

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 44, Page 8, Section 153.034,
2 Line 47, by inserting the following after all of said section and line:
3

4 "204.300. 1. In all counties except counties of the first classification which have a charter form of
5 government and which contain all or any portion of a city with a population of three hundred fifty thousand
6 or more inhabitants, the governing body of the county, by resolution, order, or ordinance, shall appoint five
7 trustees, the majority of whom shall reside within the boundaries of the district. In the event the district
8 extends into any county bordering the county in which the greater portion of the district lies, the presiding
9 commissioner or other chief executive officer of the adjoining county shall be an additional member of the
10 appointed board of trustees. Subject to the provisions of sections 105.450 to 105.498, the trustees may be
11 paid reasonable compensation by the district for their services outside their duties as trustee ~~[; except that,~~
12 ~~any compensation schedule shall be approved by resolution of the board of trustees].~~ Each trustee of the
13 board may receive an attendance fee not to exceed one hundred dollars for attending each regularly called
14 board meeting, or special meeting, but shall not be paid for attending more than two meetings in any calendar
15 month, except that in a county of the first classification, a trustee shall not be paid for attending more than
16 four meetings in any calendar month. However, no trustee shall be paid more than one attendance fee if such
17 trustee attends more than one board meeting in a calendar week. Each trustee of the board shall be
18 reimbursed for his or her actual expenditures in the performance of his or her duties on behalf of the district.
19 The board of trustees shall be responsible for the control and operation of the sewer district. The term of each
20 board member shall be five years; except that, members of the governing body of the county sitting upon the
21 board shall not serve beyond the expiration of their term as members of such governing body of the county.
22 The first board of trustees shall be appointed for terms ranging from one to five years so as to establish one
23 vacancy per year thereafter. If the governing body of the county with the right of appointment under this
24 section fails to appoint a trustee to fill a vacancy on the board within sixty days after receiving written notice
25 from the common sewer district of the existence of such vacancy, then the vacancy may be filled by a
26 majority of the remaining members then in office of the board of trustees of such common sewer district.
27 Subject to the provisions of sections 105.450 to 105.498, the trustees may be paid reasonable compensation
28 by the district for their services outside their duties as trustee. ~~[; except that, any compensation schedule shall~~
29 ~~be approved by resolution, order, or ordinance of the governing body of the county. Any and all expenses~~
30 ~~incurred in the performance of their duties shall be reimbursed by the district.]~~ Each trustee of the board may
31 receive an attendance fee not to exceed one hundred dollars for attending each regularly called board
32 meeting, or special meeting, but shall not be paid for attending more than two meetings in any calendar
33 month, except that in a county of the first classification, a trustee shall not be paid for attending more than
34 four meetings in any calendar month. However, no trustee shall be paid more than one attendance fee if such
35 trustee attends more than one board meeting in a calendar week. Each trustee of the board shall be
36 reimbursed for his or her actual expenditures in the performance of his or her duties on behalf of the district.
37 The board of trustees shall have the power to employ and fix the compensation of such staff as may be
38 necessary to discharge the business and purposes of the district, including clerks, attorneys, administrative
39 assistants, and any other necessary personnel. The board of trustees shall select a treasurer, who may be
40 either a member of the board of trustees or another qualified individual. The treasurer selected by the board

Action Taken _____ Date _____

1 shall give such bond as may be required by the board of trustees. The board of trustees shall appoint the
 2 sewer engineer for the county in which the greater part of the district lies as chief engineer for the district, and
 3 the sewer engineer shall have the same powers, responsibilities and duties in regard to planning, construction
 4 and maintenance of the sewers, and treatment facilities of the district as he now has by virtue of law in regard
 5 to the sewer facilities within the county for which he is elected. If there is no sewer engineer in the county in
 6 which the greater part of the district lies, the board of trustees may employ a registered professional engineer
 7 as chief engineer for the district under such terms and conditions as may be necessary to discharge the
 8 business and purposes of the district. The provisions of this subsection shall not apply to any county of the
 9 first classification which has a charter form of government and which contains all or any portion of a city
 10 with a population of three hundred fifty thousand or more inhabitants.

11 2. In any county of the first classification which has a charter form of government and which
 12 contains all or any portion of a city with a population of three hundred fifty thousand or more inhabitants, and
 13 in any county of the first classification without a charter form of government and which has a population of
 14 more than sixty-three thousand seven hundred but less than seventy-five thousand, there shall be a ten-
 15 member board of trustees to consist of the county executive, the mayors of the five cities constituting the
 16 largest users by flow during the previous fiscal year, the mayors of three cities which are not among the five
 17 largest users and who are members of the advisory board of the district established pursuant to section
 18 204.310, and one member of the county legislature to be appointed by the county executive, with the
 19 concurrence of the county legislature. If the county executive does not appoint such members of the county
 20 legislature to the board of trustees within sixty days, the county legislature shall make the appointments. The
 21 advisory board members shall be appointed annually by the advisory board. In the event the district extends
 22 into any county bordering the county in which the greater portion of the district lies, the number of members
 23 on the board of trustees shall be increased to a total of eleven and the presiding commissioner or county
 24 executive of the adjoining county shall be an additional member of the board of trustees. ~~[The trustees shall~~
 25 ~~receive no compensation for their services, but may be compensated for their reasonable expenses normally~~
 26 ~~incurred in the performance of their duties.]~~ Each trustee of the board may receive an attendance fee not to
 27 exceed one hundred dollars for attending each regularly called board meeting, or special meeting, but shall
 28 not be paid for attending more than two meetings in any calendar month, except that in a county of the first
 29 classification, a trustee shall not be paid for attending more than four meetings in any calendar month.
 30 However, no trustee shall be paid more than one attendance fee if such trustee attends more than one board
 31 meeting in a calendar week. Each trustee of the board shall be reimbursed for his or her actual expenditures
 32 in the performance of his or her duties on behalf of the district. Subject to the provisions of sections 105.454
 33 to 105.498, the trustees may be paid reasonable compensation by the district for their services outside their
 34 duties as trustees. The board of trustees may employ and fix the compensation of such staff as may be
 35 necessary to discharge the business and purposes of the district, including clerks, attorneys, administrative
 36 assistants, and any other necessary personnel. The board of trustees may employ and fix the duties and
 37 compensation of an administrator for the district. The administrator shall be the chief executive officer of the
 38 district subject to the supervision and direction of the board of trustees and shall exercise the powers,
 39 responsibilities and duties heretofore exercised by the chief engineer prior to September 28, 1983. The
 40 administrator of the district may, with the approval of the board of trustees, retain consulting engineers for the
 41 district under such terms and conditions as may be necessary to discharge the business and purposes of the
 42 district. The provisions of this subsection shall only apply to counties of the first classification which have a
 43 charter form of government and which contain all or any portion of a city with a population of three hundred
 44 fifty thousand or more inhabitants."; and

45
 46 Further amend said bill, Page 9, Section 204.569, Line 38, by inserting after all of said section and line the
 47 following:

48
 49 "204.610. 1. There shall be five trustees, appointed or elected as provided for in the circuit court
 50 decree or amended decree of incorporation for a reorganized common sewer district, who shall reside within
 51 the boundaries of the district. Each trustee shall be a voter of the district and shall have resided in said
 52 district for twelve months immediately prior to the trustee's election or appointment. A trustee shall be at
 53 least twenty-five years of age and shall not be delinquent in the payment of taxes at the time of the trustee's

1 election or appointment. Regardless of whether or not the trustees are elected or appointed, in the event the
2 district extends into any county bordering the county in which the greater portion of the district lies, the
3 presiding commissioner or other chief executive officer of the adjoining county shall be an additional
4 member of the board of trustees, or the governing body of such bordering county may appoint a citizen from
5 such county to serve as an additional member of the board of trustees. Said additional trustee shall meet the
6 qualifications set forth in this section for a trustee.

7 2. ~~[The trustees shall receive no compensation for their services but may be compensated for~~
8 ~~reasonable expenses normally incurred in the performance of their duties.]~~ Each trustee of the board may
9 receive an attendance fee not to exceed one hundred dollars for attending each regularly called board
10 meeting, or special meeting, but shall not be paid for attending more than two meetings in any calendar
11 month. However, no trustee shall be paid more than one attendance fee if such trustee attends more than one
12 board meeting in a calendar week. Each trustee of the board shall be reimbursed for his or her actual
13 expenditures in the performance of his or her duties on behalf of the district. Subject to the provisions of
14 sections 105.454 to 105.498, the trustees may be paid reasonable compensation by the district for their
15 services outside their duties as trustees. The board of trustees may employ and fix the compensation of such
16 staff as may be necessary to discharge the business and purposes of the district, including clerks, attorneys,
17 administrative assistants, and any other necessary personnel. The board of trustees may employ and fix the
18 duties and compensation of an administrator for the district. The administrator shall be the chief executive
19 officer of the district subject to the supervision and direction of the board of trustees. The administrator of
20 the district may, with the approval of the board of trustees, retain consulting engineers for the district under
21 such terms and conditions as may be necessary to discharge the business and purposes of the district.

22 3. Except as provided in subsection 1 of this section, the term of office of a trustee shall be five
23 years. The remaining trustees shall appoint a person qualified under this section to fill any vacancy on the
24 board. The initial trustees appointed by the circuit court shall serve until the first Tuesday after the first
25 Monday in June or until the first Tuesday after the first Monday in April, depending upon the resolution of
26 the trustees. In the event that the trustees are elected, said elections shall be conducted by the appropriate
27 election authority under chapter 115. Otherwise, trustees shall be appointed by the county commission in
28 accordance with the qualifications set forth in subsection 1 of this section.

29 4. Notwithstanding any other provision of law, if there is only one candidate for the post of trustee,
30 then no election shall be held, and the candidate shall assume the responsibilities of office at the same time
31 and in the same manner as if elected. If there is no candidate for the post of trustee, then no election shall be
32 held for that post and it shall be considered vacant, to be filled under the provisions of subsection 3 of this
33 section."; and
34

35 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.