

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Bill No. 601, in the Title, Line 3, by deleting the phrase "an income tax deduction
2 for energy efficiency projects" and inserting in lieu thereof "utilities"; and
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4 Further amend said bill, Page 5, Section 143.121, Line 149, by inserting after all of said section and
5 line the following:
6

7 "247.060. 1. The management of the business and affairs of the district is hereby vested in a
8 board of directors, who shall have all the powers conferred upon the district except as herein
9 otherwise provided. It shall be composed of five members, each of whom shall be a voter of the
10 district and shall have resided in said district one whole year immediately prior to his or her
11 election[, or if not a voter or resident of said district, shall have received service from the district at
12 his or her primary place of residence one whole year immediately prior to his or her election]. A
13 member shall be at least twenty-five years of age and shall not be delinquent in the payment of taxes
14 at the time of his election. Except as provided in subsection 2 of this section, the term of office of a
15 member of the board shall be three years. The remaining members of the board shall appoint a
16 qualified person to fill any vacancy on the board. If no qualified person who lives in the subdistrict
17 for which there is a vacancy is willing to serve on the board, the board may appoint an otherwise
18 qualified person who lives in the district but not in the subdistrict in which the vacancy exists to fill
19 such vacancy.

20 2. After notification by certified mail that he or she has two consecutive unexcused absences,
21 any member of the board failing to attend the meetings of the board for three consecutive regular
22 meetings, unless excused by the board for reasons satisfactory to the board, shall be deemed to have
23 vacated the seat, and the secretary of the board shall certify that fact to the board. The vacancy shall
24 be filled as other vacancies occurring in the board.

25 3. The initial members of the board shall be appointed by the circuit court and one shall
26 serve until the immediately following first Tuesday after the first Monday in April, two shall serve
27 until the first Tuesday after the first Monday in April on the second year following their appointment
28 and the remaining appointees shall serve until the first Tuesday after the first Monday in April on the
29 third year following their appointment. On the expiration of such terms and on the expiration of any
30 subsequent term, elections shall be held as otherwise provided by law, and such elections shall be
31 held in April pursuant to section 247.180.

Action Taken _____ Date _____

1 4. In 2008, 2009, and 2010, directors elected in such years shall serve from the first Tuesday
2 after the first Monday in June until the first Tuesday in April of the third year following the year of
3 their election. All directors elected thereafter shall serve from the first Tuesday in April until the
4 first Tuesday in April of the third year following the year of their election.

5 5. Each member of the board may receive an attendance fee not to exceed one hundred
6 dollars for attending each regularly called board meeting, or special meeting, but shall not be paid
7 for attending more than two meetings in any calendar month, except that in a county of the first
8 classification, a member shall not be paid for attending more than four meetings in any calendar
9 month. However, no board member shall be paid more than one attendance fee if such member
10 attends more than one board meeting in a calendar week. In addition, the president of the board of
11 directors may receive fifty dollars for attending each regularly or specially called board meeting, but
12 shall not be paid the additional fee for attending more than two meetings in any calendar month.
13 Each member of the board shall be reimbursed for his or her actual expenditures in the performance
14 of his or her duties on behalf of the district.

15 6. In no event, however, shall a board member receive any attendance fees or additional
16 compensation authorized in subsection 5 of this section until after such board member has completed
17 a minimum of six hours training regarding the responsibilities of the board and its members
18 concerning the basics of water treatment and distribution, budgeting and rates, water utility planning,
19 the funding of capital improvements, the understanding of water utility financial statements, the
20 Missouri sunshine law, and this chapter.

21 7. The circuit court of the county having jurisdiction over the district shall have jurisdiction
22 over the members of the board of directors to suspend any member from exercising his or her office,
23 whensoever it appears that he or she has abused his or her trust or become disqualified; to remove
24 any member upon proof or conviction of gross misconduct or disqualification for his or her office; or
25 to restrain and prevent any alienation of property of the district by members, in cases where it is
26 threatened, or there is good reason to apprehend that it is intended to be made in fraud of the rights
27 and interests of the district.

28 8. The jurisdiction conferred by this section shall be exercised as in ordinary cases upon
29 petition, filed by or at the instance of any member of the board, or at the instance of any ten voters
30 residing in the district who join in the petition, verified by the affidavit of at least one of them. The
31 petition shall be heard in a summary manner after ten days' notice in writing to the member or officer
32 complained of. An appeal shall lie from the judgment of the circuit court as in other causes, and
33 shall be speedily determined; but an appeal does not operate under any condition as a supersedeas of
34 a judgment of suspension or removal from office.

35 247.080. 1. The exercise of the powers conferred upon the district by sections 247.010 to
36 247.220 shall be by its board of directors, acting as a board.

37 2. The board shall have power and it shall be its duty to employ necessary help and to
38 contract for such professional service as the demands of the district require in creating and operating
39 a waterworks system contemplated in this law, and shall pay out of the funds of the district available
40 for such purposes reasonable compensation for the service rendered. It shall have made by a
41 competent accountant an annual audit of the receipts and expenditures of the district. All persons

1 employed shall serve for an indefinite term and at the will of the board, and party politics shall not
2 enter into the selection of employees.

3 3. The board shall have regular monthly meetings and the president thereof may call special
4 meetings as occasion requires. It shall establish an office for its meeting place and for the transaction
5 of business.

6 4. All persons charged with handling of funds shall be required to give bond to be fixed and
7 approved by the board, but at the expense of the district.

8 5. All contracts made by the district shall conform to [law] section 432.070 governing
9 contracts [of other municipal corporations]. It shall have power to authorize and enter into all
10 contracts in behalf of the district, and shall provide an official seal for district, and all official
11 documents shall be attested by the seal."; and
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13 Further amend said bill by amending the title, enacting clause, and intersectional references
14 accordingly.