

SECOND REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 1039

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATORS BRAY AND SCOTT.

Read 1st time February 9, 2006, and ordered printed.

Read 2nd time February 13, 2006, and referred to the Committee on Transportation.

Reported from the Committee March 9, 2006, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up March 28, 2006. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

5087S.01P

AN ACT

To repeal section 226.030, RSMo, and to enact in lieu thereof one new section relating to eliminating the annual state of the state transportation address.

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Section A. Section 226.030, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 226.030, to read as follows: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. 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. 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 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

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

15 also their necessary traveling and other expenses incurred while actually engaged
16 in the discharge of their official duties. Members whose terms otherwise expire
17 December 1, 2003, shall serve with terms expiring March 1, 2004, and new
18 members or the members reappointed shall be appointed for terms expiring
19 March 1, 2005; a member whose term otherwise expires December 1, 2005, shall
20 serve with a term expiring March 1, 2007; a member whose term otherwise
21 expires December 1, 2007, shall serve with a term expiring March 1, 2009; and
22 one member whose term otherwise expires October 13, 2007, shall serve with a
23 term expiring March 1, 2007; and one member whose term otherwise expires
24 October 13, 2007, shall serve with a term expiring March 1, 2009. If a vacancy
25 occurs in any term of a commissioner due to death, resignation, or removal, a
26 successor shall be appointed for only the remainder of the unexpired term.

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

49 3. No more than one-half of the members of the commission shall be of the
50 same political party. The selection and removal of all employees of the

51 department of transportation shall be without regard to political affiliation.

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

55 5. [The director of the department of transportation shall, by February
56 fifteenth of each year, present an annual state of the state of transportation to a
57 joint session of the general assembly. The six members of the commission shall
58 be present and available at such presentations for questions by members. The
59 transportation inspector general may also be present and report to the general
60 assembly on any matter of concern within his or her statutory authority. The
61 provisions of this subsection shall expire August 28, 2008.

62 6.] Any member reappointed shall only be eligible to serve as chair or
63 vice-chair during the final two years of such member's reappointment.

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Bill

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