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68-221-1001. Short title.

This part shall be known and may be cited as the “Wastewater Facilities Act of 1987.”

68-221-1002. Purpose and intent.

(a) The purpose of this part is to:

- (1) Facilitate statewide compliance with state and federal water quality standards;
- (2) Provide local governments in the state with low-cost financial assistance relative to necessary wastewater facilities through the creation of a self-sustaining revolving loan program so as to improve and protect water quality and public health; and
- (3) Establish fiscal self-sufficiency of wastewater facilities.

(b) It is intended that the revolving loan program be used in coordination with state and federal assistance programs.

68-221-1003. Part definitions.

As used in this part, unless the context otherwise requires:

- (1) “Authority” means the Tennessee local development authority as created by title 4, chapter 31;
- (2) “Board” means the wastewater financing board established by this part;
- (3) “Clean water act” means the Water Pollution Control Act of 1972, P.L. 92-500, as amended, compiled in 33 U.S.C. § 1251 et seq., and rules and regulations promulgated thereunder;
- (4) “Department” means the department of environment and conservation;
- (5) “Director” means the director of the division of construction grants and loans within the department;
- (6) “Fund” means the wastewater facility revolving loan fund;
- (7)
 - (A) “Local government” means:

- (i) A county, incorporated town or city, metropolitan government, state agency, water/wastewater authority, energy authority or any instrumentality of government created by any one (1) or more of these or by an act of the general assembly:
 - (a) Which has authority to administer a wastewater facility; or
 - (b) Whose residents are served or are eligible to be served, in whole or in part, by a wastewater facility operated by another local government as defined by this subdivision (7);
- (ii) One (1) of the foregoing acting jointly with a utility district operating or having the authority to operate a wastewater facility; or
- (iii) Any combination of two (2) or more of the foregoing acting jointly in connection with a wastewater facility;
- (B) “Local government” also means any utility district created pursuant to title 7, chapter 82, existing on July 1, 1984, and which operates a wastewater facility; and also includes such utility district created after July 1, 1984, if such utility district operates a wastewater facility comprised of at least five hundred (500) customer connections;
- (8) “Security” means that which is determined by the authority to be acceptable to secure a loan to a local government under this part and includes, but is not limited to, revenues of the facility, ad valorem taxes, state-shared taxes, letters of credit or bond insurance; and
- (9)
 - (A) “Wastewater facility” means any facility, including the reserve capacity thereof, whose purpose is to collect, store, treat, neutralize, stabilize, recycle, reclaim or dispose of wastewater, including treatment or disposal plants, interceptors, outfall, and outlet sewers, pumping stations, equipment and furnishings thereof and their appurtenances which are necessary to accomplish the foregoing purposes.
 - (B) “Wastewater facility” also includes best management practice projects for controlling non-point sources of water pollution, failed innovative/alternative wastewater construction projects, and the planning or replanning requirements of designated management authorities.

68-221-1004. Wastewater facility revolving loan fund.

- (a)
 - (1) There is created in the state treasury a revolving loan fund to be known as the “wastewater facility revolving loan fund.”
 - (2) The authority shall administer the fund and shall adopt rules and regulations for such administration.
 - (3) All interest and earnings of the fund shall remain a part of the fund.
 - (4) No part of the fund shall revert to the general fund on any June 30, but shall remain a part of the fund available for expenditure in accordance with this part.
 - (5) The authority may charge and collect from local governments administrative fees and expenses, including, but not limited to, reimbursement of all cost of financing by the authority that the authority determines to be reasonable and required. These fees and expenses shall not become part of the fund.
- (b)
 - (1) The authority shall deposit in the fund all receipts from the repayment of loans made pursuant to this part.

(2) The fund shall be established, maintained and credited with repayments, and the fund balance shall be available in perpetuity for providing such loans, pursuant to §§ 68-221-1001 — 68-221-1006.

(c) The department shall deposit in the fund federal funds allocated to the state pursuant to the Clean Water Act, compiled in 33 U.S.C. § 1251 et seq., which have been determined by the department to be for the purpose of making loans to local governments and for which state matching funds are available.

(d)

(1) The department shall recommend annually to the general assembly the appropriate state funds necessary for the receipt of all available matching federal funds.

(2) State money appropriated to the department or to the authority to carry out this part may be used, in addition to other purposes, to match federal funds allocated to the state pursuant to the Clean Water Act for the purpose of making loans to local governments.

(e) The department shall deposit into the fund any federal funds allocated to the state to make loans and to subsidize loans made under the program authorized by this part.

68-221-1005. Program for loans, financing and refinancing — Powers of department and authority — Audit — Assignment of rights and obligations.

(a) The department, in conjunction with the authority, shall administer a program for low cost loans to local governments for wastewater facilities, and shall adopt regulations to govern the application procedure for loans under this part.

(b) The department shall recommend to the authority an appropriate financing method for each wastewater facility which has applied for financial assistance under this part and which appears on the construction grants program wastewater treatment project priority list established under the authority of part 8 of this chapter. As part of the recommended financing method, the department may consider partial grants to wastewater facilities to be funded pursuant to part 8 of this chapter. In recommending the interest rate for a loan, the department shall utilize an economic index based upon factors which include, but are not limited to, per capita incomes and property values of the local government applicant. Local governments falling within the lower economic scale on the index shall be eligible for lower interest rates. The department shall promulgate regulations regarding the appropriate index, interest rate and loan percentages to be recommended.

(c) The department shall present to the authority no less than annually its recommendations, in descending order of priority, for loans to local governments. Prior to making a recommendation for loans to local governments, the department may ensure through an environmental review that loan funded projects shall be environmentally sound. The authority shall have final approval of such loans. Both the department and the authority shall be parties to the contracts with local governments concerning loans.

(d) The comptroller of the treasury shall make an annual audit of the fund as part of the comptroller's annual audit of the authority and the department pursuant to § 9-3-211.

(e) The authority and the department shall have such other authority as may be necessary and appropriate for the exercise of the powers and duties conferred by this part.

(f) Notwithstanding any other provision of this part to the contrary, the department, in conjunction with the authority, may develop alternative financial assistance programs, which may include the issuance of the authority's revenue bonds, for wastewater facilities using the funds appropriated herein to effect the legislative intent of providing low-cost financial assistance to local governments for wastewater facilities, provided such programs are permissible under the Clean Water Act, compiled in 33 U.S.C. § 1251 et seq.

(g) Local governments are empowered and are authorized to contract debts for the construction of a wastewater facility and to make contracts and execute instruments with the authority for the purpose of obtaining a loan under this part. In order to provide adequate security as may be required by the authority for a loan under this part, local governments are further empowered and authorized to:

(1) Pledge the full faith and credit and unlimited taxing power, if any, of the local government as to all taxable property of the local government or a portion of the local government, if applicable, to the punctual payment of the principal and interest on the loan;

(2) Assess, levy and collect ad valorem taxes on all taxable property within the local government or a portion of the local government, if applicable, sufficient to pay the principal of and interest on the loan;

(3) Fix, levy and collect fees, rents, tolls or other charges in connection with any wastewater facility and pledge all or any of such fees, rents, tolls or other charges to the payment of principal and interest on the loan; and

(4) Pledge any other security determined by the authority to be acceptable to secure a loan under this part.

(h)

(1) Any pledge made by the local government pursuant to this part shall be valid and binding from the time when the pledge is made, the moneys or property so pledged and thereafter received by the local government shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the local government, irrespective of whether such parties have notice of the lien of such pledge.

(2) Neither the resolution nor any other instrument by which a pledge is created need be recorded.

(i)

(1) In the event any local government having entered into a loan agreement pursuant to this part and having pledged its state-shared taxes, as defined in § 4-31-102, fails to remit funds in accordance with the loan agreement, the commissioner of finance and administration shall deliver by certified mail a written notice of such failure to the local government within five (5) days of such failure.

(2) In the event the local government fails to remit the amount set forth in the notice within sixty (60) days of the receipt of the notice, the commissioner shall, without further authorization, withhold for the benefit of the authority such sum or part of such sum from any state-shared taxes which are otherwise apportioned to such local government.

(3) A local government shall not have any claim on state-shared taxes withheld as permitted under this part and the loan agreement.

(4) For purposes of this subsection (i), notice of failure to remit funds shall be delivered to any entity jointly participating in the wastewater facility being funded pursuant to the loan agreement

and qualifying as a local government as provided in § 68-221-1003(7), and funds shall be withheld as provided therein.

(j) To encourage joint action by governmental entities, including utility districts, in the establishment of fiscally self-sufficient wastewater facilities, utility districts and other entities which constitute “local governments,” as defined under this part, are authorized and empowered to serve as guarantors and to provide such other security as required by the authority for loans under this part.

(k) With consent of the authority and upon provision of such other security as required by the authority for loans under this part, any local government is authorized to assign its rights and obligations under a loan received pursuant to this part to any other local government. Any local government is authorized to receive such assignment and to assume such obligations. Upon such assignment, the local government originally obligated under the loan and any security provided therefore shall be released from all obligations under the loan; provided, however, that the local government originally obligated under the loan may agree upon resolution of the governing body to retain its obligation to make payments under the loan in the event that the local government to which the loan is assigned fails to make such payments.

(1)

(1) The department and the authority may use any federal funds allocated to the state to make loans and to subsidize loans made through the program authorized by this part, through such mechanisms as forgiveness of principal and negative interest rates;

(2) The department and the authority may administer the program using the funds in accordance with the criteria set by the federal government; and

(3) The department may promulgate rules and develop forms that may be deemed necessary for the program.

68-221-1006. Prerequisites for and terms of loans.

(a) Loans shall be made only to local governments that:

(1) Operate a wastewater facility that is on the department's project priority ranking list established pursuant to § 68-221-804 and regulations thereunder;

(2) In the opinion of the authority, demonstrate sufficient revenues to operate and maintain the facility for its useful life and to repay the loan;

(3) Pledge security as required by the authority for repayment of the loan;

(4) Agree to adjust periodically fees and charges for services of the wastewater facility in order that loan payments and costs of the wastewater facility are timely paid; provided, however, upon determination that fees and charges are reasonable, the authority may in its discretion make a loan to a local government which is relying upon and using ad valorem taxes or other lawful sources of revenue, in addition to fees and charges, to pay timely loan payments and costs of the facility;

(5) Certify to comply with a plan of operations approved by the department regarding the quality, compensation and number of facility personnel for the life of the loan;

(6) Agree to maintain financial records in accordance with governmental accounting standards and to conduct an annual audit of the facility's financial records in accordance with generally accepted governmental auditing standards and with minimum standards prescribed by the comptroller of the treasury, and to file such audit with the comptroller. In the event of the failure

or refusal of the local government to have the audit prepared, then the comptroller of the treasury may appoint an accountant or direct the department of audit to prepare the audit at the expense of the local government; and

(7) Provide such assurances as are reasonably requested by the authority and the department.

(8) [Deleted by 2017 amendment.]

(b) Loans for public purpose projects relating to privately owned, non-point sources of pollution shall not be made to a local government which pledges its credit to secure such loan except upon the assent of three fourths ($\frac{3}{4}$) of the votes cast in an election of the qualified voters of the local government.

(c) A local government may use the proceeds from a loan made from the fund to provide a local match for a federal (except for EPA Title II construction grants) or state wastewater facility grant.

(d) A loan shall be made for a period of time not to exceed thirty (30) years or the design life of the wastewater facility; however, loans made with funds governed by the Clean Water Act, compiled in 33 U.S.C. § 1251 et seq., shall be for such period of time as provided in that act. For each loan, the authority shall determine the interest rate and the payment schedule for repayment of the loan.

(e) Loans shall be made only for items approved by the department.

(f) The requirements of this section with respect to “local governments” are deemed satisfied when any one (1) of the entities jointly participating in the wastewater facility being funded pursuant to the loan agreement and qualifying as a local government as provided in § 68-221-1003(7) satisfies the requirement.

(g) The comptroller of the treasury, through the department of audit, shall be responsible for determining that any audit required in this chapter is prepared in accordance with generally accepted governmental auditing standards. The comptroller of the treasury is authorized to direct the department of audit to make an audit of financial review of the books and records of the local government.

68-221-1007. Wastewater financing board — Purpose.

Recognizing that the operation of publicly owned water systems and wastewater facilities is necessary for the protection of the public health and the environment, and recognizing that water systems and wastewater facilities operating with continuous financial losses threaten the proper operation of water systems and wastewater facilities, it is declared to be the purpose of this section and §§ 68-221-1008 — 68-221-1012 to correct financial losses through the establishment of a water and wastewater financing board empowered to effect reasonable user rate increases or to effect system efficiencies through the negotiated consolidation of certain water systems and wastewater facilities.

68-221-1008. Wastewater financing board — Created — Responsibility — Members — Terms — Expenses —

Quorum — Conflict of interest — Records — Duties of director.

(a)

(1) A water and wastewater financing board is established in the office of the comptroller of the treasury to determine and ensure the financial integrity of certain water systems and wastewater facilities.

(2) The board is charged with the responsibility of furthering the legislative objective of self-supporting water systems and wastewater facilities in this state and shall be deemed to be acting for the public welfare in carrying out §§ 68-221-1007 — 68-221-1012.

(b) Such board shall be composed of the following members:

(1) The comptroller of the treasury, or the comptroller's designee, who shall serve as chair;

(2) The commissioner, or the commissioner's designee;

(3) One (1) member, appointed by the governor, who shall represent the municipalities of the state. The governor shall consult with the president of the Tennessee municipal league to determine a qualified person to fill this post;

(4) One (1) member, appointed by the governor, who shall represent utility districts in the state. The governor shall consult with the president of the Tennessee Association of Utility Districts to determine a qualified person to fill this post;

(5) One (1) member, appointed by the governor, who shall represent the environmental interests of the state. The governor shall consult with the president of the Tennessee environmental council to determine a qualified person to fill this post;

(6) One (1) member appointed by the governor, who shall represent the manufacturing interests in the state. The governor shall consult with the president of the Tennessee Association of Business to determine a qualified person to fill this post;

(7) One (1) member, appointed by the governor, who shall represent the minority citizens of the state. Such member shall have experience in governmental finance and shall not otherwise be a state employee;

(8) One (1) member appointed by the governor, who is an active employee of a municipal water utility and one (1) member who is an active employee of a water utility district. The governor shall consult with the president of the Tennessee Association of Utility Districts to determine qualified persons to fill these appointments.

(c)

(1) Board members shall serve for a three-year term except as designated herein, and all appointments shall expire on June 30 of the appropriate year. A board member shall continue to serve, however, until a successor has been appointed, or until the board member has been reappointed.

(2) Appointments to succeed a board member who is unable to serve such board member's full term shall be for the remainder of that term.

(3) Board members may be reappointed, but they do not succeed themselves automatically.

(4) Appointments to the board for the remainder of an unexpired term and reappointments shall be made in the same manner as under subsection (b).

(d) Each member of the board shall be entitled to receive reimbursement for such member's traveling and other necessary expenses actually incurred while engaged in the performance of any official duties when so authorized by the board, but such expenses shall be made in

accordance with the comprehensive state travel regulations duly promulgated by the commissioner of finance and administration and approved by the attorney general and reporter.

(e) A majority of the board shall constitute a quorum and the concurrence of a majority of those present and voting in any matter shall be required for a determination of matters within its jurisdiction.

(f) No board member may participate in making a decision in any case involving a local government or water system or wastewater facility in which the board member has a direct financial interest, including a contract of employment.

(g) The board shall keep complete and accurate records of the proceedings of all their meetings. All such records shall be kept on file in the office of the comptroller and open to public inspection.

(h) The comptroller shall designate a staff person to serve as the technical secretary to the board. In that capacity, the designee shall report the proceedings of the board and perform such other duties as the board may require.

(i) For the purposes of this part, “water systems and wastewater facilities” includes:

(1) Any county, metropolitan government, or incorporated town or city empowered to provide water or wastewater services; and

(2) Any treatment authority, created pursuant to part 6 or part 13 of this chapter, or by any public or private act of the general assembly, that operates a water or wastewater facility. The treatment authorities shall file or cause to be filed with the comptroller independently prepared audited financial statements.

(j) The entities listed in subsection (i) are subject to the jurisdiction of the water and wastewater financing board in accordance with this chapter.

68-221-1009. Wastewater financing board — Powers and duties.

(a) Duties and authority of the board include, to:

(1) Adopt, modify, repeal, and promulgate rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, and, after due notice, to enforce rules and regulations which the board deems necessary for proper administration of §§ 68-221-1007 — 68-221-1012;

(2) Investigate and determine the financial condition of water systems and wastewater facilities under its jurisdiction;

(3) Effect the adoption of user rates necessary for the self-sufficient operation of certain water systems and wastewater facilities and to negotiate the consolidation of certain water systems and wastewater facilities pursuant to §§ 68-221-1007 — 68-221-1012;

(4) Ameliorate the burden of rate increases effected under this part borne by low-income customers of water systems and wastewater facilities through the establishment and administration of a rate subsidy program to the extent state appropriations are available;

(5) Issue subpoenas requiring attendance of witnesses and production of such evidence as requested; administer oaths; and take such testimony as the board deems necessary in fulfilling its purpose. In case of the refusal of any person or entity to obey a notice of hearing or subpoena issued by the board under this part, the chancery court of Davidson County shall have

jurisdiction upon application of the board to issue an order requiring such person to appear and testify or produce evidence as the case may require, and any failure to obey such order of the court may be punished by such court as contempt;

(6) In the case of public water systems, investigate, with the assistance of the department and the comptroller of the treasury, and determine the financial, technical, and managerial capacity of the systems to comply with the requirements of the federal and state acts; and to require systems to take appropriate action to correct any deficiencies in such areas, including, but not limited to, changes in ownership, management, accounting, rates, maintenance, consolidation, alternative water supply, or other procedures. The board also may approve or disapprove such corrections as a condition for the receipt of assistance under § 68-221-1206(a)(3);

(7) Establish, adopt and promulgate, in accordance with the Uniform Administrative Procedures Act, rules to define excessive water losses for public water systems; and

(8) In the case of public water systems, to investigate public water systems whose water loss as reported in the public water system's audit is excessive as established by rules promulgated by the board and to require those public water systems to take appropriate actions to reduce water loss to an acceptable level as determined by the board.

(b) The board shall be authorized to act only as to those water systems and wastewater facilities brought before it upon recommendation of the comptroller of the treasury as provided in § 68-221-1010.

68-221-1010. Facilities with earnings or operating deficit, or operating in default.

(a)

(1) Within sixty (60) days from the time that an audit of a water system or wastewater facility is filed with the comptroller of the treasury, the comptroller of the treasury shall file with the board the audited annual financial report of any water system or wastewater facility that has a deficit total net position in any one (1) year, has a negative change in net position for two (2) consecutive years, or is currently in default on any of its debt instruments. For purposes of this section, "change in net position" means total revenues less all grants, capital contributions, and expenses, but without reduction for any excluded non-cash items. For purposes of this section, "excluded non-cash items" means any non-cash charges arising from changes to or the implementation of pension and other post-employment benefit standards promulgated by the governmental accounting standards board.

(2) Notwithstanding any other law to the contrary, a government joint venture that supplies or treats water or wastewater for wholesale use only to other governments shall not fall under the jurisdiction of the water and wastewater financing board for the purpose of reporting negative change in the net position annually, but must be referred to the board if the government joint venture is in a deficit or default position as provided herein.

(b)

(1) Within sixty (60) days from the receipt of the audited annual financial report filed by the comptroller of the treasury, the board shall schedule a hearing to determine whether the water system or wastewater facility described in the report is likely to continue in a deficit position. In reaching its determination, the board shall consider current user rates charged by the water

system or wastewater facility, the size of the facility and the local government served by it, the quality of the facility's operation and management, and other relevant criteria.

(2) Upon a determination that the water system or wastewater facility is likely to remain in a deficit position, the board may order the management of the water system or wastewater facility to adopt and maintain user rate structures necessary to:

(A) Fund operation, maintenance, principal and interest obligations and adequate depreciation to recover the cost of the water system or wastewater facility over its useful life;

(B) Liquidate in an orderly fashion any deficit in total net position; and

(C) Cure a default on any indebtedness of the water system and wastewater facility.

(3) Any such order shall become final and not subject to review unless the parties named therein request by written petition a hearing before the board, as provided in §§ 68-221-1007 — 68-221-1013, no later than thirty (30) days after the date such order is served. Any hearing or rehearing provided by §§ 68-221-1007 — 68-221-1013 shall be brought pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, part 3. Such hearing may be conducted by the board at a regular or special meeting by any member or panel of members as designated by the chair to act on its behalf, or the chair may designate an administrative judge who shall have the power and authority to conduct hearings in the name of the board to issue initial orders pursuant to the Uniform Administrative Procedures Act.

(c) In the event a water system and wastewater facility fails to adopt user rate structures pursuant to a final order of the board, the board may petition the chancery court in a jurisdiction in which the water system and wastewater facility is situated or in the chancery court of Davidson County to require the adoption of the user rate structures ordered by the board or to obtain other remedial action, which, in the discretion of the court, may be required to cause the water system and wastewater facility to be operated in a financially self-sufficient manner.

(d)

(1) Within sixty (60) days from the time that an audit of a water system is filed with the comptroller of the treasury, the comptroller of the treasury shall file with the board the audited annual financial report of any water system whose water loss as reported in the audit is excessive as established by rules promulgated by the board. Failure of the water system to include the schedule required in this section constitutes excessive water loss and the water system shall be referred to the water and wastewater financing board.

(2) In the event a water system fails to take the appropriate actions required by the board to reduce the water loss to an acceptable level pursuant to § 68-221-1009(a)(7), the board may petition the chancery court in a jurisdiction in which the water system is operating to require the water system to take such actions.

(3) By February 1 of each year, the comptroller of the treasury shall provide a written report to the speaker of the house of representatives and the speaker of the senate listing the average annual water loss contained in the annual audit for those utility systems described in § 68-221-1007.

68-221-1011. Consolidation of facilities.

(a) As a means to restore the financial stability of a water system or wastewater facility under its jurisdiction, and to ensure the continued operations of water system or wastewater facilities for the benefit of the public being served by such water system or wastewater facility, the board may

facilitate, assign a mediator, or otherwise participate in negotiations for the consolidation of a water system or wastewater facility under the board's jurisdiction with another water system or wastewater facility or other public utility which, in the determination of the board, is best suited to operate a deficit water system or wastewater facility. Such consolidation shall be upon those terms as agreed upon by all of the affected parties. Such agreement shall provide that the ultimate owner or operator of the facility will assume the operation of the facility in such territory and account for the revenues therefrom in such manner as not to impair the obligations of contract with reference to outstanding bond issues or other legal obligations of the consolidating water systems and wastewater facilities, and shall fully preserve and protect the contract rights vested in the owners of such outstanding bonds, obligations or contractual interests.

(b) The board is authorized to subsidize, from appropriations made to it, the repair or improvement of the deficit water system or wastewater facility as an incentive for consolidation in negotiating any consolidation under this part. In addition, the board may contract for the services of a professional mediator if in its opinion such mediator is needed to effect any consolidation under §§ 68-221-1007 — 68-221-1013.

(c) Prior to consolidation of any water system or wastewater facility pursuant to §§ 68-221-1007 — 68-221-1013, the board shall hold a public hearing of all interested parties to such consolidation at a place convenient to such parties at least sixty (60) days prior to the effective date of such consolidation. Notice of such public hearing shall be published in a newspaper of general circulation in the affected area not later than ten (10) days prior to the meeting.

(d) If the parties to consolidation fail to reach an agreement within two hundred seventy (270) days from the commencement of negotiations, or such consolidation proceedings are otherwise terminated, the board is authorized to take appropriate action provided by §§ 68-221-1007 — 68-221-1013 to effect the legislative intent of financially self-sufficient water systems and wastewater facilities.

68-221-1012. Audited annual financial reports provided.

(a) The comptroller of the treasury shall provide the board on an annual basis all audited annual financial reports of those water systems and wastewater facilities within the board's jurisdiction.

(b) Public water systems shall include in their audited annual financial report the public water system's annual water loss in the manner prescribed by the water and wastewater financing board.

68-221-1013. Appeals.

Any person or entity having a hearing before the board may appeal the board's order or ruling pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

68-221-1014. Authority of local governments to enter into loan agreements.

Local governments may enter into loan agreements under this part, notwithstanding and without regard to any limit on indebtedness provided by law.

68-221-1015. Part supplemental — Loan agreements governed by this part.

- (a) This part is in addition and supplemental to any other law providing for the financing of water systems and wastewater facilities of local governments, and shall not be deemed to amend or repeal any other law.
- (b) No proceedings by a local government shall be required for loan agreements hereunder except such as are provided by this part, notwithstanding any law to the contrary.
- (c) No requirements or restraints applicable to borrowing by local governments contained in any other law shall be applicable to loans under this part.
- (d) The board may defer to the utility management review board created by § 7-82-701 in regard to matters concerning utility districts.