

SECOND REGULAR SESSION

SENATE BILL NO. 875

89TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CHILDERS.

Read 1st time February 5, 1998, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S3748.011

AN ACT

To repeal section 386.050, RSMo 1994, and section 386.110, RSMo Supp. 1997, relating to the public service commission, and to enact in lieu thereof two new sections relating to the same subject.

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

Section A. Section 386.050, RSMo 1994, and section 386.110, RSMo Supp. 1997, are repealed and two new sections enacted in lieu thereof, to be known as sections 386.050 and 386.110, to read as follows:

386.050. **1. Until the year 2001**, the commission shall consist of five members who shall be appointed by the governor, with the advice and consent of the senate, and one of whom shall be designated by the governor to be chairman of said commission. Each commissioner, at the time of his appointment and qualification, shall be a resident of the state of Missouri, and shall have resided in said state for a period of at least five years next preceding his appointment and qualification, and he shall also be a qualified voter therein and not less than twenty-five years of age. Upon the expiration of each of the terms of office of the first commissioners, the term of office of each commissioner thereafter appointed shall be six years from the time of his appointment and qualification and until his successor shall qualify. Vacancies in said commission shall be filled by the governor for the unexpired term.

2. At the general election in the year 2000 and every four years thereafter the qualified voters in each congressional district shall elect a commissioner. Each commissioner shall be a qualified voter of the congressional district, shall have resided in said district one whole year immediately prior to such commissioner's election and

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

shall be not less than twenty-five years of age. Commissioners shall enter office upon the discharge of their duties on the first day of January next after their election and shall hold office for a term of four years except for those first elected, and until their successors are elected and qualified, unless sooner removed from office. Any commissioner serving an appointive term as of the effective date of this section shall hold such office until such commissioner's term expires. For the commissioners first elected pursuant to this section, each commissioner who resides in a congressional district of an even number shall hold office for a term of two years and each commissioner who resides in a congressional district of an odd number shall hold office for a term of four years, and all commissioners shall hold office until a successor is elected and qualified, unless sooner removed from office.

386.110. Each commissioner and each person **elected to office or** appointed to [office or] employment [by the governor or] by the commission shall, before entering upon the duties of the commissioner's office or employment, take and subscribe to an oath or affirmation to support the Constitution of the United States and of this state, and to faithfully and honestly discharge the duties of such office. No person shall be eligible to [appointment] **election** or shall hold the office of commissioner, or be appointed by the commission, or hold any office or position under the commission, who holds any official relation to any gas corporation, electrical corporation, telephone corporation, telegraph corporation, water corporation, heat and refrigerating corporation, sewer corporation, or other public service or public utility corporation or person subject to any of the provisions of this chapter, or who owns stocks or bonds therein, or who has any pecuniary interest therein.

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