m the House of

Mr. Speaker: I am instructed by the Senate to inform the House of

Representatives that the Senate has taken up and passed

SS SCS HB 542.

____entitled:

AN ACT

To repeal sections 64.196, 178.550, 196.311, 267.655, 323.100, 348.521, and 413.225, RSMo, and to enact in lieu thereof eight new sections relating to agriculture.

With. SAI, SAZ, SAZ, SAZ,

In which the concurrence of the House is respectfully requested.

Respectfully,

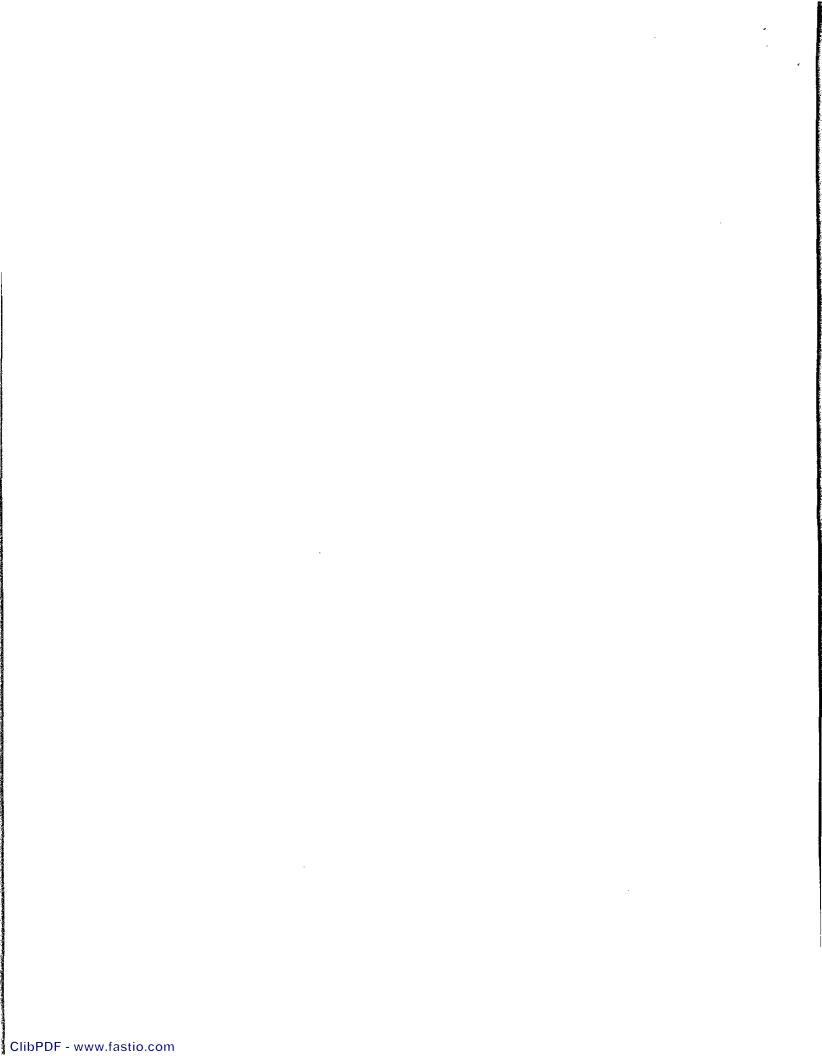
Serry & Spiler MAY 08 2013

Terry L. Spieler Secretary of the Senate

SENATE AMENDMENT N	, ON	. 1	
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Offere	ed by lager of 12th
Amend	
2	of said page, by inserting immediately after said line the
3	following:
<u> </u>	"644.052. 1. Persons with operating permits or permits by
5	rule issued pursuant to this chapter shall pay fees pursuant to
5	subsections 2 to 8 and 12 to 13 of this section. Persons with a
7	sewer service connection to public sewer systems owned or
3	operated by a city, public sewer district, public water district
€	or other publicly owned treatment works shall pay a permit fee
0	pursuant to subsections 10 and 11 of this section.
1	2. A privately owned treatment works or an industry which
2	treats only human sewage shall annually pay a fee based upon the
3.	design flow of the facility as follows:
4	(1) One hundred dollars if the design flow is less than
5	five thousand gallons per day;
6	(2) One hundred fifty dollars if the design flow is equal
7 .	to or greater than five thousand gallons per day but less than
8	six thousand gallons per day;
9	(3) One hundred seventy-five dollars if the design flow is
0	equal to or greater than six thousand gallons per day but less
1	than seven thousand gallons per day;
2	(4) Two hundred dollars if the design flow is equal to or

Offered 5/1/13 adapted "



greater than seven thousand gallons per day but less than eight thousand gallons per day;

- (5) Two hundred twenty-five dollars if the design flow is equal to or greater than eight thousand gallons per day but less than nine thousand gallons per day;
- (6) Two hundred fifty dollars if the design flow is equal to or greater than nine thousand gallons per day but less than ten thousand gallons per day;
- (7) Three hundred seventy-five dollars if the design flow is equal to or greater than ten thousand gallons per day but less than eleven thousand gallons per day;
- (8) Four hundred dollars if the design flow is equal to or greater than eleven thousand gallons per day but less than twelve thousand gallons per day;
- (9) Four hundred fifty dollars if the design flow is equal to or greater than twelve thousand gallons per day but less than thirteen thousand gallons per day;
- (10) Five hundred dollars if the design flow is equal to or greater than thirteen thousand gallons per day but less than fourteen thousand gallons per day;
- (11) Five hundred fifty dollars if the design flow is equal to or greater than fourteen thousand gallons per day but less than fifteen thousand gallons per day;
- (12) Six hundred dollars if the design flow is equal to or greater than fifteen thousand gallons per day but less than sixteen thousand gallons per day;
- (13) Six hundred fifty dollars if the design flow is equal to or greater than sixteen thousand gallons per day but less than seventeen thousand gallons per day;

- (14) Eight hundred dollars if the design flow is equal to or greater than seventeen thousand gallons per day but less than twenty thousand gallons per day;
- (15) One thousand dollars if the design flow is equal to or greater than twenty thousand gallons per day but less than twenty-three thousand gallons per day;
- (16) Two thousand dollars if the design flow is equal to or greater than twenty-three thousand gallons per day but less than twenty-five thousand gallons per day;
- (17) Two thousand five hundred dollars if the design flow is equal to or greater than twenty-five thousand gallons per day but less than thirty thousand gallons per day;
- (18) Three thousand dollars if the design flow is equal to or greater than thirty thousand gallons per day but less than one million gallons per day; or
- (19) Three thousand five hundred dollars if the design flow is equal to or greater than one million gallons per day.
- 3. Persons who produce industrial process wastewater which requires treatment and who apply for or possess a site-specific permit shall annually pay:
- (1) Five thousand dollars if the industry is a class IA animal feeding operation as defined by the commission; or
- (2) For facilities issued operating permits based upon categorical standards pursuant to the Federal Clean Water Act and regulations implementing such act:
- (a) Three thousand five hundred dollars if the design flow is less than one million gallons per day; or
- (b) Five thousand dollars if the design flow is equal to or greater than one million gallons per day.

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- 4. Persons who apply for or possess a site-specific permit solely for industrial storm water shall pay an annual fee of:
- (1) One thousand three hundred fifty dollars if the design flow is less than one million gallons per day; or
- (2) Two thousand three hundred fifty dollars if the design flow is equal to or greater than one million gallons per day.
- 5. Persons who produce industrial process wastewater who are not included in subsection 2 or 3 of this section shall annually pay:
- (1) One thousand five hundred dollars if the design flow is less than one million gallons per day; or
- (2) Two thousand five hundred dollars if the design flow is equal to or greater than one million gallons per day.
- 6. Persons who apply for or possess a general permit shall pay:
- (1) Three hundred dollars for the discharge of storm water from a land disturbance site;
- (2) Fifty dollars annually for the operation of a chemical fertilizer or pesticide facility;
- (3) One hundred fifty dollars for the operation of an animal feeding operation or a concentrated animal feeding operation;
- (4) One hundred fifty dollars annually for new permits for the discharge of process water or storm water potentially contaminated by activities not included in subdivisions (1) to (3) of this subsection. Persons paying fees pursuant to this subdivision with existing general permits on August 27, 2000, and persons paying fees pursuant to this subdivision who receive renewed general permits on the same facility after August 27,

2000, shall pay sixty dollars annually;

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- (5) Up to two hundred fifty dollars annually for the operation of an aquaculture facility.
- 7. Requests for modifications to state operating permits on entities that charge a service connection fee pursuant to subsection 10 of this section shall be accompanied by a two hundred dollar fee. The department may waive the fee if it is determined that the necessary modification was either initiated by the department or caused by an error made by the department.
- 8. Requests for state operating permit modifications other than those described in subsection 7 of this section shall be accompanied by a fee equal to twenty-five percent of the annual operating fee assessed for the facility pursuant to this section. However, requests for modifications for such operating permits that seek name changes, address changes, or other nonsubstantive changes to the operating permit shall be accompanied by a fee of one hundred dollars. The department may waive the fee if it is determined that the necessary modification was either initiated by the department or caused by an error made by the department.
- 9. Persons requesting water quality certifications in accordance with Section 401 of the Federal Clean Water Act shall pay a fee of seventy-five dollars and shall submit the standard application form for a Section 404 permit as administered by the U.S. Army Corps of Engineers or similar information required for other federal licenses and permits, except that the fee is waived for water quality certifications issued and accepted for activities authorized pursuant to a general permit or nationwide permit by the U.S. Army Corps of Engineers.
 - 10. Persons with a direct or indirect sewer service

connection to a public sewer system owned or operated by a city, public sewer district, public water district, or other publicly owned treatment works shall pay an annual fee per water service connection as provided in this subsection. Customers served by multiple water service connections shall pay such fee for each water service connection, except that no single facility served by multiple connections shall pay more than a total of seven hundred dollars per year. The fees provided for in this subsection shall be collected by the agency billing such customer for sewer service and remitted to the department. The fees may be collected in monthly, quarterly or annual increments, and shall be remitted to the department no less frequently than annually. The fees collected shall not exceed the amounts specified in this subsection and, except as provided in subsection 11 of this section, shall be collected at the specified amounts unless adjusted by the commission in rules. The annual fees shall not exceed:

- (1) For sewer systems that serve more than thirty-five thousand customers, forty cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;
- (2) For sewer systems that serve equal to or less than thirty-five thousand but more than twenty thousand customers, fifty cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;
- (3) For sewer systems that serve equal to or less than twenty thousand but more than seven thousand customers, sixty cents per residential customer as defined by the provider of said

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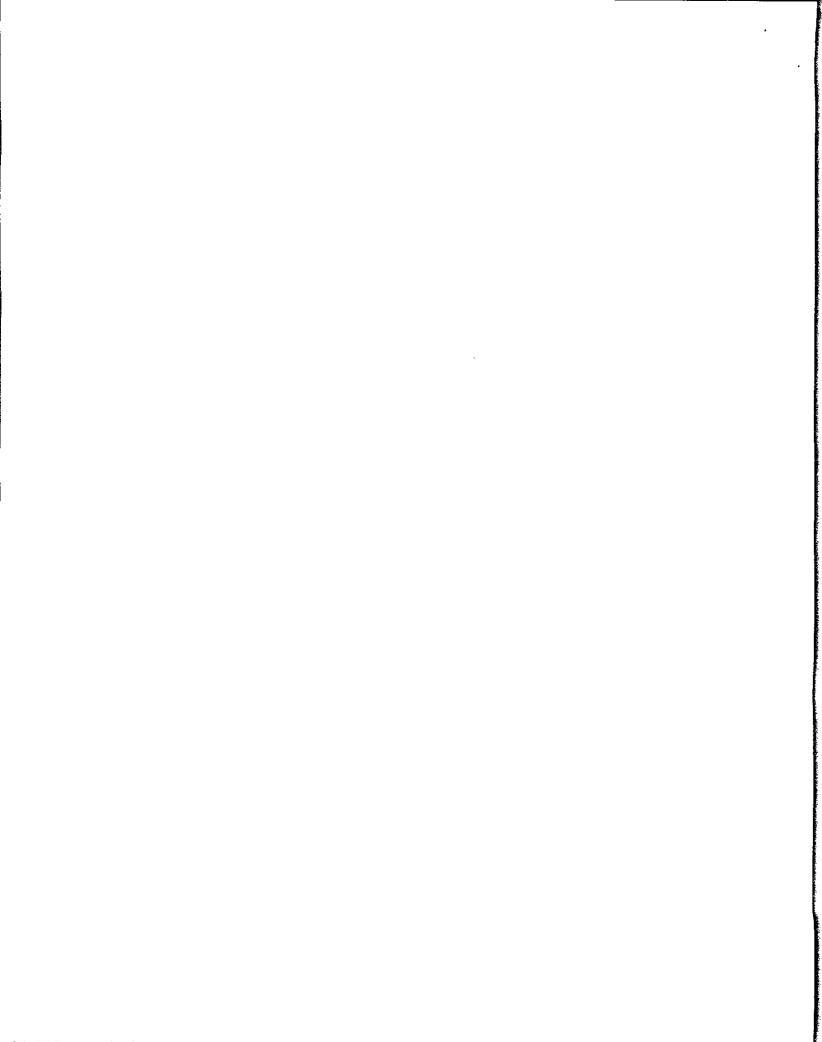
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sewer service until such time as the commission promulgates rules defining the billing procedure;

- (4) For sewer systems that serve equal to or less than seven thousand but more than one thousand customers, seventy cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;
- (5) For sewer systems that serve equal to or less than one thousand customers, eighty cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;
- (6) Three dollars for commercial or industrial customers not served by a public water system as defined in chapter 640;
- (7) Three dollars per water service connection for all other customers with water service connections of less than or equal to one inch excluding taps for fire suppression and irrigation systems;
- (8) Ten dollars per water service connection for all other customers with water service connections of more than one inch but less than or equal to four inches, excluding taps for fire suppression and irrigation systems;
- (9) Twenty-five dollars per water service connection for all other customers with water service connections of more than four inches, excluding taps for fire suppression and irrigation systems.
- 11. Customers served by any district formed pursuant to the provisions of section 30(a) of article VI of the Missouri Constitution shall pay the fees set forth in subsection 10 of this section according to the following schedule:

- (1) From August 28, 2000, through September 30, 2001, customers of any such district shall pay fifty percent of such fees; and
 - (2) Beginning October 1, 2001, customers of any such districts shall pay one hundred percent of such fees.
 - 12. Persons submitting a notice of intent to operate pursuant to a permit by rule shall pay a filing fee of twenty-five dollars.
 - 13. For any general permit issued to a state agency for highway construction pursuant to subdivision (1) of subsection 6 of this section, a single fee may cover all sites subject to the permit."; and

Further amend the title and enacting clause accordingly.



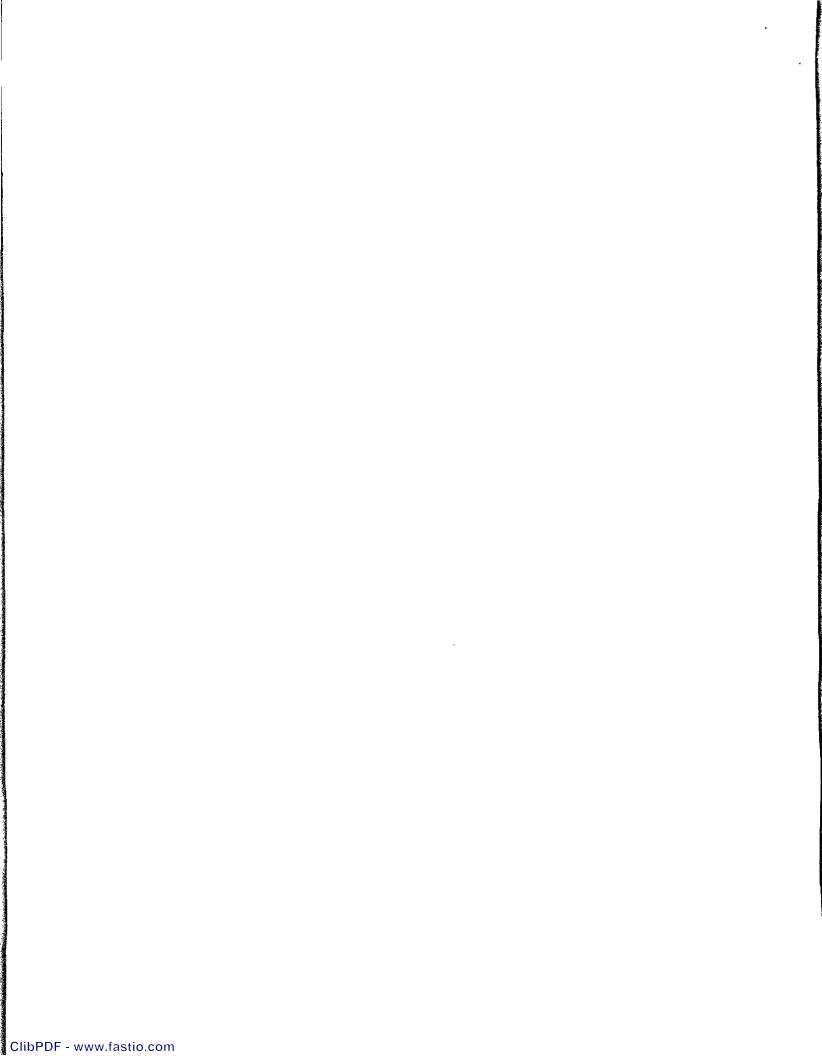
SENATE AMENDMENT NO. 2

Offere	ed by Lager of 12th
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Amend	
?	by inserting after all of said line the following:
3	"640.725. 1. The owner or operator of any flush system
:	animal waste wet handling facility shall employ one or more
5	persons who shall once per week visually inspect the [animal
5	waste wet handling facility and lagoons for unauthorized
,	discharge and structural integrity at least every twelve hours
3	with a deviation of not to exceed three hours] gravity outfall
)	lines, recycle pump stations, recycle force mains, and
0	appurtenances for any release to any containment structure
1	required by section 640.730. The owner or operator shall also
2	visually inspect once per day any lagoon whose water level is
3	less than twelve inches from the emergency spillway. The owner
4	or operator of the facility shall keep records of each
5	inspection. Such records shall be retained for three years. The
6	department shall provide or approve a form provided by the owner
7	or operator for each facility for such inspections.
8	2. All new construction permits for flush system animal
9	waste wet handling facilities shall have an electronic or
0	mechanical shutoff of the system in the event of pipe stoppage.
1	As of July 1, 1997, all existing flush system animal waste wet

handling facilities shall have, at a minimum, an electronic or

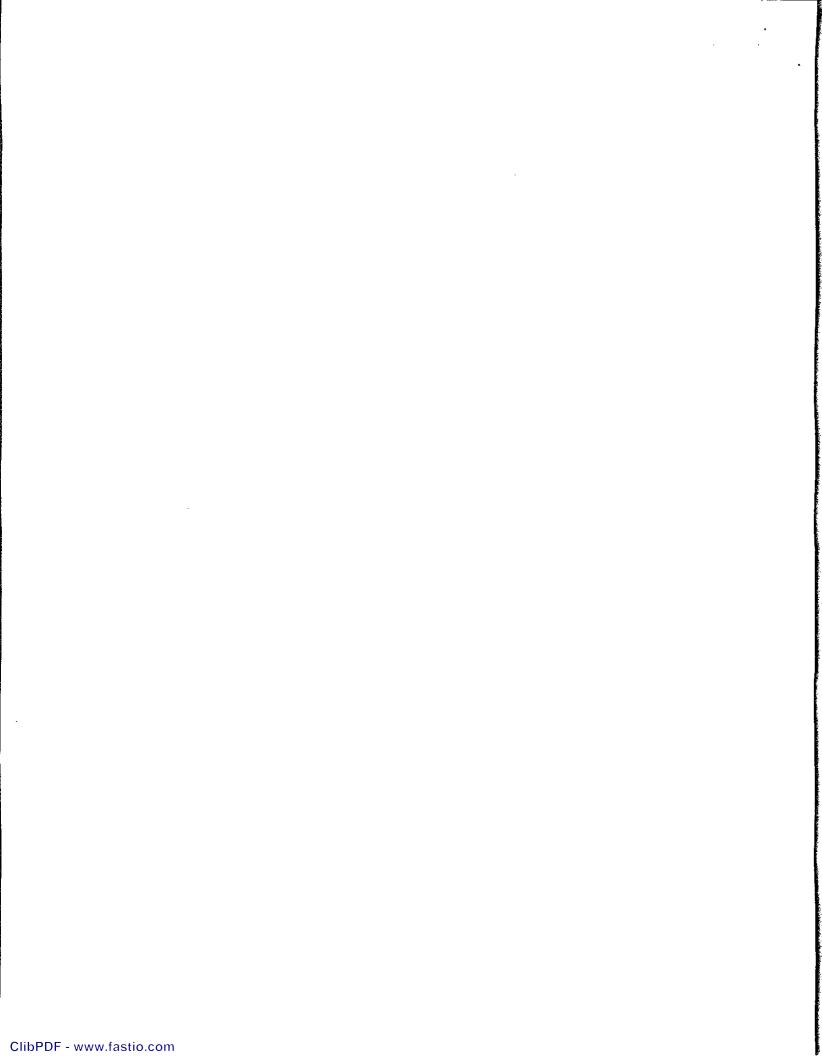
Affered 5/1/13 adopted "

- mechanical shutoff of the system in the event of pipe stoppage or
- backflow."; and
- 3 Further amend the title and enacting clause accordingly.



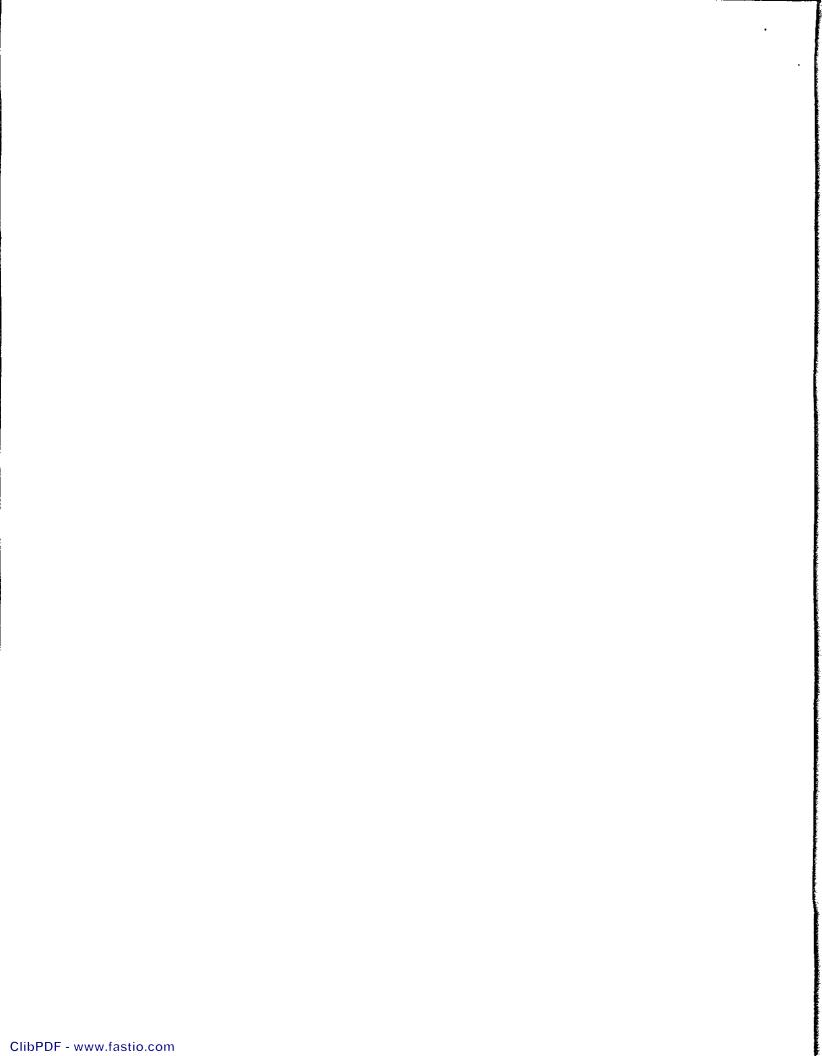
	SENATE AMENDMENT NO. 3
Offer	red by Leave of Ist.
Ameno	d <u>SS/SCS/House</u> Bill No. <u>542</u> , Page <u>7</u> , Section <u>196.311</u> , Line <u>22</u> ,
:	by inserting after all of said line the following:
1	"262.598. 1. As used in this section, the following terms
	shall mean:
5	(1) "Consolidated district", a district formed jointly by
5	two or more councils;
,	(2) "Council", a University of Missouri extension council
3	authorized under section 262.563;
)	(3) "District" or "extension district", a political
0	subdivision formed by one or more councils;
1	(4) "Single-council district", a district formed by one
2	<pre>council;</pre>
3	(5) "Governing body", the group of individuals who govern a
4	district.
5	2. University of Missouri extension councils , except for
6	any council located in a county with a charter form of government
7	and with more than nine hundred fifty thousand inhabitants, are
8	hereby authorized to form extension districts made up of
9	cooperating counties for the purpose of funding extension
0	programming. An extension district may be a single-council
1	district or a consolidated district. A single-council district
2	shall be formed upon a majority vote of the full council. A
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consolidated district shall be formed upon a majority vote of each participating council.

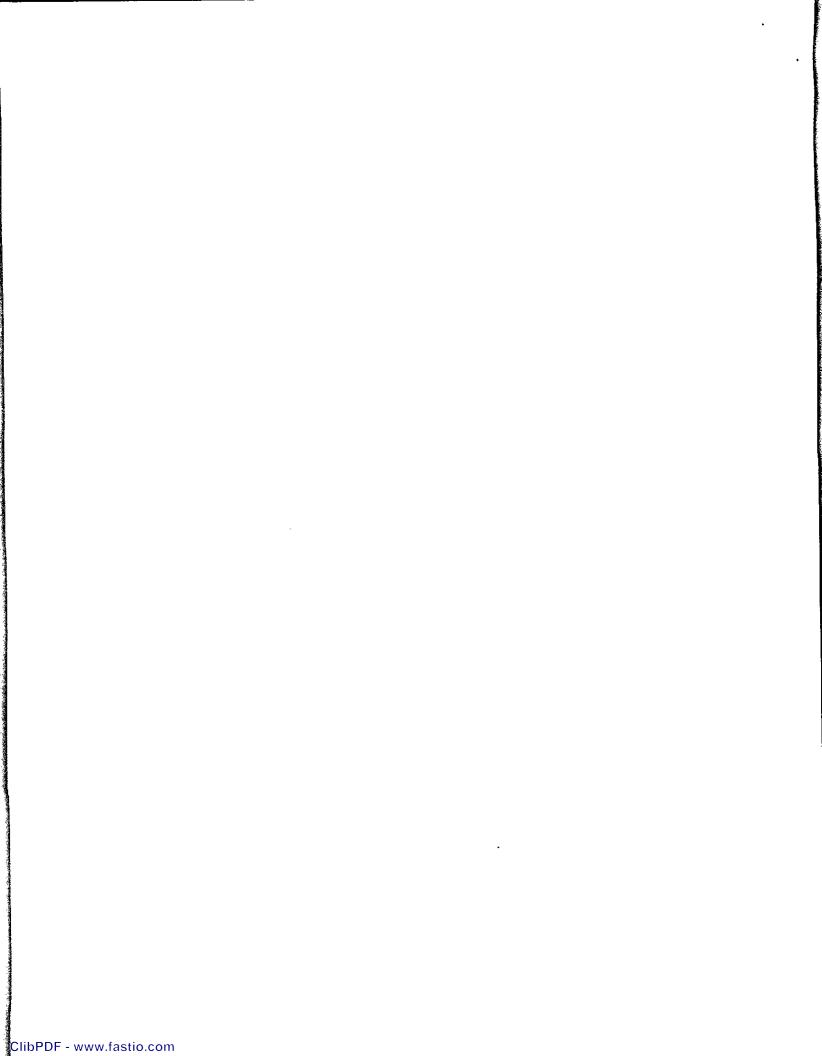
- 3. In a single-council district, the council shall serve as the district's governing body. In addition to any other powers and duties granted to the council under sections 262.550 to 262.620, the council shall also have the powers and duties provided under subsection 5 of this section.
- 4. In a consolidated district, the governing body of the district shall consist of at least three, but no more than five, representatives appointed by each participating council. The term of office shall be two years. Representatives may be reappointed. The governing body shall elect officers, who shall serve as officers for two years, and establish a regular meeting schedule which shall not be less than once every three months.
- 5. The governing body of a district shall have the following powers and duties:
- (1) Review the activities and annual budgets of each participating council;
- (2) Determine, by September first of each year, the tax rate necessary to generate sufficient revenue to fund the extension programming in the district, which includes annual funding for each participating council for the costs of personnel and the acquisition, supply, and maintenance of each council's property, work, and equipment;
- (3) Oversee the collection of any tax authorized under this section by ensuring the revenue is deposited into a special fund and monitoring the use of the funds to ensure they are used solely for extension programming in the district;
 - (4) Approve payments from the special fund in which the tax



revenue is deposited; and

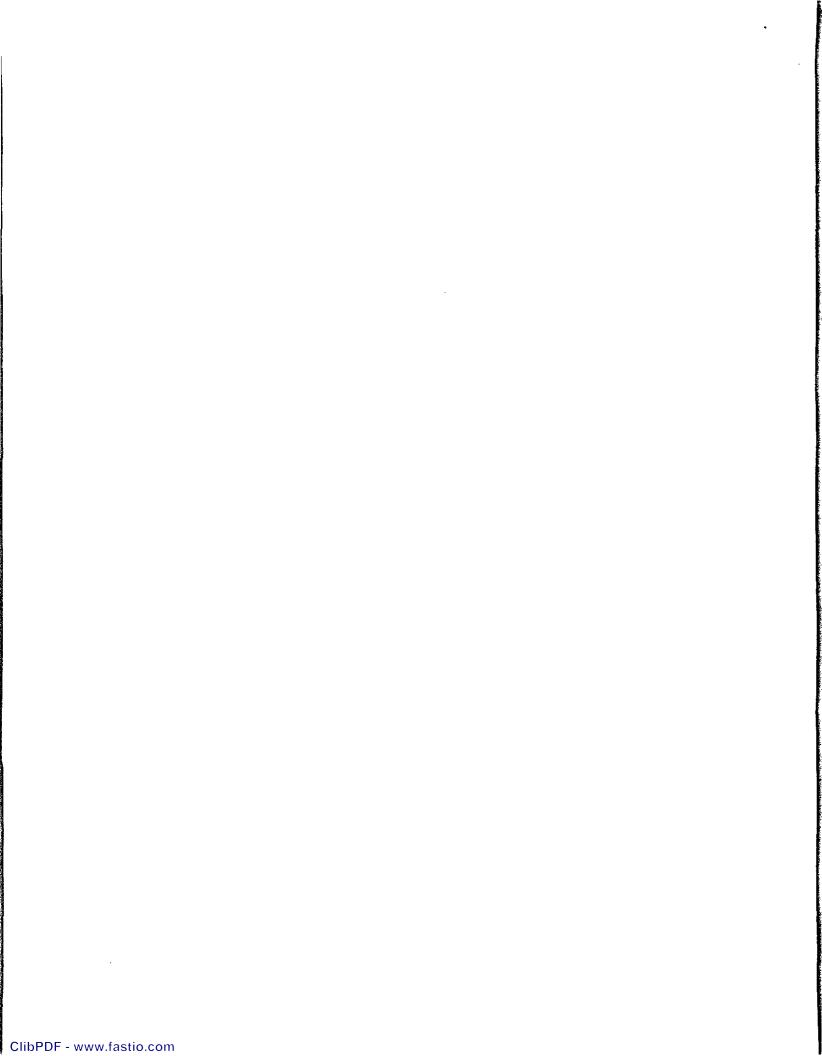
- (5) Work cooperatively with each participating council to plan and facilitate the programs, equipment, and activities in the district.
- 6. The governing body of a district may submit a question to the voters of the district to institute a property tax levy in the county or counties that compose the district. Questions may be submitted to the voters of the district at any general municipal election. Any such proposed tax shall not exceed thirty cents per one hundred dollars of assessed valuation. The costs of submitting the question to the voters at the general municipal election shall be paid as provided in section 115.063. Such question shall be submitted in substantially the following form:

"Shall the Extension District in County (insert name of county) be authorized to levy an annual tax of (insert amount not to exceed thirty) cents per one hundred dollars of assessed valuation for the purpose of funding the University of Missouri Extension District programs, equipment, and services in the district?" In a single-council district, if a majority of the voters in the county approve the question, then the district shall impose the tax. If a majority of the voters in a single-council district do not approve the question, then no tax shall be imposed. In a consolidated district, if a majority of voters in each county in the district approve the question, then the district shall impose the tax. If a majority of the voters in a consolidated district do not approve the question, then no tax shall be imposed in any county of the district. In a consolidated district, if a



majority of voters in a county do not approve the question, the council in the county that did not approve the question may withdraw from the district. Upon such withdrawal, the district shall be made up of the remaining counties and the tax shall be imposed in those counties. However, if the county that did not approve the question does not withdraw from the district, the tax shall not be imposed. Revenues collected from the imposition of a tax authorized under this section shall be deposited into a special fund dedicated only for use by the local district for programming purposes.

- 7. The county commission of any county in which the tax authorized under this section is levied and collected:
- (1) Shall be exempt from the funding requirements under section 262.597 if revenue derived from the tax authorized under this section is in excess of an amount equal to two hundred percent of the average funding received under section 262.597 for the immediately preceding three years; or
- (2) May reduce the current year's funding amount under section 262.597 by thirty-three percent of the amount of tax revenues derived from the tax authorized under this section which exceed the average amount of funding received under section 262.597 for the immediately preceding three years.
- 8. Any county that collects tax revenues authorized under this section shall transfer all attributable revenue plus monthly interest for deposit into the district's special fund. The governing body of the district shall comply with the prudent investor standard for investment fiduciaries as provided in section 105.688.
 - 9. In any county in which a single-council district is



established, and for which a tax has not been levied, the district may be dissolved in the same manner in which it was formed.

10. A county may withdraw from a consolidated district at any time by the filing of a petition with the circuit court having jurisdiction over the district. The petition shall be signed by not fewer than ten percent of those who voted in the most recent presidential election in the county seeking to withdraw that is part of a consolidated district stating that further operation of the district is contrary to the best interest of the inhabitants of the county in which the district is located and that the county seeks to withdraw from the district. The circuit court shall hear evidence on the petition. If the court finds that it is in the best interest of the inhabitants of the county in which the district is located for the county to withdraw from the district, the court shall make an order reciting the same and submit the question to the voters. The costs of submitting the question to the voters at the general municipal election shall be paid as provided in section 115.063. The question shall be submitted in substantially the following format:

"Shall the County of (insert name of county)
being part of (insert name of district) Extension

District withdraw from the district?"

The question shall be submitted at the next general municipal election date. The election returns shall be certified to the court. If the court finds that two-thirds of the voters voting on the question voted in favor of withdrawing from the district, the court shall issue an order withdrawing the county from the

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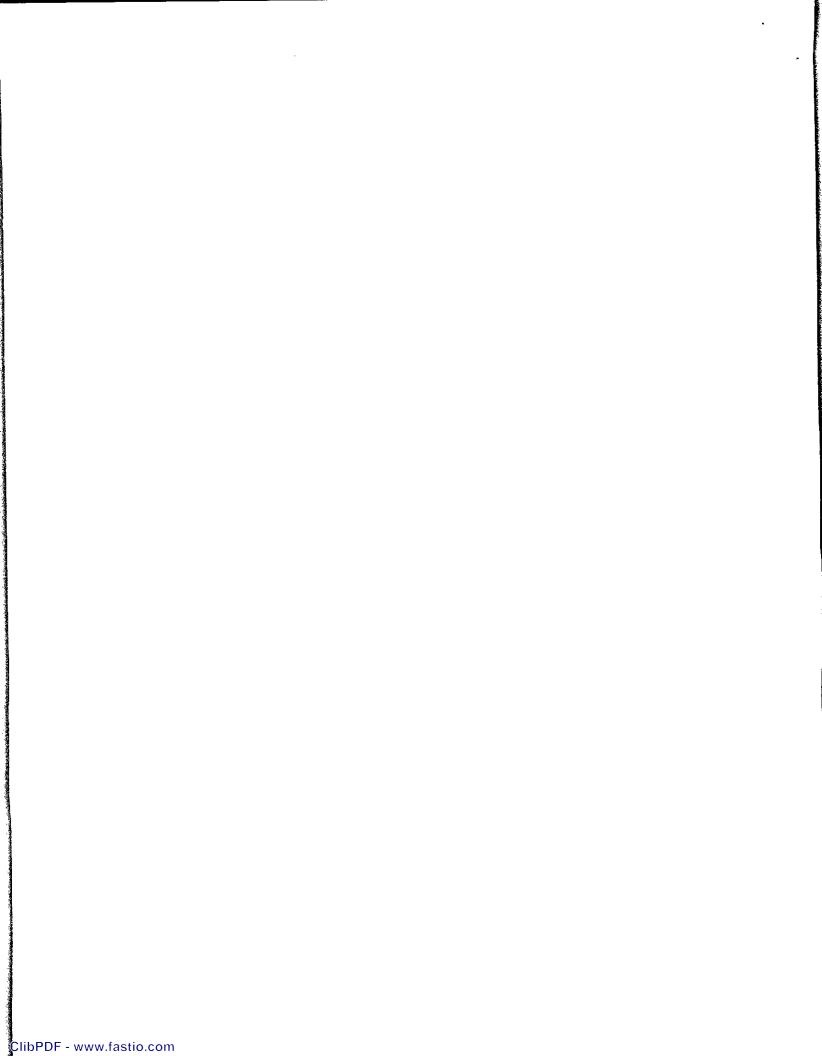
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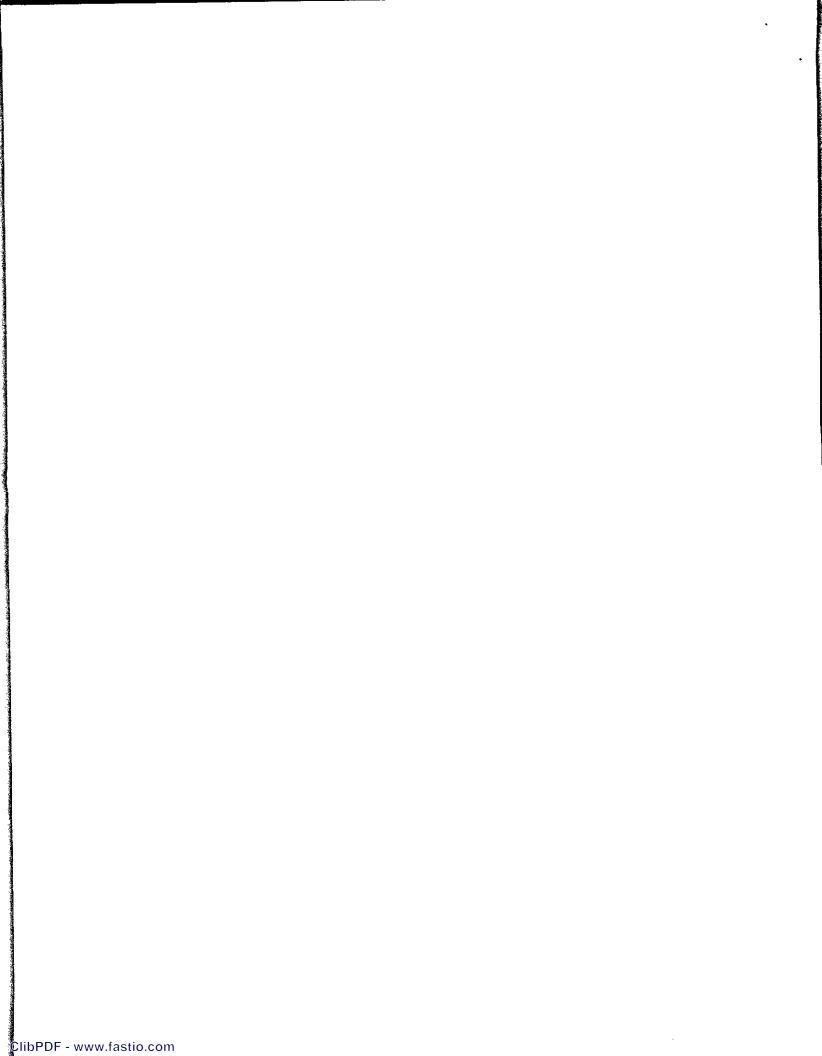


district, which shall contain a proviso that the district shall remain intact for the sole purposes of paying all outstanding and lawful obligations and disposing of the district's property. No additional costs or obligations for the withdrawing county shall be created except as necessary. The withdrawal shall occur on the first day of the following January after the vote. If the court finds that two-thirds of the voters voting on the question shall not have voted favorably on the question to withdraw from the district, the court shall issue an order dismissing the petition and the district shall continue to operate.

11. The governing body of any district may seek voter approval to increase its current tax rate authorized under this section, provided such increase shall not cause the total tax to exceed thirty cents per one hundred dollars of assessed valuation. To propose such an increase, the governing body shall submit the question to the voters at the general municipal election in the county in which the district is located. The costs of submitting the question to the voters at the general municipal election shall be paid as provided in section 115.063. The question shall be submitted in substantially the following form:

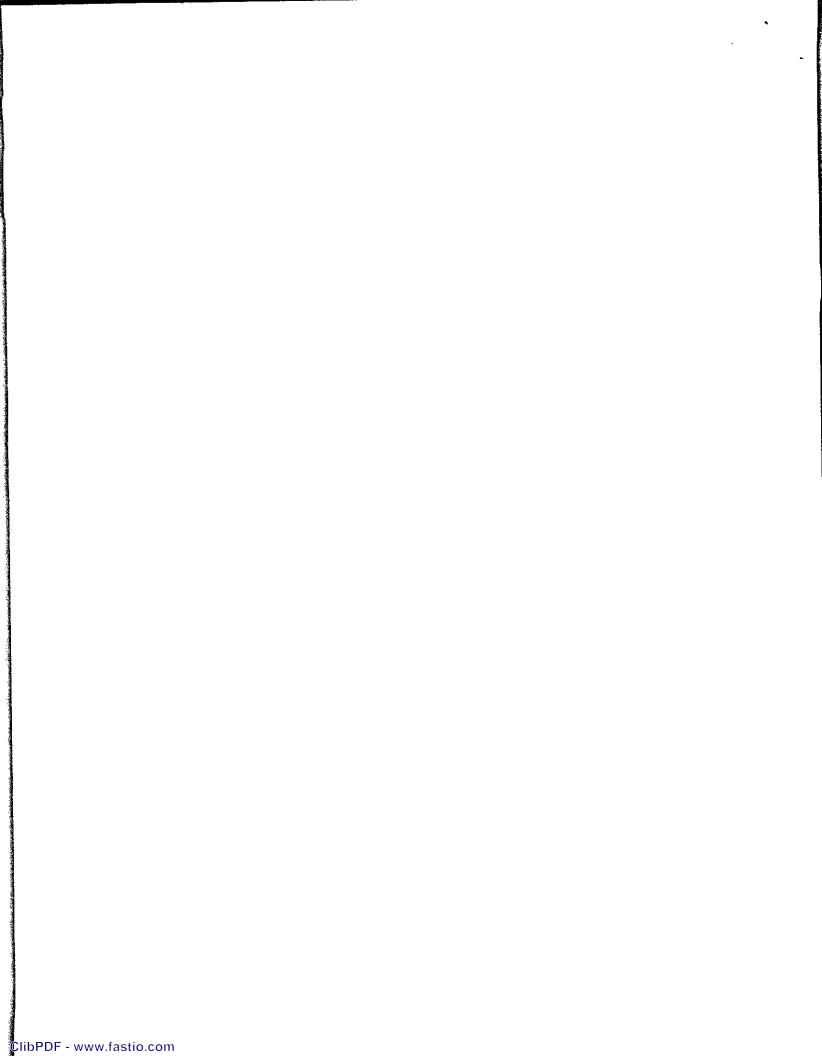
"Shall the Extension District in (insert name of county or counties) be authorized to increase the tax rate from (insert current amount of tax) cents to (insert proposed amount of tax not to exceed thirty) cents per one hundred dollars of assessed valuation for the purpose of funding the University of Missouri Extension District programs, equipment, and services in the district?"

In a single-council district, if a majority of the voters in the



county approve the question, then the district shall impose the tax. If a majority of the voters in a single-council district do not approve the question, then the tax shall not be imposed. In a consolidated district, if a majority of voters in the district approve the question, then the district shall impose the new tax rate. If a majority of the voters in a consolidated district do not approve the question, then the tax shall not be imposed in any county of the district. Revenues collected from the imposition of the tax authorized under this section shall be deposited into the special fund dedicated only for use by the district."; and

Further amend the title and enacting clause accordingly.



SENATE AMENDMENT NO. 4
offered by Rupp of 2nd
Amend <u>SS/SCS/House</u> Bill No. <u>542</u> , Page <u>16</u> , Section <u>262.900</u> , Line <u>14</u> ,
by inserting after all of said line the following:
"14. The provisions of this section shall not apply to any
county with a charter form of government and with more than three
hundred thousand but fewer than four hundred fifty thousand
inhabitants.".
Offered 5/1/13 adopted "

