

SENATE SUBSTITUTE
FOR
SENATE BILL NO. 575

AN ACT

To repeal sections 8.597, 21.440, 21.445, 21.450, 21.455, 21.460, 21.465, 21.530, 21.535, 21.537, 21.800, 21.801, 21.830, 21.835, 21.850, 21.910, 21.920, 30.953, 30.954, 30.956, 30.959, 30.962, 30.965, 30.968, 30.971, 33.710, 33.150, 33.850, 37.250, 105.955, 135.210, 135.230, 167.195, 191.115, 191.934, 197.291, 208.275, 215.261, 215.262, 217.025, 217.035, 217.550, 217.567, 262.950, 301.129, 313.001, 320.092, 338.321, 348.439, 361.120, 383.250, 386.145, 476.681, 620.050, 620.602, 620.1300, 630.461, and 650.120, RSMo, section 105.955 as enacted by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, and to enact in lieu thereof sixteen new sections relating to the existence of certain committees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1 Section A. Sections 8.597, 21.440, 21.445, 21.450, 21.455,
2 21.460, 21.465, 21.530, 21.535, 21.537, 21.800, 21.801, 21.830,
3 21.835, 21.850, 21.910, 21.920, 30.953, 30.954, 30.956, 30.959,
4 30.962, 30.965, 30.968, 30.971, 33.710, 33.150, 33.850, 37.250,
5 105.955, 135.210, 135.230, 167.195, 191.115, 191.934, 197.291,
6 208.275, 215.261, 215.262, 217.025, 217.035, 217.550, 217.567,
7 262.950, 301.129, 313.001, 320.092, 338.321, 348.439, 361.120,
8 383.250, 386.145, 476.681, 620.050, 620.602, 620.1300, 630.461,
9 and 650.120, RSMo, section 105.955 as enacted by conference
10 committee substitute no. 3 for house committee substitute no. 2

1 for senate bill no. 844, ninety-fifth general assembly, second
2 regular session, and section 476.055 as enacted by conference
3 committee substitute for house committee substitute for senate
4 bill no. 636, ninety-sixth general assembly, second regular
5 session, are repealed and sixteen new sections enacted in lieu
6 thereof, to be known as sections 33.150, 33.710, 135.210,
7 135.230, 217.025, 217.035, 217.550, 217.567, 320.092, 348.439,
8 361.120, 386.145, 476.681, 620.050, 620.1300, and 650.120, to
9 read as follows:

10 33.150. The original of all accounts, vouchers and
11 documents approved or to be approved by the commissioner of
12 administration shall be preserved in his office; and copies
13 thereof shall be given without charge to any person, county,
14 city, town, township and school or special road district
15 interested therein, that may require the same for the purpose of
16 being used as evidence in the trial of the cause, and like copies
17 shall be furnished to any corporation or association requiring
18 the same, under tender of the fees allowed by law; provided,
19 that, during each biennial session of the general assembly, the
20 commissioner of administration may[, in the presence of a joint
21 committee of the house of representatives and senate,] destroy by
22 burning or by any other method [satisfactory to said joint
23 committee all] paid accounts, vouchers and duplicate receipts of
24 the state treasurer and other documents which may have been on
25 file in the office of the commissioner of administration or his
26 predecessor as custodian of such documents for a period of five
27 years or longer, except such documents as may at the time be the
28 subject of litigation or dispute. [Said joint committee shall

1 consist of four members of the house of representatives, to be
2 appointed by the speaker of the house of representatives, and two
3 members of the senate, to be appointed by the president pro tem
4 of the senate.]

5 33.710. 1. There is created "The Governmental Emergency
6 Fund Committee" consisting of the governor, the commissioner of
7 administration as ex officio comptroller, the chairman and
8 ranking minority member of the senate appropriations committee,
9 the chairman and ranking minority member of the house
10 appropriations committee and the director of the [division of
11 design and construction] department of revenue who shall serve as
12 consultant to the committee without vote.

13 2. The members of the committee shall serve without
14 compensation but shall be reimbursed for actual and necessary
15 expenses incurred by them in the performance of their official
16 duties.

17 3. The committee shall elect from among its members a
18 chairman and vice chairman and such other officers as it deems
19 necessary.

20 135.210. 1. Any governing authority which desires to have
21 any portion of a city or unincorporated area of a county under
22 its control designated as an enterprise zone shall hold a public
23 hearing for the purpose of obtaining the opinion and suggestions
24 of those persons who will be affected by such designation. The
25 governing authority shall notify the director of such hearing at
26 least thirty days prior thereto and shall publish notice of such
27 hearing in a newspaper of general circulation in the area to be
28 affected by such designation at least twenty days prior to the

1 date of the hearing but not more than thirty days prior to such
2 hearing. Such notice shall state the time, location, date and
3 purpose of the hearing. The director, or the director's
4 designee, shall attend such hearing.

5 2. After a public hearing is held as required in subsection
6 1 of this section, the governing authority may file a petition
7 with the department requesting the designation of a specific area
8 as an enterprise zone. Such petition shall include, in addition
9 to a description of the physical, social, and economic
10 characteristics of the area:

11 (1) A plan to provide adequate police protection within the
12 area;

13 (2) A specific and practical process for individual
14 businesses to obtain waivers from burdensome local regulations,
15 ordinances, and orders which serve to discourage economic
16 development within the area to be designated an enterprise zone;
17 except that, such waivers shall not substantially endanger the
18 health or safety of the employees of any such business or the
19 residents of the area;

20 (3) A description of what other specific actions will be
21 taken to support and encourage private investment within the
22 area;

23 (4) A plan to ensure that resources are available to assist
24 area residents to participate in increased development through
25 self-help efforts and in ameliorating any negative effects of
26 designation of the area as an enterprise zone;

27 (5) A statement describing the projected positive and
28 negative effects of designation of the area as an enterprise

1 zone; and

2 (6) A specific plan to provide assistance to any person or
3 business dislocated as a result of activities within the zone.
4 Such plan shall determine the need of dislocated persons for
5 relocation assistance; provide, prior to displacement,
6 information about the type, location and price of comparable
7 housing or commercial property; provide information concerning
8 state and federal programs for relocation assistance and provide
9 other advisory services to displaced persons. Public agencies
10 may choose to provide assistance under the Uniform Relocation and
11 Real Property Acquisition Act, 42 U.S.C. section 4601, et seq. to
12 meet the requirements of this subdivision.

13 3. Notwithstanding the provisions of section 135.250, the
14 director of the department of economic development shall, prior
15 to the designation of any enterprise zone, submit to the joint
16 committee on [economic development policy and planning,
17 established in section 620.602] tax policy, rules and regulations
18 pertaining to the designation of enterprise zones. Following
19 approval by the joint committee, such rules and regulations shall
20 be issued pursuant to the provisions of section 536.021. Upon
21 approval of an enterprise zone designation by the department, the
22 director shall submit such enterprise zone designation to the
23 joint committee for its approval. An enterprise zone designation
24 shall be effective upon such approval by the joint committee.
25 The director shall report annually to the joint committee the
26 number and location of all enterprise zones designated, together
27 with the business activity within each designated enterprise
28 zone.

1 4. No more than fifty such areas may be designated by the
2 director as an enterprise zone under the provisions of this
3 subsection, except that any enterprise zones authorized apart
4 from this subsection by specific legislative enactment, on or
5 after August 28, 1991, shall not be counted toward the limitation
6 set forth in this subsection. After fifty enterprise zones, plus
7 any others authorized apart from this subsection by specific
8 legislative enactment first designated on or after August 28,
9 1991, have been designated by the director, additional enterprise
10 zones may be authorized apart from this subsection by specific
11 legislative enactment, except that if an enterprise zone
12 designation is cancelled under the provision of subsection 5 of
13 this section, the director may designate one area as an
14 enterprise zone for each enterprise zone designation which is
15 cancelled.

16 5. Each designated enterprise zone or satellite zone must
17 report to the director on an annual basis regarding the status of
18 the zone and business activity within the zone. On the fifth
19 anniversary of the designation of each zone after August 8, 1989,
20 and each five years thereafter, the director shall evaluate the
21 activity which has occurred within the zone during the previous
22 five-year period, including business investments and the creation
23 of new jobs. The director shall present the director's
24 evaluation to the joint legislative committee on [economic
25 development policy and planning] tax policy. If the director
26 finds that the plan outlined in the application for designation
27 was not implemented in good faith, or if such zone no longer
28 qualifies under the original criteria, or if the director finds

1 that the zone is not being effectively promoted or developed, the
2 director may recommend to the committee that the designation of
3 that area as an enterprise zone be cancelled. All agreements
4 negotiated under the benefits of such zone shall remain in effect
5 for the originally agreed upon duration. The committee shall
6 schedule a hearing on such recommendation for not later than
7 sixty days after the recommendation is filed with it. At the
8 hearing, interested parties, including the director, may present
9 witnesses and evidence as to why the enterprise zone designation
10 for that particular area should be continued or cancelled.
11 Within thirty days after the hearing the committee shall
12 determine whether or not the designation should be continued. If
13 it is not continued, the director shall remove the designation
14 from the area and, following the procedures outlined in this
15 section, award the designation of an enterprise zone to another
16 applicant. If an area has requested a designated enterprise
17 zone, and met all existing statutory requirements, but has not
18 been designated such, then the applicant may appeal to the joint
19 legislative committee on [economic development policy and
20 tax policy planning] tax policy for a hearing to determine its eligibility
21 for such a designation. The review of the director's evaluation
22 and the hearing thereon, and any appeal as provided for in this
23 subsection, by the joint legislative committee on [economic
24 development policy and planning] tax policy shall be an
25 additional duty for that body.

26 135.230. 1. The exemption or credit established and
27 allowed by section 135.220 and the credits allowed and
28 established by subdivisions (1), (2), (3) and (4) of subsection 1

1 of section 135.225 shall be granted with respect to any new
2 business facility located within an enterprise zone for a vested
3 period not to exceed ten years following the date upon which the
4 new business facility commences operation within the enterprise
5 zone and such exemption shall be calculated, for each succeeding
6 year of eligibility, in accordance with the formulas applied in
7 the initial year in which the new business facility is certified
8 as such, subject, however, to the limitation that all such
9 credits allowed in sections 135.225 and 135.235 and the exemption
10 allowed in section 135.220 shall be removed not later than
11 fifteen years after the enterprise zone is designated as such.
12 No credits shall be allowed pursuant to subdivision (1), (2), (3)
13 or (4) of subsection 1 of section 135.225 or section 135.235 and
14 no exemption shall be allowed pursuant to section 135.220 unless
15 the number of new business facility employees engaged or
16 maintained in employment at the new business facility for the
17 taxable year for which the credit is claimed equals or exceeds
18 two or the new business facility is a revenue-producing
19 enterprise as defined in paragraph (d) of subdivision (6) of
20 section 135.200. In order to qualify for either the exemption
21 pursuant to section 135.220 or the credit pursuant to subdivision
22 (4) of subsection 1 of section 135.225, or both, it shall be
23 required that at least thirty percent of new business facility
24 employees, as determined by subsection 4 of section 135.110, meet
25 the criteria established in section 135.240 or are residents of
26 an enterprise zone or some combination thereof, except taxpayers
27 who establish a new business facility by operating a
28 revenue-producing enterprise as defined in paragraph (d) of

1 subdivision (6) of section 135.200 or any taxpayer that is an
2 insurance company that established a new business facility
3 satisfying the requirements of subdivision (8) of section 135.100
4 located within an enterprise zone after June 30, 1993, and before
5 December 31, 1994, and that employs in excess of three hundred
6 fifty new business facility employees at such facility each tax
7 period for which the credits allowable pursuant to subdivisions
8 (1) to (4) of subsection 1 of section 135.225 are claimed shall
9 not be required to meet such requirement. A new business
10 facility described as SIC 3751 shall be required to employ
11 fifteen percent of such employees instead of the required thirty
12 percent. For the purpose of satisfying the thirty-percent
13 requirement, residents must have lived in the enterprise zone for
14 a period of at least one full calendar month and must have been
15 employed at the new business facility for at least one full
16 calendar month, and persons qualifying because they meet the
17 requirements of section 135.240 must have satisfied such
18 requirement at the time they were employed by the new business
19 facility and must have been employed at the new business facility
20 for at least one full calendar month. The director may
21 temporarily reduce or waive this requirement for any business in
22 an enterprise zone with ten or less full-time employees, and for
23 businesses with eleven to twenty full-time employees this
24 requirement may be temporarily reduced. No reduction or waiver
25 may be granted for more than one tax period and shall not be
26 renewable. The exemptions allowed in sections 135.215 and
27 135.220 and the credits allowed in sections 135.225 and 135.235
28 and the refund established and authorized in section 135.245

1 shall not be allowed to any "public utility", as such term is
2 defined in section 386.020. For the purposes of achieving the
3 fifteen-percent employment requirement set forth in this
4 subsection, a new business facility described as NAICS 336991 may
5 count employees who were residents of the enterprise zone at the
6 time they were employed by the new business facility and for at
7 least ninety days thereafter, regardless of whether such
8 employees continue to reside in the enterprise zone, so long as
9 the employees remain employed by the new business facility and
10 residents of the state of Missouri.

11 2. Notwithstanding the provisions of subsection 1 of this
12 section, motor carriers, barge lines or railroads engaged in
13 transporting property for hire or any interexchange
14 telecommunications company that establish a new business facility
15 shall be eligible to qualify for the exemptions allowed in
16 sections 135.215 and 135.220, and the credits allowed in sections
17 135.225 and 135.235 and the refund established and authorized in
18 section 135.245, except that trucks, truck-trailers, truck
19 semitrailers, rail or barge vehicles or other rolling stock for
20 hire, track, switches, bridges, barges, tunnels, rail yards and
21 spurs shall not constitute new business facility investment nor
22 shall truck drivers or rail or barge vehicle operators constitute
23 new business facility employees.

24 3. Notwithstanding any other provision of sections 135.200
25 to 135.256 to the contrary, motor carriers establishing a new
26 business facility on or after January 1, 1993, but before January
27 1, 1995, may qualify for the tax credits available pursuant to
28 sections 135.225 and 135.235 and the exemption provided in

1 section 135.220, even if such new business facility has not
2 satisfied the employee criteria, provided that such taxpayer
3 employs an average of at least two hundred persons at such
4 facility, exclusive of truck drivers and provided that such
5 taxpayer maintains an average investment of at least ten million
6 dollars at such facility, exclusive of rolling stock, during the
7 tax period for which such credits and exemption are being
8 claimed.

9 4. Any governing authority having jurisdiction of an area
10 that has been designated an enterprise zone may petition the
11 department to expand the boundaries of such existing enterprise
12 zone. The director may approve such expansion if the director
13 finds that:

14 (1) The area to be expanded meets the requirements
15 prescribed in section 135.207 or 135.210, whichever is
16 applicable;

17 (2) The area to be expanded is contiguous to the existing
18 enterprise zone; and

19 (3) The number of expansions do not exceed three after
20 August 28, 1994.

21 5. Notwithstanding the fifteen-year limitation as
22 prescribed in subsection 1 of this section, any governing
23 authority having jurisdiction of an area that has been designated
24 as an enterprise zone by the director, except one designated
25 pursuant to this subsection, may file a petition, as prescribed
26 by the director, for redesignation of such area for an additional
27 period not to exceed seven years following the fifteenth
28 anniversary of the enterprise zone's initial designation date;

1 provided:

2 (1) The petition is filed with the director within three
3 years prior to the date the tax credits authorized in sections
4 135.225 and 135.235 and the exemption allowed in section 135.220
5 are required to be removed pursuant to subsection 1 of this
6 section;

7 (2) The governing authority identifies and conforms the
8 boundaries of the area to be designated a new enterprise zone to
9 the political boundaries established by the latest decennial
10 census, unless otherwise approved by the director;

11 (3) The area satisfies the requirements prescribed in
12 subdivisions (3) and (4) of section 135.205 according to the
13 United States Census Bureau's American Community Survey, based on
14 the most recent of five-year period estimate data in which the
15 final year of the estimate ends in either zero or five or other
16 appropriate source as approved by the director;

17 (4) The governing authority satisfies the requirements
18 prescribed in sections 135.210, 135.215 and 135.255;

19 (5) The director finds that the area is unlikely to support
20 reasonable tax assessment or to experience reasonable economic
21 growth without such designation; and

22 (6) The director's recommendation that the area be
23 designated as an enterprise zone is approved by the joint
24 committee on [economic development policy and planning] tax
25 policy, as otherwise required in subsection 3 of section 135.210.

26 6. Any taxpayer having established a new business facility
27 in an enterprise zone except one designated pursuant to
28 subsection 5 of this section, who did not earn the tax credits

1 authorized in sections 135.225 and 135.235 and the exemption
2 allowed in section 135.220 for the full ten-year period because
3 of the fifteen-year limitation as prescribed in subsection 1 of
4 this section, shall be granted such benefits for ten tax years,
5 less the number of tax years the benefits were claimed or could
6 have been claimed prior to the expiration of the original
7 fifteen-year period, except that such tax benefits shall not be
8 earned for more than seven tax periods during the ensuing
9 seven-year period, provided the taxpayer continues to operate the
10 new business facility in an area that is designated an enterprise
11 zone pursuant to subsection 5 of this section. Any taxpayer who
12 establishes a new business facility subsequent to the
13 commencement of the ensuing seven-year period, as authorized in
14 subsection 5 of this section, may qualify for the tax credits
15 authorized in sections 135.225 and 135.235, and the exemptions
16 authorized in sections 135.215 and 135.220, pursuant to the same
17 terms and conditions as prescribed in sections 135.100 to
18 135.256. The designation of any enterprise zone pursuant to
19 subsection 5 of this section shall not be subject to the fifty
20 enterprise zone limitation imposed in subsection 4 of section
21 135.210.

22 217.025. 1. The general supervision, management and
23 control of the department of corrections shall be in the director
24 of corrections, who shall be appointed by the governor, by and
25 with the advice and consent of the senate.

26 2. The director shall be a person of recognized character
27 and integrity, and have such education, training, proven
28 executive ability and experience as will fit for the successful

1 performance of the official duties of the director. The director
2 shall have education, training and experience in correctional
3 management. The director shall be a citizen of the United
4 States, but need not be a resident of the state of Missouri at
5 the time of appointment. Before entering into the official
6 duties of office, the director shall take an oath or affirmation
7 to support the Constitution of the United States and the
8 Constitution of the State of Missouri and to faithfully demean
9 himself or herself in the office of the director. The director
10 shall enter into a good and sufficient corporate surety bond,
11 payable to the state of Missouri, conditioned upon the faithful
12 discharge and performance of the official duties of the director.
13 The bond shall be approved by the attorney general as to form and
14 by the governor as to its sufficiency. The premium on the bond
15 shall be paid by the state. The director shall devote full time
16 to the official duties of the director, with primary
17 responsibility being to ensure that positive efforts are made to
18 ensure the public safety. The secondary responsibility of the
19 director shall be to institute various rehabilitative programs
20 which should include, but are not limited to, the areas of
21 education, vocational training, treatment, counseling and
22 guidance and an overall approach aimed at reducing recidivism.

23 3. The director shall establish the duties and
24 responsibilities of employees of the department, shall supervise
25 their work assignments and may require reports from any employee
26 as to his conduct and management relating to the correctional
27 centers and programs of the department. The director shall also
28 be responsible for the implementation of uniform policies and

1 procedures governing offenders and staff.

2 4. The director shall have control and jurisdiction over
3 all persons who are legally sentenced, assigned and committed to
4 the custody and supervision of the department.

5 5. The director shall have control and jurisdiction over
6 all real estate, buildings, equipment, machinery, correctional
7 centers and products properly belonging to, or used by, or in
8 connection with any facility within the department except where
9 such control and jurisdiction are reserved to others by law.

10 6. The director shall make and enforce such rules,
11 regulations, orders and findings as the director may deem
12 necessary for the proper management of all correctional centers
13 and persons subject to the department's control.

14 7. The director shall establish and maintain correctional
15 centers and units, as provided by appropriations, for the
16 segregation of male and female offenders, and for the
17 classification of offenders based on the level of security,
18 supervision and program needs.

19 8. The director shall prepare and submit an annual budget
20 of all funds necessary to be expended by the department and by
21 the divisions of the department.

22 9. The director shall prepare and submit to the governor
23 and the general assembly a written report of the administration
24 of his duties, together with such recommendations and suggestions
25 as the director may deem advisable. It may include projects,
26 plans, accomplishments, together with statistics and summaries of
27 financial receipts and expenditures. The director shall also
28 advise the governor and the [joint committee on corrections]

1 house and senate standing committees with jurisdiction over
2 corrections issues or penal and correctional institutions as to
3 any improvements that may appear necessary for the efficiency,
4 economy and general well-being of offenders, correctional
5 centers, programs, and the department.

6 10. The director shall initiate and direct the development
7 of a long-range plan to provide comprehensive integrated programs
8 to accomplish the purpose of this chapter.

9 217.035. The director shall have the authority to:

10 (1) Establish, with approval of the governor, the internal
11 organization of the department and file the plan thereof with the
12 secretary of state in the manner in which administrative rules
13 are filed, the commissioner of administration and the revisor of
14 statutes;

15 (2) Exclusively prepare the budgets of the department and
16 each division within the department in the form and manner set
17 out by statute or by the commissioner of administration;

18 (3) Designate by written order filed with the governor, the
19 president pro tem of the senate, and the [chairman of the joint
20 committee on corrections] chairs of the house and senate standing
21 committees with jurisdiction over corrections issues or penal and
22 correctional institutions, a deputy director of the department to
23 act for and exercise the powers of the director during the
24 director's absence for official business, vacation, illness or
25 incapacity. The deputy director shall serve as acting director
26 no longer than six months; however, after the deputy director has
27 acted as director for longer than thirty days the deputy director
28 shall receive compensation equal to that of the director;

1 (4) Procure, either through the division of purchasing or
2 by other means authorized by law, supplies, material, equipment
3 or contractual services for the department and each of its
4 divisions;

5 (5) Establish policy for the department and each of its
6 divisions;

7 (6) Designate any responsibilities, duties and powers given
8 by sections 217.010, 217.810, 558.011 and 558.026 to the
9 department or the department director to any division or division
10 director.

11 217.550. 1. The department shall establish and operate at
12 its correctional centers a vocational enterprise program which
13 includes industries, services, vocational training, and
14 agribusiness operations. The director shall have general
15 supervision over planning, establishment and management of all
16 vocational enterprise operations provided by and within the
17 department and shall decide at which correctional center each
18 vocational enterprise shall be located, taking into consideration
19 the offender custody levels, the number of offenders in each
20 correctional center so the best service or distribution of labor
21 may be secured, location and convenience of the correctional
22 centers in relation to the other correctional centers to be
23 supplied or served and the machinery presently contained in each
24 correctional center.

25 2. No service shall be established or renewed without prior
26 approval by the advisory board of vocational enterprises program
27 established by section 217.555 [and the joint committee on
28 corrections established by sections 21.440 to 21.465]. Both the

1 board and the committee shall make a finding that the
2 establishment of the service shall be beneficial to those
3 offenders involved and shall not adversely affect any statewide
4 economic group or industry.

5 3. The annual report of Missouri vocational enterprises
6 submitted to the director shall include:

7 (1) A list of the correctional industries, services,
8 vocational training programs, and agribusinesses in operation;

9 (2) A list of correctional industries, services, vocational
10 training programs, and agribusinesses started, terminated, moved,
11 expanded, or reduced during the period;

12 (3) The average number of offenders employed in each
13 correctional industry, service, vocational training program, or
14 agribusiness operation;

15 (4) The volume of sales of articles, services, and
16 materials manufactured, grown, processed or provided;

17 (5) An operating statement showing the profit or loss of
18 each industry, service, vocational training program, and
19 agribusiness operation;

20 (6) The amount of sales to state agencies or institutions,
21 to political subdivisions of the state, or any other entity with
22 which the vocational enterprise program does business, and the
23 amount of open market sales, if any; and

24 (7) Such other information concerning the correctional
25 industries, services, vocational training programs, and
26 agribusiness operations as requested by the director.

27 217.567. 1. Notwithstanding the provisions of any other
28 law to the contrary, the director is hereby authorized to

1 contract with a private individual, corporation, partnership or
2 other lawful entity for inmate work or vocational training
3 projects involving the manufacture and processing of goods, wares
4 or merchandise, or any service-related business or commercial
5 enterprise deemed by the director to be consistent with the
6 proper employment, training and rehabilitation of offenders.

7 2. Any contract authorized by this section shall be in
8 compliance with federal law, shall be competitively negotiated by
9 the department and the private entity, shall not result in the
10 displacement of civilian workers employed in the community or
11 state, and shall be subject to the approval of the advisory board
12 of vocational enterprises program created pursuant to section
13 217.555 [and the joint committee on corrections created pursuant
14 to sections 21.440 to 21.465].

15 3. The director may lease space in one or more buildings or
16 portions of buildings on the grounds of any correctional center,
17 together with the real estate needed for reasonable access to and
18 egress from the leased premises to a private individual,
19 corporation, partnership or other lawful entity for the purpose
20 of establishing and operating a business enterprise. The
21 enterprise shall at all times observe practices and procedures
22 regarding security as the lease may specify or as the
23 correctional center superintendent may temporarily stipulate
24 during periods of emergency. The enterprise shall be deemed a
25 private enterprise and is subject to all federal and state laws
26 governing the operation of similar private business enterprises
27 as specified by the authorized contract.

28 4. Subject to the approval of the director and upon such

1 terms as may be prescribed, any lessee operating such an
2 enterprise may employ and discharge from employment selected
3 offenders of the correctional center where the enterprise is
4 operated or from other correctional centers in close proximity.
5 Offenders assigned to such an enterprise are subject to all
6 departmental and divisional rules in addition to rules and
7 regulations promulgated by the authorized contractor. Offenders
8 assigned to such an enterprise for employment purposes shall be
9 required to pay a percentage of their wages as established by the
10 director of not less than five percent nor more than twenty
11 percent of gross wages to the crime victims' compensation fund,
12 section 595.045.

13 5. The director shall establish policies and procedures for
14 determining the specific wages paid, workers' compensation
15 benefits and deductions from wages to include room and board;
16 federal, state and Social Security taxes; and family support.
17 All deductions must not total more than eighty percent of gross
18 wages. Provisions of the Fair Labor Standards Act shall apply to
19 contractual offender workers.

20 320.092. 1. Tax credits issued pursuant to sections
21 135.400, 135.750 and 320.093 shall be subject to oversight
22 provisions. Effective January 1, 2000, notwithstanding the
23 provisions of section 32.057, the board, department or authority
24 issuing tax credits shall annually report to the office of
25 administration, president pro tem of the senate, the speaker of
26 the house of representatives[, and the joint committee on
27 economic development] regarding the tax credits issued pursuant
28 to sections 135.400, 135.750 and 320.093 which were issued in the

1 previous fiscal year. The report shall contain, but not be
2 limited to, the aggregate number and dollar amount of tax credits
3 issued by the board, department or authority, the number and
4 dollar amount of tax credits claimed by taxpayers, and the number
5 and dollar amount of tax credits unclaimed by taxpayers as well
6 as the number of years allowed for claims to be made. This
7 report shall be delivered no later than November of each year.

8 2. The reporting requirements established pursuant to
9 subsection 1 of this section shall also apply to the department
10 of economic development and the Missouri development finance
11 board established pursuant to section 100.265. The department
12 and the Missouri development finance board shall report on the
13 tax credit programs which they respectively administer that are
14 authorized under the provisions of chapters 32, 100, 135, 178,
15 253, 348, 447 and 620.

16 348.439. The tax credits issued in sections 348.430 to
17 348.439 by the Missouri agricultural and small business
18 development authority shall be subject to oversight provisions.
19 Effective January 1, 2000, notwithstanding the provisions of
20 section 32.057, the authority shall annually report to the office
21 of administration, president pro tem of the senate, the speaker
22 of the house of representatives[, and the joint committee on
23 economic development] regarding the tax credits authorized
24 pursuant to sections 348.430 to 348.439 which were issued in the
25 previous fiscal year. The report shall contain, but not be
26 limited to, the aggregate number and dollar amount of tax credits
27 issued by the authority, the number and dollar amount of tax
28 credits claimed by taxpayers, and the number and dollar amount of

1 tax credits unclaimed by taxpayers as well as the number of years
2 allowed for claims to be made. This report shall be delivered no
3 later than November of each year.

4 361.120. 1. The director of finance shall preserve all
5 records, reports and papers of every kind pertaining to the
6 division of finance for a period of ten years, and shall
7 permanently preserve all records, reports and papers of a
8 permanent value, including articles of association and all
9 amendments thereto, and all articles of merger or consolidation
10 and amendments thereto. The director of finance shall make a
11 written report to the governor whenever required by the governor.

12 2. During each biennial session of the general assembly the
13 director shall[, in the presence of a joint committee of the
14 house of representatives and the senate,] destroy by burning or
15 by any other method [satisfactory to said joint committee] the
16 records, papers and reports which may be disposed of pursuant to
17 this section. [The joint committee shall consist of four members
18 of the house of representatives to be appointed by the speaker of
19 the house of representatives and two members of the senate to be
20 appointed by the president pro tem of the senate.]

21 386.145. The chairman of the public service commission[, in
22 the presence of the speaker of the house of representatives or
23 some member of the house of representatives designated in writing
24 by said speaker and the president pro tem of the senate or some
25 member of the senate designated in writing by said president pro
26 tem,] may destroy by burning, or otherwise dispose of as ordered
27 by the public service commission, such records, financial
28 statements and such public documents which shall at the time of

1 destruction or disposal have been on file in the office of the
2 public service commission for a period of five years or longer
3 and which are determined by the public service commission to be
4 obsolete or of no further public use or value, except such
5 records and documents as may at the time be the subject of
6 litigation or dispute.

7 476.681. 1. Any retired judge or retired commissioner
8 receiving retirement benefits under any of the applicable
9 provisions of this chapter, who is willing to serve as a senior
10 judge or senior commissioner, respectively, may make application
11 for such service with the clerk of the supreme court on forms
12 provided by the clerk. The application shall contain information
13 relating to the prior legal and judicial experience of the
14 applicant, the applicant's physical and mental health, and the
15 times of the applicant's availability. The clerk may request
16 physical or mental examinations of any applicant and may request
17 that the applicant furnish or authorize the furnishing of any
18 relevant medical or other health records. An application shall
19 be submitted to the supreme court for approval or disapproval and
20 shall be valid for a period of one year from the date of
21 approval.

22 2. Upon written request of the chief judge of any district
23 of the court of appeals or the presiding judge of any circuit,
24 the supreme court may appoint a senior judge or senior
25 commissioner from the file of approved applications maintained by
26 the clerk of the supreme court. Appointments to serve shall be
27 based on caseload and need, as determined by the supreme court in
28 its discretion, taking into consideration reports filed pursuant

1 to section 476.412, [recommendations made by the judicial
2 resources commission created herein] and such other matters that
3 the court deems relevant. The appointment may be made for a
4 specific case or cases or for a specified period of time not to
5 exceed one year. The appointment may be extended for additional
6 periods of time not to exceed one year each if the appointed
7 senior judge or senior commissioner maintains an annual updated
8 and approved application for appointment. Persons serving as a
9 senior judge or senior commissioner pursuant to the provisions of
10 this section shall receive compensation as provided in section
11 476.682.

12 620.050. 1. There is hereby created, within the department
13 of economic development, the "Entrepreneurial Development
14 Council". The entrepreneurial development council shall consist
15 of seven members from businesses located within the state and
16 licensed attorneys with specialization in intellectual property
17 matters. All members of the council shall be appointed by the
18 governor with the advice and consent of the senate. The terms of
19 membership shall be set by the department of economic development
20 by rule as deemed necessary and reasonable. Once the department
21 of economic development has set the terms of membership, such
22 terms shall not be modified and shall apply to all subsequent
23 members.

24 2. The entrepreneurial development council shall, as
25 provided by department rule, impose a registration fee sufficient
26 to cover costs of the program for entrepreneurs of this state who
27 desire to avail themselves of benefits, provided by the council,
28 to registered entrepreneurs.

1 3. There is hereby established in the state treasury, the
2 "Entrepreneurial Development and Intellectual Property Right
3 Protection Fund" to be held separate and apart from all other
4 public moneys and funds of the state. The entrepreneurial
5 development and intellectual property right protection fund may
6 accept state and federal appropriations, grants, bequests, gifts,
7 fees and awards to be held for use by the entrepreneurial
8 development council. Notwithstanding provisions of section
9 33.080 to the contrary, moneys remaining in the fund at the end
10 of any biennium shall not revert to general revenue.

11 4. Upon notification of an alleged infringement of
12 intellectual property rights of an entrepreneur, the
13 entrepreneurial development council shall evaluate such
14 allegations of infringement and may, based upon need, award
15 grants or financial assistance to subsidize legal expenses
16 incurred in instituting legal action necessary to remedy the
17 alleged infringement. Pursuant to rules promulgated by the
18 department, the entrepreneurial development council may allocate
19 moneys from entrepreneurial development and intellectual property
20 right protection fund, in the form of low-interest loans and
21 grants, to registered entrepreneurs for the purpose of providing
22 financial aid for product development, manufacturing, and
23 advertising of new products.

24 5. Any rule or portion of a rule, as that term is defined
25 in section 536.010, that is created under the authority delegated
26 in this section shall become effective only if it complies with
27 and is subject to all of the provisions of chapter 536 and, if
28 applicable, section 536.028. This section and chapter 536 are

1 nonseverable and if any of the powers vested with the general
2 assembly pursuant to chapter 536 to review, to delay the
3 effective date, or to disapprove and annul a rule are
4 subsequently held unconstitutional, then the grant of rulemaking
5 authority and any rule proposed or adopted after August 28, 2008,
6 shall be invalid and void.

7 6. The provisions of this section shall expire on December
8 31, 2015.

9 620.1300. A cost benefit analysis shall be prepared to
10 evaluate the effectiveness of all tax credit programs, as defined
11 by section 135.800, and all programs operated by the department
12 of economic development for which the department approves tax
13 credits, loans, loan guarantees, or grants. Each analysis shall
14 be conducted by the state auditor, and shall include, but not be
15 limited to, the costs for each program, the direct state and
16 indirect state benefits and the direct local and indirect local
17 benefits associated with each program, the safeguards to protect
18 noneconomic influences in the award of programs administered by
19 the department, and the likelihood of the economic activity
20 taking place without the program. The result of each analysis
21 shall be published and distributed, by January 1, 2001, and at
22 least every four years thereafter, to the governor, the speaker
23 of the house of representatives, the president pro tem of the
24 senate, the chairman of the house budget committee, the chairman
25 of the senate appropriations committee, and the joint committee
26 on tax policy[, and the joint committee on economic development
27 policy and planning].

28 650.120. 1. There is hereby created in the state treasury

1 the "Cyber Crime Investigation Fund". The treasurer shall be
2 custodian of the fund and may approve disbursements from the fund
3 in accordance with sections 30.170 and 30.180. Beginning with the
4 2010 fiscal year and in each subsequent fiscal year, the general
5 assembly shall appropriate three million dollars to the cyber
6 crime investigation fund. The department of public safety shall
7 be the administrator of the fund. Moneys in the fund shall be
8 used solely for the administration of the grant program
9 established under this section. Notwithstanding the provisions
10 of section 33.080 to the contrary, any moneys remaining in the
11 fund at the end of the biennium shall not revert to the credit of
12 the general revenue fund. The state treasurer shall invest
13 moneys in the fund in the same manner as other funds are
14 invested. Any interest and moneys earned on such investments
15 shall be credited to the fund.

16 2. The department of public safety shall create a program
17 to distribute grants to multijurisdictional internet cyber crime
18 law enforcement task forces, multijurisdictional enforcement
19 groups, as defined in section 195.503, that are investigating
20 internet sex crimes against children, and other law enforcement
21 agencies. The program shall be funded by the cyber crime
22 investigation fund created under subsection 1 of this section.
23 Not more than three percent of the money in the fund may be used
24 by the department to pay the administrative costs of the grant
25 program. The grants shall be awarded and used to pay the
26 salaries of detectives and computer forensic personnel whose
27 focus is investigating internet sex crimes against children,
28 including but not limited to enticement of a child, possession or

1 promotion of child pornography, provide funding for the training
2 of law enforcement personnel and prosecuting and circuit
3 attorneys as well as their assistant prosecuting and circuit
4 attorneys, and purchase necessary equipment, supplies, and
5 services. The funding for such training may be used to cover the
6 travel expenses of those persons participating.

7 3. A panel is hereby established in the department of
8 public safety to award grants under this program and shall be
9 comprised of the following members:

10 (1) The director of the department of public safety, or his
11 or her designee;

12 (2) Two members shall be appointed by the director of the
13 department of public safety from a list of six nominees submitted
14 by the Missouri Police Chiefs Association;

15 (3) Two members shall be appointed by the director of the
16 department of public safety from a list of six nominees submitted
17 by the Missouri Sheriffs' Association;

18 (4) Two members of the state highway patrol shall be
19 appointed by the director of the department of public safety from
20 a list of six nominees submitted by the Missouri State Troopers
21 Association;

22 (5) One member of the house of representatives who shall be
23 appointed by the speaker of the house of representatives; and

24 (6) One member of the senate who shall be appointed by the
25 president pro tem.

26 The panel members who are appointed under subdivisions (2), (3),
27 and (4) of this subsection shall serve a four-year term ending
28 four years from the date of expiration of the term for which his

1 or her predecessor was appointed. However, a person appointed to
2 fill a vacancy prior to the expiration of such a term shall be
3 appointed for the remainder of the term. Such members shall hold
4 office for the term of his or her appointment and until a
5 successor is appointed. The members of the panel shall receive
6 no additional compensation but shall be eligible for
7 reimbursement for mileage directly related to the performance of
8 panel duties.

9 4. Local matching amounts, which may include new or
10 existing funds or in-kind resources including but not limited to
11 equipment or personnel, are required for multijurisdictional
12 internet cyber crime law enforcement task forces and other law
13 enforcement agencies to receive grants awarded by the panel.
14 Such amounts shall be determined by the state appropriations
15 process or by the panel.

16 5. When awarding grants, priority should be given to newly
17 hired detectives and computer forensic personnel.

18 6. The panel shall establish minimum training standards for
19 detectives and computer forensic personnel participating in the
20 grant program established in subsection 2 of this section.

21 7. Multijurisdictional internet cyber crime law enforcement
22 task forces and other law enforcement agencies participating in
23 the grant program established in subsection 2 of this section
24 shall share information and cooperate with the highway patrol and
25 with existing internet crimes against children task force
26 programs.

27 8. The panel may make recommendations to the general
28 assembly regarding the need for additional resources or

1 appropriations.

2 9. The power of arrest of any peace officer who is duly
3 authorized as a member of a multijurisdictional internet cyber
4 crime law enforcement task force shall only be exercised during
5 the time such peace officer is an active member of such task
6 force and only within the scope of the investigation on which the
7 task force is working. Notwithstanding other provisions of law
8 to the contrary, such task force officer shall have the power of
9 arrest, as limited in this subsection, anywhere in the state and
10 shall provide prior notification to the chief of police of a
11 municipality or the sheriff of the county in which the arrest is
12 to take place. If exigent circumstances exist, such arrest may
13 be made and notification shall be made to the chief of police or
14 sheriff as appropriate and as soon as practical. The chief of
15 police or sheriff may elect to work with the multijurisdictional
16 internet cyber crime law enforcement task force at his or her
17 option when such task force is operating within the jurisdiction
18 of such chief of police or sheriff.

19 10. Under section 23.253 of the Missouri sunset act:

20 (1) The provisions of the new program authorized under this
21 section shall [sunset automatically six years after June 5, 2006]
22 be reauthorized as of the effective date of this act and shall
23 expire on December 31, 2020, unless reauthorized by an act of the
24 general assembly; and

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

28 (3) This section shall terminate on September first of the

1 calendar year immediately following the calendar year in which
2 the program authorized under this section is sunset.

3 [8.597. 1. There is established a joint
4 committee of the general assembly to be known as the
5 "Advisory Committee on Tobacco Securitization", to be
6 comprised of five members of the senate and five
7 members of the house of representatives. Three of the
8 senate members shall be appointed by the president pro
9 tem of the senate and two by the senate minority
10 leader. Three of the house members shall be appointed
11 by the speaker of the house and two by the house
12 minority leader. The appointment of each member shall
13 continue during his or her term of office as a member
14 of the general assembly or until a successor has been
15 duly appointed to fill his or her place when his or her
16 term of office as a member of the general assembly has
17 expired.

18 2. The committee shall study and recommend who
19 the financial advisors, investment bankers, and other
20 professional advisors shall be for the authority, and
21 shall make a written report to the authority within
22 sixty days of passage of the bill. The committee shall
23 also study and provide a written report by December
24 thirty-first of each year to the authority detailing
25 suggested allowable projects and payments for which
26 money from the tobacco settlement securitization
27 settlement trust fund may be used in the next
28 appropriation cycle.]

29
30 [21.440. 1. There is established a permanent
31 joint committee of the general assembly to be known as
32 the "Joint Committee on Corrections" to be comprised of
33 six members of the senate and six members of the house
34 of representatives. The senate members shall be
35 appointed by the president pro tem of the senate and
36 the house members shall be appointed by the speaker of
37 the house. The appointment of each member shall
38 continue during his term of office as a member of the
39 general assembly or until a successor has been duly
40 appointed to fill his place when his term of office as
41 a member of the general assembly has expired.

42 2. The general assembly by a majority vote of the
43 elected members may discharge any or all of the members
44 of the committee at any time and select their
45 successors.

46 3. No major party shall be represented on the
47 committee by more than three members from the senate
48 nor by more than three members from the house.]

1 [21.445. 1. The joint committee on corrections
2 shall meet within ten days after its creation and
3 organize by selecting a chairman and a vice chairman,
4 one of whom shall be a member of the senate and the
5 other a member of the house of representatives. The
6 director of research of the committee on legislative
7 research shall serve as secretary to the committee. He
8 shall keep the records of the committee, and shall
9 perform such other duties as may be directed by the
10 committee.

11 2. The regular meetings of the committee shall be
12 in Jefferson City, Missouri, and after its inception
13 and organization it shall regularly meet at least once
14 every six months.

15 3. A majority of the members of the committee
16 shall constitute a quorum.

17 4. The members of the committee shall serve
18 without compensation but shall be entitled to
19 reimbursement for actual and necessary expenses
20 incurred in the performance of their official duties.]
21

22 [21.450. The committee may, within the limits of
23 its appropriation, employ such personnel as it deems
24 necessary; and the committee on legislative research,
25 within the limits of any appropriation made for such
26 purpose, shall supply to the joint committee on
27 corrections such professional, technical, legal,
28 stenographic and clerical help as may be necessary for
29 it to perform its duties.]
30

31 [21.455. It shall be the duty of the committee:

32 (1) To make a continuing study and analysis of
33 penal and correctional problems as they relate to this
34 state;

35 (2) To devise and arrange for a long-range
36 program for the department and its correctional centers
37 based on a plan of biennial development and making the
38 recommendation of any required correctional centers in
39 the state in accordance with the general assembly's
40 powers of appropriation;

41 (3) To inspect at least once each year and as
42 necessary all correctional facilities and properties
43 under the jurisdiction of the department of corrections
44 and of the division of youth services;

45 (4) To make a continuing study and review of the
46 department of corrections and the correctional
47 facilities under its jurisdiction, including the
48 internal organization, management, powers, duties and
49 functions of the department and its correctional
50 centers, particularly, by way of extension but not of
51 limitation, in relation to the

- 1 (a) Personnel of the department;
2 (b) Discipline of the correctional facilities;
3 (c) Correctional enterprises;
4 (d) Classification of offenders;
5 (e) Care and treatment of offenders;
6 (f) Educational and vocational training
7 facilities of the correctional centers;
8 (g) Location and establishment of new
9 correctional centers or of new buildings and
10 facilities;
11 (h) All other matters relating to the
12 administration of the state's correctional centers
13 which the committee deems pertinent; and
14 (i) Probations and paroles;
15 (5) To make a continuing study and review of the
16 institutions and programs under the jurisdiction of the
17 division of youth services;
18 (6) To study and determine the need for changes
19 in the state's criminal laws as they apply to
20 correctional centers and to sentencing, commitment,
21 probation and parole of persons convicted of law
22 violations;
23 (7) To determine from such study and analyses the
24 need for changes in statutory law or administrative
25 procedures;
26 (8) To make recommendations to the general
27 assembly for legislative action and to the department
28 of corrections and to the division of youth services
29 for administrative or procedural changes.]

30
31 [21.460. 1. The department of corrections, each
32 section and correctional facility within the department
33 and, upon request, any other state agency shall
34 cooperate with and assist the committee in the
35 performance of its duties and shall make available all
36 books, records and information requested.

37 2. The committee shall have the power to subpoena
38 witnesses, take testimony under oath, compel the
39 attendance of witnesses, the giving of testimony and
40 the production of records.]

41
42 [21.465. It shall be the duty of the committee to
43 compile a full report of its activities for submission
44 to the general assembly. The report shall be submitted
45 not later than the fifteenth of January of each year in
46 which the general assembly convenes in regular session
47 and shall include any recommendations which the
48 committee may have for legislative action as well as
49 any recommendations for administrative or procedural
50 changes in the internal management or organization of
51 the department or its correctional facilities. The

1 report shall also include an analysis and statement of
2 the manner in which statutory provisions relating to
3 the department and its several sections are being
4 executed. Copies of the report containing such
5 recommendations shall be sent to the director of the
6 department of corrections and other persons within the
7 department charged with administrative or managerial
8 duties.]
9

10 [21.530. 1. There is established a permanent
11 joint committee of the general assembly to be known as
12 the "Joint Committee on Capital Improvements and Leases
13 Oversight" to be comprised of five members of the
14 senate appropriations committee and five members of the
15 house of representatives budget committee. The senate
16 members shall be appointed by the president pro tem of
17 the senate and the house members shall be appointed by
18 the speaker of the house.

19 2. No major party shall be represented on the
20 committee by more than three members from the senate
21 nor by more than three members from the house.]
22

23 [21.535. 1. The joint committee on capital
24 improvements and leases oversight shall meet and
25 organize by selecting a chairman and a vice chairman,
26 one of whom shall be a member of the senate and the
27 other a member of the house of representatives. The
28 chairmanship shall alternate between members of the
29 senate and house each two years after its organization.
30

31 2. The meetings of the committee shall be in
32 Jefferson City, Missouri, and after its inception and
33 organization it shall meet at the call of the chairman,
34 but shall meet at least once every three months.

35 3. A majority of the members of the committee
36 shall constitute a quorum.

37 4. The members of the committee shall serve
38 without compensation but shall be entitled to
39 reimbursement for actual and necessary expenses
40 incurred in the performance of their official duties.]
41

42 [21.537. 1. The joint committee on capital
43 improvements and leases oversight shall:

44 (1) Monitor all proposed state-funded capital
45 improvement projects, including all operating costs for
46 the first two years after completion of such projects;

47 (2) Monitor all new construction on any
48 state-funded capital improvements project, excluding
49 capital improvements projects or highway improvements
50 of the state transportation department funded by motor

1 fuel tax revenues;

2 (3) Monitor any repairs or maintenance on
3 existing state buildings and facilities involving
4 capital expenditures exceeding a specific amount of
5 money to be determined by the committee;

6 (4) Investigate the total bonded and other
7 indebtedness including lease purchase agreements of
8 this state and its various departments, divisions, and
9 other agencies as it pertains to state building
10 projects;

11 (5) Perform budgeting analysis for all proposed
12 capital improvement projects including all operating
13 costs for the first two years after completion of the
14 project and cooperate with and assist the house budget
15 committee and the senate appropriations committee with
16 similar analysis;

17 (6) Monitor all leases and proposed leases of
18 real property funded with state moneys, including any
19 operating costs or other costs associated with any such
20 lease arrangement.

21 2. The committee may, within the limits of its
22 appropriation, employ such personnel as it deems
23 necessary to carry out the duties imposed by this
24 section.

25 3. The committee shall compile a full report of
26 its activities for submission to the general assembly.
27 The report shall be submitted not later than the
28 fifteenth of January of each year in which the general
29 assembly convenes in regular session and shall include
30 any recommendations which the committee may have for
31 legislative action.]

32
33 [21.800. 1. There is established a joint
34 committee of the general assembly to be known as the
35 "Joint Committee on Terrorism, Bioterrorism, and
36 Homeland Security" to be composed of seven members of
37 the senate and seven members of the house of
38 representatives. The senate members of the joint
39 committee shall be appointed by the president pro tem
40 and minority floor leader of the senate and the house
41 members shall be appointed by the speaker and minority
42 floor leader of the house of representatives. The
43 appointment of each member shall continue during the
44 member's term of office as a member of the general
45 assembly or until a successor has been appointed to
46 fill the member's place when his or her term of office
47 as a member of the general assembly has expired. No
48 party shall be represented by more than four members
49 from the house of representatives nor more than four
50 members from the senate.
51 A majority of the committee shall constitute a quorum,

1 but the concurrence of a majority of the members shall
2 be required for the determination of any matter within
3 the committee's duties.

4 2. The joint committee shall:

5 (1) Make a continuing study and analysis of all
6 state government terrorism, bioterrorism, and homeland
7 security efforts, including the feasibility of
8 compiling information relevant to immigration
9 enforcement issues;

10 (2) Devise a standard reporting system to obtain
11 data on each state government agency that will provide
12 information on each agency's terrorism and bioterrorism
13 preparedness, and homeland security status at least
14 biennially;

15 (3) Determine from its study and analysis the
16 need for changes in statutory law; and

17 (4) Make any other recommendation to the general
18 assembly necessary to provide adequate terrorism and
19 bioterrorism protections, and homeland security to the
20 citizens of the state of Missouri.

21 3. The joint committee shall meet within thirty
22 days after its creation and organize by selecting a
23 chairperson and a vice chairperson, one of whom shall
24 be a member of the senate and the other a member of the
25 house of representatives. The chairperson shall
26 alternate between members of the house and senate every
27 two years after the committee's organization.

28 4. The committee shall meet at least quarterly.
29 The committee may meet at locations other than
30 Jefferson City when the committee deems it necessary.

31 5. The committee shall be staffed by legislative
32 personnel as is deemed necessary to assist the
33 committee in the performance of its duties.

34 6. The members of the committee shall serve
35 without compensation but shall be entitled to
36 reimbursement for actual and necessary expenses
37 incurred in the performance of their official duties.

38 7. It shall be the duty of the committee to
39 compile a full report of its activities for submission
40 to the general assembly. The report shall be submitted
41 not later than the fifteenth of January of each year in
42 which the general assembly convenes in regular session
43 and shall include any recommendations which the
44 committee may have for legislative action as well as
45 any recommendations for administrative or procedural
46 changes in the internal management or organization of
47 state or local government agencies and departments.
48 Copies of the report containing such recommendations
49 shall be sent to the appropriate directors of state or
50 local government agencies or departments included in
51 the report.

1 8. The provisions of this section shall expire on
2 December 31, 2011.]
3

4 [21.801. 1. There is hereby established a joint
5 committee of the general assembly, which shall be known
6 as the "Joint Committee on Urban Agriculture".

7 2. The joint committee shall be composed of ten
8 members. Five members shall be from the senate, with
9 three members appointed by the president pro tem of the
10 senate and two members appointed by the minority leader
11 of the senate. Five members shall be from the house of
12 representatives, with three members appointed by the
13 speaker of the house of representatives and two members
14 appointed by the minority leader of the house of
15 representatives. All members of the Missouri general
16 assembly not appointed in this subsection may be
17 nonvoting, ex officio members of the joint committee.
18 A majority of the appointed members of the joint
19 committee shall constitute a quorum.

20 3. The joint committee shall meet within thirty
21 days after it becomes effective and organize by
22 selecting a chairperson and a vice chairperson, one of
23 whom shall be a member of the senate and the other a
24 member of the house of representatives. The joint
25 committee may meet at locations other than Jefferson
26 City when the committee deems it necessary.

27 4. The committee shall prepare a final report
28 together with its recommendations for any legislative
29 action deemed necessary for submission to the speaker
30 of the house of representatives, president pro tem of
31 the senate, and the governor by December 31, 2012. The
32 report shall study and make recommendations regarding
33 the impact of urban farm cooperatives, vertical
34 farming, and sustainable living communities in this
35 state and shall examine the following:

36 (1) Trends in urban farming, including vertical
37 farming, urban farm cooperatives, and sustainable
38 living communities;

39 (2) Existing services, resources, and capacity
40 for such urban farming;

41 (3) The impact on communities and populations
42 affected; and

43 (4) Any needed state legislation, policies, or
44 regulations.

45 5. The committee shall hold a minimum of one
46 meeting at three urban regions in the state of Missouri
47 to seek public input. The committee may hold such
48 hearings, sit and act at such times and places, take
49 such testimony, and receive such evidence as the
50 committee considers advisable to carry out the
51 provisions of this section.

1 6. The joint committee may solicit input and
2 information necessary to fulfill its obligations from
3 the general public, any state department, state agency,
4 political subdivision of this state, or anyone else it
5 deems advisable.

6 7. (1) The joint committee shall establish a
7 subcommittee to be known as the "Urban Farming Advisory
8 Subcommittee" to study, analyze, and provide background
9 information, recommendations, and findings in
10 preparation of each of the public hearings called by
11 the joint committee. The subcommittee may also review
12 draft recommendations of the joint committee, if
13 requested. The subcommittee will meet as often as
14 necessary to fulfill the requirements and time frames
15 set by the joint committee.

16 (2) The subcommittee shall consist of twelve
17 members, as follows:

18 (a) Four members shall include the directors of
19 the following departments, or their designees:

20 a. Agriculture, who shall serve as chair of the
21 subcommittee;

22 b. Economic development;

23 c. Health and senior services; and

24 d. Natural resources; and

25 (b) The chair shall select eight additional
26 members, subject to approval by a majority of the joint
27 committee, who shall have experience in or represent
28 organizations associated with at least one of the
29 following areas:

30 a. Sustainable energy;

31 b. Farm policy;

32 c. Urban botanical gardening;

33 d. Sustainable agriculture;

34 e. Urban farming or community gardening;

35 f. Vertical farming;

36 g. Agriculture policy or advocacy; and

37 h. Urban development.

38 8. Members of the committee and subcommittee
39 shall serve without compensation but may be reimbursed
40 for necessary expenses pertaining to the duties of the
41 committee.

42 9. The staffs of senate research, the joint
43 committee on legislative research, and house research
44 may provide such legal, research, clerical, technical,
45 and bill drafting services as the joint committee may
46 require in the performance of its duties.

47 10. Any actual and necessary expenses of the
48 joint committee, its members, and any staff assigned to
49 the joint committee incurred by the joint committee
50 shall be paid by the joint contingent fund.

51 11. The provisions of this section shall expire

1 on January 1, 2013.]
2

3 [21.830. 1. There is hereby established a joint
4 committee of the general assembly, which shall be known
5 as the "Joint Committee on Missouri's Energy Future",
6 which shall be composed of five members of the senate,
7 with no more than three members of one party, and five
8 members of the house of representatives, with no more
9 than three members of one party. The senate members of
10 the committee shall be appointed by the president pro
11 tem of the senate and the house members by the speaker
12 of the house of representatives. The committee shall
13 select either a chairperson or co-chairpersons, one of
14 whom shall be a member of the senate and one a member
15 of the house of representatives. A majority of the
16 members shall constitute a quorum. Meetings of the
17 committee may be called at such time and place as the
18 chairperson or chairpersons designate.

19 2. The committee shall examine Missouri's present
20 and future energy needs to determine the best strategy
21 to ensure a plentiful, affordable and clean supply of
22 electricity that will meet the needs of the people and
23 businesses of Missouri for the next twenty-five years
24 and ensure that Missourians continue to benefit from
25 low rates for residential, commercial, and industrial
26 energy consumers.

27 3. The joint committee may hold hearings as it
28 deems advisable and may obtain any input or information
29 necessary to fulfill its obligations. The committee
30 may make reasonable requests for staff assistance from
31 the research and appropriations staffs of the house and
32 senate and the committee on legislative research, as
33 well as the department of economic development,
34 department of natural resources, and the public service
35 commission.

36 4. The joint committee shall prepare a final
37 report, together with its recommendations for any
38 legislative action deemed necessary, for submission to
39 the general assembly by December 31, 2009, at which
40 time the joint committee shall be dissolved.

41 5. Members of the committee shall receive no
42 compensation but may be reimbursed for reasonable and
43 necessary expenses associated with the performance of
44 their official duties.]
45

46 [21.835. Consistent with its comprehensive review
47 of the Missouri criminal code, the joint committee on
48 the Missouri criminal code, as established by senate
49 concurrent resolution no. 28 as adopted by the
50 ninety-sixth general assembly, second regular session,
51 shall evaluate removal of offenses from the sexual

1 offender registry which do not jeopardize public safety
2 or do not contribute to the public's assessment of risk
3 associated with offenders.]
4

5 [21.850. 1. There is hereby established a joint
6 committee of the general assembly, which shall be known
7 as the "Joint Committee on Solid Waste Management
8 District Operations", which shall be composed of five
9 members of the senate, with no more than three members
10 of one party, and five members of the house of
11 representatives, with no more than three members of one
12 party. The senate members of the committee shall be
13 appointed by the president pro tempore of the senate
14 and the house members by the speaker of the house of
15 representatives. The committee shall select either a
16 chairperson or co-chairpersons, one of whom shall be a
17 member of the senate and one a member of the house of
18 representatives. A majority of the members shall
19 constitute a quorum. Meetings of the committee may be
20 called at such time and place as the chairperson or
21 chairpersons designate.

22 2. The committee shall examine solid waste
23 management district operations, including but not
24 limited to the efficiency, efficacy, and reasonableness
25 of costs and expenses of such districts to Missouri
26 taxpayers.

27 3. The joint committee may hold hearings as it
28 deems advisable and may obtain any input or information
29 necessary to fulfill its obligations. The committee
30 may make reasonable requests for staff assistance from
31 the research and appropriations staffs of the house and
32 senate and the committee on legislative research, as
33 well as the department of natural resources and
34 representatives of solid waste management districts.

35 4. The joint committee shall prepare a final
36 report, together with its recommendations for any
37 legislative action deemed necessary, for submission to
38 the general assembly by December 31, 2013, at which
39 time the joint committee shall be dissolved.

40 5. Members of the committee shall receive no
41 compensation but may be reimbursed for reasonable and
42 necessary expenses associated with the performance of
43 their official duties.]
44

45 [21.910. 1. There is hereby created the "Joint
46 Committee on the Reduction and Reorganization of
47 Programs within State Government". The committee shall
48 be composed of thirteen members as follows:

49 (1) Three majority party members and two minority
50 party members of the senate, to be appointed by the
51 president pro tem of the senate;

1 (2) Three majority party members and two minority
2 party members of the house of representatives, to be
3 appointed by the speaker of the house of
4 representatives;

5 (3) The commissioner of the office of
6 administration, or his or her designee;

7 (4) A representative of the governor's office;
8 and

9 (5) A supreme court judge, or his or her
10 designee, as selected by the Missouri supreme court.

11 2. The committee shall study programs within
12 every department that should be eliminated, reduced, or
13 combined with another program or programs. As used in
14 this section, the term "program" shall have the same
15 meaning as in section 23.253.

16 3. In order to assist the committee with its
17 responsibilities under this section, each department
18 shall comply with any request for information made by
19 the committee with regard to any programs administered
20 by such department.

21 4. The members of the committee shall elect a
22 chairperson and vice chairperson.

23 5. The committee shall submit a report to the
24 general assembly by December 31, 2010, and such report
25 shall contain any recommendations of the committee for
26 eliminating, reducing, or combining any program with
27 another program or programs in the same or a different
28 department.

29 6. The provisions of this section shall expire on
30 January 1, 2011.]

31
32 [21.920. 1. There is established a joint
33 committee of the general assembly to be known as the
34 "Joint Committee on Missouri's Promise" to be composed
35 of five members of the senate and five members of the
36 house of representatives. The senate members of the
37 joint committee shall be appointed by the president pro
38 tem of the senate and the house members shall be
39 appointed by the speaker of the house of
40 representatives. The appointment of each member shall
41 continue during the member's term of office as a member
42 of the general assembly or until a successor has been
43 appointed to fill the member's place when his or her
44 term of office as a member of the general assembly has
45 expired. No party shall be represented by more than
46 three members from the house of representatives nor
47 more than three members from the senate. A majority of
48 the committee shall constitute a quorum, but the
49 concurrence of a majority of the members shall be
50 required for the determination of any matter within the
51 committee's duties.

1 2. The committee shall be charged with the
2 following:
3 (1) Examining issues that will be impacting the
4 future of the state of Missouri and its citizens;
5 (2) Developing long-term strategies and plans
6 for:
7 (a) Increasing the economic prosperity and
8 opportunities for the citizens of this state;
9 (b) Improving the health status of our citizens;
10 (c) An education system that educates students
11 who are capable of attending and being productive and
12 successful citizens and designed to successfully
13 prepare graduates for global competition;
14 (d) Investing in, and maintaining, a modern
15 infrastructure and transportation system and
16 identifying potential sources of revenue to sustain
17 such efforts; and
18 (e) Other areas that the committee determines are
19 vital to improving the lives of the citizens of
20 Missouri;
21 (3) Developing three-, five-, and ten-year plans
22 for the general assembly to meet the long-term
23 strategies outlined in subdivision (2) of this
24 subsection;
25 (4) Implementing budget forecasting for the
26 upcoming ten years in order to plan for the long-term
27 financial soundness of the state; and
28 (5) Such other matters as the committee may deem
29 necessary in order to determine the proper course of
30 future legislative and budgetary action regarding these
31 issues.
32 3. The committee may solicit input and
33 information necessary to fulfill its obligations,
34 including, but not limited to, soliciting input and
35 information from any state department or agency the
36 committee deems relevant, political subdivisions of
37 this state, and the general public.
38 4. By January 1, 2011, and every year thereafter,
39 the committee shall issue a report to the general
40 assembly with any findings or recommendations of the
41 committee with regard to its duties under subsection 2
42 of this section.
43 5. Members of the committee shall receive no
44 compensation but may be reimbursed for reasonable and
45 necessary expenses associated with the performance of
46 their official duties.]

47
48 [30.953. 1. There is hereby created and
49 established as an instrumentality of the state of
50 Missouri, the "Missouri Investment Trust" which shall
51 constitute a body corporate and politic, and shall be

1 managed by a board of trustees as described herein.
2 The purpose of the Missouri investment trust shall be:

3 (1) To receive, hold, manage, invest and
4 ultimately reconvey to the granting party any funds or
5 property of the state of Missouri which may, from time
6 to time, be transferred to the investment trust
7 pursuant to the terms of a trust agreement with the
8 state of Missouri and the provisions of sections 30.953
9 to 30.971. All property, money, funds, investments and
10 rights which may be so conveyed to the investment trust
11 shall be dedicated to and held in trust for the state
12 of Missouri and no other until such time as they are
13 reconveyed to the state of Missouri, all as set forth
14 herein; and

15 (2) To perform other duties assigned by law.

16 2. The state treasurer, on behalf of the state of
17 Missouri, is hereby authorized to convey designated
18 funds in the state treasury to the Missouri investment
19 trust to be held in trust for the exclusive benefit of
20 the state of Missouri for a fixed period, pursuant to
21 the terms and conditions of a written trust agreement
22 and the provisions of sections 30.953 to 30.971,
23 provided that all the following requirements have been
24 met:

25 (1) Initially, the general assembly passes and
26 the governor signs legislation designating specific
27 funds in the state treasury as being funds which, due
28 to their nature and purpose, are intended for long-term
29 investment and growth, and accordingly, from which
30 there shall be no appropriations for a period exceeding
31 the longest duration for investments by the state
32 treasury pursuant to section 15, article IV of the
33 Constitution of Missouri. Such legislation shall
34 declare that it is the intention and desire of the
35 general assembly that the state treasurer shall convey,
36 from time to time, the designated funds, in trust, to
37 the Missouri investment trust, and shall further
38 declare the maximum time such funds shall remain in the
39 Missouri investment trust before being reconveyed to
40 the state treasurer by the investment trust; and

41 (2) Thereafter, an appropriation by the general
42 assembly authorizing disbursement of the designated
43 funds from the state treasury to the Missouri
44 investment trust; and

45 (3) The Missouri investment trust executes a
46 valid, binding trust agreement, sufficient in form and
47 substance to bind the investment trust to hold,
48 maintain, and invest the designated funds, in trust,
49 for the exclusive benefit of the state of Missouri, for
50 the prescribed period, whereupon the investment trust
51 shall reconvey the designated funds and any earnings

1 thereon to the state treasury.

2 3. The investment trust may hold and invest funds
3 so designated in order to satisfy the specific
4 long-term investment goals of such funds, but the
5 investment trust shall not be utilized to invest idle
6 general revenue funds of the state treasury. No more
7 than one hundred million dollars, in aggregate, may be
8 conveyed to the investment trust pursuant to sections
9 30.953 to 30.971. Total assets under management by the
10 investment trust may exceed one hundred million
11 dollars, but no new funds may be conveyed to the
12 investment trust until such time as previous existing
13 transfers to the investment trust total less than one
14 hundred million dollars.

15 4. The board of trustees of the investment trust
16 shall consist of the state treasurer, who shall serve
17 as chairman, the commissioner of administration, one
18 member appointed by the speaker of the house of
19 representatives, one member appointed by the president
20 pro tem of the senate and three members to be selected
21 by the governor, with the advice and consent of the
22 senate. The persons to be selected by the governor
23 shall be individuals knowledgeable in the areas of
24 banking, finance or the investment and management of
25 public funds. Not more than two of the members
26 appointed by the governor shall be from the same
27 political party. The initial members of the board of
28 trustees appointed by the governor shall serve the
29 following terms: one shall serve two years, one shall
30 serve three years, and one shall serve four years,
31 respectively. Thereafter, each appointment shall be
32 for a term of four years. If for any reason a vacancy
33 occurs, the governor, with the advice and consent of
34 the senate, shall appoint a new member to fill the
35 unexpired term. Members are eligible for
36 reappointment.

37 5. Five members of the board of trustees of the
38 investment trust shall constitute a quorum. No vacancy
39 in the membership of the board of trustees shall impair
40 the right of a quorum to exercise all the rights and
41 perform all the duties of the board of trustees of the
42 investment trust. No action shall be taken by the
43 board of trustees of the investment trust except upon
44 the affirmative vote of at least four of the members of
45 the board where a quorum is present.

46 6. The board of trustees shall meet within the
47 state of Missouri at the time set at a previously
48 scheduled meeting or by the request of any four members
49 of the board. Notice of the meeting shall be delivered
50 to all other trustees in person or by depositing notice
51 in a United States post office in a properly stamped

1 and addressed envelope not less than six days prior to
2 the date fixed for the meeting. The board may meet at
3 any time by unanimous mutual consent. There shall be
4 at least one meeting in each quarter.

5 7. In the event any trustee other than the state
6 treasurer or the commissioner of administration fails
7 to attend three consecutive meetings of the board,
8 unless in each case excused for cause by the remaining
9 trustees attending such meetings, such trustee shall be
10 considered to have resigned from the board and the
11 chairman shall declare such trustee's office vacated,
12 and the vacancy shall be filled in the same manner as
13 originally filled.

14 8. Each member of the board of trustees appointed
15 by the governor, unless prohibited by law, is entitled
16 to compensation of fifty dollars per diem plus such
17 member's reasonable and necessary expenses actually
18 incurred in discharging such member's duties pursuant
19 to sections 30.953 to 30.971.]
20

21 [30.954. As authorized pursuant to subsection 2
22 of section 30.953, it is the intention and desire of
23 the general assembly that the state treasurer convey to
24 the Missouri investment trust on January 1, 2000, up to
25 one hundred percent of the balances of the Wolfner
26 library trust fund established in section 181.150, the
27 Missouri arts council trust fund established in section
28 185.100, the Missouri humanities council trust fund
29 established in section 186.055, and the Pansy
30 Johnson-Travis memorial state gardens trust fund
31 established in section 253.380. On January 2, 2010,
32 the Wolfner library trust fund, the Missouri arts
33 council trust fund, the Missouri humanities council
34 trust fund and the Pansy Johnson-Travis memorial state
35 gardens trust fund shall be reconveyed to the state
36 treasurer by the investment trust.]
37

38 [30.956. The investment trust is hereby granted,
39 has and may exercise all powers necessary or
40 appropriate for it or its agents or employees to carry
41 out and effectuate its purpose, including but not
42 limited to the following:

43 (1) To purchase, acquire, hold, invest, lend,
44 lease, sell, assign, transfer and dispose of all funds,
45 property, rights and securities, and enter into written
46 contracts, releases, compromises and other instruments
47 necessary or convenient for the exercise of its powers,
48 or to carry out the purposes of a trust agreement or
49 sections 30.953 to 30.971;

50 (2) To make, and from time to time, amend and
51 repeal bylaws, rules and regulations not inconsistent

1 with the provisions of sections 30.953 to 30.971 for
2 the regulation of its affairs and the conduct of its
3 business;

4 (3) To accept appropriations, gifts, grants,
5 bequests and devises and to utilize or dispose of the
6 same to carry out its purpose or the terms of a trust
7 agreement;

8 (4) To invest any funds or property not required
9 for immediate disbursement in accordance with sections
10 30.953 to 30.971, and consistent with the principles
11 set forth in sections 105.687 to 105.690, except that
12 nothing herein shall be deemed to authorize investment
13 in venture capital firms or small business investment
14 companies, as defined in those statutory sections;

15 (5) To sue and be sued;

16 (6) To have a seal and alter the same at will;

17 (7) To enter into agreements or other
18 transactions with any federal or state agency, person,
19 or domestic or foreign partnership, corporation,
20 association or organization;

21 (8) To procure insurance against any loss in
22 connection with the property it holds in trust in such
23 amounts and from such insurers as may be necessary or
24 desirable;

25 (9) To hire or retain such agents or employees as
26 necessary to carry out and effectuate its purpose and
27 the requirements of sections 30.953 to 30.971.]
28

29 [30.959. 1. The principal office of the
30 investment trust shall be in Jefferson City. The
31 investment trust shall have a seal bearing the
32 inscription "Missouri Investment Trust", which shall be
33 in the custody of the state treasurer. The courts of
34 this state shall take judicial notice of the seal and
35 all copies of records, books, and written instruments
36 which are kept in the office of the investment trust
37 and are certified by the state treasurer under the seal
38 shall be proved or admitted in any court or proceeding
39 as provided by section 109.130.

40 2. The board of trustees of the investment trust
41 shall keep a complete record of all its proceedings
42 which shall be open to the public in accordance with
43 the provisions of chapter 610.

44 3. The board of trustees shall annually prepare
45 and have available as public information a
46 comprehensive annual financial report showing the
47 financial status of the investment trust as of the end
48 of the trust's fiscal year. The report shall contain,
49 but not be limited to, detailed financial statements
50 prepared in accordance with generally accepted
51 accounting principles for trust funds, a detailed

1 listing of the investments, showing both cost and
2 market value, held by the investment trust as of the
3 date of the report together with a detailed statement
4 of the annual rates of investment return from all
5 assets and from each type of investment, a detailed
6 list of investments acquired and disposed of during the
7 fiscal year, a listing of the investment trust's board
8 of trustees and responsible administrative staff, a
9 detailed list of administrative expenses of the
10 investment trust including all fees paid for
11 professional services, a detailed list of brokerage
12 commissions paid, and such other data as the board
13 shall deem necessary or desirable for a proper
14 understanding of the condition of the investment trust.
15 In the event the investment trust is unable to comply
16 with any of the disclosure requirements outlined above,
17 a detailed statement shall be included in the report as
18 to the reason for such noncompliance. A copy of the
19 comprehensive annual financial report as outlined above
20 shall be forwarded within six months of the end of the
21 investment trust's fiscal year to the governor of
22 Missouri.

23 4. The state auditor shall conduct an annual
24 audit of the records and accounts of the investment
25 trust and shall report the findings to the board of
26 trustees and the governor.]

27
28 [30.962. 1. No trustee or employee of the
29 investment trust shall receive any gain or profit from
30 any funds or transaction of the investment trust.

31 2. Any trustee, employee or agent of the
32 investment trust accepting any gratuity or compensation
33 for the purpose of influencing such trustee's,
34 employee's or agent's action with respect to the
35 investment or management of the funds of the investment
36 trust shall thereby forfeit the office and in addition
37 thereto be subject to the penalties prescribed for
38 bribery.]

39
40 [30.965. 1. The investment trust shall set up
41 and maintain the system of accounts necessary to
42 monitor, preserve and ultimately reconvey the funds
43 conveyed to it pursuant to sections 30.953 to 30.971.
44 All funds, property, income and earnings received by
45 the investment trust from any and all sources shall be
46 promptly credited to the appropriate account.

47 2. Unless and until invested in compliance with
48 sections 30.953 to 30.971, all moneys received by the
49 investment trust shall be promptly deposited to the
50 credit of the investment trust in one or more banks or
51 financial institutions in this state. No such money

1 shall be deposited in or be retained by any bank or
2 financial institution which does not continually have
3 on deposit with and pledged for the benefit of the
4 investment trust the kind and value of collateral
5 required by section 30.270, for depositaries of the
6 state treasurer.

7 3. The board of trustees shall invest all funds
8 under its control which are in excess of a safe
9 operating balance and not subject to imminent
10 conveyance to the state treasury. The funds shall be
11 invested only in those investments which a prudent
12 person acting in a like capacity and familiar with
13 these matters would use in the conduct of an enterprise
14 of a like character and with like aims, as provided in
15 section 105.688. The board of trustees may delegate to
16 duly appointed investment counselors authority to act
17 in place of the board in the investment and
18 reinvestment of all or part of the moneys of the trust,
19 and may also delegate to such counselors the authority
20 to act in place of the board in the holding,
21 purchasing, selling, assigning, transferring or
22 disposing of any or all of the securities and
23 investments in which such moneys shall have been
24 invested, as well as the proceeds of such investments
25 and such moneys. Such investment counselors shall be
26 registered as investment advisors with the United
27 States Securities and Exchange Commission. In
28 exercising or delegating its investment powers and
29 authority, members of the board of trustees shall
30 exercise ordinary business care and prudence under the
31 facts and circumstances prevailing at the time of the
32 action or decision. No member of the board of trustees
33 shall be liable for any action taken or omitted with
34 respect to the exercise of, or delegation of, these
35 powers and authority if such member shall have
36 discharged the duties of his or her position in good
37 faith and with that degree of diligence, care and skill
38 which a prudent person acting in a like capacity and
39 familiar with these matters would use in the conduct of
40 an enterprise of a like character and with like aims.

41 4. No investment transaction authorized by the
42 board of trustees shall be handled by any company or
43 firm in which a member of the board has a substantial
44 interest, nor shall any member of the board profit
45 directly or indirectly from any such investment. All
46 investments shall be made for the account of the
47 investment trust, and any securities or other
48 properties obtained by the board of trustees may be
49 held by a custodian in the name of the investment
50 trust, or in the name of a nominee in order to
51 facilitate the expeditious transfer of such securities

1 or other property. Such securities or other properties
2 which are not available in registered form may be held
3 in bearer form or in book entry form. The investment
4 trust is further authorized to deposit, or have
5 deposited for its account, eligible securities in a
6 central depository system or clearing corporation or in
7 a federal reserve bank under a book entry system as
8 defined in the Uniform Commercial Code, chapter 400.
9 When such eligible securities of the investment trust
10 are so deposited with a central depository system they
11 may be merged and held in the name of the nominee of
12 such securities depository and title to such securities
13 may be transferred by bookkeeping entry on the books of
14 such securities depository or federal reserve bank
15 without physical delivery of the certificates or
16 documents representing such securities.

17 5. With appropriate safeguards against loss by
18 the investment trust in any contingency, the board of
19 trustees may designate a bank or trust company to serve
20 as a depository of trust funds and intermediary in the
21 investment of those funds and payment of trust
22 obligations.

23 6. The board of trustees may employ a financial
24 institution having fiduciary powers for the provision
25 of such custodial or clerical services as the board may
26 deem appropriate.

27 7. Consistent with the exercise of its fiduciary
28 responsibilities, the board of trustees may provide for
29 the payment of any costs or expenses for the employees,
30 agents, services or transactions necessary for the
31 execution of sections 30.953 to 30.971 in the form,
32 manner and amount that the board deems appropriate.

33 8. The board of trustees shall take the necessary
34 steps, consistent with the exercise of its fiduciary
35 responsibilities, to ensure that the investment trust
36 has sufficient available assets to satisfy any
37 obligation to reconvey property held in trust at the
38 end of the term established in a trust agreement.

39 9. Any funds or property in the charge and
40 custody of the board of trustees of the investment
41 trust pursuant to the provisions of sections 30.953 to
42 30.971 shall not be subject to execution, garnishment,
43 attachment or any other process whatsoever and shall be
44 unassignable, unless otherwise specifically provided in
45 sections 30.953 to 30.971.]

46
47 [30.968. Upon completion of the fixed period
48 identified in a trust agreement with the state of
49 Missouri, the investment trust shall promptly transfer
50 to the state treasury the current corpus of the
51 property originally conveyed in trust, along with any

1 interest, income or other earnings thereon.]

2
3 [30.971. For the purposes of the books and
4 records of the state of Missouri, any funds or property
5 held by the investment trust pursuant to sections
6 30.953 to 30.971 shall be treated, consistent with
7 generally accepted accounting principles, in the same
8 manner as property of a not-for-profit, tax-exempt
9 beneficiary which is held in trust by a trustee for a
10 fixed period.]

11
12 [33.850. 1. The committee on legislative
13 research shall organize a subcommittee, which shall be
14 known as the "Joint Subcommittee on Recovery
15 Accountability and Transparency", to coordinate and
16 conduct oversight of covered funds to prevent fraud,
17 waste, and abuse.

18 2. The subcommittee shall consist of the
19 following eight members:

20 (1) One-half of the members appointed by the
21 chairperson from the house which he or she represents,
22 two of whom shall be from the majority party and two of
23 whom shall be from the minority party; and

24 (2) One-half of the members appointed by the vice
25 chairperson from the house which he or she represents,
26 two of whom shall be from the majority party and two of
27 whom shall be from the minority party.

28 3. The appointment of the senate and house
29 members shall continue during the member's term of
30 office as a member of the general assembly or until a
31 successor has been appointed to fill the member's place
32 when his or her term of office as a member of the
33 general assembly has expired.

34 4. The subcommittee shall coordinate and conduct
35 oversight of covered funds in order to prevent fraud,
36 waste, and abuse, including:

37 (1) Reviewing whether the reporting of contracts
38 and grants using covered funds meets applicable
39 standards and specifies the purpose of the contract or
40 grant and measures of performance;

41 (2) Reviewing whether competition requirements
42 applicable to contracts and grants using covered funds
43 have been satisfied;

44 (3) Reviewing covered funds to determine whether
45 wasteful spending, poor contract or grant management,
46 or other abuses are occurring and referring matters it
47 considers appropriate for investigation to the attorney
48 general or the agency that disbursed the covered funds;

49 (4) Receiving regular reports from the
50 commissioner of the office of administration, or his or
51 her designee, concerning covered funds; and

1 (5) Reviewing the number of jobs created using
2 these funds.

3 5. The subcommittee shall submit annual reports
4 to the governor and general assembly, including the
5 senate appropriations committee and house budget
6 committee, that summarize the findings of the
7 subcommittee with regard to its duties in subsection 4
8 of this section. All reports submitted under this
9 subsection shall be made publicly available and posted
10 on the governor's website, the general assembly
11 website, and each state agency website. Any portion of
12 a report submitted under this subsection may be
13 redacted when made publicly available, if that portion
14 would disclose information that is not subject to
15 disclosure under chapter 610, or any other provision of
16 state law.

17 6. (1) The subcommittee shall make
18 recommendations to agencies on measures to prevent
19 fraud, waste, and abuse relating to covered funds.

20 (2) Not later than thirty days after receipt of a
21 recommendation under subdivision (1) of this
22 subsection, an agency shall submit a report to the
23 governor and general assembly, including the senate
24 appropriations committee and house budget committee,
25 and the subcommittee that states:

26 (a) Whether the agency agrees or disagrees with
27 the recommendations; and

28 (b) Any actions the agency will take to implement
29 the recommendations.

30 7. The subcommittee may:

31 (1) Review audits from the state auditor and
32 conduct reviews relating to covered funds; and

33 (2) Receive regular testimony from the state
34 auditor relating to audits of covered funds.

35 8. (1) Not later than thirty days after the date
36 on which all initial members of the subcommittee have
37 been appointed, the subcommittee shall hold its first
38 meeting. Thereafter, the subcommittee shall meet at
39 the call of the chairperson of the subcommittee.

40 (2) A majority of the members of the subcommittee
41 shall constitute a quorum, but a lesser number of
42 members may hold hearings.

43 9. The subcommittee may hold such hearings, sit
44 and act at such times and places, take such testimony,
45 and receive such evidence as the subcommittee considers
46 advisable to carry out the provisions of this section.
47 Each agency of this state shall cooperate with any
48 request of the subcommittee to provide such information
49 as the subcommittee deems necessary to carry out the
50 provisions of this section. Upon request of the
51 subcommittee, the head of each agency shall furnish

1 such information to the subcommittee. The head of each
2 agency shall make all officers and employees of that
3 agency available to provide testimony to the
4 subcommittee and committee personnel.

5 10. Subject to appropriations, the subcommittee
6 may enter into contracts with public agencies and with
7 private persons to enable the subcommittee to discharge
8 its duties under the provisions of this section,
9 including contracts and other arrangements for studies,
10 analyses, and other services.

11 11. The members of the subcommittee shall serve
12 without compensation, but may be reimbursed for
13 reasonable and necessary expenses incurred in the
14 performance of their official duties.

15 12. As used in this section, the term "covered
16 fund" shall mean any moneys received by the state or
17 any political subdivision under the American Recovery
18 and Reinvestment Act of 2009, as enacted by the 111th
19 United States Congress.

20 13. This section shall expire March 1, 2013.]

21
22 [37.250. 1. The general assembly declares it is
23 the public policy of this state to determine the most
24 cost-effective systems to provide ubiquitous coverage
25 of the state transparent communications between all
26 members of all using agencies, and the necessary E911
27 capability to provide assured emergency response, and
28 to reduce the response time for emergency or disastrous
29 situations.

30 2. There is hereby created a committee on
31 state-operated wireless communication systems to be
32 composed of:

33 (1) The commissioner of administration or a
34 designee;

35 (2) The director of the department of public
36 safety or a designee;

37 (3) The director of the department of
38 conservation or a designee; and

39 (4) The chief engineer of the department of
40 transportation or a designee.

41 3. The committee shall examine existing programs
42 and proposals for development or expansion to identify
43 duplication in resource allocation of wireless
44 communication systems. The committee shall submit a
45 report to the general assembly by August 30, 1998, in
46 which it identifies opportunities for cost savings,
47 increased efficiency and improved services for
48 Missouri's citizens. The committee shall review the
49 state's purchasing law and may recommend such changes
50 to chapter 34 as it deems appropriate to maintain and
51 enhance the state's wireless communication system. The

1 committee may make such other recommendations as it
2 deems appropriate and shall identify the costs
3 associated with each such recommendation.]
4

5 [105.955. 1. A bipartisan "Missouri Ethics
6 Commission", composed of six members, is hereby
7 established. The commission shall be assigned to the
8 office of administration with supervision by the office
9 of administration only for budgeting and reporting as
10 provided by subdivisions (4) and (5) of subsection 6 of
11 section 1 of the Reorganization Act of 1974.
12 Supervision by the office of administration shall not
13 extend to matters relating to policies, regulative
14 functions or appeals from decisions of the commission,
15 and the commissioner of administration, any employee of
16 the office of administration, or the governor, either
17 directly or indirectly, shall not participate or
18 interfere with the activities of the commission in any
19 manner not specifically provided by law and shall not
20 in any manner interfere with the budget request of or
21 withhold any moneys appropriated to the commission by
22 the general assembly. All members of the commission
23 shall be appointed by the governor with the advice and
24 consent of the senate from lists submitted pursuant to
25 this section. Each congressional district committee of
26 the political parties having the two highest number of
27 votes cast for their candidate for governor at the last
28 gubernatorial election shall submit two names of
29 eligible nominees for membership on the commission to
30 the governor, and the governor shall select six members
31 from such nominees to serve on the commission.

32 2. Within thirty days of submission of the
33 person's name to the governor as provided in subsection
34 1 of this section, and in order to be an eligible
35 nominee for appointment to the commission, a person
36 shall file a financial interest statement in the manner
37 provided by section 105.485 and shall provide the
38 governor, the president pro tempore of the senate, and
39 the commission with a list of all political
40 contributions and the name of the candidate or
41 committee, political party, or political action
42 committee, as defined in chapter 130, to which those
43 contributions were made within the four-year period
44 prior to such appointment, made by the nominee, the
45 nominee's spouse, or any business entity in which the
46 nominee has a substantial interest. The information
47 shall be maintained by the commission and available for
48 public inspection during the period of time during
49 which the appointee is a member of the commission. In
50 order to be an eligible nominee for membership on the
51 commission, a person shall be a citizen and a resident

1 of the state and shall have been a registered voter in
2 the state for a period of at least five years preceding
3 the person's appointment.

4 3. The term of each member shall be for four
5 years, except that of the members first appointed, the
6 governor shall select three members from even-numbered
7 congressional districts and three members from
8 odd-numbered districts. Not more than three members of
9 the commission shall be members of the same political
10 party, nor shall more than one member be from any one
11 United States congressional district. Not more than
12 two members appointed from the even-numbered
13 congressional districts shall be members of the same
14 political party, and no more than two members from the
15 odd-numbered congressional districts shall be members
16 of the same political party. Of the members first
17 appointed, the terms of the members appointed from the
18 odd-numbered congressional districts shall expire on
19 March 15, 1994, and the terms of the members appointed
20 from the even-numbered congressional districts shall
21 expire on March 15, 1996. Thereafter all successor
22 members of the commission shall be appointed for
23 four-year terms. Terms of successor members of the
24 commission shall expire on March fifteenth of the
25 fourth year of their term. No member of the commission
26 shall serve on the commission after the expiration of
27 the member's term. No person shall be appointed to
28 more than one full four-year term on the commission.

29 4. Vacancies or expired terms on the commission
30 shall be filled in the same manner as the original
31 appointment was made, except as provided in this
32 subsection. Within thirty days of the vacancy or
33 ninety days before the expiration of the term, the
34 names of two eligible nominees for membership on the
35 commission shall be submitted to the governor by the
36 congressional district committees of the political
37 party or parties of the vacating member or members,
38 from the even- or odd-numbered congressional districts,
39 based on the residence of the vacating member or
40 members, other than from the congressional district
41 committees from districts then represented on the
42 commission and from the same congressional district
43 party committee or committees which originally
44 appointed the member or members whose positions are
45 vacated. Appointments to fill vacancies or expired
46 terms shall be made within forty-five days after the
47 deadline for submission of names by the congressional
48 district committees, and shall be subject to the same
49 qualifications for appointment and eligibility as is
50 provided in subsections 2 and 3 of this section.
51 Appointments to fill vacancies for unexpired terms

1 shall be for the remainder of the unexpired term of the
2 member whom the appointee succeeds, and such appointees
3 shall be eligible for appointment to one full four-year
4 term. If the congressional district committee does not
5 submit the required two nominees within the thirty days
6 or if the congressional district committee does not
7 submit the two nominees within an additional thirty
8 days after receiving notice from the governor to submit
9 the nominees, then the governor may appoint a person or
10 persons who shall be subject to the same qualifications
11 for appointment and eligibility as provided in
12 subsections 2 and 3 of this section.

13 5. The governor, with the advice and consent of
14 the senate, may remove any member only for substantial
15 neglect of duty, inability to discharge the powers and
16 duties of office, gross misconduct or conviction of a
17 felony or a crime involving moral turpitude. Members
18 of the commission also may be removed from office by
19 concurrent resolution of the general assembly signed by
20 the governor. If such resolution receives the vote of
21 two-thirds or more of the membership of both houses of
22 the general assembly, the signature of the governor
23 shall not be necessary to effect removal. The office
24 of any member of the commission who moves from the
25 congressional district from which the member was
26 appointed shall be deemed vacated upon such change of
27 residence.

28 6. The commission shall elect biennially one of
29 its members as the chairman. The chairman may not
30 succeed himself or herself after two years. No member
31 of the commission shall succeed as chairman any member
32 of the same political party as himself or herself. At
33 least four members are necessary to constitute a
34 quorum, and at least four affirmative votes shall be
35 required for any action or recommendation of the
36 commission.

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

40 8. In the event that a retired judge is appointed
41 as a member of the commission, the judge shall not
42 serve as a special investigator while serving as a
43 member of the commission.

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

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

48 (2) Be employed as a lobbyist;

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

51 (4) Be an officer of any political party or

1 political organization;

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

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

13 10. Each member of the commission shall receive,
14 as full compensation for the member's services, the sum
15 of one hundred dollars per day for each full day
16 actually spent on work of the commission, and the
17 member's actual and necessary expenses incurred in the
18 performance of the member's official duties.

19 11. The commission shall appoint an executive
20 director who shall serve subject to the supervision of
21 and at the pleasure of the commission, but in no event
22 for more than six years. The executive director shall
23 be responsible for the administrative operations of the
24 commission and perform such other duties as may be
25 delegated or assigned to the director by law or by rule
26 of the commission. The executive director shall employ
27 staff and retain such contract services as the director
28 deems necessary, within the limits authorized by
29 appropriations by the general assembly.

30 12. Beginning on January 1, 1993, all lobbyist
31 registration and expenditure reports filed pursuant to
32 section 105.473, financial interest statements filed
33 pursuant to subdivision (1) of section 105.489, and
34 campaign finance disclosure reports filed other than
35 with election authorities or local election authorities
36 as provided by section 130.026 shall be filed with the
37 commission.

38 13. Within sixty days of the initial meeting of
39 the first commission appointed, the commission shall
40 obtain from the clerk of the supreme court or the state
41 courts administrator a list of retired appellate and
42 circuit court judges who did not leave the judiciary as
43 a result of being defeated in an election. The
44 executive director shall determine those judges who
45 indicate their desire to serve as special investigators
46 and to investigate any and all complaints referred to
47 them by the commission. The executive director shall
48 maintain an updated list of those judges qualified and
49 available for appointment to serve as special
50 investigators. Such list shall be updated at least
51 annually. The commission shall refer complaints to

1 such special investigators on that list on a rotating
2 schedule which ensures a random assignment of each
3 special investigator. Each special investigator shall
4 receive only one unrelated investigation at a time and
5 shall not be assigned to a second or subsequent
6 investigation until all other eligible investigators on
7 the list have been assigned to an investigation. In
8 the event that no special investigator is qualified or
9 available to conduct a particular investigation, the
10 commission may appoint a special investigator to
11 conduct such particular investigation.

12 14. The commission shall have the following
13 duties and responsibilities relevant to the impartial
14 and effective enforcement of sections 105.450 to
15 105.496 and chapter 130, as provided in sections
16 105.955 to 105.963:

17 (1) Receive and review complaints regarding
18 alleged violation of sections 105.450 to 105.496 and
19 chapter 130, conduct initial reviews and investigations
20 regarding such complaints as provided herein; refer
21 complaints to appropriate prosecuting authorities and
22 appropriate disciplinary authorities along with
23 recommendations for sanctions; and initiate judicial
24 proceedings as allowed by sections 105.955 to 105.963;

25 (2) Review and investigate any reports and
26 statements required by the campaign finance disclosure
27 laws contained in chapter 130, and financial interest
28 disclosure laws or lobbyist registration and reporting
29 laws as provided by sections 105.470 to 105.492, for
30 timeliness, accuracy and completeness of content as
31 provided in sections 105.955 to 105.963;

32 (3) Conduct investigations as provided in
33 subsection 2 of section 105.959;

34 (4) Develop appropriate systems to file and
35 maintain an index of all such reports and statements to
36 facilitate public access to such information, except as
37 may be limited by confidentiality requirements
38 otherwise provided by law, including cross-checking of
39 information contained in such statements and reports.
40 The commission may enter into contracts with the
41 appropriate filing officers to effectuate such system.
42 Such filing officers shall cooperate as necessary with
43 the commission as reasonable and necessary to
44 effectuate such purposes;

45 (5) Provide information and assistance to
46 lobbyists, elected and appointed officials, and
47 employees of the state and political subdivisions in
48 carrying out the provisions of sections 105.450 to
49 105.496 and chapter 130;

50 (6) Make recommendations to the governor and
51 general assembly or any state agency on the need for

1 further legislation with respect to the ethical conduct
2 of public officials and employees and to advise state
3 and local government in the development of local
4 government codes of ethics and methods of disclosing
5 conflicts of interest as the commission may deem
6 appropriate to promote high ethical standards among all
7 elected and appointed officials or employees of the
8 state or any political subdivision thereof and
9 lobbyists;

10 (7) Render advisory opinions as provided by this
11 section;

12 (8) Promulgate rules relating to the provisions
13 of sections 105.955 to 105.963 and chapter 130. All
14 rules and regulations issued by the commission shall be
15 prospective only in operation;

16 (9) Request and receive from the officials and
17 entities identified in subdivision (6) of section
18 105.450 designations of decision-making public
19 servants.

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

23 (1) Subpoena witnesses and compel their
24 attendance and testimony. Subpoenas shall be served and
25 enforced in the same manner provided by section
26 536.077;

27 (2) Administer oaths and affirmations;

28 (3) Take evidence and require by subpoena duces
29 tecum the production of books, papers, and other
30 records relating to any matter being investigated or to
31 the performance of the commission's duties or exercise
32 of its powers. Subpoenas duces tecum shall be served
33 and enforced in the same manner provided by section
34 536.077;

35 (4) Employ such personnel, including legal
36 counsel, and contract for services including legal
37 counsel, within the limits of its appropriation, as it
38 deems necessary provided such legal counsel, either
39 employed or contracted, represents the Missouri ethics
40 commission before any state agency or before the courts
41 at the request of the Missouri ethics commission.
42 Nothing in this section shall limit the authority of
43 the Missouri ethics commission as provided for in
44 subsection 2 of section 105.961; and

45 (5) Obtain information from any department,
46 division or agency of the state or any political
47 subdivision reasonably calculated to lead to the
48 discovery of evidence which will reasonably assist the
49 commission in carrying out the duties prescribed in
50 sections 105.955 to 105.963 and chapter 130.

51 16. (1) Upon written request for an advisory

1 opinion received by the commission, and if the
2 commission determines that the person requesting the
3 opinion would be directly affected by the application
4 of law to the facts presented by the requesting person,
5 the commission shall issue a written opinion advising
6 the person who made the request, in response to the
7 person's particular request, regarding any issue that
8 the commission can receive a complaint on pursuant to
9 section 105.957. The commission may decline to issue a
10 written opinion by a vote of four members and shall
11 provide to the requesting person the reason for the
12 refusal in writing. The commission shall give an
13 approximate time frame as to when the written opinion
14 shall be issued. Such advisory opinions shall be
15 issued no later than ninety days from the date of
16 receipt by the commission. Such requests and advisory
17 opinions, deleting the name and identity of the
18 requesting person, shall be compiled and published by
19 the commission on at least an annual basis. Advisory
20 opinions issued by the commission shall be maintained
21 and made available for public inspection and copying at
22 the office of the commission during normal business
23 hours. Any advisory opinion or portion of an advisory
24 opinion rendered pursuant to this subsection shall be
25 withdrawn by the commission if, after hearing thereon,
26 the joint committee on administrative rules finds that
27 such advisory opinion is beyond or contrary to the
28 statutory authority of the commission or is
29 inconsistent with the legislative intent of any law
30 enacted by the general assembly, and after the general
31 assembly, by concurrent resolution, votes to adopt the
32 findings and conclusions of the joint committee on
33 administrative rules. Any such concurrent resolution
34 adopted by the general assembly shall be published at
35 length by the commission in its publication of advisory
36 opinions of the commission next following the adoption
37 of such resolution, and a copy of such concurrent
38 resolution shall be maintained by the commission, along
39 with the withdrawn advisory opinion, in its public file
40 of advisory opinions. The commission shall also send a
41 copy of such resolution to the person who originally
42 requested the withdrawn advisory opinion. Any advisory
43 opinion issued by the ethics commission shall act as
44 legal direction to any person requesting such opinion
45 and no person shall be liable for relying on the
46 opinion and it shall act as a defense of justification
47 against prosecution. An advisory opinion of the
48 commission shall not be withdrawn unless:

49 (a) The authorizing statute is declared
50 unconstitutional;

51 (b) The opinion goes beyond the power authorized

1 by statute; or

2 (c) The authorizing statute is changed to
3 invalidate the opinion.

4 (2) Upon request, the attorney general shall give
5 the attorney general's opinion, without fee, to the
6 commission, any elected official of the state or any
7 political subdivision, any member of the general
8 assembly, or any director of any department, division
9 or agency of the state, upon any question of law
10 regarding the effect or application of sections 105.450
11 to 105.496 or chapter 130. Such opinion need be in
12 writing only upon request of such official, member or
13 director, and in any event shall be rendered within
14 sixty days after such request is delivered to the
15 attorney general.

16 17. The state auditor and the state auditor's
17 duly authorized employees who have taken the oath of
18 confidentiality required by section 29.070 may audit
19 the commission and in connection therewith may inspect
20 materials relating to the functions of the commission.
21 Such audit shall include a determination of whether
22 appropriations were spent within the intent of the
23 general assembly, but shall not extend to review of any
24 file or document pertaining to any particular
25 investigation, audit or review by the commission, an
26 investigator or any staff or person employed by the
27 commission or under the supervision of the commission
28 or an investigator. The state auditor and any employee
29 of the state auditor shall not disclose the identity of
30 any person who is or was the subject of an
31 investigation by the commission and whose identity is
32 not public information as provided by law.

33 18. From time to time but no more frequently than
34 annually the commission may request the officials and
35 entities described in subdivision (6) of section
36 105.450 to identify for the commission in writing those
37 persons associated with such office or entity which
38 such office or entity has designated as a
39 decision-making public servant. Each office or entity
40 delineated in subdivision (6) of section 105.450
41 receiving such a request shall identify those so
42 designated within thirty days of the commission's
43 request.]

44
45 [167.195. 1. Beginning July 1, 2008, and
46 continuing through the 2010-11 school year unless
47 extended by act of the general assembly, all public
48 school districts shall conduct an eye screening for
49 each student once before the completion of first grade
50 and again before the completion of third grade. The
51 eye screening method utilized shall be one approved by

1 the children's vision commission and shall be performed
2 by an appropriately trained school nurse or other
3 trained and qualified employee of the school district.

4 2. Results of each eye screening shall be
5 recorded on a form provided by the department of health
6 and senior services, developed and approved by the
7 children's vision commission established under this
8 section.

9 (1) The screening results, with all individual
10 identifying information removed, shall be sent to the
11 state department of health and senior services via
12 electronic form and shall compile the data contained in
13 the reports for review and analysis by the commission
14 or other interested parties;

15 (2) When a student fails the eye screening, the
16 school district shall send a notice developed by the
17 commission to the parent or guardian notifying them of
18 the results of the eye screening and propose that the
19 student receive a complete eye examination from an
20 optometrist or physician. Such notice shall have a
21 place for the parent to acknowledge receipt along with
22 an indication as to whether the student has received a
23 complete eye examination and the results of the
24 examination. Evidence of an examination provided by an
25 optometrist or physician within the year preceding the
26 school eye screening shall be sufficient for meeting
27 the requirements of this section. The notice completed
28 by the parent or guardian is to be returned to the
29 school and shall be retained in the student's file and
30 a copy shall be sent to the department of health and
31 senior services;

32 (3) Notwithstanding any law to the contrary,
33 nothing in this section shall violate any provisions of
34 Public Law 104-191, 42 U.S.C. 201, et seq, Health
35 Insurance Portability and Accountability Act of 1996.

36 3. The "Children's Vision Commission" is hereby
37 established which shall cease to exist on June 30,
38 2012, unless renewed by act of the general assembly.

39 (1) The commission shall be composed of seven
40 members appointed by the governor: two
41 ophthalmologists to be determined from a list of
42 recommended ophthalmologists by the Missouri Society of
43 Eye Physicians and Surgeons; two optometrists to be
44 determined from a list of recommended optometrists by
45 the Missouri Optometric Association; one school nurse;
46 one representative from the department of elementary
47 and secondary education; and one representative from
48 the Missouri state school boards association. Each
49 ophthalmologist and optometrist shall serve a one-year
50 term as chair of the commission. Members of the
51 commission shall serve without compensation, but may be

1 reimbursed for reasonable and necessary expenses
2 associated with carrying out their duties.

3 (2) Duties of the commission shall be as follows:

4 (a) Analyze and adopt one or more standardized
5 eye screening and eye examination tests to carry out
6 the requirements of this section to be used in all
7 schools beginning with the 2008-09 school year which,
8 in the commission's estimation, have a reasonable
9 expectation of identifying vision problems in children;

10 (b) Develop, in conjunction with the department
11 of health and senior services, a standardized reporting
12 form which shall be used by all school districts in
13 carrying out the requirements of this section;

14 (c) Design and coordinate appropriate training
15 programs for school district staff who conduct the
16 screening exams. Such training programs may utilize
17 the volunteer services of nonprofit professional
18 organizations which, in the opinion of the commission,
19 are qualified to carry out those responsibilities
20 associated with providing the training required;

21 (d) Conduct a pilot project to track the results
22 of the eye screenings versus eye examinations conducted
23 based on the reports submitted by school districts to
24 the department of health and senior services;

25 (e) Develop, in conjunction with the Missouri
26 Optometric Association (MOA) and the Missouri Society
27 of Eye Physicians and Surgeons (MOSEPS), guidelines
28 outlining the benefits and ongoing eye care for
29 children and summarizing the signs and symptoms of
30 vision disorders in order for the guidelines to be made
31 available on the MOA and MOSEPS website. The
32 commission shall also consult with MOA and MOSEPS in
33 the organizations' education and promotion of the
34 guidelines;

35 (f) By December 31, 2011, the commission shall
36 submit a report to the general assembly detailing the
37 results and findings of the study, including but not
38 limited to the total number of eye screenings and eye
39 examinations, the number of students who received a
40 follow-up examination from an optometrist,
41 ophthalmologist, physician, or doctor of osteopathy and
42 the results of those examinations to determine the
43 effectiveness of eye examinations versus eye
44 screenings.

45 4. The department of health and senior services
46 shall make a reasonable accommodation for public review
47 and inspection of the data collected as part of the eye
48 screening pilot project provided that no information is
49 revealed that could identify any individual student who
50 was screened or examined.

51 5. In the event that a parent or legal guardian

1 of a child objects to the child's participation in the
2 eye screening program, the child shall be excused upon
3 receipt by the appropriate school administrator of a
4 written request.

5 6. The department of health and senior services
6 shall provide staff support to the commission.]
7

8 [191.115. 1. There is hereby established in the
9 department of health and senior services an
10 "Alzheimer's State Plan Task Force". The task force
11 shall consist of nineteen members, as follows:

12 (1) The lieutenant governor or his or her
13 designee, who shall serve as chair of the task force;

14 (2) The directors of the departments of health
15 and senior services, social services, and mental health
16 or their designees;

17 (3) One member of the house of representatives
18 appointed by the speaker of the house;

19 (4) One member of the senate appointed by the
20 president pro tem of the senate;

21 (5) One member who has early-stage Alzheimer's or
22 a related dementia;

23 (6) One member who is a family caregiver of a
24 person with Alzheimer's or a related dementia;

25 (7) One member who is a licensed physician with
26 experience in the diagnosis, treatment, and research of
27 Alzheimer's disease;

28 (8) One member from the office of the state
29 ombudsman for long-term care facility residents;

30 (9) One member representing the home care
31 profession;

32 (10) One member representing residential
33 long-term care;

34 (11) One member representing the adult day
35 services profession;

36 (12) One member representing the insurance
37 profession;

38 (13) One member representing the area agencies on
39 aging;

40 (14) One member with expertise in minority
41 health;

42 (15) One member who is a licensed elder law
43 attorney;

44 (16) Two members from the leading voluntary
45 health organization in Alzheimer's care, support, and
46 research.

47 2. The members of the task force, other than the
48 lieutenant governor, members from the general assembly,
49 and department directors, shall be appointed by the
50 governor with the advice and consent of the senate.
51 Members shall serve on the task force without

1 compensation.

2 3. The task force shall:

3 (1) Assess the current and future impact of
4 Alzheimer's disease and related dementia on residents
5 of the state of Missouri;

6 (2) Examine the existing services and resources
7 addressing the needs of persons with dementia, their
8 families, and caregivers; and

9 (3) Develop recommendations to respond to the
10 escalating public health situation regarding
11 Alzheimer's.

12 4. The task force shall include an examination of
13 the following in its assessment and recommendations
14 required to be completed under subsection 3 of this
15 section:

16 (1) Trends in state Alzheimer's and related
17 dementia populations and their needs, including but not
18 limited to the state's role in long-term care, family
19 caregiver support, and assistance to persons with
20 early-stage Alzheimer's, early onset of Alzheimer's,
21 and individuals with Alzheimer's disease as a result of
22 Down's Syndrome;

23 (2) Existing services, resources, and capacity,
24 including but not limited to:

25 (a) Type, cost, and availability of services for
26 persons with dementia, including home- and
27 community-based resources, respite care to assist
28 families, residential long-term care options, and
29 adequacy and appropriateness of geriatric-psychiatric
30 units for persons with behavior disorders associated
31 with Alzheimer's and related dementia;

32 (b) Dementia-specific training requirements for
33 individuals employed to provide care for persons with
34 dementia;

35 (c) Quality care measure for services delivered
36 across the continuum of care;

37 (d) Capacity of public safety and law enforcement
38 to respond to persons with Alzheimer's and related
39 dementia;

40 (e) State support for Alzheimer's research
41 through institutes of higher learning in Missouri;

42 (3) Needed state policies or responses, including
43 but not limited to directions for the provision of
44 clear and coordinated services and supports to persons
45 and families living with Alzheimer's and related
46 dementias and strategies to address any identified gaps
47 in services.

48 5. The task force shall hold a minimum of one
49 meeting at four diverse geographic regions in the state
50 of Missouri during the calendar year to seek public
51 input.

1 6. The task force shall submit a report of its
2 findings and date-specific recommendations to the
3 general assembly and the governor in the form of a
4 state Alzheimer's plan no later than November 15, 2010,
5 as part of Alzheimer's disease awareness month.

6 7. The task force shall continue to meet at the
7 request of the chair and at a minimum of one time
8 annually for the purpose of evaluating the
9 implementation and impact of the task force
10 recommendations and provide annual supplemental reports
11 on the findings to the governor and the general
12 assembly.

13 8. The provisions of this section shall expire on
14 November 1, 2012.

15
16 [191.934. 1. There is hereby established a
17 "Newborn Hearing Screening Advisory Committee".

18 2. The committee shall advise and assist the
19 department of health and senior services in:

20 (1) Developing rules, regulations and standards
21 for screening, rescreening and diagnostic audiological
22 assessment;

23 (2) Developing forms for reporting screening,
24 rescreening and diagnostic audiological assessment
25 results to the surveillance and monitoring system;

26 (3) Designing a technical assistance program to
27 support facilities implementing the screening program
28 and those conducting rescreening and diagnostic
29 audiological assessment;

30 (4) Developing educational materials to be
31 provided to families; and

32 (5) Evaluating program outcomes to increase
33 effectiveness and efficiency.

34 The committee shall also report information concerning
35 the newborn hearing screening program to the state
36 interagency coordinating council, as requested, to
37 ensure coordination of programs within the state's
38 early intervention system, and to identify and
39 eliminate areas of duplication.

40 3. The committee shall be composed of the
41 following sixteen members, with no less than two such
42 members being deaf or hard of hearing, appointed by the
43 director of the department of health and senior
44 services:

45 (1) Three consumers, including one deaf
46 individual who experienced hearing loss in early
47 childhood, one hard-of-hearing individual who
48 experienced hearing loss in early childhood and one
49 parent of a child with a hearing loss;

50 (2) Two audiologists who have experience in
51 evaluation and intervention of infants and young

1 children;

2 (3) Two physicians who have experience in the
3 care of infants and young children, one of which shall
4 be a pediatrician;

5 (4) One representative of an organization with
6 experience in providing early intervention services for
7 children with hearing loss;

8 (5) One representative of the Missouri school for
9 the deaf;

10 (6) One representative of a hospital with
11 experience in the care of newborns;

12 (7) One representative of the Missouri commission
13 for the deaf and hard of hearing;

14 (8) One representative from each of the
15 departments of health and senior services, elementary
16 and secondary education, mental health, social services
17 and insurance, financial institutions and professional
18 registration.

19 4. The department of health and senior services
20 member shall chair the first meeting of the committee.
21 At the first meeting, the committee shall elect a
22 chairperson from its membership. The committee shall
23 meet at the call of the chairperson, but not less than
24 four times a year.

25 5. The department of health and senior services
26 shall provide technical and administrative support
27 services as required by the committee. Such services
28 shall include technical support from individuals
29 qualified to administer infant hearing screening,
30 rescreening and diagnostic audiological assessments.

31 6. Members of the committee shall receive no
32 compensation for their services as members but shall be
33 reimbursed for expenses incurred as a result of their
34 duties as members of the committee.

35 7. The committee shall adopt written bylaws to
36 govern its activities.

37 8. The newborn hearing screening advisory
38 committee shall be terminated on August 28, 2001.]

39
40 [197.291. 1. There is hereby established a
41 "Technical Advisory Committee on the Quality of Patient
42 Care and Nursing Practices" within the department of
43 health and senior services. The committee shall be
44 comprised of nine members appointed by the director of
45 the department of health and senior services, one of
46 whom shall be a representative of the department of
47 health and senior services and one of whom shall be a
48 representative of the general public. In addition, the
49 director shall appoint three members representing
50 licensed registered nurses from a list of recommended
51 appointees provided by the Missouri Nurses Association,

1 one member representing licensed practical nurses from
2 a list of recommended appointees provided by the
3 Missouri Licensed Practical Nurses Association, two
4 members from a list of recommended appointees provided
5 by the Missouri Hospital Association, and one member
6 representing licensed physicians from a list of
7 recommended appointees provided by the Missouri State
8 Medical Association.

9 2. The committee shall work with hospitals,
10 nurses, physicians, state agencies, community groups
11 and academic researchers to develop specific
12 recommendations related to staffing, improving the
13 quality of patient care, and insuring the safe and
14 appropriate employment of licensed nurses within
15 hospitals and ambulatory surgical centers. The
16 committee shall develop recommendations and submit an
17 annual report based on such recommendations to the
18 governor, chairpersons of standing health and
19 appropriations committees of the general assembly and
20 the department of health and senior services no later
21 than December thirty-first of each year.

22 3. The department of health and senior services
23 shall provide such support as the committee members
24 require to aid it in the performance of its duties.

25 4. Committee members shall not be compensated for
26 their services but shall be reimbursed for their actual
27 and necessary expenses incurred in the performance of
28 their duties.

29 5. The provisions of this section shall expire on
30 December 31, 2011.]

31
32 [208.275. 1. As used in this section, unless the
33 context otherwise indicates, the following terms mean:

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

36 (2) "Person with a disability", any person having
37 a physical or mental condition, either permanent or
38 temporary, which would substantially impair ability to
39 operate or utilize available transportation.

40 2. There is hereby created the "Coordinating
41 Council on Special Transportation" within the Missouri
42 department of transportation. The members of the
43 council shall be: two members of the senate appointed
44 by the president pro tem, who shall be from different
45 political parties; two members of the house of
46 representatives appointed by the speaker, who shall be
47 from different political parties; the assistant for
48 transportation of the Missouri department of
49 transportation, or his designee; the assistant
50 commissioner of the department of elementary and
51 secondary education, responsible for special

1 transportation, or his designee; the director of the
2 division of aging of the department of social services,
3 or his designee; the deputy director for developmental
4 disabilities and the deputy director for administration
5 of the department of mental health, or their designees;
6 the executive secretary of the governor's committee on
7 the employment of the persons with a disability; and
8 seven consumer representatives appointed by the
9 governor by and with the advice and consent of the
10 senate, four of the consumer representatives shall
11 represent the elderly and three shall represent persons
12 with a disability. Two of such three members
13 representing persons with a disability shall represent
14 those with physical disabilities. Consumer
15 representatives appointed by the governor shall serve
16 for terms of three years or until a successor is
17 appointed and qualified. Of the members first
18 selected, two shall be selected for a term of three
19 years, two shall be selected for a term of two years,
20 and three shall be selected for a term of one year. In
21 the event of the death or resignation of any member,
22 his successor shall be appointed to serve for the
23 unexpired period of the term for which such member had
24 been appointed.

25 3. State agency personnel shall serve on the
26 council without additional appropriations or
27 compensation. The consumer representatives shall serve
28 without compensation except for receiving reimbursement
29 for the reasonable and necessary expenses incurred in
30 the performance of their duties on the council from
31 funds appropriated to the department of transportation.
32 Legislative members shall be reimbursed by their
33 respective appointing bodies out of the contingency
34 fund for such body for necessary expenses incurred in
35 the performance of their duties.

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

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

45 6. The coordinating council on special
46 transportation shall:

47 (1) Recommend and periodically review policies
48 for the coordinated planning and delivery of special
49 transportation when appropriate;

50 (2) Identify special transportation needs and
51 recommend agency funding allocations and resources to

1 meet these needs when appropriate;
2 (3) Identify legal and administrative barriers to
3 effective service delivery;
4 (4) Review agency methods for distributing funds
5 within the state and make recommendations when
6 appropriate;
7 (5) Review agency funding criteria and make
8 recommendations when appropriate;
9 (6) Review area transportation plans and make
10 recommendations for plan format and content;
11 (7) Establish measurable objectives for the
12 delivery of transportation services;
13 (8) Review annual performance data and make
14 recommendations for improved service delivery,
15 operating procedures or funding when appropriate;
16 (9) Review local disputes and conflicts on
17 special transportation and recommend solutions.]

18
19 [208.275. 1. As used in this section, unless the
20 context otherwise indicates, the following terms mean:

21 (1) "Elderly", any person who is sixty years of
22 age or older;
23 (2) "Handicapped", any person having a physical
24 or mental condition, either permanent or temporary,
25 which would substantially impair ability to operate or
26 utilize available transportation.

27 2. There is hereby created the "Coordinating
28 Council on Special Transportation" within the Missouri
29 department of transportation. The members of the
30 council shall be: the assistant for transportation of
31 the Missouri department of transportation, or his
32 designee; the assistant commissioner of the department
33 of elementary and secondary education, responsible for
34 special transportation, or his designee; the director
35 of the division of aging of the department of social
36 services, or his designee; the deputy director for
37 mental retardation/developmental disabilities and the
38 deputy director for administration of the department of
39 mental health, or their designees; the executive
40 secretary of the governor's committee on the employment
41 of the handicapped; and seven consumer representatives
42 appointed by the governor by and with the advice and
43 consent of the senate, four of the consumer
44 representatives shall represent the elderly and three
45 shall represent the handicapped. Two of such three
46 members representing handicapped persons shall
47 represent those with physical handicaps. Consumer
48 representatives appointed by the governor shall serve
49 for terms of three years or until a successor is
50 appointed and qualified. Of the members first
51 selected, two shall be selected for a term of three

1 years, two shall be selected for a term of two years,
2 and three shall be selected for a term of one year. In
3 the event of the death or resignation of any member,
4 his successor shall be appointed to serve for the
5 unexpired period of the term for which such member had
6 been appointed.

7 3. State agency personnel shall serve on the
8 council without additional appropriations or
9 compensation. The consumer representatives shall serve
10 without compensation except for receiving reimbursement
11 for the reasonable and necessary expenses incurred in
12 the performance of their duties on the council from
13 funds appropriated to the department of transportation.
14

15 4. Staff for the council shall be provided by the
16 Missouri department of transportation. The department
17 shall designate a special transportation coordinator
18 who shall have had experience in the area of special
19 transportation, as well as such other staff as needed
20 to enable the council to perform its duties.

21 5. The council shall meet at least quarterly each
22 year and shall elect from its members a chairman and a
23 vice chairman.

24 6. The coordinating council on special
25 transportation shall:

26 (1) Recommend and periodically review policies
27 for the coordinated planning and delivery of special
28 transportation when appropriate;

29 (2) Identify special transportation needs and
30 recommend agency funding allocations and resources to
31 meet these needs when appropriate;

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

34 (4) Review agency methods for distributing funds
35 within the state and make recommendations when
36 appropriate;

37 (5) Review agency funding criteria and make
38 recommendations when appropriate;

39 (6) Review area transportation plans and make
40 recommendations for plan format and content;

41 (7) Establish measurable objectives for the
42 delivery of transportation services;

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

46 (9) Review local disputes and conflicts on
47 special transportation and recommend solutions.

48 7. The provisions of this section shall expire on
49 December 31, 2014.]

50
51 [215.261. The "State Commission on Regulatory

1 Barriers to Affordable Housing" is hereby created. The
2 commission shall identify federal, state and local
3 regulatory barriers to affordable housing and recommend
4 means to eliminate such barriers. The commission shall
5 report its findings, conclusions and recommendations in
6 a report to be filed no later than August 31, 1995, and
7 August thirty-first of each year thereafter, with the
8 speaker of the house of representatives, the president
9 pro tempore of the senate and the governor. The
10 commission may also provide a copy of its report to any
11 unit of federal, state or local government.]
12

13 [215.262. The commission shall consist of nine
14 voting members, seven of which shall be appointed by
15 the governor by and with the advice and consent of the
16 senate. The appointed commission members shall include
17 two residential general contractors, two citizens at
18 large, one residential land developer, one residential
19 architect and one residential engineer. The chief
20 administrative officers of the Missouri housing
21 development commission and the Missouri department of
22 economic development shall also be members of the
23 commission and shall retain their memberships on the
24 commission for the duration of their service to the
25 Missouri housing development commission and the
26 Missouri department of economic development. The
27 commission may, in its discretion, establish other ex
28 officio members as it deems prudent, who shall stand
29 appointed and qualified for membership on the
30 commission upon the resolution of the commission.
31 Members of the commission shall serve for terms of
32 three years, but of the first members appointed, three
33 shall serve for a term of one year, two shall serve for
34 a term of two years and two shall serve for a term of
35 three years. Vacancies on the commission shall be
36 filled for the unexpired term in the same manner as
37 original appointments are made. The commission may
38 remove any of its members for cause after hearing.
39 Members of the commission on regulatory barriers to
40 affordable housing shall receive no compensation for
41 their services, but may be reimbursed for actual and
42 necessary expenses incurred by them in the performance
43 of their duties.]
44

45 [262.950. 1. As used in this section, the
46 following terms shall mean:

47 (1) "Locally grown agricultural products", food
48 or fiber produced or processed by a small agribusiness
49 or small farm;

50 (2) "Small agribusiness", an independent
51 agribusiness located in Missouri with gross annual

1 sales of less than five million dollars;

2 (3) "Small farm", an independent family-owned
3 farm in Missouri with at least one family member
4 working in the day-to-day operation of the farm.

5 2. There is hereby created an advisory board,
6 which shall be known as the "Farm-to-Table Advisory
7 Board". The board shall be made up of at least one
8 representative from the following agencies: the
9 University of Missouri extension service, the
10 department of agriculture, the department of elementary
11 and secondary education, the department of economic
12 development, the department of corrections, and the
13 office of administration. In addition, the director of
14 the department of agriculture shall appoint one person
15 actively engaged in the practice of small agribusiness.
16 The representative for the department of agriculture
17 shall serve as the chairperson for the board and shall
18 coordinate the board meetings. The board shall hold at
19 least two meetings, but may hold more as it deems
20 necessary to fulfill its requirements under this
21 section. Staff of the department of agriculture may
22 provide administrative assistance to the board if such
23 assistance is required.

24 3. The mission of the board is to provide
25 recommendations for strategies that:

26 (1) Allow schools and state institutions to more
27 easily incorporate locally grown agricultural products
28 into their cafeteria offerings, salad bars, and vending
29 machines; and

30 (2) Increase public awareness of local
31 agricultural practices and the role that local
32 agriculture plays in sustaining healthy communities and
33 supporting healthy lifestyles.

34 4. In fulfilling its mission under this section,
35 the board shall:

36 (1) Investigate the status and availability of
37 local, state, federal, and any other public or private
38 resources that may be used to:

39 (a) Link schools and state institutions with
40 local and regional farms for the purchase of locally
41 grown agricultural products;

42 (b) Increase market opportunities for locally
43 grown agricultural products;

44 (c) Assist schools and other entities with
45 education campaigns that teach children and the general
46 public about the concepts of food production and
47 consumption; the interrelationships between nutrition,
48 food choices, obesity, and health; and the value of
49 having an accessible supply of locally grown food;

50 (2) Identify any type of barrier, which may
51 include legal, logistical, technical, social, or

1 financial, that prevents or hinders:

2 (a) Schools and state institutions from
3 purchasing more locally grown agricultural products;

4 (b) The expansion of market opportunities for
5 locally grown agricultural products;

6 (c) Schools and other entities from engaging in
7 education campaigns to teach people about the concepts
8 of food production and consumption; the
9 interrelationships between nutrition, food choices,
10 obesity, and health; and the value of having an
11 accessible supply of locally grown food; and

12 (3) Develop recommendations for:

13 (a) The maximization of existing public and
14 private resources to accomplish the objectives in
15 subsection 3 of this section;

16 (b) The development of new or expanded resources
17 deemed necessary to accomplish the objectives in
18 subsection 3 of this section, which may include
19 resources such as training programs, grant programs, or
20 database development; and

21 (c) The elimination of barriers that hinder the
22 objectives in subsection 3 of this section, which may
23 include changes to school or state institution
24 procurement policies or procedures.

25 5. The board shall prepare a report containing
26 its findings and recommendations and shall deliver such
27 report to the governor, the general assembly, and to
28 the director of each agency represented on the board by
29 no later than August 31, 2012.

30 6. In conducting its work, the board may hold
31 public meetings at which it may invite testimony from
32 experts or it may solicit information from any party it
33 deems may have information relevant to its duties under
34 this section.

35 7. This section shall expire on August 31, 2012.]

36
37 [301.129. There is established in this section an
38 advisory committee for the department of revenue, which
39 shall exist solely to develop uniform designs and
40 common colors for motor vehicle license plates issued
41 under this chapter and to determine appropriate license
42 plate parameters for all license plates issued under
43 this chapter. The advisory committee may adopt more
44 than one type of design and color scheme for license
45 plates issued under this chapter; however, each license
46 plate of a distinct type shall be uniform in design and
47 color scheme with all other license plates of that
48 distinct type. The specifications for the fully
49 reflective material used for the plates, as required by
50 section 301.130, shall be determined by the committee.
51 Such plates shall meet any specific requirements

1 prescribed in this chapter. The advisory committee
2 shall consist of the director of revenue, the
3 superintendent of the highway patrol, the correctional
4 enterprises administrator, and the respective
5 chairpersons of both the senate and house of
6 representatives transportation committees.
7 Notwithstanding section 226.200 to the contrary, the
8 general assembly may appropriate state highways and
9 transportation department funds for the requirements of
10 section 301.130 and this section. Prior to January 1,
11 2007, the committee shall meet, select a chairman from
12 among their members, and develop uniform design and
13 license plate parameters for the motor vehicle license
14 plates issued under this chapter. Prior to determining
15 the final design of the plates, the committee shall
16 hold at least three public meetings in different areas
17 of the state to invite public input on the final
18 design. Members of the committee shall be reimbursed
19 for their actual and necessary expenses incurred in the
20 performance of their duties under this section out of
21 funds appropriated for that purpose. The committee
22 shall direct the director of revenue to implement its
23 final design of the uniform motor vehicle license
24 plates and any specific parameters for all license
25 plates developed by the committee not later than
26 January 1, 2007. The committee shall be dissolved upon
27 completion of its duties under this section.]
28

29 [313.001. 1. There is established a permanent
30 joint committee of the general assembly to be known as
31 the "Committee on Gaming and Wagering" which shall be
32 composed of five members of the senate, appointed by
33 the president pro tem of the senate and five members of
34 the house of representatives, appointed by the speaker
35 of the house. A majority of the members of the
36 committee shall constitute a quorum. The members shall
37 annually select one of the members to be the chairman
38 and one of the members to be the vice chairman. The
39 general assembly by a majority vote of the elected
40 members may discharge any or all members of the
41 committee and select their successors.

42 2. The members shall receive no additional
43 compensation, but shall be reimbursed for actual and
44 necessary expenses incurred by them in the performance
45 of their duties.

46 3. The committee shall be responsible for, but
47 not limited to, legislative review of all state
48 authorized gaming and wagering activities including
49 proposed constitutional and statutory changes or other
50 pertinent information that may affect the integrity of
51 these activities. The committee is authorized to meet

1 and act year round, employ the necessary personnel
2 within the limits of appropriations and to report its
3 findings annually to the general assembly.]
4

5 [338.321. 1. The "Missouri Oral Chemotherapy
6 Parity Interim Committee" is hereby created to study
7 the disparity in patient co-payments between orally and
8 intravenously administered chemotherapies, the reasons
9 for the disparity, and the patient benefits in
10 establishing co-payment parity between oral and infused
11 chemotherapy agents. The committee shall consider
12 information on the costs or actuarial analysis
13 associated with the delivery of patient oncology
14 treatments.

15 2. The Missouri oral chemotherapy parity interim
16 committee shall consist of the following members:

17 (1) Two members of the senate, appointed by the
18 president pro tempore of the senate;

19 (2) Two members of the house of representatives,
20 appointed by the speaker of the house of
21 representatives;

22 (3) One member who is an oncologist or physician
23 with expertise in the practice of oncology licensed in
24 this state under chapter 334;

25 (4) One member who is an oncology nurse licensed
26 in this state under chapter 335;

27 (5) One member who is a representative of a
28 Missouri pharmacy benefit management company;

29 (6) One member from an organization representing
30 licensed pharmacists in this state;

31 (7) One member from the business community
32 representing businesses on health insurance issues;

33 (8) One member from an organization representing
34 the leading research-based pharmaceutical and
35 biotechnology companies;

36 (9) One patient advocate;

37 (10) One member from the organization
38 representing a majority of hospitals in this state;

39 (11) One member from a health carrier as such
40 term is defined under section 376.1350;

41 (12) One member from the organization
42 representing a majority of health carriers in this
43 state, as such term is defined under section 376.1350;

44 (13) One member from the American Cancer Society;
45 and

46 (14) One member from an organization representing
47 generic pharmaceutical drug manufacturers.

48 3. All members, except for the members from the
49 general assembly, shall be appointed by the governor no
50 later than September 1, 2013. The department of
51 insurance, financial institutions and professional

1 registration shall provide assistance to the committee.
2

3 4. No later than January 1, 2014, the committee
4 shall submit a report to the governor, the speaker of
5 the house of representatives, the president pro tempore
6 of the senate, and the appropriate legislative
7 committee of the general assembly regarding the results
8 of the study and any legislative recommendations.]
9

10 [383.250. 1. There is hereby created within the
11 department of insurance, financial institutions and
12 professional registration the "Health Care
13 Stabilization Fund Feasibility Board". The primary
14 duty of the board is to determine whether a health care
15 stabilization fund should be established in Missouri to
16 provide excess medical malpractice insurance coverage
17 for health care providers. As part of its duties, the
18 board shall develop a comprehensive study detailing
19 whether a health care stabilization fund is feasible
20 within Missouri, or specified geographic regions
21 thereof, or whether a health care stabilization fund
22 would be feasible for specific medical specialties.
23 The board shall analyze medical malpractice insurance
24 data collected by the department of insurance,
25 financial institutions and professional registration
26 under sections 383.105 and 383.106 and any other data
27 the board deems necessary to its mission. In addition
28 to analyzing data collected from the Missouri medical
29 malpractice insurance market, the board may study the
30 experience of other states that have established health
31 care stabilization funds or patient compensation funds.
32 If a health care stabilization fund is determined to be
33 feasible within Missouri, the report shall also
34 recommend to the general assembly how the fund should
35 be structured, designed, and funded. The report may
36 contain any other recommendations relevant to the
37 establishment of a health care stabilization fund,
38 including but not limited to specific recommendations
39 for any statutory or regulatory changes necessary for
40 the establishment of a health care stabilization fund.

41 2. The board shall consist of ten members. Other
42 than the director, the house members and the senate
43 members, the remainder of the board's members shall be
44 appointed by the director of the department of
45 insurance, financial institutions and professional
46 registration as provided for in this subsection. The
47 board shall be composed of:

48 (1) The director of the department of insurance,
49 financial institutions and professional registration,
50 or his or her designee;

51 (2) Two members of the Missouri senate appointed

1 by the president pro tem of the senate with no more
2 than one from any political party;

3 (3) Two members of the Missouri house of
4 representatives appointed by the speaker of the house
5 with no more than one member from any political party;

6 (4) One member who is licensed to practice
7 medicine as a medical doctor who is on a list of
8 nominees submitted to the director by an organization
9 representing Missouri's medical society;

10 (5) One member who practices medicine as a doctor
11 of osteopathy and who is on a list of nominees
12 submitted to the director by an organization
13 representing Missouri doctors of osteopathy;

14 (6) One member who is a licensed nurse in
15 Missouri and who is on a list submitted to the director
16 by an organization representing Missouri nurses;

17 (7) One member who is a representative of
18 Missouri hospitals and who is on a list of nominees
19 submitted to the director by an organization
20 representing Missouri hospitals; and

21 (8) One member who is a physician and who is on a
22 list submitted to the director by an organization
23 representing family physicians in the state of
24 Missouri.

25 3. The director shall appoint the members of the
26 board, other than the general assembly members, no
27 later than January 1, 2007. Once appointed, the board
28 shall meet at least quarterly, and shall submit its
29 final report and recommendations regarding the
30 feasibility of a health care stabilization fund to the
31 governor and the general assembly no later than
32 December 31, 2010. The board shall also submit annual
33 interim reports to the general assembly regarding the
34 status of its progress.

35 4. The board shall have the authority to convene
36 conferences and hold hearings. All conferences and
37 hearings shall be held in accordance with chapter 610.

38 5. The director of the department of insurance,
39 financial institutions and professional registration
40 shall provide and coordinate staff and equipment
41 services to the board to facilitate the board's duties.

42 6. Board members shall receive no additional
43 compensation but shall be eligible for reimbursement
44 for expenses directly related to the performance of
45 their duties.

46 7. The provisions of this section shall expire
47 December 31, 2010.]

48
49 [476.055. 1. There is hereby established in the
50 state treasury the "Statewide Court Automation Fund".
51 All moneys collected pursuant to section 488.027, as

1 well as gifts, contributions, devises, bequests, and
2 grants received relating to automation of judicial
3 record keeping, and moneys received by the judicial
4 system for the dissemination of information and sales
5 of publications developed relating to automation of
6 judicial record keeping, shall be credited to the fund.
7 Moneys credited to this fund may only be used for the
8 purposes set forth in this section and as appropriated
9 by the general assembly. Any unexpended balance
10 remaining in the statewide court automation fund at the
11 end of each biennium shall not be subject to the
12 provisions of section 33.080 requiring the transfer of
13 such unexpended balance to general revenue; except
14 that, any unexpended balance remaining in the fund on
15 September 1, 2015, shall be transferred to general
16 revenue.

17 2. The statewide court automation fund shall be
18 administered by a court automation committee consisting
19 of the following: the chief justice of the supreme
20 court, a judge from the court of appeals, four circuit
21 judges, four associate circuit judges, four employees
22 of the circuit court, the commissioner of
23 administration, two members of the house of
24 representatives appointed by the speaker of the house,
25 two members of the senate appointed by the president
26 pro tem of the senate and two members of the Missouri
27 Bar. The judge members and employee members shall be
28 appointed by the chief justice. The commissioner of
29 administration shall serve ex officio. The members of
30 the Missouri Bar shall be appointed by the board of
31 governors of the Missouri Bar. Any member of the
32 committee may designate another person to serve on the
33 committee in place of the committee member.

34 3. The committee shall develop and implement a
35 plan for a statewide court automation system. The
36 committee shall have the authority to hire consultants,
37 review systems in other jurisdictions and purchase
38 goods and services to administer the provisions of this
39 section. The committee may implement one or more pilot
40 projects in the state for the purposes of determining
41 the feasibility of developing and implementing such
42 plan. The members of the committee shall be reimbursed
43 from the court automation fund for their actual
44 expenses in performing their official duties on the
45 committee.

46 4. Any purchase of computer software or computer
47 hardware that exceeds five thousand dollars shall be
48 made pursuant to the requirements of the office of
49 administration for lowest and best bid. Such bids
50 shall be subject to acceptance by the office of
51 administration. The court automation committee shall

1 determine the specifications for such bids.

2 5. The court automation committee shall not
3 require any circuit court to change any operating
4 system in such court, unless the committee provides all
5 necessary personnel, funds and equipment necessary to
6 effectuate the required changes. No judicial circuit
7 or county may be reimbursed for any costs incurred
8 pursuant to this subsection unless such judicial
9 circuit or county has the approval of the court
10 automation committee prior to incurring the specific
11 cost.

12 6. Any court automation system, including any
13 pilot project, shall be implemented, operated and
14 maintained in accordance with strict standards for the
15 security and privacy of confidential judicial records.
16 Any person who knowingly releases information from a
17 confidential judicial record is guilty of a class B
18 misdemeanor. Any person who, knowing that a judicial
19 record is confidential, uses information from such
20 confidential record for financial gain is guilty of a
21 class D felony.

22 7. On the first day of February, May, August and
23 November of each year, the court automation committee
24 shall file a report on the progress of the statewide
25 automation system with the joint legislative committee
26 on court automation. Such committee shall consist of
27 the following:

28 (1) The chair of the house budget committee;

29 (2) The chair of the senate appropriations
30 committee;

31 (3) The chair of the house judiciary committee;

32 (4) The chair of the senate judiciary committee;

33 (5) One member of the minority party of the house
34 appointed by the speaker of the house of
35 representatives; and

36 (6) One member of the minority party of the
37 senate appointed by the president pro tempore of the
38 senate.

39 8. The members of the joint legislative committee
40 shall be reimbursed from the court automation fund for
41 their actual expenses incurred in the performance of
42 their official duties as members of the joint
43 legislative committee on court automation.

44 9. Section 488.027 shall expire on September 1,
45 2015. The court automation committee established
46 pursuant to this section may continue to function until
47 completion of its duties prescribed by this section,
48 but shall complete its duties prior to September 1,
49 2017.

50 10. This section shall expire on September 1,
51 2017.]

1
2 [620.602. 1. There is established a permanent
3 joint committee of the general assembly to be known as
4 the "Joint Committee on Economic Development Policy and
5 Planning" to be composed of five members of the senate,
6 appointed by the president pro tem of the senate, and
7 five members of the house, appointed by the speaker of
8 the house. No more than three members of the senate
9 and three members of the house shall be from the same
10 political party. The appointment of members shall
11 continue during their terms of office as members of the
12 general assembly or until successors have been duly
13 appointed to fill their places when their terms of
14 office as members of the general assembly have expired.
15 Members of the joint committee shall receive no
16 compensation in addition to their salary as members of
17 the general assembly, but may receive their necessary
18 expenses for attending the meetings of the committee,
19 to be paid out of the committee's appropriations or the
20 joint contingent fund.

21 2. The joint committee on economic development
22 policy and planning shall meet within ten days after
23 its establishment and organize by selecting a chairman
24 and a vice chairman, one of whom shall be a member of
25 the senate and the other a member of the house of
26 representatives. These positions shall rotate annually
27 between a member of the senate and a member of the
28 house of representatives. The committee shall
29 regularly meet at least quarterly. A majority of the
30 members of the committee shall constitute a quorum.
31 The committee may, within the limits of its
32 appropriations, employ such persons as it deems
33 necessary to carry out its duties. The compensation of
34 such personnel shall be paid from the committee's
35 appropriations or the joint contingent fund.

36 3. The joint committee on economic development
37 policy and planning shall, at its regular meetings,
38 confer with representatives from the governor's office,
39 the department of economic development, the University
40 of Missouri extension service, and other interested
41 parties from the private and public sectors. The joint
42 committee shall review the annual report produced by
43 the department of economic development, as required by
44 section 620.607, and plan, develop and evaluate a
45 long-term economic development policy for the state of
46 Missouri to ensure the state's competitive status with
47 other states.

48 4. The provisions of this section shall expire on
49 July 1, 2010.]
50

51 [630.461. 1. There is hereby created in the

1 department of mental health a committee to be known as
2 the "Review Committee for Purchasing" to review the
3 manner in which the department of mental health
4 purchases services for persons with mental health
5 disorders and substance abuse problems. By December
6 31, 1995, the committee shall recommend to the governor
7 and the general assembly any changes that should be
8 made in the department of mental health purchasing
9 systems, including whether the department should follow
10 a competitive purchasing model and, if so, the time
11 frame for initiating such change. The recommendation
12 of the committee shall be made in the context of state
13 and national health care reform and with the goal of
14 providing effective services in a coordinated and
15 affordable manner.

16 2. The review committee on purchasing created in
17 subsection 1 of this section shall be composed of nine
18 members as follows:

19 (1) One member of the mental health commission,
20 appointed by the governor;

21 (2) One representative of the office of
22 administration, appointed by the governor;

23 (3) The governor or his designee;

24 (4) Two members appointed at large by the
25 governor, with one member representing the business
26 community and one public member;

27 (5) Two members, appointed at large by the
28 governor, with one member being a private provider and
29 one member being affiliated with a hospital;

30 (6) Two members, appointed at large by the
31 governor, who are consumers of mental health services
32 or family members of consumers of mental health
33 services.

34 3. The review committee established in subsection
35 1 of this section shall be disbanded on January 1,
36 1996.

37 4. Notwithstanding any other provision of law to
38 the contrary, beginning July 1, 1997, if the review
39 committee failed to make the recommendations to the
40 governor and the general assembly as required in
41 subsection 1 of this section, the department of mental
42 health may contract directly with vendors operated or
43 funded pursuant to sections 205.975 to 205.990, or
44 operated or funded pursuant to sections 205.968 to
45 205.973, without competitive bids. All contracts with
46 vendors who are providers of a consortium of treatment
47 services to the clients of the division of
48 comprehensive psychiatric services shall be awarded in
49 accordance with chapter 34.]
50