

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 843
99TH GENERAL ASSEMBLY

5541H.06C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 8.003, 8.007, 8.015, 8.017, 41.1010, 91.640, 105.955, 143.1015, 160.2100, 160.2110, 186.007, 189.015, 189.025, 189.030, 189.035, 191.400, 191.980, 192.005, 192.014, 192.230, 192.240, 192.707, 192.710, 192.2030, 194.400, 194.408, 194.409, 196.1129, 208.197, 208.955, 209.287, 209.307, 210.170, 217.900, 217.903, 217.905, 217.907, 217.910, 253.408, 253.412, 288.475, 324.177, 324.180, 324.406, 324.409, 324.412, 324.415, 324.421, 324.424, 324.427, 324.430, 324.436, 324.478, 332.086, 334.430, 334.625, 334.749, 335.021, 453.600, 620.1200, 633.200, 701.040, and 701.353, RSMo, and section 105.959 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and to enact in lieu thereof fifty-three new sections relating to the existence of certain state boards and commissions, with an emergency clause for certain sections.

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

Section A. Sections 8.003, 8.007, 8.015, 8.017, 41.1010, 91.640, 105.955, 143.1015,
2 160.2100, 160.2110, 186.007, 189.015, 189.025, 189.030, 189.035, 191.400, 191.980, 192.005,
3 192.014, 192.230, 192.240, 192.707, 192.710, 192.2030, 194.400, 194.408, 194.409, 196.1129,
4 208.197, 208.955, 209.287, 209.307, 210.170, 217.900, 217.903, 217.905, 217.907, 217.910,
5 253.408, 253.412, 288.475, 324.177, 324.180, 324.406, 324.409, 324.412, 324.415, 324.421,
6 324.424, 324.427, 324.430, 324.436, 324.478, 332.086, 334.430, 334.625, 334.749, 335.021,
7 453.600, 620.1200, 633.200, 701.040, and 701.353, RSMo, and section 105.959 as enacted by
8 senate bill no. 844, ninety-fifth general assembly, second regular session, are repealed and fifty-

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

9 three new sections enacted in lieu thereof, to be known as sections 8.003, 8.007, 8.015, 8.017,
10 29.415, 41.1010, 91.640, 105.955, 143.1015, 186.007, 189.015, 189.025, 189.030, 189.035,
11 191.400, 191.756, 191.980, 192.005, 192.014, 192.230, 192.707, 192.710, 194.400, 194.408,
12 208.955, 209.287, 209.307, 210.170, 210.1200, 210.1210, 253.408, 324.177, 324.180, 324.406,
13 324.409, 324.412, 324.415, 324.421, 324.424, 324.427, 324.430, 324.436, 324.478, 332.086,
14 334.430, 334.625, 334.749, 335.021, 453.600, 620.1200, 633.200, 701.040, and 701.353, to read
15 as follows:

8.003. 1. The commission shall consist of ~~[eleven]~~ **nine** persons, as follows: the
2 commissioner of the office of administration; one member of the senate from the majority party,
3 **appointed by the president pro tempore of the senate** and one member of the senate from the
4 minority party, appointed by the ~~[president pro tempore]~~ minority leader of the senate; one
5 member of the house of representatives from the majority party, **appointed by the speaker of**
6 **the house of representatives** and one member of the house of representatives from the minority
7 party, appointed by the ~~[speaker of the house of representatives]~~ **minority leader of the house**
8 **of representatives**; one employee of the house of representatives appointed by the speaker of
9 the house of representatives and one employee of the senate appointed by the president pro
10 tempore; and ~~[four]~~ **two** members appointed by the governor with the advice and consent of the
11 senate. The lieutenant governor shall be an ex officio member of the commission.

12 2. The legislative members of the commission shall serve for the general assembly
13 during which they are appointed and until their successors are selected and qualified.

14 3. The ~~[four]~~ **two** members appointed by the governor shall be persons who have
15 knowledge and background regarding the history of the state, the history and significance of the
16 seat of state government, and the capitol but shall not be required to be professionals in the
17 subject area.

18 4. The terms of the ~~[four]~~ **two** members appointed by the governor shall be four years
19 and until their successors are appointed and qualified. Provided, however, that the first term of
20 ~~[three]~~ **the initial public [members] member selected after the effective date of this act to a**
21 **new** term shall be for two years, thereafter the ~~[terms]~~ **term of all subsequent public members**
22 shall be four years. There is no limitation on the number of terms any appointed member may
23 serve. If a vacancy occurs, the governor may appoint a member for the remaining portion of the
24 unexpired term created by the vacancy. The governor may remove any member appointed by
25 him or her for cause. The members of the commission shall be reimbursed for travel and other
26 expenses actually and necessarily incurred in the performance of their duties by the office of
27 administration.

28 5. At the first meeting of the commission and at yearly intervals thereafter, the members
29 shall select from among themselves a chairman and a vice chairman.

30 6. The commission shall hold at least four regular meetings each year and such additional
31 meetings as the chairman deems desirable at a place and time to be fixed by the chairman.
32 Special meetings may be called by five members of the commission upon delivery of written
33 notice to each member of the commission. Reasonable written notice of all meetings shall be
34 given by the director to all members of the commission. Five members of the commission shall
35 constitute a quorum. All actions of the commission shall be taken at meetings open to the public.
36 Any member absent from six consecutive regular commission meetings for any cause whatsoever
37 shall be deemed to have resigned and the vacancy shall be filled immediately in accordance with
38 subsection 1 of this section.

39 7. The commission shall provide a report to the governor and the general assembly
40 annually.

8.007. 1. The commission shall:

2 (1) Exercise general supervision of the administration of sections 8.001 to 8.007;
3 (2) Evaluate and approve capitol studies and improvement, expansion, renovation, and
4 restoration projects ~~[to be paid for with funds appropriated from the state capitol commission~~
5 ~~fund]~~ **including, but not limited to, the “21st-Century State Capitol Restoration Project”,**
6 **which includes, but is not limited to, the development and implementation of a**
7 **comprehensive master plan for the restoration, protection, risk management, and**
8 **continuing preservation of the capitol building, grounds, and any annex areas. For**
9 **purposes of this section, "annex areas" shall mean the building currently occupied by the**
10 **Missouri department of transportation located at 105 West Capitol Avenue in Jefferson**
11 **City, if used to house members of the general assembly or legislative support staff, or any**
12 **new building constructed for such purposes;**

13 **(3) Exercise ongoing supervision and coordination of the capitol building, grounds,**
14 **and any annex areas;**

15 ~~[(3)]~~ (4) Evaluate and recommend courses of action on the restoration and preservation
16 of the capitol, the preservation of historical significance of the capitol and the history of the
17 capitol;

18 ~~[(4)]~~ (5) Evaluate and recommend courses of action to ensure accessibility to the capitol
19 for physically disabled persons;

20 ~~[(5)]~~ (6) Advise, consult, and cooperate with the office of administration, the archives
21 division of the office of the secretary of state, the historic preservation program within the
22 department of natural resources, the division of tourism within the department of economic
23 development and the historical society of Missouri in furtherance of the purposes of sections
24 8.001 to 8.007;

25 ~~[(6)]~~ (7) Be authorized to cooperate or collaborate with other state agencies and not-for-
26 profit organizations to publish books and manuals concerning the history of the capitol, its
27 improvement or restoration;

28 ~~[(7) Before each September first, recommend options to the governor on budget~~
29 ~~allocation for improvements or restoration of the capitol premises]~~ (8) **On or before October**
30 **first of each year, submit to the budget director and the general assembly estimates of the**
31 **requirements for appropriations for the capitol building, grounds, and any annex areas for**
32 **the year commencing on the following first day of July;**

33 ~~[(8)]~~ (9) Encourage, participate in, or conduct studies, investigations, and research and
34 demonstrations relating to improvement and restoration of the state capitol it may deem
35 advisable and necessary for the discharge of its duties pursuant to sections 8.001 to 8.007;

36 ~~[(9)]~~ (10) Hold hearings, issue notices of hearings, and take testimony as the commission
37 deems necessary; and

38 ~~[(10)]~~ (11) Initiate planning efforts, subject to the appropriation of funds, for a centennial
39 celebration of the laying of the capstone of the Missouri state capitol.

40 2. The "State Capitol Commission Fund" is hereby created in the state treasury. Any
41 moneys received from sources other than appropriation by the general assembly, including from
42 private sources, gifts, donations and grants, shall be credited to the state capitol commission fund
43 and shall be appropriated by the general assembly.

44 3. The provisions of section 33.080 to the contrary notwithstanding, moneys in the
45 second capitol commission fund shall not be transferred and placed to the credit of the general
46 revenue fund. Moneys in the state capitol commission fund shall not be appropriated for any
47 purpose other than those designated by the commission.

48 4. The commission is authorized to accept all gifts, bequests and donations from any
49 source whatsoever. The commission may also apply for and receive grants consistent with the
50 purposes of sections 8.001 to 8.007. All such gifts, bequests, donations and grants shall be used
51 or expended upon appropriation in accordance with their terms or stipulations, and the gifts,
52 bequests, donations or grants may be used or expended for the preservation, improvement,
53 expansion, renovation, restoration and improved accessibility and for promoting the historical
54 significance of the capitol.

55 5. The commission may copyright or obtain a trademark for any photograph, written
56 work, art object, or any product created of the capitol or capitol grounds. The commission may
57 grant access or use of any such works to other organizations or individuals for a fee, at its sole
58 discretion, or waive all fees. All funds obtained through licensing fees shall be credited to the
59 capitol commission fund in a manner similar to funds the commission receives as gifts,

60 donations, and grants. The funds shall be used for repairs, refurbishing, or to create art, exhibits,
61 decorations, or other beautifications or adornments to the capitol or its grounds.

8.015. The senate chamber, the senate committee rooms, the offices of the members of
2 the senate on the third and fourth floors of the state capitol building and all other rooms and
3 offices of the state capitol building designed for or assigned [~~by the board of public buildings~~]
4 **under section 8.007** to the use of the members and officers of the senate, and all furniture,
5 equipment and supplies therein, are reserved for the exclusive use of the members and officers
6 of the senate. These rooms, together with the furniture, equipment and supplies therein, are in
7 direct charge and control of the senate accounts committee. No use of any of said quarters other
8 than by the senate, its members or officers shall be made except with the written consent of the
9 senator or officer occupying the office rooms and upon the order of the accounts committee.

8.017. The house chamber, the house committee rooms, the offices of the members of
2 the house on the third and fourth floors of the state capitol building and all other rooms and
3 offices of the state capitol building designed for or assigned [~~by the board of public buildings~~]
4 **under section 8.007** to the use of the members and officers of the house, and all furniture,
5 equipment and supplies therein, are reserved for the exclusive use of the members and officers
6 of the house of representatives. These rooms, together with the furniture, equipment and
7 supplies therein, are in direct charge and control of the house accounts committee. No use of any
8 of said quarters other than by the house of representatives, its members or officers shall be made
9 except with the written consent of the representative or officer occupying the office rooms and
10 upon the order of the accounts committee.

**29.415. The auditor shall conduct a study of the solvency, adequacy, staffing, and
2 operational efficiency of the Missouri unemployment system created under chapter 288.
3 The study shall be conducted every five years, the first being conducted in fiscal year 2019.
4 The study shall be funded subject to appropriation from the special employment security
5 fund under section 288.310.**

41.1010. 1. There is hereby established the "Missouri Military Preparedness and
2 Enhancement Commission". The commission shall have as its purpose the design and
3 implementation of measures intended to protect, retain, and enhance the present and future
4 mission capabilities at the military posts or bases within the state. The commission shall consist
5 of [~~nine~~] **eleven** members:

- 6 (1) [~~Five~~] **Seven** members to be appointed by the governor;
- 7 (2) Two members of the house of representatives, one appointed by the speaker of the
8 house of representatives, and one appointed by the minority floor leader;
- 9 (3) Two members of the senate, one appointed by the president pro tempore, and one
10 appointed by the minority floor leader;

11 (4) The director of the department of economic development or the director's designee,
12 ex officio;

13 (5) The chairman of the Missouri veterans' commission or the chairman's designee, ex
14 officio.

15

16 No more than ~~three of the five~~ **four of the seven** members appointed by the governor shall be
17 of the same political party. To be eligible for appointment by the governor, a person shall have
18 demonstrated experience in economic development, the defense industry, military installation
19 operation, environmental issues, finance, local government, or the use of air space for future
20 military missions. Appointed members of the commission shall serve three-year terms, except
21 that of the initial appointments made by the governor, two shall be for one-year terms, two shall
22 be for two-year terms, and one shall be for a three-year term. No appointed member of the
23 commission shall serve more than six years total. A vacancy occurs if a legislative member
24 leaves office for any reason. Any vacancy on the commission shall be filled in the same manner
25 as the original appointment.

26 2. Members of the commission shall be reimbursed for the actual and necessary expenses
27 incurred in the discharge of the member's official duties.

28 3. A chair of the commission shall be selected by the members of the commission.

29 4. The commission shall meet at least quarterly and at such other times as the chair
30 deems necessary.

31 5. The commission shall be funded by an appropriation limited to that purpose. Any
32 expenditure constituting more than ten percent of the commission's annual appropriation shall
33 be based on a competitive bid process.

34 6. The commission shall:

35 (1) Advise the governor and the general assembly on military issues and economic and
36 industrial development related to military issues;

37 (2) Make recommendations regarding:

38 (a) Developing policies and plans to support the long-term viability and prosperity of the
39 military, active and retiree, and civilian military employees, in this state, including promoting
40 strategic regional alliances that may extend over state lines;

41 (b) Developing methods to improve private and public employment opportunities for
42 former members of the military and their families residing in this state; and

43 (c) Developing methods to assist defense-dependent communities in the design and
44 execution of programs that enhance a community's relationship with military installations and
45 defense-related businesses;

46 (3) Provide information to communities, the general assembly, the state's congressional
47 delegation, and state agencies regarding federal actions affecting military installations and
48 missions;

49 (4) Serve as a clearinghouse for:

50 (a) Defense economic adjustment and transition information and activities; and

51 (b) Information concerning the following:

52 a. Issues related to the operating costs, missions, and strategic value of federal military
53 installations located in the state;

54 b. Employment issues for communities that depend on defense bases and in
55 defense-related businesses; and

56 c. Defense strategies and incentive programs that other states are using to maintain,
57 expand, and attract new defense contractors;

58 (5) Provide assistance to communities that have experienced a defense-related closure
59 or realignment;

60 (6) Assist communities in the design and execution of programs that enhance a
61 community's relationship with military installations and defense-related businesses, including
62 regional alliances that may extend over state lines;

63 (7) Assist communities in the retention and recruiting of defense-related businesses,
64 including fostering strategic regional alliances that may extend over state lines;

65 (8) Prepare a biennial strategic plan that:

66 (a) Fosters the enhancement of military value of the contributions of Missouri military
67 installations to national defense strategies;

68 (b) Considers all current and anticipated base realignment and closure criteria; and

69 (c) Develops strategies to protect the state's existing military missions and positions the
70 state to be competitive for new and expanded military missions;

71 (9) Encourage economic development in this state by fostering the development of
72 industries related to defense affairs.

73 7. The commission shall prepare and present an annual report to the governor and the
74 general assembly by December thirty-first of each year.

75 8. The department of economic development shall furnish administrative support and
76 staff for the effective operation of the commission.

91.640. 1. In addition to the powers which it may now have, any municipality as herein
2 defined shall have power, under sections 91.620 to 91.770

3 (1) To lease as herein provided, to acquire by gift, purchase or the exercise of the right
4 of eminent domain, to construct, to reconstruct, to improve, to better, and to extend any
5 undertaking, wholly within, or wholly without the municipality, or partially within and partially

6 without the municipality, and to acquire by gift, purchase or the exercise of the right of eminent
7 domain, lands, easements, rights in lands and water rights in connection therewith;

8 (2) To operate and maintain any undertaking for its own use and for the use of public and
9 private consumers, and users within and without the territorial boundaries of the municipality;

10 (3) To prescribe, revise and collect rates, fees, tolls or charges subject to rules and
11 regulations of public service commission of state of Missouri for the services, facilities or
12 commodities furnished by such undertaking, and in anticipation of the collection of the revenues
13 of such undertaking, to issue revenue bonds, to finance in whole or in part the cost of the
14 acquisition, construction, reconstruction, improvement, betterment or extension of any
15 undertaking;

16 (4) To pledge to the punctual payment of said bonds and interest thereon all or any part
17 of the revenues of such undertaking (including the revenues of improvements, betterments or
18 extensions thereto thereafter constructed or acquired, as well as the revenues of existing systems,
19 plants, works, instrumentalities, and properties of the undertaking so improved, bettered or
20 extended) or of any part of such undertaking; subject to any outstanding obligation existing
21 against such systems, plants; and

22 (5) To make all contracts, execute all instruments and do all things necessary or
23 convenient in the exercise of the powers herein granted or in the performance of its covenants
24 or duties or in order to secure the payment of its bonds, provided, no encumbrance, mortgage or
25 other pledge of property of the municipality is created thereby, and provided no property of the
26 municipality is liable to be forfeited or taken in payment of said bonds, and provided no debt on
27 the credit of the municipality is thereby incurred in any manner for any purpose; and provided
28 further, that plans and specifications for the aforesaid undertakings shall be submitted to and
29 approved by the state board of health **and senior services**; provided, however, that all contracts
30 for the undertakings herein authorized shall be awarded to the lowest and best bidder, notice of
31 the letting of such contract having been published as is required by law for the letting of public
32 contracts for the erection of public buildings.

33 2. For the purpose of constructing, managing and operating the undertakings herein
34 described there is hereby created a "board of public works". This board shall consist of five
35 members, who shall be qualified voters and resident taxpayers of such municipality. The mayor
36 or presiding officer of such municipality shall be a member of this board. The other four
37 members shall be appointed by the mayor or presiding officer of the municipality, by and with
38 the consent and approval of the majority of the governing body. The term of office of the
39 members appointed shall be four years, except the terms of two members of the first board
40 appointed shall be for two years. The officer making the appointment shall designate which
41 members shall be appointed for two years and which shall be for four years. Vacancies shall be

42 filled for an unexpired term in the same manner as the original appointment. The board shall
43 organize when new members are appointed to it. It shall select a chairman, vice chairman,
44 secretary and treasurer. The board of public works shall operate, manage and control such
45 undertakings, and in the performance of this duty may employ such persons and expend such
46 sums as are necessary to properly perform same, which funds shall be appropriated and allowed
47 by the governing body out of the earnings of the undertaking. This board shall require any
48 person who has custody of any moneys or properties of the district to furnish bond executed by
49 a responsible bonding company, for the faithful performance of his or her duties as prescribed
50 by the board of public works and for the faithful accounting of all moneys or property which may
51 come into his custody or possession by virtue of such employment or appointment. The board
52 of public works shall be allowed such a salary for their services as the governing body may
53 determine not in excess of one hundred dollars per month for each member and for their actual
54 expenses incurred in performing their duties under sections 91.620 to 91.770 they shall be paid
55 out of the revenue of the undertaking formed herein. The members of the board of public works
56 may be removed for cause after a public hearing by the governing body. The board of public
57 works shall make such report to the governing body and at such times as may be required by the
58 governing body, and shall have the power to establish bylaws, rules and regulations for its own
59 government. The board of public works, in respect to all matter of custody, operation,
60 administration and maintenance of such work shall have all the powers and perform all the duties
61 herein provided for, not specifically delegated to the governing body.

62 3. The government is hereby authorized to construct any undertaking within a defense
63 area, to acquire by purchase, lease, gift, exchange or the exercise of eminent domain, lands,
64 easements, rights of lands and water rights in connection therewith and to maintain and operate
65 such undertakings. Any municipality is hereby authorized to lease from the government or to
66 enter into an agreement to operate for and in behalf of the government any undertaking
67 constructed by the government.

105.955. 1. A bipartisan "Missouri Ethics Commission", composed of [~~six~~] **eight**
2 members, **with one member from each congressional district as provided in this section**, is
3 hereby established. The commission shall be assigned to the office of administration with
4 supervision by the office of administration only for budgeting and reporting as provided by
5 subdivisions (4) and (5) of subsection 6 of section 1 of the Reorganization Act of 1974.
6 Supervision by the office of administration shall not extend to matters relating to policies,
7 regulative functions or appeals from decisions of the commission, and the commissioner of
8 administration, any employee of the office of administration, or the governor, either directly or
9 indirectly, shall not participate or interfere with the activities of the commission in any manner
10 not specifically provided by law and shall not in any manner interfere with the budget request

11 of or withhold any moneys appropriated to the commission by the general assembly. All
12 members of the commission shall be appointed by the governor with the advice and consent of
13 the senate ~~[from lists submitted pursuant to this section]~~. Each congressional district committee
14 of the political parties having the two highest number of votes cast for their candidate for
15 governor at the last gubernatorial election shall submit **a list of at least two but no more than**
16 **five** names of eligible nominees for membership on the commission **for the position on the**
17 **commission that corresponds with such congressional district** to the governor, and the
18 governor ~~[shall]~~ **may** select ~~[six]~~ members from such nominees to serve on the commission.

19 2. ~~[Within thirty days of submission of the person's name to the governor as provided~~
20 ~~in subsection 1 of this section, and]~~ In order to be an eligible nominee for appointment to the
21 commission, a person shall file a financial interest statement in the manner provided by section
22 105.485 and shall provide the governor, the president pro tempore of the senate, and the
23 commission with a list of all political contributions and the name of the candidate or committee,
24 political party, or continuing committee, as defined in chapter 130, to which those contributions
25 were made within the four-year period prior to such appointment, made by the nominee, the
26 nominee's spouse, or any business entity in which the nominee has a substantial interest. The
27 information shall be maintained by the commission and available for public inspection during
28 the period of time during which the appointee is a member of the commission. In order to be an
29 eligible nominee for membership on the commission, a person shall be a citizen and a resident
30 of the state and shall have been a registered voter in the state for a period of at least five years
31 preceding the person's appointment. **Each member of the commission shall, at the time of**
32 **appointment, reside in the congressional district from which he or she was appointed to**
33 **serve on the commission.**

34 3. (1) **Except as otherwise provided in this subsection,** the term of each member shall
35 be for four years~~], except that of the members first appointed, the governor shall select three~~
36 ~~members from even-numbered congressional districts and three members from odd-numbered~~
37 ~~districts]~~.

38 (2) Not more than ~~[three]~~ **two** members of the commission shall be members of the same
39 political party, ~~[nor shall more than one member be from any one United States congressional~~
40 ~~district]~~ **provided that beginning March 16, 2021, three members of the commission may**
41 **be from the same political party and beginning March 16, 2022, four members may be**
42 **from the same party.** ~~[Not more than two members appointed from the even-numbered~~
43 ~~congressional districts shall be members of the same political party, and no more than two~~
44 ~~members from the odd-numbered congressional districts shall be members of the same political~~
45 ~~party. Of the members first appointed, the terms of the members appointed from the~~
46 ~~odd-numbered congressional districts shall expire on March 15, 1994, and the terms of the~~

47 members appointed from the even-numbered congressional districts shall expire on March 15,
48 1996. Thereafter all successor members of the commission shall be appointed for four-year
49 terms.]

50 **(3) The term of each member of the commission shall be as follows:**

51 **(a) The governor shall appoint to the commission a person from the first**
52 **congressional district which term shall expire on March 15, 2019, with all successive terms**
53 **lasting four years from March sixteenth of the year in which the previous term expires;**

54 **(b) The term of the member serving from the second congressional district as of**
55 **March 16, 2018, shall expire on March 15, 2019, with all successive terms lasting four years**
56 **from March sixteenth of the year in which the previous term expires;**

57 **(c) The terms of the members from the third and fifth congressional districts shall**
58 **each begin on March 16, 2021, with all successive terms lasting four years from March**
59 **sixteenth of the year in which the previous term expires;**

60 **(d) The terms of the members serving from the fourth and sixth congressional**
61 **districts as of March 16, 2018, shall expire on March 15, 2020, with all successive terms**
62 **lasting four years from March sixteenth of the year in which the previous term expires;**
63 **and**

64 **(e) The terms of the members from the seventh and eighth congressional districts**
65 **shall each begin on March 16, 2022, with all successive terms lasting four years from**
66 **March sixteenth of the year in which the previous term expires.**

67 **(4) Terms of [successor] members of the commission shall expire on March fifteenth of**
68 **the fourth year of their term. No member of the commission shall serve on the commission after**
69 **the expiration of the member's term. No person shall be appointed to more than one full**
70 **four-year term on the commission.**

71 **4. (1) Vacancies [or expired terms] due to resignation, removal, or expiration of the**
72 **term of a member** on the commission shall be filled in the same manner as the original
73 appointment was made, except as provided in this subsection. Within thirty days of [the] a
74 vacancy **due to resignation or removal** or ninety days before [the] a vacancy **due to** expiration
75 of the term, the names of [two] eligible nominees for membership on the commission shall be
76 submitted to the governor by the congressional district committees [of the political party or
77 parties of the vacating member or members, from the even- or odd-numbered congressional
78 districts, based on the residence of the vacating member or members, other than from the
79 congressional district committees from districts then represented on the commission and from
80 the same congressional district party committee or committees which originally appointed the
81 member or members whose positions are vacated]. Appointments to fill vacancies [or expired
82 terms] shall be made within forty-five days after the deadline for submission of names by the

83 congressional district committees, and shall be subject to the same qualifications for appointment
84 and eligibility as is provided in subsections 2 and 3 of this section. Appointments to fill
85 vacancies for unexpired terms shall be for the remainder of the unexpired term of the member
86 whom the appointee succeeds, and such appointees shall be eligible for appointment to one full
87 four-year term. ~~[If the congressional district committee does not submit the required two
88 nominees within the thirty days or if the congressional district committee does not submit the
89 two nominees within an additional thirty days after receiving notice from the governor to submit
90 the nominees, then the governor may appoint a person or persons who shall be subject to the
91 same qualifications for appointment and eligibility as provided in subsections 2 and 3 of this
92 section.]~~

93 **(2) Within one hundred twenty days of a vacancy due to resignation or removal or**
94 **one hundred twenty days prior to a vacancy due to expiration of the term of a member of**
95 **the commission, the executive director of the commission shall notify the respective**
96 **congressional district committees, as designated by subdivision (1) of this subsection, that**
97 **it is the responsibility of such committee or committees to submit eligible nominees to the**
98 **governor.**

99 5. The governor, with the advice and consent of the senate, may remove any member
100 only for substantial neglect of duty, inability to discharge the powers and duties of office, gross
101 misconduct or conviction of a felony or a crime involving moral turpitude. Members of the
102 commission also may be removed from office by concurrent resolution of the general assembly
103 signed by the governor. If such resolution receives the vote of two-thirds or more of the
104 membership of both houses of the general assembly, the signature of the governor shall not be
105 necessary to effect removal. The office of any member of the commission who moves from the
106 congressional district from which the member was appointed shall be deemed vacated upon such
107 change of residence.

108 6. **(1)** The commission shall elect biennially one of its members as the chairman. The
109 chairman may not succeed himself or herself after two years. No member of the commission
110 shall succeed as chairman any member of the same political party as himself or herself.

111 **(2) Except as provided in subdivisions (3) and (4) of this subsection, at least [~~four~~]**
112 **three** members are necessary to constitute a quorum, and at least [~~four~~] **three** affirmative votes
113 shall be required for any action or recommendation of the commission.

114 **(3) Beginning March 16, 2021, at least four members shall be necessary to**
115 **constitute a quorum, and at least four affirmative votes shall be required for any action or**
116 **recommendation of the commission.**

117 **(4) Beginning March 16, 2022, at least five members shall be necessary to constitute**
118 **a quorum, and at least five affirmative votes shall be required for any action or**
119 **recommendation of the commission.**

120 7. No member or employee of the commission, during the person's term of service, shall
121 hold or be a candidate for any other public office.

122 8. In the event that a retired judge is appointed as a member of the commission, the judge
123 shall not serve as a special investigator while serving as a member of the commission.

124 9. No member of the commission shall, during the member's term of service or within
125 one year thereafter:

126 (1) Be employed by the state or any political subdivision of the state;

127 (2) Be employed as a lobbyist;

128 (3) Serve on any other governmental board or commission;

129 (4) Be an officer of any political party or political organization;

130 (5) Permit the person's name to be used, or make contributions, in support of or in
131 opposition to any candidate or proposition;

132 (6) Participate in any way in any election campaign; except that a member or employee
133 of the commission shall retain the right to register and vote in any election, to express the
134 person's opinion privately on political subjects or candidates, to participate in the activities of
135 a civic, community, social, labor or professional organization and to be a member of a political
136 party.

137 10. Each member of the commission shall receive, as full compensation for the member's
138 services, the sum of one hundred dollars per day for each full day actually spent on work of the
139 commission, and the member's actual and necessary expenses incurred in the performance of the
140 member's official duties.

141 11. The commission shall appoint an executive director who shall serve subject to the
142 supervision of and at the pleasure of the commission, but in no event for more than six years.
143 The executive director shall be responsible for the administrative operations of the commission
144 and perform such other duties as may be delegated or assigned to the director by law or by rule
145 of the commission. The executive director shall employ staff and retain such contract services
146 as the director deems necessary, within the limits authorized by appropriations by the general
147 assembly.

148 12. Beginning on January 1, 1993, all lobbyist registration and expenditure reports filed
149 pursuant to section 105.473, financial interest statements filed pursuant to subdivision (1) of
150 section 105.489, and campaign finance disclosure reports filed other than with election
151 authorities or local election authorities as provided by section 130.026 shall be filed with the
152 commission.

153 13. Within sixty days of the initial meeting of the first commission appointed, the
154 commission shall obtain from the clerk of the supreme court or the state courts administrator a
155 list of retired appellate and circuit court judges who did not leave the judiciary as a result of
156 being defeated in an election. The executive director shall determine those judges who indicate
157 their desire to serve as special investigators and to investigate any and all complaints referred to
158 them by the commission. The executive director shall maintain an updated list of those judges
159 qualified and available for appointment to serve as special investigators. Such list shall be
160 updated at least annually. The commission shall refer complaints to such special investigators
161 on that list on a rotating schedule which ensures a random assignment of each special
162 investigator. Each special investigator shall receive only one unrelated investigation at a time
163 and shall not be assigned to a second or subsequent investigation until all other eligible
164 investigators on the list have been assigned to an investigation. In the event that no special
165 investigator is qualified or available to conduct a particular investigation, the commission may
166 appoint a special investigator to conduct such particular investigation.

167 14. The commission shall have the following duties and responsibilities relevant to the
168 impartial and effective enforcement of sections 105.450 to 105.496 and chapter 130, as provided
169 in sections 105.955 to 105.963:

170 (1) Receive and review complaints regarding alleged violation of sections 105.450 to
171 105.496 and chapter 130, conduct initial reviews and investigations regarding such complaints
172 as provided herein; refer complaints to appropriate prosecuting authorities and appropriate
173 disciplinary authorities along with recommendations for sanctions; and initiate judicial
174 proceedings as allowed by sections 105.955 to 105.963;

175 (2) Review and audit any reports and statements required by the campaign finance
176 disclosure laws contained in chapter 130, and financial interest disclosure laws or lobbyist
177 registration and reporting laws as provided by sections 105.470 to 105.492, for timeliness,
178 accuracy and completeness of content as provided in sections 105.955 to 105.963;

179 (3) Develop appropriate systems to file and maintain an index of all such reports and
180 statements to facilitate public access to such information, except as may be limited by
181 confidentiality requirements otherwise provided by law, including cross-checking of information
182 contained in such statements and reports. The commission may enter into contracts with the
183 appropriate filing officers to effectuate such system. Such filing officers shall cooperate as
184 necessary with the commission as reasonable and necessary to effectuate such purposes;

185 (4) Provide information and assistance to lobbyists, elected and appointed officials, and
186 employees of the state and political subdivisions in carrying out the provisions of sections
187 105.450 to 105.496 and chapter 130;

188 (5) Make recommendations to the governor and general assembly or any state agency
189 on the need for further legislation with respect to the ethical conduct of public officials and
190 employees and to advise state and local government in the development of local government
191 codes of ethics and methods of disclosing conflicts of interest as the commission may deem
192 appropriate to promote high ethical standards among all elected and appointed officials or
193 employees of the state or any political subdivision thereof and lobbyists;

194 (6) Render advisory opinions as provided by this section;

195 (7) Promulgate rules relating to the provisions of sections 105.955 to 105.963 and
196 chapter 130. All rules and regulations issued by the commission shall be prospective only in
197 operation;

198 (8) Request and receive from the officials and entities identified in subdivision (6) of
199 section 105.450 designations of decision-making public servants.

200 15. In connection with such powers provided by sections 105.955 to 105.963 and chapter
201 130, the commission may:

202 (1) Subpoena witnesses and compel their attendance and testimony. Subpoenas shall be
203 served and enforced in the same manner provided by section 536.077;

204 (2) Administer oaths and affirmations;

205 (3) Take evidence and require by subpoena duces tecum the production of books, papers,
206 and other records relating to any matter being investigated or to the performance of the
207 commission's duties or exercise of its powers. Subpoenas duces tecum shall be served and
208 enforced in the same manner provided by section 536.077;

209 (4) Employ such personnel, including legal counsel, and contract for services including
210 legal counsel, within the limits of its appropriation, as it deems necessary provided such legal
211 counsel, either employed or contracted, represents the Missouri ethics commission before any
212 state agency or before the courts at the request of the Missouri ethics commission. Nothing in
213 this section shall limit the authority of the Missouri ethics commission as provided for in
214 subsection 2 of section 105.961; and

215 (5) Obtain information from any department, division or agency of the state or any
216 political subdivision reasonably calculated to lead to the discovery of evidence which will
217 reasonably assist the commission in carrying out the duties prescribed in sections 105.955 to
218 105.963 and chapter 130.

219 16. (1) Upon written request for an advisory opinion received by the commission, and
220 if the commission determines that the person requesting the opinion would be directly affected
221 by the application of law to the facts presented by the requesting person, the commission shall
222 issue a written opinion advising the person who made the request, in response to the person's
223 particular request, regarding any issue that the commission can receive a complaint on pursuant

224 to section 105.957. The commission may decline to issue a written opinion by a vote of four
225 members and shall provide to the requesting person the reason for the refusal in writing. The
226 commission shall give an approximate time frame as to when the written opinion shall be issued.
227 Such advisory opinions shall be issued no later than ninety days from the date of receipt by the
228 commission. Such requests and advisory opinions, deleting the name and identity of the
229 requesting person, shall be compiled and published by the commission on at least an annual
230 basis. Advisory opinions issued by the commission shall be maintained and made available for
231 public inspection and copying at the office of the commission during normal business hours.
232 Any advisory opinion or portion of an advisory opinion rendered pursuant to this subsection shall
233 be withdrawn by the commission if, after hearing thereon, the joint committee on administrative
234 rules finds that such advisory opinion is beyond or contrary to the statutory authority of the
235 commission or is inconsistent with the legislative intent of any law enacted by the general
236 assembly, and after the general assembly, by concurrent resolution, votes to adopt the findings
237 and conclusions of the joint committee on administrative rules. Any such concurrent resolution
238 adopted by the general assembly shall be published at length by the commission in its publication
239 of advisory opinions of the commission next following the adoption of such resolution, and a
240 copy of such concurrent resolution shall be maintained by the commission, along with the
241 withdrawn advisory opinion, in its public file of advisory opinions. The commission shall also
242 send a copy of such resolution to the person who originally requested the withdrawn advisory
243 opinion. Any advisory opinion issued by the ethics commission shall act as legal direction to any
244 person requesting such opinion and no person shall be liable for relying on the opinion and it
245 shall act as a defense of justification against prosecution. An advisory opinion of the
246 commission shall not be withdrawn unless:

247 (a) The authorizing statute is declared unconstitutional;
248 (b) The opinion goes beyond the power authorized by statute; or
249 (c) The authorizing statute is changed to invalidate the opinion.
250 (2) Upon request, the attorney general shall give the attorney general's opinion, without
251 fee, to the commission, any elected official of the state or any political subdivision, any member
252 of the general assembly, or any director of any department, division or agency of the state, upon
253 any question of law regarding the effect or application of sections 105.450 to 105.496, or chapter
254 130. Such opinion need be in writing only upon request of such official, member or director, and
255 in any event shall be rendered within sixty days that such request is delivered to the attorney
256 general.

257 17. The state auditor and the state auditor's duly authorized employees who have taken
258 the oath of confidentiality required by section 29.070 may audit the commission and in
259 connection therewith may inspect materials relating to the functions of the commission. Such

260 audit shall include a determination of whether appropriations were spent within the intent of the
261 general assembly, but shall not extend to review of any file or document pertaining to any
262 particular investigation, audit or review by the commission, an investigator or any staff or person
263 employed by the commission or under the supervision of the commission or an investigator. The
264 state auditor and any employee of the state auditor shall not disclose the identity of any person
265 who is or was the subject of an investigation by the commission and whose identity is not public
266 information as provided by law.

267 18. From time to time but no more frequently than annually the commission may request
268 the officials and entities described in subdivision (6) of section 105.450 to identify for the
269 commission in writing those persons associated with such office or entity which such office or
270 entity has designated as a decision-making public servant. Each office or entity delineated in
271 subdivision (6) of section 105.450 receiving such a request shall identify those so designated
272 within thirty days of the commission's request.

143.1015. 1. In each taxable year beginning on or after January 1, 2011, each individual
2 or corporation entitled to a tax refund in an amount sufficient to make a designation under this
3 section may designate that one dollar or any amount in excess of one dollar on a single return,
4 and two dollars or any amount in excess of two dollars on a combined return, of the refund due
5 be credited to the foster care and adoptive parents recruitment and retention fund as established
6 under section 453.600, hereinafter referred to as the fund. If any individual or corporation that
7 is not entitled to a tax refund in an amount sufficient to make a designation under this section
8 wishes to make a contribution to the fund, such individual or corporation may, by separate check,
9 draft, or other negotiable instrument, send in with the payment of taxes, or may send in
10 separately, that amount, clearly designated for the foster care and adoptive parents recruitment
11 and retention fund, the individual or corporation wishes to contribute. The department of
12 revenue shall deposit such amount to the fund as provided in subsections 2 and 3 of this section.
13 All moneys credited to the fund shall be considered nonstate funds under the provisions of
14 Article IV, Section 15 of the Missouri Constitution.

15 2. The director of revenue shall deposit at least monthly all contributions designated by
16 individuals under this section to the state treasurer for deposit to the fund.

17 3. The director of revenue shall deposit at least monthly all contributions designated by
18 corporations under this section, less an amount sufficient to cover the costs of collection and
19 handling by the department of revenue, to the state treasury for deposit to the fund.

20 4. A contribution designated under this section shall only be deposited in the fund after
21 all other claims against the refund from which such contribution is to be made have been
22 satisfied.

23 5. Moneys deposited in the fund shall be distributed by the department of social services
24 in accordance with the provisions of this section and section 453.600.

25 ~~[6. Under section 23.253 of the Missouri sunset act:~~

26 ~~—— (1) The provisions of the new program authorized under this section shall automatically~~
27 ~~sunset six years after August 28, 2011, unless reauthorized by an act of the general assembly; and~~

28 ~~—— (2) If such program is reauthorized, the program authorized under this section shall~~
29 ~~automatically sunset twelve years after the effective date of the reauthorization of this section;~~
30 ~~and~~

31 ~~—— (3) This section shall terminate on December thirty-first of the calendar year immediately~~
32 ~~following the calendar year in which the program authorized under this section is sunset.]~~

 186.007. There is created in the department of economic development a "Missouri
2 Women's Council" which shall consist of ~~[fifteen]~~ **thirteen** members. ~~[Eleven]~~ **Nine** of the
3 members shall be appointed by the governor, of which no more than ~~[six]~~ **five** of the ~~[eleven]~~
4 **nine** members may be of the same political party as the governor appointing such members, with
5 the advice and consent of the senate, and shall be representative of a cross section of the
6 citizenry. ~~[Four members shall be appointed for one year, four for two years, and three for three~~
7 ~~years. Their successors]~~ **Council members** shall serve terms of ~~[three]~~ **four** years, **and may be**
8 **reappointed**. The remaining four vacancies on the council shall be filled by the general
9 assembly. Two representatives and two senators shall be appointed by their respective bodies
10 in the same manner as members of standing committees are appointed. ~~[The governor shall~~
11 ~~designate one of the members as chairman.]~~ **The council shall annually elect a chair and vice-**
12 **chair**. In the event of a vacancy in a term of office through death, resignation or otherwise, the
13 governor shall appoint a person to serve the unexpired portion of the term of a member appointed
14 by the governor. The unexpired council terms of any senator or representative unable or
15 unwilling to serve shall be filled by their respective bodies in the same manner as vacancies on
16 standing committees are filled.

 189.015. The chief fiscal officer of:

2 (1) Each city and county operating a hospital, clinic operated by a social welfare board
3 of a county of the second class, or hospital district in the state of Missouri; and

4 (2) Each not-for-profit corporation operating a hospital under contract with a city or
5 county shall submit to the director and the state board of health **and senior services**, a report,
6 setting forth the local public hospital tax effort for its last fiscal year, which shall equal:

7 (a) The total gross expenditures made by such city, county, corporation or hospital
8 district during a fiscal year for the operation of a hospital in the city, county or district, less

9 (b) The total amounts received during that fiscal year by such city, county, corporation,
10 or district in payment for hospital services or in support of hospital operations.

11 The report shall be made to the director not later than September first of each year.

189.025. The director shall promptly propose such allocations in the statements which
2 he shall determine to be reasonably necessary to conform to the provisions of sections 189.010
3 to 189.085 and which are within the limits of the budget recommendations. He shall, thereupon,
4 determine the local public hospital tax effort for patient care for the fiscal year. He shall report
5 this amount to the state board of health **and senior services** and the chief fiscal officers of the
6 city, county, corporation, or district, accompanied by the proposed allocations.

189.030. Upon receipt of the information from the director, the state board of health **and**
2 **senior services** shall within forty-five days examine the proposed allocated appropriations to
3 ensure that such funds are allocated proportionately to qualifying hospitals in a ratio based upon
4 available funds as compared to the maximum entitlement of each qualifying hospital and either
5 approve them within the limit of the budget recommendation, or shall disapprove proposed
6 allocated appropriations or parts thereof which it does not find to be reasonable for the
7 improvement of care to poor patients in the hospital or hospitals. If any appropriation or part
8 thereof is disapproved by the board of health **and senior services**, the director may continue to
9 submit revised proposals to the state board of health **and senior services** within the limits of the
10 budget recommendation therefor until the state board of health **and senior services** approves the
11 appropriation within the limits of the budget recommendation. The board shall send a letter on
12 the proposed appropriations allocation approved by it to the director and to the chief fiscal officer
13 of the city, county, corporation, or district. Thereafter by June fifteenth of each year the state
14 board of health **and senior services** shall revise the allocations within the appropriation therefor.

189.035. Upon receipt of the revised proposal under section 189.030 from the state board
2 of health **and senior services**, the commissioner of administration shall issue warrants on the
3 state treasurer for an amount equal to the lesser of (a) ten percent of the local public hospital tax
4 effort of the city, county, corporation, or district, as determined by him under section 189.025,
5 or (b) the total proposed appropriations approved by the board of health **and senior services**.

191.400. 1. There is hereby created a "State Board of Health **and Senior Services**"
2 which shall consist of [~~seven~~] **nine** members, who shall be appointed by the governor, by and
3 with the advice and consent of the senate. No member of the state board of health **and senior**
4 **services** shall hold any other office or employment under the state of Missouri other than in a
5 consulting status relevant to the member's professional status, licensure or designation. Not
6 more than [~~four~~] **five** of the members of the state board of health **and senior services** shall be
7 from the same political party.

8 2. Each member shall be appointed for a term of four years; except that of the members
9 first appointed, two shall be appointed for a term of one year, two for a term of two years, two
10 for a term of three years, and [~~one~~] **three** for a term of four years. The successors of each shall

11 be appointed for full terms of four years. No person may serve on the state board of health **and**
12 **senior services** for more than two terms. The terms of all members shall continue until their
13 successors have been duly appointed and qualified. Three of the persons appointed to the state
14 board of health **and senior services** shall be persons who are physicians and surgeons licensed
15 by the state board of registration for the healing arts of Missouri, **one of whom shall have**
16 **expertise in geriatrics**. One of the persons appointed to the state board of health **and senior**
17 **services** shall be a dentist licensed by the Missouri dental board. One of the persons appointed
18 to the state board of health **and senior services** shall be a ~~chiropractic physician licensed by the~~
19 ~~Missouri state board of chiropractic examiners]~~ **person with expertise in nutrition**. ~~[Two of~~
20 ~~the persons appointed to the state board of health shall be persons other than those licensed by~~
21 ~~the state board of registration for the healing arts, the Missouri dental board, or the Missouri state~~
22 ~~board of chiropractic examiners and shall be representative of those persons, professions and~~
23 ~~businesses which are regulated and supervised by the department of health and senior services~~
24 ~~and the state board of health.]~~ **In making the four remaining appointments, the governor**
25 **shall give consideration to individuals having a special interest in public health, disability-**
26 **related issues, or gerontology, including senior citizens**. If a vacancy occurs in the appointed
27 membership, the governor may appoint a member for the remaining portion of the unexpired
28 term created by the vacancy. If the vacancy occurs while the senate is not in session, the
29 governor shall make a temporary appointment subject to the approval of the senate when it next
30 convenes. The members shall receive actual and necessary expenses ~~[plus twenty-five dollars~~
31 ~~per day for]~~ each day of actual attendance.

32 3. The board shall elect from among its membership a chairperson and a vice
33 chairperson, who shall act as chairperson in his or her absence. The board shall meet at the call
34 of the chairperson. The chairperson may call meetings at such times as he or she deems
35 advisable, and shall call a meeting when requested to do so by three or more members of the
36 board.

~~[196.1129.]~~ **191.756**. 1. For purposes of this section, the term "board" shall mean the
2 ~~[life sciences research board established under section 196.1103]~~ **state board of health and**
3 **senior services established under section 191.400**.

4 2. Subject to appropriations, the board shall establish a program to award grants for the
5 establishment of umbilical cord blood banks to be located in this state and for the expansion of
6 existing umbilical cord blood banks located in this state. The purposes and activities of
7 umbilical cord blood banks eligible for grants for this program shall be directed towards
8 gathering, collecting, and preserving umbilical cord and placental blood only from live births and
9 providing such blood and blood components primarily to recipients who are unrelated to the

10 donors of the blood, and towards persons and institutions conducting scientific research requiring
11 sources of human stem cells.

12 3. The board shall, by rule, establish eligibility criteria for awarding grants under this
13 section. In awarding grants, the board shall consider:

14 (1) The ability of the applicant to establish, operate, and maintain an umbilical cord
15 blood bank and to provide related services;

16 (2) The experience of the applicant in operating similar facilities; and

17 (3) The applicant's commitment to continue to operate and maintain an umbilical cord
18 blood bank after the expiration of the terms of the contract required by subsection 4 of this
19 section.

20 4. Recipients of grants awarded shall enter into contracts under which each recipient
21 agrees to:

22 (1) Operate and maintain an umbilical cord blood bank in this state at least until the
23 eighth anniversary of the date of the award of the grant;

24 (2) Gather, collect, and preserve umbilical cord blood only from live births; and

25 (3) Comply with any financial or reporting requirements imposed on the recipient under
26 rules adopted by the board.

27 5. The grants authorized under this section shall be awarded subject to funds specifically
28 appropriated for that purpose.

191.980. 1. The "Missouri Area Health Education Centers" program is hereby
2 established as a collaborative partnership of higher educational institutions and regional area
3 health education centers and other entities that have entered into a written agreement with the
4 program. These higher educational institutions and regional area health education centers shall
5 be those that are recognized as program offices or regional centers by the federal area health
6 education centers program pursuant to 42 U.S.C. Section 294a. The program is designed to
7 improve the supply, distribution, availability, and quality of health care personnel in Missouri
8 communities and promote access to primary care for medically underserved communities and
9 populations.

10 2. ~~[The Missouri area health education centers council is hereby established within the~~
11 ~~department of health and senior services. The council shall consist of twelve members that are~~
12 ~~residents of Missouri. The members of the council shall include:~~

13 ~~——(1) The director of the department of health and senior services or the director's designee;~~

14 ~~——(2) The commissioner of the department of higher education or the commissioner's~~
15 ~~designee;~~

16 ~~——(3) Two members of the senate appointed by the president pro tempore of the senate;~~

17 ~~————(4) Two members of the house of representatives appointed by the speaker of the house~~
18 ~~of representatives; and~~

19 ~~————(5) Six members to be appointed by the governor with the advice and consent of the~~
20 ~~senate, four of whom shall represent the federally recognized regional area health education~~
21 ~~centers and two of whom shall represent the federally recognized higher educational institution~~
22 ~~program offices. Each representative of the regional area health education centers shall be a~~
23 ~~member of the governing or advisory board of a regional center and shall be nominated jointly~~
24 ~~by the chairs of the governing or advisory boards of all such centers. No two representatives~~
25 ~~shall be members of the same regional center governing or advisory board. Each representative~~
26 ~~of the federally recognized higher educational institution program offices shall be an employee~~
27 ~~or faculty of a medical school in which a program office resides and shall be nominated jointly~~
28 ~~by the deans of all such medical schools. The two program office representatives shall not be~~
29 ~~employees or faculty of the same medical school.~~

30

31 ~~Members of the council shall be appointed by February 1, 2005. Of the members first appointed~~
32 ~~to the council, six shall serve a term of four years and six shall serve a term of two years, and~~
33 ~~thereafter, members shall serve a term of four years. Members shall continue to serve until their~~
34 ~~successor is duly appointed and qualified. Any vacancy on the council shall be filled in the same~~
35 ~~manner as the original appointment.~~

36 ~~————3.] The [council] **director of the department of health and senior services** shall have~~
37 ~~discretionary authority to monitor and recommend policy direction for the Missouri area health~~
38 ~~education centers program, including policies to ensure that all applicable requirements of the~~
39 ~~federal area health education centers program are met.~~

40 ~~[4.] **3.** The area health education centers program shall:~~

41 ~~(1) Develop and enhance health careers recruitment programs for Missouri students,~~
42 ~~especially underrepresented and disadvantaged students;~~

43 ~~(2) Enhance and support community-based training of health professions students and~~
44 ~~medical residents;~~

45 ~~(3) Provide educational and other programs designed to support practicing health~~
46 ~~professionals; and~~

47 ~~(4) Collaborate with health, education, and human services organizations to design,~~
48 ~~facilitate, and promote programs to improve access to health care and health status in Missouri.~~

49 ~~[5.—The Missouri area health education centers council shall report annually to the~~
50 ~~governor and the general assembly on the status and progress of the Missouri area health~~
51 ~~education centers program.]~~

192.005. There is hereby created and established as a department of state government the "Department of Health and Senior Services". The department of health and senior services shall supervise and manage all public health functions and programs. The department shall be governed by the provisions of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo, unless otherwise provided in sections 192.005 to 192.014. The division of health of the department of social services, chapter 191, this chapter, and others, including, but not limited to, such agencies and functions as the state health planning and development agency, the crippled children's service, chapter 201, the bureau and the program for the prevention of developmental disability, the hospital subsidy program, chapter 189, the state board of health **and senior services**, section 191.400, the student loan program, sections 191.500 to 191.550, the family practice residency program, the licensure and certification of hospitals, chapter 197, the Missouri chest hospital, sections 199.010 to 199.070, are hereby transferred to the department of health and senior services by a type I transfer, and the state cancer center and cancer commission, chapter 200, is hereby transferred to the department of health and senior services by a type III transfer as such transfers are defined in section 1 of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo Supp. 1984. The provisions of section 1 of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo Supp. 1984, relating to the manner and procedures for transfers of state agencies shall apply to the transfers provided in this section. The division of health of the department of social services is abolished.

192.014. The state board of health **and senior services** shall advise the department of health and senior services in the:

- (1) Promulgation of rules and regulations by the department of health and senior services. At least sixty days before the rules and regulations prescribed by the department or any subsequent changes in them become effective, a copy shall be filed in the office of the secretary of state. All rules and regulations promulgated by the department shall, as soon as practicable after their adoption, be submitted to the general assembly. The rules and regulations shall continue in force and effect until disapproved by the general assembly;
- (2) Formulation of the budget for the department of health and senior services; **and**
- (3) Planning for and operation of the department of health and senior services.

192.230. The department of health and senior services shall be empowered and authorized to conduct a complete survey of all of the hospitals, both public and private, and all health centers and units in the state, and to make a public report of such survey and findings, and recommending a state plan for the construction of such additional hospital and health center facilities as may be deemed advisable by the department of health and senior services after consultation with the state board of health [~~described in section 192.240~~] **and senior services**.

- 192.707. 1. The "Missouri Arthritis Advisory Board" is established within the
2 department of health and senior services, as a continuation of the arthritis advisory board in
3 existence on August 13, 1984. The board shall consist of twenty-five members. The members
4 of the board that are serving on August 13, 1984, shall continue until the expiration of this term.
5 The board shall submit a list of names to the director as recommendations to fill expired terms
6 on the board. The director shall fill each expired membership on the board, each of the
7 appointees to serve for a term of four years and until his successor is appointed and confirmed.
8 Vacancies on the board arising from reasons other than expiration of the member's term shall be
9 filled by the director for the time remaining in the unexpired term.
- 10 2. The board shall meet semiannually and at other such times as called by the chairman
11 of the board. The chairman shall be elected from the board membership at the first board
12 meeting, and shall serve as chairman until a new chairman is elected, or until his term on the
13 board expires, whichever occurs first.
- 14 3. The board shall serve in an advisory capacity to the committee, and report annually
15 to the department and to the state board of health **and senior services** regarding the
16 implementing of the statewide arthritis plan, making recommendations for necessary changes in
17 content and direction.
- 18 4. The board shall be responsible for development and recommendations of guidelines
19 for programs supported under the state arthritis program, and make recommendations on
20 program relevance of grant applications funded under the state arthritis program. The board will
21 make final recommendations to the director regarding programs and grants of the state arthritis
22 program.
- 23 5. Any reimbursement of members of the board for their actual and necessary expenses
24 shall be subject to appropriations.

- 192.710. 1. The "Arthritis Program Review Committee" is hereby created within the
2 department of health and senior services. This committee shall consist of fifteen members, two
3 from each of the seven regions set forth in section 192.714 and one at-large member. The
4 fourteen regional members shall be nominated to the committee by the board. The one at-large
5 member shall be nominated by the state board of health **and senior services**. The members of
6 the committee shall include at least one from each of the following categories: rheumatology
7 educators, practicing rheumatologists, primary care practitioners, nurses, allied health
8 professionals, arthritis patients, and members of the general public. Members of the committee
9 shall be appointed by the director in consultation with the board of health **and senior services**.
- 10 Of the fifteen initial members, five shall have a two-year term, five shall have a three-year term,
11 and five shall have a four-year term. Thereafter, each member shall serve a four-year term and
12 until his successor is appointed and confirmed. Vacancies on the committee arising from reasons

13 other than expiration of the member's term shall be filled by the director for the time remaining
14 in the unexpired term.

15 2. The committee shall meet annually and at other such times as called by the chairman
16 of the committee. The chairman shall be elected annually from the committee membership at
17 the first committee meeting and shall serve as chairman until a new chairman is elected, or until
18 his term on the committee expires, whichever occurs first.

19 3. The committee shall review, make site visits and determine and make
20 recommendations to the board on the merit of regional arthritis center applications. No program
21 or other activity will be recommended for funding by the board without the favorable review of
22 the committee.

23 4. The arthritis program coordinator shall serve the committee as its executive
24 administrator.

194.400. As used in sections 194.400 to 194.410 the following words and phrases mean:

2 (1) [~~"Committee", the unmarked human burial consultation committee~~] **"Council", the**
3 **Missouri advisory council on historic preservation created under section 253.408;**

4 (2) "Cultural items", shall include:

5 (a) "Associated funerary objects", objects that are reasonably believed to have been
6 placed with individual human remains either at the time of death, or during the death rite or
7 ceremony, or later, and all other items exclusively made for burial purposes including items
8 made to contain human remains;

9 (b) "Unassociated funerary objects", objects that are reasonably believed to have been
10 placed with individual human remains either at the time of death or during the death rite or
11 ceremony, or later, which can be identified by a preponderance of the evidence as related to
12 known human remains or an unmarked human burial site or can be identified as having been
13 removed from a specific unmarked human burial site;

14 (3) "General archaeological investigation", refers to:

15 (a) Excavations performed by professional archaeologists usually consisting of a
16 structured scientific undertaking comprised of three segments including field investigations,
17 laboratory analysis, and preparation and submission of a report of investigation; and

18 (b) Identification of the presence of human remains in excavated materials considered
19 to occur at the completion of the laboratory analysis segment of the studies as above;

20 (4) "Professional archaeologist", a person who has a graduate degree in archaeology,
21 anthropology, or closely related field, at least one year of full-time professional experience or
22 equivalent specialized training in archaeological research, administration of management, or at
23 least four months of supervised field and analytic experience in general North American
24 archaeology and demonstrated ability to carry archaeological research to completion, as

25 evidenced by a master of arts or master of science thesis, or report equivalent in scope and
26 quality;

27 (5) "Second or subsequent violation", any violation, other than the first violation, of a
28 criminal law related to the trafficking of human remains or cultural items located in the state of
29 Missouri, the United States, or any other state;

30 (6) "Skeletal analyst", a person possessing a postgraduate degree representing specialized
31 training in skeletal biology, forensic osteology, or other relevant aspects of physical
32 anthropology. The skeletal analyst shall have a minimum experience of one year in conducting
33 laboratory reconstruction and analysis, and shall have demonstrated the ability to design and
34 execute a skeletal analysis, and to present the written results and interpretations of such analysis
35 in a thorough, scientific, and timely manner;

36 (7) "Specific scientific investigations", refers to detailed studies of human remains by
37 professional archaeologists, anthropologists, osteologists, or professionals in related disciplines;

38 (8) "State historic preservation officer", the director of the department of natural
39 resources;

40 (9) "Unmarked human burial", any instance where human skeletal remains are
41 discovered or believed to exist, but for which there exists no written historical documentation
42 or grave markers.

194.408. 1. Whenever an unmarked human burial or human skeletal remains are
2 reported to the state historic preservation officer, the state historic preservation officer shall
3 proceed as follows:

4 (1) Insofar as possible, the state historic preservation officer shall make reasonable
5 efforts to identify and locate persons who can establish direct kinship with or descent from the
6 individual whose remains constitute the burial. The state historic preservation officer, in
7 consultation with the most closely related family member, shall determine the proper disposition
8 of the remains;

9 (2) When no direct kin or descendants can be identified or located, but the burial or
10 remains can be shown to have ethnic affinity with living peoples, the state historic preservation
11 officer in consultation with the leaders of the ethnic groups having a relation to the burial or
12 remains shall determine the proper disposition of the remains. But, if the state historic
13 preservation officer determines the burial or remains are scientifically significant, no reinterment
14 shall occur until the burial or remains have been examined by a skeletal analyst designated by
15 the state historic preservation officer. In no event shall reinterment be delayed more than one
16 year;

17 (3) When the burial or remains cannot be related to any living peoples, the state historic
18 preservation officer, in consultation with the ~~[unmarked human burial consultation committee]~~

19 **Missouri advisory council on historic preservation**, shall determine the proper disposition of
20 the burial or remains. But, if the state historic preservation officer determines the burial or
21 remains are scientifically significant, no reinterment shall occur until the burial or remains have
22 been examined by a skeletal analyst designated by the state historic preservation officer. In no
23 event shall reinterment be delayed more than one year unless otherwise and to the extent
24 determined by the ~~[committee]~~ **council**;

25 (4) Notwithstanding subdivisions (2) and (3) of this section the state historical
26 preservation officer may seek approval from the ~~[unmarked human burial consultation~~
27 ~~committee]~~ **council** to delay reinterment of the remains for an additional scientific study in a
28 facility chosen by the state historic preservation officer. If the study is approved by the
29 ~~[committee]~~ **council** reinterment shall be delayed for a period as specified by the ~~[committee]~~
30 **council**.

31 **2. All actions and decisions of the state historic preservation officer and the council**
32 **shall be in conformity with the provisions of the federal National Historic Preservation Act**
33 **of 1966, as amended, and the federal Native American Graves Protection and Repatriation**
34 **Act (NAGPRA).**

208.955. 1. There is hereby established in the department of social services the "MO
2 HealthNet Oversight Committee", which shall be appointed by January 1, 2008, and shall consist
3 of nineteen members as follows:

4 (1) Two members of the house of representatives, one from each party, appointed by the
5 speaker of the house of representatives and the minority floor leader of the house of
6 representatives;

7 (2) Two members of the Senate, one from each party, appointed by the president pro tem
8 of the senate and the minority floor leader of the senate;

9 (3) One consumer representative who has no financial interest in the health care industry
10 and who has not been an employee of the state within the last five years;

11 (4) Two primary care physicians, licensed under chapter 334, who care for participants,
12 not from the same geographic area, chosen in the same manner as described in section 334.120;

13 (5) Two physicians, licensed under chapter 334, who care for participants but who are
14 not primary care physicians and are not from the same geographic area, chosen in the same
15 manner as described in section 334.120;

16 (6) One representative of the state hospital association;

17 (7) Two nonphysician health care professionals, the first nonphysician health care
18 professional licensed under chapter 335 and the second nonphysician health care professional
19 licensed under chapter 337, who care for participants;

20 (8) One dentist, who cares for participants, chosen in the same manner as described in
21 section 332.021;

22 (9) Two patient advocates who have no financial interest in the health care industry and
23 who have not been employees of the state within the last five years;

24 (10) One public member who has no financial interest in the health care industry and
25 who has not been an employee of the state within the last five years; and

26 (11) The directors of the department of social services, the department of mental health,
27 the department of health and senior services, or the respective directors' designees, who shall
28 serve as ex officio members of the committee.

29 2. The members of the oversight committee, other than the members from the general
30 assembly and ex officio members, shall be appointed by the governor with the advice and
31 consent of the senate. A chair of the oversight committee shall be selected by the members of
32 the oversight committee. Of the members first appointed to the oversight committee by the
33 governor, eight members shall serve a term of two years, seven members shall serve a term of
34 one year, and thereafter, members shall serve a term of two years. Members shall continue to
35 serve until their successor is duly appointed and qualified. Any vacancy on the oversight
36 committee shall be filled in the same manner as the original appointment. Members shall serve
37 on the oversight committee without compensation but may be reimbursed for their actual and
38 necessary expenses from moneys appropriated to the department of social services for that
39 purpose. The department of social services shall provide technical, actuarial, and administrative
40 support services as required by the oversight committee. The oversight committee shall:

41 (1) Meet on at least four occasions annually, including at least four before the end of
42 December of the first year the committee is established. Meetings can be held by telephone or
43 video conference at the discretion of the committee;

44 (2) Review the participant and provider satisfaction reports and the reports of health
45 outcomes, social and behavioral outcomes, use of evidence-based medicine and best practices
46 as required of the health improvement plans and the department of social services under section
47 208.950;

48 (3) Review the results from other states of the relative success or failure of various
49 models of health delivery attempted;

50 (4) Review the results of studies comparing health plans conducted under section
51 208.950;

52 (5) Review the data from health risk assessments collected and reported under section
53 208.950;

54 (6) Review the results of the public process input collected under section 208.950;

55 (7) Advise and approve proposed design and implementation proposals for new health
56 improvement plans submitted by the department, as well as make recommendations and suggest
57 modifications when necessary;

58 (8) Determine how best to analyze and present the data reviewed under section 208.950
59 so that the health outcomes, participant and provider satisfaction, results from other states, health
60 plan comparisons, financial impact of the various health improvement plans and models of care,
61 study of provider access, and results of public input can be used by consumers, health care
62 providers, and public officials;

63 (9) Present significant findings of the analysis required in subdivision (8) of this
64 subsection in a report to the general assembly and governor, at least annually, beginning January
65 1, 2009;

66 (10) Review the budget forecast issued by the legislative budget office, and the report
67 required under subsection (22) of subsection 1 of section 208.151, and after study:

68 (a) Consider ways to maximize the federal drawdown of funds;

69 (b) Study the demographics of the state and of the MO HealthNet population, and how
70 those demographics are changing;

71 (c) Consider what steps are needed to prepare for the increasing numbers of participants
72 as a result of the baby boom following World War II;

73 (11) Conduct a study to determine whether an office of inspector general shall be
74 established. Such office would be responsible for oversight, auditing, investigation, and
75 performance review to provide increased accountability, integrity, and oversight of state medical
76 assistance programs, to assist in improving agency and program operations, and to deter and
77 identify fraud, abuse, and illegal acts. The committee shall review the experience of all states
78 that have created a similar office to determine the impact of creating a similar office in this state;
79 and

80 (12) Perform other tasks as necessary, including but not limited to making
81 recommendations to the division concerning the promulgation of rules and emergency rules so
82 that quality of care, provider availability, and participant satisfaction can be assured.

83 3. ~~The oversight committee shall designate a subcommittee devoted to advising the~~
84 ~~department on the development of a comprehensive entry point system for long-term care that~~
85 ~~shall:~~

86 ~~——(1) Offer Missourians an array of choices including community-based, in-home,~~
87 ~~residential and institutional services;~~

88 ~~——(2) Provide information and assistance about the array of long-term care services to~~
89 ~~Missourians;~~

- 90 ~~—— (3) Create a delivery system that is easy to understand and access through multiple~~
91 ~~points, which shall include but shall not be limited to providers of services;~~
- 92 ~~—— (4) Create a delivery system that is efficient, reduces duplication, and streamlines access~~
93 ~~to multiple funding sources and programs;~~
- 94 ~~—— (5) Strengthen the long-term care quality assurance and quality improvement system;~~
- 95 ~~—— (6) Establish a long-term care system that seeks to achieve timely access to and payment~~
96 ~~for care, foster quality and excellence in service delivery, and promote innovative and~~
97 ~~cost-effective strategies; and~~
- 98 ~~—— (7) Study one-stop shopping for seniors as established in section 208.612.~~
- 99 ~~—— 4. The subcommittee shall include the following members:~~
- 100 ~~—— (1) The lieutenant governor or his or her designee, who shall serve as the subcommittee~~
101 ~~chair;~~
- 102 ~~—— (2) One member from a Missouri area agency on aging, designated by the governor;~~
- 103 ~~—— (3) One member representing the in-home care profession, designated by the governor;~~
- 104 ~~—— (4) One member representing residential care facilities, predominantly serving MO~~
105 ~~HealthNet participants, designated by the governor;~~
- 106 ~~—— (5) One member representing assisted living facilities or continuing care retirement~~
107 ~~communities, predominantly serving MO HealthNet participants, designated by the governor;~~
- 108 ~~—— (6) One member representing skilled nursing facilities, predominantly serving MO~~
109 ~~HealthNet participants, designated by the governor;~~
- 110 ~~—— (7) One member from the office of the state ombudsman for long-term care facility~~
111 ~~residents, designated by the governor;~~
- 112 ~~—— (8) One member representing Missouri centers for independent living, designated by the~~
113 ~~governor;~~
- 114 ~~—— (9) One consumer representative with expertise in services for seniors or persons with~~
115 ~~a disability, designated by the governor;~~
- 116 ~~—— (10) One member with expertise in Alzheimer's disease or related dementia;~~
- 117 ~~—— (11) One member from a county developmental disability board, designated by the~~
118 ~~governor;~~
- 119 ~~—— (12) One member representing the hospice care profession, designated by the governor;~~
- 120 ~~—— (13) One member representing the home health care profession, designated by the~~
121 ~~governor;~~
- 122 ~~—— (14) One member representing the adult day care profession, designated by the governor;~~
- 123 ~~—— (15) One member gerontologist, designated by the governor;~~
- 124 ~~—— (16) Two members representing the aged, blind, and disabled population, not of the same~~
125 ~~geographic area or demographic group designated by the governor;~~

126 ~~———— (17) The directors of the departments of social services, mental health, and health and~~
127 ~~senior services, or their designees; and~~

128 ~~———— (18) One member of the house of representatives and one member of the senate serving~~
129 ~~on the oversight committee, designated by the oversight committee chair.~~

130

131 ~~Members shall serve on the subcommittee without compensation but may be reimbursed for their~~
132 ~~actual and necessary expenses from moneys appropriated to the department of health and senior~~
133 ~~services for that purpose. The department of health and senior services shall provide technical~~
134 ~~and administrative support services as required by the committee.~~

135 ~~———— 5.] The provisions of section 23.253 shall not apply to sections 208.950 to 208.955.~~

209.287. 1. There is hereby established within the Missouri commission for the deaf and
2 hard of hearing a board to be known as the "Board for Certification of Interpreters", which shall
3 be composed of ~~[five]~~ **three** members. The executive director of the Missouri commission for
4 the deaf and hard of hearing or the director's designee shall be a nonvoting member of the board.

5 2. The members shall be appointed by the governor with the advice and consent of the
6 senate from a list of recommendations from the commission. The members shall be appointed
7 for terms of three years~~], except those first appointed whose terms shall be staggered and one~~
8 ~~member appointed to serve for one year, two members to serve for two years and two members~~
9 ~~one to serve for three years].~~ No member shall be eligible to serve more than two consecutive
10 terms, except a person appointed to fill a vacancy for a partial term may serve two additional
11 terms. ~~[Two]~~ **One** of the members appointed shall be deaf, ~~[two]~~ **one** shall be a certified
12 ~~[interpreters]~~ **interpreter**, and one shall be deaf or a certified interpreter. The members shall be
13 fluent in American sign language, Pidgin Signed English, oral, tactile sign, or any specialized
14 vocabulary used by deaf persons. The member shall have a background and knowledge of
15 interpreting and evaluation.

16 3. The members shall receive no compensation for their services on the board, but the
17 commission shall reimburse the members for actual and necessary expenses incurred in the
18 performance of their official duties. The board shall meet not less than two times per year. The
19 board shall elect from its membership a chairperson and a secretary. A quorum of the board shall
20 consist of ~~[three]~~ **two** of its members.

21 4. Any member of the commission may petition the governor to remove a member from
22 the board for the following reasons: misconduct, inefficiency, incompetence or neglect of his
23 official duties. The governor may remove the member after giving the committee member
24 written notice of the charges against him **or her** and an opportunity to be heard pursuant to
25 administrative procedures in chapter 621.

209.307. Any member of the board or an evaluation team who has a conflict of interest that may have a direct effect on an evaluation shall excuse himself **or herself** from the evaluation. The remaining members~~[, not consisting of less than three members,]~~ shall assess that individual's performance.

210.170. 1. There is hereby created within the office of administration of the state of Missouri the "Children's Trust Fund Board", which shall be composed of ~~[twenty-one]~~ **seventeen** members as follows:

(1) ~~[Twelve]~~ **Eight** public members to be appointed by the governor by and with the advice and consent of the senate. As a group, the public members appointed pursuant to this subdivision shall demonstrate knowledge in the area of prevention programs, shall be representative of the demographic composition of this state, and, to the extent practicable, shall be representative ~~[of all]~~ of the following categories:

- 9 (a) ~~[Organized labor]~~ **The philanthropy community;**
- 10 (b) The business community;
- 11 (c) The educational community;
- 12 (d) The religious community;
- 13 (e) The legal community;
- 14 (f) Professional providers of prevention services to families and children;
- 15 (g) ~~[Volunteers in prevention services]~~ **A former youth participant in the state foster**
- 16 **care system;**
- 17 (h) Social services;
- 18 (i) Health care services; and
- 19 (j) Mental health services;

20 (2) ~~[A physician licensed pursuant to chapter 334]~~ **A board certified child abuse**

21 **pediatrician or a SAFE CARE provider, as defined in section 334.950;**

22 (3) Two members of the Missouri house of representatives, who shall be appointed by

23 the speaker of the house of representatives and shall be members of two different political

24 parties;

25 (4) Two members of the Missouri senate, who shall be appointed by the president pro

26 tem of the senate and who shall be members of two different political parties; and

27 (5) Four members chosen and appointed by the governor.

28 2. All members of the board appointed by the speaker of the house or the president pro

29 tem of the senate shall serve until their term in the house or senate during which they were

30 appointed to the board expires. All public members of the board shall serve for terms of three

31 years~~]; except, that of the public members first appointed, four shall serve for terms of three~~

32 ~~years, four shall serve for terms of two years, and three shall serve for terms of one year].~~ No

33 public members may serve more than two consecutive terms, regardless of whether such terms
34 were full or partial terms. Each member shall serve until his successor is appointed. All
35 vacancies on the board shall be filled for the balance of the unexpired term in the same manner
36 in which the board membership which is vacant was originally filled. **Any member of the**
37 **board on August 28, 2018, shall not be removed based on not being representative of a**
38 **category in subdivision (1) of subsection 1 of this section.**

39 3. Any public member of the board may be removed by the governor for misconduct,
40 incompetency, or neglect of duty after first being given the opportunity to be heard in his or her
41 own behalf.

42 4. The board may employ an executive director who shall be charged with carrying out
43 the duties and responsibilities assigned to him or her by the board. The executive director may
44 obtain all necessary office space, facilities, and equipment, and may hire and set the
45 compensation of such staff as is approved by the board and within the limitations of
46 appropriations for the purpose. All staff members, except the executive director, shall be
47 employed pursuant to chapter 36.

48 5. Each member of the board may be reimbursed for all actual and necessary expenses
49 incurred by the member in the performance of his or her official duties. All reimbursements
50 made pursuant to this subsection shall be made from funds in the children's trust fund
51 appropriated for that purpose.

52 6. All business transactions of the board shall be conducted in public meetings in
53 accordance with sections 610.010 to 610.030.

54 7. The board may accept federal funds for the purposes of sections 210.170 to 210.173
55 and section 143.1000 as well as gifts and donations from individuals, private organizations, and
56 foundations. The acceptance and use of federal funds shall not commit any state funds nor place
57 any obligation upon the general assembly to continue the programs or activities for which the
58 federal funds are made available. All funds received in the manner described in this subsection
59 shall be transmitted to the state treasurer for deposit in the state treasury to the credit of the
60 children's trust fund.

61 8. The board shall elect a chairperson from among the public members, who shall serve
62 for a term of two years. The board may elect such other officers and establish such committees
63 as it deems appropriate.

64 9. The board shall exercise its powers and duties independently of the office of
65 administration except that budgetary, procurement, accounting, and other related management
66 functions shall be performed by the office of administration.

210.1200. 1. Sections 210.1200 and 210.1210 shall be known and may be cited as
2 **"Erin's Law".**

3 **2. The "Task Force on the Prevention of Sexual Abuse of Children" is hereby**
4 **created to study the issue of sexual abuse of children. The task force shall consist of all of**
5 **the following members:**

6 **(1) The director of the department of social services, or his or her designee;**

7 **(2) The director of the children's division within the department of social services,**
8 **or his or her designee;**

9 **(3) The director of the department of mental health, or his or her designee;**

10 **(4) The director of the department of health and senior services, or his or her**
11 **designee;**

12 **(5) The director of the office of prosecution services, or his or her designee;**

13 **(6) The commissioner of education, or his or her designee;**

14 **(7) The executive director of the children's trust fund board, or his or her designee;**

15 **(8) A law enforcement representative appointed by the director of the department**
16 **of social services;**

17 **(9) An active teacher employed in Missouri appointed by the director of the**
18 **department of social services;**

19 **(10) A school principal appointed by the director of the department of social**
20 **services;**

21 **(11) A school superintendent appointed by the director of the department of social**
22 **services;**

23 **(12) A school counselor appointed by the director of the department of social**
24 **services;**

25 **(13) A representative of an organization involved in forensic investigation relating**
26 **to child abuse in this state appointed by the director of the department of social services;**

27 **(14) A representative of the state domestic violence coalition appointed by the**
28 **director of the department of social services;**

29 **(15) A representative from the juvenile and family court appointed by the director**
30 **of the department of social services; and**

31 **(16) A representative from the Missouri Network of Child Advocacy Centers**
32 **appointed by the director of the department of social services.**

33 **3. Members of the task force shall be individuals who are actively involved in the**
34 **fields of the prevention and treatment of child abuse and neglect and child welfare. The**
35 **appointment of members shall reflect the geographic diversity of the state.**

36 **4. The task force shall elect a presiding officer by a majority vote of the**
37 **membership of the task force. The task force shall meet at the call of the presiding officer.**

38 **5. The task force shall make recommendations for reducing child sexual abuse and**
39 **treating children who experience sexual abuse in Missouri. In making those**
40 **recommendations, the task force shall:**

41 **(1) Gather information concerning child sexual abuse throughout the state;**

42 **(2) Receive reports and testimony from individuals, state and local agencies,**
43 **community-based organizations, and other public and private organizations; and**

44 **(3) Create goals for state policy that would prevent child sexual abuse and improve**
45 **treatment for children who experience sexual abuse.**

46 **6. The recommendations may include proposals for specific statutory changes and**
47 **methods to foster cooperation among state agencies and between the state and local**
48 **government.**

49 **7. The task force shall consult with employees of the department of social services,**
50 **the department of public safety, department of elementary and secondary education, and**
51 **any other state agency, board, commission, office, or department as necessary to**
52 **accomplish the task force's responsibilities under this section.**

53 **8. The members of the task force shall serve without compensation and shall not**
54 **be reimbursed for their expenses.**

55 **9. Beginning January 1, 2019, the department of social services, in collaboration**
56 **with the task force, shall make yearly reports to the general assembly on the department's**
57 **progress in preventing child sexual abuse and expanding the availability of appropriate**
58 **treatment for children who experience sexual abuse.**

210.1210. 1. The task force on the prevention of sexual abuse of children
2 **established in section 210.1200 may adopt and submit to the commissioner of education**
3 **and the state board of education policy recommendations addressing sexual abuse of**
4 **children that may include:**

5 **(1) Age-appropriate curriculum for students in pre-K through fifth grade;**

6 **(2) Training for school personnel on child sexual abuse;**

7 **(3) Educational information to parents or guardians provided in the school**
8 **handbook on the warning signs of a child being abused, along with any needed assistance,**
9 **referral, or resource information;**

10 **(4) Available counseling and resources for students affected by sexual abuse; and**

11 **(5) Emotional and educational support for a child of abuse to continue to be**
12 **successful in school.**

13 **2. Any policy recommendation adopted may address without limitation:**

14 **(1) Methods for increasing teacher, student, and parent awareness of issues**
15 **regarding sexual abuse of children, including knowledge of likely warning signs indicating**
16 **that a child may be a victim of sexual abuse;**

17 **(2) Actions that a child who is a victim of sexual abuse could take to obtain**
18 **assistance and intervention; and**

19 **(3) Available counseling options for students affected by sexual abuse.**

253.408. 1. Sections 253.408 to 253.412 shall be known and may be cited as the "State
2 Historic Preservation Act".

3 2. The director of the department of natural resources is hereby designated as the state
4 historic preservation officer. The state historic preservation office shall be located in the
5 department of natural resources and shall be responsible for establishing, implementing, and
6 administering federal and state programs or plans for historic preservation and shall have the
7 following duties including, but not limited to:

8 (1) Direct and conduct a comprehensive statewide survey of historic, archaeological,
9 architectural, and cultural properties and maintain inventories of such properties;

10 (2) Identify and nominate eligible properties to the National Register of Historic Places
11 and otherwise administer applications for listing historic properties on the national register;

12 (3) Prepare and implement a comprehensive statewide historic preservation plan;

13 (4) Administer the state program of federal assistance for historic preservation within
14 the state;

15 (5) Administer historic preservation fund grants as mandated by the National Historic
16 Preservation Act of 1966, as amended;

17 (6) Provide public information, education and training, and technical assistance relating
18 to the federal and state historic preservation programs;

19 (7) Cooperate with local governments in the development of local historic preservation
20 programs, and to assist local governments in becoming certified pursuant to the Historic
21 Preservation Act of 1966, as amended;

22 (8) Advise and assist federal and state agencies and local governments in carrying out
23 their historic preservation responsibilities;

24 (9) Cooperate with the National Advisory Council on Historic Preservation, federal and
25 state agencies, local governments, and organizations and individuals to ensure that historic
26 properties are taken into consideration at all levels of planning and development;

27 (10) Administer ~~[the state unmarked human burial sites,]~~ **responsibilities** as detailed in
28 sections 194.400 to 194.410;

29 (11) Administer the historic preservation revolving fund, as detailed in sections 253.400
30 to 253.407; and

31 (12) Cooperate with the department of economic development in administering the main
32 street Missouri act, as detailed in sections 251.470 to 251.485.

33 **3. (1) There is hereby established and created, within the department of natural**
34 **resources, the "Missouri Advisory Council on Historic Preservation" consisting of nine**
35 **persons, to be appointed by the governor with the advice and consent of the senate, who**
36 **shall serve without compensation other than expenses incurred. The membership of the**
37 **council shall be as provided in 36 C.F.R. Part 61.4, as may be amended from time to time,**
38 **and shall consist of persons having expertise and knowledge in the fields of history, historic**
39 **and prehistoric archaeology, architectural history, architecture, and economic and**
40 **community development, as well as nonprofessional members with demonstrated interest**
41 **in historic preservation. Each member shall serve for a term of two years from the date**
42 **of appointment and until his or her replacement is duly appointed.**

43 **(2) The council shall meet at least three times per year and may adopt bylaws to**
44 **govern its operations which bylaws shall be consistent with all applicable federal rules and**
45 **regulations.**

46 **(3) The council shall have all the powers, duties and responsibilities provided by**
47 **federal law and the rules and regulations for such council including, but not limited to, the**
48 **following:**

49 **(a) Reviewing and approving each national register nomination prior to submission**
50 **to the national register;**

51 **(b) Reviewing each completed state historic preservation plan as developed by the**
52 **state historic preservation officer prior to its submission to the Secretary of the United**
53 **States Department of Interior; and**

54 **(c) Providing general advice, guidance, and professional recommendations to the**
55 **state historic preservation officer in conducting the comprehensive statewide survey,**
56 **preparing the state historic preservation plan, carrying out any grants-in-aid program, and**
57 **carrying out the other duties and responsibilities of the state historic preservation officer.**

324.177. 1. There is hereby established an "Advisory Commission for Clinical
2 Perfusionists" which shall guide, advise and make recommendations to the board. The
3 commission shall approve the examination required by section 324.133 and shall assist the board
4 in carrying out the provisions of sections 324.125 to 324.183.

5 2. The advisory commission shall consist of five perfusionist members and two public
6 members which shall be appointed by the ~~[governor with the advice and consent of the senate]~~
7 **director of the division of professional registration.** The members of the commission shall
8 be appointed for terms of six years; except those first appointed, of which one shall be appointed
9 for a term of one year, one shall be appointed for a term of two years, one shall be appointed for

10 a term of three years, one shall be appointed for a term of four years, one shall be appointed for
11 a term of five years and one shall be appointed for a term of six years. The nonpublic
12 commission members shall be residents of the state of Missouri for at least one year, shall be
13 United States citizens and shall meet all the requirements for licensing provided in sections
14 324.125 to 324.183, shall be licensed pursuant to sections 324.125 to 324.183, except the
15 members of the first commission, who shall be licensed within six months of their appointment
16 and are actively engaged in the practice of perfusion. If a member of the commission shall,
17 during the member's term as a commission member, remove the member's domicile from the
18 state of Missouri, then the commission shall immediately notify the ~~[governor]~~ **director** and the
19 seat of that commission member shall be declared vacant. All such vacancies shall be filled by
20 appointment as in the same manner as the preceding appointment. The public members shall be
21 at the time of the members' appointment citizens of the United States; residents of the state for
22 a period of at least one year and registered voters; persons who are not and never were members
23 of any profession licensed or regulated pursuant to sections 324.125 to 324.183 or the spouse of
24 such person; persons who do not have and never have had a material, financial interest in either
25 the provision of the professional services regulated by sections 324.125 to 324.183, or an activity
26 or organization directly related to any profession licensed or regulated by sections 324.125 to
27 324.183.

28 3. Notwithstanding any other provision of law to the contrary, any appointed member
29 of the commission shall receive as compensation an amount established by the director of the
30 division of professional registration not to exceed seventy dollars per day for commission
31 business plus actual and necessary expenses. The director of the division of professional
32 registration shall establish by rule guidelines for payment. All staff for the commission shall be
33 provided by the division of professional registration.

34 4. A member of the commission may be removed if the member:

35 (1) Does not have, at the time of appointment, the qualifications required for
36 appointment to the commission;

37 (2) Does not maintain during service on the commission the qualifications required for
38 appointment to the commission;

39 (3) Violates any provision of sections 324.125 to 324.183;

40 (4) Cannot discharge the member's duties for a substantial part of the term for which the
41 member is appointed because of illness or disability; or

42 (5) Is absent from more than half of the regularly scheduled commission meetings that
43 the member is eligible to attend during a calendar year, unless the absence is excused by a
44 majority vote of the commission.

324.180. Not later than thirty days after the ~~[governor]~~ **director of the division of professional registration** appoints the initial members of the commission and annually thereafter, the commission shall meet and elect one of its members as chairperson and one of its members as vice chairperson. The commission shall meet at least quarterly or at any other time if called by the chairperson or a majority of the commission. A majority of the members of the commission shall constitute a quorum.

324.406. 1. There is hereby created within the division of professional registration a council to be known as the "Interior Design Council". The council shall consist of four interior designers and one public member appointed by the ~~[governor with the advice and consent of the senate]~~ **director of the division**. The ~~[governor]~~ **director** shall give due consideration to the recommendations by state organizations of the interior design profession for the appointment of the interior design members to the council. Council members shall be appointed to serve a term of four years; except that of the members first appointed, one interior design member and the public member shall be appointed for terms of four years, one member shall be appointed for a term of three years, one member shall be appointed for a term of two years and one member shall be appointed for a term of one year. No member of the council shall serve more than two terms.

2. Each council member, other than the public member, shall be a citizen of the United States, a resident of the state of Missouri for at least one year, meet the qualifications for professional registration, practice interior design as the person's principal livelihood and, except for the first members appointed, be registered pursuant to sections 324.400 to 324.439 as an interior designer.

3. The public member shall be, at the time of such person's appointment, a citizen of the United States, a registered voter, a person who is not and never was a member of the profession regulated by sections 324.400 to 324.439 or the spouse of such a person and a person who does not have and never has had a material financial interest in the providing of the professional services regulated by sections 324.400 to 324.439. The duties of the public member shall not include the determination of the technical requirements for the registration of persons as interior designers. The provisions of section 324.028 pertaining to public members of certain state boards and commissions shall apply to the public member of the council.

4. Members of the council may be removed from office for cause. Upon the death, resignation or removal from office of any member of the council, the appointment to fill the vacancy shall be for the unexpired portion of the term so vacated and shall be filled in the same manner as the first appointment and due notice be given to the state organizations of the interior design profession prior to the appointment.

5. Each member of the council may receive as compensation an amount set by the division not to exceed fifty dollars per day and shall be reimbursed for the member's reasonable

31 and necessary expenses incurred in the official performance of the member's duties as a member
 32 of the council. The director shall establish by rule guidelines for payment.

33 6. The council shall meet at least twice each year and **guide, advise, and make**
 34 **recommendations to** the division on matters within the scope of sections 324.400 to 324.439.
 35 The organization of the council shall be established by the members of the council.

36 ~~[7. The council may sue and be sued as the interior design council and the council~~
 37 ~~members need not be named as parties. Members of the council shall not be personally liable~~
 38 ~~either jointly or severally for any act committed in the performance of their official duties as~~
 39 ~~council members. No council member shall be personally liable for any costs which accrue in~~
 40 ~~any action by or against the council.]~~

324.409. 1. To be a registered interior designer, a person:

2 (1) Shall take and pass or have passed the examination administered by the National
 3 Council for Interior Design Qualification or an equivalent examination approved by the ~~[council]~~
 4 **division**. In addition to proof of passage of the examination, the application shall provide
 5 substantial evidence to the ~~[council]~~ **division** that the applicant:

6 (a) Is a graduate of a five-year or four-year interior design program from an accredited
 7 institution and has completed at least two years of diversified and appropriate interior design
 8 experience; or

9 (b) Has completed at least three years of an interior design curriculum from an accredited
 10 institution and has completed at least three years of diversified and appropriate interior design
 11 experience; or

12 (c) Is a graduate of a two-year interior design program from an accredited institution and
 13 has completed at least four years of diversified and appropriate interior design experience; or

14 (2) May qualify who is currently registered pursuant to sections 327.091 to 327.171, and
 15 section 327.401 pertaining to the practice of architecture and registered with the ~~[council]~~
 16 **division**. Such applicant shall give authorization to the ~~[council]~~ **division** in order to verify
 17 current registration with sections 327.091 to 327.171 and section 327.401 pertaining to the
 18 practice of architecture.

19 2. Verification of experience required pursuant to this section shall be based on a
 20 minimum of two client references, business or employment verification and three industry
 21 references, submitted to the ~~[council]~~ **division**.

22 3. The ~~[council]~~ **division** shall verify if an applicant has complied with the provisions
 23 of this section and has paid the required fees, then the ~~[council]~~ **division** shall recommend such
 24 applicant be registered as a registered interior designer by the ~~[council]~~ **division**.

324.412. ~~[1.]~~ The division shall:

2 (1) Employ, within the limits of the appropriations for that purpose, such employees as
3 are necessary to carry out the provisions of sections 324.400 to 324.439;

4 (2) Exercise all budgeting, purchasing, reporting and other related management
5 functions[-

6 ~~———2. The council shall:] ;~~

7 ~~[(+)]~~ (3) Recommend prosecution for violations of sections 324.400 to 324.439 to the
8 appropriate prosecuting or circuit attorney;

9 ~~[(2)]~~ (4) Promulgate such rules and regulations as are necessary to administer the
10 provisions of sections 324.400 to 324.439. Any rule or portion of a rule, as that term is defined
11 in section 536.010, that is promulgated to administer and enforce sections 324.400 to 324.439,
12 shall become effective only if the agency has fully complied with all of the requirements of
13 chapter 536, including but not limited to, section 536.028, if applicable, after August 28, 1998.
14 If the provisions of section 536.028 apply, the provisions of this section are nonseverable and
15 if any of the powers vested with the general assembly pursuant to section 536.028 to review, to
16 delay the effective date, or to disapprove and annul a rule or portion of a rule are held
17 unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed
18 and contained in the order of rulemaking shall be invalid and void, except that nothing in this
19 section shall affect the validity of any rule adopted and promulgated prior to August 28, 1998.

324.415. Applications for registration as a registered interior designer shall be
2 typewritten on forms prescribed by the ~~[council]~~ **division** and furnished to the applicant. The
3 application shall contain the applicant's statements showing the applicant's education, experience,
4 results of previous interior design certification, registration or licensing examinations, if any, and
5 such other pertinent information as the ~~[council]~~ **division** may require, or architect's registration
6 number and such other pertinent information as the ~~[council]~~ **division** may require. Each
7 application shall contain a statement that is made under oath or affirmation and that the
8 representations are true and correct to the best knowledge and belief of the person signing the
9 application. The person shall be subject to the penalties for making a false affidavit or
10 declaration and shall be accompanied by the required fee.

324.421. The ~~[council]~~ **division** shall register without examination any interior designer
2 certified, licensed or registered in another state or territory of the United States or foreign country
3 if the applicant has qualifications which are at least equivalent to the requirements for
4 registration as a registered interior designer in this state and such applicant pays the required
5 fees.

324.424. 1. The ~~[council]~~ **division** shall set the amount of the fees authorized by
2 sections 324.400 to 324.439 by rules and regulations. The fees shall be set at a level to produce
3 revenue which shall not substantially exceed the cost and expense of administering sections

4 324.400 to 324.439. All fees required pursuant to sections 324.400 to 324.439 shall be paid to
5 and collected by the division of professional registration and transmitted to the department of
6 revenue for deposit in the state treasury to the credit of the "Interior Designer Council Fund",
7 which is hereby created.

8 2. Notwithstanding the provisions of section 33.080 to the contrary, money in the fund
9 shall not be transferred and placed to the credit of general revenue until the amount in the fund
10 at the end of the biennium exceeds three times the amount of the appropriation to the council for
11 the preceding fiscal year. The amount, if any, in the fund which shall lapse is the amount in the
12 fund which exceeds the appropriate multiple of the appropriations to the council for the
13 preceding fiscal year.

324.427. It is unlawful for any person to advertise or indicate to the public that the
2 person is a registered interior designer in this state, unless such person is registered as a
3 registered interior designer by the ~~[council]~~ **division** and is in good standing pursuant to sections
4 324.400 to 324.439.

324.430. No person may use the designation registered interior designer in Missouri,
2 unless the ~~[council]~~ **division** has issued a current certificate of registration certifying that the
3 person has been duly registered as a registered interior designer in Missouri and unless such
4 registration has been renewed or reinstated as provided in section 324.418.

324.436. 1. The ~~[council]~~ **division** may refuse to issue any certificate required pursuant
2 to sections 324.400 to 324.439, or renew or reinstate any such certificate, for any one or any
3 combination of the reasons stated in subsection 2 of this section. The ~~[council]~~ **division** shall
4 notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the
5 person's right to file a complaint with the administrative hearing commission as provided in
6 chapter 621.

7 2. The ~~[council]~~ **division** may cause a complaint to be filed with the administrative
8 hearing commission as provided by chapter 621 against any holder of a certificate of registration
9 required by sections 324.400 to 324.439 or any person who has failed to renew or has
10 surrendered the person's certificate of registration for any one or combination of the following
11 reasons:

12 (1) The person has been finally adjudicated and found guilty, or entered a plea of guilty
13 or nolo contendere, in a criminal prosecution under the laws of this state or any other state or of
14 the United States, for any offense reasonably related to the qualifications, functions or duties of
15 the profession regulated by sections 324.400 to 324.439; for any offense for which an essential
16 element is fraud, dishonesty or an act of violence; or for a felony, whether or not sentence is
17 imposed;

18 (2) Use of fraud, deception, misrepresentation or bribery in securing any certificate of
19 registration issued pursuant to sections 324.400 to 324.439 or in obtaining permission to take any
20 examination given or required pursuant to sections 324.400 to 324.439;

21 (3) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by
22 fraud, deception or misrepresentation;

23 (4) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty
24 in the performance of the functions or duties of the profession regulated by sections 324.400 to
25 324.439;

26 (5) Violation of, or assisting or enabling any person to violate, any provision of sections
27 324.400 to 324.439, or of any lawful rule or regulation adopted pursuant to such sections;

28 (6) Impersonation of any person holding a certificate of registration or authority, permit
29 or license or allowing any person to use the person's certificate or diploma from any school;

30 (7) Disciplinary action against the holder of a certificate of registration or other right to
31 perform the profession regulated by sections 324.400 to 324.439 granted by another state,
32 territory, federal agency or country upon grounds for which revocation or suspension is
33 authorized in this state;

34 (8) A person is finally adjudged insane or incompetent by a court of competent
35 jurisdiction;

36 (9) Issuance of a certificate of registration based upon a material mistake of fact;

37 (10) Use of any advertisement or solicitation which is false, misleading or deceptive to
38 the general public or persons to whom the advertisement or solicitation is primarily directed, as
39 it relates to the interior design profession.

40 3. After the filing of a complaint pursuant to subsection 2 of this section, the proceedings
41 shall be conducted in accordance with the provisions of chapter 536 and chapter 621. Upon a
42 finding by the administrative hearing commission that the grounds, provided in subsection 2 of
43 this section, for disciplinary action are met, the ~~[council]~~ **division** shall censure or place the
44 person named in the complaint on probation for a period not to exceed five years or may suspend
45 the person's certificate for a period not to exceed three years or may revoke the person's
46 certificate of registration.

324.478. 1. There is hereby created within the division of professional registration a
2 committee to be known as the "Missouri Acupuncturist Advisory Committee". The committee
3 shall consist of five members, all of whom shall be citizens of the United States and registered
4 voters of the state of Missouri. The ~~[governor]~~ **director of the division of professional**
5 **registration** shall appoint the members of the committee ~~[with the advice and consent of the~~
6 ~~senate]~~ for terms of four years; except as provided in subsection 2 of this section. Three
7 committee members shall be acupuncturists. Such members shall at all times be holders of

8 licenses for the practice of acupuncture in this state; except for the members of the first
9 committee who shall meet the requirements for licensure pursuant to sections 324.475 to
10 324.499. One member shall be a current board member of the Missouri state board for
11 chiropractic examiners. The remaining member shall be a public member. All members shall
12 be chosen from lists submitted by the director of the division of professional registration. The
13 president of the Acupuncture Association of Missouri in office at the time shall, at least ninety
14 days prior to the expiration of the term of a board member, other than the public member, or as
15 soon as feasible after a vacancy on the board otherwise occurs, submit to the director of the
16 division of professional registration a list of five acupuncturists qualified and willing to fill the
17 vacancy in question, with the request and recommendation that the ~~governor~~ **director** appoint
18 one of the five persons so listed, and with the list so submitted, the president of the Acupuncture
19 Association of Missouri shall include in his or her letter of transmittal a description of the
20 method by which the names were chosen by that association.

21 2. The initial appointments to the committee shall be one member for a term of one year,
22 one member for a term of two years, one member for a term of three years and two members for
23 a term of four years.

24 3. The public member of the committee shall not be and never has been a member of any
25 profession regulated by the provisions of sections 324.475 to 324.499, or the spouse of any such
26 person; and a person who does not have and never has had a material financial interest in either
27 the providing of the professional services regulated by the provisions of sections 324.475 to
28 324.499 or an activity or organization directly related to the profession regulated pursuant to
29 sections 324.475 to 324.499.

30 4. Any member of the committee may be removed from the committee by the ~~governor~~
31 **director** for neglect of duty required by law, for incompetency or for unethical or dishonest
32 conduct. Upon the death, resignation, disqualification or removal of any member of the
33 committee, the ~~governor~~ **director** shall appoint a successor. A vacancy in the office of any
34 member shall only be filled for the unexpired term.

35 5. The acupuncturist advisory committee shall:

36 (1) Review all applications for licensure;

37 (2) Advise the board on all matters pertaining to the licensing of acupuncturists;

38 (3) Review all complaints and/or investigations wherein there is a possible violation of
39 sections 324.475 to 324.499 or regulations promulgated pursuant thereto and make
40 recommendations and referrals to the board on complaints the committee determines to warrant
41 further action, **which may include a recommendation for prosecuting violations of sections**
42 **324.475 to 324.499 to an appropriate prosecuting or circuit attorney;**

43 (4) Follow the provisions of the board's administrative practice procedures in conducting
44 all official duties;

45 (5) ~~[Recommend for prosecution violations of sections 324.475 to 324.499 to an~~
46 ~~appropriate prosecuting or circuit attorney;~~

47 ~~——(6)]~~ Assist the board, as needed and when requested by the board, in conducting any
48 inquiry or disciplinary proceedings initiated as a result of committee recommendation and
49 referral pursuant to subdivision (3) of this subsection.

332.086. 1. There is hereby established a five-member "Advisory Commission for
2 Dental Hygienists", composed of dental hygienists appointed by the ~~[governor]~~ **director of the**
3 **division of professional registration** as provided in subsection 2 of this section and the dental
4 hygienist member of the Missouri dental board, which shall guide, advise and make
5 recommendations to the Missouri dental board. The commission shall:

6 (1) Recommend the educational requirements to be registered as a dental hygienist;

7 (2) Annually review the practice act of dental hygiene;

8 (3) Make recommendations to the Missouri dental board regarding the practice,
9 licensure, examination and discipline of dental hygienists; and

10 (4) Assist the board in any other way necessary to carry out the provisions of this chapter
11 as they relate to dental hygienists.

12 2. The members of the commission shall be appointed by the ~~[governor with the advice~~
13 ~~and consent of the senate]~~ **director**. Each member of the commission shall be a citizen of the
14 United States and a resident of Missouri for one year and shall be a dental hygienist registered
15 and currently licensed pursuant to this chapter. Members of the commission who are not also
16 members of the Missouri dental board shall be appointed for terms of five years, except for the
17 members first appointed, one of which shall be appointed for a term of two years, one shall be
18 appointed for a term of three years, one shall be appointed for a term of four years and one shall
19 be appointed for a term of five years. The dental hygienist member of the Missouri dental board
20 shall become a member of the commission and shall serve a term concurrent with the member's
21 term on the dental board. All members of the initial commission shall be appointed by April 1,
22 2002. Members shall be chosen from lists submitted ~~[by]~~ **to** the director of the division of
23 professional registration. Lists of dental hygienists submitted to the ~~[governor]~~ **director** may
24 include names submitted to the director of the division of professional registration by the
25 president of the Missouri Dental Hygienists Association.

26 3. The commission shall hold an annual meeting at which it shall elect from its
27 membership a chairperson and a secretary. The commission shall meet in conjunction with the
28 dental board meetings or no more than fourteen days prior to regularly scheduled dental board

29 meetings. Additional meetings shall require a majority vote of the commission. A quorum of
30 the commission shall consist of a majority of its members.

31 4. Members of the commission shall receive as compensation an amount set by the
32 Missouri dental board not to exceed fifty dollars for each day devoted to the duties of the
33 commission and shall be reimbursed for all actual and necessary expenses incurred in the
34 performance of their official duties on the commission and in attending meetings of the Missouri
35 dental board. The Missouri dental board shall provide all necessary staff and support services
36 as required by the commission to hold commission meetings, to maintain records of official acts,
37 and to conduct all other business of the commission.

334.430. 1. There is hereby established an "Advisory Commission for Anesthesiologist
2 Assistants" which shall guide, advise and make recommendations to the board. The commission
3 shall be responsible for the ongoing examination of the scope of practice and promoting the
4 continuing role of anesthesiologist assistants in the delivery of health care services. The
5 commission shall assist the board in carrying out the provisions of sections 334.400 to 334.430.

6 2. The commission shall be appointed no later than July 1, 2005. The commission shall
7 be composed of five members, to be appointed by the ~~[governor, with the advice and consent of~~
8 ~~the senate]~~ **director of the division of professional registration**, as follows:

- 9 (1) One member of the board;
10 (2) One licensed anesthesiologist assistant;
11 (3) Two licensed, board-certified anesthesiologists; and
12 (4) One lay member.

13 3. Each licensed anesthesiologist assistant member shall be a citizen of the United States
14 and a resident of this state, and shall be licensed as an anesthesiologist assistant by this state.
15 Each physician member shall be a United States citizen, a resident of this state and have an active
16 license to practice medicine in this state. The lay member shall be a United States citizen and
17 a resident of this state.

18 4. The licensed anesthesiologist assistant member shall be appointed to serve a three-year
19 term. The anesthesiologist members and lay member shall each be appointed to serve three-year
20 terms, except at the time the commission is created, when one anesthesiologist member will be
21 appointed for a first term of two years while the second anesthesiologist member will be
22 appointed to a three-year term. This will ensure that at least one anesthesiologist member has
23 at least one year's experience as a member of the commission. Neither the anesthesiologist
24 assistant member nor the physician members shall be appointed for more than two consecutive
25 three-year terms.

26 5. The president of the Missouri Society of Anesthesiologists or its successor in office
27 at the time shall, at least ninety days prior to the expiration of a term of an anesthesiologist

28 assistant member or an anesthesiologist member of the commission or as soon as feasible after
29 such a vacancy on the commission otherwise occurs, submit to the director of the division of
30 professional registration a list, not to exceed five individuals per vacancy, of qualified and
31 willing anesthesiologists or anesthesiologist assistants, respectively, to fill the vacancy in
32 question, with the request and recommendation that the ~~[governor]~~ **director** appoint one of the
33 persons so listed. With the list so submitted, the president of the Missouri Society of
34 Anesthesiologists shall include in a letter of transmittal a description of the method by which the
35 names were chosen by that association.

36 6. Until such time as eligible anesthesiologist assistant candidates are identified, the
37 anesthesiologist assistant seat may remain vacant or may be filled by a qualified anesthesiologist
38 candidate, at the ~~[governor's]~~ **director's** discretion ~~[with the advice and consent of the senate]~~.
39 This member may serve no more than two consecutive three-year terms or until an eligible
40 anesthesiologist assistant candidate selected by the ~~[governor with the advice and consent of the~~
41 ~~senate]~~ **director** from a list provided as outlined above is appointed.

42 7. Notwithstanding any other provision of law to the contrary, any appointed member
43 of the commission shall receive as compensation an amount established by the director of the
44 division of professional registration not to exceed seventy dollars per day for commission
45 business plus actual and necessary expenses. The director of the division of professional
46 registration shall establish by rule the guidelines for payment. The board shall provide all staff
47 for the commission.

48 8. The commission shall hold an open annual meeting at which time it shall elect from
49 its membership a chairman and secretary. The commission may hold such additional meetings
50 as may be required in the performance of its duties, provided that notice of every meeting shall
51 be given to each member at least ten days prior to the date of the meeting. A quorum of the
52 commission shall consist of a majority of its members.

53 9. No licensing activity or other statutory requirements shall become effective until
54 expenditures or personnel are specifically appropriated for the purpose of conducting the
55 business as required to administer the provisions of sections 334.400 to 334.430 and the initial
56 rules filed have become effective.

334.625. 1. There is hereby established an "Advisory Commission for Physical
2 Therapists" which shall guide, advise and make recommendations to the board. The commission
3 shall approve the examination required by section 334.530 and shall assist the board in carrying
4 out the provisions of sections 334.500 to 334.620.

5 2. The commission shall be appointed no later than October 1, 1989, and shall consist
6 of five members appointed by the ~~[governor with the advice and consent of the senate]~~ **director**
7 **of the division of professional registration**. Each member shall be a citizen of the United

8 States and a resident of this state and four shall be licensed as physical therapists by this state,
9 and one shall be licensed as a physical therapist assistant by this state. Members shall be
10 appointed to serve three-year terms, except that the first commission appointed shall consist of
11 one member whose term shall be for one year; two members whose terms shall be for three
12 years; and two members whose terms shall be for two years. The president of the Missouri
13 Physical Therapy Association in office at the time shall, at least ninety days prior to the
14 expiration of the term of a commission member or as soon as feasible after a vacancy on the
15 commission otherwise occurs, submit to the director of the division of professional registration
16 a list of five physical therapists if the commission member whose term is expiring is a physical
17 therapist, or five physical therapist assistants if the commission member whose term is expiring
18 is a physical therapist assistant, with the exception that the first commissioner to expire or
19 vacancy created on the commission after August 28, 2007, shall be filled by the appointment of
20 a physical therapist assistant. Each physical therapist and physical therapist assistant on the list
21 submitted to the division of professional registration shall be qualified and willing to fill the
22 vacancy in question, with the request and recommendation that the ~~governor~~ **director** appoint
23 one of the five persons so listed, and with the list so submitted, the president of the Missouri
24 Physical Therapy Association shall include in his or her letter of transmittal a description of the
25 method by which the names were chosen by that association.

26 3. Notwithstanding any other provision of law to the contrary, any appointed member
27 of the commission shall receive as compensation an amount established by the director of the
28 division of professional registration not to exceed seventy dollars per day for commission
29 business plus actual and necessary expenses. The director of the division of professional
30 registration shall establish by rule guidelines for payment. All staff for the commission shall be
31 provided by the board of healing arts.

32 4. The commission shall hold an annual meeting at which it shall elect from its
33 membership a chairman and secretary. The commission may hold such additional meetings as
34 may be required in the performance of its duties, provided that notice of every meeting must be
35 given to each member at least ten days prior to the date of the meeting. A quorum of the board
36 shall consist of a majority of its members.

334.749. 1. There is hereby established an "Advisory Commission for Physician
2 Assistants" which shall guide, advise and make recommendations to the board. The commission
3 shall also be responsible for the ongoing examination of the scope of practice and promoting the
4 continuing role of physician assistants in the delivery of health care services. The commission
5 shall assist the board in carrying out the provisions of sections 334.735 to 334.749.

6 2. The commission shall be appointed no later than October 1, 1996, and shall consist
7 of five members, one member of the board, two licensed physician assistants, one physician and

8 one lay member. The two licensed physician assistant members, the physician member and the
9 lay member shall be appointed by the ~~[governor with the advice and consent of the senate]~~
10 **director of the division of professional registration**. Each licensed physician assistant member
11 shall be a citizen of the United States and a resident of this state, and shall be licensed as a
12 physician assistant by this state. The physician member shall be a United States citizen, a
13 resident of this state, have an active Missouri license to practice medicine in this state and shall
14 be a supervising physician, at the time of appointment, to a licensed physician assistant. The lay
15 member shall be a United States citizen and a resident of this state. The licensed physician
16 assistant members shall be appointed to serve three-year terms, except that the first commission
17 appointed shall consist of one member whose term shall be for one year and one member whose
18 term shall be for two years. The physician member and lay member shall each be appointed to
19 serve a three-year term. No physician assistant member nor the physician member shall be
20 appointed for more than two consecutive three-year terms. The president of the Missouri
21 Academy of Physicians Assistants in office at the time shall, at least ninety days prior to the
22 expiration of a term of a physician assistant member of a commission member or as soon as
23 feasible after such a vacancy on the commission otherwise occurs, submit to the director of the
24 division of professional registration a list of five physician assistants qualified and willing to fill
25 the vacancy in question, with the request and recommendation that the ~~[governor]~~ **director**
26 appoint one of the five persons so listed, and with the list so submitted, the president of the
27 Missouri Academy of Physicians Assistants shall include in his or her letter of transmittal a
28 description of the method by which the names were chosen by that association.

29 3. Notwithstanding any other provision of law to the contrary, any appointed member
30 of the commission shall receive as compensation an amount established by the director of the
31 division of professional registration not to exceed seventy dollars per day for commission
32 business plus actual and necessary expenses. The director of the division of professional
33 registration shall establish by rule guidelines for payment. All staff for the commission shall be
34 provided by the state board of registration for the healing arts.

35 4. The commission shall hold an open annual meeting at which time it shall elect from
36 its membership a chairman and secretary. The commission may hold such additional meetings
37 as may be required in the performance of its duties, provided that notice of every meeting shall
38 be given to each member at least ten days prior to the date of the meeting. A quorum of the
39 commission shall consist of a majority of its members.

40 5. On August 28, 1998, all members of the advisory commission for registered physician
41 assistants shall become members of the advisory commission for physician assistants and their
42 successor shall be appointed in the same manner and at the time their terms would have expired
43 as members of the advisory commission for registered physician assistants.

335.021. 1. "The Missouri State Board of Nursing" shall consist of nine members, five
2 of whom must be registered professional nurses. [~~Two members~~] **One member** of the board
3 [~~must~~] **shall be a licensed practical [nurses] nurse, one member shall be an advanced practice**
4 **registered nurse**, and one member a voting public member. Two of the five registered
5 professional nurses shall hold a graduate degree in nursing, and at least one of the professional
6 nurse members shall represent nursing practice. Any person, other than the public member,
7 appointed to the board as hereinafter provided shall be a citizen of the United States and a
8 resident of this state for a period of at least one year, a licensed nurse in this state, and shall have
9 been actively engaged in nursing for at least three years immediately preceding the appointment
10 or reappointment. Membership on the board shall include representatives with expertise in each
11 level of educational programs the graduates of which are eligible to apply for licensure such as
12 practical, diploma, associate degree, and baccalaureate.

13 2. The governor shall appoint members to the board by and with the advice and consent
14 of the senate when a vacancy thereon occurs either by the expiration of a term or otherwise;
15 provided, however, that any board member shall serve until his or her successor is appointed and
16 qualified. Every appointment except to fulfill an unexpired term shall be for a term of four years,
17 but no person shall be appointed to more than two consecutive terms.

18 3. At least ninety days before the expiration of a term of a board member, and as soon
19 as feasible after the occurrence of a vacancy on the board for reasons other than the expiration
20 of a term, a list of three licensed and qualified nurses shall be submitted to the director of the
21 division of professional registration. The list shall be submitted by the Missouri Nurses
22 Association if the vacancy is for a registered professional nurse, and by the Missouri State
23 Association of Licensed Practical Nurses if the vacancy is for a licensed practical nurse. The
24 governor may appoint a board member to fill the vacancy from the list submitted, or may appoint
25 some other qualified licensed nurse. This subsection shall not apply to public member vacancies.

26 4. The public member shall be at the time of his or her appointment a citizen of the
27 United States; a resident of this state for a period of one year and a registered voter; a person who
28 is not and never was a member of any profession licensed or regulated pursuant to this chapter
29 or the spouse of such person; and a person who does not have and never has had a material,
30 financial interest in either the providing of the professional services regulated by this chapter,
31 or an activity or organization directly related to any profession licensed or regulated pursuant to
32 this chapter. All members, including public members, shall be chosen from lists submitted by
33 the director of the division of professional registration. The duties of the public member shall
34 not include the determination of the technical requirements to be met for licensure or whether
35 any person meets such technical requirements or of the technical competence or technical
36 judgment of a licensee or a candidate for licensure.

453.600. 1. There is hereby created in the state treasury the "Foster Care and Adoptive
2 Parents Recruitment and Retention Fund" which shall consist of all gifts, donations, transfers,
3 and moneys appropriated by the general assembly, and bequests to the fund. The fund shall
4 maintain no more than the total of the last two years of funding or a minimum of three hundred
5 thousand dollars, whichever is greater. The fund shall be administered by the [~~foster care and
6 adoptive parents recruitment and retention fund board created in subsection 3 of this section~~]
7 **Missouri state foster care and adoption board created in section 210.617.**

8 2. The state treasurer shall be custodian of the fund and may approve disbursements from
9 the fund in accordance with sections 30.170 and 30.180. Notwithstanding the provisions of
10 section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall
11 not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in
12 the fund in the same manner as other funds are invested. Any interest and moneys earned on
13 such investments shall be credited to the fund.

14 3. [~~There is hereby created the "Foster Care and Adoptive Parents Recruitment and
15 Retention Fund Board" within the department of social services. The board shall consist of the
16 following members or their designees:~~

17 ———(1) The director of the department of social services;

18 ———(2) The director of the department of mental health;

19 ———(3) The director of the department of health and senior services;

20 ———(4) The following six members to be appointed by the director of the department of
21 social services:

22 ———(a) Two representatives of a recognized foster parent association;

23 ———(b) Two representatives of a licensed child-placing agency; and

24 ———(c) Two representatives of a licensed residential treatment center.

25

26 ~~Members appointed under subdivision (4) of this subsection shall serve three-year terms, subject
27 to reappointment. Of the members initially appointed, three shall be appointed for a two-year
28 term and three shall be appointed three-year terms. All members of the board shall serve without
29 compensation but shall, subject to appropriation, be reimbursed for reasonable and necessary
30 expenses actually incurred in the performance of their official duties as members of the board.
31 The department of social services shall, with existing resources, provide administrative support
32 and current staff as necessary for the effective operation of the board.~~

33 ———4.] Upon appropriation, moneys in the fund shall be used to grant awards to licensed
34 community-based foster care and adoption recruitment programs. The board shall establish
35 guidelines for disbursement of the fund to certain programs. Such programs shall include, but
36 not be limited to, recruitment and retention of foster and adoptive families for children who:

- 37 (1) Have been in out-of-home placement for fifteen months or more;
 38 (2) Are more than twelve years of age; or
 39 (3) Are in sibling groups.

40

41 Moneys in the fund shall not be subject to appropriation for purposes other than those of
 42 evidence-based foster care and adoption programs as designated by the board ~~[established under~~
 43 ~~this section.~~

44 ~~———— 5. Under section 23.253 of the Missouri sunset act:~~

45 ~~———— (1) The provisions of the new fund authorized under this section shall automatically~~
 46 ~~sunset six years after August 28, 2011, unless reauthorized by an act of the general assembly; and~~

47 ~~———— (2) If such fund is reauthorized, the fund authorized under this section shall~~
 48 ~~automatically sunset twelve years after the effective date of the reauthorization of this section;~~
 49 ~~and~~

50 ~~———— (3) This section shall terminate on December thirty-first of the calendar year immediately~~
 51 ~~following the calendar year in which the fund authorized under this section is sunset].~~

620.1200. 1. There is hereby established the "Missouri Film Commission" to advise the
 2 director of the department of economic development on the promotion of the development of
 3 film production and facilities in Missouri.

4 2. The commission shall be composed of ~~[nine members as follows:~~

5 ~~———— (1) Two members shall be a state senator appointed in a bipartisan manner by the~~
 6 ~~president pro-tem of the senate;~~

7 ~~———— (2) Two members shall be a state representative appointed in a bipartisan manner by the~~
 8 ~~speaker of the house; and~~

9 ~~———— (3)]~~ five members, who have knowledge and experience with the motion picture
 10 industry, **who** shall be appointed by the director of the department of economic development.

11 3. The members of the ~~[board]~~ **commission** appointed by the director shall be appointed
 12 to serve terms of three years; except that, of the members first appointed, two shall be appointed
 13 for a term of three years, two shall be appointed for a term of two years and one shall be
 14 appointed for a one-year term. ~~[Any legislative member shall serve only as long as such person~~
 15 ~~holds such legislative office. The legislative members shall serve during their current term of~~
 16 ~~office but may be reappointed.]~~

17 4. The members of the commission shall receive no compensation for serving on the
 18 commission but shall be reimbursed for their actual and necessary expenses incurred in the
 19 performance of their official duties.

20 5. The commission shall provide oversight and guidance to the director of the department
 21 of economic development in administering the office of the Missouri film commission,

22 established in section 620.1210. The commission shall make recommendations to the governor
23 and the general assembly on:

24 (1) The removal of barriers so that film production in Missouri may be more easily
25 promoted; and

26 (2) The development of state incentives to attract private investment in film production
27 in the state.

28 6. The commission shall submit its recommendations by January first of each year,
29 beginning January 1, 1998.

633.200. 1. For purposes of this section, the term "autism spectrum disorder" shall be
2 defined as in standard diagnostic criteria for pervasive developmental disorder, to include autistic
3 disorder; Asperger's syndrome; pervasive developmental disorder-not otherwise specified;
4 childhood disintegrative disorder; and Rett's syndrome.

5 2. There is hereby created the "Missouri Commission on Autism Spectrum Disorders"
6 to be housed within the department of mental health. The department of mental health shall
7 provide technical and administrative support as required by the commission. The commission
8 shall meet on at least four occasions annually, including at least two occasions before the end of
9 December of the first year the commission is fully established. The commission may hold
10 meetings by telephone or video conference. The commission shall advise and make
11 recommendations to the governor, general assembly, and relevant state agencies regarding
12 matters concerning all state levels of autism spectrum disorder services, including health care,
13 education, and other adult and adolescent services.

14 3. The commission shall be composed of twenty-four members, consisting of the
15 following:

16 (1) Four members of the general assembly, with two members from the senate and two
17 members from the house of representatives. The president pro tem of the senate shall appoint
18 one member from the senate and the minority leader of the senate shall appoint one member from
19 the senate. The speaker of the house shall appoint one member from the house of representatives
20 and the minority leader of the house shall appoint one member from the house of representatives;

21 (2) The director of the department of mental health, or his or her designee;

22 (3) The commissioner of the department of elementary and secondary education, or his
23 or her designee;

24 (4) The director of the department of health and senior services, or his or her designee;

25 (5) The director of the department of public safety, or his or her designee;

26 (6) The commissioner of the department of higher education, or his or her designee;

27 (7) The director of the department of social services, or his or her designee;

- 28 (8) The director of the department of insurance, financial institutions and professional
29 registration, or his or her designee;
- 30 (9) Two representatives from different institutions of higher learning located in Missouri;
- 31 (10) An individual employed as a director of special education at a school district located
32 in Missouri;
- 33 (11) A speech and language pathologist;
- 34 (12) A diagnostician;
- 35 (13) A mental health provider;
- 36 (14) A primary care physician;
- 37 (15) Two parents of individuals with autism spectrum disorder, including one parent of
38 an individual under the age of eighteen and one parent of an individual over the age of eighteen;
- 39 (16) Two individuals with autism spectrum disorder;
- 40 (17) A representative from an independent private provider or nonprofit provider or
41 organization;
- 42 (18) A member of a county developmental disability board.

43

44 The members of the commission, other than the members from the general assembly and
45 ex-officio members, shall be appointed by the ~~[governor with the advice and consent of the~~
46 ~~senate]~~ **director of the department of mental health**. A chair of the commission shall be
47 selected by the members of the commission. Of the members first appointed to the commission
48 by the governor, half shall serve a term of four years and half shall serve a term of two years, and
49 thereafter, members shall serve a term of four years **and may be reappointed**. Members shall
50 continue to serve until their successor is duly appointed and qualified. Any vacancy on the
51 commission shall be filled in the same manner as the original appointment. Members shall serve
52 on the commission without compensation but may be reimbursed for their actual and necessary
53 expenses from moneys appropriated to the department of mental health.

54 4. The members of the commission shall consist of a broad representation of Missouri
55 citizens, both urban and rural, who are concerned with the health and quality of life for
56 individuals with autism spectrum disorder.

57 5. The commission shall make recommendations for developing a comprehensive
58 statewide plan for an integrated system of training, treatment, and services for individuals of all
59 ages with autism spectrum disorder. By July 1, 2009, the commission shall issue preliminary
60 findings and recommendations to the general assembly.

61 6. In preparing the state plan, the commission shall specifically perform the following
62 responsibilities and report on them accordingly, in conjunction with state agencies and the office
63 of autism services:

64 (1) Study and report on the means for developing a comprehensive, coordinated system
65 of care delivery across the state to address the increased and increasing presence of autism
66 spectrum disorder and ensure that resources are created, well-utilized, and appropriately spread
67 across the state:

68 (a) Determine the need for the creation of additional centers for diagnostic excellence
69 in designated sectors of the state, which could provide clinical services, including assessment,
70 diagnoses, and treatment of patients;

71 (b) Plan for effectively evaluating regional service areas throughout the state and their
72 capacity, including outlining personnel and skills that exist within the service area, other
73 capabilities that exist, and resource needs that may be unmet;

74 (c) Assess the need for additional behavioral intervention capabilities and, as necessary,
75 the means for expanding those capabilities in a regional service area;

76 (d) Develop recommendations for expanding these services in conjunction with hospitals
77 after considering the resources that exist in terms of specialty clinics and hospitals, and hospital
78 inpatient care capabilities;

79 (2) Conduct an assessment of the need for coordinated, enhanced and targeted special
80 education capabilities within each region of the state;

81 (3) Develop a recommendation for enlisting appropriate universities and colleges to
82 ensure support and collaboration in developing certification or degree programs for students
83 specializing in autism spectrum disorder intervention. This may include degree programs in
84 education, special education, social work, and psychology; and

85 (4) Other responsibilities may include but not be limited to:

86 (a) Provide recommendations regarding training programs and the content of training
87 programs being developed;

88 (b) Recommend individuals to participate in a committee of major stakeholders charged
89 with developing screening, diagnostic, assessment, and treatment standards for Missouri;

90 (c) Participate in recommending a panel of qualified professionals and experts to review
91 existing models of evidence-based educational practices for adaptation specific to Missouri;

92 (d) Examine the barriers to accurate information of the prevalence of individuals with
93 autism spectrum disorder across the state and recommend a process for accurate reporting of
94 demographic data;

95 (e) Explore the need for the creation of interagency councils and evaluation of current
96 councils to ensure a comprehensive, coordinated system of care for all individuals with autism
97 spectrum disorder;

98 (f) Study or explore other developmental delay disorders and genetic conditions known
99 to be associated with autism, including fragile X syndrome; Sotos syndrome; Angelman
100 syndrome; and tuberous sclerosis.

701.040. 1. The department of health and senior services shall:

2 (1) Develop by September 1, 1995, a state standard for the location, size of sewage tanks
3 and length of lateral lines based on the percolation or permeability rate of the soil, construction,
4 installation, and operation of on-site sewage disposal systems. Advice from the department of
5 natural resources shall be considered. City or county governments may adopt, by order or
6 ordinance, the state standard in accordance with the provisions of sections 701.025 to 701.059.
7 In any jurisdiction where a city or county has not adopted the state standard, the department of
8 health and senior services shall enforce the state standard until such time as the city or county
9 adopts the standard;

10 (2) Define by rule a list of those persons who are qualified to perform the percolation
11 tests or soils morphology tests required by the state standard. The list shall include the
12 following:

13 (a) Persons trained and certified by either the department, which shall include on-site
14 sewage disposal system contractors or a certified agent of the department;

15 (b) Licensed engineers as defined in section 327.011;

16 (c) Sanitarians meeting standards defined by the department;

17 (d) Qualified geologists as defined in section 256.501; and

18 (e) Soil scientists, defined as a person that has successfully completed at least fifteen
19 semester credit hours of soils science course work, including at least three hours of course work
20 in soil morphology and interpretations;

21 (3) Develop in accordance with sections 701.053 to 701.055 a voluntary registration
22 program for on-site sewage disposal system contractors. Approved county programs shall
23 implement the contractor registration program. In any area where a county has not adopted, by
24 order or ordinance, the contractor registration program, the department shall implement the
25 program until such time as the county adopts the registration program;

26 (4) Establish an education training program specifically developed for contractors and
27 city and county employees. Contractors may be taught and allowed to perform percolation tests.
28 Reasonable fees may be charged of the participants to cover the cost of the training and shall be
29 deposited in the public health services fund created in section 192.900. The department shall
30 provide, as a part of the education training program, an installation manual for on-site sewage
31 disposal systems. The manual shall also be made available, at the cost of publication and
32 distribution, to persons not participating in the education and training program;

33 (5) Periodically review, but not more than annually, any county's or city's ordinance or
34 order and enforcement record to assure that the state standard is being consistently and
35 appropriately enforced. In its review the department shall assess the timeliness of the county's
36 or city's inspections of on-site sewage systems, and county or city enforcement may be
37 terminated if the department determines that the county or city is unable to provide prompt
38 inspections. If the department determines that the standard is not being consistently or
39 appropriately enforced in any city or county, the department shall notify the county or city of the
40 department's intent to enforce the standard in that jurisdiction and after thirty days' notice hold
41 a public hearing in such county or city to make a determination as to whether the state shall
42 enforce the state standard. Any city or county aggrieved by a decision of the department may
43 appeal a decision of the department to the state board of health **and senior services** established
44 under section 191.400. Any city or county aggrieved by a decision of the state board of health
45 **and senior services** may appeal that decision to the administrative hearing commission in the
46 manner provided in section 621.120; and

47 (6) Promulgate such rules and regulations as are necessary to carry out the provisions of
48 sections 701.025 to 701.059.

49 2. Subdivision (5) of this section shall be void and of no effect after January 1, 1998.

701.353. 1. There is hereby established an "Elevator Safety Board" to be composed of
2 eleven members, one of whom shall be the director of the department of public safety. The
3 remaining ten members of the board shall be appointed by the governor with the advice and
4 consent of the senate. Each member appointed by the governor shall be appointed for a term of
5 five years or until his successor is appointed. The governor shall fill any vacancy on the board
6 for the remainder of the unexpired term with a representative of the same interest as that of the
7 member whose term is vacant. No more than six members of the board, who are not employees
8 of state or local government, shall be members of the same political party.

9 2. Two members of the board shall represent the interests of labor and shall be involved
10 in the elevator industry. Two members of the board shall be representatives of manufacturers
11 of elevators used in this state. One member of the board shall be an architect or mechanical
12 engineer. One member of the board shall be a representative of owners of buildings affected by
13 sections 701.350 to 701.380. Two members shall be building officials **[with] ; one of which**
14 **having** responsibility for administering elevator regulations~~[-one from each municipality having~~
15 ~~a population of at least three hundred fifty thousand inhabitants]~~. One member of the board shall
16 be a representative of the disabled community who is familiar with the provisions of the Federal
17 Americans with Disabilities Act. One member shall be a representative of the special inspectors.

18 3. The director of the department shall call the first meeting of the board within sixty
19 days after all members have been appointed and qualified. The members from among their

20 membership shall elect a chairman. After the initial meeting the members shall meet at the call
21 of the chairman, but shall meet at least four times per year. Six members of the board shall
22 constitute a quorum.

23 4. The members of the board shall serve without pay, but they shall receive per diem
24 expenses in an equivalent amount as allowed for members of the general assembly.

2 ~~[105.959. 1. The executive director of the commission, under the~~
3 ~~supervision of the commission, shall review reports and statements filed with the~~
4 ~~commission or other appropriate officers pursuant to sections 105.470, 105.483~~
5 ~~to 105.492, and chapter 130 for completeness, accuracy and timeliness of filing~~
6 ~~of the reports or statements and any records relating to the reports or statements,~~
7 ~~and upon review, if there are reasonable grounds to believe that a violation has~~
8 ~~occurred, shall conduct an investigation of such reports, statements, and records~~
9 ~~and assign a special investigator following the provisions of subsection 1 of~~
10 ~~section 105.961.~~

11 ~~2. (1) If there are reasonable grounds to believe that a violation has~~
12 ~~occurred and after the commission unanimously votes to proceed with all six~~
13 ~~members voting, the executive director shall, without receipt of a complaint,~~
14 ~~conduct an independent investigation of any potential violations of the provisions~~
15 ~~of:~~

16 ~~(a) The requirements imposed on lobbyists by sections 105.470 to~~
17 ~~105.478;~~

18 ~~(b) The financial interest disclosure requirements contained in sections~~
19 ~~105.483 to 105.492;~~

20 ~~(c) The campaign finance disclosure requirements contained in chapter~~
21 ~~130;~~

22 ~~(d) Any code of conduct promulgated by any department, division, or~~
23 ~~agency of state government, or by state institutions of higher education, or by~~
24 ~~executive order;~~

25 ~~(e) The conflict of interest laws contained in sections 105.450 to 105.468~~
26 ~~and section 171.181; and~~

27 ~~(f) The provisions of the constitution or state statute or order, ordinance,~~
28 ~~or resolution of any political subdivision relating to the official conduct of~~
29 ~~officials or employees of the state and political subdivisions.~~

30 ~~(2) If an investigation conducted under this subsection fails to establish~~
31 ~~reasonable grounds to believe that a violation has occurred, the investigation shall~~
32 ~~be terminated and the person who had been under investigation shall be notified~~
33 ~~of the reasons for the disposition of the complaint.~~

34 ~~3. Upon findings of the appropriate filing officer which are reported to~~
35 ~~the commission in accordance with the provisions of section 130.056, the~~
36 ~~executive director shall investigate disclosure reports, statements and records~~
37 ~~pertaining to such findings within a reasonable time after receipt of the reports~~
~~from the appropriate filing officer.~~

38 ~~4. The commission may make such investigations and inspections within~~
39 ~~or outside of this state as are necessary to determine compliance.~~

40 ~~5. The commission shall notify the person under investigation under this~~
41 ~~section, by registered mail, within five days of the decision to conduct such~~
42 ~~investigation and assign a special investigator following the provisions of~~
43 ~~subsection 1 of section 105.961.~~

44 ~~6. After completion of an investigation, the executive director shall~~
45 ~~provide a detailed report of such investigation to the commission. Upon~~
46 ~~determination that there are reasonable grounds to believe that a person has~~
47 ~~violated the requirements of sections 105.470, 105.483 to 105.492, or chapter~~
48 ~~130, by a vote of four members of the commission, the commission may refer the~~
49 ~~report with the recommendations of the commission to the appropriate~~
50 ~~prosecuting authority together with the details of the investigation by the~~
51 ~~commission as is provided in subsection 2 of section 105.961.~~

52 ~~7. All investigations by the executive director of an alleged violation~~
53 ~~shall be strictly confidential with the exception of notification of the commission~~
54 ~~and the complainant and the person under investigation. Revealing any such~~
55 ~~confidential investigation information shall be cause for removal or dismissal of~~
56 ~~the executive director or a commission member or employee.]~~

57

~~[160.2100. 1. Sections 160.2100 and 160.2110 shall be known and may~~
2 ~~be cited as "Erin's Law".~~

3 ~~2. The "Task Force on the Prevention of Sexual Abuse of Children" is~~
4 ~~hereby created to study the issue of sexual abuse of children. The task force shall~~
5 ~~consist of all of the following members:~~

6 ~~(1) One member of the general assembly appointed by the president pro~~
7 ~~tem of the senate;~~

8 ~~(2) One member of the general assembly appointed by the minority floor~~
9 ~~leader of the senate;~~

10 ~~(3) One member of the general assembly appointed by the speaker of the~~
11 ~~house of representatives;~~

12 ~~(4) One member of the general assembly appointed by the minority leader~~
13 ~~of the house of representatives;~~

14 ~~(5) The director of the department of social services or his or her~~
15 ~~designee;~~

16 ~~(6) The commissioner of education or his or her designee;~~

17 ~~(7) The director of the department of health and senior services or his or~~
18 ~~her designee;~~

19 ~~(8) The director of the office of prosecution services or his or her~~
20 ~~designee;~~

21 ~~(9) A representative representing law enforcement appointed by the~~
22 ~~governor;~~

- 23 ~~————— (10) Three active teachers employed in Missouri appointed by the~~
24 ~~governor;~~
- 25 ~~————— (11) A representative of an organization involved in forensic~~
26 ~~investigation relating to child abuse in this state appointed by the governor;~~
- 27 ~~————— (12) A school superintendent appointed by the governor;~~
- 28 ~~————— (13) A representative of the state domestic violence coalition appointed~~
29 ~~by the governor;~~
- 30 ~~————— (14) A representative from the juvenile and family court appointed by the~~
31 ~~governor;~~
- 32 ~~————— (15) A representative from Missouri Network of Child Advocacy Centers~~
33 ~~appointed by the governor;~~
- 34 ~~————— (16) An at-large member appointed by the governor.~~
- 35 ~~————— 3. Members of the task force shall be individuals who are actively~~
36 ~~involved in the fields of the prevention of child abuse and neglect and child~~
37 ~~welfare. The appointment of members shall reflect the geographic diversity of~~
38 ~~the state.~~
- 39 ~~————— 4. The task force shall elect a presiding officer by a majority vote of the~~
40 ~~membership of the task force. The task force shall meet at the call of the~~
41 ~~presiding officer.~~
- 42 ~~————— 5. The task force shall make recommendations for reducing child sexual~~
43 ~~abuse in Missouri. In making those recommendations, the task force shall:~~
- 44 ~~————— (1) Gather information concerning child sexual abuse throughout the~~
45 ~~state;~~
- 46 ~~————— (2) Receive reports and testimony from individuals, state and local~~
47 ~~agencies, community-based organizations, and other public and private~~
48 ~~organizations; and~~
- 49 ~~————— (3) Create goals for state policy that would prevent child sexual abuse.~~
- 50 ~~————— 6. The recommendations may include proposals for specific statutory~~
51 ~~changes and methods to foster cooperation among state agencies and between the~~
52 ~~state and local government.~~
- 53 ~~————— 7. The task force shall consult with employees of the department of social~~
54 ~~services, the department of public safety, department of elementary and~~
55 ~~secondary education, and any other state agency, board, commission, office, or~~
56 ~~department as necessary to accomplish the task force's responsibilities under this~~
57 ~~section.~~
- 58 ~~————— 8. The members of the task force shall serve without compensation and~~
59 ~~shall not be reimbursed for their expenses.~~
- 60 ~~————— 9. Beginning January 1, 2014, the department of elementary and~~
61 ~~secondary education, in collaboration with the task force, shall make yearly~~
62 ~~reports to the general assembly on the department's progress in preventing child~~
63 ~~sexual abuse.]~~
- 64

- 2 ~~[160.2110. 1. The task force on the prevention of sexual abuse of~~
3 ~~children established in section 160.2100 may adopt and implement a policy~~
4 ~~addressing sexual abuse of children that may include:~~
5 ~~(1) Age-appropriate curriculum for students in pre-K through fifth grade;~~
6 ~~(2) Training for school personnel on child sexual abuse;~~
7 ~~(3) Educational information to parents or guardians provided in the~~
8 ~~school handbook on the warning signs of a child being abused, along with any~~
9 ~~needed assistance, referral, or resource information;~~
10 ~~(4) Available counseling and resources for students affected by sexual~~
11 ~~abuse; and~~
12 ~~(5) Emotional and educational support for a child of abuse to continue~~
13 ~~to be successful in school.~~
14 ~~2. Any policy adopted may address without limitation:~~
15 ~~(1) Methods for increasing teacher, student, and parent awareness of~~
16 ~~issues regarding sexual abuse of children, including knowledge of likely warning~~
17 ~~signs indicating that a child may be a victim of sexual abuse;~~
18 ~~(2) Actions that a child who is a victim of sexual abuse could take to~~
19 ~~obtain assistance and intervention; and~~
20 ~~(3) Available counseling options for students affected by sexual abuse.]~~
- 2 ~~[192.240. 1. There is created a "State Hospital Advisory Council" of ten~~
3 ~~members who shall be appointed by the governor by and with the consent of the~~
4 ~~senate:~~
5 ~~2. The advisory council shall be composed of citizens who have resided~~
6 ~~in this state not less than five years immediately prior to their appointment and~~
7 ~~shall include two members representing nongovernmental organizations or~~
8 ~~groups, two members representing state governmental agencies concerned with~~
9 ~~the operation, construction or utilization of hospital or other facilities for the~~
10 ~~diagnosis, prevention or treatment of illness or disease or for the provision of~~
11 ~~rehabilitation services, one member particularly concerned with the education or~~
12 ~~training of health professions personnel and five members who are~~
13 ~~representatives of consumers familiar with the need for the services provided by~~
14 ~~such facilities.~~
15 ~~3. Each member of the advisory council shall serve for a term of two~~
16 ~~years from and after his appointment and confirmation.~~
17 ~~4. The members of the council shall not receive any compensation for~~
18 ~~their services but shall be reimbursed for actual and necessary travel and~~
19 ~~subsistence expenses incurred when acting officially as members of the advisory~~
20 ~~council.~~
21 ~~5. The state board of health is empowered to consult with the department~~
22 ~~of health and senior services on the official state plan for construction and~~
 ~~modernization of hospitals and other medical facilities, as well as with state~~

23 agencies and nongovernmental organizations or groups concerned with
24 rehabilitation services.

25 ~~6. The director of the department of health and senior services will~~
26 ~~approve such applications for federal assistance in the construction and~~
27 ~~modernization of hospitals and other medical facilities as may be considered~~
28 ~~advisable after consultation with the state board of health.]~~
29

2 ~~[192.2030. 1. There is hereby created a "State Board of Senior Services"~~
3 ~~which shall consist of seven members, who shall be appointed by the governor,~~
4 ~~by and with the advice and consent of the senate. No member of the state board~~
5 ~~of senior services shall hold any other office or employment under the state of~~
6 ~~Missouri other than in a consulting status relevant to the member's professional~~
7 ~~status, licensure or designation. Not more than four of the members of the state~~
8 ~~board of senior services shall be from the same political party.~~

8 ~~2. Each member shall be appointed for a term of four years; except that~~
9 ~~of the members first appointed, two shall be appointed for a term of one year, two~~
10 ~~for a term of two years, two for a term of three years and one for a term of four~~
11 ~~years. The successors of each shall be appointed for full terms of four years. No~~
12 ~~person may serve on the state board of senior services for more than two terms.~~
13 ~~The terms of all members shall continue until their successors have been duly~~
14 ~~appointed and qualified. One of the persons appointed to the state board of~~
15 ~~senior services shall be a person currently working in the field of gerontology.~~
16 ~~One of the persons appointed to the state board of senior services shall be a~~
17 ~~physician with expertise in geriatrics. One of the persons appointed to the state~~
18 ~~board of senior services shall be a person with expertise in nutrition. One of the~~
19 ~~persons appointed to the state board of senior services shall be a person with~~
20 ~~expertise in rehabilitation services of persons with disabilities. One of the~~
21 ~~persons appointed to the state board of senior services shall be a person with~~
22 ~~expertise in mental health issues. In making the two remaining appointments, the~~
23 ~~governor shall give consideration to individuals having a special interest in~~
24 ~~gerontology or disability-related issues, including senior citizens. Four of the~~
25 ~~seven members appointed to the state board of senior services shall be members~~
26 ~~of the governor's advisory council on aging. If a vacancy occurs in the appointed~~
27 ~~membership, the governor may appoint a member for the remaining portion of~~
28 ~~the unexpired term created by the vacancy. The members shall receive actual and~~
29 ~~necessary expenses plus twenty-five dollars per day for each day of actual~~
30 ~~attendance.~~

31 ~~3. The board shall elect from among its membership a chairman and a~~
32 ~~vice chairman, who shall act as chairman in his or her absence. The board shall~~
33 ~~meet at the call of the chairman. The chairman may call meetings at such times~~
34 ~~as he or she deems advisable, and shall call a meeting when requested to do so~~
35 ~~by three or more members of the board.~~

36 ~~4. The state board of senior services shall advise the department of health~~
37 ~~and senior services in the:~~

38 ~~(1) Promulgation of rules and regulations by the department of health and~~
39 ~~senior services;~~

40 ~~(2) Formulation of the budget for the department of health and senior~~
41 ~~services; and~~

42 ~~(3) Planning for and operation of the department of health and senior~~
43 ~~services.]~~

44

~~[194.409. 1. There is hereby created in the department of natural~~
2 ~~resources, an "Unmarked Human Burial Consultation Committee", which shall~~
3 ~~be composed of seven members to be appointed by the governor with the advice~~
4 ~~and consent of the senate. The members of the committee shall be appointed as~~
5 ~~follows: the state historic preservation officer, two members who are~~
6 ~~archaeologists or skeletal analysts, two native Americans who are members of an~~
7 ~~Indian tribe recognized by the United States of America, one member who is a~~
8 ~~non-Indian minority, and one non-Indian, non-minority member who is neither~~
9 ~~a professional archaeologist nor a skeletal analyst. Members of the committee~~
10 ~~shall be residents of the state of Missouri.~~

11 ~~2. The state historic preservation officer shall be chairman of the~~
12 ~~committee and shall serve a term which is contemporaneous with his~~
13 ~~employment as director of the department of natural resources. The terms of all~~
14 ~~other members of the committee shall be three years.~~

15 ~~3. The committee shall meet at least once each calendar year, but may~~
16 ~~meet more often at the request of the state historic preservation officer.~~

17 ~~4. The members of the committee shall serve voluntarily and shall not~~
18 ~~receive compensation for membership on the committee, except that they shall~~
19 ~~be eligible to receive reimbursement for transportation expenses as provided for~~
20 ~~through the budget approved for the office of the state historic preservation~~
21 ~~officer.~~

22 ~~5. All actions and decisions of the state historic preservation officer and~~
23 ~~the unmarked human burial consultation committee shall be in conformity with~~
24 ~~the provisions of the federal National Historic Preservation Act of 1966, as~~
25 ~~amended.]~~

26

~~[208.197. 1. The "Professional Services Payment Committee" is hereby~~
2 ~~established within the MO HealthNet division to develop and oversee the~~
3 ~~pay-for-performance payment program guidelines under section 208.153. The~~
4 ~~members of the committee shall be appointed by the governor no later than~~
5 ~~December 31, 2007, and shall be subject to the advice and consent of the senate.~~
6 ~~The committee shall be composed of eighteen members, geographically balanced,~~
7 ~~including nine physicians licensed to practice in this state, two patient advocates~~
8 ~~and the attorney general, or his or her designee. The remaining members shall~~

9 be persons actively engaged in hospital administration, nursing home
10 administration, dentistry, and pharmaceuticals. The members of the committee
11 shall receive no compensation for their services other than expenses actually
12 incurred in the performance of their official duties.

13 ~~2. The MO HealthNet division shall maintain the pay-for-performance~~
14 ~~payment program in a manner that ensures quality of care, fosters the relationship~~
15 ~~between the patient and the provider, uses accurate data and evidence-based~~
16 ~~measures, does not discourage providers from caring for patients with complex~~
17 ~~or high-risk conditions, and provides fair and equitable program incentives.]~~
18

2 [217.900. 1. There is hereby established the "Missouri State Penitentiary
Redevelopment Commission".

3 ~~2. The commission shall consist of ten commissioners who shall be~~
4 ~~qualified voters of the state of Missouri. Three commissioners, no more than two~~
5 ~~of whom shall belong to the same political party, shall be residents of Jefferson~~
6 ~~City and shall be appointed by the mayor of that city with the advice and consent~~
7 ~~of the governing body of that city; three commissioners, no more than two of~~
8 ~~whom shall belong to the same political party, shall be residents of Cole County~~
9 ~~but not of Jefferson City and shall be appointed by the county commission; and~~
10 ~~four commissioners, no more than three of whom shall belong to the same~~
11 ~~political party, none of whom shall be residents of Cole County or of Jefferson~~
12 ~~City, shall be appointed by the governor with the advice and consent of the~~
13 ~~senate. The governor shall appoint one of the commissioners who is not a~~
14 ~~resident of Cole County or Jefferson City to be the chair of the commission. No~~
15 ~~elected official of the state of Missouri or of any city or county in this state shall~~
16 ~~be appointed to the commission.]~~
17

2 [217.903. The commissioners shall serve for terms of three years, except
3 that the first person appointed by each the mayor, the county commission and the
4 governor shall serve for two years and the second person appointed by the
5 governor shall serve for four years. Each commissioner shall hold office until a
6 successor has been appointed and qualified. In the event a vacancy exists or in
7 the event a commissioner's term expires, a successor commissioner shall be
8 appointed by whomever appointed the commissioner who initially held the
9 vacant positions and if no person is so selected within sixty days of the creation
10 of the vacancy, the unexpired term of such commissioner may be filled by a
11 majority vote of the remainder of the commissioners, provided such successor
12 commissioner shall meet the requirements set forth by sections 217.900 to
13 217.910. Pending any such appointment to fill any vacancy, the remaining
14 commissioners may conduct commission business. Commissioners shall serve
15 without compensation but shall be entitled to reimbursement from the Missouri
16 state penitentiary redevelopment commission fund established in subsection 1 of
section 217.910 for expenses incurred in conducting the commission's business.]

[217.905. 1. The commission shall have the following powers:

- 2 ~~————— (1) To acquire title to the property historically utilized as the Missouri~~
3 ~~state penitentiary and to acquire by gift or bequest from public or private sources~~
4 ~~property adjacent thereto and necessary or appropriate to the successful~~
5 ~~redevelopment of the Missouri state penitentiary property;~~
- 6 ~~————— (2) To lease or sell real property to developers who will utilize the~~
7 ~~property consistent with the master plan for the property and to hold proceeds~~
8 ~~from such transactions outside the state treasury;~~
- 9 ~~————— (3) To adopt bylaws for the regulation of its affairs and the conduct of its~~
10 ~~business;~~
- 11 ~~————— (4) To hire employees necessary to perform the commission's work;~~
- 12 ~~————— (5) To contract and to be contracted with, including, but without~~
13 ~~limitation, the authority to enter into contracts with cities, counties and other~~
14 ~~political subdivisions, agencies of the state of Missouri and public agencies~~
15 ~~pursuant to sections 70.210 to 70.325 and otherwise, and to enter into contracts~~
16 ~~with other entities, in connection with the acquisition by gift or bequest and in~~
17 ~~connection with the planning, construction, financing, leasing, subleasing,~~
18 ~~operation and maintenance of any real property or facility and for any other~~
19 ~~lawful purpose, and to sue and to be sued;~~
- 20 ~~————— (6) To receive for its lawful activities contributions or moneys~~
21 ~~appropriated or otherwise designated for payment to the authority by~~
22 ~~municipalities, counties, state or other political subdivisions or public agencies~~
23 ~~or by the federal government or any agency or officer thereof or from any other~~
24 ~~sources and to apply for grants and other funding and deposit those funds in the~~
25 ~~Missouri state penitentiary redevelopment fund;~~
- 26 ~~————— (7) To disburse funds for its lawful activities and fix salaries and wages~~
27 ~~of its employees;~~
- 28 ~~————— (8) To invest any of the commission's funds in such types of investments~~
29 ~~as shall be determined by a resolution adopted by the commission;~~
- 30 ~~————— (9) To borrow money for the acquisition, construction, equipping,~~
31 ~~operation, maintenance, repair, remediation or improvement of any facility or real~~
32 ~~property to which the commission holds title and for any other proper purpose,~~
33 ~~and to issue negotiable notes, bonds and other instruments in writing as evidence~~
34 ~~of sums borrowed;~~
- 35 ~~————— (10) To perform all other necessary and incidental functions, and to~~
36 ~~exercise such additional powers as shall be conferred by the general assembly;~~
37 ~~and~~
- 38 ~~————— (11) To purchase insurance, including self-insurance, of any property or~~
39 ~~operations of the commission or its members, directors, officers and employees,~~
40 ~~against any risk or hazard, and to indemnify its members, agents, independent~~
41 ~~contractors, directors, officers and employees against any risk or hazard. The~~
42 ~~commission is specifically authorized to purchase insurance from the Missouri~~

43 public entity risk management fund and is hereby determined to be a public entity
44 as defined in section 537.700.

45 ~~2. In no event shall the state be liable for any deficiency or indebtedness
46 incurred by the commission.~~

47 ~~3. The Missouri state penitentiary redevelopment commission is a state
48 commission for purposes of section 105.711 and all members of the commission
49 shall be entitled to coverage under the state legal expense fund.]~~

50

~~[217.907. The income of the commission and all properties any time
2 owned by the authority shall be exempt from all taxation in the state of Missouri.]~~

3

~~[217.910. 1. There is hereby created in the state treasury the "Missouri
2 State Penitentiary Redevelopment Commission Fund", which shall consist of
3 money collected pursuant to sections 217.900 to 217.910. The fund shall be
4 administered by the Missouri state penitentiary redevelopment commission.
5 Money in the fund shall be used solely for the purposes of the Missouri state
6 penitentiary redevelopment commission.~~

7 ~~2. Notwithstanding the provisions of section 33.080, no portion of the
8 fund shall be transferred to the general revenue fund, and any appropriation made
9 to the fund shall not lapse. The state treasurer shall invest moneys in the fund in
10 the same manner as other funds are invested. Interest and moneys earned on such
11 investments shall be credited to the fund.~~

12 ~~3. Upon the dissolving of the commission, any funds remaining in the
13 Missouri state penitentiary commission fund shall be transferred to the general
14 revenue fund.]~~

15

~~[253.412. The Missouri advisory council on historic preservation
2 established by executive order 81-11, pursuant to the historic preservation act of
3 1966, and the regulations promulgated thereunder, is hereby transferred by a type
4 III transfer to the department of natural resources.]~~

5

~~[288.475. 1. There is hereby created a "Missouri State Unemployment
2 Council". The council shall consist of nine appointed voting members and two
3 appointed nonvoting members. All appointees shall be persons whose training
4 and experience qualify them to deal with the difficult problems of unemployment
5 compensation, particularly legal, accounting, actuarial, economic, and social
6 aspects of unemployment compensation.~~

7 ~~(1) Three voting members shall be appointed to the council by the
8 governor. One voting member shall be appointed on account of his or her
9 vocation, employment, or affiliations being classed as representative of
10 employers. One voting member shall be appointed on account of his or her
11 vocation, employment, or affiliations being classed as representative of~~

12 employees. One voting member shall be appointed to represent the public
13 interest separate from employee or employer representation.

14 ~~————— (2) Three voting members and one nonvoting member shall be appointed
15 to the council by the speaker of the house of representatives. One voting member
16 shall be appointed on account of his or her vocation, employment, or affiliations
17 being classed as representative of employers that employ twenty or less
18 employees. One voting member shall be appointed on account of his or her
19 vocation, employment, or affiliations being classed as representative of
20 employees. One voting member shall be appointed to represent the public
21 interest separate from employee or employer representation. One nonvoting
22 member shall be appointed from the house of representatives.~~

23 ~~————— (3) Three voting members and one nonvoting member shall be appointed
24 to the council by the president pro tem of the senate. One voting member shall
25 be appointed on account of his or her vocation, employment, or affiliations being
26 classed as representative of employers. One voting member shall be appointed
27 on account of his or her vocation, employment, or affiliations being classed as
28 representative of employees. One voting member shall be appointed to represent
29 the public interest separate from employee or employer representation. One
30 nonvoting member shall be appointed from the senate.~~

31 ~~————— 2. The council shall organize itself and select a chairperson or
32 cochairpersons and other officers from the nine voting members. Six voting
33 members shall constitute a quorum and the council shall act only upon the
34 affirmative vote of at least five of the voting members. The council shall meet
35 no less than four times yearly. Members of the council shall serve without
36 compensation, but are to be reimbursed the amount of actual expenses. Actual
37 expenses shall be paid from the special employment security fund under section
38 288.310.~~

39 ~~————— 3. The division shall provide professional and clerical assistance as
40 needed for regularly scheduled meetings.~~

41 ~~————— 4. Each nonvoting member shall serve for a term of four years or until he
42 or she is no longer a member of the general assembly whichever occurs first. A
43 nonvoting member's term shall be a maximum of four years. Each voting
44 member shall serve for a term of three years. For the initial appointment, the
45 governor-appointed employer representative, the speaker of the house-appointed
46 employee representative, and the president pro tem of the senate-appointed public
47 interest representative shall serve an initial term of one year. For the initial
48 appointment, the governor-appointed employee representative, the speaker of the
49 house-appointed public interest representative, and the president pro tem of the
50 senate-appointed employer representative shall serve an initial term of two years.
51 At the end of a voting member's term he or she may be reappointed; however, he
52 or she shall serve no more than two terms excluding the initial term for a
53 maximum of eight years.~~

54 ~~5. The council shall advise the division in carrying out the purposes of~~
 55 ~~this chapter. The council shall submit annually by January fifteenth to the~~
 56 ~~governor and the general assembly its recommendations regarding amendments~~
 57 ~~to this chapter, the status of unemployment insurance, the projected maintenance~~
 58 ~~of the solvency of unemployment insurance, and the adequacy of unemployment~~
 59 ~~compensation.~~

60 ~~6. The council shall present to the division every proposal of the council~~
 61 ~~for changes in this chapter and shall seek the division's concurrence with the~~
 62 ~~proposal. The division shall give careful consideration to every proposal~~
 63 ~~submitted by the council for legislative or administrative action and shall review~~
 64 ~~each legislative proposal for possible incorporation into department of labor and~~
 65 ~~industrial relations' recommendations.~~

66 ~~7. The council shall have access to only the records of the division that~~
 67 ~~are necessary for the administration of this chapter and to the reasonable services~~
 68 ~~of the employees of the division. It may request the director or any of the~~
 69 ~~employees appointed by the director or any employee subject to this chapter to~~
 70 ~~appear before it and to testify relative to the functioning of this chapter and to~~
 71 ~~other relevant matters. The council may conduct research of its own, make and~~
 72 ~~publish reports, and recommend to the division needed changes in this chapter~~
 73 ~~or in the rules of the division as it considers necessary.~~

74 ~~8. The council, unless prohibited by a concurrent resolution of the~~
 75 ~~general assembly, shall be authorized to commission an outside study of the~~
 76 ~~solvency, adequacy, and staffing and operational efficiency of the Missouri~~
 77 ~~unemployment system. The study shall be conducted every five years, the first~~
 78 ~~being conducted in fiscal year 2005. The study shall be funded subject to~~
 79 ~~appropriation from the special employment security fund under section 288.310.]~~

Section B. Because of the need to ensure effective enforcement of the ethics laws of the
 2 state of Missouri, the repeal and reenactment of section 105.955 and the repeal of section
 3 105.959 of this act is deemed necessary for the immediate preservation of the public health,
 4 welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of
 5 the constitution, and the repeal and reenactment of section 105.955 and the repeal of section
 6 105.959 of this act shall be in full force and effect upon its passage and approval.

✓