

HCS SS SCS SB 539 -- ENVIRONMENTAL PROTECTION

SPONSOR: Schaefer (Ruzicka)

COMMITTEE ACTION: Voted "do pass" by the Committee on Rural Community Development by a vote of 10 to 0.

This substitute changes the laws regarding environmental protections. In its main provisions, the substitute:

(1) Prohibits the Metropolitan St. Louis Sewer District from assessing a residential district property owner any fee, charge, or tax for storm water management services if the district does not directly provide sanitary sewer services to the property and the storm water runoff from the property does not flow or is not conveyed to a sewer maintained by the district;

(2) Allows the state to distribute economic stimulus funds provided under the federal American Recovery and Reinvestment Act of 2009 to local governments, public water or sewer districts, and other eligible entities to assist in the construction of public drinking water and water pollution control projects as approved by the Safe Drinking Water Commission or the Clean Water Commission;

(3) Allows the Department of Natural Resources to analyze the potential for increased utilization of landfill gas as an alternative energy source;

(4) Authorizes the department to enter into cooperative agreements with other states, political subdivisions, private entities, and educational institutions in order to seek and obtain federal grants;

(5) Allows funds appropriated to the department for energy-related activities to be used to carry out agreements, contracts, sub-grants, or cooperative arrangements with other governmental and non-profit organizations;

(6) Creates the Energy Futures Fund to be used for energy-related activities including energy efficiency programs, energy studies, energy resource analyses, energy projects, and related departmental administration costs; and

(7) Allows the Clean Water Commission to charge fees for construction permits, operating permits, and operator's certifications related to water pollution control until December 31, 2010. Currently, the commission can only charge these fees until December 31, 2009.

The provisions regarding the funds appropriated to the department for energy-related activities will expire January 1, 2012.

The substitute contains an emergency clause.

FISCAL NOTE: No impact on General Revenue Fund in FY 2010, FY 2011, and FY 2012. Estimated Cost on Other State Funds of \$188,108 in FY 2010, \$2,586,074 in FY 2011, and \$5,601,882 in FY 2012.

PROPONENTS: Supporters say that the bill will allow the Department of Natural Resources to issue grants with money from federal stimulus moneys. By allowing the Clean Water Commission to charge certain fees until December 31, 2010, it will give the commission one more year to talk with people who pay the fees to determine which services should continue. Once an agreement is reached regarding the services, the commission will be able to set the fee at an appropriate level. The Metropolitan St. Louis Sewer District must collect storm water fees, but people using septic tanks do not want to pay for this service. The bill specifies that if a person does not receive sanitary sewer services from the district, he or she will not pay the storm water charges.

Testifying for the bill were Senator Pearce; Associated Industries of Missouri; National Solid Waste Management Association; Missouri Association of Municipal Utilities; Associated General Contractors of Missouri; Metropolitan St. Louis Sewer District; Department of Natural Resources; Tom Rackers, Waste Corporation, Fred Weber, and St. Louis Composting; and Genesis Group.

OPPONENTS: There was no opposition voiced to the committee.