

SECOND REGULAR SESSION

SENATE BILL NO. 1589

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BURGER.

6604S.01I

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 644.057, RSMo, and to enact in lieu thereof one new section relating to a clean water fee.

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

Section A. Section 644.057, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 644.057, to read as follows:

644.057. Notwithstanding any statutory fee amounts or maximums to the contrary, the director of the department of natural resources may conduct a comprehensive review and propose changes to the clean water fee structure set forth in sections 644.052, 644.053, and 644.061. The comprehensive review shall include stakeholder meetings in order to solicit stakeholder input from each of the following groups: agriculture, industry, municipalities, public and private wastewater facilities, and the development community. Upon completion of the comprehensive review, the department shall submit a proposed fee structure with stakeholder agreement to the clean water commission. The commission shall review such recommendations at the forthcoming regular or special meeting, but shall not vote on the fee structure until a subsequent meeting. [In no case shall the clean water commission adopt or recommend any clean water fee in excess of five thousand dollars.] If the

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

18 commission approves, by vote of two-thirds majority or five
19 of seven commissioners, the fee structure recommendations,
20 the commission shall authorize the department to file a
21 notice of proposed rulemaking containing the recommended fee
22 structure, and after considering public comments, may
23 authorize the department to file the order of rulemaking for
24 such rule with the joint committee on administrative rules
25 pursuant to sections 536.021 and 536.024 no later than
26 December first of the same year. If such rules are not
27 disapproved by the general assembly in the manner set out
28 below, they shall take effect on January first of the
29 following calendar year and the fee structures set forth in
30 sections 644.052, 644.053, and 644.061 shall expire upon the
31 effective date of the commission-adopted fee structure,
32 contrary to section 644.054. Any regulation promulgated
33 under this subsection shall be deemed to be beyond the scope
34 and authority provided in this subsection, or detrimental to
35 permit applicants, if the general assembly, within the first
36 sixty calendar days of the regular session immediately
37 following the filing of such regulation disapproves the
38 regulation by concurrent resolution. If the general
39 assembly so disapproves any regulation filed under this
40 subsection, the department and the commission shall not
41 implement the proposed fee structure and shall continue to
42 use the previous fee structure. The authority of the
43 commission to further revise the fee structure provided by
44 this section shall expire on August 28, 2030. If the
45 commission's authority to revise the fee structure as
46 provided by this section expires, the fee structure in place
47 at the time of expiration shall remain in place.

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