

FIRST REGULAR SESSION

SENATE BILL NO. 444

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MAXWELL.

Read 1st time February 11, 1999, and 1,000 copies ordered printed.

L1824.03I

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 105.030, RSMo 1994, relating to vacancies in state or county offices, 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Section A. Section 105.030, RSMo 1994, is repealed and two new sections enacted in lieu thereof, to be known as sections 105.030 and 1, to read as follows:

105.030. Whenever any vacancy, caused in any manner or by any means whatsoever, occurs or exists in any state or county office originally filled by election of the people, other than in the offices of [lieutenant governor,] state senator or representative, sheriff, or recorder of deeds in the city of St. Louis, the vacancy shall be filled by appointment by the governor except that when a vacancy occurs in the office of county assessor after a general election at which a person other than the incumbent has been elected, the person so elected shall be appointed to fill the remainder of the unexpired term; and the person appointed after duly qualifying and entering upon the discharge of his **or her** duties under the appointment shall continue in office until the first Monday in January next following the first ensuing general election, at which general election a person shall be elected to fill the unexpired portion of the term, or for the ensuing regular term, as the case may be, and the person so elected shall enter upon the discharge of the duties of the office the first Monday in January next following his **or her** election, except that when the term to be filled begins on any day other than the first Monday in January, the appointee of the governor shall be entitled to hold the office until such other date. This section shall not apply to vacancies in county offices in any county which has adopted a charter for its own government under section 18, article VI of the constitution. Any vacancy in the office of recorder

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

of deeds in the city of St. Louis shall be filled by appointment by the mayor of that city.

Section 1. 1. The lieutenant governor, or the lieutenant governor's designee, may, upon mutual consent of the governor and lieutenant governor with the advice and consent of the senate, sit as a replacement member on all boards and commissions that have vacancies for purposes of a quorum until a permanent replacement has been appointed by the governor.

2. The lieutenant governor may designate an employee to attend and participate on the lieutenant governor's behalf in any meeting of a state agency, committee, commission, division, board, authority or other organization created by law for which the lieutenant governor's membership is statutorily authorized.

3. The lieutenant governor may work for no additional pay in any position in the executive branch upon the mutual consent of the governor and lieutenant governor with the advice and consent of the senate.

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Bill

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