

FIRST REGULAR SESSION

# HOUSE BILL NO. 334

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES BLACK, JETTON, SCHLOTTACH, CRAWFORD, ICET, ERVIN, MERIDETH, BARNITZ (Co-sponsors), ENGLER, DEMPSEY, MILLER, ROARK, TOWNLEY, MAY, MYERS, GUEST, BEARDEN, JACKSON, KELLY (144), PHILLIPS, SMITH (118), PEARCE, KINGERY, SUTHERLAND AND SHOEMAKER (8).

Read 1<sup>st</sup> time January 30, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1292L.011

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### AN ACT

To repeal section 226.030, RSMo, and to enact in lieu thereof one new section relating to the powers and duties of the state transportation commission.

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

Section A. Section 226.030, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 226.030, to read as follows:

226.030. [The state 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. Each commissioner shall be a taxpayer and resident of state for at least five years prior to his appointment. Any commissioner may be removed by the governor if fully satisfied of his inefficiency, neglect of duty, or misconduct in office. All commissioners appointed prior to October 13, 1965, shall serve the term for which they were appointed. Commissioners appointed pursuant to this section shall be appointed for terms of six years. 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 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 services twenty-five dollars per day for the time spent in the performance of their official duties, and also their necessary

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is new proposed language.**

14 traveling and other expenses incurred while actually engaged in the discharge of their official  
15 duties.] **1. A state highways and transportation commission appointed by the governor, by**  
16 **and with the advice and consent of the senate, shall consist of six members appointed to six-**  
17 **year terms, except that the present members of the state highways and transportation**  
18 **commission shall serve for the remainder of their terms as follows: members whose terms**  
19 **otherwise expire December 1, 2003, shall serve with terms expiring July 1, 2004; a member**  
20 **whose term otherwise expires December 1, 2005, shall serve with a term expiring July 1,**  
21 **2006; a member whose term otherwise expires December 1, 2007, shall serve with a term**  
22 **expiring July 1, 2008; and of the members whose terms otherwise expire October 13, 2007,**  
23 **one member shall serve with a term expiring July 1, 2006, and the other member shall**  
24 **serve with a term expiring July 1, 2008, as determined by the governor. The house and**  
25 **senate leadership, which shall mean the speaker of the house of representatives, the**  
26 **president pro tempore of the senate, and the minority floor leaders of the house and of the**  
27 **senate, from the same political party shall by party supply three candidates to the governor**  
28 **for selection as members of the commission. The governor shall select one candidate from**  
29 **each party. The candidates shall be appointed by July first in even-numbered years. In**  
30 **the event of a vacancy on the commission, the house and senate leadership of that political**  
31 **party of the vacating member shall submit three candidates for selection as a member to**  
32 **the commission to the governor within thirty days of the vacancy. The governor shall have**  
33 **fifteen days to select a new member of the commission. The new member of the**  
34 **commission shall serve only the remainder of the unexpired six-year term of the vacating**  
35 **member.**

36 **2. No more than one-half of the members of the state highways and transportation**  
37 **commission shall be of the same political party, excluding ex officio members of the**  
38 **transportation commission. No member of the transportation commission shall directly**  
39 **or indirectly make any contribution to or hold any office in a political party or**  
40 **organization, or take part in any political campaign. The selection and removal of all**  
41 **employees of the department of highways and transportation shall be without regard to**  
42 **political affiliation.**

43 **3. The present members of the state highways and transportation commission shall**  
44 **serve as members of the state highways and transportation commission for the remainder**  
45 **of the terms for which they were appointed, except as provided in subsection 2 of this**  
46 **section.**