

SECOND REGULAR SESSION

HOUSE BILL NO. 1811

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE RIGGS.

4219H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 226.030, RSMo, and to enact in lieu thereof one new section relating to the highways and transportation commission.

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Section A. Section 226.030, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 226.030, to read as follows: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. **Beginning January 1, 2025**, the highways and transportation commission shall consist of ~~[six members]~~ **one member from each congressional district**, who shall be appointed by the governor ~~[, by and with the advice and consent of the senate,]~~ **as provided under subsection 6 of this section, with** not more than ~~[three]~~ **half** thereof to be members of the same political party; **except that, if there is an odd number of members serving on the commission, no more than one-half plus one shall be of the same political party. In the event a member of the commission is found by unanimous vote of the other commissioners to have moved such commissioner's residence from the congressional district from which such commissioner was appointed, the office of such commissioner shall be forfeited and considered vacant.** Each commissioner shall be a taxpayer and resident of state for at least five years prior to his appointment. Any commissioner may be removed by the governor if fully satisfied of his inefficiency, neglect of duty, or misconduct in office. **Any commissioner shall be removed by the governor upon an affirmative vote by two-thirds of the house of representatives and two-thirds of the senate to remove such commissioner.** 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

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.

18 of six years or until his successor is appointed and qualified which term of six years shall
19 thereafter be the length of term of each member of the commission unless removed as above
20 provided. The members of the commission shall receive as compensation for their services
21 twenty-five dollars per day for the time spent in the performance of their official duties, and
22 also their necessary traveling and other expenses incurred while actually engaged in the
23 discharge of their official duties. Members whose terms otherwise expire December 1, 2003,
24 shall serve with terms expiring March 1, 2004, and new members or the members reappointed
25 shall be appointed for terms expiring March 1, 2005; a member whose term otherwise expires
26 December 1, 2005, shall serve with a term expiring March 1, 2007; a member whose term
27 otherwise expires December 1, 2007, shall serve with a term expiring March 1, 2009; and one
28 member whose term otherwise expires October 13, 2007, shall serve with a term expiring
29 March 1, 2007; and one member whose term otherwise expires October 13, 2007, shall serve
30 with a term expiring March 1, 2009. If a vacancy occurs in any term of a commissioner due
31 to death, resignation, or removal, a successor shall be appointed for only the remainder of the
32 unexpired term.

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

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

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

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

60 **6. (1) On or after January 1, 2025, the governor shall appoint two additional**
61 **members to the highways and transportation commission from a list of six nominees**
62 **submitted by the general assembly prior to such date. The list of nominees submitted to**
63 **the governor shall be selected by the general assembly and approved prior to such**
64 **submission by a two-thirds vote of the house and a two-thirds vote of the senate.**

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

72 **7. No member of the commission shall accept directly or indirectly a gift of any**
73 **tangible or intangible item, service, or thing of value from any paid lobbyist or lobbyist**
74 **principal. Nothing in this subsection shall prevent individuals from receiving gifts,**
75 **family support, or anything of value from those related to them within the fourth degree**
76 **by blood or marriage.**

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