

**\*\*\*Adopted\*\*\***

**AMENDMENT No. 1 PROPOSED TO**

**House Bill NO. 935**

**By Senator(s) Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

7           **SECTION 1.** Section 41-26-8, Mississippi Code of 1972, is  
8 amended as follows:

9           41-26-8. (1) The director shall exercise general  
10 supervision over the construction and operation of public water  
11 systems throughout the state. The general supervision shall  
12 include all of the features of construction and operation of  
13 public water systems which do or may affect the sanitary quality  
14 or the quantity of the water supply.

15           (2) (a) No person shall construct or change any community  
16 public water system or nontransient, noncommunity public water  
17 system until the plans for that construction or change have been  
18 submitted to and approved by the director. Plans for the  
19 construction or change must be prepared by a professional engineer  
20 registered in this state.

21           (b) In addition, each applicant for a new community  
22 public water system or nontransient, noncommunity public water  
23 system shall submit an operation and maintenance plan for review  
24 and approval by the director. The plan must be approved before  
25 beginning construction.

26           (c) In granting any approval under this section, the

27 director may specify any modifications, conditions or limitations  
28 as may be required for the protection of the public health and  
29 welfare.

30 (d) The director may also review the source of the  
31 water and the quantity of water to be withdrawn.

32 (e) Records of construction, including plans and  
33 descriptions of existing portions of a public water system, shall  
34 be made available to the department upon request.

35 (f) Each applicant for a new community public water  
36 system or nontransient, noncommunity public water system shall  
37 submit financial and managerial information as required by the  
38 public utilities staff. Following review of that information, the  
39 executive director of the public utilities staff shall certify in  
40 writing to the director the financial and managerial viability of  
41 the system if the executive director determines the system is  
42 viable. The director shall not approve the construction until  
43 that certification is received.

44 (g) The director shall not approve any plans for  
45 changes to an existing community public water system or  
46 nontransient, noncommunity public water system, if the director  
47 determines the changes would threaten the viability of the system  
48 or if the changes may overload the operational capabilities of the  
49 system.

50 (h) Those public water systems determined by the  
51 director to be appropriately providing corrosion control treatment  
52 shall effectively operate and maintain the system's water  
53 treatment facilities in order to continuously provide the optimum  
54 pH of the treated water or optimum dosage of corrosion inhibitor.  
55 This paragraph shall repeal on July 1, 2005.

56 (3) Each semi-public water system shall notify the  
57 department of its location, a responsible party and the number of  
58 connections served. The department shall, to the extent  
59 practicable, take appropriate actions to ensure that records on  
60 semi-public water systems are up-to-date. The board may require  
61 water well drillers to provide information on wells drilled for

62 use by semi-public water systems. The department shall at least  
63 annually collect a sample from each semi-public water system and  
64 shall analyze that sample at no cost to the semi-public water  
65 system for microbiological contaminants and any other contaminants  
66 deemed appropriate by the department. If the department finds  
67 levels of contaminants exceeding the Mississippi Primary Drinking  
68 Water Standards, the department shall notify the responsible party  
69 and shall provide technical assistance to the system to correct  
70 the problem. No semi-public water system shall be subject to the  
71 penalty provided under Section 41-26-31, Mississippi Code of 1972.

72 **SECTION 2.** This act shall take effect and be in force from  
73 and after July 1, 2002.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 41-26-8, MISSISSIPPI CODE OF 1972,  
2 RELATING TO THE MISSISSIPPI SAFE DRINKING WATER ACT TO REQUIRE  
3 THOSE PUBLIC WATER SYSTEMS PROVIDING CORROSION CONTROL TREATMENT  
4 TO PROPERLY MAINTAIN THE SYSTEM'S FACILITIES; TO PLACE A REPEALER  
5 ON SUCH REQUIREMENT; AND FOR RELATED PURPOSES.