

SECOND REGULAR SESSION

HOUSE BILL NO. 2326

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DAY.

Read 1st time March 3, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

5433L.01I

AN ACT

To repeal section 306.163, RSMo, and to enact in lieu thereof one new section relating to the appointment of the state water patrol commissioner.

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

Section A. Section 306.163, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 306.163, to read as follows:

306.163. 1. The governor, by and with the advice and consent of the senate, shall appoint a commissioner of the Missouri state water patrol **from its uniformed membership** to serve at the pleasure of the governor. The commissioner shall take and subscribe an oath of office to perform the commissioner's duties faithfully and impartially.

2. The commissioner shall prescribe rules for instruction and discipline and make administrative rules and regulations and fix the hours of duty for the members of the patrol. The commissioner shall have charge of the office of the patrol, shall be custodian of the records of the patrol, and shall direct the day-to-day activities of the officers, patrolmen and office personnel.

3. The commissioner shall be given a certificate of appointment, a copy of which shall be filed with the secretary of state, granting him or her all the powers of a peace officer to enforce all the laws of this state within the jurisdiction of the water patrol as listed in section 306.165, provided that he **or she** has completed a law enforcement training course which meets the standards established in chapter 590, RSMo.

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.

15 4. In the absence, or upon the disability, of the commissioner, or at the time the
16 commissioner designates, the lieutenant colonel shall assume the duties of the commissioner.
17 In case of the disability of the commissioner and the lieutenant colonel, the governor may
18 designate a major as acting commissioner and when so designated, the acting commissioner shall
19 have all the powers and duties of the commissioner.

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