

SECOND REGULAR SESSION

# HOUSE BILL NO. 1788

98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE RONE.

4224H.021

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal sections 226.030 and 226.120, RSMo, and to enact in lieu thereof two new sections relating to the highways and transportation commission.

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

Section A. Sections 226.030 and 226.120, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 226.030 and 226.120, to read as follows:

226.030. 1. **Prior to January 1, 2017**, the highways and transportation commission shall consist of six members, who shall be appointed by the governor, by and with the advice and consent of the senate, not more than three thereof to be members of the same political party. **Beginning January 1, 2017, the commission shall consist of eight members who shall be appointed by the governor by and with the advice and consent of the senate, not more than four thereof to be members of the same political party, with one commissioner appointed from each of the state's seven department of transportation geographic districts and one commissioner appointed regardless of where he or she resides. Not more than two members shall be of any occupation licensed in the state of Missouri.** Each commissioner shall be a taxpayer and resident of state for at least five years prior to his **or her** appointment. Any commissioner may be removed by the governor if fully satisfied of his **or her** inefficiency, neglect of duty, or misconduct in office. Commissioners appointed pursuant to this section shall be appointed for terms of six years, except as otherwise provided in this subsection. Upon the expiration of each of the foregoing terms of these commissioners a successor shall be appointed for a term of six years or until his **or her** successor is appointed and qualified which term of six years shall thereafter be the length of term of each member of the commission unless removed as above provided. The members of the commission shall receive as compensation for their

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 services twenty-five dollars per day for the time spent in the performance of their official duties,  
19 and also their necessary traveling and other expenses incurred while actually engaged in the  
20 discharge of their official duties. [Members whose terms otherwise expire December 1, 2003,  
21 shall serve with terms expiring March 1, 2004, and new members or the members reappointed  
22 shall be appointed for terms expiring March 1, 2005; a member whose term otherwise expires  
23 December 1, 2005, shall serve with a term expiring March 1, 2007; a member whose term  
24 otherwise expires December 1, 2007, shall serve with a term expiring March 1, 2009; and one  
25 member whose term otherwise expires October 13, 2007, shall serve with a term expiring March  
26 1, 2007; and one member whose term otherwise expires October 13, 2007, shall serve with a  
27 term expiring March 1, 2009.] If a vacancy occurs in any term of a commissioner due to death,  
28 resignation, or removal, a successor shall be appointed for only the remainder of the unexpired  
29 term.

30         2. The two members of the commission, one each from opposing political parties, who  
31 have the most seniority in commission service shall serve as commission leadership with one  
32 member as chair and the other member as vice chair, respectively, for terms ending March 1,  
33 2005. The commission shall elect one of the members as chair and the other as vice chair.  
34 Effective March 1, 2005, the commission shall elect the two members of the commission, one  
35 from each opposing political party who has the most seniority in commission service, who shall  
36 serve as commission leadership with one member as chair and the other member as vice chair,  
37 respectively, for one year. At the end of such year, the members currently serving as chair and  
38 vice chair shall have the option to rotate positions, and the member currently serving as vice  
39 chair may serve as chair, and vice versa. Thereafter, commission leadership shall continue to  
40 rotate accordingly with the two members from opposing political parties who have the most  
41 seniority in terms of commission service being elected by the commission to serve as  
42 commission leadership. If one of the commission leadership offices becomes vacant due to  
43 death, resignation, removal, or [refuses] **refusal** to serve before the one-year leadership term  
44 expires, the commission shall elect one of its members that is of the same political party as the  
45 vacating officer to serve the remainder of the vacating officer's leadership term. Such election  
46 shall not prohibit that member from later serving as chair and vice chair when such member's  
47 seniority in commission service qualifies him or her for those offices as provided in this  
48 subsection. **Any member reappointed shall be eligible to serve as chair or vice-chair only**  
49 **during the final two years of such member's reappointment.**

50         3. No more than one-half of the members of the commission shall be of the same  
51 political party. The selection and removal of all employees of the department of transportation  
52 shall be without regard to political affiliation.

53           4. The present members of the commission shall continue to serve as members of the  
54 commission for the remainder of the terms for which they were appointed, except as provided  
55 in subsection 1 of this section.

56           [5. Any member reappointed shall only be eligible to serve as chair or vice-chair during  
57 the final two years of such member's reappointment.]

          226.120. The members of the commission shall elect a member as chairman and another  
2 vice chairman, each of whom shall hold such office for a term prescribed by the commission.  
3 [Four] **Five** members of the commission shall constitute a quorum for the transaction of business  
4 and for the exercise of any of the powers or the discharge of any of the duties authorized or  
5 imposed by law. The commission shall meet at least once each month and at such other times,  
6 and at such places within the state, as the commission shall determine. The chairman or, in the  
7 event of his inability to act, the vice chairman may call special meetings of the commission upon  
8 notice to members.

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