

SECOND REGULAR SESSION

# SENATE BILL NO. 1187

93RD GENERAL ASSEMBLY

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INTRODUCED BY SENATOR GIBBONS.

Read 1st time March 1, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

5396S.01I

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## AN ACT

To repeal sections 8.900, 21.475, 21.780, 21.795, 32.250, 32.260, 44.227, 44.229, 44.231, 44.233, 44.235, 44.237, 162.1060, 170.250, 192.375, 192.745, 208.530, 208.533, 208.535, 208.792, 226.440, 226.445, 226.450, 226.455, 226.460, 226.465, 227.107, 253.375, 260.725, 301.3150, 301.3152, 622.055, 622.057, 630.910, and 630.915, RSMo, and to enact in lieu thereof eight new sections relating to the repeal and reduction of certain committees and commissions.

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

Section A. Sections 8.900, 21.475, 21.780, 21.795, 32.250, 32.260, 44.227, 44.229, 44.231, 44.233, 44.235, 44.237, 162.1060, 170.250, 192.375, 192.745, 208.530, 208.533, 208.535, 208.792, 226.440, 226.445, 226.450, 226.455, 226.460, 226.465, 227.107, 253.375, 260.725, 301.3150, 301.3152, 622.055, 622.057, 630.910, and 630.915, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as sections 8.900, 162.1060, 170.250, 192.375, 192.745, 208.792, 227.107, and 630.915, to read as follows:

8.900. 1. A permanent memorial for workers who were killed on the job in Missouri or who suffered an on-the-job injury that resulted in a permanent disability shall be established and located on the grounds of the state capitol. [The memorial shall be of a design selected by a competition organized by the "Workers Memorial Committee" which is hereby created. The workers memorial committee shall be composed of the members of the board of public buildings, or their designees, two members of the house of representatives, one from each political party, selected by the speaker of the house, and two members of the senate, one from each political party, selected by the president pro tem of the senate. The members of the committee shall serve without compensation but shall be reimbursed for all actual and necessary expenses incurred in the

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

12 performance of their official duties for the committee.]

13           2. There is hereby established in the state treasury the "Workers  
14 Memorial Fund". Gifts, grants and devises may be deposited in the workers  
15 memorial fund. Notwithstanding the provisions of section 33.080, RSMo, moneys  
16 in the fund shall not revert to general revenue. The state treasurer shall invest  
17 the moneys from the fund in the same manner as other state funds are  
18 invested. Interest accruing to the fund shall be deposited in the fund and shall  
19 not be transferred to the general revenue fund.

          162.1060. 1. There is hereby established a "Metropolitan Schools  
2 Achieving Value in Transfer Corporation", which shall be a public body corporate,  
3 for the purpose of implementing an urban voluntary school transfer program  
4 within a program area which shall include a city not within a county and any  
5 school district located in whole or in part in a county with a population in excess  
6 of nine hundred thousand persons which district chooses to participate. The  
7 corporation shall be governed by a board of directors consisting of one  
8 representative from each school district that participates in the urban voluntary  
9 school transfer program selected by the governing body of each such district. The  
10 vote of each member of the board shall be weighted proportionately to the  
11 percentage of the total of transfer students who attend school in the member's  
12 district.

13           2. (1) The corporation's board of directors shall design and operate an  
14 urban voluntary school transfer program for all participating districts. The board  
15 shall make provision for transportation of all the students and for payment to  
16 school districts for the education of such students. Acceptance of students into  
17 the program shall be determined by policies enacted by the corporation's board  
18 of directors, provided that first preference for acceptance of students shall be  
19 granted to students currently attending a district other than the district of  
20 residence pursuant to a voluntary transfer program established pursuant to  
21 federal desegregation order, decree or agreement. All provisions of this section  
22 shall be subject to a settlement incorporated into a final judgment, provided that  
23 the financial provisions of this section shall not be superseded by such settlement.

24           (2) Each district, other than a metropolitan school district, participating  
25 in an urban voluntary school transfer program shall place before voters in the  
26 district a proposal to continue participation in the urban voluntary school transfer  
27 program at the April election during the sixth year of operation of the  
28 program. Unless a majority of district voters voting thereon votes to continue  
29 participation in the program, each district, other than a metropolitan school

30 district, shall file a plan, no later than the end of the seventh year of the  
31 operation of the program, for phase-out of the district's participation in the  
32 program, and such plan shall be provided to the state board of education, the  
33 transitional school district and the board of directors of the corporation. Each  
34 such plan shall provide for elimination of transfers to the district pursuant to this  
35 section no later than the following schedule:

- 36 (a) The ninth year of the program for grades one through three;
- 37 (b) The tenth year of the program for grades four through six;
- 38 (c) The eleventh year of the program for grades seven through nine; and
- 39 (d) The twelfth year of the program for grades ten through twelve.

40 3. (1) Other provisions of law to the contrary notwithstanding, each  
41 student participating in the program shall be considered an eligible pupil of the  
42 district of residence for the purpose of distributing state aid, except that students  
43 attending school in a metropolitan school district in a program established  
44 pursuant to this section shall be considered eligible pupils of the district attended,  
45 and provided that the department shall determine the increased state aid  
46 eligibility created by including pupils attending school in a program established  
47 pursuant to this section as eligible pupils of the district of residence and shall  
48 distribute the full amount of such state aid to the metropolitan schools achieving  
49 value in transfer corporation and shall not distribute state aid on the basis of  
50 such pupils to the district of residence.

51 (2) For each student participating in the program, the corporation shall  
52 receive the total of all state and federal aid that would otherwise be paid to the  
53 student's district of residence, including, but not limited to, state aid provided  
54 pursuant to section 148.360, RSMo, section 149.015, RSMo, and sections 163.031  
55 and 163.087, RSMo. The corporation shall pay a school district that receives a  
56 nonresident student from the funds of the corporation in accordance with the  
57 provisions of this section and agreements between the corporation and the  
58 participating school districts.

59 4. (1) In each of the first two fiscal years, the corporation shall also  
60 receive a payment of twenty-five million dollars.

61 (2) For the third year of operation and thereafter, the corporation shall  
62 receive transportation state aid, for each student that participates in the  
63 program, which shall be in the same amount and on the same basis as would be  
64 received by the student's district of residence if the student were attending a  
65 school in the attendance zone in the student's district of residence, provided that  
66 such reimbursement shall not exceed one hundred fifty-five percent of the

67 statewide average per pupil cost for transportation for the second preceding school  
68 year.

69 (3) Funds received by the corporation pursuant to this subsection may be  
70 used for any purpose and need not be expended in the year received.

71 5. The corporation created herein shall have all powers of a public body  
72 corporate, except that it shall have no paid employees. The corporation, by  
73 contract with any public entity, school district, or private entity, may retain the  
74 services of a fiscal agent, make provisions for accounting, transportation  
75 management, or other assistance that the corporation may need to carry out its  
76 functions, except that no contractor or employee of any contractor acting in a  
77 policy-making function shall have ever have been a contractor or employee of the  
78 voluntary interdistrict coordinating council or any other program established by  
79 the federal district court; except that this restriction shall not apply to  
80 transportation contractors or their employees. When a school district located in  
81 whole or in part in a county with a population in excess of nine hundred thousand  
82 persons ceases to participate in the urban public school transfer program, its  
83 representative shall be removed from the corporation's board of directors. When  
84 none of the students who reside in a school district in a city not within a county  
85 opt to participate in the program, the school district's representative shall be  
86 removed from the board of directors. When all of the school districts have ended  
87 their participation in the program, in accordance with this subsection, the  
88 corporation's operations shall cease, and any funds of the corporation remaining  
89 shall be paid to the state of Missouri to the credit of the general revenue fund,  
90 except such amounts as the commissioner of education shall determine should be  
91 paid to particular school districts under the regulations applicable to federal  
92 programs or returned to the federal government.

93 6. All funds received by the corporation shall become funds of the  
94 corporation and paid for the purposes set forth in this section and in accordance  
95 with agreements entered into between the corporation and participating school  
96 districts and other entities, provided that funds received for particular purposes,  
97 under federal or state categorical programs benefiting individual students, shall  
98 be paid to the district or entity providing services to the students entitled to such  
99 services. The proportionate share of federal and state resources generated by  
100 students with disabilities, or the staff serving them, shall be paid to the district  
101 where the child is attending school, unless the district of residence is required by  
102 law to provide such services to the individual students, except that a special  
103 school district containing the district where the child is attending school shall be

104 paid for all unreimbursed expenses for special education services provided to  
105 students with disabilities. Funds held by the corporation at the close of a fiscal  
106 year may be carried over and utilized by the corporation in subsequent fiscal  
107 years for the purposes set forth in this section.

108         7. The board of directors may establish regional attendance zones which  
109 map the regions of a district in a city not within a county to corresponding  
110 recipient districts within the remainder of the program area. In establishing the  
111 regional attendance zones, the board of directors may solicit comments and  
112 suggestions from residents of the program area and may adopt one or more  
113 regional attendance zones previously established in the program area pursuant  
114 to a federal court desegregation order, decree or agreement.

115         [8. No later than four years following the date an urban public school  
116 transfer program is begun pursuant to this section in a program area, the senate  
117 and the house of representatives shall establish a "Joint Committee on Urban  
118 Voluntary School Transfer Programs", composed of five members of the senate,  
119 appointed by the president pro tem of the senate, and five members of the house  
120 of representatives, appointed by the speaker of the house. Not more than three  
121 members appointed by the president pro tem and not more than three members  
122 appointed by the speaker of the house shall be from the same political party.

123         9. The joint committee may meet as necessary and hold hearings and  
124 conduct investigations as it deems advisable. No later than five years following  
125 the date an urban voluntary school transfer program is begun pursuant to this  
126 section in a program area, the committee shall review and monitor the status of  
127 any urban voluntary school transfer program established pursuant to this section  
128 and make any recommendations the committee deems necessary to the general  
129 assembly regarding such program or programs, which may include proposed  
130 changes to the program and recommendations regarding the continuation of the  
131 program. The members shall receive no additional compensation, other than  
132 reimbursement for their actual and necessary expenses incurred in the  
133 performance of their duties. The staff of the committee on legislative research,  
134 house research, and senate research shall provide necessary clerical, research,  
135 fiscal and legal services to the committee, as the committee may request.

136         10. No later than nine years following the date an urban public school  
137 transfer program is begun pursuant to this section in a program area, the joint  
138 committee on urban voluntary school transfer programs shall be reestablished in  
139 the form specified in subsection 8 of this section and pursuant to the same  
140 provisions for reimbursement of expenses and staff support as specified in

141 subsection 9 of this section. No later than ten years following the date an urban  
142 voluntary school transfer program is begun pursuant to this section in a program  
143 area, the committee shall review and monitor the status of any urban voluntary  
144 school transfer program established pursuant to this section and make any  
145 recommendations the committee deems necessary to the general assembly  
146 regarding such program or programs.]

170.250. 1. The "Video Instructional Development and Educational  
2 Opportunity Program" is established to encourage all educational institutions in  
3 Missouri to supplement educational opportunities through telecommunications  
4 technology and satellite broadcast instruction. The program established by this  
5 section is to be administered by the state board of education. The program shall  
6 consist of:

7 (1) Grants to local school districts, state-supported institutions of higher  
8 education and public television stations as defined in section 37.205, RSMo, for  
9 equipment and instruction;

10 (2) Instructional programs developed pursuant to this section and  
11 transmitted through the airwaves, over telephone lines, or by cable television  
12 which are available for all residents of this state without charge as defined in this  
13 section; and

14 (3) Instructional programs developed pursuant to this section which are  
15 available to any subscriber according to this section.

16 2. The "Video Instructional Development and Educational Opportunity  
17 Fund" is established in the state treasury and shall be administered by the  
18 department of elementary and secondary education at the direction of the state  
19 board of education. Moneys deposited in the fund shall consist of revenues  
20 generated from state sales and use tax revenues as provided in chapter 144,  
21 RSMo, on the rental of films, records or any type of sound or picture  
22 transcriptions as provided in subsection 3 of this section and shall include four  
23 million dollars transferred to the fund annually. Moneys in the fund shall be  
24 used solely for purposes established by this section.

25 3. [Within the department of elementary and secondary education, there  
26 is established an advisory committee which shall make recommendations to the  
27 state board of education on the grant program. The committee shall be composed  
28 of twenty-nine members. The members of the committee shall consist of one  
29 representative of public television stations as defined in section 37.205, RSMo,  
30 and one representative of the cable television industry appointed by the state  
31 board of education, one representative of public television stations as defined in

32 section 37.205, RSMo, and one representative of the cable television industry  
33 appointed by the coordinating board for higher education, three classroom  
34 teachers from the elementary and secondary level appointed by the state board  
35 of education, three school administrators of elementary or secondary schools  
36 appointed by the state board of education, three members of school boards of local  
37 public school districts appointed by the state board of education, four  
38 representatives from public community college districts appointed by the  
39 coordinating board for higher education, four representatives of state-supported  
40 institutions of higher education other than community colleges appointed by the  
41 coordinating board for higher education, one representative of the regional  
42 consortium for education and technology appointed by the state board of  
43 education, one representative of the cooperating school districts of the St. Louis  
44 suburban area appointed by the state board of education, two representatives of  
45 the public appointed by the governor with the advice and consent of the senate,  
46 two members of the senate appointed by the senate president pro tem and two  
47 members of the house of representatives appointed by the speaker of the house  
48 of representatives. Of all members appointed by the state board of education, no  
49 more than four shall be from any one congressional district and of all the  
50 members appointed by the coordinating board for higher education, no more than  
51 four shall be from any one congressional district. The members of the committee  
52 shall serve three-year terms and shall not serve more than two terms  
53 consecutively. However, committee members having served two consecutive terms  
54 may be reappointed after leaving the committee for at least one three-year term. On  
55 August 28, 1992, the committee shall designate nine of its members to serve a  
56 term of one year, ten of its members to serve a term of two years, and ten of its  
57 members to serve a term of three years. All subsequent appointments shall be  
58 for three years. All members shall receive no compensation for their services, but  
59 shall be reimbursed for the actual and necessary expenses incurred while serving  
60 on the committee out of funds appropriated for that purpose. The committee shall  
61 meet at least quarterly and shall annually issue a report together with its  
62 recommendations to the state board of education and the general assembly.

63 4.] The state board of education may cooperate with existing programs  
64 including the University of Missouri, other institutions of higher education, the  
65 cooperating school districts of the St. Louis suburban area, or its successor  
66 organization, the regional consortium for education and technology or its  
67 successor organization, and any statewide organization of public school governing  
68 boards and may delegate or contract for the performance or operation of the

69 respective grant programs. The state board of education shall establish  
70 appropriate guidelines for participation by the aforementioned entities and by  
71 school districts, community college districts, and public television stations as  
72 defined in section 37.205, RSMo, in the grant program. Such guidelines shall  
73 include application procedures and shall establish policies for awarding grants in  
74 the event that more grant applications are received than are funds available to  
75 honor the applications in any fiscal year. In allocating funds to applicants, the  
76 state board of education may give due consideration to revenues available from  
77 all other sources. The state board of education shall accredit courses offered  
78 through this program at the elementary and secondary education level. The  
79 coordinating board for higher education shall approve courses taught at the  
80 postsecondary level.

81       **[5.] 4.** In any fiscal year, moneys in the fund shall be used first to ensure  
82 that any and all school districts, community college districts and state institutions  
83 of higher education seeking aid under this program shall receive  
84 telecommunications equipment including computers and modems necessary to  
85 participate in the satellite learning process or instructional television video;  
86 second to provide the school districts, community college districts and state  
87 institutions of higher education with access to subjects at the advanced level or  
88 the remedial level or which are not taught in the schools of the district or the  
89 service area or campus, which subjects shall include courses in continuing  
90 education necessary for maintenance or renewal of licenses for all such licensed  
91 health care providers; and third to provide enrichment classes for all pupils of the  
92 district. However, the state board of education may set aside a portion of the  
93 funds to be used to contract with state-supported institutions of higher education  
94 and public television stations as defined in section 37.205, RSMo, to develop  
95 instructional programs for grades kindergarten through twelve and for  
96 undergraduate and graduate course work suitable for broadcast to the school  
97 districts, community college districts and state institutions of higher education  
98 as appropriate and to develop the capability to transmit programs cited in this  
99 section.

100       **[6.] 5.** Participation by a local school district, a community college district  
101 or a state institution of higher education in the program established by this  
102 section shall be voluntary. No school district, community college district or state  
103 institution of higher education receiving funds under this program shall use those  
104 funds for any purpose other than that for which they were intended. Any school  
105 district, community college district or state institution of higher education shall



106 be eligible to receive funds under this program regardless of its curriculum, local  
107 wealth or previous contractual arrangements to receive satellite broadcast  
108 instruction.

109       **[7.] 6.** The office of administration on behalf of the state of Missouri may  
110 contract with institutions of higher education for the development or operation  
111 or both of state employee training programs transmitted by telecommunications  
112 technology.

113       **[8.] 7.** Instructional programs developed pursuant to this section which  
114 are transmitted one way through the airwaves or by cable television shall be  
115 available to all residents of this state without charge or fee to the extent  
116 permitted by the Missouri Constitution. "Without charge or fee" shall not require  
117 the providing of equipment to transmit or receive telecommunications instruction  
118 or the providing of commercial cable television service. If the instructional  
119 program involves two-way, interactive communication between the instructor and  
120 the participant, the district or institution operating the program may prescribe  
121 academic prerequisites and limit the number of persons who may enroll in the  
122 specific program and give preference to residents of the district or institutional  
123 attendance area who are age twenty-one or younger but shall not discriminate  
124 against any resident on any other basis. A fee may be charged which shall be  
125 paid directly by the individual participant, but the fee shall be equal for all  
126 participants. If a subscription fee is charged by the originator of the program, the  
127 district or institution may pay the subscription fee for all participants from the  
128 grant pursuant to this section or from any other public or private fund legally  
129 authorized to be used for this purpose. Printed materials designed to facilitate  
130 or complement telecommunications programs or electronic reproductions thereof  
131 may be made available for loan by the school district, community college or  
132 institution of higher education through the public library system subject to the  
133 normal rules and regulations of the lending system and in such quantities as may  
134 be approved by the governing body of the district or institution. Instructional  
135 programs which involve two-way, interactive communication between the  
136 instructor and the participant shall also be available to any not-for-profit  
137 organization in this state which is exempt from taxation pursuant to subdivision  
138 (19) of subsection 2 of section 144.030, RSMo, upon payment of a reasonable  
139 subscription fee as determined by the state board of education. Such fees shall  
140 be set on a per-participant, per-course basis. The district or institution or the  
141 state board of education may make telecommunication equipment available for  
142 purchase at cost by or rental to any not-for-profit organization in this state which

143 is exempt from taxation pursuant to subdivision (19) of subsection 2 of section  
144 144.030, RSMo.

145 [9.] 8. (1) In order to facilitate or complement telecommunications, local  
146 exchange telecommunications companies shall file with the public service  
147 commission tariffs for provision of local service to public school districts, and may  
148 file tariffs for provision of local service to accredited primary or secondary schools  
149 owned or operated by private entities and community college districts located  
150 within the local exchange telecommunications companies certified area. Such  
151 local exchange telecommunications companies shall seek commission  
152 authorization to provide local service at rates lower than those charged for  
153 business and residential service in effect when the tariff is filed, provided that the  
154 proposed rates may not be below the actual cost of providing the service. Upon  
155 approval of the public service commission, the rates shall not be classified as  
156 discriminatory for the purposes of chapter 392, RSMo.

157 (2) The public service commission may approve the tariff as submitted, or  
158 may, after hearing, modify the tariff in the public interest. The commission may  
159 promulgate rules to aid in the implementation of this section.

192.375. 1. There is hereby established within the department of health  
2 and senior services the "Missouri Senior Advocacy and Efficiency  
3 Commission". The commission shall consist of the following [fifteen] **fourteen**  
4 members, or their designees, who are residents of this state:

5 (1) The director of the department of health and senior services;

6 (2) Two members of the Missouri senate, appointed by the president pro  
7 tem of the senate;

8 (3) Two members of the Missouri house of representatives, appointed by  
9 the speaker of the house;

10 (4) A pharmacist licensed in the state of Missouri, recommended by the  
11 Missouri board of pharmacy and appointed by the governor;

12 (5) A representative of the Pharmaceutical Research and Manufacturers  
13 of America, appointed by the governor;

14 (6) One member of the Missouri silver-haired legislature, appointed by the  
15 governor;

16 (7) One member of the Missouri senior Rx commission, appointed by the  
17 governor;

18 (8) One representative from the assisted living community who currently  
19 serves on the personal independence commission, appointed by the governor;

20 (9) One representative of the Missouri area agency on aging, appointed by

21 the governor;

22 (10) [One member of the special health, psychological, and social needs of  
23 minority older individuals commission;

24 (11)] One member of the governor's advisory council on aging, appointed  
25 by the governor;

26 [(12)] (11) The lieutenant governor, who shall serve as chair of the  
27 commission; and

28 [(13)] (12) One member from the Missouri council for in-home services,  
29 appointed by the governor.

30 In making the initial appointment to the committee, the governor, president pro  
31 tem, and speaker shall stagger the terms of the appointees so that five members  
32 serve an initial term of one year, five members serve initial terms of two years  
33 and five members serve initial terms of three years. All members appointed  
34 thereafter shall serve three-year terms. All members shall be eligible for  
35 reappointment. Members of the commission shall be appointed by October 1,  
36 2005. Members shall continue to serve until their successor is appointed and  
37 qualified. Any vacancy on the commission shall be filled in the same manner as  
38 the original appointment. The commission shall be dissolved on December 31,  
39 2008.

40 2. Service on the commission shall be voluntary. Subject to  
41 appropriations, members of the commission shall receive with reasonable  
42 reimbursement for expenses actually incurred in the performance of the member's  
43 official duties for members who are not employees of the state of Missouri.

44 3. Subject to appropriations, the department of health and senior services  
45 shall provide administrative support and resources as is necessary for the  
46 effective operation of the commission.

47 4. Meetings shall be held at least every ninety days or at the call of the  
48 commission chair.

49 5. The senior advocacy and efficiency commission shall:

50 (1) Hold public hearings in accordance with chapter 536, RSMo, to gather  
51 information from any state agency, commission, or public entity on issues  
52 pertaining to the quality and efficiency of all senior services offered by the state  
53 of Missouri;

54 (2) Analyze state statutes, commissions, and administrative rules  
55 regarding services offered by the state of Missouri for senior citizens and  
56 designate which programs provide effective and efficient support to seniors and  
57 the programs that lack quality;

58           (3) Establish a mechanism to educate the staff of the members of the  
59 Missouri general assembly to assist seniors, including but not limited to assisting  
60 seniors in applying for any and all prescription drug assistance offered under the  
61 federal Medicare Prescription Drug Modernization Act of 2003;

62           (4) Develop a plan that delays the need for the provisions of long-term  
63 care outside the residence of senior citizens and allows seniors to remain at home  
64 for as long as possible;

65           (5) Maintain a web site with detailed information regarding all programs  
66 and services offered by the state of Missouri which are available to seniors;

67           (6) Maintain a toll-free senior advocacy support telephone number which  
68 directs seniors to all services offered by the state of Missouri which are available  
69 to seniors;

70           (7) Submit an annual report on the activities of the commission to the  
71 director of the department of health and senior services, the members of the  
72 Missouri general assembly, and the governor by February 1, 2007, and every  
73 February first thereafter. Such report shall include, but not be limited to, the  
74 following:

75           (a) Efficiencies that can be realized by consolidation of senior services  
76 offered by Missouri;

77           (b) Effectiveness of all senior services, programs, and commissions offered  
78 by the state of Missouri;

79           (c) Information regarding the impact and effectiveness of prior  
80 recommendations, if any, that have been implemented; and

81           (d) Measurable data to identify the cost-effectiveness of the services,  
82 programs, and commissions evaluated.

83           6. Unless reauthorized, the provisions of this section shall sunset on  
84 December 31, 2008.

192.745. 1. The "Missouri Head Injury Advisory Council" is hereby  
2 established as created by executive order of the governor on March 5, 1985. The  
3 council shall consist of [twenty-five] **twenty-one** members. The members of the  
4 council that are serving on August 13, 1986, shall continue serving on the  
5 following basis: the [two members of the council who are members of the house  
6 of representatives and appointed by the speaker of the house of representatives  
7 shall serve for the remainder of their terms; the two members of the council who  
8 are members of the senate appointed by the president pro tempore of the senate  
9 shall serve for the remainder of their terms; and the remaining] twenty-one  
10 members shall determine by lot which seven are to have a one-year term, which

11 seven are to have a two-year term, and which seven are to have a three-year  
12 term. Thereafter, the successors to each of these twenty-one members shall serve  
13 a three-year term and until the member's successor is appointed by the governor  
14 with the advice and consent of the senate. [In addition, two members who are  
15 members of the house of representatives shall be appointed by the speaker of the  
16 house and two members who are members of the senate shall be appointed by the  
17 president pro tempore of the senate.] The members appointed by the governor  
18 shall represent people with head injuries, relatives of persons with head injuries,  
19 proprietary schools as defined in section 173.600, RSMo, professional groups,  
20 health institutions, or private industry and state agencies which administer  
21 programs regarding mental health, education, public health, public safety,  
22 insurance, and Medicaid. The appointment of individuals representing state  
23 agencies shall be conditioned on their continued employment with their respective  
24 agencies.

25         2. The Missouri head injury advisory council is assigned to the division  
26 of general services in the office of administration. The office of administration  
27 shall submit estimates of requirements for appropriations on behalf of the council  
28 for the necessary staff and expenses to carry out the duties and responsibilities  
29 assigned by the council. Such staff shall consist of a director and other support  
30 staff.

31         3. Meetings shall be held at least every ninety days or at the call of the  
32 council chairperson, who shall be elected by the council.

33         4. Each member shall, subject to appropriations, be reimbursed for  
34 reasonable and necessary expenses actually incurred in the performance of the  
35 member's official duties.

36         5. The council shall adopt written procedures to govern its  
37 activities. Staff and consultants shall be provided for the council from  
38 appropriations requested by the commissioner of the office of administration for  
39 such purpose.

40         6. The council shall make recommendations to the governor for developing  
41 and administering a state plan to provide services for head injured persons.

42         7. No member of the council may participate in or seek to influence a  
43 decision or vote of the council if the member would be directly involved with the  
44 matter or if the member would derive income from it. A violation of the  
45 prohibition contained herein shall be grounds for a person to be removed as a  
46 member of the council by the governor.

47         8. The council shall be advisory and shall:

48           (1) Promote meetings and programs for the discussion of reducing the  
49 debilitating effects of head injuries and disseminate information in cooperation  
50 with any other department, agency or entity on the prevention, evaluation, care,  
51 treatment and rehabilitation of persons affected by head injuries;

52           (2) Study and review current prevention, evaluation, care, treatment and  
53 rehabilitation technologies and recommend appropriate preparation, training,  
54 retraining and distribution of manpower and resources in the provision of services  
55 to head-injured persons through private and public residential facilities, day  
56 programs and other specialized services;

57           (3) Recommend what specific methods, means and procedures should be  
58 adopted to improve and upgrade the state's service delivery system for  
59 head-injured citizens of this state;

60           (4) Participate in developing and disseminating criteria and standards  
61 which may be required for future funding or licensing of facilities, day programs  
62 and other specialized services for head-injured persons in this state;

63           (5) Report annually to the commissioner of administration, the governor,  
64 and the general assembly on its activities, and on the results of its studies and  
65 the recommendations of the council.

66           9. The office of administration may accept on behalf of the council federal  
67 funds, gifts and donations from individuals, private organizations and  
68 foundations, and any other funds that may become available.

208.792. 1. There is hereby established the "Missouri Rx Plan Advisory  
2 Commission" within the department of health and senior services, division of  
3 senior services and regulation to provide advice on the benefit design and  
4 operational policy of the Missouri Rx plan established in sections 208.782 to  
5 208.798. The commission shall consist of the following **[fifteen] fourteen**  
6 members:

7           (1) The lieutenant governor, in his or her capacity as advocate for the  
8 elderly;

9           (2) Two members of the senate, with one member from the majority party  
10 appointed by the president pro tem of the senate and one member of the minority  
11 party appointed by the president pro tem of the senate with the concurrence of  
12 the minority floor leader of the senate;

13           (3) Two members of the house of representatives, with one member from  
14 the majority party appointed by the speaker of the house of representatives and  
15 one member of the minority party appointed by the speaker of the house of  
16 representatives with the concurrence of the minority floor leader of the house of

17 representatives;

18 (4) The director of the division of medical services in the department of  
19 social services;

20 (5) The director of the division of senior services and regulation in the  
21 department of health and senior services;

22 (6) [The chairperson of the governor's commission on special health,  
23 psychological and social needs of minority older individuals;

24 (7)] The following four members appointed by the governor, with the  
25 advice and consent of the senate:

26 (a) A licensed pharmacist;

27 (b) A licensed physician;

28 (c) A representative from a senior advocacy group; and

29 (d) A representative from an area agency on aging;

30 [(8)] (7) A representative from the pharmaceutical manufacturers  
31 industry as a nonvoting member appointed by the president pro tem of the senate  
32 and the speaker of the house of representatives;

33 [(9)] (8) One public member appointed by the president pro tem of the  
34 senate; and

35 [(10)] (9) One public member appointed by the speaker of the house of  
36 representatives.

37 In making the initial appointment to the committee, the governor, president pro  
38 tem, and speaker shall stagger the terms of the appointees so that four members  
39 serve initial terms of two years, four members serve initial terms of three years,  
40 four members serve initial terms of four years, and one member serves an initial  
41 term of one year. All members appointed thereafter shall serve three-year terms.  
42 All members shall be eligible for reappointment. The commission shall elect a  
43 chair and may employ an executive director and such professional, clerical, and  
44 research personnel as may be necessary to assist in the performance of the  
45 commission's duties.

46 2. Recognizing the unique medical needs of the senior African-American  
47 population, the president pro tem of the senate, speaker of the house of  
48 representatives, and governor will collaborate to ensure that there is adequate  
49 minority representation among legislative members and other members of the  
50 commission.

51 3. The commission:

52 (1) May provide advice on guidelines, policies, and procedures necessary  
53 to establish the Missouri Rx plan;

54           (2) Shall educate Missouri residents on quality prescription drug programs  
55 and cost-containment strategies in medication therapy;

56           (3) Shall assist Missouri residents in enrolling or accessing prescription  
57 drug assistance programs for which they are eligible; and

58           (4) Shall hold quarterly meetings and other meetings as deemed  
59 necessary.

60           4. The members of the commission shall receive no compensation for their  
61 service on the commission, but shall be reimbursed for ordinary and necessary  
62 expenses incurred in the performance of their duties as a member of the  
63 commission.

227.107. 1. Notwithstanding any provision of section 227.100 to the  
2 contrary, as an alternative to the requirements and procedures specified by  
3 sections 227.040 to 227.100, the state highways and transportation commission  
4 is authorized to enter into highway design-build project contracts. The authority  
5 granted to the state highways and transportation commission by this section shall  
6 be limited to a total of three design-build project contracts. Two design-build  
7 projects authorized by this section shall be selected by the highways and  
8 transportation commission from 1992 fifteen year plan projects. Authority to  
9 enter into design-build projects granted by this section shall expire on July 1,  
10 2012, unless extended by statute or upon completion of three projects, whichever  
11 is first.

12           2. For the purpose of this section a "design-builder" is defined as an  
13 individual, corporation, partnership, joint venture or other entity, including  
14 combinations of such entities making a proposal to perform or performing a  
15 design-build highway project contract.

16           3. For the purpose of this section, "design-build highway project contract"  
17 is defined as the procurement of all materials and services necessary for the  
18 design, construction, reconstruction or improvement of a state highway project in  
19 a single contract with a design-builder capable of providing the necessary  
20 materials and services.

21           4. For the purpose of this section, "highway project" is defined as the  
22 design, construction, reconstruction or improvement of highways or bridges under  
23 contract with the state highways and transportation commission, which is funded  
24 by state, federal or local funds or any combination of such funds.

25           5. In using a design-build highway project contract, the commission shall  
26 establish a written procedure by rule for prequalifying design-builders before such  
27 design-builders will be allowed to make a proposal on the project.



28           6. In any design-build highway project contract, whether involving state  
29 or federal funds, the commission shall require that each person submitting a  
30 request for qualifications provide a detailed disadvantaged business enterprise  
31 participation plan. The plan shall provide information describing the experience  
32 of the person in meeting disadvantaged business enterprise participation goals,  
33 how the person will meet the department of transportation's disadvantaged  
34 business enterprise participation goal and such other qualifications that the  
35 commission considers to be in the best interest of the state.

36           7. The commission is authorized to issue a request for proposals to a  
37 maximum of five design-builders prequalified in accordance with subsection 5 of  
38 this section.

39           8. The commission may require approval of any person performing  
40 subcontract work on the design-build highway project.

41           9. The bid bond and performance bond requirements of section 227.100  
42 and the payment bond requirements of section 107.170, RSMo, shall apply to the  
43 design-build highway project.

44           10. The commission is authorized to prescribe the form of the contracts  
45 for the work.

46           11. The commission is empowered to make all final decisions concerning  
47 the performance of the work under the design-build highway project contract,  
48 including claims for additional time and compensation.

49           12. The provisions of sections 8.285 to 8.291, RSMo, shall not apply to the  
50 procurement of architectural, engineering or land surveying services for the  
51 design-build highway project, except that any person providing architectural,  
52 engineering or land surveying services for the design-builder on the design-build  
53 highway project must be licensed in Missouri to provide such services.

54           13. The commission shall pay a reasonable stipend to prequalified  
55 responsive design-builders who submit a proposal, but are not awarded the  
56 design-build highway project.

57           14. The commission shall comply with the provisions of any act of congress  
58 or any regulations of any federal administrative agency which provides and  
59 authorizes the use of federal funds for highway projects using the design-build  
60 process.

61           15. The commission shall promulgate administrative rules to implement  
62 this section or to secure federal funds. Such rules shall be published for comment  
63 in the Missouri Register and shall include prequalification criteria, the make-up  
64 of the prequalification review team, specifications for the design criteria package,

65 the method of advertising, receiving and evaluating proposals from  
66 design-builders, the criteria for awarding the design-build highway project based  
67 on the design criteria package and a separate proposal stating the cost of  
68 construction, and other methods, procedures and criteria necessary to administer  
69 this section.

70 16. The commission shall make a status report to the members of the  
71 general assembly and the governor following the award of the design-build  
72 project[, as an individual component of the annual report submitted by the  
73 commission to the joint transportation oversight committee in accordance with the  
74 provisions of section 21.795, RSMo]. The annual report prior to advertisement  
75 of the design-build highway project contracts shall state the goals of the project  
76 in reducing costs and/or the time of completion for the project in comparison to  
77 the design-bid-build method of construction and objective measurements to be  
78 utilized in determining achievement of such goals. Subsequent annual reports  
79 shall include: the time estimated for design and construction of different phases  
80 or segments of the project and the actual time required to complete such work  
81 during the period; the amount of each progress payment to the design-builder  
82 during the period and the percentage and a description of the portion of the  
83 project completed regarding such payment; the number and a description of  
84 design change orders issued during the period and the cost of each such change  
85 order; upon substantial and final completion, the total cost of the design-build  
86 highway project with a breakdown of costs for design and construction; and such  
87 other measurements as specified by rule. The annual report immediately after  
88 final completion of the project shall state an assessment of the advantages and  
89 disadvantages of the design-build method of contracting for highway and bridge  
90 projects in comparison to the design-bid-build method of contracting and an  
91 assessment of whether the goals of the project in reducing costs and/or the time  
92 of completion of the project were met.

93 17. The commission shall give public notice of a request for qualifications  
94 in at least two public newspapers that are distributed wholly or in part in this  
95 state and at least one construction industry trade publication that is distributed  
96 nationally.

97 18. The commission shall publish its cost estimates of the design-build  
98 highway project award and the project completion date along with its public  
99 notice of a request for qualifications of the design-build project.

100 19. If the commission fails to receive at least two responsive submissions  
101 from design-builders considered qualified, submissions shall not be opened and

102 it shall readvertise the project.

630.915. 1. The department of mental health, in consultation with the  
2 department of health and senior services, shall seek funding from the Centers for  
3 Disease Control and Prevention to participate in the National Violent Death  
4 Reporting System (NVDRS) to obtain better information about violent deaths,  
5 including suicide.

6 2. If such funding under subsection 1 of this section is not available to the  
7 state of Missouri, on or before July 1, 2006, the department of mental health, in  
8 consultation with the department of health and senior services and subject to  
9 appropriation, shall develop a state-based reporting system based on the National  
10 Violent Death Reporting System that will provide information needed to  
11 accurately assess the factors causing violent deaths, including suicide.

12 3. Information obtained from this state's participation in the National  
13 Violent Death Reporting System under subsection 1 of this section or the  
14 state-based system developed under subsection 2 of this section shall be used to  
15 help answer questions regarding the magnitude, trends, and characteristics of  
16 violent deaths and assist in the evaluation and improvement of violence  
17 prevention policies and programs.

18 4. [Information obtained under this section shall be provided to the  
19 suicide prevention advisory committee established under section 630.910.

20 5.] Pursuant to section 23.253, RSMo, of the Missouri sunset act:

21 (1) The provisions of the new program authorized under this section shall  
22 automatically sunset six years after August 28, 2005, unless reauthorized by an  
23 act of the general assembly; and

24 (2) If such program is reauthorized, the program authorized under this  
25 section shall automatically sunset twelve years after the effective date of the  
26 reauthorization of this section; and

27 (3) This section shall terminate on September first of the calendar year  
28 immediately following the calendar year in which the program authorized under  
29 this section is sunset.

[21.475. 1. Because wetlands are a vital natural resource  
2 and wetland conversion is of vital interest to Missouri farmers,  
3 conservationists, and landowners, for oversight of various activities  
4 of the department of natural resources and other agencies, the  
5 senate and the house of representatives shall establish a "Joint  
6 Committee on Wetlands", composed of five members of the senate,  
7 appointed by the president pro tem of the senate, and five members

8 of the house of representatives, appointed by the speaker of the  
9 house. Not more than three members appointed by the president  
10 pro tem and not more than three members appointed by the  
11 speaker of the house shall be from the same political party. Any  
12 state department or agency except the department of conservation  
13 and the department of transportation shall obtain the approval of  
14 the joint committee on wetlands prior to entering into a contract  
15 with any entity of the government or any private entity to conduct  
16 any activity relating to the definition, preservation or restoration  
17 of wetlands. Each department, division and agency of state  
18 government shall provide any information relating to the state's  
19 wetlands to the joint committee on wetlands upon request of the  
20 committee.

21 2. The committee may hold hearings and conduct  
22 investigations within the state as it deems advisable, and the  
23 members shall receive no additional compensation, other than  
24 reimbursement for their actual and necessary expenses incurred in  
25 the performance of their duties. The staff of the committee on  
26 legislative research, house research, and senate research shall  
27 provide necessary clerical, research, fiscal and legal services to the  
28 committee, as the committee may request.]

[21.780. Every ten years after August 28, 1997, a review of  
2 county salaries shall be made by the general assembly. A  
3 committee consisting of three members of the house of  
4 representatives appointed by the speaker and three members of the  
5 senate appointed by the president pro tem shall carry out the  
6 review. The committee shall complete its review by December  
7 thirty-first of the year in which the committee is  
8 appointed. Legislation to revise the then existing salary schedules  
9 may be filed at the next following session of the general assembly.]

[21.795. 1. There is established a permanent joint  
2 committee of the general assembly to be known as the "Joint  
3 Committee on Transportation Oversight" to be composed of seven  
4 members of the standing transportation committees of both the  
5 senate and the house of representatives and three nonvoting ex  
6 officio members. Of the fourteen members to be appointed to the  
7 joint committee, the seven senate members of the joint committee

8 shall be appointed by the president pro tem of the senate and  
9 minority leader of the senate and the seven house members shall  
10 be appointed by the speaker of the house of representatives and the  
11 minority floor leader of the house of representatives. No major  
12 party shall be represented by more than four members from the  
13 house of representatives nor more than four members from the  
14 senate. The ex officio members shall be the state auditor, the  
15 director of the oversight division of the committee on legislative  
16 research, and the commissioner of the office of administration or  
17 the designee of such auditor, director or commissioner. The joint  
18 committee shall be chaired jointly by both chairs of the senate and  
19 house transportation committees. A majority of the committee  
20 shall constitute a quorum, but the concurrence of a majority of the  
21 members, other than the ex officio members, shall be required for  
22 the determination of any matter within the committee's duties.

23 2. The transportation inspector general shall be appointed  
24 by majority vote of a group consisting of the speaker of the house  
25 of representatives, the minority floor leader of the house of  
26 representatives, the president pro tempore of the senate, and the  
27 minority floor leader of the senate. It shall be the duty of the  
28 inspector general to serve as the executive director of the joint  
29 committee on transportation oversight. The compensation of the  
30 inspector general and other personnel shall be paid from the joint  
31 contingent fund or jointly from the senate and house contingent  
32 funds until an appropriation is made therefor. No funds from  
33 highway user fees or other funds allocated for the operation of the  
34 department of transportation shall be used for the compensation of  
35 the inspector general and his or her staff. The joint committee  
36 inspector general initially appointed pursuant to this section shall  
37 take office January 1, 2004, for a term ending June 30,  
38 2005. Subsequent joint committee on transportation oversight  
39 directors shall be appointed for five-year terms, beginning July 1,  
40 2005. Any joint committee on transportation oversight inspector  
41 general whose term is expiring shall be eligible for  
42 reappointment. The inspector general of the joint committee on  
43 transportation oversight shall:

44 (1) Be qualified by training or experience in transportation

45 policy, management of transportation organizations, accounting,  
46 auditing, financial analysis, law, management analysis, or public  
47 administration;

48 (2) Report to and be under the general supervision of the  
49 joint committee. The joint committee on transportation oversight  
50 shall, by a majority vote, direct the inspector general to perform  
51 specific investigations, reviews, audits, or other studies of the state  
52 department of transportation, in which instance the director shall  
53 report the findings and recommendations directly to the joint  
54 committee on transportation oversight. All investigations, reviews,  
55 audits, or other studies performed by the director shall be  
56 conducted so that the general assembly can procure information to  
57 assist it in formulating transportation legislation and policy for this  
58 state;

59 (3) Receive and process citizen complaints relating to  
60 transportation issues. The inspector general shall, when necessary,  
61 submit a written complaint report to the joint committee on  
62 transportation oversight and the highways and transportation  
63 commission. The complaint report shall contain the date, time,  
64 nature of the complaint, and any immediate facts and  
65 circumstances surrounding the initial report of the complaint. The  
66 inspector general shall investigate a citizen complaint if he or she  
67 is directed to do so by a majority of the joint committee on  
68 transportation oversight;

69 (4) Investigate complaints from current and former  
70 employees of the department of transportation if the inspector  
71 general receives information from an employee which shows:

- 72 (a) The department is violating a law, rule, or regulation;
- 73 (b) Gross mismanagement by department officers;
- 74 (c) Waste of funds by the department;
- 75 (d) That the department is engaging in activities which pose  
76 a danger to public health and safety;

77 (5) Maintain confidentiality with respect to all matters and  
78 the identities of the complainants or witnesses coming before the  
79 inspector general except insofar as disclosures may be necessary to  
80 enable the inspector general to carry out duties and to support  
81 recommendations;

(6) Maintain records of all investigations conducted, including any record or document or thing, any summary, writing, complaint, data of any kind, tape or video recordings, electronic transmissions, e-mail, or other paper or electronic documents, records, reports, digital recordings, photographs, software programs and software, expense accounts, phone logs, diaries, travel logs, or other things, including originals or copies of any of the above. Records of investigations by the inspector general shall be an "investigative report" of a law enforcement agency pursuant to the provisions of section 610.100, RSMo. As provided in such section, such records shall be a closed record until the investigation becomes inactive. If the inspector general refers a violation of law to the appropriate prosecuting attorney or the attorney general, such records shall be transmitted with the referral. If the inspector general finds no violation of law or determines not to refer the subject of the investigation to the appropriate prosecuting attorney or the attorney general regarding matters referred to the appropriate prosecuting attorney or the attorney general and the statute of limitations expires without any action being filed, the record shall remain closed. As provided in section 610.100, RSMo, any person may bring an action pursuant to this section in the circuit court having jurisdiction to authorize disclosure of information in the records of the inspector general which would otherwise be closed pursuant to this section. Any disclosure of records by the inspector general in violation of this section shall be grounds for a suit brought by any individual, person, or corporation to recover damages, and upon award to the plaintiff reasonable attorney's fees.

3. The department of transportation shall submit a written report prior to November tenth of each year to the governor, lieutenant governor, and every member of the senate and house of representatives. The report shall be posted to the department's Internet web site so that general assembly members may elect to access a copy of the report electronically. The written report shall contain the following:

(1) A comprehensive financial report of all funds for the preceding state fiscal year which shall include a report by

119 independent certified public accountants, selected by the  
120 commissioner of the office of administration, attesting that the  
121 financial statements present fairly the financial position of the  
122 department in conformity with generally accepted government  
123 accounting principles. This report shall include amounts of:

124 (a) State revenues by sources, including all new state  
125 revenue derived from highway users which results from action of  
126 the general assembly or voter-approved measures taken after  
127 August 28, 2003, and projects funded in whole or in part from such  
128 new state revenue, and amounts of federal revenues by source;

129 (b) Any other revenues available to the department by  
130 source;

131 (c) Funds appropriated, the amount the department has  
132 budgeted and expended for the following: contracts, right-of-way  
133 purchases, preliminary and construction engineering, maintenance  
134 operations and administration;

135 (d) Total state and federal revenue compared to the revenue  
136 estimate in the fifteen-year highway plan as adopted in 1992.

137 All expenditures made by, or on behalf of, the department for  
138 personal services including fringe benefits, all categories of expense  
139 and equipment, real estate and capital improvements shall be  
140 assigned to the categories listed in this subdivision in conformity  
141 with generally accepted government accounting principles;

142 (2) A detailed explanation of the methods or criteria  
143 employed to select construction projects, including a listing of any  
144 new or reprioritized projects not mentioned in a previous report,  
145 and an explanation as to how the new or reprioritized projects meet  
146 the selection methods or criteria;

147 (3) The proposed allocation and expenditure of moneys and  
148 the proposed work plan for the current fiscal year, at least the next  
149 four years, and for any period of time expressed in any public  
150 transportation plan approved by either the general assembly or by  
151 the voters of Missouri. This proposed allocation and expenditure  
152 of moneys shall include the amounts of proposed allocation and  
153 expenditure of moneys in each of the categories listed in  
154 subdivision (1) of this subsection;

155 (4) The amounts which were planned, estimated and



expended for projects in the state highway and bridge construction program or any other projects relating to other modes of transportation in the preceding state fiscal year and amounts which have been planned, estimated or expended by project for construction work in progress;

(5) The current status as to completion, by project, of the fifteen-year road and bridge program adopted in 1992. The first written report submitted pursuant to this section shall include the original cost estimate, updated estimate and final completed cost by project. Each written report submitted thereafter shall include the cost estimate at the time the project was placed on the most recent five-year highway and bridge construction plan and the final completed cost by project;

(6) The reasons for cost increases or decreases exceeding five million dollars or ten percent relative to cost estimates and final completed costs for projects in the state highway and bridge construction program or any other projects relating to other modes of transportation completed in the preceding state fiscal year. Cost increases or decreases shall be determined by comparing the cost estimate at the time the project was placed on the most recent five-year highway and bridge construction plan and the final completed cost by project. The reasons shall include the amounts resulting from inflation, department-wide design changes, changes in project scope, federal mandates, or other factors;

(7) Specific recommendations for any statutory or regulatory changes necessary for the efficient and effective operation of the department;

(8) An accounting of the total amount of state, federal and earmarked federal highway funds expended in each district of the department of transportation; and

(9) Any further information specifically requested by the joint committee on transportation oversight.

4. Prior to December first of each year, the committee shall hold an annual meeting and call before its members, officials or employees of the state highways and transportation commission or department of transportation, as determined by the committee, for the sole purpose of receiving and examining the report required

193           pursuant to subsection 3 of this section. The joint committee may  
194           also call before its members at the annual meeting, the inspector  
195           general of the joint committee on transportation oversight for  
196           purposes authorized in this section. The committee shall not have  
197           the power to modify projects or priorities of the state highways and  
198           transportation commission or department of transportation. The  
199           committee may make recommendations to the state highways and  
200           transportation commission or the department of  
201           transportation. Disposition of those recommendations shall be  
202           reported by the commission or the department to the joint  
203           committee on transportation oversight.

204                 5. In addition to the annual meeting required by subsection  
205           4 of this section, the committee shall meet two times each  
206           year. The co-chairs of the committee shall establish an agenda for  
207           each meeting that may include, but not be limited to, the following  
208           items to be discussed with the committee members throughout the  
209           year during the scheduled meeting:

210                 (1) Presentation of a prioritized plan for all modes of  
211           transportation;

212                 (2) Discussion of department efficiencies and expenditure of  
213           cost- savings within the department;

214                 (3) Presentation of a status report on department of  
215           transportation revenues and expenditures, including a detailed  
216           summary of projects funded by new state revenue as provided in  
217           paragraph (a) of subdivision (1) of subsection 3 of this section;

218                 (4) Review of any report from the joint committee inspector  
219           general; and

220                 (5) Implementation of any actions as may be deemed  
221           necessary by the committee as authorized by law.

222           The co-chairs of the committee may call special meetings of the  
223           committee with ten days' notice to the members of the committee,  
224           the director of the department of transportation, and the  
225           department of transportation.

226                 6. The committee shall also review for approval or denial all  
227           applications for the development of specialty plates submitted to it  
228           by the department of revenue. The committee shall approve such  
229           application by unanimous vote. The committee shall not approve

230 any application if the committee receives a signed petition from five  
231 house members or two senators that they are opposed to the  
232 approval of the proposed license plate. The committee shall notify  
233 the director of the department of revenue upon approval or denial  
234 of an application for the development of a specialty plate.

235 7. The committee shall submit records of its meetings to the  
236 secretary of the senate and the chief clerk of the house of  
237 representatives in accordance with sections 610.020 and 610.023,  
238 RSMo.]

2 [32.250. There is hereby established the "Multistate Tax  
3 Compact Advisory Committee" composed of the member of the  
4 multistate tax commission representing this state, any alternate  
5 designated by him, the attorney general or his designee, and two  
6 members of the senate, appointed by the president pro tem thereof  
7 and two members of the house of representatives, appointed by the  
8 speaker thereof. The chairman shall be the member of the  
9 commission representing this state. The committee shall meet on  
10 the call of its chairman or at the request of a majority of its  
11 members, but in any event it shall meet not less than three times  
12 in each year. The committee may consider any and all matters  
13 relating to recommendations of the multistate tax commission and  
the activities of the members in representing this state thereon.]

2 [32.260. The multistate tax compact advisory committee  
3 may employ counsel to represent it or to act for it, and may fix his  
4 compensation within the limits of funds appropriated to the  
committee.]

2 [44.227. 1. There is hereby created a "Seismic Safety  
3 Commission", which shall be domiciled in the department of public  
4 safety.

4 2. The commission shall consist of seventeen members, one  
5 who shall be a member of the senate appointed by the president pro  
6 tem of the senate, one who shall be a member of the house of  
7 representatives appointed by the speaker of the house of  
8 representatives, and fifteen members appointed by the governor,  
9 with the advice and consent of the senate, one each representing  
10 the following professional areas: architecture, planning, fire  
11 protection, public utilities, electrical engineering, mechanical

12 engineering, structural engineering, soils engineering, geology,  
13 seismology, local government, insurance, business, the American  
14 Red Cross and emergency management.

15 3. Commission members shall elect annually from its  
16 membership a chairman and vice chairman. A quorum shall  
17 consist of nine members. All commission members shall be  
18 residents of the state of Missouri and shall have reasonable  
19 knowledge of issues relating to earthquakes.

20 4. The term of office for each member of the commission  
21 appointed by the governor shall be four years, except that of the  
22 initial appointments, seven members shall be appointed for a term  
23 of two years and eight members shall be appointed for a term of  
24 four years. Any member may be removed from office by the  
25 governor without cause. Before the expiration of the term of a  
26 member appointed by the governor, the governor shall appoint a  
27 successor whose term begins on July first next following. A  
28 member is eligible for reappointment. If there is a vacancy for any  
29 cause, the governor shall make an appointment to become effective  
30 immediately for the unexpired term.

31 5. Each member of the commission shall serve without  
32 compensation but shall receive fifty dollars for each day devoted to  
33 the affairs of the commission, plus actual and necessary expenses  
34 incurred in the discharge of his official duties.

35 6. The office of emergency management in the department  
36 of public safety shall provide to the commission all technical,  
37 clerical and other necessary support services.]

[44.229. The commission shall have the authority to:

2 (1) Accept grants, contributions and appropriations from  
3 public agencies, private foundations or individuals;

4 (2) Appoint committees from its membership, appoint  
5 advisory committees from interested public and private groups, and  
6 appoint ex officio members who shall not be entitled to vote, to  
7 advise the commission;

8 (3) Contract for or employ, subject to appropriations made  
9 for that purpose, any professional and research services required  
10 by the commission or required for the performance of necessary  
11 work and services which, in the commission's opinion, cannot

12           satisfactorily be performed by its officers and employees or by other  
13           federal, state or local governmental agencies;

14           (4) Enter into agreements to act cooperatively with private  
15           nonprofit scientific, educational or professional associations or  
16           foundations engaged in promoting seismic safety in Missouri; and

17           (5) Do any and all other things necessary to carry out the  
18           purposes of sections 44.225 to 44.237.]

          [44.231. The commission shall initiate, with the assistance  
2           and participation of other state, federal and local government  
3           agencies, a comprehensive program to prepare the state for  
4           responding to a major earthquake. The program shall be  
5           implemented in order to result in specific tools or products to be  
6           used by governments in responding to an earthquake, such as  
7           educational materials for citizens. This program may be  
8           implemented on a prototypical basis in one area of the state  
9           affected by earthquake predictions, provided that it is useful for  
10          application in other areas of the state upon its completion.]

          [44.233. The commission is responsible for all of the  
2           following in connection with earthquake hazard mitigation:

3           (1) Setting goals and priorities in the public and private  
4           sectors;

5           (2) Requesting appropriate state agencies to devise criteria  
6           to promote earthquake and disaster safety;

7           (3) Scheduling a report on disaster mitigation issues from  
8           the state emergency management agency, on the commission  
9           agenda as required. For the proposes of this subdivision, the term  
10          "disaster" refers to all natural hazards which could have impact on  
11          public safety;

12          (4) Recommending program changes to state agencies, local  
13          agencies and the private sector where such changes would improve  
14          earthquake hazards and reduction;

15          (5) Reviewing the recovery and reconstruction efforts after  
16          damaging earthquakes;

17          (6) Gathering, analyzing and disseminating information;

18          (7) Encouraging research;

19          (8) Sponsoring training to help improve the competence of  
20          specialized enforcement and other technical personnel;

21 (9) Helping to coordinate the earthquake safety activities of  
22 government at all levels;

23 (10) Establishing and maintaining necessary working  
24 relationships with any boards, commissions, departments and  
25 agencies or other public or private organizations.]

[44.235. To implement its responsibilities, the commission  
2 may:

3 (1) Review state budgets and review grant proposals, other  
4 than those grant proposals submitted by institutions of  
5 postsecondary education to the federal government, for earthquake  
6 related activities and to advise the governor and the general  
7 assembly thereon;

8 (2) Review legislation programs relating to earthquake  
9 safety, to advise the governor and general assembly concerning the  
10 proposals and to propose needed legislation;

11 (3) Recommend the addition, deletion or changing of state  
12 agency standards when, in the commission's view, the existing  
13 situation creates undue hazards or when new developments would  
14 promote earthquake hazard mitigation, and conduct public hearings  
15 as deemed necessary on the subjects;

16 (4) In addition, the commission may perform any of the  
17 functions contained in subdivisions (1) to (3) of this section,  
18 inclusive, in relation to other natural disasters.]

[44.237. 1. In addition to its responsibilities listed in  
2 sections 44.225 to 44.237, the commission shall undertake a study  
3 to determine the feasibility of establishing a comprehensive  
4 program of earthquake hazard reduction having as its purposes the  
5 saving of lives and mitigating damage to property in Missouri.

6 2. The study shall accomplish the following tasks:

7 (1) Earthquake hazard reduction. The study shall develop  
8 a comprehensive program for the reduction of earthquake hazards  
9 in Missouri. It shall include, but not necessarily be limited to, the  
10 following:

11 (a) A review of and recommendations for improving the  
12 development and implementation of technically and economically  
13 feasible codes, standards and procedures for the design and  
14 construction of new structures and the strengthening of existing

structures so as to increase the earthquake resistance of structures located in areas of significant seismic hazard;

(b) A review of current methods and recommendations for new methods to improve the development, publication and promotion, in conjunction with local officials, research organizations and professional organizations, of model codes and other means to provide better information about seismic hazards to guide land-use policy decisions and building activity;

(c) A review of and recommendations for methods, practices and procedures to educate the public, including local officials, about the nature and consequences of earthquakes, about procedures for identifying those locations and structures especially susceptible to earthquake damage and about ways to reduce and mitigate the adverse effects of an earthquake;

(d) A review of and recommendations for programs and techniques to improve preparedness for and response to damaging earthquakes with special attention being given to hazard control measures, pre-earthquake emergency planning, readiness of emergency services and planning for post-earthquake reconstruction and redevelopment.

(2) Implementation processes. With respect to implementation of earthquake hazard reduction, the study shall include the following:

(a) Recommendations for new roles, responsibilities and programs for state and local agencies, universities, private organizations and volunteer organizations, including goals, priorities and expenditures of future state funds specifically identified for the recommended hazards reduction program;

(b) Recommendations for methods and procedures to disseminate and implement basic and applied earthquake research in order to achieve higher levels of seismic safety.

(3) Coordination with other agencies. To the extent it is practical to do so, the study required by this section shall be coordinated with the relevant local, regional and federal government agencies, key elements of the private sector, and at least the following state agencies: state emergency management agency, division of geology and land survey, division of design and

52 construction, Missouri housing development commission,  
53 department of natural resources, department of labor and  
54 industrial relations, public service commission, department of  
55 health and senior services, office of the state fire marshal,  
56 department of transportation, department of revenue, office of the  
57 adjutant general, department of insurance, and the department of  
58 elementary and secondary education.

59 3. The study shall include recommendations for statutory  
60 changes and specific executive actions to be taken by state and  
61 local agencies necessary to establish and implement an earthquake  
62 hazards reduction program for the state of Missouri.

63 4. The commission shall submit the study to the general  
64 assembly by June 30, 1997, or earlier at its discretion.]

[208.530. As used in sections 208.530 to 208.535, the  
2 following terms shall mean:

3 (1) "Commission", the commission on the special health,  
4 psychological and social needs of minority older individuals  
5 established in section 208.533;

6 (2) "Minority older individual", an individual who is sixty  
7 years of age or older and a member of a racial minority group;

8 (3) "Racial minority group":

9 (a) Blacks or African Americans;

10 (b) Native Americans;

11 (c) Hispanics;

12 (d) Asian Americans; and

13 (e) Other similar racial minority groups.]

[208.533. 1. There is hereby established a twenty-member  
2 "Commission on the Special Health, Psychological and Social Needs  
3 of Minority Older Individuals" under the division of aging. The  
4 commission shall consist of the following members:

5 (1) The directors of the departments of health and senior  
6 services, mental health and social services or their designees;

7 (2) The directors of the office of minority health and the  
8 division of aging who shall serve as cochairs of the commission;

9 (3) Two members of the Missouri house of representatives,  
10 one from each major political party represented in the house of  
11 representatives, appointed by the speaker of the house who shall



12 serve in a nonvoting, advisory capacity;

13 (4) Two members of the senate, one from each major  
14 political party represented in the senate, appointed by the  
15 president pro tem of the senate who shall serve in a nonvoting,  
16 advisory capacity;

17 (5) A representative of the office of the lieutenant governor  
18 who shall serve in a nonvoting, advisory capacity; and

19 (6) Ten individuals appointed by the governor with the  
20 advice and consent of the senate who are currently working in the  
21 field of minority elderly health, psychological or social problems  
22 who have demonstrated expertise in one or more of the following  
23 areas: treatment of cardiovascular, cancer and diabetic conditions;  
24 nutrition; community-based health services; legal services; elderly  
25 consumer advocacy; gerontology or geriatrics; social work and other  
26 related services including housing. At least two of the individuals  
27 appointed by the governor shall be minority older individuals. The  
28 members appointed by the governor shall be residents of  
29 Missouri. Any vacancy on the commission shall be filled in the  
30 same manner as the original appointment.

31 2. Members appointed by the governor shall serve for  
32 three-year terms. Other members, except legislative members, shall  
33 serve for as long as they hold the position which made them  
34 eligible for appointment. Legislative members shall serve during  
35 their current term of office but may be reappointed.

36 3. Members of the commission shall not be compensated for  
37 their services, but shall be reimbursed for actual and necessary  
38 expenses incurred in the performance of their duties. The office of  
39 administration and the departments of health and senior services,  
40 mental health and social services shall provide such support as the  
41 commission requires to aid it in the performance of its duties.]

2 [208.535. The responsibilities of the commission shall  
include, but not be limited to, the following:

3 (1) The commission shall annually prepare a report  
4 identifying the special needs of the minority older population in  
5 Missouri as compared to the older population at-large and make  
6 recommendations for meeting those needs. The report shall be  
7 completed no later than October first of each year, beginning in

8 1999, and copies transmitted to the governor, the general assembly  
9 and appropriate state agencies. The report shall, at a minimum:

10 (a) Contain an overview of the special health, psychological  
11 and social needs of minority older Missourians with particular  
12 attention to low-income minority older individuals;

13 (b) Identify specific diseases and health conditions for which  
14 minority older individuals are at greater risk than the general  
15 population;

16 (c) Identify problems experienced by minority older  
17 individuals in obtaining services from governmental agencies;

18 (d) Identify programs at the state and local level designed  
19 to specifically meet the needs of minority older individuals; and

20 (e) Recommend program improvements and services at the  
21 state and local level designed to address the special unmet needs  
22 of the minority older population;

23 (2) In preparing the report required by this section, the  
24 commission shall solicit and consider the input of individuals and  
25 organizations representing the concerns of the minority older  
26 population, with particular attention to the service needs of those  
27 with incomes below the federal poverty level, concerning:

28 (a) Programs and services needed by minority older  
29 individuals;

30 (b) The extent to which existing programs do not meet the  
31 needs of minority older individuals;

32 (c) The accessibility of existing programs to minority older  
33 individuals;

34 (d) The availability and adequacy of information regarding  
35 existing services;

36 (e) Health problems that minority older individuals  
37 experience at a higher rate than the nonminority older population;  
38 and

39 (f) Financial, social and other barriers experienced by  
40 minority older individuals in obtaining needed services;

41 (3) Conduct an outreach program that provides information  
42 to minority older Missourians about health, psychological and social  
43 problems experienced by minority older individuals and available  
44 programs to address those problems, as identified in the report

45 prepared pursuant to this section.]

2 [226.440. The "Mississippi River Parkway Commission of  
3 the State of Missouri" is hereby established to aid in the promotion  
4 and securement of federal parks and a scenic parkway and highway  
5 for the state of Missouri along the Mississippi River. The  
6 commission shall work toward the planning, construction,  
7 maintenance, and improvement of the Great River Road and  
8 Mississippi River Parkway which is to follow generally the course  
9 of the Mississippi River and extend from Canada to the Gulf of  
Mexico.]

2 [226.445. 1. The commission shall be composed of nine  
3 members who are residents of the state of Missouri. Two of the  
4 commissioners shall be members of the senate appointed by the  
5 president pro tem of the senate, two shall be members of the house  
6 of representatives appointed by the speaker of the house of  
7 representatives, and five shall be appointed by the governor with  
8 the advice and consent of the senate. No two committee members  
9 appointed by the speaker of the house of representatives or  
10 appointed by the president pro tem of the senate shall be members  
11 of the same political party, and no more than three of the members  
12 appointed by the governor shall be members of the same political  
13 party. All members, other than legislative members, shall reside  
14 in counties which are adjacent to the Mississippi River. To the  
15 extent practicable, legislative members shall represent counties  
16 which are adjacent to the Mississippi River. The director of the  
17 department of transportation or the director's designee; the director  
18 of the division of tourism of the department of economic  
19 development or the director's designee; the director of the  
20 department of conservation or the director's designee; the director  
21 of the division of state parks of the department of natural resources  
22 or the director's designee; the director of the department of  
23 agriculture or the director's designee and the director of the  
24 department of economic development or the director's designee  
25 shall be ex officio members in addition to the nine members  
26 provided. Nothing in this section shall be construed to mandate  
27 the attendance of any ex officio members to any commission  
meeting or commission-related function. All costs associated with

28 travel of any ex officio member to any commission meeting or any  
29 commission-related function shall be paid from the existing budget  
30 of the department represented by the ex officio member. No funds  
31 of the Mississippi River Parkway Commission shall be used to pay  
32 the costs associated with such travel by any ex officio member.

33 2. Commission members serving on August 28, 1996, shall  
34 continue to serve the remainder of their term. The first two terms  
35 to expire shall be filled by one appointment by the speaker of the  
36 house of representatives and one by the president pro tem of the  
37 senate. The speaker of the house of representatives and president  
38 pro tem of the senate shall each appoint one other member after  
39 August 28, 1996. The governor shall fill the remaining five  
40 positions on the commission as their terms expire. The term of  
41 each member appointed by the governor after August 28, 1996,  
42 shall be five years. Legislative members shall serve during their  
43 term of office as a member of the general assembly or five years,  
44 whichever is shorter. A chairperson shall be chosen from the  
45 membership for a two-year term during the first regular meeting  
46 of the commission in odd-numbered years; however, no member of  
47 the general assembly shall serve as chairperson of the  
48 commission. All members shall serve until their successors are  
49 appointed and qualified. Vacancies on the commission shall be  
50 filled in the same manner and by the same appointing authority as  
51 the original appointment. The national commission shall be  
52 notified of all such appointments, and shall be given the names and  
53 addresses of the appointed members.

54 3. The governor may remove any member appointed by the  
55 governor for cause or for continued nonfeasance.

56 4. The members of the commission shall not receive any  
57 compensation for their services but shall be reimbursed for their  
58 actual and necessary expenses incurred in the performance of their  
59 duties as members of the commission from moneys appropriated  
60 therefor from general revenue.

61 5. The commission shall be assigned to the department of  
62 transportation. No staff or personnel shall be hired, employed, or  
63 contracted for by the commission, but the department of  
64 transportation may provide such staff services as may be necessary

65 for the commission.]

2 [226.450. The commission shall meet at least two times  
3 each year at the call of the chairman, or upon the request of four  
4 members. A majority of the commission shall constitute a quorum  
for the transaction of business.]

[226.455. The duties of the commission shall be:

2 (1) To advise the state transportation department in the  
3 implementation of the powers of the department conferred under  
4 the provisions of sections 226.280 to 226.430, RSMo 1978;

5 (2) To promote the best interests of the state before the  
6 government of the United States, Canada, the Great River Roads  
7 Commission and the national Mississippi River Parkway  
8 Commission in the development and construction of the Mississippi  
9 River Parkway and Great River Road;

10 (3) To advise the governor and the general assembly when,  
11 in the judgment of the commission, action should be taken which  
12 will better promote the development of commerce and trade in  
13 counties contiguous to the Mississippi River in Missouri; and

14 (4) To make reports to the highways and transportation  
15 commission as required.]

[226.460. The commission is hereby authorized and  
2 empowered:

3 (1) To hold meetings and hearings at such time and place  
4 as it may designate to accomplish the purposes set forth in this  
5 chapter;

6 (2) To elect such officers from its membership as it deems  
7 necessary;

8 (3) To join as a member of the national Mississippi River  
9 Parkway Commission and the Great River Road Commission and  
10 to pay such fees for its equal share of the planning program of the  
11 national commission; and

12 (4) To receive appropriations from the state of Missouri to  
13 act pursuant to this chapter.]

[226.465. Agencies of the state shall cooperate with the  
2 commission as will enable the commission to carry out its  
3 responsibilities pursuant to this chapter.]

[253.375. 1. As a necessary adjunct to the operation and

2 maintenance of this memorial and historic site, as herein provided,  
3 there is hereby created a state advisory commission, to be known  
4 as "The Thomas Hart Benton Homestead Memorial Commission",  
5 to consist of twenty members, ten members to be appointed by the  
6 director of the department of natural resources, five members to be  
7 appointed by the president pro tem of the senate and five members  
8 to be appointed by the speaker of the house. The appointees shall  
9 be selected from outstanding individuals, not restricted to citizens  
10 of the state, well-known for their interest in and knowledge of  
11 Thomas Hart Benton, his life and his work, and in addition thereto,  
12 the director of the department of natural resources, the chairman  
13 of the Missouri advisory council on historic preservation, which  
14 advisory commission, upon original appointment, is hereby  
15 empowered to organize itself and to elect its own officers for such  
16 term or terms as the commission shall from time to time  
17 determine. Any vacancy on the advisory commission shall be filled  
18 by the same official who appointed the person who left the  
19 commission thus creating such vacancy.

20 2. The commission shall be advisory to the division of state  
21 parks and recreation of the department of natural resources on all  
22 policy and administrative matters pertaining to planning, operation  
23 and maintenance, including museum activities, the employment of  
24 curators, staff employees or other persons, as may be needed.

25 3. The members of the commission shall not receive any  
26 compensation for their services, but shall be reimbursed for their  
27 actual and necessary expenses, excluding travel expenses, incurred  
28 within the state of Missouri in the performance of their duties.

29 4. The commission is empowered, in behalf of the state, to  
30 accept gifts, contributions, bequests of unrestricted funds, from  
31 individuals, foundations, corporations and other organizations or  
32 institutions for the furtherance of the objectives and purposes of  
33 this memorial.

34 5. The commission may request from any department,  
35 division, board, bureau, council, commission or other agency of this  
36 state such assistance and data as will enable it to properly carry  
37 out its powers and duties hereunder; and the director of the  
38 department of natural resources shall make provision for the

39 staffing and servicing of the commission, and providing the  
40 necessary funding to carry out its duties, from funds appropriated  
41 or otherwise available to that department.]

[260.725. 1. There is hereby created within the department  
2 of natural resources the "Low-level Radioactive Waste Compact  
3 Advisory Committee". The committee shall consist of one  
4 representative of an institution of higher education, one  
5 representative of the general public, one representative of industry,  
6 one representative of a medical field, one member of the Missouri  
7 house of representatives, one member of the Missouri senate and  
8 Missouri's member on the midwest low-level radioactive waste  
9 compact commission. If Missouri is designated a host state for a  
10 regional disposal facility, the advisory committee shall be expanded  
11 to include a representative from the host county. Each member  
12 shall be appointed by the governor with the advice and consent of  
13 the senate, except that the member from the Missouri house of  
14 representatives shall be appointed by the speaker of the house and  
15 the member from the Missouri senate shall be appointed by the  
16 president pro tempore of the senate. Any representative of a host  
17 county shall be nominated by the county court of the host county  
18 and appointed by the governor. Each member shall serve for a  
19 term of four years with the first members' appointments staggered  
20 so that all members' terms do not expire simultaneously.

21 2. The advisory committee shall:

22 (1) Act in an advisory capacity to Missouri's member on the  
23 commission;

24 (2) Meet as necessary, but at least twice yearly, to review  
25 activities of the commission and midwest interstate low-level  
26 radioactive waste compact states; and

27 (3) Present recommendations in writing to the governor and  
28 the general assembly as requested or as necessary to insure  
29 adequate exchange of information.]

[301.3150. 1. An organization, other than an organization  
2 seeking a special military license plate, that seeks authorization to  
3 establish a new specialty license plate shall initially petition the  
4 department of revenue by submitting the following:

5 (1) An application in a form prescribed by the director for

6 the particular specialty license plate being sought, describing the  
7 proposed specialty license plate in general terms and have a  
8 sponsor of at least one current member of the general  
9 assembly. The application may contain written testimony for  
10 support of this specialty plate;

11 (2) Each application submitted pursuant to this section  
12 shall be accompanied by a list of at least two hundred potential  
13 applicants who plan to purchase the specialty plate if the specialty  
14 plate is approved pursuant to this section;

15 (3) An application fee, not to exceed five thousand dollars,  
16 to defray the department's cost for issuing, developing and  
17 programming the implementation of the specialty plate, if  
18 authorized; and

19 (4) All moneys received by the department of revenue, for  
20 the reviewing and development of specialty plates shall be  
21 deposited in the state treasury to the credit of the "Department of  
22 Revenue Specialty Plate Fund" which is hereby created. The state  
23 treasurer shall be custodian of the fund and shall make  
24 disbursements from the fund requested by the Missouri director of  
25 revenue for personal services, expenses, and equipment required to  
26 prepare, review, develop, and disseminate a new specialty plate and  
27 process the two hundred applications to be submitted once the plate  
28 is approved and to refund deposits for the application of such  
29 specialty plate, if the application is not approved by the joint  
30 committee on transportation oversight and for no other purpose.

31 2. At the end of each state fiscal year, the director of  
32 revenue shall:

33 (1) Determine the amount of all moneys deposited into the  
34 department of revenue specialty plate fund;

35 (2) Determine the amount of disbursements from the  
36 department of revenue specialty plate fund which were made to  
37 produce the specialty plate and process the two hundred  
38 applications; and

39 (3) Subtract the amount of disbursements from the income  
40 figure referred to in subdivision (1) of this subsection and deliver  
41 this figure to the state treasurer.

42 3. The state treasurer shall transfer an amount of money



equal to the figure provided by the director of revenue from the department of revenue specialty plate fund to the state highway department fund. An unexpended balance in the department of revenue specialty plate fund at the end of the biennium not exceeding twenty-five thousand dollars shall be exempt from the provisions of section 33.080, RSMo, relating to transfer of unexpended balances to the general revenue fund.

4. The documents and fees required pursuant to this section shall be submitted to the department of revenue by July first prior to the next regular session of the general assembly to be approved or denied by the joint committee on transportation oversight during that legislative session.

5. The department of revenue shall give notice of any proposed specialty plate in a manner reasonably calculated to advise the public of such proposal. Reasonable notice shall include posting the proposal for the specialty plate on the department's official public web site, and making available copies of the specialty plate application to any representative of the news media or public upon request and posting the application on a bulletin board or other prominent public place which is easily accessible to the public and clearly designated for that purpose at the principal office.

6. Adequate notice conforming with all the requirements of subsection 5 of this section shall be given not less than four weeks, exclusive of weekends and holidays when the facility is closed, after the submission of the application by the organization to the department of revenue. Written or electronic testimony in support or opposition of the proposed specialty plate shall be submitted to the department of revenue by November thirtieth of the year of filing of the original proposal. All written testimony shall contain the printed name, signature, address, phone number, and e-mail address, if applicable, of the individual giving the testimony.

7. The department of revenue shall submit for approval all applications for the development of specialty plates to the joint committee on transportation oversight during a regular session of the general assembly for approval.

8. If the specialty license plate requested by an organization is approved by the joint committee on transportation oversight, the

80 organization shall submit the proposed art design for the specialty  
81 license plate to the department as soon as practicable, but no later  
82 than sixty days after the approval of the specialty license plate. If  
83 the specialty license plate requested by the organization is not  
84 approved by the joint committee on transportation oversight,  
85 ninety-seven percent of the application fee shall be refunded to the  
86 requesting organization.

87 9. An emblem-use authorization fee may be charged by the  
88 organization prior to the issuance of an approved specialty  
89 plate. The organization's specialty plate proposal approved by the  
90 joint committee on transportation oversight shall state what fee is  
91 required to obtain such statement and if such fee is required  
92 annually or biennially, if the applicant has a two-year  
93 registration. An organization applying for specialty plates shall  
94 authorize the use of its official emblem to be affixed on multiyear  
95 personalized license plates within the plate area prescribed by the  
96 director of revenue and as provided in this section. Any  
97 contribution to the organization derived from the emblem-use  
98 contribution, except reasonable administrative costs, shall be used  
99 solely for the purposes of the organization. Any member of the  
100 organization or nonmember, if applicable, may annually apply for  
101 the use of the emblem, if applicable.

102 10. The department shall begin production and distribution  
103 of each new specialty license plate within one year after approval  
104 of the specialty license plate by the joint committee on  
105 transportation oversight.

106 11. The department shall issue a specialty license plate to  
107 the owner who meets the requirements for issuance of the specialty  
108 plate for any motor vehicle such owner owns, either solely or  
109 jointly, other than an apportioned motor vehicle or a commercial  
110 motor vehicle licensed in excess of eighteen thousand pounds gross  
111 weight.

112 12. Each new or renewed application for an approved  
113 specialty license plate shall be made to the department of revenue,  
114 accompanied by an additional fee of fifteen dollars and the  
115 appropriate emblem-use authorization statement.

116 13. The appropriate registration fees, fifteen dollar specialty

plate fee, processing fees and documents otherwise required for the issuance of registration of the motor vehicle as set forth by law must be submitted at the time the specialty plates are actually issued and renewed or as otherwise provided by law. However, no additional fee for the personalization of this plate shall be charged.

14. Once a specialty plate design is approved, a request for such plate may be made any time during a registration period. If a request is made for a specialty license plate to replace a current valid license plate, all documentation, credits, and fees provided for in this chapter when replacing a current license plate shall apply.

15. A vehicle owner who was previously issued a plate with an organization emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration if required, shall be issued a new plate which does not bear the organization's emblem, as otherwise provided by law.

16. Specialty license plates shall bear a design approved by the organization submitting the original application for approval by the joint committee on transportation oversight. The design shall be within the plate area prescribed by the director of revenue, and the designated organization's name or slogan shall be in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130 and as provided in this section. In addition to a design, the specialty license plates shall be in accordance with criteria and plate design set forth in this chapter.

17. The department is authorized to discontinue the issuance and renewal of a specialty license plate if the organization has stopped providing services and emblem-use authorization statements are no longer being issued by the organization. Such organizations shall notify the department immediately to discontinue the issuance of a specialty plate.

18. The organization that requested the specialty license plate shall not redesign the specialty personalized license plate

154 unless such organization pays the director in advance all  
155 redesigned plate fees. All plate holders of such plates must pay the  
156 replacement fees prescribed in section 301.300 for the replacement  
157 of the existing specialty plate. All other applicable license plate  
158 fees in accordance with this chapter shall be required.]

2 [301.3152. Any person or organization who has received a  
3 notice of denial of application for development of a specialty plate  
4 may make a request to the joint committee on transportation  
5 oversight within fifteen days of receipt of the notice for a review of  
6 the committee's determination at a hearing before the committee  
at a time deemed appropriate.]

2 [622.055. 1. A "Transportation Development Commission"  
3 is hereby established. It shall consist of five senators appointed by  
4 the president pro tem of the senate, five representatives appointed  
5 by the speaker of the house of representatives, and five persons,  
6 not less than one of whom shall be an intrastate certificated  
7 carrier, not less than one of whom shall be associated with a  
8 railroad industry, and not less than one of whom shall be a shipper,  
9 appointed by the director of the department of economic  
development.]

10 2. The commission shall meet and organize by electing one  
11 legislative member as chairman and another legislative member as  
12 vice chairman. The commission shall meet as often as necessary to  
13 carry out its duties at such places as may be convenient for this  
14 purpose.

15 3. Members shall not receive any compensation for the  
16 performance of their duties, but all shall be reimbursed for actual  
17 and necessary expenses incurred in the performance of those  
18 duties, the legislative members from the contingent funds of their  
19 respective houses, and the public members from funds appropriated  
20 to the department of economic development.]

2 [622.057. The transportation development commission shall  
3 study the implementation of the provisions of sections 622.010 to  
4 622.059 and section 680.307, RSMo, and shall make  
5 recommendations therefor to the motor carrier and railroad safety  
6 division and the department director. It shall also consider any  
other appropriate matter relating to the operation of the motor

7 carrier and railroad safety division and the development and  
8 regulation of transportation activities within this state. It shall  
9 consider the need for new or changed laws or regulations relating  
10 to the development and regulation of transportation activities, and  
11 shall from time to time make recommendations to the governor and  
12 the general assembly in connection therewith to the end that the  
13 development of transportation entities and facilities will enhance  
14 the economic development of the state.]

[630.910. 1. There is hereby created within the department  
2 of mental health the "Suicide Prevention Advisory Committee" to  
3 be comprised of the following eighteen members:

4 (1) Six representatives from each of the following state  
5 departments: mental health, health and senior services, social  
6 services, elementary and secondary education, corrections, and  
7 higher education;

8 (2) Ten citizen members representing suicide survivors, the  
9 criminal justice system, the business community, clergy, schools,  
10 youth, mental health professionals, health care providers, nonprofit  
11 organizations, and a researcher to be appointed by the governor;

12 (3) One member from the house of representatives to be  
13 appointed by the speaker of the house of representatives; and

14 (4) One member of the senate to be appointed by the  
15 president pro tem of the senate.

16 2. The initial appointments to the advisory committee shall  
17 be made by October 1, 2005. The initial ten members appointed  
18 under subdivision (2) of subsection 1 of this section shall be  
19 appointed as follows: four members shall be appointed for a  
20 four-year term, three members shall be appointed for a three-year  
21 term, and three members shall be appointed for a two-year term.

22 3. The first meeting of the advisory committee shall be  
23 scheduled by the director of the department of mental health and  
24 held on or before December 1, 2005. The committee shall meet at  
25 least quarterly thereafter. The director of the department of  
26 mental health, or the director's designee, shall be the chair of the  
27 advisory committee. Each of the departments listed in subdivision  
28 (1) of subsection 1 of this section shall provide staff and technical  
29 support for the advisory committee.

- 30                   4. The advisory committee shall:
- 31                   (1) Provide oversight, technical support, and outcome
- 32 promotion for prevention activities;
- 33                   (2) Develop annual goals and objectives for ongoing suicide
- 34 prevention efforts;
- 35                   (3) Make information on prevention and mental health
- 36 intervention models available to community groups implementing
- 37 suicide prevention programs;
- 38                   (4) Promote the use of outcome methods that will allow
- 39 comparison and evaluation of the efficacy, effectiveness, cultural
- 40 competence, and cost- effectiveness of plan-supported interventions,
- 41 including making specific recording and monitoring instruments
- 42 available for plan-supported projects;
- 43                   (5) Review and recommend changes to existing or proposed
- 44 statutes, rules, and policies to prevent suicides; and
- 45                   (6) Coordinate and issue a biannual report on suicide and
- 46 suicidal behaviors in the state using information drawn from
- 47 federal, state, and local sources.
- 48                   5. Members of the committee shall serve without
- 49 compensation but the ten citizen members may be reimbursed for
- 50 any actual expenses incurred in the performance of their duties as
- 51 members of the advisory committee.]

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