

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 36

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DUSENBERG (Sponsor), KING, MOORE, REINHART,
LeVOTA, MILLER AND WALLACE (Co-sponsors).

Pre-filed December 15, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3209L.011

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing section 29 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the department of transportation.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next
2 following the first Monday in November, 2004, or at a special election to be called by the
3 governor for that purpose, there is hereby submitted to the qualified voters of this state, for
4 adoption or rejection, the following amendment to article IV of the Constitution of the state of
5 Missouri:

Section A. Section 29, article IV, Constitution of Missouri, is repealed and one new
2 section adopted in lieu thereof, to be known as section 29, to read as follows:

Section 29. [The department of highways and transportation shall be in charge of a
2 highways and transportation commission. The number, qualifications, compensation and terms
3 of the members of the highways and transportation commission shall be fixed by law, and not
4 more than one-half of its members shall be of the same political party.] **A director of**
5 **transportation, appointed by the governor, by and with the advice and consent of the**
6 **senate, shall be in charge of the department of transportation.** The selection and removal
7 of all employees shall be without regard to political affiliation. The [highways and transportation

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.

8 commission] **department** shall have authority over all state transportation programs and
9 facilities as provided by law, including, but not limited to, bridges, highways, aviation, railroads,
10 mass transportation, ports, and waterborne commerce, and shall have authority to limit access
11 to, from and across state highways where the public interest and safety may require. The present
12 members of the highway commission shall serve as [members of the highways and transportation
13 commission for the remainder of the terms for which they were appointed] **such until a director**
14 **has been appointed by the governor and confirmed by the senate.** All references to the
15 highway commission and the department of highways in this constitution and in the statutes shall
16 mean the [highways and transportation commission] **director of transportation** and the
17 department of [highways and] transportation.