed by builders and chemical council  
    - Indiana Builders Association is also backing it
Their push is to save upfront costs but no consideration for life cycle

- Bill No. 1158
  - This bill is an end-around to No. 1157 allows contractors to bid on projects - Municipalities wouldn't be able to prequal based on experience, size, etc.

Uninsurable Contracts/Duty to Defend

- There was a hearing this morning. Held until next week for a vote.
- Similar issue as discussed last year - being held responsible for something not actually responsible for or at fault for.
- 2 sections of the bill.
  - Section 1 is the Wilhelm fix.
  - Section 2 covers what engineers can't be insured for
- Primarily a timing issue - shouldn't have to pay until fault is found.
- Firms taking risk when signing CEG contracts duty to defend and Indemnify - not insurable - would be self-funded.
- Most clients/consultant contracts don't include “Duty to Defend”

Other Bills to consider looking at:

- License Bill No. 384
  - Bill being brought back by Sen. Cook
  - Similar to last year. Creates Ombudsman to continually review if licenses are necessary - PE and Geotech included
  - Last year, ACEC was the only organization to testify against it.
- Bill No. 1271
  - Eliminates professional licenses - Same language as 2 years ago
- Bill No. 1269
  - Looking to reshape the P.E. Board
- Bill No. 210 & No. 253
  - Grant limitations for federal grants
- Bill No. 304
• Intimidation against a utility worker is a level 6 felony
• CEG Supports
• Has been around in past years
• Largely a “Union” bill
  ▪ Bill No. 196
    • Any home or business should have a right to extend water or sewer anywhere in right of way and connect to any existing sewer/water main or leave extended to nothing
    • Trying to come up with some alternative language or kill it altogether
    • CEG welcomes assistance to kill bill
  ▪ Bill No. 1265
    • Summer study to look at low head dams and riparian rights
  ▪ Bill No. 1266
    • Soil erosion for MS4 Communities
    • Still 600 - 800 more bills expected

• Next Meeting - March 4th at 10:10am