

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 613
89TH GENERAL ASSEMBLY

Reported from the Committee on Local Government & Related Matters, May 6, 1998, with recommendation that the House Committee Substitute for Senate Committee Substitute for Senate Bill No. 613 Do Pass.
ANNE C. WALKER, Chief Clerk
L2745.04C

AN ACT

To amend chapter 66, RSMo, by adding thereto four new sections relating to water service lines in certain counties, with an emergency clause.

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

Section A. Chapter 66, RSMo, is amended by adding thereto four new sections, to be known as sections 66.405, 66.410, 66.415 and 66.420, to read as follows:

66.405. 1. If approved by a majority of the voters voting on the proposal, a county of the first classification having a population of over nine hundred thousand inhabitants may, by ordinance, levy and impose annually, upon water service lines providing water service to residential property having four or fewer dwelling units, a fee not to exceed one dollar per month or an equivalent rate collected at some other interval.

2. The ballot of submission shall be substantially of the following form:

For the purpose of repair or replacement of water lines extending from the water main to a residential dwelling due to failure of the line or for road relocation, shall county be authorized to impose a fee not to exceed one dollar per month or an equivalent rate collected at some other interval upon all water service lines providing water service within the county to residential property having four or fewer dwelling units for the purpose of paying for the costs of necessary water service line repairs, replacements or relocations caused by improvements to public right-of-way?

G YES

G NO

3. For the purpose of this section, a water service line may be defined by local ordinance, but may not include the water meter or exceed that portion of water piping and related valves and connectors which extends from the water mains owned by the utility or municipality distributing public water supply to the first opportunity for a connection or joint beyond the point of entry into the premises receiving water service, and may not include facilities owned by the utility or municipality distributing public water supply. For purposes of this section, repair may be defined and limited by local ordinance, and may include replacement, repairs or relocation when made necessary by improvements to public right-of-way.

4. If a majority of the voters voting thereon approve the proposal authorized in subsection 1 of this section, the governing body of the county may enact an ordinance for the collection of such fee. The funds collected pursuant to such ordinance shall be deposited in a

special account to be used solely for the purpose of paying for the reasonable costs associated with and necessary to administer and carry out the water service line repairs as defined in the ordinance and, if sufficient revenues are available, to reimburse the necessary costs of water service line repair, replacement or relocation made necessary by public right-of-way improvements.

5. The county may contract with any provider of water service in the county to bill and collect such fees along with bills for water service and to pursue collection of such amounts through discontinuance of service as may be directed by the county. The county may establish, as provided in the ordinance, regulations necessary for the administration of collections, claims, repairs, relocations, replacements and all other activities necessary and convenient for the implementation of any ordinance adopted and approved pursuant to this section. The county may administer the program or may contract with one or more persons, through a competitive process, to provide for administration of any portion of implementation activities of any ordinance adopted and approved pursuant to this section, and reasonable costs of administering the program may be paid from the special account established pursuant to this section.

66.410. The governing body of any county of the first classification having a population of over nine hundred thousand inhabitants that has assessed a fee pursuant to section 66.405 for three years shall submit to the general assembly of this state a complete financial report which shall include, but not be limited to, the total fees collected by such county pursuant to section 66.405, the funds on hand in such county resulting from the collection of fees pursuant to section 66.405 and the total expenditures of fees collected pursuant to section 66.405 on infrastructure in such county.

66.415. In any city with a population greater than four hundred thousand that is located in more than one county, all public water supply districts, water corporations subject to public service commission jurisdiction and municipally owned utilities selling and distributing water within such city shall place in an interest bearing account all deposits paid to such public water supply district, water corporation subject to public service commission jurisdiction or municipally owned utility selling and distributing water by a commercial entity to receive water service. After the first year of providing water service to a commercial entity, the public water supply district, water corporation subject to public service commission jurisdiction or municipally owned utility selling and distributing water shall pay all interest earned on a commercial entity's deposit to such commercial entity and shall continue to do so on an annual basis. Upon the termination of such water service by such commercial entity, the public water supply district, water corporation subject to public service commission jurisdiction or municipally owned utility selling and distributing water shall refund to the commercial entity the entire deposit, plus any unpaid interest, less any unpaid balance on such commercial entity's water service account.

66.420. 1. The public service commission shall not have jurisdiction over the construction, maintenance or operation of the water facilities, service, rates, financing, accounting or management of any nonprofit water company.

2. When an existing water corporation elects to convert to a nonprofit corporation, the existing corporation shall contribute one thousand dollars per residential unit up to a maximum of fifty thousand dollars to the nonprofit corporation to be used to maintain or improve the water facilities.

Section B. Due to the immediate need to provide assistance for repair and maintenance of water service lines in certain counties, this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and this act shall be in full force and effect upon its passage and approval.

Unofficial

Bill

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