

FIRST REGULAR SESSION

HOUSE BILL NO. 682

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SAULS.

0937H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

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

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Section A. Section 644.021, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 644.021, to read as follows:

644.021. 1. There is hereby created a water contaminant control agency to be known as the "Clean Water Commission of the State of Missouri", whose domicile for the purposes of sections 644.006 to 644.141 shall be deemed to be that of the department of natural resources. The commission shall consist of seven members appointed by the governor with the advice and consent of the senate. No more than four of the members shall belong to the same political party. All members shall be representative of the general interest of the public and shall have an interest in and knowledge of conservation and the effects and control of water contaminants. ~~[At least]~~ Two **such** members, **but no more than two**, shall be knowledgeable concerning the needs of agriculture, industry or mining and interested in protecting these needs in a manner consistent with the purposes of sections 644.006 to 644.141. One **such** member shall be knowledgeable concerning the needs of publicly owned wastewater treatment 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]~~ **the member's** 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. 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,

EXPLANATION — Matter enclosed in bold-faced brackets ~~[thus]~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 2002, shall be qualified by interest, education, training or experience to provide, assess and
19 evaluate scientific and technical information concerning water quality, financial requirements
20 and the effects of the promulgation of standards, rules and regulations. At the first meeting of
21 the commission and at yearly intervals thereafter, the members shall select from among
22 themselves a ~~[chairman]~~ **chair** and a vice ~~[chairman]~~ **chair**.

23 2. The members' terms of office shall be four years and until their successors are
24 selected and qualified. Provided, however, that the first three members appointed shall serve
25 a term of two years, the next three members appointed shall serve a term of four years,
26 thereafter all members appointed shall serve a term of four years. There is no limitation on
27 the number of terms any appointed member may serve. If a vacancy occurs the governor may
28 appoint a member for the remaining portion of the unexpired term created by the vacancy.
29 The governor may remove any appointed member for cause. The members of the
30 commission shall be reimbursed for travel and other expenses actually and necessarily
31 incurred in the performance of their duties.

32 3. The commission shall hold at least four regular meetings each year and such
33 additional meetings as the ~~[chairman]~~ **chair** deems desirable at a place and time to be fixed by
34 the ~~[chairman]~~ **chair**. Special meetings may be called by three members of the commission
35 upon delivery of written notice to each member of the commission. Reasonable written
36 notice of all meetings shall be given by the director to all members of the commission. Four
37 members of the commission shall constitute a quorum. All powers and duties conferred
38 specifically upon members of the commission shall be exercised personally by the members
39 and not by alternates or representatives. All actions of the commission shall be taken at
40 meetings open to the public. Any member absent from six consecutive regular commission
41 meetings for any cause whatsoever shall be deemed to have resigned and the vacancy shall be
42 filled immediately in accordance with subsection ~~[+]~~ **2** of this section.

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