

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 1885

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE VAN SCHOIACK.

4193H.01P

JOSEPH ENGLER, 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 of the state of Missouri.

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Section A. Section 644.021, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 644.021, to read as follows: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 members 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. **At least** one 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 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.]~~ **The commission shall**

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.

16 **establish rules of procedure that specify when members shall exempt themselves from**
17 **participating in discussions and from voting on issues before the commission due to a**
18 **potential conflict of interest.** All members appointed on or after August 28, 2002, shall have
19 demonstrated an interest and knowledge about water quality. All members appointed on or
20 after August 28, 2002, shall be qualified by interest, education, training or experience to
21 provide, assess and evaluate scientific and technical information concerning water quality,
22 financial requirements and the effects of the promulgation of standards, rules and regulations.
23 At the first meeting of the commission and at yearly intervals thereafter, the members shall
24 select from among themselves a chairman and a vice chairman.

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

34 3. The commission shall hold at least four regular meetings each year and such
35 additional meetings as the chairman deems desirable at a place and time to be fixed by the
36 chairman. Special meetings may be called by three members of the commission upon
37 delivery of written notice to each member of the commission. Reasonable written notice of
38 all meetings shall be given by the director to all members of the commission. Four members
39 of the commission shall constitute a quorum. All powers and duties conferred specifically
40 upon members of the commission shall be exercised personally by the members and not by
41 alternates or representatives. All actions of the commission shall be taken at meetings open to
42 the public. Any member absent from six consecutive regular commission meetings for any
43 cause whatsoever shall be deemed to have resigned and the vacancy shall be filled
44 immediately in accordance with subsection [1] 2 of this section.

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