

FIRST REGULAR SESSION

# SENATE JOINT RESOLUTION NO. 5

96TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR CHAPELLE-NADAL.

Pre-filed December 1, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

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## JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 29 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the department of transportation.

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*Be it resolved by the Senate, the House of Representatives concurring therein:*

That at the next general election to be held in the state of Missouri, on  
2 Tuesday next following the first Monday in November, 2012, or at a special  
3 election to be called by the governor for that purpose, there is hereby submitted  
4 to the qualified voters of this state, for adoption or rejection, the following  
5 amendment to article IV of the Constitution of the state of Missouri:

Section A. Section 29, article IV, Constitution of Missouri, is repealed and  
2 one new section adopted in lieu thereof, to be known as section 29, to read as  
3 follows:

Section 29. [The highways and transportation commission] **A director**  
2 **of transportation, appointed by the governor, by and with the advice**  
3 **and consent of the senate,** shall be in charge of the department of  
4 transportation. [The number, qualifications, compensation and terms of the  
5 members of the highways and transportation commission shall be fixed by law,  
6 and not more than one-half of its members shall be of the same political  
7 party.] The selection and removal of all employees shall be without regard to  
8 political affiliation. The [highways and transportation commission] **department**  
9 (i) shall have authority over the state highway system; (ii) shall have authority  
10 over all other transportation programs and facilities as provided by law,  
11 including, but not limited to, aviation, railroads, mass transportation, ports, and  
12 waterborne commerce; and (iii) shall have authority to limit access to, from and

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

13 across state highways and other transportation facilities where the public  
14 interests and safety may require. **The present members of the highways  
15 and transportation commission shall serve as such until a director has  
16 been appointed by the governor and confirmed by the senate.** All  
17 references to the highway commission and the department of highways in this  
18 constitution and in the statutes shall mean the [highways and transportation  
19 commission] **director of transportation** and the department of transportation.

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Unofficial

Bill

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