

HB 617, HCA 1 -- WATERSHED DISTRICTS

SPONSOR: Kelly

COMMITTEE ACTION: Voted "do pass" by the Committee on Conservation and Natural Resources by a vote of 7 to 6.

Currently, the counties of Douglas, Ozark, and Wright are members of the Upper White River Basin Watershed Improvement District. This bill excludes those counties from the watershed improvement district and allows those counties to be removed from a watershed district upon the filing of a petition signed by at least 20% of the qualified voters of the county requesting removal and upon countywide voter approval at the next general election.

HCA 1 -- Eliminates provisions allowing for well-volume monitoring and the licensing of septic system maintenance providers within a watershed district, eliminates the requirement that persons installing on-site sewage disposal systems be registered by the Department of Health and Senior Services, and requires the department to investigate only sewage complaints received from an aggrieved party or adjacent landowner and not those received from any two residents of the county.

FISCAL NOTE: No impact on state funds in FY 2006, FY 2007, and FY 2008.

PROPOSERS: Supporters say that Wright, Ozark, and Douglas counties should be excluded from the Upper White River Watershed Improvement District because those counties have much different needs than the other member counties. People in the watershed district were not aware, consulted, or notified of the effect of last year's HB 1433 on their property rights.

Testifying for the bill were Representative Kelly; Missouri Farm Bureau; Citizens for Private Property Rights; Ron Hardecke; Wright County; and Ozark Chapter of Property Rights Congress.

OPPOSERS: Those who oppose the bill say that by removing several member counties of the Upper White River Watershed Improvement District a bad message is sent to Arkansas legislators who viewed the watershed district as a model, and the watershed district should remain intact.

Testifying against the bill were Representative Wood; Office of the Attorney General; and Upper White River Basin Watershed Improvement District.

Kristina Jenkins, Legislative Analyst