

SECOND REGULAR SESSION  
[CORRECTED]  
[PERFECTED]  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 843

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RIDDLE.

Offered April 5, 2018.

Senate Substitute adopted, April 5, 2018.

Taken up for Perfection April 5, 2018. Bill declared Perfected and Ordered Printed, as amended.

ADRIANE D. CROUSE, Secretary.

5541S.05P

## AN ACT

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

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

Section A. Sections 41.1010, 91.640, 105.955, 143.1015, 160.2100,  
2 160.2110, 186.007, 189.015, 189.025, 189.030, 189.035, 191.400, 191.980, 192.005,  
3 192.014, 192.230, 192.240, 192.707, 192.710, 192.2030, 194.400, 194.408, 194.409,  
4 196.1129, 208.197, 208.955, 209.287, 209.307, 210.170, 217.900, 217.903, 217.905,  
5 217.907, 217.910, 253.408, 253.412, 288.475, 324.177, 324.180, 324.406, 324.409,

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

6 324.412, 324.415, 324.421, 324.424, 324.427, 324.430, 324.436, 324.478, 332.086,  
7 334.430, 334.625, 334.749, 335.021, 453.600, 620.1200, 633.200, 701.040, and  
8 701.353, RSMo, and section 105.959 as enacted by senate bill no. 844, ninety-fifth  
9 general assembly, second regular session, are repealed and forty-nine new  
10 sections enacted in lieu thereof, to be known as sections 29.415, 41.1010, 91.640,  
11 105.955, 143.1015, 186.007, 189.015, 189.025, 189.030, 189.035, 191.400, 191.756,  
12 191.980, 192.005, 192.014, 192.230, 192.707, 192.710, 194.400, 194.408, 208.955,  
13 209.287, 209.307, 210.170, 210.1200, 210.1210, 253.408, 324.177, 324.180,  
14 324.406, 324.409, 324.412, 324.415, 324.421, 324.424, 324.427, 324.430, 324.436,  
15 324.478, 332.086, 334.430, 334.625, 334.749, 335.021, 453.600, 620.1200, 633.200,  
16 701.040, and 701.353, to read as follows:

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

41.1010. 1. There is hereby established the "Missouri Military  
2 Preparedness and Enhancement Commission". The commission shall have as its  
3 purpose the design and implementation of measures intended to protect, retain,  
4 and enhance the present and future mission capabilities at the military posts or  
5 bases within the state. The commission shall consist of ~~[nine]~~ **eleven** members:  
6 (1) ~~[Five]~~ **Seven** members to be appointed by the governor;  
7 (2) Two members of the house of representatives, one appointed by the  
8 speaker of the house of representatives, and one appointed by the minority floor  
9 leader;  
10 (3) Two members of the senate, one appointed by the president pro  
11 tempore, and one appointed by the minority floor leader;  
12 (4) The director of the department of economic development or the  
13 director's designee, ex officio;  
14 (5) The chairman of the Missouri veterans' commission or the chairman's  
15 designee, ex officio.

16 No more than ~~[three of the five]~~ **four of the seven** members appointed by the  
17 governor shall be of the same political party. To be eligible for appointment by  
18 the governor, a person shall have demonstrated experience in economic  
19 development, the defense industry, military installation operation, environmental

20 issues, finance, local government, or the use of air space for future military  
21 missions. Appointed members of the commission shall serve three-year terms,  
22 except that of the initial appointments made by the governor, two shall be for  
23 one-year terms, two shall be for two-year terms, and one shall be for a three-year  
24 term. No appointed member of the commission shall serve more than six years  
25 total. A vacancy occurs if a legislative member leaves office for any reason. Any  
26 vacancy on the commission shall be filled in the same manner as the original  
27 appointment.

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

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

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

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

37           6. The commission shall:

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

40           (2) Make recommendations regarding:

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

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

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

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

54           (4) Serve as a clearinghouse for:

55           (a) Defense economic adjustment and transition information and

56 activities; and

57 (b) Information concerning the following:

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

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

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

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

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

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

73 (8) Prepare a biennial strategic plan that:

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

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

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

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

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

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

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

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

7 acquire by gift, purchase or the exercise of the right of eminent domain, lands,  
8 easements, rights in lands and water rights in connection therewith;

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

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

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

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

39 2. For the purpose of constructing, managing and operating the  
40 undertakings herein described there is hereby created a "board of public  
41 works". This board shall consist of five members, who shall be qualified voters  
42 and resident taxpayers of such municipality. The mayor or presiding officer of

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

74           3. The government is hereby authorized to construct any undertaking  
75 within a defense area, to acquire by purchase, lease, gift, exchange or the exercise  
76 of eminent domain, lands, easements, rights of lands and water rights in  
77 connection therewith and to maintain and operate such undertakings. Any  
78 municipality is hereby authorized to lease from the government or to enter into

79 an agreement to operate for and in behalf of the government any undertaking  
80 constructed by the government.

105.955. 1. A bipartisan "Missouri Ethics Commission", composed of [six]  
2 **eight** members, **with one member from each congressional district as**  
3 **provided in this section**, is hereby established. The commission shall be  
4 assigned to the office of administration with supervision by the office of  
5 administration only for budgeting and reporting as provided by subdivisions (4)  
6 and (5) of subsection 6 of section 1 of the Reorganization Act of 1974. Supervision  
7 by the office of administration shall not extend to matters relating to policies,  
8 regulative functions or appeals from decisions of the commission, and the  
9 commissioner of administration, any employee of the office of administration, or  
10 the governor, either directly or indirectly, shall not participate or interfere with  
11 the activities of the commission in any manner not specifically provided by law  
12 and shall not in any manner interfere with the budget request of or withhold any  
13 moneys appropriated to the commission by the general assembly. All members  
14 of the commission shall be appointed by the governor with the advice and consent  
15 of the senate [from lists submitted pursuant to this section]. Each congressional  
16 district committee of the political parties having the two highest number of votes  
17 cast for their candidate for governor at the last gubernatorial election shall  
18 submit **a list of at least two but no more than five** names of eligible  
19 nominees for membership on the commission **for the position on the**  
20 **commission that corresponds with such congressional district** to the  
21 governor, and the governor [shall] **may** select [six] members from such nominees  
22 to serve on the commission.

23 2. [Within thirty days of submission of the person's name to the governor  
24 as provided in subsection 1 of this section, and] In order to be an eligible nominee  
25 for appointment to the commission, a person shall file a financial interest  
26 statement in the manner provided by section 105.485 and shall provide the  
27 governor, the president pro tempore of the senate, and the commission with a list  
28 of all political contributions and the name of the candidate or committee, political  
29 party, or continuing committee, as defined in chapter 130, to which those  
30 contributions were made within the four-year period prior to such appointment,  
31 made by the nominee, the nominee's spouse, or any business entity in which the  
32 nominee has a substantial interest. The information shall be maintained by the  
33 commission and available for public inspection during the period of time during  
34 which the appointee is a member of the commission. In order to be an eligible

35 nominee for membership on the commission, a person shall be a citizen and a  
36 resident of the state and shall have been a registered voter in the state for a  
37 period of at least five years preceding the person's appointment. **Each member**  
38 **of the commission shall, at the time of appointment, reside in the**  
39 **congressional district from which he or she was appointed to serve on**  
40 **the commission.**

41       3. **(1) Except as otherwise provided in this subsection,** the term  
42 of each member shall be for four years[, except that of the members first  
43 appointed, the governor shall select three members from even-numbered  
44 congressional districts and three members from odd-numbered districts].

45       **(2) Not more than [three] two** members of the commission shall be  
46 members of the same political party, [nor shall more than one member be from  
47 any one United States congressional district] **provided that beginning March**  
48 **16, 2021, three members of the commission may be from the same**  
49 **political party and beginning March 16, 2022, four members may be**  
50 **from the same party.** [Not more than two members appointed from the  
51 even-numbered congressional districts shall be members of the same political  
52 party, and no more than two members from the odd-numbered congressional  
53 districts shall be members of the same political party. Of the members first  
54 appointed, the terms of the members appointed from the odd-numbered  
55 congressional districts shall expire on March 15, 1994, and the terms of the  
56 members appointed from the even-numbered congressional districts shall expire  
57 on March 15, 1996. Thereafter all successor members of the commission shall be  
58 appointed for four-year terms.]

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

61       **(a) The governor shall appoint to the commission a person from**  
62 **the first congressional district which term shall expire on March 15,**  
63 **2019, with all successive terms lasting four years from March sixteenth**  
64 **of the year in which the previous term expires;**

65       **(b) The term of the member serving from the second**  
66 **congressional district as of March 16, 2018, shall expire on March 15,**  
67 **2019, with all successive terms lasting four years from March sixteenth**  
68 **of the year in which the previous term expires;**

69       **(c) The terms of the members from the third and fifth**  
70 **congressional districts shall each begin on March 16, 2021, with all**



71 **successive terms lasting four years from March sixteenth of the year in**  
72 **which the previous term expires;**

73 **(d) The terms of the members serving from the fourth and sixth**  
74 **congressional districts as of March 16, 2018, shall expire on March 15,**  
75 **2020, with all successive terms lasting four years from March sixteenth**  
76 **of the year in which the previous term expires; and**

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

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

85 **4. (1) Vacancies [or expired terms] due to resignation, removal, or**  
86 **expiration of the term of a member on the commission shall be filled in the**  
87 **same manner as the original appointment was made, except as provided in this**  
88 **subsection. Within thirty days of [the] a vacancy due to resignation or**  
89 **removal or ninety days before [the] a vacancy due to expiration of the term,**  
90 **the names of [two] eligible nominees for membership on the commission shall be**  
91 **submitted to the governor by the congressional district committees [of the**  
92 **political party or parties of the vacating member or members, from the even- or**  
93 **odd-numbered congressional districts, based on the residence of the vacating**  
94 **member or members, other than from the congressional district committees from**  
95 **districts then represented on the commission and from the same congressional**  
96 **district party committee or committees which originally appointed the member**  
97 **or members whose positions are vacated]. Appointments to fill vacancies [or**  
98 **expired terms] shall be made within forty-five days after the deadline for**  
99 **submission of names by the congressional district committees, and shall be**  
100 **subject to the same qualifications for appointment and eligibility as is provided**  
101 **in subsections 2 and 3 of this section. Appointments to fill vacancies for**  
102 **unexpired terms shall be for the remainder of the unexpired term of the member**  
103 **whom the appointee succeeds, and such appointees shall be eligible for**  
104 **appointment to one full four-year term. [If the congressional district committee**  
105 **does not submit the required two nominees within the thirty days or if the**  
106 **congressional district committee does not submit the two nominees within an**

107 additional thirty days after receiving notice from the governor to submit the  
108 nominees, then the governor may appoint a person or persons who shall be  
109 subject to the same qualifications for appointment and eligibility as provided in  
110 subsections 2 and 3 of this section.]

111 **(2) Within one hundred twenty days of a vacancy due to**  
112 **resignation or removal or one hundred twenty days prior to a vacancy**  
113 **due to expiration of the term of a member of the commission, the**  
114 **executive director of the commission shall notify the respective**  
115 **congressional district committees, as designated by subdivision (1) of**  
116 **this subsection, that it is the responsibility of such committee or**  
117 **committees to submit eligible nominees to the governor.**

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

128 6. **(1)** The commission shall elect biennially one of its members as the  
129 chairman. The chairman may not succeed himself or herself after two years. No  
130 member of the commission shall succeed as chairman any member of the same  
131 political party as himself or herself.

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

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

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

142 7. No member or employee of the commission, during the person's term

143 of service, shall hold or be a candidate for any other public office.

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

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

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

150           (2) Be employed as a lobbyist;

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

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

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

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

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

164           11. The commission shall appoint an executive director who shall serve  
165 subject to the supervision of and at the pleasure of the commission, but in no  
166 event for more than six years. The executive director shall be responsible for the  
167 administrative operations of the commission and perform such other duties as  
168 may be delegated or assigned to the director by law or by rule of the  
169 commission. The executive director shall employ staff and retain such contract  
170 services as the director deems necessary, within the limits authorized by  
171 appropriations by the general assembly.

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

178           13. Within sixty days of the initial meeting of the first commission

179 appointed, the commission shall obtain from the clerk of the supreme court or the  
180 state courts administrator a list of retired appellate and circuit court judges who  
181 did not leave the judiciary as a result of being defeated in an election. The  
182 executive director shall determine those judges who indicate their desire to serve  
183 as special investigators and to investigate any and all complaints referred to  
184 them by the commission. The executive director shall maintain an updated list  
185 of those judges qualified and available for appointment to serve as special  
186 investigators. Such list shall be updated at least annually. The commission shall  
187 refer complaints to such special investigators on that list on a rotating schedule  
188 which ensures a random assignment of each special investigator. Each special  
189 investigator shall receive only one unrelated investigation at a time and shall not  
190 be assigned to a second or subsequent investigation until all other eligible  
191 investigators on the list have been assigned to an investigation. In the event that  
192 no special investigator is qualified or available to conduct a particular  
193 investigation, the commission may appoint a special investigator to conduct such  
194 particular investigation.

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

198           (1) Receive and review complaints regarding alleged violation of sections  
199 105.450 to 105.496 and chapter 130, conduct initial reviews and investigations  
200 regarding such complaints as provided herein; refer complaints to appropriate  
201 prosecuting authorities and appropriate disciplinary authorities along with  
202 recommendations for sanctions; and initiate judicial proceedings as allowed by  
203 sections 105.955 to 105.963;

204           (2) Review and audit any reports and statements required by the  
205 campaign finance disclosure laws contained in chapter 130, and financial interest  
206 disclosure laws or lobbyist registration and reporting laws as provided by sections  
207 105.470 to 105.492, for timeliness, accuracy and completeness of content as  
208 provided in sections 105.955 to 105.963;

209           (3) Develop appropriate systems to file and maintain an index of all such  
210 reports and statements to facilitate public access to such information, except as  
211 may be limited by confidentiality requirements otherwise provided by law,  
212 including cross-checking of information contained in such statements and  
213 reports. The commission may enter into contracts with the appropriate filing  
214 officers to effectuate such system. Such filing officers shall cooperate as

215 necessary with the commission as reasonable and necessary to effectuate such  
216 purposes;

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

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

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

228 (7) Promulgate rules relating to the provisions of sections 105.955 to  
229 105.963 and chapter 130. All rules and regulations issued by the commission  
230 shall be prospective only in operation;

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

233 15. In connection with such powers provided by sections 105.955 to  
234 105.963 and chapter 130, the commission may:

235 (1) Subpoena witnesses and compel their attendance and testimony.  
236 Subpoenas shall be served and enforced in the same manner provided by section  
237 536.077;

238 (2) Administer oaths and affirmations;

239 (3) Take evidence and require by subpoena duces tecum the production of  
240 books, papers, and other records relating to any matter being investigated or to  
241 the performance of the commission's duties or exercise of its powers. Subpoenas  
242 duces tecum shall be served and enforced in the same manner provided by section  
243 536.077;

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

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

255 16. (1) Upon written request for an advisory opinion received by the  
256 commission, and if the commission determines that the person requesting the  
257 opinion would be directly affected by the application of law to the facts presented  
258 by the requesting person, the commission shall issue a written opinion advising  
259 the person who made the request, in response to the person's particular request,  
260 regarding any issue that the commission can receive a complaint on pursuant to  
261 section 105.957. The commission may decline to issue a written opinion by a vote  
262 of four members and shall provide to the requesting person the reason for the  
263 refusal in writing. The commission shall give an approximate time frame as to  
264 when the written opinion shall be issued. Such advisory opinions shall be issued  
265 no later than ninety days from the date of receipt by the commission. Such  
266 requests and advisory opinions, deleting the name and identity of the requesting  
267 person, shall be compiled and published by the commission on at least an annual  
268 basis. Advisory opinions issued by the commission shall be maintained and made  
269 available for public inspection and copying at the office of the commission during  
270 normal business hours. Any advisory opinion or portion of an advisory opinion  
271 rendered pursuant to this subsection shall be withdrawn by the commission if,  
272 after hearing thereon, the joint committee on administrative rules finds that such  
273 advisory opinion is beyond or contrary to the statutory authority of the  
274 commission or is inconsistent with the legislative intent of any law enacted by the  
275 general assembly, and after the general assembly, by concurrent resolution, votes  
276 to adopt the findings and conclusions of the joint committee on administrative  
277 rules. Any such concurrent resolution adopted by the general assembly shall be  
278 published at length by the commission in its publication of advisory opinions of  
279 the commission next following the adoption of such resolution, and a copy of such  
280 concurrent resolution shall be maintained by the commission, along with the  
281 withdrawn advisory opinion, in its public file of advisory opinions. The  
282 commission shall also send a copy of such resolution to the person who originally  
283 requested the withdrawn advisory opinion. Any advisory opinion issued by the  
284 ethics commission shall act as legal direction to any person requesting such  
285 opinion and no person shall be liable for relying on the opinion and it shall act  
286 as a defense of justification against prosecution. An advisory opinion of the

287 commission shall not be withdrawn unless:

- 288 (a) The authorizing statute is declared unconstitutional;  
289 (b) The opinion goes beyond the power authorized by statute; or  
290 (c) The authorizing statute is changed to invalidate the opinion.

291 (2) Upon request, the attorney general shall give the attorney general's  
292 opinion, without fee, to the commission, any elected official of the state or any  
293 political subdivision, any member of the general assembly, or any director of any  
294 department, division or agency of the state, upon any question of law regarding  
295 the effect or application of sections 105.450 to 105.496, or chapter 130. Such  
296 opinion need be in writing only upon request of such official, member or director,  
297 and in any event shall be rendered within sixty days that such request is  
298 delivered to the attorney general.

299 17. The state auditor and the state auditor's duly authorized employees  
300 who have taken the oath of confidentiality required by section 29.070 may audit  
301 the commission and in connection therewith may inspect materials relating to the  
302 functions of the commission. Such audit shall include a determination of whether  
303 appropriations were spent within the intent of the general assembly, but shall not  
304 extend to review of any file or document pertaining to any particular  
305 investigation, audit or review by the commission, an investigator or any staff or  
306 person employed by the commission or under the supervision of the commission  
307 or an investigator. The state auditor and any employee of the state auditor shall  
308 not disclose the identity of any person who is or was the subject of an  
309 investigation by the commission and whose identity is not public information as  
310 provided by law.

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

143.1015. 1. In each taxable year beginning on or after January 1, 2011,  
2 each individual or corporation entitled to a tax refund in an amount sufficient to  
3 make a designation under this section may designate that one dollar or any  
4 amount in excess of one dollar on a single return, and two dollars or any amount  
5 in excess of two dollars on a combined return, of the refund due be credited to the

6 foster care and adoptive parents recruitment and retention fund as established  
7 under section 453.600, hereinafter referred to as the fund. If any individual or  
8 corporation that is not entitled to a tax refund in an amount sufficient to make  
9 a designation under this section wishes to make a contribution to the fund, such  
10 individual or corporation may, by separate check, draft, or other negotiable  
11 instrument, send in with the payment of taxes, or may send in separately, that  
12 amount, clearly designated for the foster care and adoptive parents recruitment  
13 and retention fund, the individual or corporation wishes to contribute. The  
14 department of revenue shall deposit such amount to the fund as provided in  
15 subsections 2 and 3 of this section. All moneys credited to the fund shall be  
16 considered nonstate funds under the provisions of Article IV, Section 15 of the  
17 Missouri Constitution.

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

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

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

28         5. Moneys deposited in the fund shall be distributed by the department  
29 of social services in accordance with the provisions of this section and section  
30 453.600.

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

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

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

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

186.007. There is created in the department of economic development a



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

189.015. The chief fiscal officer of:

- 2 (1) Each city and county operating a hospital, clinic operated by a social  
3 welfare board of a county of the second class, or hospital district in the state of  
4 Missouri; and  
5 (2) Each not-for-profit corporation operating a hospital under contract  
6 with a city or county shall submit to the director and the state board of health  
7 **and senior services**, a report, setting forth the local public hospital tax effort  
8 for its last fiscal year, which shall equal:  
9 (a) The total gross expenditures made by such city, county, corporation or  
10 hospital district during a fiscal year for the operation of a hospital in the city,  
11 county or district, less  
12 (b) The total amounts received during that fiscal year by such city, county,  
13 corporation, or district in payment for hospital services or in support of hospital  
14 operations.  
15 The report shall be made to the director not later than September first of each  
16 year.

189.025. The director shall promptly propose such allocations in the  
2 statements which he shall determine to be reasonably necessary to conform to the

3 provisions of sections 189.010 to 189.085 and which are within the limits of the  
4 budget recommendations. He shall, thereupon, determine the local public  
5 hospital tax effort for patient care for the fiscal year. He shall report this amount  
6 to the state board of health **and senior services** and the chief fiscal officers of  
7 the city, county, corporation, or district, accompanied by the proposed allocations.

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

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

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

8 **services** shall be from the same political party.

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

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

**[196.1129.] 191.756.** 1. For purposes of this section, the term "board"

2 shall mean the [life sciences research board established under section 196.1103]  
3 **state board of health and senior services established under section**  
4 **191.400.**

5         2. Subject to appropriations, the board shall establish a program to award  
6 grants for the establishment of umbilical cord blood banks to be located in this  
7 state and for the expansion of existing umbilical cord blood banks located in this  
8 state. The purposes and activities of umbilical cord blood banks eligible for  
9 grants for this program shall be directed towards gathering, collecting, and  
10 preserving umbilical cord and placental blood only from live births and providing  
11 such blood and blood components primarily to recipients who are unrelated to the  
12 donors of the blood, and towards persons and institutions conducting scientific  
13 research requiring sources of human stem cells.

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

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

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

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

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

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

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

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

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

191.980. 1. The "Missouri Area Health Education Centers" program is  
2 hereby established as a collaborative partnership of higher educational  
3 institutions and regional area health education centers and other entities that  
4 have entered into a written agreement with the program. These higher  
5 educational institutions and regional area health education centers shall be those  
6 that are recognized as program offices or regional centers by the federal area

7 health education centers program pursuant to 42 U.S.C. Section 294a. The  
8 program is designed to improve the supply, distribution, availability, and quality  
9 of health care personnel in Missouri communities and promote access to primary  
10 care for medically underserved communities and populations.

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

15 (1) The director of the department of health and senior services or the  
16 director's designee;

17 (2) The commissioner of the department of higher education or the  
18 commissioner's designee;

19 (3) Two members of the senate appointed by the president pro tempore of  
20 the senate;

21 (4) Two members of the house of representatives appointed by the speaker  
22 of the house of representatives; and

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

36 Members of the council shall be appointed by February 1, 2005. Of the members  
37 first appointed to the council, six shall serve a term of four years and six shall  
38 serve a term of two years, and thereafter, members shall serve a term of four  
39 years. Members shall continue to serve until their successor is duly appointed  
40 and qualified. Any vacancy on the council shall be filled in the same manner as  
41 the original appointment.

42 3.] The [council] **director of the department of health and senior**

43 **services** shall have discretionary authority to monitor and recommend policy  
44 direction for the Missouri area health education centers program, including  
45 policies to ensure that all applicable requirements of the federal area health  
46 education centers program are met.

47 [4.] **3.** The area health education centers program shall:

48 (1) Develop and enhance health careers recruitment programs for  
49 Missouri students, especially underrepresented and disadvantaged students;

50 (2) Enhance and support community-based training of health professions  
51 students and medical residents;

52 (3) Provide educational and other programs designed to support practicing  
53 health professionals; and

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

57 [5. The Missouri area health education centers council shall report  
58 annually to the governor and the general assembly on the status and progress of  
59 the Missouri area health education centers program.]

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

20 Reorganization Act of 1974, Appendix B, RSMo Supp. 1984, relating to the  
21 manner and procedures for transfers of state agencies shall apply to the transfers  
22 provided in this section. The division of health of the department of social  
23 services is abolished.

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

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

10 (2) Formulation of the budget for the department of health and senior  
11 services; **and**

12 (3) Planning for and operation of the department of health and senior  
13 services.

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

192.707. 1. The "Missouri Arthritis Advisory Board" is established within  
2 the department of health and senior services, as a continuation of the arthritis  
3 advisory board in existence on August 13, 1984. The board shall consist of  
4 twenty-five members. The members of the board that are serving on August 13,  
5 1984, shall continue until the expiration of this term. The board shall submit a  
6 list of names to the director as recommendations to fill expired terms on the  
7 board. The director shall fill each expired membership on the board, each of the  
8 appointees to serve for a term of four years and until his successor is appointed  
9 and confirmed. Vacancies on the board arising from reasons other than  
10 expiration of the member's term shall be filled by the director for the time  
11 remaining in the unexpired term.

12           2. The board shall meet semiannually and at other such times as called  
13 by the chairman of the board. The chairman shall be elected from the board  
14 membership at the first board meeting, and shall serve as chairman until a new  
15 chairman is elected, or until his term on the board expires, whichever occurs first.

16           3. The board shall serve in an advisory capacity to the committee, and  
17 report annually to the department and to the state board of health **and senior**  
18 **services** regarding the implementing of the statewide arthritis plan, making  
19 recommendations for necessary changes in content and direction.

20           4. The board shall be responsible for development and recommendations  
21 of guidelines for programs supported under the state arthritis program, and make  
22 recommendations on program relevance of grant applications funded under the  
23 state arthritis program. The board will make final recommendations to the  
24 director regarding programs and grants of the state arthritis program.

25           5. Any reimbursement of members of the board for their actual and  
26 necessary expenses shall be subject to appropriations.

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

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



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

26           4. The arthritis program coordinator shall serve the committee as its  
27 executive administrator.

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

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

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

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

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

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

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

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

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

31 by a master of arts or master of science thesis, or report equivalent in scope and  
32 quality;

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

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

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

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

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

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

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

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

17 reinterment be delayed more than one year;

18 (3) When the burial or remains cannot be related to any living peoples,  
19 the state historic preservation officer, in consultation with the [unmarked human  
20 burial consultation committee] **Missouri advisory council on historic**  
21 **preservation**, shall determine the proper disposition of the burial or  
22 remains. But, if the state historic preservation officer determines the burial or  
23 remains are scientifically significant, no reinterment shall occur until the burial  
24 or remains have been examined by a skeletal analyst designated by the state  
25 historic preservation officer. In no event shall reinterment be delayed more than  
26 one year unless otherwise and to the extent determined by the [committee]  
27 **council**;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

61 (6) Review the results of the public process input collected under section  
62 208.950;

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

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

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

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

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

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

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

83 (11) Conduct a study to determine whether an office of inspector general  
84 shall be established. Such office would be responsible for oversight, auditing,  
85 investigation, and performance review to provide increased accountability,  
86 integrity, and oversight of state medical assistance programs, to assist in

87 improving agency and program operations, and to deter and identify fraud, abuse,  
88 and illegal acts. The committee shall review the experience of all states that  
89 have created a similar office to determine the impact of creating a similar office  
90 in this state; and

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

95 3. [The oversight committee shall designate a subcommittee devoted to  
96 advising the department on the development of a comprehensive entry point  
97 system for long-term care that shall:

98 (1) Offer Missourians an array of choices including community-based,  
99 in-home, residential and institutional services;

100 (2) Provide information and assistance about the array of long-term care  
101 services to Missourians;

102 (3) Create a delivery system that is easy to understand and access  
103 through multiple points, which shall include but shall not be limited to providers  
104 of services;

105 (4) Create a delivery system that is efficient, reduces duplication, and  
106 streamlines access to multiple funding sources and programs;

107 (5) Strengthen the long-term care quality assurance and quality  
108 improvement system;

109 (6) Establish a long-term care system that seeks to achieve timely access  
110 to and payment for care, foster quality and excellence in service delivery, and  
111 promote innovative and cost-effective strategies; and

112 (7) Study one-stop shopping for seniors as established in section 208.612.

113 4. The subcommittee shall include the following members:

114 (1) The lieutenant governor or his or her designee, who shall serve as the  
115 subcommittee chair;

116 (2) One member from a Missouri area agency on aging, designated by the  
117 governor;

118 (3) One member representing the in-home care profession, designated by  
119 the governor;

120 (4) One member representing residential care facilities, predominantly  
121 serving MO HealthNet participants, designated by the governor;

122 (5) One member representing assisted living facilities or continuing care

123 retirement communities, predominantly serving MO HealthNet participants,  
124 designated by the governor;

125 (6) One member representing skilled nursing facilities, predominantly  
126 serving MO HealthNet participants, designated by the governor;

127 (7) One member from the office of the state ombudsman for long-term care  
128 facility residents, designated by the governor;

129 (8) One member representing Missouri centers for independent living,  
130 designated by the governor;

131 (9) One consumer representative with expertise in services for seniors or  
132 persons with a disability, designated by the governor;

133 (10) One member with expertise in Alzheimer's disease or related  
134 dementia;

135 (11) One member from a county developmental disability board,  
136 designated by the governor;

137 (12) One member representing the hospice care profession, designated by  
138 the governor;

139 (13) One member representing the home health care profession,  
140 designated by the governor;

141 (14) One member representing the adult day care profession, designated  
142 by the governor;

143 (15) One member gerontologist, designated by the governor;

144 (16) Two members representing the aged, blind, and disabled population,  
145 not of the same geographic area or demographic group designated by the  
146 governor;

147 (17) The directors of the departments of social services, mental health,  
148 and health and senior services, or their designees; and

149 (18) One member of the house of representatives and one member of the  
150 senate serving on the oversight committee, designated by the oversight committee  
151 chair.

152 Members shall serve on the subcommittee without compensation but may be  
153 reimbursed for their actual and necessary expenses from moneys appropriated to  
154 the department of health and senior services for that purpose. The department  
155 of health and senior services shall provide technical and administrative support  
156 services as required by the committee.

157 5.] The provisions of section 23.253 shall not apply to sections 208.950 to  
158 208.955.

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

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

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

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

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

210.170. 1. There is hereby created within the office of administration of



2 the state of Missouri the "Children's Trust Fund Board", which shall be composed  
3 of [twenty-one] **seventeen** members as follows:

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

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

21 (2) [A physician licensed pursuant to chapter 334] **A board certified**  
22 **child abuse pediatrician or a SAFE CARE provider, as defined in**  
23 **section 334.950;**

24 (3) Two members of the Missouri house of representatives, who shall be  
25 appointed by the speaker of the house of representatives and shall be members  
26 of two different political parties;

27 (4) Two members of the Missouri senate, who shall be appointed by the  
28 president pro tem of the senate and who shall be members of two different  
29 political parties; and

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

31 2. All members of the board appointed by the speaker of the house or the  
32 president pro tem of the senate shall serve until their term in the house or senate  
33 during which they were appointed to the board expires. All public members of  
34 the board shall serve for terms of three years[; except, that of the public members  
35 first appointed, four shall serve for terms of three years, four shall serve for  
36 terms of two years, and three shall serve for terms of one year]. No public  
37 members may serve more than two consecutive terms, regardless of whether such

38 terms were full or partial terms. Each member shall serve until his successor is  
39 appointed. All vacancies on the board shall be filled for the balance of the  
40 unexpired term in the same manner in which the board membership which is  
41 vacant was originally filled. **Any member of the board on August 28, 2018,**  
42 **shall not be removed based on not being representative of a category**  
43 **in subdivision (1) of subsection 1 of this section.**

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

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

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

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

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

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

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

74 administration.

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

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

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

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

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

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

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

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

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

19 (8) A law enforcement representative appointed by the director  
20 of the department of social services;

21 (9) An active teacher employed in Missouri appointed by the  
22 director of the department of social services;

23 (10) A school principal appointed by the director of the  
24 department of social services;

25 (11) A school superintendent appointed by the director of the  
26 department of social services;

27 (12) A school counselor appointed by the director of the  
28 department of social services;

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

32 (14) A representative of the state domestic violence coalition  
33 appointed by the director of the department of social services;

34 (15) A representative from the juvenile and family court  
35 appointed by the director of the department of social services; and

36 (16) A representative from the Missouri Network of Child

37 **Advocacy Centers appointed by the director of the department of social**  
38 **services.**

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

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

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

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

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

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

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

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

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

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

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

4 **recommendations addressing sexual abuse of children that may include:**

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

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

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

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

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

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

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

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

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

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

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

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

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

15 **(3) Prepare and implement a comprehensive statewide historic**

16 preservation plan;

17 (4) Administer the state program of federal assistance for historic  
18 preservation within the state;

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

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

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

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

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

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

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

36 (12) Cooperate with the department of economic development in  
37 administering the main street Missouri act, as detailed in sections 251.470 to  
38 251.485.

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

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

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

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

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

64           **(c) Providing general advice, guidance, and professional**  
65 **recommendations to the state historic preservation officer in**  
66 **conducting the comprehensive statewide survey, preparing the state**  
67 **historic preservation plan, carrying out any grants-in-aid program, and**  
68 **carrying out the other duties and responsibilities of the state historic**  
69 **preservation officer.**

324.177. 1. There is hereby established an "Advisory Commission for  
2 Clinical Perfusionists" which shall guide, advise and make recommendations to  
3 the board. The commission shall approve the examination required by section  
4 324.133 and shall assist the board in carrying out the provisions of sections  
5 324.125 to 324.183.

6           2. The advisory commission shall consist of five perfusionist members and  
7 two public members which shall be appointed by the [governor with the advice  
8 and consent of the senate] **director of the division of professional**  
9 **registration.** The members of the commission shall be appointed for terms of  
10 six years; except those first appointed, of which one shall be appointed for a term  
11 of one year, one shall be appointed for a term of two years, one shall be appointed  
12 for a term of three years, one shall be appointed for a term of four years, one  
13 shall be appointed for a term of five years and one shall be appointed for a term  
14 of six years. The nonpublic commission members shall be residents of the state  
15 of Missouri for at least one year, shall be United States citizens and shall meet  
16 all the requirements for licensing provided in sections 324.125 to 324.183, shall  
17 be licensed pursuant to sections 324.125 to 324.183, except the members of the  
18 first commission, who shall be licensed within six months of their appointment

19 and are actively engaged in the practice of perfusion. If a member of the  
20 commission shall, during the member's term as a commission member, remove the  
21 member's domicile from the state of Missouri, then the commission shall  
22 immediately notify the [governor] **director** and the seat of that commission  
23 member shall be declared vacant. All such vacancies shall be filled by  
24 appointment as in the same manner as the preceding appointment. The public  
25 members shall be at the time of the members' appointment citizens of the United  
26 States; residents of the state for a period of at least one year and registered  
27 voters; persons who are not and never were members of any profession licensed  
28 or regulated pursuant to sections 324.125 to 324.183 or the spouse of such person;  
29 persons who do not have and never have had a material, financial interest in  
30 either the provision of the professional services regulated by sections 324.125 to  
31 324.183, or an activity or organization directly related to any profession licensed  
32 or regulated by sections 324.125 to 324.183.

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

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

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

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

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

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

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

324.180. Not later than thirty days after the [governor] **director of the**  
2 **division of professional registration** appoints the initial members of the  
3 commission and annually thereafter, the commission shall meet and elect one of  
4 its members as chairperson and one of its members as vice chairperson. The



5 commission shall meet at least quarterly or at any other time if called by the  
6 chairperson or a majority of the commission. A majority of the members of the  
7 commission shall constitute a quorum.

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

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

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

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

34 to the appointment.

35 5. Each member of the council may receive as compensation an amount  
36 set by the division not to exceed fifty dollars per day and shall be reimbursed for  
37 the member's reasonable and necessary expenses incurred in the official  
38 performance of the member's duties as a member of the council. The director  
39 shall establish by rule guidelines for payment.

40 6. The council shall meet at least twice each year and **guide, advise, and**  
41 **make recommendations** to the division on matters within the scope of sections  
42 324.400 to 324.439. The organization of the council shall be established by the  
43 members of the council.

44 [7. The council may sue and be sued as the interior design council and the  
45 council members need not be named as parties. Members of the council shall not  
46 be personally liable either jointly or severally for any act committed in the  
47 performance of their official duties as council members. No council member shall  
48 be personally liable for any costs which accrue in any action by or against the  
49 council.]

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

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

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

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

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

16 (2) May qualify who is currently registered pursuant to sections 327.091  
17 to 327.171, and section 327.401 pertaining to the practice of architecture and  
18 registered with the [council] **division**. Such applicant shall give authorization  
19 to the [council] **division** in order to verify current registration with sections  
20 327.091 to 327.171 and section 327.401 pertaining to the practice of architecture.

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

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

324.412. [1.] The division shall:

2           (1) Employ, within the limits of the appropriations for that purpose, such  
3 employees as are necessary to carry out the provisions of sections 324.400 to  
4 324.439;

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

7           2. The council shall:];

8           [(1)] **(3)** Recommend prosecution for violations of sections 324.400 to  
9 324.439 to the appropriate prosecuting or circuit attorney;

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

324.415. Applications for registration as a registered interior designer  
2 shall be typewritten on forms prescribed by the [council] **division** and furnished  
3 to the applicant. The application shall contain the applicant's statements  
4 showing the applicant's education, experience, results of previous interior design  
5 certification, registration or licensing examinations, if any, and such other  
6 pertinent information as the [council] **division** may require, or architect's

7 registration number and such other pertinent information as the [council]  
8 **division** may require. Each application shall contain a statement that is made  
9 under oath or affirmation and that the representations are true and correct to the  
10 best knowledge and belief of the person signing the application. The person shall  
11 be subject to the penalties for making a false affidavit or declaration and shall be  
12 accompanied by the required fee.

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

324.424. 1. The [council] **division** shall set the amount of the fees  
2 authorized by sections 324.400 to 324.439 by rules and regulations. The fees  
3 shall be set at a level to produce revenue which shall not substantially exceed the  
4 cost and expense of administering sections 324.400 to 324.439. All fees required  
5 pursuant to sections 324.400 to 324.439 shall be paid to and collected by the  
6 division of professional registration and transmitted to the department of revenue  
7 for deposit in the state treasury to the credit of the "Interior Designer Council  
8 Fund", which is hereby created.

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

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

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

324.436. 1. The [council] **division** may refuse to issue any certificate

2 required pursuant to sections 324.400 to 324.439, or renew or reinstate any such  
3 certificate, for any one or any combination of the reasons stated in subsection 2  
4 of this section. The [council] **division** shall notify the applicant in writing of the  
5 reasons for the refusal and shall advise the applicant of the person's right to file  
6 a complaint with the administrative hearing commission as provided in chapter  
7 621.

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

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

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

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

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

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

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

35         (7) Disciplinary action against the holder of a certificate of registration  
36 or other right to perform the profession regulated by sections 324.400 to 324.439  
37 granted by another state, territory, federal agency or country upon grounds for

38 which revocation or suspension is authorized in this state;

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

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

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

46 3. After the filing of a complaint pursuant to subsection 2 of this section,  
47 the proceedings shall be conducted in accordance with the provisions of chapter  
48 536 and chapter 621. Upon a finding by the administrative hearing commission  
49 that the grounds, provided in subsection 2 of this section, for disciplinary action  
50 are met, the [council] **division** shall censure or place the person named in the  
51 complaint on probation for a period not to exceed five years or may suspend the  
52 person's certificate for a period not to exceed three years or may revoke the  
53 person's certificate of registration.

324.478. 1. There is hereby created within the division of professional  
2 registration a committee to be known as the "Missouri Acupuncturist Advisory  
3 Committee". The committee shall consist of five members, all of whom shall be  
4 citizens of the United States and registered voters of the state of Missouri. The  
5 [governor] **director of the division of professional registration** shall  
6 appoint the members of the committee [with the advice and consent of the senate]  
7 for terms of four years; except as provided in subsection 2 of this section. Three  
8 committee members shall be acupuncturists. Such members shall at all times be  
9 holders of licenses for the practice of acupuncture in this state; except for the  
10 members of the first committee who shall meet the requirements for licensure  
11 pursuant to sections 324.475 to 324.499. One member shall be a current board  
12 member of the Missouri state board for chiropractic examiners. The remaining  
13 member shall be a public member. All members shall be chosen from lists  
14 submitted by the director of the division of professional registration. The  
15 president of the Acupuncture Association of Missouri in office at the time shall,  
16 at least ninety days prior to the expiration of the term of a board member, other  
17 than the public member, or as soon as feasible after a vacancy on the board  
18 otherwise occurs, submit to the director of the division of professional registration  
19 a list of five acupuncturists qualified and willing to fill the vacancy in question,  
20 with the request and recommendation that the [governor] **director** appoint one

21 of the five persons so listed, and with the list so submitted, the president of the  
22 Acupuncture Association of Missouri shall include in his or her letter of  
23 transmittal a description of the method by which the names were chosen by that  
24 association.

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

28         3. The public member of the committee shall not be and never has been  
29 a member of any profession regulated by the provisions of sections 324.475 to  
30 324.499, or the spouse of any such person; and a person who does not have and  
31 never has had a material financial interest in either the providing of the  
32 professional services regulated by the provisions of sections 324.475 to 324.499  
33 or an activity or organization directly related to the profession regulated pursuant  
34 to sections 324.475 to 324.499.

35         4. Any member of the committee may be removed from the committee by  
36 the [governor] **director** for neglect of duty required by law, for incompetency or  
37 for unethical or dishonest conduct. Upon the death, resignation, disqualification  
38 or removal of any member of the committee, the [governor] **director** shall  
39 appoint a successor. A vacancy in the office of any member shall only be filled for  
40 the unexpired term.

41         5. The acupuncturist advisory committee shall:

42             (1) Review all applications for licensure;

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

45             (3) Review all complaints and/or investigations wherein there is a possible  
46 violation of sections 324.475 to 324.499 or regulations promulgated pursuant  
47 thereto and make recommendations and referrals to the board on complaints the  
48 committee determines to warrant further action, **which may include a**  
49 **recommendation for prosecuting violations of sections 324.475 to**  
50 **324.499 to an appropriate prosecuting or circuit attorney;**

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

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

55             (6)] Assist the board, as needed and when requested by the board, in  
56 conducting any inquiry or disciplinary proceedings initiated as a result of

57 committee recommendation and referral pursuant to subdivision (3) of this  
58 subsection.

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

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

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

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

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

14 2. The members of the commission shall be appointed by the [governor  
15 with the advice and consent of the senate] **director**. Each member of the  
16 commission shall be a citizen of the United States and a resident of Missouri for  
17 one year and shall be a dental hygienist registered and currently licensed  
18 pursuant to this chapter. Members of the commission who are not also members  
19 of the Missouri dental board shall be appointed for terms of five years, except for  
20 the members first appointed, one of which shall be appointed for a term of two  
21 years, one shall be appointed for a term of three years, one shall be appointed for  
22 a term of four years and one shall be appointed for a term of five years. The  
23 dental hygienist member of the Missouri dental board shall become a member of  
24 the commission and shall serve a term concurrent with the member's term on the  
25 dental board. All members of the initial commission shall be appointed by April  
26 1, 2002. Members shall be chosen from lists submitted [by] **to** the director of the  
27 division of professional registration. Lists of dental hygienists submitted to the  
28 [governor] **director** may include names submitted to the director of the division  
29 of professional registration by the president of the Missouri Dental Hygienists  
30 Association.

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



35 require a majority vote of the commission. A quorum of the commission shall  
36 consist of a majority of its members.

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

334.430. 1. There is hereby established an "Advisory Commission for  
2 Anesthesiologist Assistants" which shall guide, advise and make  
3 recommendations to the board. The commission shall be responsible for the  
4 ongoing examination of the scope of practice and promoting the continuing role  
5 of anesthesiologist assistants in the delivery of health care services. The  
6 commission shall assist the board in carrying out the provisions of sections  
7 334.400 to 334.430.

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

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

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

22 4. The licensed anesthesiologist assistant member shall be appointed to  
23 serve a three-year term. The anesthesiologist members and lay member shall  
24 each be appointed to serve three-year terms, except at the time the commission  
25 is created, when one anesthesiologist member will be appointed for a first term  
26 of two years while the second anesthesiologist member will be appointed to a

27 three-year term. This will ensure that at least one anesthesiologist member has  
28 at least one year's experience as a member of the commission. Neither the  
29 anesthesiologist assistant member nor the physician members shall be appointed  
30 for more than two consecutive three-year terms.

31 5. The president of the Missouri Society of Anesthesiologists or its  
32 successor in office at the time shall, at least ninety days prior to the expiration  
33 of a term of an anesthesiologist assistant member or an anesthesiologist member  
34 of the commission or as soon as feasible after such a vacancy on the commission  
35 otherwise occurs, submit to the director of the division of professional registration  
36 a list, not to exceed five individuals per vacancy, of qualified and willing  
37 anesthesiologists or anesthesiologist assistants, respectively, to fill the vacancy  
38 in question, with the request and recommendation that the [governor] **director**  
39 appoint one of the persons so listed. With the list so submitted, the president of  
40 the Missouri Society of Anesthesiologists shall include in a letter of transmittal  
41 a description of the method by which the names were chosen by that association.

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

50 7. Notwithstanding any other provision of law to the contrary, any  
51 appointed member of the commission shall receive as compensation an amount  
52 established by the director of the division of professional registration not to  
53 exceed seventy dollars per day for commission business plus actual and necessary  
54 expenses. The director of the division of professional registration shall establish  
55 by rule the guidelines for payment. The board shall provide all staff for the  
56 commission.

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

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

          334.625. 1. There is hereby established an "Advisory Commission for  
2 Physical Therapists" which shall guide, advise and make recommendations to the  
3 board. The commission shall approve the examination required by section  
4 334.530 and shall assist the board in carrying out the provisions of sections  
5 334.500 to 334.620.

6           2. The commission shall be appointed no later than October 1, 1989, and  
7 shall consist of five members appointed by the [governor with the advice and  
8 consent of the senate] **director of the division of professional**  
9 **registration**. Each member shall be a citizen of the United States and a  
10 resident of this state and four shall be licensed as physical therapists by this  
11 state, and one shall be licensed as a physical therapist assistant by this  
12 state. Members shall be appointed to serve three-year terms, except that the first  
13 commission appointed shall consist of one member whose term shall be for one  
14 year; two members whose terms shall be for three years; and two members whose  
15 terms shall be for two years. The president of the Missouri Physical Therapy  
16 Association in office at the time shall, at least ninety days prior to the expiration  
17 of the term of a commission member or as soon as feasible after a vacancy on the  
18 commission otherwise occurs, submit to the director of the division of professional  
19 registration a list of five physical therapists if the commission member whose  
20 term is expiring is a physical therapist, or five physical therapist assistants if the  
21 commission member whose term is expiring is a physical therapist assistant, with  
22 the exception that the first commissioner to expire or vacancy created on the  
23 commission after August 28, 2007, shall be filled by the appointment of a physical  
24 therapist assistant. Each physical therapist and physical therapist assistant on  
25 the list submitted to the division of professional registration shall be qualified  
26 and willing to fill the vacancy in question, with the request and recommendation  
27 that the [governor] **director** appoint one of the five persons so listed, and with  
28 the list so submitted, the president of the Missouri Physical Therapy Association  
29 shall include in his or her letter of transmittal a description of the method by  
30 which the names were chosen by that association.

31           3. Notwithstanding any other provision of law to the contrary, any  
32 appointed member of the commission shall receive as compensation an amount

33 established by the director of the division of professional registration not to  
34 exceed seventy dollars per day for commission business plus actual and necessary  
35 expenses. The director of the division of professional registration shall establish  
36 by rule guidelines for payment. All staff for the commission shall be provided by  
37 the board of healing arts.

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

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

7 2. The commission shall be appointed no later than October 1, 1996, and  
8 shall consist of five members, one member of the board, two licensed physician  
9 assistants, one physician and one lay member. The two licensed physician  
10 assistant members, the physician member and the lay member shall be appointed  
11 by the [governor with the advice and consent of the senate] **director of the**  
12 **division of professional registration**. Each licensed physician assistant  
13 member shall be a citizen of the United States and a resident of this state, and  
14 shall be licensed as a physician assistant by this state. The physician member  
15 shall be a United States citizen, a resident of this state, have an active Missouri  
16 license to practice medicine in this state and shall be a supervising physician, at  
17 the time of appointment, to a licensed physician assistant. The lay member shall  
18 be a United States citizen and a resident of this state. The licensed physician  
19 assistant members shall be appointed to serve three-year terms, except that the  
20 first commission appointed shall consist of one member whose term shall be for  
21 one year and one member whose term shall be for two years. The physician  
22 member and lay member shall each be appointed to serve a three-year term. No  
23 physician assistant member nor the physician member shall be appointed for  
24 more than two consecutive three-year terms. The president of the Missouri  
25 Academy of Physicians Assistants in office at the time shall, at least ninety days

26 prior to the expiration of a term of a physician assistant member of a commission  
27 member or as soon as feasible after such a vacancy on the commission otherwise  
28 occurs, submit to the director of the division of professional registration a list of  
29 five physician assistants qualified and willing to fill the vacancy in question, with  
30 the request and recommendation that the [governor] **director** appoint one of the  
31 five persons so listed, and with the list so submitted, the president of the  
32 Missouri Academy of Physicians Assistants shall include in his or her letter of  
33 transmittal a description of the method by which the names were chosen by that  
34 association.

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

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

48 5. On August 28, 1998, all members of the advisory commission for  
49 registered physician assistants shall become members of the advisory commission  
50 for physician assistants and their successor shall be appointed in the same  
51 manner and at the time their terms would have expired as members of the  
52 advisory commission for registered physician assistants.

335.021. 1. "The Missouri State Board of Nursing" shall consist of nine  
2 members, five of whom must be registered professional nurses. [Two members]  
3 **One member** of the board [must] **shall be a licensed practical [nurses] nurse,**  
4 **one member shall be an advanced practice registered nurse,** and one  
5 member a voting public member. Two of the five registered professional nurses  
6 shall hold a graduate degree in nursing, and at least one of the professional nurse  
7 members shall represent nursing practice. Any person, other than the public  
8 member, appointed to the board as hereinafter provided shall be a citizen of the  
9 United States and a resident of this state for a period of at least one year, a

10 licensed nurse in this state, and shall have been actively engaged in nursing for  
11 at least three years immediately preceding the appointment or  
12 reappointment. Membership on the board shall include representatives with  
13 expertise in each level of educational programs the graduates of which are eligible  
14 to apply for licensure such as practical, diploma, associate degree, and  
15 baccalaureate.

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

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

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

453.600. 1. There is hereby created in the state treasury the "Foster Care

2 and Adoptive Parents Recruitment and Retention Fund" which shall consist of all  
3 gifts, donations, transfers, and moneys appropriated by the general assembly, and  
4 bequests to the fund. The fund shall maintain no more than the total of the last  
5 two years of funding or a minimum of three hundred thousand dollars, whichever  
6 is greater. The fund shall be administered by the [foster care and adoptive  
7 parents recruitment and retention fund board created in subsection 3 of this  
8 section] **Missouri state foster care and adoption board created in section**  
9 **210.617.**

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

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

- 20 (1) The director of the department of social services;  
21 (2) The director of the department of mental health;  
22 (3) The director of the department of health and senior services;  
23 (4) The following six members to be appointed by the director of the  
24 department of social services:  
25 (a) Two representatives of a recognized foster parent association;  
26 (b) Two representatives of a licensed child-placing agency; and  
27 (c) Two representatives of a licensed residential treatment center.

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

37 4.] Upon appropriation, moneys in the fund shall be used to grant awards

38 to licensed community-based foster care and adoption recruitment programs. The  
39 board shall establish guidelines for disbursement of the fund to certain  
40 programs. Such programs shall include, but not be limited to, recruitment and  
41 retention of foster and adoptive families for children who:

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

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

48 5. Under section 23.253 of the Missouri sunset act:

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

52 (2) If such fund is reauthorized, the fund authorized under this section  
53 shall automatically sunset twelve years after the effective date of the  
54 reauthorization of this section; and

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

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

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

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

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

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

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



17 legislative office. The legislative members shall serve during their current term  
18 of office but may be reappointed.]

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

22 5. The commission shall provide oversight and guidance to the director of  
23 the department of economic development in administering the office of the  
24 Missouri film commission, established in section 620.1210. The commission shall  
25 make recommendations to the governor and the general assembly on:

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

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

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

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

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

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

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

22 leader of the senate shall appoint one member from the senate. The speaker of  
23 the house shall appoint one member from the house of representatives and the  
24 minority leader of the house shall appoint one member from the house of  
25 representatives;

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

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

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

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

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

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

37 (8) The director of the department of insurance, financial institutions and  
38 professional registration, or his or her designee;

39 (9) Two representatives from different institutions of higher learning  
40 located in Missouri;

41 (10) An individual employed as a director of special education at a school  
42 district located in Missouri;

43 (11) A speech and language pathologist;

44 (12) A diagnostician;

45 (13) A mental health provider;

46 (14) A primary care physician;

47 (15) Two parents of individuals with autism spectrum disorder, including  
48 one parent of an individual under the age of eighteen and one parent of an  
49 individual over the age of eighteen;

50 (16) Two individuals with autism spectrum disorder;

51 (17) A representative from an independent private provider or nonprofit  
52 provider or organization;

53 (18) A member of a county developmental disability board.

54 The members of the commission, other than the members from the general  
55 assembly and ex-officio members, shall be appointed by the [governor with the  
56 advice and consent of the senate] **director of the department of mental**  
57 **health**. A chair of the commission shall be selected by the members of the

58 commission. Of the members first appointed to the commission by the governor,  
59 half shall serve a term of four years and half shall serve a term of two years, and  
60 thereafter, members shall serve a term of four years **and may be**  
61 **reappointed**. Members shall continue to serve until their successor is duly  
62 appointed and qualified. Any vacancy on the commission shall be filled in the  
63 same manner as the original appointment. Members shall serve on the  
64 commission without compensation but may be reimbursed for their actual and  
65 necessary expenses from moneys appropriated to the department of mental  
66 health.

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

70 5. The commission shall make recommendations for developing a  
71 comprehensive statewide plan for an integrated system of training, treatment,  
72 and services for individuals of all ages with autism spectrum disorder. By July  
73 1, 2009, the commission shall issue preliminary findings and recommendations  
74 to the general assembly.

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

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

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

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

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

92 (d) Develop recommendations for expanding these services in conjunction  
93 with hospitals after considering the resources that exist in terms of specialty

- 94 clinics and hospitals, and hospital inpatient care capabilities;
- 95 (2) Conduct an assessment of the need for coordinated, enhanced and  
96 targeted special education capabilities within each region of the state;
- 97 (3) Develop a recommendation for enlisting appropriate universities and  
98 colleges to ensure support and collaboration in developing certification or degree  
99 programs for students specializing in autism spectrum disorder  
100 intervention. This may include degree programs in education, special education,  
101 social work, and psychology; and
- 102 (4) Other responsibilities may include but not be limited to:
- 103 (a) Provide recommendations regarding training programs and the content  
104 of training programs being developed;
- 105 (b) Recommend individuals to participate in a committee of major  
106 stakeholders charged with developing screening, diagnostic, assessment, and  
107 treatment standards for Missouri;
- 108 (c) Participate in recommending a panel of qualified professionals and  
109 experts to review existing models of evidence-based educational practices for  
110 adaptation specific to Missouri;
- 111 (d) Examine the barriers to accurate information of the prevalence of  
112 individuals with autism spectrum disorder across the state and recommend a  
113 process for accurate reporting of demographic data;
- 114 (e) Explore the need for the creation of interagency councils and  
115 evaluation of current councils to ensure a comprehensive, coordinated system of  
116 care for all individuals with autism spectrum disorder;
- 117 (f) Study or explore other developmental delay disorders and genetic  
118 conditions known to be associated with autism, including fragile X syndrome;  
119 Sotos syndrome; Angelman syndrome; and tuberous sclerosis.

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

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

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

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

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

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

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

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

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

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

38 (5) Periodically review, but not more than annually, any county's or city's  
39 ordinance or order and enforcement record to assure that the state standard is  
40 being consistently and appropriately enforced. In its review the department shall  
41 assess the timeliness of the county's or city's inspections of on-site sewage  
42 systems, and county or city enforcement may be terminated if the department  
43 determines that the county or city is unable to provide prompt inspections. If the  
44 department determines that the standard is not being consistently or  
45 appropriately enforced in any city or county, the department shall notify the  
46 county or city of the department's intent to enforce the standard in that

47 jurisdiction and after thirty days' notice hold a public hearing in such county or  
48 city to make a determination as to whether the state shall enforce the state  
49 standard. Any city or county aggrieved by a decision of the department may  
50 appeal a decision of the department to the state board of health **and senior**  
51 **services** established under section 191.400. Any city or county aggrieved by a  
52 decision of the state board of health **and senior services** may appeal that  
53 decision to the administrative hearing commission in the manner provided in  
54 section 621.120; and

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

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

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

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

22 3. The director of the department shall call the first meeting of the board  
23 within sixty days after all members have been appointed and qualified. The  
24 members from among their membership shall elect a chairman. After the initial

25 meeting the members shall meet at the call of the chairman, but shall meet at  
26 least four times per year. Six members of the board shall constitute a quorum.

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

30

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

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

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

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

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

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

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

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

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

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

42                   4. The commission may make such investigations and  
43                   inspections within or outside of this state as are necessary to  
44                   determine compliance.

45                   5. The commission shall notify the person under  
46                   investigation under this section, by registered mail, within five  
47                   days of the decision to conduct such investigation and assign a  
48                   special investigator following the provisions of subsection 1 of  
49                   section 105.961.

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

60                   7. All investigations by the executive director of an alleged  
61                   violation shall be strictly confidential with the exception of  
62                   notification of the commission and the complainant and the person  
63                   under investigation. Revealing any such confidential investigation  
64                   information shall be cause for removal or dismissal of the executive  
65                   director or a commission member or employee.]

[160.2100. 1. Sections 160.2100 and 160.2110 shall be



2 known and may be cited as "Erin's Law".

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

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

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

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

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

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

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

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

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

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

24 (10) Three active teachers employed in Missouri appointed  
25 by the governor;

26 (11) A representative of an organization involved in forensic  
27 investigation relating to child abuse in this state appointed by the  
28 governor;

29 (12) A school superintendent appointed by the governor;

30 (13) A representative of the state domestic violence  
31 coalition appointed by the governor;

32 (14) A representative from the juvenile and family court  
33 appointed by the governor;

34 (15) A representative from Missouri Network of Child  
35 Advocacy Centers appointed by the governor;

36 (16) An at-large member appointed by the governor.

37 3. Members of the task force shall be individuals who are

38 actively involved in the fields of the prevention of child abuse and  
39 neglect and child welfare. The appointment of members shall  
40 reflect the geographic diversity of the state.

41 4. The task force shall elect a presiding officer by a majority  
42 vote of the membership of the task force. The task force shall meet  
43 at the call of the presiding officer.

44 5. The task force shall make recommendations for reducing  
45 child sexual abuse in Missouri. In making those recommendations,  
46 the task force shall:

47 (1) Gather information concerning child sexual abuse  
48 throughout the state;

49 (2) Receive reports and testimony from individuals, state  
50 and local agencies, community-based organizations, and other  
51 public and private organizations; and

52 (3) Create goals for state policy that would prevent child  
53 sexual abuse.

54 6. The recommendations may include proposals for specific  
55 statutory changes and methods to foster cooperation among state  
56 agencies and between the state and local government.

57 7. The task force shall consult with employees of the  
58 department of social services, the department of public safety,  
59 department of elementary and secondary education, and any other  
60 state agency, board, commission, office, or department as necessary  
61 to accomplish the task force's responsibilities under this section.

62 8. The members of the task force shall serve without  
63 compensation and shall not be reimbursed for their expenses.

64 9. Beginning January 1, 2014, the department of  
65 elementary and secondary education, in collaboration with the task  
66 force, shall make yearly reports to the general assembly on the  
67 department's progress in preventing child sexual abuse.]

2 [160.2110. 1. The task force on the prevention of sexual  
3 abuse of children established in section 160.2100 may adopt and  
4 implement a policy addressing sexual abuse of children that may  
5 include:

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

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

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

12 (4) Available counseling and resources for students affected  
13 by sexual abuse; and

14 (5) Emotional and educational support for a child of abuse  
15 to continue to be successful in school.

16 2. Any policy adopted may address without limitation:

17 (1) Methods for increasing teacher, student, and parent  
18 awareness of issues regarding sexual abuse of children, including  
19 knowledge of likely warning signs indicating that a child may be a  
20 victim of sexual abuse;

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

23 (3) Available counseling options for students affected by  
24 sexual abuse.]

[192.240. 1. There is created a "State Hospital Advisory  
2 Council" of ten members who shall be appointed by the governor by  
3 and with the consent of the senate.

4 2. The advisory council shall be composed of citizens who  
5 have resided in this state not less than five years immediately  
6 prior to their appointment and shall include two members  
7 representing nongovernmental organizations or groups, two  
8 members representing state governmental agencies concerned with  
9 the operation, construction or utilization of hospital or other  
10 facilities for the diagnosis, prevention or treatment of illness or  
11 disease or for the provision of rehabilitation services, one member  
12 particularly concerned with the education or training of health  
13 professions personnel and five members who are representatives of  
14 consumers familiar with the need for the services provided by such  
15 facilities.

16 3. Each member of the advisory council shall serve for a  
17 term of two years from and after his appointment and confirmation.

18 4. The members of the council shall not receive any

19 compensation for their services but shall be reimbursed for actual  
20 and necessary travel and subsistence expenses incurred when  
21 acting officially as members of the advisory council.

22 5. The state board of health is empowered to consult with  
23 the department of health and senior services on the official state  
24 plan for construction and modernization of hospitals and other  
25 medical facilities, as well as with state agencies and  
26 nongovernmental organizations or groups concerned with  
27 rehabilitation services.

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

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

10 2. Each member shall be appointed for a term of four years;  
11 except that of the members first appointed, two shall be appointed  
12 for a term of one year, two for a term of two years, two for a term  
13 of three years and one for a term of four years. The successors of  
14 each shall be appointed for full terms of four years. No person may  
15 serve on the state board of senior services for more than two  
16 terms. The terms of all members shall continue until their  
17 successors have been duly appointed and qualified. One of the  
18 persons appointed to the state board of senior services shall be a  
19 person currently working in the field of gerontology. One of the  
20 persons appointed to the state board of senior services shall be a  
21 physician with expertise in geriatrics. One of the persons  
22 appointed to the state board of senior services shall be a person

23 with expertise in nutrition. One of the persons appointed to the  
24 state board of senior services shall be a person with expertise in  
25 rehabilitation services of persons with disabilities. One of the  
26 persons appointed to the state board of senior services shall be a  
27 person with expertise in mental health issues. In making the two  
28 remaining appointments, the governor shall give consideration to  
29 individuals having a special interest in gerontology or  
30 disability-related issues, including senior citizens. Four of the  
31 seven members appointed to the state board of senior services shall  
32 be members of the governor's advisory council on aging. If a  
33 vacancy occurs in the appointed membership, the governor may  
34 appoint a member for the remaining portion of the unexpired term  
35 created by the vacancy. The members shall receive actual and  
36 necessary expenses plus twenty-five dollars per day for each day of  
37 actual attendance.

38 3. The board shall elect from among its membership a  
39 chairman and a vice chairman, who shall act as chairman in his or  
40 her absence. The board shall meet at the call of the  
41 chairman. The chairman may call meetings at such times as he or  
42 she deems advisable, and shall call a meeting when requested to do  
43 so by three or more members of the board.

44 4. The state board of senior services shall advise the  
45 department of health and senior services in the:

46 (1) Promulgation of rules and regulations by the  
47 department of health and senior services;

48 (2) Formulation of the budget for the department of health  
49 and senior services; and

50 (3) Planning for and operation of the department of health  
51 and senior services.]

2 [194.409. 1. There is hereby created in the department of  
3 natural resources, an "Unmarked Human Burial Consultation  
4 Committee", which shall be composed of seven members to be  
5 appointed by the governor with the advice and consent of the  
6 senate. The members of the committee shall be appointed as  
7 follows: the state historic preservation officer, two members who  
are archaeologists or skeletal analysts, two native Americans who

8 are members of an Indian tribe recognized by the United States of  
9 America, one member who is a non-Indian minority, and one  
10 non-Indian, non-minority member who is neither a professional  
11 archaeologist nor a skeletal analyst. Members of the committee  
12 shall be residents of the state of Missouri.

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

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

21 4. The members of the committee shall serve voluntarily  
22 and shall not receive compensation for membership on the  
23 committee, except that they shall be eligible to receive  
24 reimbursement for transportation expenses as provided for through  
25 the budget approved for the office of the state historic preservation  
26 officer.

27 5. All actions and decisions of the state historic  
28 preservation officer and the unmarked human burial consultation  
29 committee shall be in conformity with the provisions of the federal  
30 National Historic Preservation Act of 1966, as amended.]

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

14 services other than expenses actually incurred in the performance  
15 of their official duties.

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

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

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

[217.903. The commissioners shall serve for terms of three  
2 years, except that the first person appointed by each the mayor, the  
3 county commission and the governor shall serve for two years and  
4 the second person appointed by the governor shall serve for four  
5 years. Each commissioner shall hold office until a successor has  
6 been appointed and qualified. In the event a vacancy exists or in  
7 the event a commissioner's term expires, a successor commissioner  
8 shall be appointed by whomever appointed the commissioner who

9 initially held the vacant positions and if no person is so selected  
10 within sixty days of the creation of the vacancy, the unexpired term  
11 of such commissioner may be filled by a majority vote of the  
12 remainder of the commissioners, provided such successor  
13 commissioner shall meet the requirements set forth by sections  
14 217.900 to 217.910. Pending any such appointment to fill any  
15 vacancy, the remaining commissioners may conduct commission  
16 business. Commissioners shall serve without compensation but  
17 shall be entitled to reimbursement from the Missouri state  
18 penitentiary redevelopment commission fund established in  
19 subsection 1 of section 217.910 for expenses incurred in conducting  
20 the commission's business.]

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

3 (1) To acquire title to the property historically utilized as  
4 the Missouri state penitentiary and to acquire by gift or bequest  
5 from public or private sources property adjacent thereto and  
6 necessary or appropriate to the successful redevelopment of the  
7 Missouri state penitentiary property;

8 (2) To lease or sell real property to developers who will  
9 utilize the property consistent with the master plan for the  
10 property and to hold proceeds from such transactions outside the  
11 state treasury;

12 (3) To adopt bylaws for the regulation of its affairs and the  
13 conduct of its business;

14 (4) To hire employees necessary to perform the  
15 commission's work;

16 (5) To contract and to be contracted with, including, but  
17 without limitation, the authority to enter into contracts with cities,  
18 counties and other political subdivisions, agencies of the state of  
19 Missouri and public agencies pursuant to sections 70.210 to 70.325  
20 and otherwise, and to enter into contracts with other entities, in  
21 connection with the acquisition by gift or bequest and in connection  
22 with the planning, construction, financing, leasing, subleasing,  
23 operation and maintenance of any real property or facility and for  
24 any other lawful purpose, and to sue and to be sued;



25 (6) To receive for its lawful activities contributions or  
26 moneys appropriated or otherwise designated for payment to the  
27 authority by municipalities, counties, state or other political  
28 subdivisions or public agencies or by the federal government or any  
29 agency or officer thereof or from any other sources and to apply for  
30 grants and other funding and deposit those funds in the Missouri  
31 state penitentiary redevelopment fund;

32 (7) To disburse funds for its lawful activities and fix  
33 salaries and wages of its employees;

34 (8) To invest any of the commission's funds in such types of  
35 investments as shall be determined by a resolution adopted by the  
36 commission;

37 (9) To borrow money for the acquisition, construction,  
38 equipping, operation, maintenance, repair, remediation or  
39 improvement of any facility or real property to which the  
40 commission holds title and for any other proper purpose, and to  
41 issue negotiable notes, bonds and other instruments in writing as  
42 evidence of sums borrowed;

43 (10) To perform all other necessary and incidental  
44 functions, and to exercise such additional powers as shall be  
45 conferred by the general assembly; and

46 (11) To purchase insurance, including self-insurance, of any  
47 property or operations of the commission or its members, directors,  
48 officers and employees, against any risk or hazard, and to  
49 indemnify its members, agents, independent contractors, directors,  
50 officers and employees against any risk or hazard. The commission  
51 is specifically authorized to purchase insurance from the Missouri  
52 public entity risk management fund and is hereby determined to be  
53 a public entity as defined in section 537.700.

54 2. In no event shall the state be liable for any deficiency or  
55 indebtedness incurred by the commission.

56 3. The Missouri state penitentiary redevelopment  
57 commission is a state commission for purposes of section 105.711  
58 and all members of the commission shall be entitled to coverage  
59 under the state legal expense fund.]

[217.907. The income of the commission and all properties

2 any time owned by the authority shall be exempt from all taxation  
3 in the state of Missouri.]

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

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

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

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

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

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

14 affiliations being classed as representative of employees. One  
15 voting member shall be appointed to represent the public interest  
16 separate from employee or employer representation.

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

28 (3) Three voting members and one nonvoting member shall  
29 be appointed to the council by the president pro tem of the  
30 senate. One voting member shall be appointed on account of his or  
31 her vocation, employment, or affiliations being classed as  
32 representative of employers. One voting member shall be  
33 appointed on account of his or her vocation, employment, or  
34 affiliations being classed as representative of employees. One  
35 voting member shall be appointed to represent the public interest  
36 separate from employee or employer representation. One nonvoting  
37 member shall be appointed from the senate.

38 2. The council shall organize itself and select a chairperson  
39 or cochairpersons and other officers from the nine voting  
40 members. Six voting members shall constitute a quorum and the  
41 council shall act only upon the affirmative vote of at least five of  
42 the voting members. The council shall meet no less than four times  
43 yearly. Members of the council shall serve without compensation,  
44 but are to be reimbursed the amount of actual expenses. Actual  
45 expenses shall be paid from the special employment security fund  
46 under section 288.310.

47 3. The division shall provide professional and clerical  
48 assistance as needed for regularly scheduled meetings.

49 4. Each nonvoting member shall serve for a term of four

50 years or until he or she is no longer a member of the general  
51 assembly whichever occurs first. A nonvoting member's term shall  
52 be a maximum of four years. Each voting member shall serve for  
53 a term of three years. For the initial appointment, the  
54 governor-appointed employer representative, the speaker of the  
55 house-appointed employee representative, and the president pro  
56 tem of the senate-appointed public interest representative shall  
57 serve an initial term of one year. For the initial appointment, the  
58 governor-appointed employee representative, the speaker of the  
59 house-appointed public interest representative, and the president  
60 pro tem of the senate-appointed employer representative shall  
61 serve an initial term of two years. At the end of a voting member's  
62 term he or she may be reappointed; however, he or she shall serve  
63 no more than two terms excluding the initial term for a maximum  
64 of eight years.

65 5. The council shall advise the division in carrying out the  
66 purposes of this chapter. The council shall submit annually by  
67 January fifteenth to the governor and the general assembly its  
68 recommendations regarding amendments to this chapter, the status  
69 of unemployment insurance, the projected maintenance of the  
70 solvency of unemployment insurance, and the adequacy of  
71 unemployment compensation.

72 6. The council shall present to the division every proposal  
73 of the council for changes in this chapter and shall seek the  
74 division's concurrence with the proposal. The division shall give  
75 careful consideration to every proposal submitted by the council for  
76 legislative or administrative action and shall review each  
77 legislative proposal for possible incorporation into department of  
78 labor and industrial relations' recommendations.

79 7. The council shall have access to only the records of the  
80 division that are necessary for the administration of this chapter  
81 and to the reasonable services of the employees of the division. It  
82 may request the director or any of the employees appointed by the  
83 director or any employee subject to this chapter to appear before it  
84 and to testify relative to the functioning of this chapter and to  
85 other relevant matters. The council may conduct research of its

86 own, make and publish reports, and recommend to the division  
87 needed changes in this chapter or in the rules of the division as it  
88 considers necessary.

89 8. The council, unless prohibited by a concurrent resolution  
90 of the general assembly, shall be authorized to commission an  
91 outside study of the solvency, adequacy, and staffing and  
92 operational efficiency of the Missouri unemployment system. The  
93 study shall be conducted every five years, the first being conducted  
94 in fiscal year 2005. The study shall be funded subject to  
95 appropriation from the special employment security fund under  
96 section 288.310.]

Section B. Because of the need to ensure effective enforcement of the  
2 ethics laws of the state of Missouri, the repeal and reenactment of section 105.955  
3 and the repeal of section 105.959 of this act is deemed necessary for the  
4 immediate preservation of the public health, welfare, peace and safety, and is  
5 hereby declared to be an emergency act within the meaning of the constitution,  
6 and the repeal and reenactment of section 105.955 and the repeal of section  
7 105.959 of this act shall be in full force and effect upon its passage and approval.

Bill  
✓  
Copy