

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 90, Page 4, Section 78.090, Line 23,
2 by inserting immediately after said line the following:

3 "106.215. 1. The general assembly is hereby authorized to remove from employment or
4 service any department director or deputy director when it determines that such removal is necessary
5 for the betterment of the public service in a manner consistent with the provisions of this section.

6 2. A petition signed by sixteen members of the house of representatives and filed with the
7 chief clerk of the house containing allegations supporting the need for removal of the director or
8 deputy director shall initiate the process. After the removal petition has been filed, the chief clerk
9 shall give a written notice to the secretary of the senate and the director or deputy director of the
10 intention to remove him or her from office.

11 3. If the requirements under subsection 2 of this section have been met the house standing
12 ethics committee shall gather information regarding the allegations set for in the petition and shall
13 conduct at least one hearing to allow the director or deputy director to present a defense to the
14 allegations against him or her. This hearing shall be a closed meeting and not open to the public.
15 Within thirty days of its first meeting, the committee shall file a report of its findings with the chief
16 clerk of the house and the secretary of the senate.

17 4. After the committee has filed its report, the members of the house of representatives shall
18 vote on the removal of the director or deputy director. If a majority of the members of the body vote
19 to remove the director or deputy director, then the senate shall vote on the removal. If the majority
20 of the whole number of votes of both houses is in the affirmative, then the director or deputy director
21 shall be relieved of his or her employment with the state immediately and shall be removed from the
22 position he or she holds. If a director or deputy director is removed from their position by the
23 general assembly, he or she shall not be eligible to hold a similar position within the executive
24 branch for a period of at least five years.

25 5. For the purposes of this section, "betterment of the public service" shall include instances
26 of misconduct, perjury before any committee of the general assembly, violation of any state statute, a
27 conviction or plea of guilty for committing any crime, habitual drunkenness, willful neglect of duty,
28 corruption in office, incompetency, or any offense involving moral turpitude or oppression in
29 office."; and

30
31 Further amend said bill by amending the title, enacting clause, and intersectional references
32 accordingly.

Action Taken _____ Date _____