

By: Senator(s) Dearing

To: Rules

SENATE RESOLUTION NO. 57  
(As Adopted by Senate)

1 A RESOLUTION TO CREATE A STUDY COMMITTEE TO ANALYZE THE  
2 POTENTIAL IMPACT OF THE FEDERAL NATIONAL POLLUTANT DISCHARGE  
3 ELIMINATION SYSTEM STORM WATER MANAGEMENT REQUIREMENTS ON THE  
4 STATE AND LOCAL GOVERNMENTS AND TO DEVELOP RECOMMENDATIONS TO  
5 ADDRESS THESE IMPACTS; TO DIRECT THE STUDY COMMITTEE TO MAKE A  
6 WRITTEN REPORT OF ITS FINDINGS AND RECOMMENDATIONS BEFORE FEBRUARY  
7 1, 2000; AND FOR RELATED PURPOSES.

8 WHEREAS, in 1987, Congress amended the federal Clean Water  
9 Act to address storm water discharges and Section 402(p) requires  
10 authorized states to implement a storm water program as part of  
11 the National Pollutant Discharge Elimination System program; and

12 WHEREAS, Phase I of the storm water program began  
13 implementation in 1990 and addresses construction sites of five  
14 (5) acres or more, major industrial facilities and large and  
15 medium municipal storm sewers; and

16 WHEREAS, on January 9, 1998, the United States Environmental  
17 Protection Agency had published its proposed rule for Phase II of  
18 the storm water program which addresses construction sites  
19 disturbing one (1) acre or more and certain small municipal storm  
20 sewers and in accordance with a court order, a final rule must be  
21 adopted before October 29, 1999; and

22 WHEREAS, the proposed rule identifies thirty-one (31) local  
23 governments in Mississippi as automatically designated to the  
24 development of a local storm water program and provides for the  
25 potential designation of other Mississippi local governments.

26 BE IT RESOLVED BY THE SENATE OF THE STATE OF MISSISSIPPI,  
27 That a special study committee is created to make a comprehensive  
28 analysis of the potential impact of the federal National Pollutant

29 Discharge Elimination System storm water management requirements  
30 on the state and local governments. The study committee shall  
31 consist of the following nine (9) members of the Senate: the  
32 Chairman of the Senate Environmental Protection, Conservation and  
33 Water Resources Committee and (2) members of that committee  
34 appointed by the chairman; the Chairman of the Senate County  
35 Affairs Committee and two (2) members of that committee appointed  
36 by the chairman; and the Chairman of the Senate Municipalities  
37 Committee and two (2) members of that committee appointed by the  
38 chairman. The study committee shall elect a chairman and a  
39 vice-chairman from its membership.

40 After appointment of the members, the study committee shall  
41 meet on a date designated by the chairman of the study committee  
42 at the New Capitol to organize the study committee and establish  
43 rules for transacting its business and keeping records. A  
44 majority of the members of the study committee shall constitute a  
45 quorum at all study committee meetings. An affirmative vote of a  
46 majority of the members present and voting shall be required for  
47 actions taken by the study committee. All members of the study  
48 committee shall be notified in writing of all regular and special  
49 meetings of the study committee, which notices shall be mailed at  
50 least five (5) days before the dates of the meetings.

51 The study committee may establish any subcommittees that it  
52 deems desirable to analyze issues and report to the study  
53 committee with respect to any matter that is within the scope of  
54 this resolution.

55 The study committee shall make a written report of its  
56 findings and recommendations and shall mail an executive summary  
57 of its report to each member of the Senate before February 1,  
58 2000.

59 In carrying out this resolution, the study committee may  
60 utilize the service, facilities and personnel of all departments,  
61 agencies, offices and institutions of the state, including the  
62 state universities and the community and junior colleges.

63 For attending meetings of the study committee, each member  
64 shall be paid, from the Senate Contingent Expense Fund, per diem  
65 compensation in the amount authorized by Section 25-3-69,

66 Mississippi Code of 1972, and a mileage allowance and an expense  
67 allowance in the amount authorized by Section 5-1-47, Mississippi  
68 Code of 1972. However, no per diem compensation, mileage  
69 allowance or expense allowance shall be paid for attending  
70 meetings of the study committee while the Legislature is in  
71 session.

72 All expenses incurred by and on behalf of the study committee  
73 shall be paid from funds made available by the Senate Management  
74 Committee from the Senate Contingent Expense Fund, from any funds  
75 appropriated for the purpose of this resolution, and from any  
76 grants or contributions made to the study committee for its  
77 purpose.