

Clean Water Fees Language

HB 28 and HB 650

644.057. The director of the department of natural resources may conduct a comprehensive review of the clean water fee structure set forth in sections 644.052 and 644.053. The comprehensive review shall include stakeholder meetings in order to solicit stakeholder input from each of the following groups: agriculture, industry, municipalities, public and private wastewater facilities, and the development community. Upon completion of the comprehensive review, the department shall submit proposed changes to the fee structure with stakeholder agreement to the clean water commission. The commission shall, upon receiving the department's recommendations, review such recommendations at the forthcoming regular or special meeting under subsection 3 of section 644.021. The commission shall not take a vote on the clean water fee structure recommendations until the following regular or special meeting. In no case shall the clean water commission adopt or recommend any clean water fee in excess of five thousand dollars. If the commission approves, by vote of two-thirds majority or five of seven commissioners, the clean water fee structure recommendations, the commission shall promulgate by regulation and publish the recommended clean water fee structure no later than October first of the same year. The commission shall file the order of rulemaking for such rule with the joint committee on administrative rules pursuant to sections 536.021 and 536.024 no later than December first of the same year. If such rules are not disapproved by the general assembly in the manner set out below, they shall take effect on January first of the next odd-numbered year and the fee structures set forth in sections 644.052 and 644.053 shall expire upon the effective date of the commission adopted fee structure, contrary to section 644.054. Any regulation promulgated under this subsection shall be deemed to be beyond the scope and authority provided in this subsection, or detrimental to permit applicants, if the general assembly, within the first sixty calendar days of the regular session immediately following the promulgation of such regulation, by concurrent resolution, shall disapprove the fee structure contained in such regulation. If the general assembly so disapproves any regulation promulgated under this subsection, the clean water commission shall continue to use the fee structure set forth in the most recent preceding regulation promulgated under this subsection. This section shall expire on August 28, 2023.