

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 420
94TH GENERAL ASSEMBLY

Reported from the Committee on Financial and Governmental Organizations and Elections, February 8, 2007, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

1964S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 644.021, RSMo, and to enact in lieu thereof one new section relating to membership on the clean water commission, with an emergency clause.

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Section A. Section 644.021, RSMo, is repealed and one new section
2 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
2 to be known as the "Clean Water Commission of the State of Missouri", whose
3 domicile for the purposes of sections 644.006 to 644.141 shall be deemed to be
4 that of the department of natural resources. The commission shall consist of
5 seven members appointed by the governor with the advice and consent of the
6 senate. No more than [three] **four** of the members shall belong to the same
7 political party. All members shall be representative of the general interest of the
8 public and shall have an interest in and knowledge of conservation and the effects
9 and control of water contaminants. Two such members, but no more than two,
10 shall be knowledgeable concerning the needs of agriculture, industry or mining
11 and interested in protecting these needs in a manner consistent with the
12 purposes of sections 644.006 to 644.141. One such member shall be
13 knowledgeable concerning the needs of publicly owned wastewater treatment
14 works. Four members shall represent the public. No member shall receive, or
15 have received during the previous two years, a significant portion of his or her
16 income directly or indirectly from permit holders or applicants for a permit
17 pursuant to any federal water pollution control act as amended and as applicable
18 to this state. All members appointed on or after August 28, 2002, shall have
19 demonstrated an interest and knowledge about water quality. All members

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 appointed on or after August 28, 2002, shall be qualified by interest, education,
21 training or experience to provide, assess and evaluate scientific and technical
22 information concerning water quality, financial requirements and the effects of
23 the promulgation of standards, rules and regulations. At the first meeting of the
24 commission and at yearly intervals thereafter, the members shall select from
25 among themselves a chairman and a vice chairman.

26 2. The members' terms of office shall be four years and until their
27 successors are selected and qualified. Provided, however, that the first three
28 members appointed shall serve a term of two years, the next three members
29 appointed shall serve a term of four years, thereafter all members appointed shall
30 serve a term of four years. There is no limitation on the number of terms any
31 appointed member may serve. If a vacancy occurs the governor may appoint a
32 member for the remaining portion of the unexpired term created by the
33 vacancy. The governor may remove any appointed member for cause. The
34 members of the commission shall be reimbursed for travel and other expenses
35 actually and necessarily incurred in the performance of their duties.

36 3. The commission shall hold at least four regular meetings each year and
37 such additional meetings as the chairman deems desirable at a place and time to
38 be fixed by the chairman. Special meetings may be called by three members of
39 the commission upon delivery of written notice to each member of the
40 commission. Reasonable written notice of all meetings shall be given by the
41 director to all members of the commission. Four members of the commission shall
42 constitute a quorum. All powers and duties conferred specifically upon members
43 of the commission shall be exercised personally by the members and not by
44 alternates or representatives. All actions of the commission shall be taken at
45 meetings open to the public. Any member absent from six consecutive regular
46 commission meetings for any cause whatsoever shall be deemed to have resigned
47 and the vacancy shall be filled immediately in accordance with subsection 1 of
48 this section.

Section B. Because of the necessity to ensure proper representation on the
2 commission, section A of this act is deemed necessary for the immediate
3 preservation of the public health, welfare, peace and safety, and is hereby
4 declared to be an emergency act within the meaning of the constitution, and
5 section A of this act shall be in full force and effect upon its passage and
6 approval.

✓