

SECOND REGULAR SESSION

HOUSE BILL NO. 1850

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MCCREERY.

5491H.011

D. ADAM CRUMBLISS, 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.

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Section A. Section 644.021, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 644.021, to read as follows: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 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 experience to provide,

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

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 deems desirable at a place and time to be fixed by the chairman.
33 Special meetings may be called by three members of the commission upon delivery of written
34 notice to each member of the commission. Reasonable written notice of all meetings shall be
35 given by the director to all members of the commission. Four members of the commission shall
36 constitute a quorum. All powers and duties conferred specifically upon members of the
37 commission shall be exercised personally by the members and not by alternates or
38 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 1 of this section.

✓