

FIRST REGULAR SESSION

# HOUSE BILL NO. 862

101ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SAULS.

1421H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

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

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*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Section A. Section 644.021, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 644.021, to read as follows: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, 2002, shall be qualified by interest, education, training or

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

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

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

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