

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
HOUSE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 480

95TH GENERAL ASSEMBLY

2009

2181L.02T

AN ACT

To repeal sections 8.001, 8.003, and 8.007, RSMo, and to enact in lieu thereof four new sections relating to state boards and commissions.

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

Section A. Sections 8.001, 8.003, and 8.007, RSMo, are repealed and four
2 new sections enacted in lieu thereof, to be known as sections 8.001, 8.003, 8.007,
3 and 109.225, to read as follows:

8.001. The general assembly, recognizing the work of the original state
2 capitol commission board established March 24, 1911, and the work of the capitol
3 decoration commission established April 10, 1917, and seeking to assure the
4 future preservation, **improvement, expansion, renovation, restoration**, and
5 integrity of the capitol and to preserve the historical significance of the capitol
6 hereby establishes the [second] **Missouri** state capitol commission.

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

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

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

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

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

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

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

43 7. The commission shall provide a report to the governor and the general
44 assembly annually.

 8.007. 1. The commission shall:

2 (1) Exercise general supervision of the administration of sections 8.001 to
3 8.007;

4 **(2) Evaluate and approve capitol studies and improvement,**
5 **expansion, renovation, and restoration projects to be paid for with**
6 **funds appropriated from the state capitol commission fund;**

7 **(3)** Evaluate and recommend courses of action on the restoration and
8 preservation of the capitol, the preservation of historical significance of the
9 capitol and the history of the capitol;

10 [(3)] **(4)** Evaluate and recommend courses of action to ensure accessibility
11 to the capitol for physically disabled persons;

12 [(4)] **(5)** Advise, consult, and cooperate with the office of administration,
13 the archives division of the office of the secretary of state, the historic
14 preservation program within the department of natural resources, the division of
15 tourism within the department of economic development and the historical society
16 of Missouri in furtherance of the purposes of sections 8.001 to 8.007;

17 [(5)] **(6)** Be authorized to cooperate or collaborate with other state
18 agencies and not-for-profit organizations to publish books and manuals
19 concerning the history of the capitol, its improvement or restoration;

20 [(6)] **(7)** Before each September first, recommend options to the governor
21 on budget allocation for improvements or restoration of the capitol premises;

22 [(7)] **(8)** Encourage, participate in, or conduct studies, investigations, and
23 research and demonstrations relating to improvement and restoration of the state
24 capitol it may deem advisable and necessary for the discharge of its duties
25 pursuant to sections 8.001 to 8.007; [and

26 (8)] **(9)** Hold hearings, issue notices of hearings and take testimony as
27 the commission deems necessary; **and**

28 **(10) Initiate planning efforts, subject to the appropriation of**
29 **funds, for a centennial celebration of the laying of the capstone of the**
30 **Missouri state capitol.**

31 2. The "[Second] State Capitol Commission Fund" is hereby created in
32 the state treasury. Any moneys received from sources other than appropriation
33 by the general assembly, including from private sources, gifts, donations and
34 grants, shall be credited to the [second] state capitol commission fund and shall
35 be appropriated by the general assembly.

36 3. The provisions of section 33.080, RSMo, to the contrary
37 notwithstanding, moneys in the second capitol commission fund shall not be
38 transferred and placed to the credit of the general revenue fund. **Moneys in the**
39 **state capitol commission fund shall not be appropriated for any**

40 **purpose other than those designated by the commission.**

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

49 5. The commission may copyright or obtain a trademark for any
50 photograph, written work, art object, or any product created of the capitol or
51 capitol grounds. The commission may grant access or use of any such works to
52 other organizations or individuals for a fee, at its sole discretion, or waive all
53 fees. All funds obtained through licensing fees shall be credited to the capitol
54 commission fund in a manner similar to funds the commission receives as gifts,
55 donations, and grants. The funds shall be used for repairs, refurbishing, or to
56 create art, exhibits, decorations, or other beautifications or adornments to the
57 capitol or its grounds.

109.225. 1. **There is hereby established the "Missouri Board on**
2 **Geographic Names". The board shall be assigned for administrative**
3 **purposes to the office of the secretary of state.**

4 **2. The board shall consist of nineteen members as follows:**

5 **(1) The secretary of state, who shall serve as chair of the board;**

6 **(2) Nine citizens of Missouri appointed by the secretary of state;**

7 **(3) The director or the director's designee of the department of**
8 **transportation;**

9 **(4) The director or the director's designee of the department of**
10 **conservation;**

11 **(5) The director or the director's designee of the department of**
12 **natural resources;**

13 **(6) The commissioner or the commissioner's designee of the**
14 **office of administration;**

15 **(7) The director or the director's designee of the state archives;**

16 **(8) The executive director or the executive director's designee**
17 **of the state historical society of Missouri;**

18 **(9) The director or the director's designee of the United States**

19 **Geological Survey;**

20 **(10) The director or the director's designee of the United States**
21 **Forest Service; and**

22 **(11) The director or the director's designee of the United States**
23 **Corps of Engineers.**

24 **3. Appointed members of the board shall serve three-year terms**
25 **and shall serve until their successors are appointed. Vacancies on the**
26 **board shall be filled in the same manner as the original appointment**
27 **and such member appointed shall serve the remainder of the unexpired**
28 **term.**

29 **4. The board shall meet annually and as otherwise required by**
30 **the secretary of state.**

31 **5. The board shall designate from its members a vice-chair and**
32 **shall adopt written guidelines to govern the management of the board.**

33 **6. Each member of the board shall serve without compensation,**
34 **but may be reimbursed for their actual and necessary expenses**
35 **incurred in the performance of their duties as members of the board.**

36 **7. The secretary of state shall designate an employee of the**
37 **secretary of state's office as executive secretary for the board, who**
38 **shall serve as a nonvoting member and shall maintain the records of**
39 **the board's activities and decisions and shall be responsible for**
40 **correspondence between the board and the United States Board on**
41 **Geographic Names and other agencies.**

42 **8. The board shall:**

43 **(1) Receive and evaluate all proposals for changes in or**
44 **additions to names of geographic features and places in the state of**
45 **Missouri to determine the most appropriate and acceptable names for**
46 **use in maps and official documents of all levels of government;**

47 **(2) Make official recommendations to the United States Board on**
48 **Geographic Names on behalf of the state of Missouri with respect to**
49 **each proposal;**

50 **(3) Assist and cooperate with the United States Board on**
51 **Geographic Names in matters relating to names of geographic features**
52 **and places in Missouri;**

53 **(4) Assist in the maintenance of a Missouri geographic names**
54 **database as part of the national database;**

55 **(5) Maintain a list of advisers who have special interest and**

56 knowledge in Missouri history, geography, or culture and consult with
57 such advisers on a regular basis in the course of the board's
58 deliberations;

59 (6) Develop and revise state priorities for geographic records
60 projects following guidelines of the United States Board on Geographic
61 Names; and

62 (7) Submit a report on its activities annually to the general
63 assembly.

64 9. The board may apply for moneys through federal and state
65 grant programs to sponsor and publish surveys of the condition and
66 needs of geographic records in the state of Missouri and to solicit or
67 develop proposals for projects to be carried out in the state for
68 preservation of geographic records and publications.

✓

Bill

Copy