

SECOND REGULAR SESSION

# HOUSE BILL NO. 1050

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE RHOADS.

4110L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 226.030, RSMo, and to enact in lieu thereof one new section relating to the highways and 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Section A. Section 226.030, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 226.030, to read as follows: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. 1. **Prior to January 1, 2015**, the 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, 2015, the commission shall consist of seven members, who shall be appointed by the governor, by and with the advice and consent of the senate, not more than four 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, except as otherwise provided in this subsection. 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 for the time spent in the performance of their official duties, and also their necessary traveling and other expenses incurred while actually engaged in the discharge of

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.

19 their official duties. [Members whose terms otherwise expire December 1, 2003, shall serve with  
20 terms expiring March 1, 2004, and new members or the members reappointed shall be appointed  
21 for terms expiring March 1, 2005; a member whose term otherwise expires December 1, 2005,  
22 shall serve with a term expiring March 1, 2007; a member whose term otherwise expires  
23 December 1, 2007, shall serve with a term expiring March 1, 2009; and one member whose term  
24 otherwise expires October 13, 2007, shall serve with a term expiring March 1, 2007; and one  
25 member whose term otherwise expires October 13, 2007, shall serve with a term expiring March  
26 1, 2009.] If a vacancy occurs in any term of a commissioner due to death, resignation, or  
27 removal, a successor shall be appointed for only the remainder of the unexpired term.

28         2. The two members of the commission, one each from opposing political parties, who  
29 have the most seniority in commission service shall serve as commission leadership with one  
30 member as chair and the other member as vice chair, respectively, for terms ending March 1,  
31 2005. The commission shall elect one of the members as chair and the other as vice chair.  
32 Effective March 1, 2005, the commission shall elect the two members of the commission, one  
33 from each opposing political party who has the most seniority in commission service, who shall  
34 serve as commission leadership with one member as chair and the other member as vice chair,  
35 respectively, for one year. At the end of such year, the members currently serving as chair and  
36 vice chair shall have the option to rotate positions, and the member currently serving as vice  
37 chair may serve as chair, and vice versa. Thereafter, commission leadership shall continue to  
38 rotate accordingly with the two members from opposing political parties who have the most  
39 seniority in terms of commission service being elected by the commission to serve as  
40 commission leadership. If one of the commission leadership offices becomes vacant due to  
41 death, resignation, removal, or refuses to serve before the one-year leadership term expires, the  
42 commission shall elect one of its members that is of the same political party as the vacating  
43 officer to serve the remainder of the vacating officer's leadership term. Such election shall not  
44 prohibit that member from later serving as chair and vice chair when such member's seniority  
45 in commission service qualifies him or her for those offices as provided in this subsection.

46         3. No more than one-half of the members of the commission shall be of the same  
47 political party. The selection and removal of all employees of the department of transportation  
48 shall be without regard to political affiliation.

49         4. The present members of the commission shall continue to serve as members of the  
50 commission for the remainder of the terms for which they were appointed, except as provided  
51 in subsection 1 of this section.

52         5. Any member reappointed shall only be eligible to serve as chair or vice-chair during  
53 the final two years of such member's reappointment.

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