

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 109, Page 1, Section A, Line 2, by inserting after  
2 all of said section and line the following:  
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4 "226.030. 1. Beginning January 1, 2024, the highways and transportation commission shall consist  
5 of ~~[six]~~ eight members, who shall be appointed by the governor~~], by and with the advice and consent of the~~  
6 ~~senate,]~~ as provided under subsection 6 of this section, provided that not more than one person shall be  
7 appointed to the commission from the same congressional district and not more than three thereof to be  
8 members of the same political party. In the event a member of the commission is found by unanimous vote  
9 of the other commissioners to have moved such commissioner's residence from the congressional district  
10 from which such commissioner was appointed, the office of such commissioner shall be forfeited and  
11 considered vacant. Each commissioner shall be a taxpayer and resident of state for at least five years prior to  
12 his appointment. Any commissioner may be removed by the governor if fully satisfied of his inefficiency,  
13 neglect of duty, or misconduct in office. Any commissioner shall be removed by the governor upon an  
14 affirmative vote by two-thirds of the house of representatives and two-thirds of the senate to remove such  
15 commissioner. Commissioners appointed pursuant to this section shall be appointed for terms of six years,  
16 except as otherwise provided in this subsection. Upon the expiration of each of the foregoing terms of these  
17 commissioners a successor shall be appointed for a term of six years or until his successor is appointed and  
18 qualified which term of six years shall thereafter be the length of term of each member of the commission  
19 unless removed as above provided. The members of the commission shall receive as compensation for their  
20 services twenty-five dollars per day for the time spent in the performance of their official duties, and also  
21 their necessary traveling and other expenses incurred while actually engaged in the discharge of their official  
22 duties. Members whose terms otherwise expire December 1, 2003, shall serve with terms expiring March 1,  
23 2004, and new members or the members reappointed shall be appointed for terms expiring March 1, 2005; a  
24 member whose term otherwise expires December 1, 2005, shall serve with a term expiring March 1, 2007; a  
25 member whose term otherwise expires December 1, 2007, shall serve with a term expiring March 1, 2009;  
26 and one member whose term otherwise expires October 13, 2007, shall serve with a term expiring March 1,  
27 2007; and one member whose term otherwise expires October 13, 2007, shall serve with a term expiring  
28 March 1, 2009. If a vacancy occurs in any term of a commissioner due to death, resignation, or removal, a  
29 successor shall be appointed for only the remainder of the unexpired term.  
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Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1           2. The two members of the commission, one each from opposing political parties, who have the most  
2 seniority in commission service shall serve as commission leadership with one member as chair and the other  
3 member as vice chair, respectively, for terms ending March 1, 2005. The commission shall elect one of the  
4 members as chair and the other as vice chair. Effective March 1, 2005, the commission shall elect the two  
5 members of the commission, one from each opposing political party who has the most seniority in  
6 commission service, who shall serve as commission leadership with one member as chair and the other  
7 member as vice chair, respectively, for one year. At the end of such year, the members currently serving as  
8 chair and vice chair shall have the option to rotate positions, and the member currently serving as vice chair  
9 may serve as chair, and vice versa. Thereafter, commission leadership shall continue to rotate accordingly  
10 with the two members from opposing political parties who have the most seniority in terms of commission  
11 service being elected by the commission to serve as commission leadership. If one of the commission  
12 leadership offices becomes vacant due to death, resignation, removal, or ~~[refuses]~~ refusal to serve before the  
13 one-year leadership term expires, the commission shall elect one of its members that is of the same political  
14 party as the vacating officer to serve the remainder of the vacating officer's leadership term. Such election  
15 shall not prohibit that member from later serving as chair and vice chair when such member's seniority in  
16 commission service qualifies him or her for those offices as provided in this subsection.

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

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

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

25           6. (1) On or after January 1, 2024, the governor shall appoint two additional members to the  
26 highways and transportation commission from a list of six nominees submitted by the general assembly prior  
27 to such date. The list of nominees submitted to the governor shall be selected by the general assembly and  
28 approved prior to such submission by a two-thirds vote of the house and a two-thirds vote of the senate.

29           (2) Additional appointments to the commission after the initial appointments made under subdivision  
30 (1) of this subsection shall be made by the same method; each time there is a vacancy on the commission, the  
31 general assembly shall submit to the governor the names of three nominees who meet the requirements of  
32 subsection 1 of this section and whose nomination has been approved by a two-thirds vote of the house and a  
33 two-thirds vote of the senate. The governor shall be required to make appointments to the commission from  
34 the nomination list submitted by the general assembly."; and

35  
36 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.