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5243S04.02F
Bhole



Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed

5243S04.02F

SCS HCS HB 1713

entitled:

AN ACT

To repeal sections 256.437, 256.438, 256.439, 256.440, and 256.443, RSMo, and to enact in lieu thereof six new sections relating to water systems, with an emergency clause for a certain section.

With SA 1, SA 3, SA 5

EC - Adopted

In which the concurrence of the House is respectfully requested.

Respectfully,

Adriane D. Crouse

Adriane D. Crouse
Secretary of the Senate

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CHIEF CLERK

SENATE AMENDMENT NO. 1

Offered by M. Myler of Leuss

Amend SCS/HCS/House Bill No. 1713, Page 1, Section Title, Line 3,

2 of the title by inserting immediately after "relating to" the
3 following: "the regulation of"; and

4 Further amend said bill, page 4, section 256.447, line 12,
5 by inserting after all of said line the following:

6 "644.021. 1. There is hereby created a water contaminant
7 control agency to be known as the "Clean Water Commission of the
8 State of Missouri", whose domicile for the purposes of sections
9 644.006 to 644.141 shall be deemed to be that of the department
10 of natural resources. The commission shall consist of seven
11 members appointed by the governor with the advice and consent of
12 the senate. No more than four of the members shall belong to the
13 same political party. All members shall be representative of the
14 general interest of the public and shall have an interest in and
15 knowledge of conservation and the effects and control of water
16 contaminants. At least two [such] members[, but no more than
17 two,] shall be knowledgeable concerning the needs of agriculture,
18 industry or mining and interested in protecting these needs in a
19 manner consistent with the purposes of sections 644.006 to
20 644.141. One [such] member shall be knowledgeable concerning the
21 needs of publicly owned wastewater treatment works. No more than

Offered 5/5/16
Adopted "

1 four members shall represent the public. No member shall
2 receive, or have received during the previous two years, a
3 significant portion of his or her income directly or indirectly
4 from permit holders or applicants for a permit pursuant to any
5 federal water pollution control act as amended and as applicable
6 to this state. All members appointed on or after August 28,
7 2002, shall have demonstrated an interest and knowledge about
8 water quality. All members appointed on or after August 28,
9 2002, shall be qualified by interest, education, training or
10 experience to provide, assess and evaluate scientific and
11 technical information concerning water quality, financial
12 requirements and the effects of the promulgation of standards,
13 rules and regulations. At the first meeting of the commission
14 and at yearly intervals thereafter, the members shall select from
15 among themselves a chairman and a vice chairman.

16 2. The members' terms of office shall be four years and
17 until their successors are selected and qualified. Provided,
18 however, that the first three members appointed shall serve a
19 term of two years, the next three members appointed shall serve a
20 term of four years, thereafter all members appointed shall serve
21 a term of four years. There is no limitation on the number of
22 terms any appointed member may serve. If a vacancy occurs the
23 governor may appoint a member for the remaining portion of the
24 unexpired term created by the vacancy. The governor may remove
25 any appointed member for cause. The members of the commission
26 shall be reimbursed for travel and other expenses actually and
27 necessarily incurred in the performance of their duties.

28 3. The commission shall hold at least four regular meetings
29 each year and such additional meetings as the chairman deems

1 desirable at a place and time to be fixed by the chairman.
2 Special meetings may be called by three members of the commission
3 upon delivery of written notice to each member of the commission.
4 Reasonable written notice of all meetings shall be given by the
5 director to all members of the commission. Four members of the
6 commission shall constitute a quorum. All powers and duties
7 conferred specifically upon members of the commission shall be
8 exercised personally by the members and not by alternates or
9 representatives. All actions of the commission shall be taken at
10 meetings open to the public. Any member absent from six
11 consecutive regular commission meetings for any cause whatsoever
12 shall be deemed to have resigned and the vacancy shall be filled
13 immediately in accordance with subsection 1 of this section.";
14 and

15 Further amend the title and enacting clause accordingly.

SENATE AMENDMENT NO. 3

Offered by Schultz of 26

Amend SCS/HCS/House Bill No. 1713, Page 1, Section A, Line 4,

2 by inserting immediately after said line the following:

3 "67.5070. 1. As used in this section, "design-build
4 contract" shall mean any contract that furnishes architecture or
5 engineering services and construction services either directly or
6 through subcontracts.

7 2. Any political subdivision may enter into a design-build
8 contract for engineering, design, and construction of a waste
9 water or water treatment project.

10 3. In disbursing community development block grants under
11 42 U.S.C. Sections 5301 to 5321, the department of economic
12 development shall not reject waste water or water treatment
13 projects solely for utilizing design-build.

14 4. The department of natural resources shall not preclude
15 design-build contracts from consideration of funding provided by
16 the water and wastewater loan fund established in section
17 644.122."; and

18 Further amend the title and enacting clause accordingly.

19

Offered 5/6/16
Adopted "

SENATE AMENDMENT NO. 5

Offered by WALLINGFORD of DISTRICT 27

Amend SCS/HCS/House Bill No. 1713, Page 4, Section 256.447, Line 12,

by inserting after all of said line the following:

"640.136. 1. Any public water system, as defined in section 640.102, or public water supply district, as defined in chapter 247, which intends to make modifications to fluoridation of its water supply shall notify the department of natural resources, the department of health and senior services, and its customers of its intentions at least ninety days prior to any vote on the matter. The public water system or public water supply district shall notify its customers via radio, television, newspaper, regular mail, electronic means, or any combination of notification methods to most effectively notify customers at least ninety days prior to any meeting at which the vote will occur. Any public water system or public water supply district that violates the notification requirements of this section shall return the fluoridation of its water supply to its previous level until proper notification is provided under the provisions of this section.

2. In the case of an investor-owned water system, the entity calling for the discussion of modifications to fluoridation shall be responsible for the provisions of this

Offered 5/6/16
Adopted "

1 section."; and

2 Further amend the title and enacting clause accordingly.