

SECOND REGULAR SESSION

HOUSE BILL NO. 2685

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MILLER.

6755H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 393.847 and 393.933, RSMo, and to enact in lieu thereof two new sections relating to the authority of the public service commission with respect to certain companies.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 393.847 and 393.933, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 393.847 and 393.933, to read as follows:

393.847. 1. Every nonprofit sewer company constructing, maintaining and operating its wastewater lines and treatment facilities shall construct, maintain and operate such lines and facilities in conformity with the rules and regulations relating to the manner and methods of construction, maintenance and operation and as to safety of the public with other lines and facilities now or hereafter from time to time prescribed by the department of natural resources for the construction, maintenance and operation of such lines or systems. The jurisdiction, supervision, powers and duties of the department of natural resources shall extend to every such nonprofit sewer company and every nonprofit sewer company shall be supervised and regulated by the department of natural resources to the same extent and in the same manner as any other nonprofit corporation engaged in whole or in part in the collection or treatment of wastewater.

2. Notwithstanding any provision of sections 393.825 to 393.861 to the contrary, a nonprofit sewer company shall not be eligible to obtain a construction or operating permit unless a waiver from all affected political subdivisions is obtained for a site where:

(1) A municipality, county, public sewer district, or public water supply district operates a wastewater treatment system; or

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 (2) A connection to a wastewater treatment system is required by a municipal or county
17 ordinance.

18 3. The public service commission shall [not] have jurisdiction over the [construction,
19 maintenance or operation of the wastewater facilities, service,] rates, financing, **and** accounting
20 [or management] of [any] nonprofit sewer [company] **companies, and the public service**
21 **commission shall have authority to approve the reorganization of any existing company**
22 **regulated by the public service commission.**

393.933. 1. Every nonprofit water company constructing, maintaining and operating its
2 water lines and treatment facilities shall construct, maintain and operate such lines and facilities
3 in conformity with the rules and regulations relating to the manner and methods of construction,
4 maintenance and operation and as to safety of the public with other lines and facilities now or
5 hereafter from time to time prescribed by the department of natural resources or by law for the
6 construction, maintenance and operation of such lines or systems. The jurisdiction, supervision,
7 powers and duties of the department of natural resources shall extend to every such nonprofit
8 water company so far as it concerns the construction, maintenance and operation of the physical
9 equipment of such company to the extent of providing for the safety of employees and the
10 general public.

11 2. Notwithstanding any provision of sections 393.900 to 393.954 to the contrary, a
12 nonprofit water company shall not be eligible to obtain a construction permit or a permit to
13 dispense unless a waiver from all affected political subdivisions is obtained for a site where:

14 (1) A municipality, county, or public water supply district operates a water system; or

15 (2) A connection to a water system is required by a municipal or county ordinance.

16 3. The public service commission shall [not] have jurisdiction over the [construction,
17 maintenance or operation of the water facilities, service,] rates, financing, **and** accounting [or
18 management] of [any] nonprofit water [company] **companies**]; except that], **and** the public
19 service commission shall have authority to approve the reorganization of any existing company
20 regulated by the public service commission.

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