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MEMORANDUM

TO: All Municipalities, Counties & Authorities that Oversee Water/Wastewater
FROM: John Greer
DATE: May 22, 2017
SUBJECT: Frequently Asked Questions Regarding Utilities Training Bill

On April 12, 2017, House Bill 0088/Senate Bill 0138 was signed into law (Public Chapter No. 118) by Governor Bill Haslam.

In the attached document, you will find answers to the most frequently asked questions regarding this comprehensive training bill. We hope this proves to be useful as you work toward compliance with the new requirements.

If you have any questions regarding this information, please let us know.

Sincerely,

A handwritten signature in black ink, appearing to read "John Greer", written in a cursive style.

John Greer
Utilities Specialist

FREQUENTLY ASKED QUESTIONS

House Bill No. 88

Senate Bill No. 138

Public Chapter No. 118

<http://publications.tnsosfiles.com/acts/110/pub/pc0118.pdf>

Q: Who is required to receive the training under Public Chapter 118?

A: All board members of municipalities, counties, and authorities who oversee a water and/or wastewater system.

Q: Does this apply to elected and appointed board members?

A: Yes—this applies to all board members who oversee a water or wastewater system.

Q: What training is required?

A: Board members are required to have 12 hours of training within 12 months of their initial election or appointment (or re-election/reappointment) and 12 hours every three years thereafter (this is referred to as a continuing education period). The initial 12 hours is only required for the first election or appointment and not every election or appointment. Once a board member has satisfied their initial 12 hours after election or appointment, their continuing education period of three years begins on the following January 1st.

Q: Who will provide the required training?

A: The Comptroller's office will provide regional training at no cost to board members.

Q: Will other groups provide training?

A: Yes—the Comptroller's office will approve training by associations or organizations with appropriate knowledge and experience.

Q: What training subjects will be approved?

A: The subjects for training include, but are not limited to, board governance, financial oversight, policy-making responsibilities, and other topics reasonably related to the duties of the members of the board/council.

Q: Will internal training be approved?

A: Yes—the Comptroller's office will approve training that is appropriate and reasonably related to a board member's responsibility. This includes, but is not limited to, budget training and work sessions, ethics courses, governance responsibilities, and other classes or workshops that the governing body attends.

Q: When is training approved?

A: Training must be approved by the Comptroller's Office **PRIOR** to the training date to count toward the required hours.

Q: How is training approved?

A: Anyone wishing to have training approved should submit a detailed syllabus and the appropriate supporting documentation to utilities@cot.tn.gov for approval.

Q: How often does training need to be approved for an association?

A: A curriculum must be updated and approved every three years.

Q: How do board members document their training?

A: Board members should keep the appropriate supporting documentation and attendance certificates for at least two continuing education periods.

Q: How do board members certify their training?

A: The chairperson for each board shall certify annually that the board members have met the required training.

Q: Where do board chairs certify training?

A: There will be a link on the Water and Wastewater Financing Board's website

<http://comptroller.tn.gov/WWFB/>

Q: What if a board member misses their training requirements?

A: The board members can apply to the Comptroller's office (utilities@cot.tn.gov) for a six (6) month extension. If approved, the board member must file the request and approval letter with the Water and Wastewater Financing Board.

Q: What if a board member fails to receive the required training and fails to receive an extension?

A: If a board member of an authority fails to receive the required training and fails to request an extension, they are ineligible to be reappointed.

A: If an elected board member of a municipality fails to receive the required training and fails to request an extension, the municipality is referred to the Water and Wastewater Financing Board.

A: If an appointed board member of a municipality fails to receive the required training and fails to request an extension, they are ineligible to be reappointed.

A: If an elected board member of a county fails to receive the required training and fails to request an extension, the county is referred to the Water and Wastewater Financing Board.

A: If an appointed board member of a county fails to receive the required training and fails to request an extension, they are ineligible to be reappointed.