

HCS HB 1433 -- WATERSHED IMPROVEMENT DISTRICTS

SPONSOR: Townley (Wood)

COMMITTEE ACTION: Voted "do pass" by the Committee on Conservation and Natural Resources by a vote of 18 to 0.

This substitute creates the Upper White River Basin Watershed Improvement District, an area that includes Greene, Stone, Christian, Taney, Barry, Douglas, Webster, Wright, and Ozark counties. Table Rock Lake, the James River, the White River, Lake Taneycomo, and Bull Shoals Lake are located in the proposed district. The substitute also allows for any county located within any watershed in the state to propose a watershed improvement district. A district is authorized to own, install, operate, and maintain decentralized or individual on-site wastewater treatment plants.

A watershed improvement district will have the power to borrow money, incur indebtedness, and submit to the qualified voters within the district a request to collect real property taxes to help fund the operation of the district.

The county commission of any county located within a district can authorize individual properties to be served by the district by adopting a resolution. Before the resolution can be adopted, a petition signed by at least 20% of the property owners within the proposed area must be filed with the commission.

Property that is currently served by a sewer district cannot be a part of the watershed improvement district unless the existing sewer district agrees to stop providing service to the property. The watershed improvement district will not provide service unless the property owner wants the service.

On-site wastewater treatment systems installed on property that participates in the district must meet the standards set by the district board and the appropriate state agencies.

Participating property owners must have a maintenance plan approved by the district for the on-site wastewater treatment system on their property, and they must execute a utilities easement to allow the district access to the system for maintenance and inspection.

The county, by order or ordinance or upon the filing of a petition signed by 20% of the property owners in the proposed area, may designate groundwater depletion areas and may require well volume monitoring.

A watershed improvement district will have a board of trustees. The substitute specifies the number of trustees, length of term each trustee will serve, and the manner in which successive trustees will be chosen.

Any person or laboratory performing wastewater analysis will be licensed by the Department of Natural Resources, and any person installing on-site sewage disposal systems will be licensed by the Department of Health and Senior Services.

The commission; a member of a watershed district's board of trustees created under Section 249.1150 or 249.1152, RSMo; or the director of the Department of Natural Resources can request action be taken against anyone for unlawful discharge of water contaminants.

FISCAL NOTE: Estimated Effect on General Revenue Fund of a Cost of \$320,572 in FY 2005, an Income of \$320,572 in FY 2006, and \$0 in FY 2007. No impact on Other State Funds in FY 2005, FY 2006, and FY 2007.

PROPOSERS: Supporters say that the bill will help promote cleaner water. This area has shallow soil above bed rock, and there are many ineffective septic tanks polluting the water supply. The bill will help replace septic tanks with newer systems that work better and will allow rural residents to get the same benefits as big cities by using the State Revolving Fund to borrow money at a cheap rate to update their systems.

Testifying for the bill were Representative Wood; Upper White River Basin Foundation; Table Rock Lake Water Quality, Incorporated; Tim Smith; and Office of Attorney General.

OPPOSERS: There was no opposition voiced to the committee.

Marc Webb, Legislative Analyst