

FIRST REGULAR SESSION

SENATE BILL NO. 142

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CROWELL.

Read 1st time January 19, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

0153S.02I

AN ACT

To repeal sections 100.265 and 215.020, RSMo, and to enact in lieu thereof two new sections relating to conflicts of interest in certain boards and commissions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 100.265 and 215.020, RSMo, are repealed and two
2 new sections enacted in lieu thereof, to be known as sections 100.265 and
3 215.020, to read as follows:

100.265. 1. There is hereby created within the department of economic
2 development the "Missouri Development Finance Board", which shall constitute
3 a body corporate and politic and shall consist of twelve members, including [the
4 lieutenant governor,] the director of the department of economic development, the
5 director of the department of natural resources, and the director of the
6 department of agriculture. No more than five members appointed by the governor
7 to the board shall be of the same political party. Except for [the lieutenant
8 governor,] the director of the department of economic development, the director
9 of the department of natural resources, and the director of the department of
10 agriculture, all members shall be appointed by the governor by and with the
11 advice and consent of the senate, and shall serve for terms of four years. The
12 persons serving as members of the Missouri economic development, export and
13 infrastructure board on August 28, 1994, shall become members of the Missouri
14 development finance board for terms to expire at the same time their terms would
15 have expired if they had remained members of the Missouri economic
16 development, export and infrastructure board. The Missouri development finance
17 board shall replace the Missouri economic development, export and infrastructure
18 board. All moneys, property, any other assets or liabilities of the Missouri

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

19 economic development, export and infrastructure board on August 28, 1994, shall
20 be transferred to the Missouri development finance board. All powers, duties and
21 functions performed by the Missouri economic development, export and
22 infrastructure board pursuant to sections 100.250 to 100.297 shall be transferred
23 to the Missouri development finance board.

24 2. Each member of the board appointed by the governor shall have resided
25 in this state for at least five years prior to appointment. Except for the
26 [lieutenant governor,] director of the department of economic development, the
27 director of the department of natural resources, and the director of the
28 department of agriculture, no person may be appointed to the board who is an
29 elected officer or employee of the state, or any agency, board, commission, or
30 authority established by the state.

31 3. The governor shall designate one of the members of the board to serve
32 as chairman. The board shall meet at such times and places it shall
33 designate. Seven members shall constitute a quorum. No vacancy in the
34 membership shall impair the right of a quorum of the members to exercise all of
35 the rights and powers and to perform all of the duties of the board.

36 4. Members of the board shall serve without compensation but shall be
37 reimbursed for their reasonable and necessary expenses incurred in the
38 performance of their duties.

39 5. **No person who serves on the board shall become an employee**
40 **of the board or work for or have a business relationship with any**
41 **service provider of the board until two years have expired after the**
42 **date of his or her resignation or termination as a member of the board.**
43 **No current or former member of the general assembly or statewide**
44 **elected official shall become an employee of the board or work for or**
45 **have a business relationship with any service provider of the board**
46 **until five years have expired after the date of his or her resignation or**
47 **termination as a member of the general assembly or statewide elected**
48 **official.**

215.020. 1. There is hereby created and established as a governmental
2 instrumentality of the state of Missouri the "Missouri Housing Development
3 Commission" which shall constitute a body corporate and politic.

4 2. The commission shall consist of the [governor, lieutenant governor, the
5 state treasurer, the state attorney general, and six members] **ten public**
6 **members, who are not statewide elected officials,** to be selected by the

7 governor, with the advice and consent of the senate. The persons to be selected
8 by the governor shall be individuals knowledgeable in the areas of housing,
9 finance or construction. Not more than [four] **six** of the members appointed by
10 the governor shall be from the same political party. The members of the
11 commission appointed by the governor shall serve the following terms: Two shall
12 serve two years, two shall serve three years, and two shall serve four years,
13 respectively. Thereafter, each appointment shall be for a term of four years. If
14 for any reason a vacancy occurs, the governor, with the advice and consent of the
15 senate, shall appoint a new member to fill the unexpired term. Members are
16 eligible for reappointment.

17 3. Six members of the commission shall constitute a quorum. No vacancy
18 in the membership of the commission shall impair the right of a quorum to
19 exercise all the rights and perform all the duties of the commission. No action
20 shall be taken by the commission except upon the affirmative vote of at least six
21 of the members of the commission.

22 4. Each member of the commission appointed by the governor is entitled
23 to compensation of fifty dollars per diem plus his reasonable and necessary
24 expenses actually incurred in discharging his duties under sections 215.010 to
25 215.250.

26 **5. No person who serves on the commission shall become an**
27 **employee of the commission or work for or have a business relationship**
28 **with any service provider of the commission until two years have**
29 **expired after the date of his or her resignation or termination as a**
30 **member of the commission. No current or former member of the**
31 **general assembly or statewide elected official shall become an employee**
32 **of the commission or work for or have a business relationship with any**
33 **service provider of the commission until five years have expired after**
34 **the date of his or her resignation or termination as a member of the**
35 **general assembly or statewide elected official.**

✓