

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 385**  
94TH GENERAL ASSEMBLY

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Reported from the Committee on Governmental Accountability and Fiscal Oversight, March 8, 2007, with recommendation that the Senate Committee Substitute do pass.

1803S.02C

TERRY L. SPIELER, Secretary.

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**AN ACT**

To repeal sections 8.900, 21.475, 21.780, 32.250, 32.260, 44.227, 162.1060, 166.203, 170.250, 192.375, 192.745, 208.275, 208.792, 253.375, 260.370, 260.725, 320.094, 622.055, and 622.057, RSMo, and to enact in lieu thereof twelve new sections relating to the repeal and reduction of certain committees and commissions, with an expiration date for certain sections.

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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, 32.250, 32.260, 44.227, 162.1060, 166.203, 170.250, 192.375, 192.745, 208.275, 208.792, 253.375, 260.370, 260.725, 320.094, 622.055, and 622.057, RSMo, are repealed and twelve new sections enacted in lieu thereof, to be known as sections 8.900, 44.227, 44.238, 162.1060, 166.203, 170.250, 192.375, 192.745, 208.275, 208.792, 260.370, and 320.094, 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.

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

3           2. The commission shall consist of seventeen members, one who shall be  
4 a member of the senate appointed by the president pro tem of the senate, one who  
5 shall be a member of the house of representatives appointed by the speaker of the  
6 house of representatives, and fifteen members appointed by the governor, with  
7 the advice and consent of the senate, one each representing the following  
8 professional areas: architecture, planning, fire protection, public utilities,  
9 electrical engineering, mechanical engineering, structural engineering, soils  
10 engineering, geology, seismology, local government, insurance, business, the  
11 American Red Cross and emergency management.

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

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

25           5. Each member of the commission shall serve without compensation but  
26 shall receive [fifty dollars for each day devoted to the affairs of the commission,  
27 plus] actual and necessary expenses incurred in the discharge of his official  
28 duties.

29           6. The office of emergency management in the department of public safety  
30 shall provide to the commission all technical, clerical and other necessary support  
31 services.

**44.238. The provisions of sections 44.227 to 44.238 shall expire on  
2 December 31, 2010.**

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  
27 transfer 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  
45 attended, and provided that the department shall determine the increased state  
46 aid eligibility created by including pupils attending school in a program  
47 established pursuant to this section as eligible pupils of the district of residence  
48 and shall distribute the full amount of such state aid to the metropolitan schools  
49 achieving value in transfer corporation and shall not distribute state aid on the  
50 basis of 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

68 school 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 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.]

166.203. 1. There is hereby created the "Missouri Access to Higher  
2 Education Trust", which shall be a body corporate and politic. The trust shall be  
3 located within the state office of administration, but shall exercise its prescribed  
4 powers, duties, and functions independently. The trust shall be governed by a  
5 board of directors which shall consist of ~~[ten]~~ **eight** members with knowledge,  
6 skill, and experience in the academic, business, or financial field appointed by the  
7 governor, by and with the advice and consent of the senate. Not more than three  
8 members of the board shall be, during their term of office on the board, either  
9 officials, appointees, or employees of this state, except that at least one member  
10 shall be appointed from a minority group. Of the remaining ~~[seven]~~ **five**  
11 members appointed by the governor, ~~[one shall be appointed from a nominee of~~  
12 ~~the speaker of the house of representatives, one shall be appointed from a~~  
13 ~~nominee of the president pro tem of the senate,]~~ one shall be a president of a  
14 public four-year college or university, one shall be a president or chancellor of a  
15 public community college, one shall represent the interests of Missouri  
16 independent degree-granting colleges and universities, and one shall be the  
17 commissioner of higher education. Of these remaining ~~[seven]~~ **five** members, at  
18 least one shall be a member of a minority group. Members shall be appointed for  
19 a term of three years; except that, of the members first appointed, three shall be  
20 appointed for a term of one year, three shall be appointed for a term of two years,  
21 and four shall be appointed for a term of three years. A member shall serve until  
22 a successor is appointed and qualified, and a vacancy shall be filled for the  
23 balance of the unexpired term in the same manner as the original  
24 appointment. The governor shall designate one member as chairperson. The  
25 governor shall also designate one member as the president and chief executive  
26 officer of the trust and one member as the vice president of the trust. Members  
27 of the board, other than the president and vice president if they are not otherwise  
28 employees of the state, shall receive no compensation, but shall be reimbursed for  
29 their actual and necessary expenses incurred in the performance of their duties.

30           2. The board may delegate to its president, vice president, or other  
31 member such functions and authority as the board considers necessary or  
32 appropriate. These functions may include, but are not limited to, the oversight  
33 and supervision of employees of the trust.

34           3. A majority of the members of the board serving shall constitute a  
35 quorum for the transaction of business at a meeting of the board, or the exercise  
36 of a power or function of the trust, notwithstanding the existence of one or more  
37 vacancies. Voting upon action taken by the board shall be conducted by majority  
38 vote of the members present at a meeting of the board, and, if authorized by the  
39 bylaws of the board and when a quorum is present in person at the meeting, by  
40 use of amplified telephonic equipment. The board shall meet at the call of the  
41 chair and as may be provided in the bylaws of the trust. Meetings of the board  
42 may be held anywhere within the state.

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] **185.205**,  
9 RSMo, for 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]~~ **twenty-five** members. The members of the committee shall  
29 consist of one representative of public television stations as defined in section  
30 ~~[37.205]~~ **185.205**, RSMo, and one representative of the cable television industry  
31 appointed by the state board of education, one representative of public television  
32 stations as defined in section ~~[37.205]~~ **185.205**, RSMo, and one representative of  
33 the cable television industry appointed by the coordinating board for higher  
34 education, three classroom teachers from the elementary and secondary level  
35 appointed by the state board of education, three school administrators of  
36 elementary or secondary schools appointed by the state board of education, three  
37 members of school boards of local public school districts appointed by the state  
38 board of education, four representatives from public community college districts  
39 appointed by the coordinating board for higher education, four representatives of  
40 state-supported institutions of higher education other than community colleges  
41 appointed by the coordinating board for higher education, one representative of  
42 the regional consortium for education and technology appointed by the state  
43 board of education, one representative of the cooperating school districts of the  
44 St. Louis suburban area appointed by the state board of education, **and** two  
45 representatives of the public appointed by the governor with the advice and  
46 consent of the senate[, two members of the senate appointed by the senate  
47 president pro tem and two members of the house of representatives appointed by  
48 the speaker of the house of representatives]. Of all members appointed by the  
49 state board of education, no more than four shall be from any one congressional  
50 district and of all the members appointed by the coordinating board for higher  
51 education, no more than four shall be from any one congressional district. The  
52 members of the committee shall serve three-year terms and shall not serve more  
53 than two terms consecutively. However, committee members having served two  
54 consecutive terms may be reappointed after leaving the committee for at least one  
55 three-year term. On August 28, 1992, the committee shall designate nine of its  
56 members to serve a term of one year, ten of its members to serve a term of two  
57 years, and ten of its members to serve a term of three years. All subsequent  
58 appointments shall be for three years. All members shall receive no  
59 compensation for their services, but shall be reimbursed for the actual and

60 necessary expenses incurred while serving on the committee out of funds  
61 appropriated for that purpose. The committee shall meet at least quarterly and  
62 shall annually issue a report together with its recommendations to the state  
63 board of education and the general assembly. **The provisions of this**  
64 **subsection shall expire on December 31, 2010.**

65 4. The state board of education may cooperate with existing programs  
66 including the University of Missouri, other institutions of higher education, the  
67 cooperating school districts of the St. Louis suburban area, or its successor  
68 organization, the regional consortium for education and technology or its  
69 successor organization, and any statewide organization of public school governing  
70 boards and may delegate or contract for the performance or operation of the  
71 respective grant programs. The state board of education shall establish  
72 appropriate guidelines for participation by the aforementioned entities and by  
73 school districts, community college districts, and public television stations as  
74 defined in section [37.205] **185.205**, RSMo, in the grant program. Such  
75 guidelines shall include application procedures and shall establish policies for  
76 awarding grants in the event that more grant applications are received than are  
77 funds available to honor the applications in any fiscal year. In allocating funds  
78 to applicants, the state board of education may give due consideration to revenues  
79 available from all other sources. The state board of education shall accredit  
80 courses offered through this program at the elementary and secondary education  
81 level. The coordinating board for higher education shall approve courses taught  
82 at the postsecondary level.

83 5. In any fiscal year, moneys in the fund shall be used first to ensure that  
84 any and all school districts, community college districts and state institutions of  
85 higher education seeking aid under this program shall receive  
86 telecommunications equipment including computers and modems necessary to  
87 participate in the satellite learning process or instructional television video;  
88 second to provide the school districts, community college districts and state  
89 institutions of higher education with access to subjects at the advanced level or  
90 the remedial level or which are not taught in the schools of the district or the  
91 service area or campus, which subjects shall include courses in continuing  
92 education necessary for maintenance or renewal of licenses for all such licensed  
93 health care providers; and third to provide enrichment classes for all pupils of the  
94 district. However, the state board of education may set aside a portion of the  
95 funds to be used to contract with state-supported institutions of higher education

96 and public television stations as defined in section [37.205] **185.205**, RSMo, to  
97 develop instructional programs for grades kindergarten through twelve and for  
98 undergraduate and graduate course work suitable for broadcast to the school  
99 districts, community college districts and state institutions of higher education  
100 as appropriate and to develop the capability to transmit programs cited in this  
101 section.

102         6. Participation by a local school district, a community college district or  
103 a state institution of higher education in the program established by this section  
104 shall be voluntary. No school district, community college district or state  
105 institution of higher education receiving funds under this program shall use those  
106 funds for any purpose other than that for which they were intended. Any school  
107 district, community college district or state institution of higher education shall  
108 be eligible to receive funds under this program regardless of its curriculum, local  
109 wealth or previous contractual arrangements to receive satellite broadcast  
110 instruction.

111         7. The office of administration on behalf of the state of Missouri may  
112 contract with institutions of higher education for the development or operation  
113 or both of state employee training programs transmitted by telecommunications  
114 technology.

115         8. Instructional programs developed pursuant to this section which are  
116 transmitted one way through the airwaves or by cable television shall be  
117 available to all residents of this state without charge or fee to the extent  
118 permitted by the Missouri Constitution. "Without charge or fee" shall not require  
119 the providing of equipment to transmit or receive telecommunications instruction  
120 or the providing of commercial cable television service. If the instructional  
121 program involves two-way, interactive communication between the instructor and  
122 the participant, the district or institution operating the program may prescribe  
123 academic prerequisites and limit the number of persons who may enroll in the  
124 specific program and give preference to residents of the district or institutional  
125 attendance area who are age twenty-one or younger but shall not discriminate  
126 against any resident on any other basis. A fee may be charged which shall be  
127 paid directly by the individual participant, but the fee shall be equal for all  
128 participants. If a subscription fee is charged by the originator of the program, the  
129 district or institution may pay the subscription fee for all participants from the  
130 grant pursuant to this section or from any other public or private fund legally  
131 authorized to be used for this purpose. Printed materials designed to facilitate

132 or complement telecommunications programs or electronic reproductions thereof  
133 may be made available for loan by the school district, community college or  
134 institution of higher education through the public library system subject to the  
135 normal rules and regulations of the lending system and in such quantities as may  
136 be approved by the governing body of the district or institution. Instructional  
137 programs which involve two-way, interactive communication between the  
138 instructor and the participant shall also be available to any not-for-profit  
139 organization in this state which is exempt from taxation pursuant to subdivision  
140 (19) of subsection 2 of section 144.030, RSMo, upon payment of a reasonable  
141 subscription fee as determined by the state board of education. Such fees shall  
142 be set on a per-participant, per-course basis. The district or institution or the  
143 state board of education may make telecommunication equipment available for  
144 purchase at cost by or rental to any not-for-profit organization in this state which  
145 is exempt from taxation pursuant to subdivision (19) of subsection 2 of section  
146 144.030, RSMo.

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

159 (2) The public service commission may approve the tariff as submitted, or  
160 may, after hearing, modify the tariff in the public interest. The commission may  
161 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  
21 by the governor;

22 (10) [One member of the special health, psychological, and social needs  
23 of 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.

69 **10. The provisions of this section shall expire on December 31,**  
70 **2010.**

208.275. 1. As used in this section, unless the context otherwise  
2 indicates, the following terms mean:

3 (1) "Elderly", any person who is sixty years of age or older;

4 (2) "Handicapped", any person having a physical or mental condition,  
5 either permanent or temporary, which would substantially impair ability to  
6 operate or utilize available transportation.

7 2. There is hereby created the "Coordinating Council on Special  
8 Transportation" within the Missouri department of transportation. The members  
9 of the council shall be: [two members of the senate appointed by the president  
10 pro tem, who shall be from different political parties; two members of the house  
11 of representatives appointed by the speaker, who shall be from different political  
12 parties;] the assistant for transportation of the Missouri department of  
13 transportation, or his designee; the assistant commissioner of the department of  
14 elementary and secondary education, responsible for special transportation, or his  
15 designee; the director of the division of aging of the department of social services,  
16 or his designee; the deputy director for mental retardation/developmental  
17 disabilities and the deputy director for administration of the department of  
18 mental health, or their designees; the executive secretary of the governor's  
19 committee on the employment of the handicapped; and seven consumer  
20 representatives appointed by the governor by and with the advice and consent of  
21 the senate, four of the consumer representatives shall represent the elderly and  
22 three shall represent the handicapped. Two of such three members representing  
23 handicapped persons shall represent those with physical handicaps. Consumer  
24 representatives appointed by the governor shall serve for terms of three years or  
25 until a successor is appointed and qualified. Of the members first selected, two  
26 shall be selected for a term of three years, two shall be selected for a term of two  
27 years, and three shall be selected for a term of one year. In the event of the  
28 death or resignation of any member, his successor shall be appointed to serve for  
29 the unexpired period of the term for which such member had been appointed.

30 3. State agency personnel shall serve on the council without additional  
31 appropriations or compensation. The consumer representatives shall serve  
32 without compensation except for receiving reimbursement for the reasonable and

33 necessary expenses incurred in the performance of their duties on the council  
34 from funds appropriated to the department of transportation. [Legislative  
35 members shall be reimbursed by their respective appointing bodies out of the  
36 contingency fund for such body for necessary expenses incurred in the  
37 performance of their duties.]

38 4. Staff for the council shall be provided by the Missouri department of  
39 transportation. The department shall designate a special transportation  
40 coordinator who shall have had experience in the area of special transportation,  
41 as well as such other staff as needed to enable the council to perform its duties.

42 5. The council shall meet at least quarterly each year and shall elect from  
43 its members a chairman and a vice chairman.

44 6. The coordinating council on special transportation shall:

45 (1) Recommend and periodically review policies for the coordinated  
46 planning and delivery of special transportation when appropriate;

47 (2) Identify special transportation needs and recommend agency funding  
48 allocations and resources to meet these needs when appropriate;

49 (3) Identify legal and administrative barriers to effective service delivery;

50 (4) Review agency methods for distributing funds within the state and  
51 make recommendations when appropriate;

52 (5) Review agency funding criteria and make recommendations when  
53 appropriate;

54 (6) Review area transportation plans and make recommendations for plan  
55 format and content;

56 (7) Establish measurable objectives for the delivery of transportation  
57 services;

58 (8) Review annual performance data and make recommendations for  
59 improved service delivery, operating procedures or funding when appropriate;

60 (9) Review local disputes and conflicts on special transportation and  
61 recommend solutions.

62 **7. The provisions of this section shall expire on December 31,**  
63 **2010.**

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

6 (1) The lieutenant governor, in his or her capacity as advocate for senior  
7 citizens;

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

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

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

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

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

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

25 (a) A licensed pharmacist;

26 (b) A licensed physician;

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

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

29 [(8)] (7) A representative from the pharmaceutical manufacturers  
30 industry as a nonvoting member appointed by the president pro tem of the senate  
31 and the speaker of the house of representatives;

32 [(9)] (8) One public member appointed by the president pro tem of the  
33 senate; and

34 [(10)] (9) One public member appointed by the speaker of the house of  
35 representatives.

36 In making the initial appointment to the committee, the governor, president pro  
37 tem, and speaker shall stagger the terms of the appointees so that four members  
38 serve initial terms of two years, four members serve initial terms of three years,  
39 four members serve initial terms of four years, and one member serves an initial  
40 term of one year. All members appointed thereafter shall serve three-year terms.  
41 All members shall be eligible for reappointment. The commission shall elect a

42 chair and may employ an executive director and such professional, clerical, and  
43 research personnel as may be necessary to assist in the performance of the  
44 commission's duties.

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

50         3. The commission:

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

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

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

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

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

260.370. 1. Where proven technology is available and the economic  
2 impact is reasonable, pursuant to rules and regulations promulgated by the  
3 commission, the hazardous waste management commission shall encourage that  
4 every effort is made to effectively treat, recycle, detoxify, incinerate or otherwise  
5 treat hazardous waste to be disposed of in the state of Missouri in order that such  
6 wastes are not disposed of in a manner which is hazardous to the public health  
7 and the environment. Where proven technology is available with respect to a  
8 specific hazardous waste and the economic impact is reasonable, pursuant to  
9 rules and regulations promulgated by the commission, the hazardous waste  
10 management commission shall direct that disposal of the specific hazardous  
11 wastes using land filling as the primary method is prohibited.

12         2. The hazardous waste management commission shall, by rules and  
13 regulations, categorize hazardous waste by taking into account toxicity,  
14 persistence and degradability in nature, potential for accumulation in tissue, and  
15 other related factors such as flammability, corrosiveness and other hazardous

16 characteristics. The commission shall by rules and regulations further establish  
17 within each category the wastes which may or may not be disposed of through  
18 alternative hazardous waste management technologies including, but not limited  
19 to, treatment facilities, incinerators, landfills, landfarms, storage facilities,  
20 surface impoundments, recycling, reuse and reduction. The commission shall  
21 specify, by rule and regulation, the frequency of inspection for each method of  
22 hazardous waste management and for the different waste categories at hazardous  
23 waste management sites. The inspection may be daily when the hazardous waste  
24 management commission deems it necessary. The hazardous waste management  
25 commission shall specify, by rule, fees to be paid to the department by owners or  
26 operators of hazardous waste facilities who have obtained, or are required to  
27 obtain, a hazardous waste facility permit and who accept, on a commercial basis  
28 for remuneration, hazardous waste from off-site sources, but not including wastes  
29 generated by the same person at other sites located in Missouri or within a  
30 metropolitan statistical area located partially in Missouri and owned or operated  
31 by the same person and transferred to the hazardous waste facility, for treatment,  
32 storage or disposal, for inspections conducted by the department to determine  
33 compliance with sections 260.350 to 260.430 and the regulations promulgated  
34 thereunder. Funds derived from these inspection fees shall be used for the  
35 purpose of funding the inspection of hazardous waste facilities, as specified in  
36 subsection 3 of section 260.391. Such fees shall not exceed twelve thousand  
37 dollars per year per facility and the commission shall establish a graduated fee  
38 scale based on the volume of hazardous waste accepted with reduced fees for  
39 facilities accepting smaller volumes of hazardous waste. The department shall  
40 furnish, upon request, to the person, firm or corporation operating the hazardous  
41 waste facility a complete, full and detailed accounting of the cost of the  
42 department's inspections of the facility for the twelve-month period immediately  
43 preceding the request within forty-five days after receipt of the request. Failure  
44 to provide the accounting within forty-five days shall require the department to  
45 refund the inspection fee paid during the twelve-month-time period.

46           3. In addition to any other powers vested in it by law, the commission  
47 shall have the following powers:

48           (1) From time to time adopt, amend or repeal, after due notice and public  
49 hearing, standards, rules and regulations to implement, enforce and carry out the  
50 provisions of sections 260.350 to 260.430 and any required of this state by any  
51 federal hazardous waste management act and as the commission may deem

52 necessary to provide for the safe management of hazardous wastes to protect the  
53 health of humans and the environment. In implementing this subsection, the  
54 commission shall consider the variations within this state in climate, geology,  
55 population density, quantities and types of hazardous wastes generated,  
56 availability of hazardous waste facilities and such other factors as may be  
57 relevant to the safe management of hazardous wastes. Within two years after  
58 September 28, 1977, the commission shall adopt rules and regulations including  
59 the following:

60 (a) Rules and regulations establishing criteria and a listing for the  
61 determination of whether any waste or combination of wastes is hazardous for the  
62 purposes of sections 260.350 to 260.430, taking into account toxicity, persistence  
63 and degradability in nature, potential for accumulation in tissue, and other  
64 related factors such as flammability, corrosiveness and other hazardous  
65 characteristics;

66 (b) Rules and regulations for the storage, treatment and disposal of  
67 hazardous wastes;

68 (c) Rules and regulations for the transportation, containerization and  
69 labeling of hazardous wastes, which shall be consistent with those issued by the  
70 Missouri public service commission;

71 (d) Rules and regulations establishing standards for the issuance,  
72 modification, suspension, revocation or denial of such licenses and permits as are  
73 consistent with the purposes of sections 260.350 to 260.430;

74 (e) Rules and regulations establishing standards and procedures for the  
75 safe operation and maintenance of hazardous waste facilities in order to protect  
76 the health of humans and other living organisms;

77 (f) Rules and regulations listing those wastes or combinations of wastes,  
78 for which criteria have been established under paragraph (a) of this subdivision  
79 and which are not compatible and which may not be stored or disposed of  
80 together;

81 (g) Rules and regulations establishing procedures and requirements for  
82 the reporting of the generation, storage, transportation, treatment or disposal of  
83 hazardous wastes;

84 (2) Adopt and publish, after notice as required by the provisions of  
85 chapter 536, RSMo, pertaining to administrative rulemaking, and public hearing,  
86 a state hazardous waste management plan to provide for the safe and effective  
87 management of hazardous wastes within this state. This plan shall be adopted

88 within two years after September 28, 1977, and revised at least once every five  
89 years thereafter;

90 (3) Hold hearings, issue notices of hearings and subpoenas requiring the  
91 attendance of witnesses and the production of evidence, administer oaths and  
92 take testimony as the commission deems necessary to accomplish the purposes  
93 of sections 260.350 to 260.430 or as required by any federal hazardous waste  
94 management act. Unless otherwise specified in sections 260.350 to 260.430, any  
95 of these powers may be exercised on behalf of the commission by any members  
96 thereof or a hearing officer designated by it;

97 (4) Grant individual variances in accordance with the provisions of  
98 sections 260.350 to 260.430;

99 (5) Make such orders as are necessary to implement, enforce and  
100 effectuate the powers, duties and purposes of sections 260.350 to 260.430.

101 4. No rule or portion of a rule promulgated under the authority of sections  
102 260.350 to 260.480 and sections 260.565 to 260.575 shall become effective unless  
103 it has been promulgated pursuant to the provisions of section 536.024, RSMo.

104 5. To the extent there is a conflict concerning authority for risk-based  
105 remediation rules between this section and section 644.143, RSMo, or subdivision  
106 (8) of section 644.026, RSMo, this section shall prevail.

107 [6. Beginning July 1, 2004, a joint committee appointed by the speaker of  
108 the house of representatives and the president pro tem of the senate shall  
109 consider proposals for restructuring the fees paid by hazardous waste generators  
110 and hazardous waste facilities. The committee shall consider options for  
111 expanding the fee structure to more fairly apportion the cost of services provided  
112 among all those that benefit from those services. The committee shall prepare  
113 and submit a report including its recommendation for changes to the governor,  
114 the house of representatives, and the senate no later than December 31, 2004.]

320.094. 1. The state treasurer shall annually transfer an amount  
2 prescribed in subsection 2 of this section out of the state revenues derived from  
3 premium taxes levied on insurance companies pursuant to sections 148.310 to  
4 148.461, RSMo, which are deposited by the director of revenue in the general  
5 revenue fund pursuant to section 148.330, RSMo, in a fund hereby created in the  
6 state treasury, to be known as the "Fire Education Fund". Any interest earned  
7 from investment of moneys in the fund, and all moneys received from gifts,  
8 grants, or other moneys appropriated by the general assembly, shall be credited  
9 to the fund. The state treasurer shall administer the fund, and the moneys in

10 such fund shall be used solely as prescribed in this section. Notwithstanding the  
11 provisions of section 33.080, RSMo, to the contrary, moneys in the fire education  
12 fund at the end of any biennium shall not be transferred to the credit of the  
13 general revenue fund.

14           2. Beginning July 1, 1998, three percent of the amount of premium taxes  
15 collected in the immediately preceding fiscal year pursuant to sections 148.310  
16 to 148.461, RSMo, which are deposited in the general revenue fund that exceeds  
17 the amount of premium taxes which were deposited in the general revenue fund  
18 in the 1997 fiscal year shall be transferred from the general revenue fund to the  
19 credit of the fire education fund. At the end of each fiscal year, the commissioner  
20 of administration shall determine the amount transferred to the credit of the fire  
21 education fund in each fiscal year by computing the premium taxes deposited in  
22 the general revenue fund in the prior fiscal year and comparing such amount to  
23 the amount of premium taxes deposited in the general revenue fund in the 1997  
24 fiscal year. An amount equal to three percent of the increase computed pursuant  
25 to this section shall be transferred by the state treasurer to the credit of the fire  
26 education fund; however, such transfer in any fiscal year shall not exceed one  
27 million five hundred thousand dollars.

28           3. There is hereby established a special trust fund, to be known as the  
29 "Missouri Fire Education Trust Fund", which shall consist of all moneys collected  
30 per subsection 2 of this section transferred to the fund from the fire education  
31 fund pursuant to this subsection, any earnings resulting from the investment of  
32 moneys in the fund, and all moneys received from gifts, grants, or other moneys  
33 appropriated by the general assembly. Each fiscal year, an amount equal to forty  
34 percent of the moneys transferred to the fire education fund collected pursuant  
35 to subsection 2 of this section shall be transferred by the state treasurer to the  
36 credit of the Missouri fire education trust fund. The fund shall be administered  
37 by a board of trustees, consisting of the state treasurer[, two members of the  
38 senate appointed by the president pro tem of the senate, two members of the  
39 house of representatives appointed by the speaker of the house,] and two  
40 members appointed by the governor with the advice and consent of the  
41 senate. [Any member appointed due to such person's membership in the senate  
42 or house of representatives shall serve only as long as such person holds the office  
43 referenced in this section.] The state treasurer shall invest moneys in the fund  
44 in a manner as provided by law. Subject to appropriations, moneys in the fund  
45 shall be used solely for the purposes described in this section, but such



46 appropriations shall be made only if the board recommends to the general  
47 assembly that such moneys are needed in that fiscal year to adequately fund the  
48 activities described in this section. Moneys shall accumulate in the trust fund  
49 until the earnings from investment of moneys in the fund can adequately support  
50 the activities described in this section, as determined by the board. At such time,  
51 the board may recommend that the general assembly adjust or eliminate the  
52 funding mechanism described in this section. Notwithstanding the provisions of  
53 section 33.080, RSMo, to the contrary, moneys in the Missouri fire education trust  
54 fund at the end of any biennium shall not be transferred to the credit of the  
55 general revenue fund.

56 4. The moneys in the fire education fund, after any distribution pursuant  
57 to subsection 3 of this section, shall be appropriated to the division of fire safety  
58 to coordinate education needs in cooperation with community colleges, colleges,  
59 regional training facilities, fire and emergency services training entities and  
60 universities of this state and shall provide training and continuing education to  
61 firefighters in this state relating to fire department operations and the personal  
62 safety of firefighters while performing fire department activities. Programs and  
63 activities funded under this subsection must be approved by the Missouri fire  
64 education commission established in subsection 5 of this section. These funds  
65 shall primarily be used to provide field education throughout the state, with not  
66 more than two percent of funds under this subsection expended on administrative  
67 costs.

68 5. There is established the "Missouri Fire Education Commission", to be  
69 domiciled in the division of fire safety within the department of public  
70 safety. The commission shall be composed of five members appointed by the  
71 governor with the advice and consent of the senate, consisting of one firefighter  
72 serving as a volunteer of a volunteer fire protection association, one full-time  
73 firefighter employed by a recognized fire department or fire protection district,  
74 one firefighter training officer, one person serving as the chief of a volunteer fire  
75 protection association, and one chief fire officer from a recognized fire department  
76 or fire protection district. No more than three members appointed by the  
77 governor shall be of the same political party. The terms of office for the members  
78 appointed by the governor shall be four years and until their successors are  
79 selected and qualified, except that, of those first appointed, two shall have a term  
80 of four years, two shall have a term of three years and one shall have a term of  
81 two years. There is no limitation on the number of terms an appointed member

82 may serve. The governor may appoint a member for the remaining portion of the  
83 unexpired term created by a vacancy. The governor may remove any appointed  
84 member for cause. The members shall at their initial meeting select a chair. All  
85 members of the commission shall serve without compensation for their duties, but  
86 shall be reimbursed for necessary travel and other expenses incurred in the  
87 performance of their official duties. The commission shall meet at least quarterly  
88 at the call of the chair and shall review and determine appropriate programs and  
89 activities for which funds may be expended under subsection 4 of this section.

[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.]

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

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 [253.375. 1. As a necessary adjunct to the operation and  
3 maintenance of this memorial and historic site, as herein provided,  
4 there is hereby created a state advisory commission, to be known  
5 as "The Thomas Hart Benton Homestead Memorial Commission",  
6 to consist of twenty members, ten members to be appointed by the  
7 director of the department of natural resources, five members to be  
8 appointed by the president pro tem of the senate and five members  
9 to be appointed by the speaker of the house. The appointees shall  
10 be selected from outstanding individuals, not restricted to citizens  
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.]

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

13 to 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.]

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

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