

HOUSE AMENDMENT NO. ____
TO
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Offered By

AMEND House Amendment No. ____ to House Committee Substitute for House Bill No. 835, Page 1, Line 1, by inserting after the number "835," the following:

"Page 1, Section A, Line 2, by inserting the following after all of said section and line:

"204.300. 1. In all counties except counties of the first classification which have a charter form of government and which contain all or any portion of a city with a population of three hundred fifty thousand or more inhabitants, the governing body of the county, by resolution, order, or ordinance, shall appoint five trustees, the majority of whom shall reside within the boundaries of the district. In the event the district extends into any county bordering the county in which the greater portion of the district lies, the presiding commissioner or other chief executive officer of the adjoining county shall be an additional member of the appointed board of trustees. Subject to the provisions of sections 105,450 to 105.498, the trustees may be paid reasonable compensation by the district for their services outside their duties as trustee ~~[-; except that, any compensation schedule shall be approved by resolution of the board of trustees].~~ Each trustee of the board may receive an attendance fee not to exceed one hundred dollars for attending each regularly called board meeting, or special meeting, but shall not be paid for attending more than two meetings in any calendar month, except that in a county of the first classification, a trustee shall not be paid for attending more than four meetings in any calendar month. However, no trustee shall be paid more than one attendance fee if such trustee attends more than one board meeting in a calendar week. Each trustee of the board shall be reimbursed for his or her actual expenditures in the performance of his or her duties on behalf of the district. The board of trustees shall be responsible for the control and operation of the sewer district. The term of each board member shall be five years; except that, members of the governing body of the county sitting upon the board shall not serve beyond the expiration of their term as members of such governing body of the county. The first board of trustees shall be appointed for terms ranging from one to five years so as to establish one vacancy per year thereafter. If the governing body of the county with the right of appointment under this section fails to appoint a trustee to fill a vacancy on the board within sixty days after receiving written notice from the common sewer district of the existence of such vacancy, then the vacancy may be filled by a majority of the remaining members then in office of the board of trustees of such common sewer district. Subject to the provisions of sections 105,450 to 105.498, the trustees may be paid reasonable compensation by the district for their services outside their duties as trustee. ~~[-; except that, any compensation schedule shall be approved by resolution, order, or ordinance of the governing body of the county. Any and all expenses incurred in the performance of their duties shall be reimbursed by the district.]~~ Each trustee of the board may receive an attendance fee not to exceed one hundred dollars for attending each regularly called board meeting, or special meeting, but shall not be paid for attending more than two meetings in any calendar month, except that in a county of the first classification, a trustee shall not be paid for attending more than four meetings in any calendar month. However, no trustee shall be paid more than one attendance fee if such trustee attends more than one board meeting in a calendar week. Each trustee of the board shall be reimbursed for his or her actual expenditures in the performance of his or her duties on behalf of the district.

Action Taken _____ Date _____

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

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

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 Further amend said bill, "; and

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

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39 THIS AMENDS 1544H04.11H.