

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 31

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BLACK (Sponsor), KELLY (144), BERKSTRESSER, BOWMAN, CRAWFORD, DOLAN, HUNTER, MYERS, REINHART, RICHARDSON AND ROBIRDS.

Read 1st time December 18, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3245L.01I

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 powers and duties of the state transportation commission.

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

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2002, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article IV of the Constitution of the state of Missouri:

Section A. Section 29, article IV, Constitution of Missouri, is repealed and one new section adopted in lieu thereof, to be known as section 29, to read as follows:

Section 29. **1.** The department of highways and transportation shall be in charge of a [highways and] transportation commission.

2. A transportation commission appointed by the governor, by and with the advice and consent of the senate, shall consist of six members appointed to six-year terms, except that of the initial appointments, two members shall be appointed, with two additional members appointed two years following the initial appointments, and two additional members appointed four years from the date of the initial appointments. The leadership

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

8 of each political party of the house of representatives and senate shall each supply three
9 candidates to the governor for selection as members of the commission. The governor shall
10 select one candidate from each party. The candidates shall be appointed on or before June
11 thirtieth in odd numbered years. In the event of a vacancy on the commission, the political
12 party of the vacating member shall submit three candidates for selection as a member to
13 the commission to the governor within thirty days of the vacancy. The governor shall have
14 fifteen days to select a new member of the commission. The new member of the
15 commission shall serve only the remainder of the unexpired six-year term of the vacating
16 member.

17 3. The [number,] qualifications[,] and compensation [and terms] of the members of the
18 [highways and] transportation commission shall be fixed by law, and not more than one-half of
19 its members shall be of the same political party, **excluding ex officio members of the**
20 **transportation commission**. The selection and removal of all employees **of the department**
21 **of highways and transportation** shall be without regard to political affiliation.

22 4. The [highways and] transportation commission shall have authority over all state
23 transportation programs and facilities as provided by law, including, but not limited to, bridges,
24 highways, aviation, railroads, mass transportation, ports, and waterborne commerce, and shall
25 have authority to limit access to, from and across state highways where the public interest and
26 safety may require.

27 5. The present members of the [highway] **transportation** commission shall serve as
28 members of the [highways and] transportation commission for the remainder of the terms for
29 which they were appointed.

30 6. All references to the highway commission **or the highways and transportation**
31 **commission** and the department of highways in this constitution and in the statutes shall mean
32 the [highways and] transportation commission and the department of highways and
33 transportation.