

# ENERGY, TRANSPORTATION, AND ENVIRONMENT

Resolution ETE-18-22

## A RESOLUTION PROMOTING A CLEAN, SAFE, AND RELIABLE WATER SUPPLY

WHEREAS, clean, safe, reliable water service is essential to the health and wellbeing of all Americans;

WHEREAS, implemented regulations set in place by the U.S. Environmental Protection Agency (EPA) and the Safe Drinking Water Act (SDWA) should be followed;

WHEREAS, the National Black Caucus of State Legislators (NBCSL) has a rich history of representing the interests of communities of color, low income families and, the disadvantaged in the United States, especially when it comes to assuring equitable and affordable access to essential services like water;

WHEREAS, the events in Flint, Michigan, where thousands of mostly low-income residents were poisoned by contaminated water, have drawn attention to the harmful consequences of underinvestment in and slack oversight of water infrastructure;

WHEREAS, lead contamination tends to disproportionately impact communities of color, with studies having found a correlation between elevated lead poisoning rates and cities with large African American populations;

WHEREAS, according to the American Society of Civil Engineers (ASCE), U.S. water infrastructure across the country is rapidly deteriorating, with a significant portion far past its useful life;

WHEREAS, the ASCE, which assigned the nation's drinking water infrastructure a grade of 'D' in its most recent Infrastructure Report Card, estimates that \$1 trillion in new investment is needed over the next 25 years to modernize this infrastructure;

WHEREAS, there are over 52,000 community water systems in the U.S., 84 percent of which are owned by municipal or county governments;

WHEREAS, many municipalities that provide water service to their residents lack the financial and technical resources needed to effectively maintain their systems and meet critical environmental and quality compliance requirements;

WHEREAS, these interrelated issues, coupled with the financial struggles facing many local governments across the country, have made it financially impractical for some municipalities to continue maintaining primary oversight of their water systems;

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WHEREAS, in some instances, the sale of a water system by a financially distressed municipal government can relieve fiscal pressure, spur infrastructure investment, and raise water quality;

WHEREAS, working with private entities in this matter via public-private partnerships can also allow municipalities to benefit from economies of scale, greater access to capital, and technical expertise;

WHEREAS, states should be fully involved and consulted in any process that may affect the management of their water service; and

WHEREAS, the provision of water service by a private entity is subject to strict public utility and environmental regulation.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) calls on policymakers at every level to pursue policies that prioritize the expeditious replacement of all remaining lead-based water infrastructure in the United States;

BE IT FURTHER RESOLVED, that the NBCSL declares its support and encourages municipalities and all other providers of water service to pursue the full range of options for assuring that water infrastructure is as safe, modern, and accessible as possible;

BE IT FURTHER RESOLVED, that the NBCSL supports plans to provide water in emergency situations because individuals should have a right to water even under adverse circumstances and in the face of natural disasters; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice- President of the United States, members of the U.S. Congress, and other federal and state officials as appropriate.

**SPONSOR(s): Representative Billy Mitchell (GA) and Representative Earl Harris, Jr. (IN)**  
**Committee of Jurisdiction: Energy, Transportation, and Environment Policy Committee**  
**Certified by Committee Chair: Representative Billy Mitchell (GA) and Representative Cherrish Pryor (IN)**

**Ratified in Plenary Session: Ratification Date is December 2, 2017**

**Ratification is certified by: Representative Gregory W. Porter (IN), President**