

SECOND REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 1165

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR KLINDT.

Read 1st time March 1, 2006, and ordered printed.

Read 2nd time March 6, 2006, and referred to the Committee on Commerce, Energy and the Environment.

Reported from the Committee March 15, 2006, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up March 28, 2006. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

5456S.01P

AN ACT

To repeal section 644.054, RSMo, and to enact in lieu thereof one new section relating to water pollution control fees.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 644.054, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 644.054, to read as follows:

644.054. 1. Fees imposed in sections 644.052 and 644.053 shall, except for those fees imposed pursuant to subsection 4 and subsections 6 to 13 of section 644.052, become effective October 1, 1990, and shall expire December 31, ~~[2007]~~ **2009**. Fees imposed pursuant to subsection 4 and subsections 6 to 13 of section 644.052 shall become effective August 28, 2000, and shall expire on December 31, ~~[2007]~~ **2009**. The clean water commission shall promulgate rules and regulations on the procedures for billing and collection. All sums received through the payment of fees shall be placed in the state treasury and credited to an appropriate subaccount of the natural resources protection fund created in section 640.220, RSMo. Moneys in the subaccount shall be expended, upon appropriation, solely for the administration of sections 644.006 to 644.141. Fees collected pursuant to subsection 10 of section 644.052 by a city, a public sewer district, a public water district or other publicly owned treatment works are state fees. Five percent of the fee revenue collected shall be retained by the city, public sewer district, public water district or other publicly owned treatment works as reimbursement of billing and collection expenses.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 2. The commission may grant a variance pursuant to section 644.061 to
18 reduce fees collected pursuant to section 644.052 for facilities that adopt systems
19 or technologies that reduce the discharge of water contaminants substantially
20 below the levels required by commission rules.

21 3. Fees imposed in subsections 2 to 6 of section 644.052 shall be due [in
22 accordance with the following schedule after August 27, 2000:

23 (1) For new or renewed permits, fees shall be due] on the date of
24 application and on each anniversary date of permit issuance thereafter until the
25 permit is terminated[;

26 (2) For permits in effect on August 27, 2000, fees shall be due on each
27 anniversary date of permit issuance until the permit is terminated;

28 (3) For general permits issued pursuant to subdivisions (2) and (4) of
29 subsection 6 of section 644.052 and in effect on August 27, 2000, the permittee
30 will be credited thirty dollars on each anniversary date of permit issuance that
31 falls between August 27, 2000, and the date the permit expires].

32 **4. There shall be convened a joint committee appointed by the**
33 **president pro tem of the senate and the speaker of the house of**
34 **representatives to consider proposals for restructuring the fees**
35 **imposed in sections 644.052 and 644.053. The committee shall review**
36 **the state's implementation of the federal clean water program and**
37 **related state clean water responsibilities, and evaluate the costs to the**
38 **state for maintaining the program. The committee shall prepare and**
39 **submit a report, including recommendations on funding the state clean**
40 **water program, to the governor, the house of representatives, and the**
41 **senate no later than December 31, 2008.**

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