

SECOND REGULAR SESSION

HOUSE BILL NO. 1054

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES WHORTON (Sponsor) AND WALLACE (Co-sponsor).

Read 1st time January 13, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

2810L.011

AN ACT

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

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Section A. Section 226.030, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 226.030, to read as follows: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. 1. **Prior to January 1, 2006**, 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. **Beginning January 1, 2006, the commission shall consist of ten members, who shall be appointed by the governor, by and with the advice and consent of the senate, not more than five thereof to be members of the same political party, and each commissioner appointed after such date shall be a resident of a department of transportation geographic district different from that of the other commissioners.** 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. 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 services twenty-five dollars per day

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 proposed language.

17 for the time spent in the performance of their official duties, and also their necessary traveling
18 and other expenses incurred while actually engaged in the discharge of their official duties.
19 [Members whose terms otherwise expire December 1, 2003, shall serve with terms expiring
20 March 1, 2004, and] New members or the members reappointed **prior to August 28, 2004**, shall
21 be appointed for terms expiring March 1, 2005; a member whose term otherwise expires
22 December 1, 2005, **and a new member appointed after August 28, 2004**, shall **each** serve with
23 a term expiring March 1, 2007; **a new member appointed after August 28, 2004, shall serve**
24 **with a term expiring March 1, 2008**; a member whose term otherwise expires December 1,
25 2007, **and a new member appointed after August 28, 2004**, shall **each** serve with a term
26 expiring March 1, 2009; [and] one member whose term otherwise expires October 13, 2007,
27 shall serve with a term expiring March 1, 2007; [and] one member whose term otherwise expires
28 October 13, 2007, shall serve with a term expiring March 1, 2009, **and a new member**
29 **appointed after August 28, 2004, shall serve with a term expiring March 1, 2010**. If a
30 vacancy occurs in any term of a commissioner due to death, resignation, or removal, a successor
31 shall be appointed for only the remainder of the unexpired term.

32 2. Beginning August 28, 2003, when two members of the state highways and
33 transportation commission are within two years of expiration of their terms, the commission shall
34 appoint one of those two members as chair of the commission and the other as vice chair, each
35 to serve in such position for one year. At the end of such year, the member currently serving as
36 chair shall then serve as vice chair, and the member currently serving as vice chair shall serve
37 as chair, each to serve in such position for one year.

38 3. No more than one-half of the members of the state highways and transportation
39 commission shall be of the same political party. The selection and removal of all employees of
40 the department of highways and transportation shall be without regard to political affiliation.

41 4. The present members of the state highways and transportation commission shall serve
42 as members of the state highways and transportation commission for the remainder of the terms
43 for which they were appointed, except as provided in subsection 1 of this section.

44 5. The director of the department of transportation shall, by February fifteenth of each
45 year, present an annual state of the state of transportation to a joint session of the general
46 assembly. The [six] members of the state highways and transportation commission shall be
47 present and available at such presentations for questions by members. The transportation
48 inspector general may also be present and report to the general assembly on any matter of
49 concern within his or her statutory authority. The provisions of this subsection shall expire
50 August 28, [2008] **2010**.