

SECOND REGULAR SESSION

HOUSE BILL NO. 1612

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES MOLENDORP (Sponsor) AND SCAVUZZO (Co-sponsor).

4316L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 204.300, RSMo, and to enact in lieu thereof one new section relating to sewer district trustees.

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

Section A. Section 204.300, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 204.300, to read as follows:

204.300. 1. In all counties except counties of the first classification which have a charter form of government and which contain all or any portion of a city with a population of three hundred fifty thousand or more inhabitants, the governing body of the county, by resolution, order, or ordinance, shall appoint five trustees, the majority of whom shall reside within the boundaries of the district. In the event the district extends into any county bordering the county in which the greater portion of the district lies, the presiding commissioner or other chief executive officer of the adjoining county shall be an additional member of the appointed board of trustees. The trustees may be paid reasonable compensation by the district for their services; except that, any compensation schedule shall be approved by resolution of the board of trustees. The board of trustees shall be responsible for the control and operation of the sewer district. The term of each board member shall be five years; except that, members of the governing body of the county sitting upon the board shall not serve beyond the expiration of their term as members of such governing body of the county. The first board of trustees shall be appointed for terms ranging from one to five years so as to establish one vacancy per year thereafter. The trustees may be paid reasonable compensation by the district for their services; except that, any compensation schedule shall be approved by resolution, order, or ordinance of the governing body of the county. Any and all expenses incurred in the performance of their duties shall be

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 reimbursed by the district. The board of trustees shall have the power to employ and fix the
19 compensation of such staff as may be necessary to discharge the business and purposes of the
20 district, including clerks, attorneys, administrative assistants, and any other necessary personnel.
21 The board of trustees shall select a treasurer, who may be either a member of the board of
22 trustees or another qualified individual. The treasurer selected by the board shall give such bond
23 as may be required by the board of trustees. The board of trustees shall appoint the sewer
24 engineer for the county in which the greater part of the district lies as chief engineer for the
25 district, and the sewer engineer shall have the same powers, responsibilities and duties in regard
26 to planning, construction and maintenance of the sewers, and treatment facilities of the district
27 as he now has by virtue of law in regard to the sewer facilities within the county for which he is
28 elected. If there is no sewer engineer in the county in which the greater part of the district lies,
29 the board of trustees may employ a registered professional engineer as chief engineer for the
30 district under such terms and conditions as may be necessary to discharge the business and
31 purposes of the district. The provisions of this subsection shall not apply to any county of the
32 first classification which has a charter form of government and which contains all or any portion
33 of a city with a population of three hundred fifty thousand or more inhabitants.

34 2. In any county of the first classification which has a charter form of government and
35 which contains all or any portion of a city with a population of three hundred fifty thousand or
36 more inhabitants, and in any county of the first classification without a charter form of
37 government and which has a population of more than sixty-three thousand seven hundred but
38 less than seventy-five thousand, there shall be [~~an eight-member~~] **a ten-member** board of
39 trustees to consist of the county executive, the mayors of the [~~four~~] **five** cities constituting the
40 largest users by flow during the previous fiscal year, the mayors of [~~two~~] **three** cities which are
41 not among the [~~four~~] **five** largest users and who are members of the advisory board of the district
42 established pursuant to section 204.310, and one member of the county legislature to be
43 appointed by the county executive, with the concurrence of the county legislature. If the county
44 executive does not appoint such members of the county legislature to the board of trustees within
45 sixty days, the county legislature shall make the appointments. The advisory board members
46 shall be appointed annually by the advisory board. In the event the district extends into any
47 county bordering the county in which the greater portion of the district lies, the number of
48 members on the board of trustees shall be increased to a total of [~~nine~~] **eleven** and the presiding
49 commissioner or county executive of the adjoining county shall be an additional member of the
50 board of trustees. The trustees shall receive no compensation for their services, but may be
51 compensated for their reasonable expenses normally incurred in the performance of their duties.
52 The board of trustees may employ and fix the compensation of such staff as may be necessary
53 to discharge the business and purposes of the district, including clerks, attorneys, administrative

54 assistants, and any other necessary personnel. The board of trustees may employ and fix the
55 duties and compensation of an administrator for the district. The administrator shall be the chief
56 executive officer of the district subject to the supervision and direction of the board of trustees
57 and shall exercise the powers, responsibilities and duties heretofore exercised by the chief
58 engineer prior to September 28, 1983. The administrator of the district may, with the approval
59 of the board of trustees, retain consulting engineers for the district under such terms and
60 conditions as may be necessary to discharge the business and purposes of the district. The
61 provisions of this subsection shall only apply to counties of the first classification which have
62 a charter form of government and which contain all or any portion of a city with a population of
63 three hundred fifty thousand or more inhabitants.

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