

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 160 & 82
90TH GENERAL ASSEMBLY

Reported from the Committee on Commerce and Environment, February 8, 1999, with recommendation that the Senate Committee Substitute do pass.

S0633.03C

TERRY L. SPIELER, Secretary.

AN ACT

To amend chapters 66 and 644, RSMo, by adding thereto four new sections relating to water resources, with an emergency clause for a certain section.

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

Section A. Chapters 66 and 644, RSMo, are amended by adding thereto four new sections, to be known as sections 66.405, 644.566, 644.568 and 644.570, 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.

644.566. In addition to those sums authorized prior to August 28, 1998, the board of fund commissioners of the state of Missouri, as authorized by section 37(e) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of seventeen and one-half million dollars in the manner and for the purpose of financing and constructing improvements as set out in chapter 640, RSMo, and this chapter.

644.568. In addition to those sums authorized prior to August 28, 1998, the board of fund commissioners of the state of Missouri, as authorized by section 37(g) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of ten million dollars for the purposes of financing and constructing improvements as set out in this chapter. The department shall allocate these funds to counties, municipalities, sewer districts, water districts, or any combination of the same to provide grants and loans for rural water and sewer projects.

644.570. 1. The board of fund commissioners of the state of Missouri, as

authorized by section 37(h) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of twenty million dollars for the purposes of financing and constructing stormwater control plans, studies and projects as set out in this chapter. The department shall allocate these funds through grants and loans to municipalities, sewer districts, sewer districts established pursuant to article VI, section 30(a) of the Missouri Constitution, water districts, or any combination of the same located in a county of the first classification or in any city not within a county or by any county of the first classification.

2. Of the funds allocated in subsection 1 of this section, fifty percent shall be allocated to grants and fifty percent shall be allocated to loans. Grant amounts so awarded shall be fifty percent of the cost of the plan, study or project.

3. Grants and loans awarded pursuant to this section shall be dispersed to eligible recipients in counties of the first classification and in a city not within a county in an amount equal to the percentage ratio that the recipient's population bears to the total population of all counties of the first classification and cities not within a county as determined by the last decennial census.

4. Grants and loans awarded pursuant to this section shall be dispersed directly to eligible recipients in any city with a population of at least twenty-five inhabitants located in a county of the first classification in an amount equal to the percentage ratio that the recipient's population bears to the total population of the county.

5. Other provisions of this section notwithstanding, in those cities or counties served by a sewer district established pursuant to article VI, section 30(a) of the Constitution of the state of Missouri, any grants or loans awarded shall be dispersed directly to such district.

Section B. Due to the immediate need to provide assistance for repair and maintenance of water service lines in certain counties, section 66.405 of 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 section 66.405 of this act shall be in full force and effect upon its passage and approval.

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