

FIRST REGULAR SESSION

HOUSE BILL NO. 1071

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BRUNS.

2210L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 217.665, RSMo, and to enact in lieu thereof one new section relating to the board of probation and parole.

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

Section A. Section 217.665, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 217.665, to read as follows:

217.665. 1. Beginning August 28, 1996, the board of probation and parole shall consist of seven members appointed by the governor by and with the advice and consent of the senate.

2. Beginning August 28, 1996, members of the board shall be persons of recognized integrity and honor, known to possess education and ability in decision making through career experience and other qualifications for the successful performance of their official duties. Not more than four members of the board shall be of the same political party.

3. At the expiration of the term of each member and of each succeeding member, the governor shall appoint a successor who shall hold office for a term of six years and until his **or her** successor has been appointed and qualified. Members may be appointed to succeed themselves.

4. Vacancies occurring in the office of any member shall be filled by appointment by the governor for the unexpired term.

5. The governor shall designate one member of the board as chairman **and one member as vice chairman**. The chairman shall be the director of the division and shall have charge of the division's operations, funds and expenditures. [The chairman shall designate by order of record another member to act as chairman in the event of absence or sickness of the chairman, and during such time the member so appointed by the chairman shall possess all powers of the

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 chairman.] **In the event of the chairman's removal, death, resignation, or inability to serve,**
19 **the vice chairman shall act as chairman upon written order of the governor or chairman.**

20 6. Members of the board shall devote full time to the duties of their office and before
21 taking office shall subscribe to an oath or affirmation to support the Constitution of the United
22 States and the Constitution of the State of Missouri. The oath shall be signed in the office of the
23 secretary of state.

24 7. The annual compensation for each member of the board whose term commenced
25 before August 28, 1999, shall be forty-five thousand dollars plus any salary adjustment, including
26 prior salary adjustments, provided pursuant to section 105.005, RSMo. Salaries for board
27 members whose terms commence after August 27, 1999, shall be set as provided in section
28 105.950, RSMo; provided, however, that the compensation of a board member shall not be
29 increased during the member's term of office, except as provided in section 105.005, RSMo. In
30 addition to compensation provided by law, the members shall be entitled to reimbursement for
31 necessary travel and other expenses incurred pursuant to section 33.090, RSMo.

32 8. Any person who served as a member of the board of probation and parole prior to July
33 1, 2000, shall be made, constituted, appointed and employed by the board of trustees of the state
34 employees' retirement system as a special consultant on the problems of retirement, aging and
35 other state matters. As compensation for such services, such consultant shall not be denied use
36 of any unused sick leave, or the ability to receive credit for unused sick leave pursuant to chapter
37 104, RSMo, provided such sick leave was maintained by the board of probation and parole in
38 the regular course of business prior to July 1, 2000, but only to the extent of such sick leave
39 records are consistent with the rules promulgated pursuant to section 36.350, RSMo. Nothing
40 in this section shall authorize the use of any other form of leave that may have been maintained
41 by the board prior to July 1, 2000.

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