

SECOND REGULAR SESSION

SENATE BILL NO. 1009

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BURGER.

4603S.011

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 644.021, RSMo, and to enact in lieu thereof one new section relating to the clean water commission of the state of Missouri.

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

Section A. Section 644.021, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 644.021,
3 to read as follows:

644.021. 1. There is hereby created a water
2 contaminant control agency to be known as the "Clean Water
3 Commission of the State of Missouri", whose domicile for the
4 purposes of sections 644.006 to 644.141 shall be deemed to
5 be that of the department of natural resources. The
6 commission shall consist of seven members appointed by the
7 governor with the advice and consent of the senate. No more
8 than four of the members shall belong to the same political
9 party. All members shall be representative of the general
10 interest of the public and shall have an interest in and
11 knowledge of conservation and the effects and control of
12 water contaminants. At least two members shall be
13 knowledgeable concerning the needs of agriculture, industry
14 or mining and interested in protecting these needs in a
15 manner consistent with the purposes of sections 644.006 to
16 644.141. **At least** one member shall be knowledgeable
17 concerning the needs of publicly owned wastewater treatment

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

works. No more than four members shall represent the public. [No member shall receive, or have received during the previous two years, a significant portion of his or her income directly or indirectly from permit holders or applicants for a permit pursuant to any federal water pollution control act as amended and as applicable to this state.] **The commission shall establish rules of procedure that specify when members shall exempt themselves from participating in discussions and from voting on issues before the commission due to a potential conflict of interest.** All members appointed on or after August 28, 2002, shall have demonstrated an interest and knowledge about water quality. All members appointed on or after August 28, 2002, shall be qualified by interest, education, training or experience to provide, assess and evaluate scientific and technical information concerning water quality, financial requirements and the effects of the promulgation of standards, rules and regulations. At the first meeting of the commission and at yearly intervals thereafter, the members shall select from among themselves a chairman and a vice chairman.

2. The members' terms of office shall be four years and until their successors are selected and qualified. Provided, however, that the first three members appointed shall serve a term of two years, the next three members appointed shall serve a term of four years, thereafter all members appointed shall serve a term of four years. There is no limitation on the number of terms any appointed member may serve. If a vacancy occurs the governor may appoint a member for the remaining portion of the unexpired term created by the vacancy. The governor may remove any appointed member for cause. The members of the commission

50 shall be reimbursed for travel and other expenses actually
51 and necessarily incurred in the performance of their duties.

52 3. The commission shall hold at least four regular
53 meetings each year and such additional meetings as the
54 chairman deems desirable at a place and time to be fixed by
55 the chairman. Special meetings may be called by three
56 members of the commission upon delivery of written notice to
57 each member of the commission. Reasonable written notice of
58 all meetings shall be given by the director to all members
59 of the commission. Four members of the commission shall
60 constitute a quorum. All powers and duties conferred
61 specifically upon members of the commission shall be
62 exercised personally by the members and not by alternates or
63 representatives. All actions of the commission shall be
64 taken at meetings open to the public. Any member absent
65 from six consecutive regular commission meetings for any
66 cause whatsoever shall be deemed to have resigned and the
67 vacancy shall be filled immediately in accordance with
68 subsection 1 of this section.

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