

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 1152, Page 1, Section A, Line 2, by
2 inserting after all of said section and line the following:

3
4 "204.300. 1. In all counties except counties of the first classification which have a charter
5 form of government and which contain all or any portion of a city with a population of three
6 hundred fifty thousand or more inhabitants, the governing body of the county, by resolution, order,
7 or ordinance, shall appoint five trustees, the majority of whom shall reside within the boundaries of
8 the district. In the event the district extends into any county bordering the county in which the
9 greater portion of the district lies, the presiding commissioner or other chief executive officer of the
10 adjoining county shall be an additional member of the appointed board of trustees. Subject to the
11 provisions of section 105.454, the trustees may be paid reasonable compensation by the district for
12 their services]; ~~except that, any compensation schedule shall be approved by resolution of the board~~
13 of trustees] outside their duties as trustees. Each trustee of the board may receive an attendance fee
14 not to exceed one hundred dollars for attending each regularly called board meeting, or special
15 meeting, but shall not be paid for attending more than two meetings in any calendar month, except
16 that in a county of the first classification, a trustee shall not be paid for attending more than four
17 meetings in any calendar month. However, no trustee shall be paid more than one attendance fee if
18 such trustee attends more than one board meeting in a calendar week. Each trustee of the board
19 shall be reimbursed for his or her actual expenditures in the performance of his or her duties on
20 behalf of the district. The board of trustees shall be responsible for the control and operation of the
21 sewer district. The term of each board member shall be five years; except that, members of the
22 governing body of the county sitting upon the board shall not serve beyond the expiration of their
23 term as members of such governing body of the county. The first board of trustees shall be
24 appointed for terms ranging from one to five years so as to establish one vacancy per year thereafter.
25 If the governing body of the county with the right of appointment under this section fails to appoint
26 a trustee to fill a vacancy on the board within sixty days after receiving written notice from the
27 common sewer district of the existence of such vacancy, then the vacancy may be filled by a
28 majority of the remaining members then in office of the board of trustees of such common sewer
29 district. Subject to the provisions of section 105.454, the trustees may be paid reasonable
30 compensation by the district for their services]; ~~except that, any compensation schedule shall be~~

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1 ~~approved by resolution, order, or ordinance of the governing body of the county. Any and all~~
2 ~~expenses incurred in the performance of their duties shall be reimbursed by the district] outside their
3 duties as trustees. Each trustee of the board may receive an attendance fee not to exceed one
4 hundred dollars for attending each regularly called board meeting, or special meeting, but shall not
5 be paid for attending more than two meetings in any calendar month, except that in a county of the
6 first classification, a trustee shall not be paid for attending more than four meetings in any calendar
7 month. However, no trustee shall be paid more than one attendance fee if such trustee attends more
8 than one board meeting in a calendar week. Each trustee of the board shall be reimbursed for his or
9 her actual expenditures in the performance of his or her duties on behalf of the district. The board
10 of trustees shall have the power to employ and fix the compensation of such staff as may be
11 necessary to discharge the business and purposes of the district, including clerks, attorneys,
12 administrative assistants, and any other necessary personnel. The board of trustees shall select a
13 treasurer, who may be either a member of the board of trustees or another qualified individual. The
14 treasurer selected by the board shall give such bond as may be required by the board of trustees.
15 The board of trustees shall appoint the sewer engineer for the county in which the greater part of the
16 district lies as chief engineer for the district, and the sewer engineer shall have the same powers,
17 responsibilities and duties in regard to planning, construction and maintenance of the sewers, and
18 treatment facilities of the district as he now has by virtue of law in regard to the sewer facilities
19 within the county for which he is elected. If there is no sewer engineer in the county in which the
20 greater part of the district lies, the board of trustees may employ a registered professional engineer
21 as chief engineer for the district under such terms and conditions as may be necessary to discharge
22 the business and purposes of the district. The provisions of this subsection shall not apply to any
23 county of the first classification which has a charter form of government and which contains all or
24 any portion of a city with a population of three hundred fifty thousand or more inhabitants.~~

25 2. In any county of the first classification which has a charter form of government and
26 which contains all or any portion of a city with a population of three hundred fifty thousand or more
27 inhabitants, [~~and in any county of the first classification without a charter form of government and~~
28 ~~which has a population of more than sixty three thousand seven hundred but less than seventy five~~
29 ~~thousand,]~~ there shall be a ten-member board of trustees to consist of the county executive, the
30 mayors of the five cities constituting the largest users by flow during the previous fiscal year, the
31 mayors of three cities which are not among the five largest users and who are members of the
32 advisory board of the district established pursuant to section 204.310, and one member of the county
33 legislature to be appointed by the county executive, with the concurrence of the county legislature.
34 If the county executive does not appoint such members of the county legislature to the board of
35 trustees within sixty days, the county legislature shall make the appointments. The advisory board
36 members shall be appointed annually by the advisory board. In the event the district extends into
37 any county bordering the county in which the greater portion of the district lies, the number of
38 members on the board of trustees shall be increased to a total of eleven and the presiding
39 commissioner or county executive of the adjoining county shall be an additional member of the

1 board of trustees. The trustees of a district with an eleven-member board and located in two
 2 counties shall receive no compensation for their services[~~;~~] but may be compensated for their
 3 reasonable expenses normally incurred in the performance of their duties. Each trustee of a ten-
 4 member board may receive an attendance fee not to exceed one hundred dollars for attending each
 5 regularly called board meeting, or special meeting, but shall not be paid for attending more than two
 6 meetings in any calendar month. However, no trustee of a ten-member board shall be paid more
 7 than one attendance fee if such trustee attends more than one board meeting in a calendar week.
 8 Each trustee of a ten-member board shall be reimbursed for his or her actual expenditures in the
 9 performance of his or her duties on behalf of the district. Subject to the provisions of section
 10 105.454, the trustees of a ten-member board may be paid reasonable compensation by the district for
 11 their services outside their duties as trustees. The board of trustees may employ and fix the
 12 compensation of such staff as may be necessary to discharge the business and purposes of the
 13 district, including clerks, attorneys, administrative assistants, and any other necessary personnel.
 14 The board of trustees may employ and fix the duties and compensation of an administrator for the
 15 district. The administrator shall be the chief executive officer of the district subject to the
 16 supervision and direction of the board of trustees and shall exercise the powers, responsibilities and
 17 duties heretofore exercised by the chief engineer prior to September 28, 1983. The administrator of
 18 the district may, with the approval of the board of trustees, retain consulting engineers for the district
 19 under such terms and conditions as may be necessary to discharge the business and purposes of the
 20 district. The provisions of this subsection shall only apply to counties of the first classification
 21 which have a charter form of government and which contain all or any portion of a city with a
 22 population of three hundred fifty thousand or more inhabitants.

23 204.610. 1. There shall be five trustees, appointed or elected as provided for in the circuit
 24 court decree or amended decree of incorporation for a reorganized common sewer district, who shall
 25 reside within the boundaries of the district. Each trustee shall be a voter of the district and shall
 26 have resided in said district for twelve months immediately prior to the trustee's election or
 27 appointment. A trustee shall be at least twenty-five years of age and shall not be delinquent in the
 28 payment of taxes at the time of the trustee's election or appointment. Regardless of whether or not
 29 the trustees are elected or appointed, in the event the district extends into any county bordering the
 30 county in which the greater portion of the district lies, the presiding commissioner or other chief
 31 executive officer of the adjoining county shall be an additional member of the board of trustees, or
 32 the governing body of such bordering county may appoint a citizen from such county to serve as an
 33 additional member of the board of trustees. Said additional trustee shall meet the qualifications set
 34 forth in this section for a trustee.

35 2. ~~[The trustees shall receive no compensation for their services but may be compensated for~~
 36 ~~reasonable expenses normally incurred in the performance of their duties.]~~ Each trustee of the board
 37 may receive an attendance fee not to exceed one hundred dollars for attending each regularly called
 38 board meeting, or special meeting, but shall not be paid for attending more than two meetings in any
 39 calendar month. However, no trustee shall be paid more than one attendance fee if such trustee

1 attends more than one board meeting in a calendar week. Each trustee of the board shall be
2 reimbursed for his or her actual expenditures in the performance of his or her duties on behalf of the
3 district. Subject to the provisions of section 105.454, the trustees may be paid reasonable
4 compensation by the district for their services outside their duties as trustees. The board of trustees
5 may employ and fix the compensation of such staff as may be necessary to discharge the business
6 and purposes of the district, including clerks, attorneys, administrative assistants, and any other
7 necessary personnel. The board of trustees may employ and fix the duties and compensation of an
8 administrator for the district. The administrator shall be the chief executive officer of the district
9 subject to the supervision and direction of the board of trustees. The administrator of the district
10 may, with the approval of the board of trustees, retain consulting engineers for the district under
11 such terms and conditions as may be necessary to discharge the business and purposes of the district.

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

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

25
26 Further amend said bill by amending the title, enacting clause, and intersectional references
27 accordingly.