

FIRST REGULAR SESSION

HOUSE BILL NO. 804

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HOVIS.

1425H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 204.610, RSMo, and to enact in lieu thereof one new section relating to reorganized common sewer districts.

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

Section A. Section 204.610, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 204.610, to read as follows:

204.610. 1. There shall be five trustees, appointed or elected as provided for in the circuit court decree or amended decree of incorporation for a reorganized common sewer district, who shall reside within the boundaries of the district. Each trustee shall be a voter of the district and shall have resided in said district for twelve months immediately prior to the trustee's election or appointment. A trustee shall be at least twenty-five years of age and shall not be delinquent in the payment of taxes at the time of the trustee's election or appointment. Regardless of whether or not the trustees are elected or appointed, 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 board of trustees, or the governing body of such bordering county may appoint a citizen from such county to serve as an additional member of the board of trustees. Said additional trustee shall meet the qualifications set forth in this section for a trustee.

2. The trustees ~~[shall receive no compensation for their services but]~~ may be compensated for reasonable expenses normally incurred in the performance of their duties **and 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.** The board of trustees may employ and fix the compensation of such staff as may 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 necessary to discharge the business and purposes of the district, including clerks, attorneys,
19 administrative assistants, and any other necessary personnel. The board of trustees may employ
20 and fix the duties and compensation of an administrator for the district. The administrator shall
21 be the chief executive officer of the district subject to the supervision and direction of the board
22 of trustees. The administrator of the district may, with the approval of the board of trustees,
23 retain consulting engineers for the district under such terms and conditions as may be necessary
24 to discharge the business and purposes of the district.

25 3. Except as provided in subsection 1 of this section, the term of office of a trustee shall
26 be five years. The remaining trustees shall appoint a person qualified under this section to fill
27 any vacancy on the board. The initial trustees appointed by the circuit court shall serve until the
28 first Tuesday after the first Monday in June or until the first Tuesday after the first Monday in
29 April, depending upon the resolution of the trustees. In the event that the trustees are elected,
30 said elections shall be conducted by the appropriate election authority under chapter 115.
31 Otherwise, trustees shall be appointed by the county commission in accordance with the
32 qualifications set forth in subsection 1 of this section.

33 4. Notwithstanding any other provision of law, if there is only one candidate for the post
34 of trustee, then no election shall be held, and the candidate shall assume the responsibilities of
35 office at the same time and in the same manner as if elected. If there is no candidate for the post
36 of trustee, then no election shall be held for that post and it shall be considered vacant, to be
37 filled under the provisions of subsection 3 of this section.

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