

SECOND REGULAR SESSION

HOUSE BILL NO. 2345

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MILLER.

6221H.011

D. ADAM CRUMBLISS, Chief Clerk

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Section A. Section 247.060, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 247.060, to read as follows: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 hereby vested in a board of directors, who shall have all the powers conferred upon the district except as herein otherwise provided. It shall be composed of five members, each of whom shall be a voter of the district and shall have resided in said district one whole year immediately prior to his or her election. A member shall be at least twenty-five years of age and shall not be delinquent in the payment of taxes at the time of his election. Except as provided in subsection 2 of this section, the term of office of a member of the board shall be three years. The remaining members of the board shall appoint a qualified person to fill any vacancy on the board. If no qualified person who lives in the subdistrict for which there is a vacancy is willing to serve on the board, the board may appoint an otherwise qualified person who lives in the district but not in the subdistrict in which the vacancy exists to fill such vacancy.

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

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.

17 3. The initial members of the board shall be appointed by the circuit court and one shall
18 serve until the immediately following first Tuesday after the first Monday in April, two shall
19 serve until the first Tuesday after the first Monday in April on the second year following their
20 appointment and the remaining appointees shall serve until the first Tuesday after the first
21 Monday in April on the third year following their appointment. On the expiration of such terms
22 and on the expiration of any subsequent term, elections shall be held as otherwise provided by
23 law, and such elections shall be held in April pursuant to section 247.180.

24 4. In 2008, 2009, and 2010, directors elected in such years shall serve from the first
25 Tuesday after the first Monday in June until the first Tuesday in April of the third year following
26 the year of their election. All directors elected thereafter shall serve from the first Tuesday in
27 April until the first Tuesday in April of the third year following the year of their election.

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

38 6. ~~In no event, however, shall a board member receive any attendance fees or additional~~
39 ~~compensation authorized in subsection 5 of this section until after such board member has~~
40 ~~completed] **Within one hundred eighty days of being duly elected or appointed to each term**~~
41 **of office, a board member shall complete** a minimum of six hours training regarding the
42 responsibilities of the board and its members concerning the basics of water treatment and
43 distribution, budgeting and rates, water utility planning, the funding of capital improvements,
44 the understanding of water utility financial statements, the Missouri sunshine law, and this
45 chapter. **No board member shall receive any attendance fees or additional compensation**
46 **authorized under subsection 5 of this section after one hundred eighty days of being duly**
47 **elected or appointed unless the board member completes the training required under this**
48 **subsection.**

49 7. The circuit court of the county having jurisdiction over the district shall have
50 jurisdiction over the members of the board of directors to suspend any member from exercising
51 his or her office, whensoever it appears that he or she has abused his or her trust or become
52 disqualified; to remove any member upon proof or conviction of gross misconduct or

53 disqualification for his or her office; or to restrain and prevent any alienation of property of the
54 district by members, in cases where it is threatened, or there is good reason to apprehend that it
55 is intended to be made in fraud of the rights and interests of the district.

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

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