

SECOND REGULAR SESSION

# SENATE BILL NO. 955

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WALSH.

Read 1st time January 30, 2020, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4960S.011

## AN ACT

To repeal sections 104.160 and 104.180, RSMo, and to enact in lieu thereof two new sections relating to the board of trustees of the Missouri department of transportation and highway patrol employees' retirement system.

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

Section A. Sections 104.160 and 104.180, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 104.160 and 104.180, to read as follows:

104.160. The board of trustees shall consist of **[three members]** **one member** of the state highways and transportation commission elected by the members of the commission. The superintendent of the highway patrol and the director of the department of transportation shall serve as members by virtue of their respective offices, and their successors shall succeed them as members of the board of trustees. In addition, one member of the senate appointed by the president pro tem of the senate and one member of the house of representatives, appointed by the speaker of the house shall serve as members of the board of trustees. In addition to the appointed legislators, two active employee members of the system shall be elected by a plurality vote of the active employee members of the system, herein designated for four-year terms to commence July 1, 1982, and every four years thereafter. One elected member shall be elected from the active employees of the department of transportation and one elected member shall be elected from the active employees of the civilian or uniformed highway patrol. In addition to the two active employee members, two retirees of the system shall be elected to serve on the board by a plurality vote of the retirees of the system. One retiree shall be elected by the retired employees of the

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

18 transportation department and one retiree shall be elected by the retired  
19 employees of the civilian or uniformed highway patrol. The retiree serving on the  
20 board on August 28, 2007, shall continue to serve on the board as the  
21 representative of the retired employees of the transportation department until  
22 June 30, 2010. An election shall be held prior to January 1, 2008, for the retiree  
23 to be elected by the retired employees of the civilian or uniformed highway patrol  
24 with said term to commence on January 1, 2008, and expire on June 30, 2010. All  
25 terms of elected retired employees shall be for four years after June 30,  
26 2010. The board shall determine the procedures for nomination and election of  
27 the elective board members. Nominations may be entered by any member of the  
28 system, provided members of the system have a reasonable opportunity to vote.

104.180. 1. The board of trustees shall meet within the state of Missouri  
2 upon the written call of the chairman or by agreement of any four members of the  
3 board. Notice of the meeting shall be delivered to all other trustees in person, or  
4 by depositing notice in a United States post office, in a properly stamped and  
5 addressed envelope, not less than six days prior to the date fixed for the meeting,  
6 unless authorized by the board. The board may meet at any time by unanimous  
7 mutual consent. There shall be at least one meeting in each quarter.

8 2. **[Six] A majority of** trustees shall constitute a quorum for the  
9 transaction of business, and any official action of the board shall be based on the  
10 majority vote of the trustees present.

11 3. The trustees shall serve without compensation, but shall receive their  
12 necessary expenses incurred in the performance of their duties for the system.

13 4. The executive director and other employees of the system shall receive  
14 such salaries or other compensation as may be fixed by the board and their  
15 necessary travel expense within and without the state as may be authorized by  
16 the board.

17 5. Duties performed for the system as board members by the director or  
18 any elected employee of the state highways and transportation commission or by  
19 the superintendent of the state highway patrol or any elected employee or  
20 member of the patrol shall be considered duties in connection with the regular  
21 employment of such individual, and the employee shall suffer no loss in regular  
22 compensation by reason of the performance of such duties.

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