

FIRST REGULAR SESSION

# HOUSE BILL NO. 1384

103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE RIGGS.

0524H.011

JOSEPH ENGLER, 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Section A. Section 226.030, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 226.030, to read as follows: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. 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]~~ **until December 1, 2027, at which time the number of members may be changed as established by law, but there shall never be more than one member from each congressional district at the same time. If reapportionment results in the elimination of a congressional district, the most senior member of the commission shall serve the remainder of the member's term, after which time that seat will no longer exist. If reapportionment increases the number of congressional seats, the number of members may be increased by law to match the increase in congressional seats. Members shall be appointed by the governor, by and with the advice and consent of the senate, not more than half thereof to be members of the same political party. No member shall be appointed to replace a member from the same congressional district except to fill an unexpired term. No member shall be appointed from a congressional district until each district has been represented by a member at least once. Upon the expiration of a member's term, a member appointed by the governor to begin a new term shall reside in a congressional district that is different from the congressional districts in which the other members**

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 **reside and is different from the congressional district in which the member previously**  
19 **filling the office resided.** Each commissioner shall be a taxpayer and resident of **the** state for  
20 at least five years prior to his **or her** appointment. Any commissioner may be removed by the  
21 governor if fully satisfied of his **or her** inefficiency, neglect of duty, or misconduct in office.  
22 Commissioners appointed pursuant to this section shall be appointed for terms of six years,  
23 except as otherwise provided in this subsection. Upon the expiration of each of the foregoing  
24 terms of these commissioners a successor shall be appointed for a term of six years or until  
25 his **or her** successor is appointed and qualified which term of six years shall thereafter be the  
26 length of term of each member of the commission unless removed as above provided. The  
27 members of the commission shall receive as compensation for their services twenty-five  
28 dollars per day for the time spent in the performance of their official duties, and also their  
29 necessary traveling and other expenses incurred while actually engaged in the discharge of  
30 their official duties. Members whose terms otherwise expire December 1, 2003, shall serve  
31 with terms expiring March 1, 2004, and new members or the members reappointed shall be  
32 appointed for terms expiring March 1, 2005; a member whose term otherwise expires  
33 December 1, 2005, shall serve with a term expiring March 1, 2007; a member whose term  
34 otherwise expires December 1, 2007, shall serve with a term expiring March 1, 2009; and one  
35 member whose term otherwise expires October 13, 2007, shall serve with a term expiring  
36 March 1, 2007; and one member whose term otherwise expires October 13, 2007, shall serve  
37 with a term expiring March 1, 2009. If a vacancy occurs in any term of a commissioner due  
38 to death, resignation, or removal, a successor shall be appointed for only the remainder of the  
39 unexpired term.

40       2. The two members of the commission, one each from opposing political parties,  
41 who have the most seniority in commission service shall serve as commission leadership with  
42 one member as chair and the other member as vice chair, respectively, for terms ending  
43 March 1, 2005. The commission shall elect one of the members as chair and the other as vice  
44 chair. Effective March 1, 2005, the commission shall elect the two members of the  
45 commission, one from each opposing political party who has the most seniority in  
46 commission service, who shall serve as commission leadership with one member as chair and  
47 the other member as vice chair, respectively, for one year. At the end of such year, the  
48 members currently serving as chair and vice chair shall have the option to rotate positions,  
49 and the member currently serving as vice chair may serve as chair, and vice versa. Thereafter,  
50 commission leadership shall continue to rotate accordingly with the two members from  
51 opposing political parties who have the most seniority in terms of commission service being  
52 elected by the commission to serve as commission leadership. If one of the commission  
53 leadership offices becomes vacant due to death, resignation, removal, or ~~[refuses]~~ **refusal** to  
54 serve before the one-year leadership term expires, the commission shall elect one of its

55 members that is of the same political party as the vacating officer to serve the remainder of  
56 the vacating officer's leadership term. Such election shall not prohibit that member from later  
57 serving as chair and vice chair when such member's seniority in commission service qualifies  
58 him or her for those offices as provided in this subsection.

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

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

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

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