

SECOND REGULAR SESSION

# SENATE BILL NO. 935

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HEGEMAN.

Read 1st time January 18, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5695S.02I

## AN ACT

To repeal section 247.060, RSMo, and to enact in lieu thereof one new section relating to board members of public water supply districts.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 247.060, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 247.060, to read as follows:

247.060. 1. The management of the business and affairs of the district is  
2 hereby vested in a board of directors, who shall have all the powers conferred  
3 upon the district except as herein otherwise provided. It shall be composed of five  
4 members, each of whom shall be a voter of the district and shall have resided in  
5 said district one whole year immediately prior to his or her election. A member  
6 shall be at least twenty-five years of age and shall not be delinquent in the  
7 payment of taxes at the time of his election. Except as provided in subsection 2  
8 of this section, the term of office of a member of the board shall be three  
9 years. The remaining members of the board shall appoint a qualified person to  
10 fill any vacancy on the board. If no qualified person who lives in the subdistrict  
11 for which there is a vacancy is willing to serve on the board, the board may  
12 appoint an otherwise qualified person who lives in the district but not in the  
13 subdistrict in which the vacancy exists to fill such vacancy.

14 2. After notification by certified mail that he or she has two consecutive  
15 unexcused absences, any member of the board failing to attend the meetings of  
16 the board for three consecutive regular meetings, unless excused by the board for  
17 reasons satisfactory to the board, shall be deemed to have vacated the seat, and  
18 the secretary of the board shall certify that fact to the board. The vacancy shall  
19 be filled as other vacancies occurring in the board.

20 3. The initial members of the board shall be appointed by the circuit court

21 and one shall serve until the immediately following first Tuesday after the first  
22 Monday in April, two shall serve until the first Tuesday after the first Monday  
23 in April on the second year following their appointment and the remaining  
24 appointees shall serve until the first Tuesday after the first Monday in April on  
25 the third year following their appointment. On the expiration of such terms and  
26 on the expiration of any subsequent term, elections shall be held as otherwise  
27 provided by law, and such elections shall be held in April pursuant to section  
28 247.180.

29 4. In 2008, 2009, and 2010, directors elected in such years shall serve  
30 from the first Tuesday after the first Monday in June until the first Tuesday in  
31 April of the third year following the year of their election. All directors elected  
32 thereafter shall serve from the first Tuesday in April until the first Tuesday in  
33 April of the third year following the year of their election.

34 5. Each member of the board may receive an attendance fee not to exceed  
35 one hundred dollars for attending each regularly called board meeting, or special  
36 meeting, but shall not be paid for attending more than two meetings in any  
37 calendar month, except that in a county of the first classification, a member shall  
38 not be paid for attending more than four meetings in any calendar  
39 month. However, no board member shall be paid more than one attendance fee  
40 if such member attends more than one board meeting in a calendar week. In  
41 addition, the president of the board of directors may receive fifty dollars for  
42 attending each regularly or specially called board meeting, but shall not be paid  
43 the additional fee for attending more than two meetings in any calendar  
44 month. Each member of the board shall be reimbursed for his or her actual  
45 expenditures in the performance of his or her duties on behalf of the district.

46 6. In no event, however, shall a board member receive any attendance fees  
47 or additional compensation authorized in subsection 5 of this section until after  
48 such board member, **within one hundred eighty days of being elected or**  
49 **appointed to each term of office**, has completed a minimum of six hours  
50 training regarding the responsibilities of the board and its members concerning  
51 the basics of water treatment and distribution, budgeting and rates, water utility  
52 planning, the funding of capital improvements, the understanding of water utility  
53 financial statements, the Missouri sunshine law, and this chapter.

54 7. The circuit court of the county having jurisdiction over the district shall  
55 have jurisdiction over the members of the board of directors to suspend any  
56 member from exercising his or her office, whensoever it appears that he or she

57 has abused his or her trust or become disqualified; to remove any member upon  
58 proof or conviction of gross misconduct or disqualification for his or her office; or  
59 to restrain and prevent any alienation of property of the district by members, in  
60 cases where it is threatened, or there is good reason to apprehend that it is  
61 intended to be made in fraud of the rights and interests of the district.

62 8. The jurisdiction conferred by this section shall be exercised as in  
63 ordinary cases upon petition, filed by or at the instance of any member of the  
64 board, or at the instance of any ten voters residing in the district who join in the  
65 petition, verified by the affidavit of at least one of them. The petition shall be  
66 heard in a summary manner after ten days' notice in writing to the member or  
67 officer complained of. An appeal shall lie from the judgment of the circuit court  
68 as in other causes, and shall be speedily determined; but an appeal does not  
69 operate under any condition as a supersedeas of a judgment of suspension or  
70 removal from office.

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Bill

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