

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 1191, Page 1, in the Title, Line 3, by deleting the words "rights-of-way of";
2 and

3
4 Further amend said bill, Page 1, Section A, Line 3, by inserting immediately after said lines the
5 following:

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7 "67.313. 1. Beginning January 1, 2015, if approved by a majority of the voters voting on the
8 proposal, any city, town, village, sewer district, or water supply district located within this state may,
9 by order or ordinance, levy and impose annually, upon lateral sewer service lines providing sewer
10 service to residential property having four or fewer dwelling units within the jurisdiction of such
11 city, town, village, sewer district, or water supply district, a fee not to exceed four dollars per month
12 or forty-eight dollars annually.

13 2. The ballot of submission shall be in substantially the following form:
14 For the purpose of repair or replacement of lateral sewer service lines extending from the residential
15 dwelling to its connection with the public sewer system line, due to failure of the line, shall
16 (city, town, village, sewer district, or water supply district) be authorized to impose a fee not to
17 exceed three dollars per month or thirty-six dollars annually on residential property for each lateral
18 sewer service line providing sewer service within the (city, town, village, sewer district, or water
19 supply district) to a residential property having four or fewer dwelling units for the purpose of
20 paying for the costs of necessary lateral sewer service line repairs or replacements?

21 3. For the purpose of this section, a lateral sewer service line may be defined by local order or
22 ordinance, but shall not include more than the portion of the sewer line which extends from the
23 sewer mains owned by the utility or municipality to the point of entry into the premises receiving
24 sewer service, and shall not include facilities owned by the utility or municipality. For purposes of
25 this section, repair may be defined and limited by local ordinance, and may include replacement or
26 repairs.

27 4. If a majority of the voters voting thereon approve the proposal authorized in subsection 1
28 of this section, the governing body of the city, town, village, sewer district, or water supply district
29 may enact an order or ordinance for the collection of such fee. The funds collected under such
30 ordinance shall be deposited in a special account to be used solely for the purpose of paying for the
31 reasonable costs associated with and necessary to administer and carry out the lateral sewer service
32 line repairs as defined in the order or ordinance and to reimburse the necessary costs of lateral sewer
33 service line repair or replacement. All interest generated on deposited funds shall be accrued to the
34 special account established for the repair of lateral sewer service lines.

35 5. The city, town, village, sewer district, or water supply district may establish, as provided in
36 the order or ordinance, regulations necessary for the administration of collections, claims, repairs,

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1 replacements, and all other activities necessary and convenient for the implementation of any order
2 or ordinance adopted and approved under this section. The city, town, village, sewer district, or
3 water supply district may administer the program or may contract with one or more persons, through
4 a competitive process, to provide for administration of any portion of implementation activities of
5 any order or ordinance adopted and approved under this section, and reasonable costs of
6 administering the program may be paid from the special account established under this section not to
7 exceed five percent of the fund on an annual basis.

8 6. Notwithstanding any other provision of law to the contrary, the collector in any city, town,
9 village, sewer district, or water supply district that adopts an order or ordinance under this section,
10 who now or hereafter collects any fee to provide for, ensure, or guarantee the repair of lateral sewer
11 service lines, may add such fee to the general tax levy bills of property owners within the city, town,
12 village, sewer district, or water supply district. All revenues received on such combined bill which
13 are for the purpose of providing for, ensuring, or guaranteeing the repair of lateral sewer service lines
14 shall be separated from all other revenues so collected and credited to the appropriate fund or
15 account of the city, town, village, sewer district, or water supply district. The collector of the city,
16 town, village, sewer district, or water supply district may collect such fee in the same manner and to
17 the same extent as the collector now or hereafter may collect delinquent real estate taxes and tax
18 bills.

19 7. In any county with a charter form of government and with more than three hundred
20 thousand but fewer than four hundred fifty thousand inhabitants, if any city, town, village, sewer
21 district, or water supply district does not actually process or treat sewage or wastewater but pays a
22 premium or fee to another entity for such service, the city, town, village, sewer district, or water
23 supply district shall not charge and collect from its customers a premium or fee of more than
24 thirty-three and one-third percent of the premium or fee it pays."; and

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26 Further amend said bill by amending the title, enacting clause, and intersectional references
27 accordingly.
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