

HCS HB 742 -- RURAL COMMUNITY DEVELOPMENT

SPONSOR: Weter (Wyatt)

COMMITTEE ACTION: Voted "do pass" by the Committee on Rural Community Development by a vote of 11 to 0.

This substitute establishes county drinking water supply lake authorities, prohibits major water users from transporting or diverting certain water, and establishes the Missouri Sustainable Local Food Policy Council.

COUNTY DRINKING WATER SUPPLY LAKE AUTHORITY

The substitute:

- (1) Establishes a county drinking water supply lake authority in Sullivan County and in Christian County;
- (2) Allows each authority to acquire, own, construct, lease, or maintain recreational or water quality projects; acquire, own, lease, or sell property to fulfill the purposes of the authority; enter into contracts; sue and be sued; accept gifts, grants, loans, or contributions; employ staff or contract with independent contractors for needed services; disperse funds and set salaries of its employees; fix rates, fees, and charges for the use of any projects and property owned, leased, or managed by the authority; adopt, alter, or repeal its own governing bylaws and rules; sell and supply water; issue revenue bonds; and adopt tax increment financing within its boundaries;
- (3) Specifies that each authority must consist of between six and 30 members appointed by the members of the water commission owning the reservoir. The members will serve six-year terms with the initial members being appointed to staggered terms. A member of the authority must be over 25 years of age and have been registered to vote in Missouri and lived in the county for more than five years;
- (4) Requires the water commission, by resolution, to establish a date and time for the initial meeting of each authority. At the initial meeting, and annually thereafter, the authority must elect from its members a chairman and vice-chairman and appoint a secretary and a treasurer. The authority may appoint an executive director who must not be a member of the authority and who will serve at the authority's pleasure;
- (5) Requires each member of an authority to execute a surety bond in the amount of \$50,000 or the authority chairman must execute a blanket bond covering each member and the employees or

other officers of the authority;

(6) Prohibits an authority member from participating in any decisions or deliberations concerning issues where the authority member has a direct financial interest;

(7) Allows the state or any political subdivision or municipal corporation to transfer possession or control of any property to an authority;

(8) Allows the state or any political subdivision to appropriate, allocate, and expend funds for the benefit of an authority;

(9) Authorizes each authority to contract for or to provide for and maintain a security force. A member of the security force must be certified as a peace officer and have the authority equivalent to that of a law enforcement officer of the county; and

(10) Authorizes each authority to exercise all zoning and planning powers that are granted to cities, towns, and villages except that the authority cannot exercise the powers within the limits of any city, town, or village that has adopted a city plan before August 28, 2011.

MAJOR WATER USERS

Any major water user is prohibited from transporting water withdrawn or diverted from within the Southeast Missouri Regional Water District to a location outside of the water district if it interferes with the reasonable and customary activities of another registered major water user within the district. If a diversion occurs, the Attorney General or the party or parties affected may file an action for an injunction. In no case can the injunction be issued if it would be detrimental to public health or safety. A "major water user" is defined as a person, firm, corporation, or an entity of the state with a water source and equipment necessary to withdraw or divert 100,000 gallons or more of water per day from any water source.

MISSOURI SUSTAINABLE LOCAL FOOD POLICY COUNCIL

The Missouri Sustainable Local Food Policy Council is established within the Department of Agriculture for the purpose of building a local food economy benefitting Missouri by creating jobs, stimulating economic development, preserving farmlands and water resources, increasing consumer access to fresh and nutritious foods, and providing greater food security for all Missourians. The 24-member council will be comprised of members from state

government including one member of the House of Representatives appointed by the Speaker and one member of the Senate appointed by the President Pro Tem, agriculture groups, state universities, a registered dietitian, and a representative of a business specializing in retail or direct food sales.

The department director will appoint the chair of the council; and all other officers, if any, will be elected by the members of the council. The council must hold its first meeting by December 1, 2011, and must meet at regularly scheduled intervals, but not less than quarterly, thereafter.

In developing sustainable local food policies for Missouri, the council may consider:

- (1) An assessment of the foods that are served to public school students and the possibility of increasing the amount of sustainable local foods used in the breakfast and lunch programs;
- (2) An analysis of the possibility of making sustainable local food available under public assistance programs;
- (3) An analysis of the potential of promoting urban and backyard gardens for the purpose of improving the health of citizens, making use of idle urban property, and lowering food costs for Missourians;
- (4) An evaluation of the potential impacts that the production of sustainable local food would have on economic development;
- (5) Identification of local and regional efforts that could provide information and training programs to assist entrepreneurs and local farmers pursuing opportunities related to a sustainable local food economy;
- (6) Issues regarding the identification and development of solutions to regulatory and policy barriers in developing a strong sustainable local food economy;
- (7) Issues regarding strengthening local infrastructure and entrepreneurial efforts related to a sustainable local food economy; and
- (8) Any other strategies, initiatives, or policy issues that the council deems necessary in carrying out its duties and responsibilities.

On or before November 1, 2014, the council must report its findings and recommendations including any legislative proposal or administrative action to the General Assembly and the

department director.

The provisions regarding the Missouri Sustainable Local Food Policy Council will expire June 30, 2015.

FISCAL NOTE: No impact on state funds in FY 2012, FY 2013, and FY 2014.

PROPONENTS: Supporters say that the bill will provide local authorities the ability to customize a plan for the creation of a drinking water reservoir that is specific to the needs of the particular county. The local plan will be more cost effective and less intrusive to neighboring landowners.

Testifying for the bill were Representative Wyatt; and Bradley Scott, Bobby Williams, and Chad Sayre, North Central Missouri Regional Water Commission.

OPPONENTS: There was no opposition voiced to the committee.