

By: Senator(s) Stogner (By Request)

To: Environment Prot,
Cons and Water Res

SENATE BILL NO. 2979

1 AN ACT TO AMEND SECTION 51-5-1, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE LICENSED WATER WELL CONTRACTORS TO MEET CONTINUING
3 EDUCATION REQUIREMENTS PRESCRIBED BY THE COMMISSION ON
4 ENVIRONMENTAL QUALITY; TO CONFORM TERMS TO REORGANIZATION
5 NOMENCLATURE; AND FOR RELATED PURPOSES. BE IT ENACTED BY THE
6 LEGISLATURE OF THE STATE OF MISSISSIPPI:
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8 SECTION 1. Section 51-5-1, Mississippi Code of 1972, is
9 amended as follows:

10 51-5-1. (1) Every person, firm and corporation engaging in
11 the business of drilling wells for underground water in the State
12 of Mississippi shall file an application with the * * * commission
13 for a drilling license, using forms prepared by the commission,
14 setting out qualifications therefor and such other information,
15 including any examination, oral or written, as may be required by
16 the commission. The fee for the license and renewal * * * shall
17 be One Hundred Dollars (\$100.00) for each year.

18 (2) All licenses shall expire on June 30 of each year and
19 shall not be transferable and shall be renewable annually, without
20 qualifying examination, upon payment of the required fee. A
21 license shall not be renewed unless the person submits proof of
22 completion of four (4) hours of continuing education as prescribed
23 by the commission.

24 (3) Nothing in this chapter shall prevent a person without a
25 license from constructing a water well on his own or leased
26 property intended for use only in a single family house which is
27 his permanent residence, or intended for use only for watering
28 livestock on his farm, and * * * the waters * * * are not * * *

29 for use by the public or any residence other than his own.
30 However, the person shall comply with all rules and regulations
31 for the construction of wells under this chapter.

32 (4) This section shall not apply to any person who performs
33 labor or services at the direction and under the personal
34 supervision of a licensed well contractor.

35 (5) * * * The application for renewal * * * shall extend the
36 validity of the current license until the new license is received
37 or the applicant is notified * * * that the commission has refused
38 to renew the license. On application made after June 30 of each
39 year, the license may be renewed only upon payment of the
40 applicable fee, plus a penalty of Ten Dollars (\$10.00) for each
41 month or fraction thereof that the application is delinquent. A
42 delinquency in excess of one (1) year may, in the discretion of
43 the * * * commission, be deemed as a waiver of the driller's right
44 for renewal * * *. * * * The commission may require that the
45 person be considered as a new applicant, including the requirement
46 for examination.

47 (6) The commission may require any person whose license has
48 been revoked * * * to take the examination and meet the
49 requirements of a new applicant.

50 SECTION 2. This act shall take effect and be in force from
51 and after July 1, 1999.