

SECOND REGULAR SESSION

[P E R F E C T E D]

SENATE SUBSTITUTE FOR

SENATE BILL NO. 575

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR DIXON.

Offered April 8, 2014.

Senate Substitute adopted, April 8, 2014.

Taken up for Perfection April 8, 2014. Bill declared Perfected and Ordered Printed, amended.

TERRY L. SPIELER, Secretary.

4166S.04P

AN ACT

To repeal sections 8.010, 8.597, 21.440, 21.445, 21.450, 21.455, 21.460, 21.465, 21.530, 21.535, 21.537, 21.795, 21.800, 21.801, 21.820, 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, 33.150, 33.710, 33.850, 37.250, 105.955, 135.210, 135.230, 167.195, 191.115, 191.934, 197.291, 208.275, 208.952, 208.955, 210.153, 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, 630.010, 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 twenty-three new sections relating to the existence of certain committees.

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

Section A. Sections 8.010, 8.597, 21.440, 21.445, 21.450, 21.455, 21.460,
2 21.465, 21.530, 21.535, 21.537, 21.795, 21.800, 21.801, 21.820, 21.830, 21.835,
3 21.850, 21.910, 21.920, 30.953, 30.954, 30.956, 30.959, 30.962, 30.965, 30.968,
4 30.971, 33.150, 33.710, 33.850, 37.250, 105.955, 135.210, 135.230, 167.195,
5 191.115, 191.934, 197.291, 208.275, 208.952, 208.955, 210.153, 215.261, 215.262,

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

6 217.025, 217.035, 217.550, 217.567, 262.950, 301.129, 313.001, 320.092, 338.321,
7 348.439, 361.120, 383.250, 386.145, 476.681, 620.050, 620.602, 620.1300, 630.010,
8 630.461, and 650.120, RSMo, section 105.955 as enacted by conference committee
9 substitute no. 3 for house committee substitute no. 2 for senate bill no. 844,
10 ninety-fifth general assembly, second regular session, and section 476.055 as
11 enacted by conference committee substitute for house committee substitute for
12 senate bill no. 636, ninety-sixth general assembly, second regular session, are
13 repealed and twenty-three new sections enacted in lieu thereof, to be known as
14 sections 8.010, 21.795, 21.820, 21.880, 33.150, 33.710, 135.210, 135.230, 208.952,
15 210.153, 217.025, 217.035, 217.550, 217.567, 320.092, 348.439, 361.120, 386.145,
16 476.681, 620.050, 620.1300, 630.010, and 650.120, to read as follows:

8.010. 1. The governor, attorney general, **speaker of the house of**
2 **representatives, president pro tempore of the senate,** and lieutenant
3 governor constitute the board of public buildings. The governor is chairman and
4 the lieutenant governor, secretary. [The speaker of the house of representatives
5 and the president pro tempore of the senate shall serve as ex officio members of
6 the board but shall not have the power to vote.] The board shall constitute a body
7 corporate and politic. The board has general supervision and charge of the public
8 property of the state at the seat of government and other duties imposed on it by
9 law.

10 2. The commissioner of administration shall provide staff support to the
11 board.

21.795. 1. There is established a permanent joint committee of the
2 general assembly to be known as the "Joint Committee on Transportation
3 Oversight" to be composed of seven members of [the standing transportation
4 committees of] both the senate and the house of representatives and three
5 nonvoting ex officio members. Of the fourteen members to be appointed to the
6 joint committee, the seven senate members of the joint committee shall be
7 appointed by the president pro tem of the senate and minority leader of the
8 senate and the seven house members shall be appointed by the speaker of the
9 house of representatives and the minority floor leader of the house of
10 representatives. The seven senate members shall be composed, as nearly as may
11 be, of majority and minority party members in the same proportion as the number
12 of majority and minority party members in the senate bears to the total
13 membership of the senate. No major party shall be represented by more than four
14 members from the house of representatives. The ex officio members shall be the

15 state auditor, the director of the oversight division of the committee on legislative
16 research, and the commissioner of the office of administration or the designee of
17 such auditor, director or commissioner. The joint committee shall be chaired
18 jointly by [both chairs of] **one member from** the senate and **one member from**
19 **the** house [transportation committees]. A majority of the committee shall
20 constitute a quorum, but the concurrence of a majority of the members, other
21 than the ex officio members, shall be required for the determination of any matter
22 within the committee's duties.

23 2. The department of transportation shall submit a written report prior
24 to December thirty-first of each year to the governor and the lieutenant
25 governor. The report shall be posted to the department's internet website so that
26 general assembly members may elect to access a copy of the report
27 electronically. The written report shall contain the following:

28 (1) A comprehensive financial report of all funds for the preceding state
29 fiscal year which shall include a report by independent certified public
30 accountants, selected by the commissioner of the office of administration,
31 attesting that the financial statements present fairly the financial position of the
32 department in conformity with generally accepted government accounting
33 principles. This report shall include amounts of:

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

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

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

42 (d) Total state and federal revenue compared to the revenue estimate in
43 the fifteen-year highway plan as adopted in 1992. All expenditures made by, or
44 on behalf of, the department for personal services including fringe benefits, all
45 categories of expense and equipment, real estate and capital improvements shall
46 be assigned to the categories listed in this subdivision in conformity with
47 generally accepted government accounting principles;

48 (2) A detailed explanation of the methods or criteria employed to select
49 construction projects, including a listing of any new or reprioritized projects not
50 mentioned in a previous report, and an explanation as to how the new or

51 reprioritized projects meet the selection methods or criteria;

52 (3) The proposed allocation and expenditure of moneys and the proposed
53 work plan for the current fiscal year, at least the next four years, and for any
54 period of time expressed in any public transportation plan approved by either the
55 general assembly or by the voters of Missouri. This proposed allocation and
56 expenditure of moneys shall include the amounts of proposed allocation and
57 expenditure of moneys in each of the categories listed in subdivision (1) of this
58 subsection;

59 (4) The amounts which were planned, estimated and expended for projects
60 in the state highway and bridge construction program or any other projects
61 relating to other modes of transportation in the preceding state fiscal year and
62 amounts which have been planned, estimated or expended by project for
63 construction work in progress;

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

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

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

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

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

87 3. Prior to February fifteenth of each year, the committee shall hold an
88 annual meeting and call before its members, officials or employees of the state
89 highways and transportation commission or department of transportation, as
90 determined by the committee, for the sole purpose of receiving and examining the
91 report required pursuant to subsection 2 of this section. The committee shall not
92 have the power to modify projects or priorities of the state highways and
93 transportation commission or department of transportation. The committee may
94 make recommendations to the state highways and transportation commission or
95 the department of transportation. Disposition of those recommendations shall be
96 reported by the commission or the department to the joint committee on
97 transportation oversight.

98 4. In addition to the annual meeting required by subsection 3 of this
99 section, the committee shall meet two times each year. The co-chairs of the
100 committee shall establish an agenda for each meeting that may include, but not
101 be limited to, the following items to be discussed with the committee members
102 throughout the year during the scheduled meeting:

- 103 (1) Presentation of a prioritized plan for all modes of transportation;
104 (2) Discussion of department efficiencies and expenditure of cost-savings
105 within the department;
106 (3) Presentation of a status report on department of transportation
107 revenues and expenditures, including a detailed summary of projects funded by
108 new state revenue as provided in paragraph (a) of subdivision (1) of subsection
109 2 of this section; and
110 (4) Implementation of any actions as may be deemed necessary by the
111 committee as authorized by law.

112 The co-chairs of the committee may call special meetings of the committee
113 with ten days' notice to the members of the committee, the director of the
114 department of transportation, and the department of transportation.

115 5. The committee shall also review all applications for the development
116 of specialty plates submitted to it by the department of revenue. The committee
117 shall approve such application by a majority vote. The committee shall approve
118 any application unless the committee receives:

- 119 (1) A signed petition from five house members or two senators that they
120 are opposed to the approval of the proposed license plate and the reason for such
121 opposition;
122 (2) Notification that the organization seeking authorization to establish

123 a new specialty license plate has not met all the requirements of section
124 301.3150;

125 (3) A proposed new specialty license plate containing objectionable
126 language or design;

127 (4) A proposed license plate not meeting the requirements of any reason
128 promulgated by rule.

129 The committee shall notify the director of the department of revenue upon
130 approval or denial of an application for the development of a specialty plate.

131 6. The committee shall submit records of its meetings to the secretary of
132 the senate and the chief clerk of the house of representatives in accordance with
133 sections 610.020 and 610.023.

21.820. 1. There is established a joint committee of the general assembly
2 to be known as the "Joint Committee on **Oversight and** Government
3 **Accountability**" to be composed of seven members of the senate and seven
4 members of the house of representatives. The senate members of the joint
5 committee shall be appointed by the president pro tem and minority floor leader
6 of the senate and the house members shall be appointed by the speaker and
7 minority floor leader of the house of representatives. Each member shall be
8 appointed for a term of two years or until a successor has been appointed to fill
9 the member's place when his or her term has expired. Members may be
10 reappointed to the joint committee. No party shall be represented by more than
11 four members from the house of representatives nor more than four members
12 from the senate. A majority of the committee shall constitute a quorum, but the
13 concurrence of a majority of the members shall be required for the determination
14 of any matter within the committee's duties.

15 2. The joint committee shall:

16 (1) [Make a continuing study and analysis of inefficiencies, fraud and
17 misconduct in state government] **Study and analyze the operations and**
18 **performance of all branches of state government, including, but not**
19 **limited to:**

20 (a) **The management of state programs, as defined in section**
21 **23.253;**

22 (b) **The procurement of goods and services by state agencies;**

23 (c) **All leases and proposed leases of real property funded with**
24 **state moneys; and**

25 (d) **All construction, repairs, or maintenance on any state-funded**

26 **capital improvements project, excluding capital improvements projects**
27 **or highway improvements of the state transportation department**
28 **funded by motor fuel tax revenues;**

29 (2) [Determine the appropriate method of obtaining data on each entity
30 of state government that will provide relevant information at least biennially for
31 the identification of potential and actual inefficiencies in each state entity's
32 function, duties, and performance;

33 (3)] Determine from its study and analysis the need for changes in
34 statutory law, rules, or policies; [and]

35 **(3) Make recommendations to the general assembly for**
36 **legislative action to reorganize state government, including the**
37 **elimination, reduction, or consolidation of agencies or programs;**

38 (4) Make any other [recommendation] **recommendations** to the general
39 assembly **for legislative action** necessary to [reduce inefficiencies] **improve**
40 **performance, promote efficiency and economy, and prevent or detect**
41 **waste, fraud, or abuse** in state government; **and**

42 (5) Identify and acknowledge government agencies and officials who
43 perform functions in an efficient and effective manner.

44 3. The joint committee shall meet within thirty days after its creation and
45 organize by selecting a chairperson and a vice chairperson, one of whom shall be
46 a member of the senate and the other a member of the house of
47 representatives. The chairperson shall alternate between members of the house
48 and senate every two years after the committee's organization.

49 4. The committee shall meet at least four times a year. The committee
50 may meet at locations other than Jefferson City when the committee deems it
51 necessary.

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

54 6. The members of the committee shall serve without compensation but
55 shall be entitled to reimbursement from the joint contingent fund for actual and
56 necessary expenses incurred in the performance of their official duties.

57 7. It shall be the duty of the committee to compile a full report of its
58 activities for submission to the general assembly. The report shall be submitted
59 not later than the fifteenth of January of each year in which the general assembly
60 convenes in regular session and shall include any recommendations which the
61 committee may have for legislative action as well as any recommendations for

62 administrative or procedural changes in the internal management or organization
63 of state government agencies and departments. Copies of the report containing
64 such recommendations shall be sent to the appropriate directors of state or local
65 government agencies or departments included in the report.

66 **8. The joint committee shall review certain state departments**
67 **and any successor department, including all executive or**
68 **administrative boards, bureaus, commissions, and other agencies**
69 **assigned to such department by law or by the governor as provided by**
70 **law, according to the following schedule:**

71 **(1) No later than January 1, 2016, and every ten years thereafter:**

72 **(a) The office of the governor;**

73 **(b) The office of administration; and**

74 **(c) The department of agriculture;**

75 **(2) No later than January 1, 2018, and every ten years thereafter:**

76 **(a) The office of the lieutenant governor;**

77 **(b) The department of natural resources; and**

78 **(c) The department of insurance, finance, and professional**
79 **registration;**

80 **(3) No later than January 1, 2020, and every ten years thereafter:**

81 **(a) The office of the secretary of state;**

82 **(b) The department of labor and industrial relations; and**

83 **(c) The department of economic development;**

84 **(4) No later than January 1, 2022, and every ten years thereafter:**

85 **(a) The office of the state treasurer;**

86 **(b) The department of revenue; and**

87 **(c) The department of social services;**

88 **(5) No later than January 1, 2024, and every ten years thereafter:**

89 **(a) The office of the attorney general;**

90 **(b) The department of mental health; and**

91 **(c) The department of health and senior services.**

21.880. 1. There is hereby established a permanent joint
2 **committee of the general assembly, which shall be known as the "Joint**
3 **Committee on Judiciary and Justice" and shall be composed of the**
4 **following members:**

5 **(1) The chairs of the senate and house committees on the**
6 **judiciary;**

7 **(2) The ranking minority members of the senate and house**

8 committees on the judiciary;

9 (3) Two members of the senate appointed by the president pro
10 tempore of the senate, one of whom shall be a member of the senate
11 committee on appropriations;

12 (4) The chair of the house committee with jurisdiction over
13 matters relating to criminal laws, law enforcement, and public safety;

14 (5) The chair of the house committee with jurisdiction over
15 matters relating to state correctional institutions;

16 (6) A member of the senate appointed by the minority floor
17 leader of the senate;

18 (7) A member of the house of representatives appointed by the
19 minority floor leader of the house of representatives;

20 (8) Three nonvoting ex officio members who shall be the chief
21 justice of the Missouri supreme court, the state auditor, and the
22 attorney general, or their designees.

23 2. No more than three members from each house shall be of the
24 same political party. The appointment of members shall continue
25 during their term of office as members of the general assembly or until
26 a successor has been duly appointed to fill their place when their term
27 of office as members of the general assembly has expired.

28 3. The joint committee shall meet within thirty days after its
29 creation and organize by selecting a chair and vice chair, one of whom
30 shall be the senate judiciary chair and one of whom shall be the house
31 judiciary chair. The positions of chair and vice chair shall alternate
32 every two years thereafter between the senate and house. After its
33 organization, the committee shall meet regularly, at least twice a year,
34 at such time and place as the chair designates, including locations
35 other than Jefferson City. A majority of the members of the committee
36 shall constitute a quorum, but the concurrence of a majority of the
37 members, other than the ex officio members, shall be required for the
38 determination of any matter within the committee's duties.

39 4. In order to promote the effective administration of justice and
40 public safety, it shall be the duty of the joint committee to:

41 (1) Review and monitor:

42 (a) The state's justice system;

43 (b) The state's criminal laws, law enforcement, and public safety;

44 (c) The state's correctional institutions and penal and

45 **correctional issues; and**

46 **(d) All state government efforts related to terrorism,**
47 **bioterrorism, and homeland security;**

48 **(2) Receive reports from the judicial branch, state or local**
49 **government agencies or departments, and any entities attached to them**
50 **for administrative purposes;**

51 **(3) Conduct an ongoing study and analysis of the state's justice**
52 **system and related issues;**

53 **(4) Determine the need for changes in statutory law, rules,**
54 **policies, or procedures;**

55 **(5) Make any recommendations to the general assembly for**
56 **legislative action; and**

57 **(6) Perform other duties authorized by concurrent resolution of**
58 **the general assembly.**

59 **5. By January 15, 2016, and every year thereafter, it shall be the**
60 **duty of the joint committee to file with the general assembly a report**
61 **of its activities, along with any findings or recommendations the**
62 **committee may have for legislative action.**

63 **6. The joint committee shall establish a permanent subcommittee**
64 **on the Missouri criminal code, which shall conduct and supervise a**
65 **continuing program of revision designed to maintain the cohesiveness,**
66 **consistency, and effectiveness of the criminal laws of the state. In**
67 **connection with this program, the committee may select an advisory**
68 **committee on the Missouri criminal code, composed of a representative**
69 **of the Missouri supreme court, a representative of the office of the**
70 **attorney general, and other individuals known to be interested in the**
71 **improvement of the state's criminal laws, and may authorize the**
72 **payment of any actual and necessary expenses incurred by such**
73 **members while attending meetings with the committee or the**
74 **subcommittee on the Missouri criminal code. The subcommittee on the**
75 **Missouri criminal code shall present to the general assembly in each**
76 **tenth year such criminal code revision bills as it finds appropriate to**
77 **accomplish its purpose.**

78 **7. The joint committee may make reasonable requests for staff**
79 **assistance from the research and appropriations staffs of the senate**
80 **and house and the joint committee on legislative research, and may**
81 **employ such personnel as it deems necessary to carry out the duties**

82 **imposed by this section, within the limits of any appropriation for such**
83 **purpose. All branches of government and state departments, agencies,**
84 **boards, commissions and offices shall cooperate with and assist the**
85 **joint committee in the performance of its duties and shall make**
86 **available all information requested. The committee shall have the**
87 **power to subpoena witnesses, take testimony under oath, compel the**
88 **attendance of witnesses, the giving of testimony and the production of**
89 **records.**

90 **8. The members of the committee shall serve without**
91 **compensation, but any actual and necessary expenses incurred in the**
92 **performance of the committee's official duties by the joint committee,**
93 **its members, and any staff assigned to the committee shall be paid from**
94 **the joint contingent fund.**

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

33.710. 1. There is created "The Governmental Emergency Fund
2 Committee" consisting of the governor, the commissioner of administration **as ex**
3 **officio comptroller**, the chairman and ranking minority member of the senate
4 appropriations committee, the chairman and ranking minority member of the
5 house appropriations committee and the director of the [division of design and

6 construction] **department of revenue** who shall serve as consultant to the
7 committee without vote.

8 2. The members of the committee shall serve without compensation but
9 shall be reimbursed for actual and necessary expenses incurred by them in the
10 performance of their official duties.

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

135.210. 1. Any governing authority which desires to have any portion
2 of a city or unincorporated area of a county under its control designated as an
3 enterprise zone shall hold a public hearing for the purpose of obtaining the
4 opinion and suggestions of those persons who will be affected by such
5 designation. The governing authority shall notify the director of such hearing at
6 least thirty days prior thereto and shall publish notice of such hearing in a
7 newspaper of general circulation in the area to be affected by such designation
8 at least twenty days prior to the date of the hearing but not more than thirty
9 days prior to such hearing. Such notice shall state the time, location, date and
10 purpose of the hearing. The director, or the director's designee, shall attend such
11 hearing.

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

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

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

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

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

29 (5) A statement describing the projected positive and negative effects of

30 designation of the area as an enterprise zone; and

31 (6) A specific plan to provide assistance to any person or business
32 dislocated as a result of activities within the zone. Such plan shall determine the
33 need of dislocated persons for relocation assistance; provide, prior to
34 displacement, information about the type, location and price of comparable
35 housing or commercial property; provide information concerning state and federal
36 programs for relocation assistance and provide other advisory services to
37 displaced persons. Public agencies may choose to provide assistance under the
38 Uniform Relocation and Real Property Acquisition Act, 42 U.S.C. section 4601,
39 et seq. to meet the requirements of this subdivision.

40 3. Notwithstanding the provisions of section 135.250, the director of the
41 department of economic development shall, prior to the designation of any
42 enterprise zone, submit to the joint committee on [economic development policy
43 and planning, established in section 620.602] **tax policy**, rules and regulations
44 pertaining to the designation of enterprise zones. Following approval by the joint
45 committee, such rules and regulations shall be issued pursuant to the provisions
46 of section 536.021. Upon approval of an enterprise zone designation by the
47 department, the director shall submit such enterprise zone designation to the
48 joint committee for its approval. An enterprise zone designation shall be effective
49 upon such approval by the joint committee. The director shall report annually
50 to the joint committee the number and location of all enterprise zones designated,
51 together with the business activity within each designated enterprise zone.

52 4. No more than fifty such areas may be designated by the director as an
53 enterprise zone under the provisions of this subsection, except that any enterprise
54 zones authorized apart from this subsection by specific legislative enactment, on
55 or after August 28, 1991, shall not be counted toward the limitation set forth in
56 this subsection. After fifty enterprise zones, plus any others authorized apart
57 from this subsection by specific legislative enactment first designated on or after
58 August 28, 1991, have been designated by the director, additional enterprise
59 zones may be authorized apart from this subsection by specific legislative
60 enactment, except that if an enterprise zone designation is cancelled under the
61 provision of subsection 5 of this section, the director may designate one area as
62 an enterprise zone for each enterprise zone designation which is cancelled.

63 5. Each designated enterprise zone or satellite zone must report to the
64 director on an annual basis regarding the status of the zone and business activity
65 within the zone. On the fifth anniversary of the designation of each zone after

66 August 8, 1989, and each five years thereafter, the director shall evaluate the
67 activity which has occurred within the zone during the previous five-year period,
68 including business investments and the creation of new jobs. The director shall
69 present the director's evaluation to the joint legislative committee on [economic
70 development policy and planning] **tax policy**. If the director finds that the plan
71 outlined in the application for designation was not implemented in good faith, or
72 if such zone no longer qualifies under the original criteria, or if the director finds
73 that the zone is not being effectively promoted or developed, the director may
74 recommend to the committee that the designation of that area as an enterprise
75 zone be cancelled. All agreements negotiated under the benefits of such zone
76 shall remain in effect for the originally agreed upon duration. The committee
77 shall schedule a hearing on such recommendation for not later than sixty days
78 after the recommendation is filed with it. At the hearing, interested parties,
79 including the director, may present witnesses and evidence as to why the
80 enterprise zone designation for that particular area should be continued or
81 cancelled. Within thirty days after the hearing the committee shall determine
82 whether or not the designation should be continued. If it is not continued, the
83 director shall remove the designation from the area and, following the procedures
84 outlined in this section, award the designation of an enterprise zone to another
85 applicant. If an area has requested a designated enterprise zone, and met all
86 existing statutory requirements, but has not been designated such, then the
87 applicant may appeal to the joint legislative committee on [economic development
88 policy and planning] **tax policy** for a hearing to determine its eligibility for such
89 a designation. The review of the director's evaluation and the hearing thereon,
90 and any appeal as provided for in this subsection, by the joint legislative
91 committee on [economic development policy and planning] **tax policy** shall be
92 an additional duty for that body.

135.230. 1. The exemption or credit established and allowed by section
2 135.220 and the credits allowed and established by subdivisions (1), (2), (3) and
3 (4) of subsection 1 of section 135.225 shall be granted with respect to any new
4 business facility located within an enterprise zone for a vested period not to
5 exceed ten years following the date upon which the new business facility
6 commences operation within the enterprise zone and such exemption shall be
7 calculated, for each succeeding year of eligibility, in accordance with the formulas
8 applied in the initial year in which the new business facility is certified as such,
9 subject, however, to the limitation that all such credits allowed in sections

10 135.225 and 135.235 and the exemption allowed in section 135.220 shall be
11 removed not later than fifteen years after the enterprise zone is designated as
12 such. No credits shall be allowed pursuant to subdivision (1), (2), (3) or (4) of
13 subsection 1 of section 135.225 or section 135.235 and no exemption shall be
14 allowed pursuant to section 135.220 unless the number of new business facility
15 employees engaged or maintained in employment at the new business facility for
16 the taxable year for which the credit is claimed equals or exceeds two or the new
17 business facility is a revenue-producing enterprise as defined in paragraph (d) of
18 subdivision (6) of section 135.200. In order to qualify for either the exemption
19 pursuant to section 135.220 or the credit pursuant to subdivision (4) of subsection
20 1 of section 135.225, or both, it shall be required that at least thirty percent of
21 new business facility employees, as determined by subsection 4 of section 135.110,
22 meet the criteria established in section 135.240 or are residents of an enterprise
23 zone or some combination thereof, except taxpayers who establish a new business
24 facility by operating a revenue-producing enterprise as defined in paragraph (d)
25 of subdivision (6) of section 135.200 or any taxpayer that is an insurance company
26 that established a new business facility satisfying the requirements of subdivision
27 (8) of section 135.100 located within an enterprise zone after June 30, 1993, and
28 before December 31, 1994, and that employs in excess of three hundred fifty new
29 business facility employees at such facility each tax period for which the credits
30 allowable pursuant to subdivisions (1) to (4) of subsection 1 of section 135.225 are
31 claimed shall not be required to meet such requirement. A new business facility
32 described as SIC 3751 shall be required to employ fifteen percent of such
33 employees instead of the required thirty percent. For the purpose of satisfying
34 the thirty-percent requirement, residents must have lived in the enterprise zone
35 for a period of at least one full calendar month and must have been employed at
36 the new business facility for at least one full calendar month, and persons
37 qualifying because they meet the requirements of section 135.240 must have
38 satisfied such requirement at the time they were employed by the new business
39 facility and must have been employed at the new business facility for at least one
40 full calendar month. The director may temporarily reduce or waive this
41 requirement for any business in an enterprise zone with ten or less full-time
42 employees, and for businesses with eleven to twenty full-time employees this
43 requirement may be temporarily reduced. No reduction or waiver may be granted
44 for more than one tax period and shall not be renewable. The exemptions allowed
45 in sections 135.215 and 135.220 and the credits allowed in sections 135.225 and

46 135.235 and the refund established and authorized in section 135.245 shall not
47 be allowed to any "public utility", as such term is defined in section 386.020. For
48 the purposes of achieving the fifteen-percent employment requirement set forth
49 in this subsection, a new business facility described as NAICS 336991 may count
50 employees who were residents of the enterprise zone at the time they were
51 employed by the new business facility and for at least ninety days thereafter,
52 regardless of whether such employees continue to reside in the enterprise zone,
53 so long as the employees remain employed by the new business facility and
54 residents of the state of Missouri.

55 2. Notwithstanding the provisions of subsection 1 of this section, motor
56 carriers, barge lines or railroads engaged in transporting property for hire or any
57 interexchange telecommunications company that establish a new business facility
58 shall be eligible to qualify for the exemptions allowed in sections 135.215 and
59 135.220, and the credits allowed in sections 135.225 and 135.235 and the refund
60 established and authorized in section 135.245, except that trucks, truck-trailers,
61 truck semitrailers, rail or barge vehicles or other rolling stock for hire, track,
62 switches, bridges, barges, tunnels, rail yards and spurs shall not constitute new
63 business facility investment nor shall truck drivers or rail or barge vehicle
64 operators constitute new business facility employees.

65 3. Notwithstanding any other provision of sections 135.200 to 135.256 to
66 the contrary, motor carriers establishing a new business facility on or after
67 January 1, 1993, but before January 1, 1995, may qualify for the tax credits
68 available pursuant to sections 135.225 and 135.235 and the exemption provided
69 in section 135.220, even if such new business facility has not satisfied the
70 employee criteria, provided that such taxpayer employs an average of at least two
71 hundred persons at such facility, exclusive of truck drivers and provided that
72 such taxpayer maintains an average investment of at least ten million dollars at
73 such facility, exclusive of rolling stock, during the tax period for which such
74 credits and exemption are being claimed.

75 4. Any governing authority having jurisdiction of an area that has been
76 designated an enterprise zone may petition the department to expand the
77 boundaries of such existing enterprise zone. The director may approve such
78 expansion if the director finds that:

79 (1) The area to be expanded meets the requirements prescribed in section
80 135.207 or 135.210, whichever is applicable;

81 (2) The area to be expanded is contiguous to the existing enterprise zone;

82 and

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

84 5. Notwithstanding the fifteen-year limitation as prescribed in subsection
85 1 of this section, any governing authority having jurisdiction of an area that has
86 been designated as an enterprise zone by the director, except one designated
87 pursuant to this subsection, may file a petition, as prescribed by the director, for
88 redesignation of such area for an additional period not to exceed seven years
89 following the fifteenth anniversary of the enterprise zone's initial designation
90 date; provided:

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

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

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

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

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

109 (6) The director's recommendation that the area be designated as an
110 enterprise zone is approved by the joint committee on [economic development
111 policy and planning] **tax policy**, as otherwise required in subsection 3 of section
112 135.210.

113 6. Any taxpayer having established a new business facility in an
114 enterprise zone except one designated pursuant to subsection 5 of this section,
115 who did not earn the tax credits authorized in sections 135.225 and 135.235 and
116 the exemption allowed in section 135.220 for the full ten-year period because of
117 the fifteen-year limitation as prescribed in subsection 1 of this section, shall be

118 granted such benefits for ten tax years, less the number of tax years the benefits
119 were claimed or could have been claimed prior to the expiration of the original
120 fifteen-year period, except that such tax benefits shall not be earned for more
121 than seven tax periods during the ensuing seven-year period, provided the
122 taxpayer continues to operate the new business facility in an area that is
123 designated an enterprise zone pursuant to subsection 5 of this section. Any
124 taxpayer who establishes a new business facility subsequent to the
125 commencement of the ensuing seven-year period, as authorized in subsection 5
126 of this section, may qualify for the tax credits authorized in sections 135.225 and
127 135.235, and the exemptions authorized in sections 135.215 and 135.220,
128 pursuant to the same terms and conditions as prescribed in sections 135.100 to
129 135.256. The designation of any enterprise zone pursuant to subsection 5 of this
130 section shall not be subject to the fifty enterprise zone limitation imposed in
131 subsection 4 of section 135.210.

208.952. 1. There is hereby established [the] **a permanent** "Joint
2 Committee on MO HealthNet". The committee shall have as its purpose the
3 study, **monitoring, and review** of the **efficacy of the program as well as**
4 **the** resources needed to continue and improve the MO HealthNet program over
5 time. **The committee shall receive and obtain information from the**
6 **departments of social services, mental health, health and senior**
7 **services and elementary and secondary education, as applicable,**
8 **regarding the projected budget of the entire MO HealthNet program**
9 **including projected MO HealthNet enrollment growth, categorized by**
10 **population and geographic area.** The committee shall consist of ten
11 members:

12 (1) The chair and the ranking minority member of the house committee
13 on the budget;

14 (2) The chair and the ranking minority member of the senate committee
15 on appropriations [committee];

16 (3) The chair and the ranking minority member of the house committee
17 on appropriations for health, mental health, and social services;

18 (4) The chair and the ranking minority member of the **standing** senate
19 committee [on health and mental health] **assigned to consider MO HealthNet**
20 **legislation and matters;**

21 (5) A representative chosen by the speaker of the house of representatives;
22 and

23 (6) A senator chosen by the president pro tem of the senate.
24 No more than three members from each house shall be of the same political party.

25 2. A chair of the committee shall be selected by the members of the
26 committee.

27 3. The committee shall meet [as necessary] **at least three times a year.**
28 **In the event of three consecutive absences on the part of any member,**
29 **such member may be removed from the committee. At every meeting**
30 **of the committee, there shall be a public comment period. The**
31 **committee shall solicit from state organizations representing health**
32 **care professionals as to any recommendations they have to improve the**
33 **quality of health care and its cost.**

34 4. [Nothing in this section shall be construed as authorizing the
35 committee to hire employees or enter into any employment contracts] **The**
36 **committee is authorized to hire an employee or enter into employment**
37 **contracts, including an executive director to conduct an audit, special**
38 **review or investigation of the MO HealthNet program in order to assist**
39 **the committee with its duties. Such executive director shall have free**
40 **access to all divisions or offices within the departments of social**
41 **services, health and senior services or mental health associated with**
42 **the MO HealthNet program for the inspection of such books, accounts,**
43 **contracts, data and papers as concern any of the executive director's**
44 **duties. Any person who willfully makes or causes to be made to the**
45 **executive director any false, misleading, or unfounded report for the**
46 **purpose of interfering with the performance of the executive director's**
47 **duties under this section shall be guilty of a class A misdemeanor. The**
48 **compensation of such personnel and the expenses of the committee**
49 **shall be paid from the joint contingent fund or jointly from the senate**
50 **and house contingent funds until an appropriation is made therefor.**

51 5. [The committee shall receive and study the five-year rolling MO
52 HealthNet budget forecast issued annually by the legislative budget office.

53 6.] The committee shall **annually conduct a rolling five-year MO**
54 **HealthNet forecast and** make recommendations in a report to the general
55 assembly by January first each year, beginning in [2008] **2015**, on anticipated
56 growth in the MO HealthNet program, needed improvements, anticipated needed
57 appropriations, and suggested strategies on ways to structure the state budget
58 in order to satisfy the future needs of the program.

210.153. 1. There is hereby created in the department of social services
2 the "Child Abuse and Neglect Review Board", which shall provide an independent
3 review of child abuse and neglect determinations in instances in which the
4 alleged perpetrator is aggrieved by the decision of the children's division. The
5 division may establish more than one board to assure timely review of the
6 determination. **In providing an independent review, the boards and their
7 members shall act as unbiased finders of fact and shall be independent
8 of any control or interference by the department of social services or
9 employees of the department of social services. The boards shall act
10 independently so as to assure that due process of the law is afforded to
11 all parties involved in the proceedings.**

12 2. [The] **Each** board shall consist of nine members, who shall be
13 appointed by the governor with the advice and consent of the senate[, and shall
14 include:

- 15 (1) A physician, nurse or other medical professional;
- 16 (2) A licensed child or family psychologist, counselor or social worker;
- 17 (3) An attorney who has acted as a guardian ad litem or other attorney
18 who has represented a subject of a child abuse and neglect report;
- 19 (4) A representative from law enforcement or a juvenile office.

20 3. Other members of the board may be selected from:

- 21 (1) A person from another profession or field who has an interest in child
22 abuse or neglect;
- 23 (2) A college or university professor or elementary or secondary teacher;
- 24 (3) A child advocate;
- 25 (4) A parent, foster parent or grandparent]. **Each board member shall**

26 **be a resident of the state of Missouri. The term of office of each board
27 member shall be three years. At the time of their appointment, no more
28 than five members of any board shall be of the same political party as
29 the governor.**

30 [4.] **3.** The following persons may [participate in a child abuse and
31 neglect review board review] **offer testimony in review proceedings before
32 the board:**

- 33 (1) Appropriate children's division staff and legal counsel for the
34 department;
- 35 (2) The alleged perpetrator, who may be represented pro se or be
36 represented by legal counsel. The alleged perpetrator's presence is not required

37 for the review to be conducted. The alleged perpetrator may submit a written
38 statement for the board's consideration in lieu of personal appearance; [and]

39 (3) Witnesses **and such other persons as the board may call for**
40 **expert advice** providing information on behalf of the child, the alleged
41 perpetrator or the department. [Witnesses] **Such persons** shall only be allowed
42 to attend that portion of the review in which they are presenting information;

43 (4) **A physician, nurse, or other medical professional;**

44 (5) **A licensed child or family psychologist, counselor, or social**
45 **worker;**

46 (6) **An attorney who has acted as a guardian ad litem or other**
47 **attorney who has represented a subject of a child abuse and neglect**
48 **report;**

49 (7) **A representative from law enforcement or a juvenile office;**

50 (8) **A person from another profession or field who has an interest**
51 **in child abuse or neglect;**

52 (9) **A college or university professor or elementary or secondary**
53 **teacher;**

54 (10) **A child advocate; or**

55 (11) **A parent, foster parent, or grandparent.**

56 [5.] 4. The members of the board shall serve without compensation, but
57 shall receive reimbursement for reasonable and necessary expenses actually
58 incurred in the performance of their duties.

59 [6.] 5. All records and information compiled, obtained, prepared or
60 maintained by the child abuse and neglect review board in the course of any
61 review shall be confidential information.

62 [7.] 6. The department shall promulgate rules and regulations governing
63 the operation of the child abuse and neglect review board except as otherwise
64 provided for in this section. These rules and regulations shall, at a minimum,
65 [describe the length of terms] **provide that all witnesses are subject to**
66 **cross examination, describe** the selection of the chairperson, confidentiality,
67 notification of parties and time frames for the completion of the review.

68 [8.] 7. Findings [of probable cause to suspect prior to August 28, 2004,
69 or findings] by a preponderance of the evidence [after August 28, 2004,] of child
70 abuse and neglect by the division which are substantiated by court adjudication
71 shall not be heard by the child abuse and neglect review board.

72 8. **No employee, former employee, contractor, or an immediate**

73 **family member of an employee, former employee, or contractor of the**
74 **department of social services shall serve on the board.**

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

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

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

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

33 5. The director shall have control and jurisdiction over all real estate,
34 buildings, equipment, machinery, correctional centers and products properly

35 belonging to, or used by, or in connection with any facility within the department
36 except where such control and jurisdiction are reserved to others by law.

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

40 7. The director shall establish and maintain correctional centers and
41 units, as provided by appropriations, for the segregation of male and female
42 offenders, and for the classification of offenders based on the level of security,
43 supervision and program needs.

44 8. The director shall prepare and submit an annual budget of all funds
45 necessary to be expended by the department and by the divisions of the
46 department.

47 9. The director shall prepare and submit to the governor and the general
48 assembly a written report of the administration of his duties, together with such
49 recommendations and suggestions as the director may deem advisable. It may
50 include projects, plans, accomplishments, together with statistics and summaries
51 of financial receipts and expenditures. The director shall also advise the governor
52 and the [joint committee on corrections] **house and senate standing**
53 **committees with jurisdiction over corrections issues or penal and**
54 **correctional institutions** as to any improvements that may appear necessary
55 for the efficiency, economy and general well-being of offenders, correctional
56 centers, programs, and the department.

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

217.035. The director shall have the authority to:

2 (1) Establish, with approval of the governor, the internal organization of
3 the department and file the plan thereof with the secretary of state in the manner
4 in which administrative rules are filed, the commissioner of administration and
5 the revisor of statutes;

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

9 (3) Designate by written order filed with the governor, the president pro
10 tem of the senate, and the [chairman of the joint committee on corrections]
11 **chairs of the house and senate standing committees with jurisdiction**

12 **over corrections issues or penal and correctional institutions**, a deputy
13 director of the department to act for and exercise the powers of the director
14 during the director's absence for official business, vacation, illness or
15 incapacity. The deputy director shall serve as acting director no longer than six
16 months; however, after the deputy director has acted as director for longer than
17 thirty days the deputy director shall receive compensation equal to that of the
18 director;

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

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

23 (6) Designate any responsibilities, duties and powers given by sections
24 217.010, 217.810, 558.011 and 558.026 to the department or the department
25 director to any division or division director.

217.550. 1. The department shall establish and operate at its correctional
2 centers a vocational enterprise program which includes industries, services,
3 vocational training, and agribusiness operations. The director shall have general
4 supervision over planning, establishment and management of all vocational
5 enterprise operations provided by and within the department and shall decide at
6 which correctional center each vocational enterprise shall be located, taking into
7 consideration the offender custody levels, the number of offenders in each
8 correctional center so the best service or distribution of labor may be secured,
9 location and convenience of the correctional centers in relation to the other
10 correctional centers to be supplied or served and the machinery presently
11 contained in each correctional center.

12 2. No service shall be established or renewed without prior approval by
13 the advisory board of vocational enterprises program established by section
14 217.555 [and the joint committee on corrections established by sections 21.440 to
15 21.465]. Both the board and the committee shall make a finding that the
16 establishment of the service shall be beneficial to those offenders involved and
17 shall not adversely affect any statewide economic group or industry.

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

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

22 (2) A list of correctional industries, services, vocational training programs,

23 and agribusinesses started, terminated, moved, expanded, or reduced during the
24 period;

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

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

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

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

34 (7) Such other information concerning the correctional industries, services,
35 vocational training programs, and agribusiness operations as requested by the
36 director.

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

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

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

23 private business enterprises as specified by the authorized contract.

24 4. Subject to the approval of the director and upon such terms as may be
25 prescribed, any lessee operating such an enterprise may employ and discharge
26 from employment selected offenders of the correctional center where the
27 enterprise is operated or from other correctional centers in close proximity.
28 Offenders assigned to such an enterprise are subject to all departmental and
29 divisional rules in addition to rules and regulations promulgated by the
30 authorized contractor. Offenders assigned to such an enterprise for employment
31 purposes shall be required to pay a percentage of their wages as established by
32 the director of not less than five percent nor more than twenty percent of gross
33 wages to the crime victims' compensation fund, section 595.045.

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

320.092. 1. Tax credits issued pursuant to sections 135.400, 135.750 and
2 320.093 shall be subject to oversight provisions. Effective January 1, 2000,
3 notwithstanding the provisions of section 32.057, the board, department or
4 authority issuing tax credits shall annually report to the office of administration,
5 president pro tem of the senate, the speaker of the house of representatives[, and
6 the joint committee on economic development] regarding the tax credits issued
7 pursuant to sections 135.400, 135.750 and 320.093 which were issued in the
8 previous fiscal year. The report shall contain, but not be limited to, the aggregate
9 number and dollar amount of tax credits issued by the board, department or
10 authority, the number and dollar amount of tax credits claimed by taxpayers, and
11 the number and dollar amount of tax credits unclaimed by taxpayers as well as
12 the number of years allowed for claims to be made. This report shall be delivered
13 no later than November of each year.

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

348.439. The tax credits issued in sections 348.430 to 348.439 by the
2 Missouri agricultural and small business development authority shall be subject
3 to oversight provisions. Effective January 1, 2000, notwithstanding the
4 provisions of section 32.057, the authority shall annually report to the office of
5 administration, president pro tem of the senate, the speaker of the house of
6 representatives[, and the joint committee on economic development] regarding the
7 tax credits authorized pursuant to sections 348.430 to 348.439 which were issued
8 in the previous fiscal year. The report shall contain, but not be limited to, the
9 aggregate number and dollar amount of tax credits issued by the authority, the
10 number and dollar amount of tax credits claimed by taxpayers, and the number
11 and dollar amount of tax credits unclaimed by taxpayers as well as the number
12 of years allowed for claims to be made. This report shall be delivered no later
13 than November of each year.

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

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

386.145. The chairman of the public service commission[, in the presence
2 of the speaker of the house of representatives or some member of the house of
3 representatives designated in writing by said speaker and the president pro tem
4 of the senate or some member of the senate designated in writing by said
5 president pro tem,] may destroy by burning, or otherwise dispose of as ordered
6 by the public service commission, such records, financial statements and such
7 public documents which shall at the time of destruction or disposal have been on
8 file in the office of the public service commission for a period of five years or

9 longer and which are determined by the public service commission to be obsolete
10 or of no further public use or value, except such records and documents as may
11 at the time be the subject of litigation or dispute.

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

13 2. Upon written request of the chief judge of any district of the court of
14 appeals or the presiding judge of any circuit, the supreme court may appoint a
15 senior judge or senior commissioner from the file of approved applications
16 maintained by the clerk of the supreme court. Appointments to serve shall be
17 based on caseload and need, as determined by the supreme court in its discretion,
18 taking into consideration reports filed pursuant to section 476.412,
19 [recommendations made by the judicial resources commission created herein] and
20 such other matters that the court deems relevant. The appointment may be made
21 for a specific case or cases or for a specified period of time not to exceed one
22 year. The appointment may be extended for additional periods of time not to
23 exceed one year each if the appointed senior judge or senior commissioner
24 maintains an annual updated and approved application for appointment. Persons
25 serving as a senior judge or senior commissioner pursuant to the provisions of
26 this section shall receive compensation as provided in section 476.682.

620.050. 1. There is hereby created, within the department of economic
2 development, the "Entrepreneurial Development Council". The entrepreneurial
3 development council shall consist of seven members from businesses located
4 within the state and licensed attorneys with specialization in intellectual
5 property matters. All members of the council shall be appointed by the governor
6 with the advice and consent of the senate. The terms of membership shall be set
7 by the department of economic development by rule as deemed necessary and

8 reasonable. Once the department of economic development has set the terms of
9 membership, such terms shall not be modified and shall apply to all subsequent
10 members.

11 2. The entrepreneurial development council shall, as provided by
12 department rule, impose a registration fee sufficient to cover costs of the program
13 for entrepreneurs of this state who desire to avail themselves of benefits, provided
14 by the council, to registered entrepreneurs.

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

23 4. Upon notification of an alleged infringement of intellectual property
24 rights of an entrepreneur, the entrepreneurial development council shall evaluate
25 such allegations of infringement and may, based upon need, award grants or
26 financial assistance to subsidize legal expenses incurred in instituting legal
27 action necessary to remedy the alleged infringement. Pursuant to rules
28 promulgated by the department, the entrepreneurial development council may
29 allocate moneys from entrepreneurial development and intellectual property right
30 protection fund, in the form of low-interest loans and grants, to registered
31 entrepreneurs for the purpose of providing financial aid for product development,
32 manufacturing, and advertising of new products.

33 5. Any rule or portion of a rule, as that term is defined in section 536.010,
34 that is created under the authority delegated in this section shall become effective
35 only if it complies with and is subject to all of the provisions of chapter 536 and,
36 if applicable, section 536.028. This section and chapter 536 are nonseverable and
37 if any of the powers vested with the general assembly pursuant to chapter 536 to
38 review, to delay the effective date, or to disapprove and annul a rule are
39 subsequently held unconstitutional, then the grant of rulemaking authority and
40 any rule proposed or adopted after August 28, 2008, shall be invalid and void.

41 **6. The provisions of this section shall expire on December 31,**
42 **2015.**

620.1300. A cost benefit analysis shall be prepared to evaluate the

2 effectiveness of all tax credit programs, as defined by section 135.800, and all
3 programs operated by the department of economic development for which the
4 department approves tax credits, loans, loan guarantees, or grants. Each
5 analysis shall be conducted by the state auditor, and shall include, but not be
6 limited to, the costs for each program, the direct state and indirect state benefits
7 and the direct local and indirect local benefits associated with each program, the
8 safeguards to protect noneconomic influences in the award of programs
9 administered by the department, and the likelihood of the economic activity
10 taking place without the program. The result of each analysis shall be published
11 and distributed, by January 1, 2001, and at least every four years thereafter, to
12 the governor, the speaker of the house of representatives, the president pro tem
13 of the senate, the chairman of the house budget committee, the chairman of the
14 senate appropriations committee, **and** the joint committee on tax policy[, and the
15 joint committee on economic development policy and planning].

630.010. 1. The state mental health commission, established by the
2 omnibus reorganization act of 1974, section 9, appendix B, RSMo, shall be
3 composed of seven members appointed by the governor, by and with the advice
4 and consent of the senate. The terms of members appointed under the
5 reorganization act before August 13, 1980, shall continue until the terms under
6 which the members were regularly appointed expire. The terms shall be for four
7 years. Each commissioner shall hold office until his successor has been appointed
8 and qualified.

9 2. The commission shall be comprised of members who are not prohibited
10 from serving by sections 105.450 to 105.482, as amended, and who are not
11 otherwise employed by the state. The commission shall be composed of the
12 following:

13 (1) A physician recognized as an expert in the treatment of mental illness;

14 (2) A physician, **licensed clinical psychologist, or other licensed**
15 **clinician**, recognized as an expert in the evaluation or [habilitation] **treatment**
16 of persons with an intellectual disability or developmental disability;

17 (3) A representative of groups who are consumers or families of consumers
18 interested in the services provided by the department in the treatment of mental
19 illness;

20 (4) A representative of groups who are consumers or families of consumers
21 interested in the services provided by the department in the habilitation of
22 persons with an intellectual disability or developmental disability;

23 (5) A person recognized for his expertise in general business matters and
24 procedures;

25 (6) A person recognized for his interest and expertise in dealing with
26 alcohol or drug abuse; and

27 (7) A person recognized for his interest or expertise in community mental
28 health services.

29 3. Vacancies occurring on the commission shall be filled by appointment
30 by the governor, by and with the advice and consent of the senate, for the
31 unexpired terms. In case of a vacancy when the senate is not in session, the
32 governor shall make a temporary appointment until the next session of the
33 general assembly, when he shall nominate someone to fill the office.

34 4. The commission shall elect from its members a chairman and a
35 secretary. Meetings shall be held at least once a month, and special meetings
36 may be held at the call of the chairman.

37 5. The department shall pay the commission members one hundred
38 dollars per day for each day, or portion thereof, they actually spend in transacting
39 the business of the commission and shall reimburse the commission members for
40 necessary expenses actually incurred in the performance of their official duties.

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

14 2. The department of public safety shall create a program to distribute
15 grants to multijurisdictional internet cyber crime law enforcement task forces,
16 multijurisdictional enforcement groups, as defined in section 195.503, that are
17 investigating internet sex crimes against children, and other law enforcement
18 agencies. The program shall be funded by the cyber crime investigation fund

19 created under subsection 1 of this section. Not more than three percent of the
20 money in the fund may be used by the department to pay the administrative costs
21 of the grant program. The grants shall be awarded and used to pay the salaries
22 of detectives and computer forensic personnel whose focus is investigating
23 internet sex crimes against children, including but not limited to enticement of
24 a child, possession or promotion of child pornography, provide funding for the
25 training of law enforcement personnel and prosecuting and circuit attorneys as
26 well as their assistant prosecuting and circuit attorneys, and purchase necessary
27 equipment, supplies, and services. The funding for such training may be used to
28 cover the travel expenses of those persons participating.

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

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

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

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

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

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

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

46 The panel members who are appointed under subdivisions (2), (3), and (4) of this
47 subsection shall serve a four-year term ending four years from the date of
48 expiration of the term for which his or her predecessor was appointed. However,
49 a person appointed to fill a vacancy prior to the expiration of such a term shall
50 be appointed for the remainder of the term. Such members shall hold office for
51 the term of his or her appointment and until a successor is appointed. The
52 members of the panel shall receive no additional compensation but shall be
53 eligible for reimbursement for mileage directly related to the performance of
54 panel duties.

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

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

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

65 7. Multijurisdictional internet cyber crime law enforcement task forces
66 and other law enforcement agencies participating in the grant program
67 established in subsection 2 of this section shall share information and cooperate
68 with the highway patrol and with existing internet crimes against children task
69 force programs.

70 8. The panel may make recommendations to the general assembly
71 regarding the need for additional resources or appropriations.

72 9. The power of arrest of any peace officer who is duly authorized as a
73 member of a multijurisdictional internet cyber crime law enforcement task force
74 shall only be exercised during the time such peace officer is an active member of
75 such task force and only within the scope of the investigation on which the task
76 force is working. Notwithstanding other provisions of law to the contrary, such
77 task force officer shall have the power of arrest, as limited in this subsection,
78 anywhere in the state and shall provide prior notification to the chief of police of
79 a municipality or the sheriff of the county in which the arrest is to take place. If
80 exigent circumstances exist, such arrest may be made and notification shall be
81 made to the chief of police or sheriff as appropriate and as soon as practical. The
82 chief of police or sheriff may elect to work with the multijurisdictional internet
83 cyber crime law enforcement task force at his or her option when such task force
84 is operating within the jurisdiction of such chief of police or sheriff.

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

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

90 (2) If such program is reauthorized, the program authorized under this

91 section shall sunset automatically twelve years after the effective date of the
92 reauthorization of this section; and

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

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

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

[21.440. 1. There is established a permanent joint
2 committee of the general assembly to be known as the "Joint
3 Committee on Corrections" to be comprised of six members of the
4 senate and six members of the house of representatives. The
5 senate members shall be appointed by the president pro tem of the
6 senate and the house members shall be appointed by the speaker
7 of the house. The appointment of each member shall continue
8 during his term of office as a member of the general assembly or
9 until a successor has been duly appointed to fill his place when his
10 term of office as a member of the general assembly has expired.

11 2. The general assembly by a majority vote of the elected
12 members may discharge any or all of the members of the committee
13 at any time and select their successors.

14 3. No major party shall be represented on the committee by
15 more than three members from the senate nor by more than three
16 members from the house.]

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

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

12 3. A majority of the members of the committee shall
13 constitute a quorum.

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

[21.450. The committee may, within the limits of its
2 appropriation, employ such personnel as it deems necessary; and
3 the committee on legislative research, within the limits of any
4 appropriation made for such purpose, shall supply to the joint
5 committee on corrections such professional, technical, legal,
6 stenographic and clerical help as may be necessary for it to perform
7 its duties.]

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

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

4 (2) To devise and arrange for a long-range program for the
5 department and its correctional centers based on a plan of biennial
6 development and making the recommendation of any required

7 correctional centers in the state in accordance with the general
8 assembly's powers of appropriation;

9 (3) To inspect at least once each year and as necessary all
10 correctional facilities and properties under the jurisdiction of the
11 department of corrections and of the division of youth services;

12 (4) To make a continuing study and review of the
13 department of corrections and the correctional facilities under its
14 jurisdiction, including the internal organization, management,
15 powers, duties and functions of the department and its correctional
16 centers, particularly, by way of extension but not of limitation, in
17 relation to the

18 (a) Personnel of the department;

19 (b) Discipline of the correctional facilities;

20 (c) Correctional enterprises;

21 (d) Classification of offenders;

22 (e) Care and treatment of offenders;

23 (f) Educational and vocational training facilities of the
24 correctional centers;

25 (g) Location and establishment of new correctional centers
26 or of new buildings and facilities;

27 (h) All other matters relating to the administration of the
28 state's correctional centers which the committee deems pertinent;
29 and

30 (i) Probations and paroles;

31 (5) To make a continuing study and review of the
32 institutions and programs under the jurisdiction of the division of
33 youth services;

34 (6) To study and determine the need for changes in the
35 state's criminal laws as they apply to correctional centers and to
36 sentencing, commitment, probation and parole of persons convicted
37 of law violations;

38 (7) To determine from such study and analyses the need for
39 changes in statutory law or administrative procedures;

40 (8) To make recommendations to the general assembly for
41 legislative action and to the department of corrections and to the
42 division of youth services for administrative or procedural

43 changes.]

[21.460. 1. The department of corrections, each section and
2 correctional facility within the department and, upon request, any
3 other state agency shall cooperate with and assist the committee
4 in the performance of its duties and shall make available all books,
5 records and information requested.

6 2. The committee shall have the power to subpoena
7 witnesses, take testimony under oath, compel the attendance of
8 witnesses, the giving of testimony and the production of records.]

[21.465. It shall be the duty of the committee to compile a
2 full report of its activities for submission to the general
3 assembly. The report shall be submitted not later than the
4 fifteenth of January of each year in which the general assembly
5 convenes in regular session and shall include any recommendations
6 which the committee may have for legislative action as well as any
7 recommendations for administrative or procedural changes in the
8 internal management or organization of the department or its
9 correctional facilities. The report shall also include an analysis
10 and statement of the manner in which statutory provisions relating
11 to the department and its several sections are being
12 executed. Copies of the report containing such recommendations
13 shall be sent to the director of the department of corrections and
14 other persons within the department charged with administrative
15 or managerial duties.]

[21.530. 1. There is established a permanent joint
2 committee of the general assembly to be known as the "Joint
3 Committee on Capital Improvements and Leases Oversight" to be
4 comprised of five members of the senate appropriations committee
5 and five members of the house of representatives budget
6 committee. The senate members shall be appointed by the
7 president pro tem of the senate and the house members shall be
8 appointed by the speaker of the house.

9 2. No major party shall be represented on the committee by
10 more than three members from the senate nor by more than three
11 members from the house.]

[21.535. 1. The joint committee on capital improvements

2 and leases oversight shall meet and organize by selecting a
3 chairman and a vice chairman, one of whom shall be a member of
4 the senate and the other a member of the house of
5 representatives. The chairmanship shall alternate between
6 members of the senate and house each two years after its
7 organization.

8 2. The meetings of the committee shall be in Jefferson City,
9 Missouri, and after its inception and organization it shall meet at
10 the call of the chairman, but shall meet at least once every three
11 months.

12 3. A majority of the members of the committee shall
13 constitute a quorum.

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

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

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

6 (2) Monitor all new construction on any state-funded capital
7 improvements project, excluding capital improvements projects or
8 highway improvements of the state transportation department
9 funded by motor fuel tax revenues;

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

13 (4) Investigate the total bonded and other indebtedness
14 including lease purchase agreements of this state and its various
15 departments, divisions, and other agencies as it pertains to state
16 building projects;

17 (5) Perform budgeting analysis for all proposed capital
18 improvement projects including all operating costs for the first two
19 years after completion of the project and cooperate with and assist
20 the house budget committee and the senate appropriations

21 committee with similar analysis;

22 (6) Monitor all leases and proposed leases of real property
23 funded with state moneys, including any operating costs or other
24 costs associated with any such lease arrangement.

25 2. The committee may, within the limits of its
26 appropriation, employ such personnel as it deems necessary to
27 carry out the duties imposed by this section.

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

[21.800. 1. There is established a joint committee of the
2 general assembly to be known as the "Joint Committee on
3 Terrorism, Bioterrorism, and Homeland Security" to be composed
4 of seven members of the senate and seven members of the house of
5 representatives. The senate members of the joint committee shall
6 be appointed by the president pro tem and minority floor leader of
7 the senate and the house members shall be appointed by the
8 speaker and minority floor leader of the house of
9 representatives. The appointment of each member shall continue
10 during the member's term of office as a member of the general
11 assembly or until a successor has been appointed to fill the
12 member's place when his or her term of office as a member of the
13 general assembly has expired. No party shall be represented by
14 more than four members from the house of representatives nor
15 more than four members from the senate.

16 A majority of the committee shall constitute a quorum, but the
17 concurrence of a majority of the members shall be required for the
18 determination of any matter within the committee's duties.

19 2. The joint committee shall:

20 (1) Make a continuing study and analysis of all state
21 government terrorism, bioterrorism, and homeland security efforts,
22 including the feasibility of compiling information relevant to
23 immigration enforcement issues;

24 (2) Devise a standard reporting system to obtain data on
25 each state government agency that will provide information on each
26 agency's terrorism and bioterrorism preparedness, and homeland
27 security status at least biennially;

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

30 (4) Make any other recommendation to the general
31 assembly necessary to provide adequate terrorism and bioterrorism
32 protections, and homeland security to the citizens of the state of
33 Missouri.

34 3. The joint committee shall meet within thirty days after
35 its creation and organize by selecting a chairperson and a vice
36 chairperson, one of whom shall be a member of the senate and the
37 other a member of the house of representatives. The chairperson
38 shall alternate between members of the house and senate every two
39 years after the committee's organization.

40 4. The committee shall meet at least quarterly. The
41 committee may meet at locations other than Jefferson City when
42 the committee deems it necessary.

43 5. The committee shall be staffed by legislative personnel
44 as is deemed necessary to assist the committee in the performance
45 of its duties.

46 6. The members of the committee shall serve without
47 compensation but shall be entitled to reimbursement for actual and
48 necessary expenses incurred in the performance of their official
49 duties.

50 7. It shall be the duty of the committee to compile a full
51 report of its activities for submission to the general assembly. The
52 report shall be submitted not later than the fifteenth of January of
53 each year in which the general assembly convenes in regular
54 session and shall include any recommendations which the
55 committee may have for legislative action as well as any
56 recommendations for administrative or procedural changes in the
57 internal management or organization of state or local government
58 agencies and departments. Copies of the report containing such
59 recommendations shall be sent to the appropriate directors of state

60 or local government agencies or departments included in the report.

61 8. The provisions of this section shall expire on December
62 31, 2011.]

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

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

15 3. The joint committee shall meet within thirty days after
16 it becomes effective and organize by selecting a chairperson and a
17 vice chairperson, one of whom shall be a member of the senate and
18 the other a member of the house of representatives. The joint
19 committee may meet at locations other than Jefferson City when
20 the committee deems it necessary.

21 4. The committee shall prepare a final report together with
22 its recommendations for any legislative action deemed necessary
23 for submission to the speaker of the house of representatives,
24 president pro tem of the senate, and the governor by December 31,
25 2012. The report shall study and make recommendations
26 regarding the impact of urban farm cooperatives, vertical farming,
27 and sustainable living communities in this state and shall examine
28 the following:

29 (1) Trends in urban farming, including vertical farming,
30 urban farm cooperatives, and sustainable living communities;

31 (2) Existing services, resources, and capacity for such urban
32 farming;

33 (3) The impact on communities and populations affected;

34 and

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

36 5. The committee shall hold a minimum of one meeting at
37 three urban regions in the state of Missouri to seek public
38 input. The committee may hold such hearings, sit and act at such
39 times and places, take such testimony, and receive such evidence
40 as the committee considers advisable to carry out the provisions of
41 this section.

42 6. The joint committee may solicit input and information
43 necessary to fulfill its obligations from the general public, any state
44 department, state agency, political subdivision of this state, or
45 anyone else it deems advisable.

46 7. (1) The joint committee shall establish a subcommittee
47 to be known as the "Urban Farming Advisory Subcommittee" to
48 study, analyze, and provide background information,
49 recommendations, and findings in preparation of each of the public
50 hearings called by the joint committee. The subcommittee may also
51 review draft recommendations of the joint committee, if
52 requested. The subcommittee will meet as often as necessary to
53 fulfill the requirements and time frames set by the joint committee.

54 (2) The subcommittee shall consist of twelve members, as
55 follows:

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

58 a. Agriculture, who shall serve as chair of the
59 subcommittee;

60 b. Economic development;

61 c. Health and senior services; and

62 d. Natural resources; and

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

67 a. Sustainable energy;

68 b. Farm policy;

69 c. Urban botanical gardening;

- 70 d. Sustainable agriculture;
71 e. Urban farming or community gardening;
72 f. Vertical farming;
73 g. Agriculture policy or advocacy; and
74 h. Urban development.

75 8. Members of the committee and subcommittee shall serve
76 without compensation but may be reimbursed for necessary
77 expenses pertaining to the duties of the committee.

78 9. The staffs of senate research, the joint committee on
79 legislative research, and house research may provide such legal,
80 research, clerical, technical, and bill drafting services as the joint
81 committee may require in the performance of its duties.

82 10. Any actual and necessary expenses of the joint
83 committee, its members, and any staff assigned to the joint
84 committee incurred by the joint committee shall be paid by the
85 joint contingent fund.

86 11. The provisions of this section shall expire on January
87 1, 2013.]

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

15 2. The committee shall examine Missouri's present and
16 future energy needs to determine the best strategy to ensure a
17 plentiful, affordable and clean supply of electricity that will meet
18 the needs of the people and businesses of Missouri for the next

19 twenty-five years and ensure that Missourians continue to benefit
20 from low rates for residential, commercial, and industrial energy
21 consumers.

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

30 4. The joint committee shall prepare a final report, together
31 with its recommendations for any legislative action deemed
32 necessary, for submission to the general assembly by December 31,
33 2009, at which time the joint committee shall be dissolved.

34 5. Members of the committee shall receive no compensation
35 but may be reimbursed for reasonable and necessary expenses
36 associated with the performance of their official duties.]

[21.835. Consistent with its comprehensive review of the
2 Missouri criminal code, the joint committee on the Missouri
3 criminal code, as established by senate concurrent resolution no. 28
4 as adopted by the ninety-sixth general assembly, second regular
5 session, shall evaluate removal of offenses from the sexual offender
6 registry which do not jeopardize public safety or do not contribute
7 to the public's assessment of risk associated with offenders.]

[21.850. 1. There is hereby established a joint committee
2 of the general assembly, which shall be known as the "Joint
3 Committee on Solid Waste Management District Operations", which
4 shall be composed of five members of the senate, with no more than
5 three members of one party, and five members of the house of
6 representatives, with no more than three members of one
7 party. The senate members of the committee shall be appointed by
8 the president pro tempore of the senate and the house members by
9 the speaker of the house of representatives. The committee shall
10 select either a chairperson or co-chairpersons, one of whom shall be
11 a member of the senate and one a member of the house of

12 representatives. A majority of the members shall constitute a
13 quorum. Meetings of the committee may be called at such time and
14 place as the chairperson or chairpersons designate.

15 2. The committee shall examine solid waste management
16 district operations, including but not limited to the efficiency,
17 efficacy, and reasonableness of costs and expenses of such districts
18 to Missouri taxpayers.

19 3. The joint committee may hold hearings as it deems
20 advisable and may obtain any input or information necessary to
21 fulfill its obligations. The committee may make reasonable
22 requests for staff assistance from the research and appropriations
23 staffs of the house and senate and the committee on legislative
24 research, as well as the department of natural resources and
25 representatives of solid waste management districts.

26 4. The joint committee shall prepare a final report, together
27 with its recommendations for any legislative action deemed
28 necessary, for submission to the general assembly by December 31,
29 2013, at which time the joint committee shall be dissolved.

30 5. Members of the committee shall receive no compensation
31 but may be reimbursed for reasonable and necessary expenses
32 associated with the performance of their official duties.]

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

5 (1) Three majority party members and two minority party
6 members of the senate, to be appointed by the president pro tem of
7 the senate;

8 (2) Three majority party members and two minority party
9 members of the house of representatives, to be appointed by the
10 speaker of the house of representatives;

11 (3) The commissioner of the office of administration, or his
12 or her designee;

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

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

16 2. The committee shall study programs within every
17 department that should be eliminated, reduced, or combined with
18 another program or programs. As used in this section, the term
19 "program" shall have the same meaning as in section 23.253.

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

24 4. The members of the committee shall elect a chairperson
25 and vice chairperson.

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

31 6. The provisions of this section shall expire on January 1,
32 2011.]

[21.920. 1. There is established a joint committee of the
2 general assembly to be known as the "Joint Committee on
3 Missouri's Promise" to be composed of five members of the senate
4 and five members of the house of representatives. The senate
5 members of the joint committee shall be appointed by the president
6 pro tem of the senate and the house members shall be appointed by
7 the speaker of the house of representatives. The appointment of
8 each member shall continue during the member's term of office as
9 a member of the general assembly or until a successor has been
10 appointed to fill the member's place when his or her term of office
11 as a member of the general assembly has expired. No party shall
12 be represented by more than three members from the house of
13 representatives nor more than three members from the senate. A
14 majority of the committee shall constitute a quorum, but the
15 concurrence of a majority of the members shall be required for the
16 determination of any matter within the committee's duties.

17 2. The committee shall be charged with the following:

18 (1) Examining issues that will be impacting the future of
19 the state of Missouri and its citizens;

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

2 [30.953. 1. There is hereby created and established as an
instrumentality of the state of Missouri, the "Missouri Investment

3 Trust" which shall constitute a body corporate and politic, and
4 shall be managed by a board of trustees as described herein. The
5 purpose of the Missouri investment trust shall be:

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

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

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

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

36 (2) Thereafter, an appropriation by the general assembly
37 authorizing disbursement of the designated funds from the state
38 treasury to the Missouri investment trust; and

39 (3) The Missouri investment trust executes a valid, binding
40 trust agreement, sufficient in form and substance to bind the
41 investment trust to hold, maintain, and invest the designated
42 funds, in trust, for the exclusive benefit of the state of Missouri, for
43 the prescribed period, whereupon the investment trust shall
44 reconvey the designated funds and any earnings thereon to the
45 state treasury.

46 3. The investment trust may hold and invest funds so
47 designated in order to satisfy the specific long-term investment
48 goals of such funds, but the investment trust shall not be utilized
49 to invest idle general revenue funds of the state treasury. No more
50 than one hundred million dollars, in aggregate, may be conveyed
51 to the investment trust pursuant to sections 30.953 to
52 30.971. Total assets under management by the investment trust
53 may exceed one hundred million dollars, but no new funds may be
54 conveyed to the investment trust until such time as previous
55 existing transfers to the investment trust total less than one
56 hundred million dollars.

57 4. The board of trustees of the investment trust shall
58 consist of the state treasurer, who shall serve as chairman, the
59 commissioner of administration, one member appointed by the
60 speaker of the house of representatives, one member appointed by
61 the president pro tem of the senate and three members to be
62 selected by the governor, with the advice and consent of the
63 senate. The persons to be selected by the governor shall be
64 individuals knowledgeable in the areas of banking, finance or the
65 investment and management of public funds. Not more than two
66 of the members appointed by the governor shall be from the same
67 political party. The initial members of the board of trustees
68 appointed by the governor shall serve the following terms: one
69 shall serve two years, one shall serve three years, and one shall
70 serve four years, respectively. Thereafter, each appointment shall
71 be for a term of four years. If for any reason a vacancy occurs, the
72 governor, with the advice and consent of the senate, shall appoint
73 a new member to fill the unexpired term. Members are eligible for
74 reappointment.

75 5. Five members of the board of trustees of the investment
76 trust shall constitute a quorum. No vacancy in the membership of
77 the board of trustees shall impair the right of a quorum to exercise
78 all the rights and perform all the duties of the board of trustees of
79 the investment trust. No action shall be taken by the board of
80 trustees of the investment trust except upon the affirmative vote
81 of at least four of the members of the board where a quorum is
82 present.

83 6. The board of trustees shall meet within the state of
84 Missouri at the time set at a previously scheduled meeting or by
85 the request of any four members of the board. Notice of the
86 meeting shall be delivered to all other trustees in person or by
87 depositing notice in a United States post office in a properly
88 stamped and addressed envelope not less than six days prior to the
89 date fixed for the meeting. The board may meet at any time by
90 unanimous mutual consent. There shall be at least one meeting in
91 each quarter.

92 7. In the event any trustee other than the state treasurer
93 or the commissioner of administration fails to attend three
94 consecutive meetings of the board, unless in each case excused for
95 cause by the remaining trustees attending such meetings, such
96 trustee shall be considered to have resigned from the board and the
97 chairman shall declare such trustee's office vacated, and the
98 vacancy shall be filled in the same manner as originally filled.

99 8. Each member of the board of trustees appointed by the
100 governor, unless prohibited by law, is entitled to compensation of
101 fifty dollars per diem plus such member's reasonable and necessary
102 expenses actually incurred in discharging such member's duties
103 pursuant to sections 30.953 to 30.971.]

 [30.954. As authorized pursuant to subsection 2 of section
2 30.953, it is the intention and desire of the general assembly that
3 the state treasurer convey to the Missouri investment trust on
4 January 1, 2000, up to one hundred percent of the balances of the
5 Wolfner library trust fund established in section 181.150, the
6 Missouri arts council trust fund established in section 185.100, the
7 Missouri humanities council trust fund established in section

8 186.055, and the Pansy Johnson-Travis memorial state gardens
9 trust fund established in section 253.380. On January 2, 2010, the
10 Wolfner library trust fund, the Missouri arts council trust fund, the
11 Missouri humanities council trust fund and the Pansy
12 Johnson-Travis memorial state gardens trust fund shall be
13 reconveyed to the state treasurer by the investment trust.]

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

5 (1) To purchase, acquire, hold, invest, lend, lease, sell,
6 assign, transfer and dispose of all funds, property, rights and
7 securities, and enter into written contracts, releases, compromises
8 and other instruments necessary or convenient for the exercise of
9 its powers, or to carry out the purposes of a trust agreement or
10 sections 30.953 to 30.971;

11 (2) To make, and from time to time, amend and repeal
12 bylaws, rules and regulations not inconsistent with the provisions
13 of sections 30.953 to 30.971 for the regulation of its affairs and the
14 conduct of its business;

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

18 (4) To invest any funds or property not required for
19 immediate disbursement in accordance with sections 30.953 to
20 30.971, and consistent with the principles set forth in sections
21 105.687 to 105.690, except that nothing herein shall be deemed to
22 authorize investment in venture capital firms or small business
23 investment companies, as defined in those statutory sections;

24 (5) To sue and be sued;

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

26 (7) To enter into agreements or other transactions with any
27 federal or state agency, person, or domestic or foreign partnership,
28 corporation, association or organization;

29 (8) To procure insurance against any loss in connection with
30 the property it holds in trust in such amounts and from such

31 insurers as may be necessary or desirable;

32 (9) To hire or retain such agents or employees as necessary
33 to carry out and effectuate its purpose and the requirements of
34 sections 30.953 to 30.971.]

[30.959. 1. The principal office of the investment trust
2 shall be in Jefferson City. The investment trust shall have a seal
3 bearing the inscription "Missouri Investment Trust", which shall
4 be in the custody of the state treasurer. The courts of this state
5 shall take judicial notice of the seal and all copies of records, books,
6 and written instruments which are kept in the office of the
7 investment trust and are certified by the state treasurer under the
8 seal shall be proved or admitted in any court or proceeding as
9 provided by section 109.130.

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

13 3. The board of trustees shall annually prepare and have
14 available as public information a comprehensive annual financial
15 report showing the financial status of the investment trust as of
16 the end of the trust's fiscal year. The report shall contain, but not
17 be limited to, detailed financial statements prepared in accordance
18 with generally accepted accounting principles for trust funds, a
19 detailed listing of the investments, showing both cost and market
20 value, held by the investment trust as of the date of the report
21 together with a detailed statement of the annual rates of
22 investment return from all assets and from each type of
23 investment, a detailed list of investments acquired and disposed of
24 during the fiscal year, a listing of the investment trust's board of
25 trustees and responsible administrative staff, a detailed list of
26 administrative expenses of the investment trust including all fees
27 paid for professional services, a detailed list of brokerage
28 commissions paid, and such other data as the board shall deem
29 necessary or desirable for a proper understanding of the condition
30 of the investment trust. In the event the investment trust is
31 unable to comply with any of the disclosure requirements outlined
32 above, a detailed statement shall be included in the report as to the

33 reason for such noncompliance. A copy of the comprehensive
34 annual financial report as outlined above shall be forwarded within
35 six months of the end of the investment trust's fiscal year to the
36 governor of Missouri.

37 4. The state auditor shall conduct an annual audit of the
38 records and accounts of the investment trust and shall report the
39 findings to the board of trustees and the governor.]

2 [30.962. 1. No trustee or employee of the investment trust
3 shall receive any gain or profit from any funds or transaction of the
4 investment trust.

5 2. Any trustee, employee or agent of the investment trust
6 accepting any gratuity or compensation for the purpose of
7 influencing such trustee's, employee's or agent's action with respect
8 to the investment or management of the funds of the investment
9 trust shall thereby forfeit the office and in addition thereto be
subject to the penalties prescribed for bribery.]

2 [30.965. 1. The investment trust shall set up and maintain
3 the system of accounts necessary to monitor, preserve and
4 ultimately reconvey the funds conveyed to it pursuant to sections
5 30.953 to 30.971. All funds, property, income and earnings
6 received by the investment trust from any and all sources shall be
7 promptly credited to the appropriate account.

8 2. Unless and until invested in compliance with sections
9 30.953 to 30.971, all moneys received by the investment trust shall
10 be promptly deposited to the credit of the investment trust in one
11 or more banks or financial institutions in this state. No such
12 money shall be deposited in or be retained by any bank or financial
13 institution which does not continually have on deposit with and
14 pledged for the benefit of the investment trust the kind and value
15 of collateral required by section 30.270, for depositaries of the state
16 treasurer.

17 3. The board of trustees shall invest all funds under its
18 control which are in excess of a safe operating balance and not
19 subject to imminent conveyance to the state treasury. The funds
20 shall be invested only in those investments which a prudent person
acting in a like capacity and familiar with these matters would use

21 in the conduct of an enterprise of a like character and with like
22 aims, as provided in section 105.688. The board of trustees may
23 delegate to duly appointed investment counselors authority to act
24 in place of the board in the investment and reinvestment of all or
25 part of the moneys of the trust, and may also delegate to such
26 counselors the authority to act in place of the board in the holding,
27 purchasing, selling, assigning, transferring or disposing of any or
28 all of the securities and investments in which such moneys shall
29 have been invested, as well as the proceeds of such investments
30 and such moneys. Such investment counselors shall be registered
31 as investment advisors with the United States Securities and
32 Exchange Commission. In exercising or delegating its investment
33 powers and authority, members of the board of trustees shall
34 exercise ordinary business care and prudence under the facts and
35 circumstances prevailing at the time of the action or decision. No
36 member of the board of trustees shall be liable for any action taken
37 or omitted with respect to the exercise of, or delegation of, these
38 powers and authority if such member shall have discharged the
39 duties of his or her position in good faith and with that degree of
40 diligence, care and skill which a prudent person acting in a like
41 capacity and familiar with these matters would use in the conduct
42 of an enterprise of a like character and with like aims.

43 4. No investment transaction authorized by the board of
44 trustees shall be handled by any company or firm in which a
45 member of the board has a substantial interest, nor shall any
46 member of the board profit directly or indirectly from any such
47 investment. All investments shall be made for the account of the
48 investment trust, and any securities or other properties obtained
49 by the board of trustees may be held by a custodian in the name of
50 the investment trust, or in the name of a nominee in order to
51 facilitate the expeditious transfer of such securities or other
52 property. Such securities or other properties which are not
53 available in registered form may be held in bearer form or in book
54 entry form. The investment trust is further authorized to deposit,
55 or have deposited for its account, eligible securities in a central
56 depository system or clearing corporation or in a federal reserve

57 bank under a book entry system as defined in the Uniform
58 Commercial Code, chapter 400. When such eligible securities of
59 the investment trust are so deposited with a central depository
60 system they may be merged and held in the name of the nominee
61 of such securities depository and title to such securities may be
62 transferred by bookkeeping entry on the books of such securities
63 depository or federal reserve bank without physical delivery of the
64 certificates or documents representing such securities.

65 5. With appropriate safeguards against loss by the
66 investment trust in any contingency, the board of trustees may
67 designate a bank or trust company to serve as a depository of trust
68 funds and intermediary in the investment of those funds and
69 payment of trust obligations.

70 6. The board of trustees may employ a financial institution
71 having fiduciary powers for the provision of such custodial or
72 clerical services as the board may deem appropriate.

73 7. Consistent with the exercise of its fiduciary
74 responsibilities, the board of trustees may provide for the payment
75 of any costs or expenses for the employees, agents, services or
76 transactions necessary for the execution of sections 30.953 to
77 30.971 in the form, manner and amount that the board deems
78 appropriate.

79 8. The board of trustees shall take the necessary steps,
80 consistent with the exercise of its fiduciary responsibilities, to
81 ensure that the investment trust has sufficient available assets to
82 satisfy any obligation to reconvey property held in trust at the end
83 of the term established in a trust agreement.

84 9. Any funds or property in the charge and custody of the
85 board of trustees of the investment trust pursuant to the provisions
86 of sections 30.953 to 30.971 shall not be subject to execution,
87 garnishment, attachment or any other process whatsoever and
88 shall be unassignable, unless otherwise specifically provided in
89 sections 30.953 to 30.971.]

2 [30.968. Upon completion of the fixed period identified in
3 a trust agreement with the state of Missouri, the investment trust
shall promptly transfer to the state treasury the current corpus of

4 the property originally conveyed in trust, along with any interest,
5 income or other earnings thereon.]

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

[33.850. 1. The committee on legislative research shall
2 organize a subcommittee, which shall be known as the "Joint
3 Subcommittee on Recovery Accountability and Transparency", to
4 coordinate and conduct oversight of covered funds to prevent fraud,
5 waste, and abuse.

6 2. The subcommittee shall consist of the following eight
7 members:

8 (1) One-half of the members appointed by the chairperson
9 from the house which he or she represents, two of whom shall be
10 from the majority party and two of whom shall be from the
11 minority party; and

12 (2) One-half of the members appointed by the vice
13 chairperson from the house which he or she represents, two of
14 whom shall be from the majority party and two of whom shall be
15 from the minority party.

16 3. The appointment of the senate and house members shall
17 continue during the member's term of office as a member of the
18 general assembly or until a successor has been appointed to fill the
19 member's place when his or her term of office as a member of the
20 general assembly has expired.

21 4. The subcommittee shall coordinate and conduct oversight
22 of covered funds in order to prevent fraud, waste, and abuse,
23 including:

24 (1) Reviewing whether the reporting of contracts and grants
25 using covered funds meets applicable standards and specifies the
26 purpose of the contract or grant and measures of performance;

27 (2) Reviewing whether competition requirements applicable
28 to contracts and grants using covered funds have been satisfied;

29 (3) Reviewing covered funds to determine whether wasteful
30 spending, poor contract or grant management, or other abuses are
31 occurring and referring matters it considers appropriate for
32 investigation to the attorney general or the agency that disbursed
33 the covered funds;

34 (4) Receiving regular reports from the commissioner of the
35 office of administration, or his or her designee, concerning covered
36 funds; and

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

38 5. The subcommittee shall submit annual reports to the
39 governor and general assembly, including the senate appropriations
40 committee and house budget committee, that summarize the
41 findings of the subcommittee with regard to its duties in subsection
42 4 of this section. All reports submitted under this subsection shall
43 be made publicly available and posted on the governor's website,
44 the general assembly website, and each state agency website. Any
45 portion of a report submitted under this subsection may be
46 redacted when made publicly available, if that portion would
47 disclose information that is not subject to disclosure under chapter
48 610, or any other provision of state law.

49 6. (1) The subcommittee shall make recommendations to
50 agencies on measures to prevent fraud, waste, and abuse relating
51 to covered funds.

52 (2) Not later than thirty days after receipt of a
53 recommendation under subdivision (1) of this subsection, an agency
54 shall submit a report to the governor and general assembly,
55 including the senate appropriations committee and house budget
56 committee, and the subcommittee that states:

57 (a) Whether the agency agrees or disagrees with the
58 recommendations; and

59 (b) Any actions the agency will take to implement the
60 recommendations.

61 7. The subcommittee may:

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

64 (2) Receive regular testimony from the state auditor

65 relating to audits of covered funds.

66 8. (1) Not later than thirty days after the date on which all
67 initial members of the subcommittee have been appointed, the
68 subcommittee shall hold its first meeting. Thereafter, the
69 subcommittee shall meet at the call of the chairperson of the
70 subcommittee.

71 (2) A majority of the members of the subcommittee shall
72 constitute a quorum, but a lesser number of members may hold
73 hearings.

74 9. The subcommittee may hold such hearings, sit and act at
75 such times and places, take such testimony, and receive such
76 evidence as the subcommittee considers advisable to carry out the
77 provisions of this section. Each agency of this state shall cooperate
78 with any request of the subcommittee to provide such information
79 as the subcommittee deems necessary to carry out the provisions
80 of this section. Upon request of the subcommittee, the head of each
81 agency shall furnish such information to the subcommittee. The
82 head of each agency shall make all officers and employees of that
83 agency available to provide testimony to the subcommittee and
84 committee personnel.

85 10. Subject to appropriations, the subcommittee may enter
86 into contracts with public agencies and with private persons to
87 enable the subcommittee to discharge its duties under the
88 provisions of this section, including contracts and other
89 arrangements for studies, analyses, and other services.

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

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

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

2 [37.250. 1. The general assembly declares it is the public
3 policy of this state to determine the most cost-effective systems to
provide ubiquitous coverage of the state transparent

4 communications between all members of all using agencies, and the
5 necessary E911 capability to provide assured emergency response,
6 and to reduce the response time for emergency or disastrous
7 situations.

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

10 (1) The commissioner of administration or a designee;

11 (2) The director of the department of public safety or a
12 designee;

13 (3) The director of the department of conservation or a
14 designee; and

15 (4) The chief engineer of the department of transportation
16 or a designee.

17 3. The committee shall examine existing programs and
18 proposals for development or expansion to identify duplication in
19 resource allocation of wireless communication systems. The
20 committee shall submit a report to the general assembly by August
21 30, 1998, in which it identifies opportunities for cost savings,
22 increased efficiency and improved services for Missouri's
23 citizens. The committee shall review the state's purchasing law
24 and may recommend such changes to chapter 34 as it deems
25 appropriate to maintain and enhance the state's wireless
26 communication system. The committee may make such other
27 recommendations as it deems appropriate and shall identify the
28 costs associated with each such recommendation.]

2 [105.955. 1. A bipartisan "Missouri Ethics Commission",
3 composed of six members, is hereby established. The commission
4 shall be assigned to the office of administration with supervision
5 by the office of administration only for budgeting and reporting as
6 provided by subdivisions (4) and (5) of subsection 6 of section 1 of
7 the Reorganization Act of 1974. Supervision by the office of
8 administration shall not extend to matters relating to policies,
9 regulative functions or appeals from decisions of the commission,
10 and the commissioner of administration, any employee of the office
11 of administration, or the governor, either directly or indirectly,
shall not participate or interfere with the activities of the

12 commission in any manner not specifically provided by law and
13 shall not in any manner interfere with the budget request of or
14 withhold any moneys appropriated to the commission by the
15 general assembly. All members of the commission shall be
16 appointed by the governor with the advice and consent of the
17 senate from lists submitted pursuant to this section. Each
18 congressional district committee of the political parties having the
19 two highest number of votes cast for their candidate for governor
20 at the last gubernatorial election shall submit two names of eligible
21 nominees for membership on the commission to the governor, and
22 the governor shall select six members from such nominees to serve
23 on the commission.

24 2. Within thirty days of submission of the person's name to
25 the governor as provided in subsection 1 of this section, and in
26 order to be an eligible nominee for appointment to the commission,
27 a person shall file a financial interest statement in the manner
28 provided by section 105.485 and shall provide the governor, the
29 president pro tempore of the senate, and the commission with a list
30 of all political contributions and the name of the candidate or
31 committee, political party, or political action committee, as defined
32 in chapter 130, to which those contributions were made within the
33 four-year period prior to such appointment, made by the nominee,
34 the nominee's spouse, or any business entity in which the nominee
35 has a substantial interest. The information shall be maintained by
36 the commission and available for public inspection during the
37 period of time during which the appointee is a member of the
38 commission. In order to be an eligible nominee for membership on
39 the commission, a person shall be a citizen and a resident of the
40 state and shall have been a registered voter in the state for a
41 period of at least five years preceding the person's appointment.

42 3. The term of each member shall be for four years, except
43 that of the members first appointed, the governor shall select three
44 members from even-numbered congressional districts and three
45 members from odd-numbered districts. Not more than three
46 members of the commission shall be members of the same political
47 party, nor shall more than one member be from any one United

48 States congressional district. Not more than two members
49 appointed from the even-numbered congressional districts shall be
50 members of the same political party, and no more than two
51 members from the odd-numbered congressional districts shall be
52 members of the same political party. Of the members first
53 appointed, the terms of the members appointed from the
54 odd-numbered congressional districts shall expire on March 15,
55 1994, and the terms of the members appointed from the
56 even-numbered congressional districts shall expire on March 15,
57 1996. Thereafter all successor members of the commission shall be
58 appointed for four-year terms. Terms of successor members of the
59 commission shall expire on March fifteenth of the fourth year of
60 their term. No member of the commission shall serve on the
61 commission after the expiration of the member's term. No person
62 shall be appointed to more than one full four-year term on the
63 commission.

64 4. Vacancies or expired terms on the commission shall be
65 filled in the same manner as the original appointment was made,
66 except as provided in this subsection. Within thirty days of the
67 vacancy or ninety days before the expiration of the term, the names
68 of two eligible nominees for membership on the commission shall
69 be submitted to the governor by the congressional district
70 committees of the political party or parties of the vacating member
71 or members, from the even- or odd-numbered congressional
72 districts, based on the residence of the vacating member or
73 members, other than from the congressional district committees
74 from districts then represented on the commission and from the
75 same congressional district party committee or committees which
76 originally appointed the member or members whose positions are
77 vacated. Appointments to fill vacancies or expired terms shall be
78 made within forty-five days after the deadline for submission of
79 names by the congressional district committees, and shall be
80 subject to the same qualifications for appointment and eligibility
81 as is provided in subsections 2 and 3 of this section. Appointments
82 to fill vacancies for unexpired terms shall be for the remainder of
83 the unexpired term of the member whom the appointee succeeds,

84 and such appointees shall be eligible for appointment to one full
85 four-year term. If the congressional district committee does not
86 submit the required two nominees within the thirty days or if the
87 congressional district committee does not submit the two nominees
88 within an additional thirty days after receiving notice from the
89 governor to submit the nominees, then the governor may appoint
90 a person or persons who shall be subject to the same qualifications
91 for appointment and eligibility as provided in subsections 2 and 3
92 of this section.

93 5. The governor, with the advice and consent of the senate,
94 may remove any member only for substantial neglect of duty,
95 inability to discharge the powers and duties of office, gross
96 misconduct or conviction of a felony or a crime involving moral
97 turpitude. Members of the commission also may be removed from
98 office by concurrent resolution of the general assembly signed by
99 the governor. If such resolution receives the vote of two-thirds or
100 more of the membership of both houses of the general assembly,
101 the signature of the governor shall not be necessary to effect
102 removal. The office of any member of the commission who moves
103 from the congressional district from which the member was
104 appointed shall be deemed vacated upon such change of residence.

105 6. The commission shall elect biennially one of its members
106 as the chairman. The chairman may not succeed himself or herself
107 after two years. No member of the commission shall succeed as
108 chairman any member of the same political party as himself or
109 herself. At least four members are necessary to constitute a
110 quorum, and at least four affirmative votes shall be required for
111 any action or recommendation of the commission.

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

115 8. In the event that a retired judge is appointed as a
116 member of the commission, the judge shall not serve as a special
117 investigator while serving as a member of the commission.

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

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

122 (2) Be employed as a lobbyist;

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

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

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

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

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

140 11. The commission shall appoint an executive director who
141 shall serve subject to the supervision of and at the pleasure of the
142 commission, but in no event for more than six years. The executive
143 director shall be responsible for the administrative operations of
144 the commission and perform such other duties as may be delegated
145 or assigned to the director by law or by rule of the
146 commission. The executive director shall employ staff and retain
147 such contract services as the director deems necessary, within the
148 limits authorized by appropriations by the general assembly.

149 12. Beginning on January 1, 1993, all lobbyist registration
150 and expenditure reports filed pursuant to section 105.473, financial
151 interest statements filed pursuant to subdivision (1) of section
152 105.489, and campaign finance disclosure reports filed other than
153 with election authorities or local election authorities as provided by
154 section 130.026 shall be filed with the commission.

155 13. Within sixty days of the initial meeting of the first

156 commission appointed, the commission shall obtain from the clerk
157 of the supreme court or the state courts administrator a list of
158 retired appellate and circuit court judges who did not leave the
159 judiciary as a result of being defeated in an election. The executive
160 director shall determine those judges who indicate their desire to
161 serve as special investigators and to investigate any and all
162 complaints referred to them by the commission. The executive
163 director shall maintain an updated list of those judges qualified
164 and available for appointment to serve as special
165 investigators. Such list shall be updated at least annually. The
166 commission shall refer complaints to such special investigators on
167 that list on a rotating schedule which ensures a random
168 assignment of each special investigator. Each special investigator
169 shall receive only one unrelated investigation at a time and shall
170 not be assigned to a second or subsequent investigation until all
171 other eligible investigators on the list have been assigned to an
172 investigation. In the event that no special investigator is qualified
173 or available to conduct a particular investigation, the commission
174 may appoint a special investigator to conduct such particular
175 investigation.

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

180 (1) Receive and review complaints regarding alleged
181 violation of sections 105.450 to 105.496 and chapter 130, conduct
182 initial reviews and investigations regarding such complaints as
183 provided herein; refer complaints to appropriate prosecuting
184 authorities and appropriate disciplinary authorities along with
185 recommendations for sanctions; and initiate judicial proceedings as
186 allowed by sections 105.955 to 105.963;

187 (2) Review and investigate any reports and statements
188 required by the campaign finance disclosure laws contained in
189 chapter 130, and financial interest disclosure laws or lobbyist
190 registration and reporting laws as provided by sections 105.470 to
191 105.492, for timeliness, accuracy and completeness of content as

192 provided in sections 105.955 to 105.963;

193 (3) Conduct investigations as provided in subsection 2 of
194 section 105.959;

195 (4) Develop appropriate systems to file and maintain an
196 index of all such reports and statements to facilitate public access
197 to such information, except as may be limited by confidentiality
198 requirements otherwise provided by law, including cross-checking
199 of information contained in such statements and reports. The
200 commission may enter into contracts with the appropriate filing
201 officers to effectuate such system. Such filing officers shall
202 cooperate as necessary with the commission as reasonable and
203 necessary to effectuate such purposes;

204 (5) Provide information and assistance to lobbyists, elected
205 and appointed officials, and employees of the state and political
206 subdivisions in carrying out the provisions of sections 105.450 to
207 105.496 and chapter 130;

208 (6) Make recommendations to the governor and general
209 assembly or any state agency on the need for further legislation
210 with respect to the ethical conduct of public officials and employees
211 and to advise state and local government in the development of
212 local government codes of ethics and methods of disclosing conflicts
213 of interest as the commission may deem appropriate to promote
214 high ethical standards among all elected and appointed officials or
215 employees of the state or any political subdivision thereof and
216 lobbyists;

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

218 (8) Promulgate rules relating to the provisions of sections
219 105.955 to 105.963 and chapter 130. All rules and regulations
220 issued by the commission shall be prospective only in operation;

221 (9) Request and receive from the officials and entities
222 identified in subdivision (6) of section 105.450 designations of
223 decision-making public servants.

224 15. In connection with such powers provided by sections
225 105.955 to 105.963 and chapter 130, the commission may:

226 (1) Subpoena witnesses and compel their attendance and
227 testimony. Subpoenas shall be served and enforced in the same

228 manner provided by section 536.077;

229 (2) Administer oaths and affirmations;

230 (3) Take evidence and require by subpoena duces tecum the
231 production of books, papers, and other records relating to any
232 matter being investigated or to the performance of the commission's
233 duties or exercise of its powers. Subpoenas duces tecum shall be
234 served and enforced in the same manner provided by section
235 536.077;

236 (4) Employ such personnel, including legal counsel, and
237 contract for services including legal counsel, within the limits of its
238 appropriation, as it deems necessary provided such legal counsel,
239 either employed or contracted, represents the Missouri ethics
240 commission before any state agency or before the courts at the
241 request of the Missouri ethics commission. Nothing in this section
242 shall limit the authority of the Missouri ethics commission as
243 provided for in subsection 2 of section 105.961; and

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

249 16. (1) Upon written request for an advisory opinion
250 received by the commission, and if the commission determines that
251 the person requesting the opinion would be directly affected by the
252 application of law to the facts presented by the requesting person,
253 the commission shall issue a written opinion advising the person
254 who made the request, in response to the person's particular
255 request, regarding any issue that the commission can receive a
256 complaint on pursuant to section 105.957. The commission may
257 decline to issue a written opinion by a vote of four members and
258 shall provide to the requesting person the reason for the refusal in
259 writing. The commission shall give an approximate time frame as
260 to when the written opinion shall be issued. Such advisory
261 opinions shall be issued no later than ninety days from the date of
262 receipt by the commission. Such requests and advisory opinions,
263 deleting the name and identity of the requesting person, shall be

264 compiled and published by the commission on at least an annual
265 basis. Advisory opinions issued by the commission shall be
266 maintained and made available for public inspection and copying
267 at the office of the commission during normal business hours. Any
268 advisory opinion or portion of an advisory opinion rendered
269 pursuant to this subsection shall be withdrawn by the commission
270 if, after hearing thereon, the joint committee on administrative
271 rules finds that such advisory opinion is beyond or contrary to the
272 statutory authority of the commission or is inconsistent with the
273 legislative intent of any law enacted by the general assembly, and
274 after the general assembly, by concurrent resolution, votes to adopt
275 the findings and conclusions of the joint committee on
276 administrative rules. Any such concurrent resolution adopted by
277 the general assembly shall be published at length by the
278 commission in its publication of advisory opinions of the
279 commission next following the adoption of such resolution, and a
280 copy of such concurrent resolution shall be maintained by the
281 commission, along with the withdrawn advisory opinion, in its
282 public file of advisory opinions. The commission shall also send a
283 copy of such resolution to the person who originally requested the
284 withdrawn advisory opinion. Any advisory opinion issued by the
285 ethics commission shall act as legal direction to any person
286 requesting such opinion and no person shall be liable for relying on
287 the opinion and it shall act as a defense of justification against
288 prosecution. An advisory opinion of the commission shall not be
289 withdrawn unless:

- 290 (a) The authorizing statute is declared unconstitutional;
291 (b) The opinion goes beyond the power authorized by
292 statute; or
293 (c) The authorizing statute is changed to invalidate the
294 opinion.
- 295 (2) Upon request, the attorney general shall give the
296 attorney general's opinion, without fee, to the commission, any
297 elected official of the state or any political subdivision, any member
298 of the general assembly, or any director of any department, division
299 or agency of the state, upon any question of law regarding the

300 effect or application of sections 105.450 to 105.496 or chapter
301 130. Such opinion need be in writing only upon request of such
302 official, member or director, and in any event shall be rendered
303 within sixty days after such request is delivered to the attorney
304 general.

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

319 18. From time to time but no more frequently than annually
320 the commission may request the officials and entities described in
321 subdivision (6) of section 105.450 to identify for the commission in
322 writing those persons associated with such office or entity which
323 such office or entity has designated as a decision-making public
324 servant. Each office or entity delineated in subdivision (6) of
325 section 105.450 receiving such a request shall identify those so
326 designated within thirty days of the commission's request.]

2 [167.195. 1. Beginning July 1, 2008, and continuing
3 through the 2010-11 school year unless extended by act of the
4 general assembly, all public school districts shall conduct an eye
5 screening for each student once before the completion of first grade
6 and again before the completion of third grade. The eye screening
7 method utilized shall be one approved by the children's vision
8 commission and shall be performed by an appropriately trained
9 school nurse or other trained and qualified employee of the school
district.

10 2. Results of each eye screening shall be recorded on a form
11 provided by the department of health and senior services,
12 developed and approved by the children's vision commission
13 established under this section.

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

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

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

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

40 (1) The commission shall be composed of seven members
41 appointed by the governor: two ophthalmologists to be determined
42 from a list of recommended ophthalmologists by the Missouri
43 Society of Eye Physicians and Surgeons; two optometrists to be
44 determined from a list of recommended optometrists by the
45 Missouri Optometric Association; one school nurse; one

46 representative from the department of elementary and secondary
47 education; and one representative from the Missouri state school
48 boards association. Each ophthalmologist and optometrist shall
49 serve a one-year term as chair of the commission. Members of the
50 commission shall serve without compensation, but may be
51 reimbursed for reasonable and necessary expenses associated with
52 carrying out their duties.

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

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

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

63 (c) Design and coordinate appropriate training programs for
64 school district staff who conduct the screening exams. Such
65 training programs may utilize the volunteer services of nonprofit
66 professional organizations which, in the opinion of the commission,
67 are qualified to carry out those responsibilities associated with
68 providing the training required;

69 (d) Conduct a pilot project to track the results of the eye
70 screenings versus eye examinations conducted based on the reports
71 submitted by school districts to the department of health and
72 senior services;

73 (e) Develop, in conjunction with the Missouri Optometric
74 Association (MOA) and the Missouri Society of Eye Physicians and
75 Surgeons (MOSEPS), guidelines outlining the benefits and ongoing
76 eye care for children and summarizing the signs and symptoms of
77 vision disorders in order for the guidelines to be made available on
78 the MOA and MOSEPS website. The commission shall also consult
79 with MOA and MOSEPS in the organizations' education and
80 promotion of the guidelines;

81 (f) By December 31, 2011, the commission shall submit a

82 report to the general assembly detailing the results and findings of
83 the study, including but not limited to the total number of eye
84 screenings and eye examinations, the number of students who
85 received a follow-up examination from an optometrist,
86 ophthalmologist, physician, or doctor of osteopathy and the results
87 of those examinations to determine the effectiveness of eye
88 examinations versus eye screenings.

89 4. The department of health and senior services shall make
90 a reasonable accommodation for public review and inspection of the
91 data collected as part of the eye screening pilot project provided
92 that no information is revealed that could identify any individual
93 student who was screened or examined.

94 5. In the event that a parent or legal guardian of a child
95 objects to the child's participation in the eye screening program,
96 the child shall be excused upon receipt by the appropriate school
97 administrator of a written request.

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

2 [191.115. 1. There is hereby established in the department
3 of health and senior services an "Alzheimer's State Plan Task
4 Force". The task force shall consist of nineteen members, as
5 follows:

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

8 (2) The directors of the departments of health and senior
9 services, social services, and mental health or their designees;

10 (3) One member of the house of representatives appointed
11 by the speaker of the house;

12 (4) One member of the senate appointed by the president
13 pro tem of the senate;

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

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

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

- 19 (8) One member from the office of the state ombudsman for
20 long-term care facility residents;
- 21 (9) One member representing the home care profession;
- 22 (10) One member representing residential long-term care;
- 23 (11) One member representing the adult day services
24 profession;
- 25 (12) One member representing the insurance profession;
- 26 (13) One member representing the area agencies on aging;
- 27 (14) One member with expertise in minority health;
- 28 (15) One member who is a licensed elder law attorney;
- 29 (16) Two members from the leading voluntary health
30 organization in Alzheimer's care, support, and research.

31 2. The members of the task force, other than the lieutenant
32 governor, members from the general assembly, and department
33 directors, shall be appointed by the governor with the advice and
34 consent of the senate. Members shall serve on the task force
35 without compensation.

36 3. The task force shall:

- 37 (1) Assess the current and future impact of Alzheimer's
38 disease and related dementia on residents of the state of Missouri;
- 39 (2) Examine the existing services and resources addressing
40 the needs of persons with dementia, their families, and caregivers;
41 and
- 42 (3) Develop recommendations to respond to the escalating
43 public health situation regarding Alzheimer's.

44 4. The task force shall include an examination of the
45 following in its assessment and recommendations required to be
46 completed under subsection 3 of this section:

- 47 (1) Trends in state Alzheimer's and related dementia
48 populations and their needs, including but not limited to the state's
49 role in long-term care, family caregiver support, and assistance to
50 persons with early-stage Alzheimer's, early onset of Alzheimer's,
51 and individuals with Alzheimer's disease as a result of Down's
52 Syndrome;
- 53 (2) Existing services, resources, and capacity, including but
54 not limited to:

55 (a) Type, cost, and availability of services for persons with
56 dementia, including home- and community-based resources, respite
57 care to assist families, residential long-term care options, and
58 adequacy and appropriateness of geriatric-psychiatric units for
59 persons with behavior disorders associated with Alzheimer's and
60 related dementia;

61 (b) Dementia-specific training requirements for individuals
62 employed to provide care for persons with dementia;

63 (c) Quality care measure for services delivered across the
64 continuum of care;

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

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

69 (3) Needed state policies or responses, including but not
70 limited to directions for the provision of clear and coordinated
71 services and supports to persons and families living with
72 Alzheimer's and related dementias and strategies to address any
73 identified gaps in services.

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

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

82 7. The task force shall continue to meet at the request of
83 the chair and at a minimum of one time annually for the purpose
84 of evaluating the implementation and impact of the task force
85 recommendations and provide annual supplemental reports on the
86 findings to the governor and the general assembly.

87 8. The provisions of this section shall expire on November
88 1, 2012.]

2 [191.934. 1. There is hereby established a "Newborn
Hearing Screening Advisory Committee".

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

5 (1) Developing rules, regulations and standards for
6 screening, rescreening and diagnostic audiological assessment;

7 (2) Developing forms for reporting screening, rescreening
8 and diagnostic audiological assessment results to the surveillance
9 and monitoring system;

10 (3) Designing a technical assistance program to support
11 facilities implementing the screening program and those conducting
12 rescreening and diagnostic audiological assessment;

13 (4) Developing educational materials to be provided to
14 families; and

15 (5) Evaluating program outcomes to increase effectiveness
16 and efficiency.

17 The committee shall also report information concerning the
18 newborn hearing screening program to the state interagency
19 coordinating council, as requested, to ensure coordination of
20 programs within the state's early intervention system, and to
21 identify and eliminate areas of duplication.

22 3. The committee shall be composed of the following sixteen
23 members, with no less than two such members being deaf or hard
24 of hearing, appointed by the director of the department of health
25 and senior services:

26 (1) Three consumers, including one deaf individual who
27 experienced hearing loss in early childhood, one hard-of-hearing
28 individual who experienced hearing loss in early childhood and one
29 parent of a child with a hearing loss;

30 (2) Two audiologists who have experience in evaluation and
31 intervention of infants and young children;

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

34 (4) One representative of an organization with experience
35 in providing early intervention services for children with hearing
36 loss;

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

38 (6) One representative of a hospital with experience in the

39 care of newborns;

40 (7) One representative of the Missouri commission for the
41 deaf and hard of hearing;

42 (8) One representative from each of the departments of
43 health and senior services, elementary and secondary education,
44 mental health, social services and insurance, financial institutions
45 and professional registration.

46 4. The department of health and senior services member
47 shall chair the first meeting of the committee. At the first meeting,
48 the committee shall elect a chairperson from its membership. The
49 committee shall meet at the call of the chairperson, but not less
50 than four times a year.

51 5. The department of health and senior services shall
52 provide technical and administrative support services as required
53 by the committee. Such services shall include technical support
54 from individuals qualified to administer infant hearing screening,
55 rescreening and diagnostic audiological assessments.

56 6. Members of the committee shall receive no compensation
57 for their services as members but shall be reimbursed for expenses
58 incurred as a result of their duties as members of the committee.

59 7. The committee shall adopt written bylaws to govern its
60 activities.

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

2 [197.291. 1. There is hereby established a "Technical
3 Advisory Committee on the Quality of Patient Care and Nursing
4 Practices" within the department of health and senior
5 services. The committee shall be comprised of nine members
6 appointed by the director of the department of health and senior
7 services, one of whom shall be a representative of the department
8 of health and senior services and one of whom shall be a
9 representative of the general public. In addition, the director shall
10 appoint three members representing licensed registered nurses
11 from a list of recommended appointees provided by the Missouri
12 Nurses Association, one member representing licensed practical
nurses from a list of recommended appointees provided by the

13 Missouri Licensed Practical Nurses Association, two members from
14 a list of recommended appointees provided by the Missouri
15 Hospital Association, and one member representing licensed
16 physicians from a list of recommended appointees provided by the
17 Missouri State Medical Association.

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

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

32 4. Committee members shall not be compensated for their
33 services but shall be reimbursed for their actual and necessary
34 expenses incurred in the performance of their duties.

35 5. The provisions of this section shall expire on December
36 31, 2011.]

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

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

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

8 2. There is hereby created the "Coordinating Council on
9 Special Transportation" within the Missouri department of
10 transportation. The members of the council shall be: two members
11 of the senate appointed by the president pro tem, who shall be from
12 different political parties; two members of the house of

13 representatives appointed by the speaker, who shall be from
14 different political parties; the assistant for transportation of the
15 Missouri department of transportation, or his designee; the
16 assistant commissioner of the department of elementary and
17 secondary education, responsible for special transportation, or his
18 designee; the director of the division of aging of the department of
19 social services, or his designee; the deputy director for
20 developmental disabilities and the deputy director for
21 administration of the department of mental health, or their
22 designees; the executive secretary of the governor's committee on
23 the employment of the persons with a disability; and seven
24 consumer representatives appointed by the governor by and with
25 the advice and consent of the senate, four of the consumer
26 representatives shall represent the elderly and three shall
27 represent persons with a disability. Two of such three members
28 representing persons with a disability shall represent those with
29 physical disabilities. Consumer representatives appointed by the
30 governor shall serve for terms of three years or until a successor is
31 appointed and qualified. Of the members first selected, two shall
32 be selected for a term of three years, two shall be selected for a
33 term of two years, and three shall be selected for a term of one
34 year. In the event of the death or resignation of any member, his
35 successor shall be appointed to serve for the unexpired period of
36 the term for which such member had been appointed.

37 3. State agency personnel shall serve on the council without
38 additional appropriations or compensation. The consumer
39 representatives shall serve without compensation except for
40 receiving reimbursement for the reasonable and necessary expenses
41 incurred in the performance of their duties on the council from
42 funds appropriated to the department of
43 transportation. Legislative members shall be reimbursed by their
44 respective appointing bodies out of the contingency fund for such
45 body for necessary expenses incurred in the performance of their
46 duties.

47 4. Staff for the council shall be provided by the Missouri
48 department of transportation. The department shall designate a

49 special transportation coordinator who shall have had experience
50 in the area of special transportation, as well as such other staff as
51 needed to enable the council to perform its duties.

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

54 6. The coordinating council on special transportation shall:

55 (1) Recommend and periodically review policies for the
56 coordinated planning and delivery of special transportation when
57 appropriate;

58 (2) Identify special transportation needs and recommend
59 agency funding allocations and resources to meet these needs when
60 appropriate;

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

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

65 (5) Review agency funding criteria and make
66 recommendations when appropriate;

67 (6) Review area transportation plans and make
68 recommendations for plan format and content;

69 (7) Establish measurable objectives for the delivery of
70 transportation services;

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

74 (9) Review local disputes and conflicts on special
75 transportation and recommend solutions.]

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

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

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

8 2. There is hereby created the "Coordinating Council on
9 Special Transportation" within the Missouri department of

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

33 3. State agency personnel shall serve on the council without
34 additional appropriations or compensation. The consumer
35 representatives shall serve without compensation except for
36 receiving reimbursement for the reasonable and necessary expenses
37 incurred in the performance of their duties on the council from
38 funds appropriated to the department of transportation.

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

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

- 46 6. The coordinating council on special transportation shall:
- 47 (1) Recommend and periodically review policies for the
- 48 coordinated planning and delivery of special transportation when
- 49 appropriate;
- 50 (2) Identify special transportation needs and recommend
- 51 agency funding allocations and resources to meet these needs when
- 52 appropriate;
- 53 (3) Identify legal and administrative barriers to effective
- 54 service delivery;
- 55 (4) Review agency methods for distributing funds within the
- 56 state and make recommendations when appropriate;
- 57 (5) Review agency funding criteria and make
- 58 recommendations when appropriate;
- 59 (6) Review area transportation plans and make
- 60 recommendations for plan format and content;
- 61 (7) Establish measurable objectives for the delivery of
- 62 transportation services;
- 63 (8) Review annual performance data and make
- 64 recommendations for improved service delivery, operating
- 65 procedures or funding when appropriate;
- 66 (9) Review local disputes and conflicts on special
- 67 transportation and recommend solutions.
- 68 7. The provisions of this section shall expire on December
- 69 31, 2014.]
- [208.955. 1. There is hereby established in the department
- 2 of social services the "MO HealthNet Oversight Committee", which
- 3 shall be appointed by January 1, 2008, and shall consist of
- 4 nineteen members as follows:
- 5 (1) Two members of the house of representatives, one from
- 6 each party, appointed by the speaker of the house of
- 7 representatives and the minority floor leader of the house of
- 8 representatives;
- 9 (2) Two members of the Senate, one from each party,
- 10 appointed by the president pro tem of the senate and the minority
- 11 floor leader of the senate;
- 12 (3) One consumer representative who has no financial

13 interest in the health care industry and who has not been an
14 employee of the state within the last five years;

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

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

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

23 (7) Two nonphysician health care professionals, the first
24 nonphysician health care professional licensed under chapter 335
25 and the second nonphysician health care professional licensed
26 under chapter 337, who care for participants;

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

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

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

35 (11) The directors of the department of social services, the
36 department of mental health, the department of health and senior
37 services, or the respective directors' designees, who shall serve as
38 ex-officio members of the committee.

39 2. The members of the oversight committee, other than the
40 members from the general assembly and ex-officio members, shall
41 be appointed by the governor with the advice and consent of the
42 senate. A chair of the oversight committee shall be selected by the
43 members of the oversight committee. Of the members first
44 appointed to the oversight committee by the governor, eight
45 members shall serve a term of two years, seven members shall
46 serve a term of one year, and thereafter, members shall serve a
47 term of two years. Members shall continue to serve until their
48 successor is duly appointed and qualified. Any vacancy on the

49 oversight committee shall be filled in the same manner as the
50 original appointment. Members shall serve on the oversight
51 committee without compensation but may be reimbursed for their
52 actual and necessary expenses from moneys appropriated to the
53 department of social services for that purpose. The department of
54 social services shall provide technical, actuarial, and
55 administrative support services as required by the oversight
56 committee. The oversight committee shall:

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

61 (2) Review the participant and provider satisfaction reports
62 and the reports of health outcomes, social and behavioral outcomes,
63 use of evidence-based medicine and best practices as required of
64 the health improvement plans and the department of social
65 services under section 208.950;

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

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

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

72 (6) Review the results of the public process input collected
73 under section 208.950;

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

78 (8) Determine how best to analyze and present the data
79 reviewed under section 208.950 so that the health outcomes,
80 participant and provider satisfaction, results from other states,
81 health plan comparisons, financial impact of the various health
82 improvement plans and models of care, study of provider access,
83 and results of public input can be used by consumers, health care
84 providers, and public officials;

85 (9) Present significant findings of the analysis required in
86 subdivision (8) of this subsection in a report to the general
87 assembly and governor, at least annually, beginning January 1,
88 2009;

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

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

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

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

99 (11) Conduct a study to determine whether an office of
100 inspector general shall be established. Such office would be
101 responsible for oversight, auditing, investigation, and performance
102 review to provide increased accountability, integrity, and oversight
103 of state medical assistance programs, to assist in improving agency
104 and program operations, and to deter and identify fraud, abuse,
105 and illegal acts. The committee shall review the experience of all
106 states that have created a similar office to determine the impact of
107 creating a similar office in this state; and

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

112 3. By July 1, 2011, the oversight committee shall issue
113 findings to the general assembly on the success and failure of
114 health improvement plans and shall recommend whether or not
115 any health improvement plans should be discontinued.

116 4. The oversight committee shall designate a subcommittee
117 devoted to advising the department on the development of a
118 comprehensive entry point system for long-term care that shall:

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

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

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

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

129 (5) Strengthen the long-term care quality assurance and
130 quality improvement system;

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

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

137 5. The subcommittee shall include the following members:

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

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

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

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

147 (5) One member representing assisted living facilities or
148 continuing care retirement communities, predominantly serving
149 MO HealthNet participants, designated by the governor;

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

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

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

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

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

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

163 (12) One member representing the hospice care profession,
164 designated by the governor;

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

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

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

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

173 (17) The directors of the departments of social services,
174 mental health, and health and senior services, or their designees;
175 and

176 (18) One member of the house of representatives and one
177 member of the senate serving on the oversight committee,
178 designated by the oversight committee chair.

179 Members shall serve on the subcommittee without compensation
180 but may be reimbursed for their actual and necessary expenses
181 from moneys appropriated to the department of health and senior
182 services for that purpose. The department of health and senior
183 services shall provide technical and administrative support services
184 as required by the committee.

185 6. By October 1, 2008, the comprehensive entry point
186 system subcommittee shall submit its report to the governor and
187 general assembly containing recommendations for the
188 implementation of the comprehensive entry point system, offering
189 suggested legislative or administrative proposals deemed necessary
190 by the subcommittee to minimize conflict of interests for successful
191 implementation of the system. Such report shall contain, but not
192 be limited to, recommendations for implementation of the following

193 consistent with the provisions of section 208.950:

194 (1) A complete statewide universal information and
195 assistance system that is integrated into the web-based electronic
196 patient health record that can be accessible by phone, in-person,
197 via MO HealthNet providers and via the internet that connects
198 consumers to services or providers and is used to establish
199 consumers' needs for services. Through the system, consumers
200 shall be able to independently choose from a full range of home,
201 community-based, and facility-based health and social services as
202 well as access appropriate services to meet individual needs and
203 preferences from the provider of the consumer's choice;

204 (2) A mechanism for developing a plan of service or care via
205 the web-based electronic patient health record to authorize
206 appropriate services;

207 (3) A preadmission screening mechanism for MO HealthNet
208 participants for nursing home care;

209 (4) A case management or care coordination system to be
210 available as needed; and

211 (5) An electronic system or database to coordinate and
212 monitor the services provided which are integrated into the
213 web-based electronic patient health record.

214 7. Starting July 1, 2009, and for three years thereafter, the
215 subcommittee shall provide to the governor, lieutenant governor
216 and the general assembly a yearly report that provides an update
217 on progress made by the subcommittee toward implementing the
218 comprehensive entry point system.

219 8. The provisions of section 23.253 shall not apply to
220 sections 208.950 to 208.955.]

[215.261. The "State Commission on Regulatory Barriers to
2 Affordable Housing" is hereby created. The commission shall
3 identify federal, state and local regulatory barriers to affordable
4 housing and recommend means to eliminate such barriers. The
5 commission shall report its findings, conclusions and
6 recommendations in a report to be filed no later than August 31,
7 1995, and August thirty-first of each year thereafter, with the
8 speaker of the house of representatives, the president pro tempore

9 of the senate and the governor. The commission may also provide
10 a copy of its report to any unit of federal, state or local
11 government.]

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

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

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

5 (2) "Small agribusiness", an independent agribusiness
6 located in Missouri with gross annual sales of less than five million
7 dollars;

8 (3) "Small farm", an independent family-owned farm in

9 Missouri with at least one family member working in the
10 day-to-day operation of the farm.

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

27 3. The mission of the board is to provide recommendations
28 for strategies that:

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

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

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

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

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

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

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

50 (2) Identify any type of barrier, which may include legal,
51 logistical, technical, social, or financial, that prevents or hinders:

52 (a) Schools and state institutions from purchasing more
53 locally grown agricultural products;

54 (b) The expansion of market opportunities for locally grown
55 agricultural products;

56 (c) Schools and other entities from engaging in education
57 campaigns to teach people about the concepts of food production
58 and consumption; the interrelationships between nutrition, food
59 choices, obesity, and health; and the value of having an accessible
60 supply of locally grown food; and

61 (3) Develop recommendations for:

62 (a) The maximization of existing public and private
63 resources to accomplish the objectives in subsection 3 of this
64 section;

65 (b) The development of new or expanded resources deemed
66 necessary to accomplish the objectives in subsection 3 of this
67 section, which may include resources such as training programs,
68 grant programs, or database development; and

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

72 5. The board shall prepare a report containing its findings
73 and recommendations and shall deliver such report to the governor,
74 the general assembly, and to the director of each agency
75 represented on the board by no later than August 31, 2012.

76 6. In conducting its work, the board may hold public
77 meetings at which it may invite testimony from experts or it may
78 solicit information from any party it deems may have information
79 relevant to its duties under this section.

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

2 [301.129. There is established in this section an advisory
3 committee for the department of revenue, which shall exist solely
4 to develop uniform designs and common colors for motor vehicle
5 license plates issued under this chapter and to determine
6 appropriate license plate parameters for all license plates issued
7 under this chapter. The advisory committee may adopt more than
8 one type of design and color scheme for license plates issued under
9 this chapter; however, each license plate of a distinct type shall be
10 uniform in design and color scheme with all other license plates of
11 that distinct type. The specifications for the fully reflective
12 material used for the plates, as required by section 301.130, shall
13 be determined by the committee. Such plates shall meet any
14 specific requirements prescribed in this chapter. The advisory
15 committee shall consist of the director of revenue, the
16 superintendent of the highway patrol, the correctional enterprises
17 administrator, and the respective chairpersons of both the senate
18 and house of representatives transportation
19 committees. Notwithstanding section 226.200 to the contrary, the
20 general assembly may appropriate state highways and
21 transportation department funds for the requirements of section
22 301.130 and this section. Prior to January 1, 2007, the committee
23 shall meet, select a chairman from among their members, and
24 develop uniform design and license plate parameters for the motor
25 vehicle license plates issued under this chapter. Prior to
26 determining the final design of the plates, the committee shall hold
27 at least three public meetings in different areas of the state to
28 invite public input on the final design. Members of the committee
29 shall be reimbursed for their actual and necessary expenses
30 incurred in the performance of their duties under this section out
31 of funds appropriated for that purpose. The committee shall direct
32 the director of revenue to implement its final design of the uniform
33 motor vehicle license plates and any specific parameters for all
34 license plates developed by the committee not later than January
35 1, 2007. The committee shall be dissolved upon completion of its
duties under this section.]

[313.001. 1. There is established a permanent joint

2 committee of the general assembly to be known as the "Committee
3 on Gaming and Wagering" which shall be composed of five
4 members of the senate, appointed by the president pro tem of the
5 senate and five members of the house of representatives, appointed
6 by the speaker of the house. A majority of the members of the
7 committee shall constitute a quorum. The members shall annually
8 select one of the members to be the chairman and one of the
9 members to be the vice chairman. The general assembly by a
10 majority vote of the elected members may discharge any or all
11 members of the committee and select their successors.

12 2. The members shall receive no additional compensation,
13 but shall be reimbursed for actual and necessary expenses incurred
14 by them in the performance of their duties.

15 3. The committee shall be responsible for, but not limited
16 to, legislative review of all state authorized gaming and wagering
17 activities including proposed constitutional and statutory changes
18 or other pertinent information that may affect the integrity of these
19 activities. The committee is authorized to meet and act year round,
20 employ the necessary personnel within the limits of appropriations
21 and to report its findings annually to the general assembly.]

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

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

11 (1) Two members of the senate, appointed by the president
12 pro tempore of the senate;

13 (2) Two members of the house of representatives, appointed
14 by the speaker of the house of representatives;

15 (3) One member who is an oncologist or physician with
16 expertise in the practice of oncology licensed in this state under

17 chapter 334;

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

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

22 (6) One member from an organization representing licensed
23 pharmacists in this state;

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

26 (8) One member from an organization representing the
27 leading research-based pharmaceutical and biotechnology
28 companies;

29 (9) One patient advocate;

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

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

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

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

38 (14) One member from an organization representing generic
39 pharmaceutical drug manufacturers.

40 3. All members, except for the members from the general
41 assembly, shall be appointed by the governor no later than
42 September 1, 2013. The department of insurance, financial
43 institutions and professional registration shall provide assistance
44 to the committee.

45 4. No later than January 1, 2014, the committee shall
46 submit a report to the governor, the speaker of the house of
47 representatives, the president pro tempore of the senate, and the
48 appropriate legislative committee of the general assembly
49 regarding the results of the study and any legislative
50 recommendations.]

2 [383.250. 1. There is hereby created within the department
of insurance, financial institutions and professional registration the

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

27 2. The board shall consist of ten members. Other than the
28 director, the house members and the senate members, the
29 remainder of the board's members shall be appointed by the
30 director of the department of insurance, financial institutions and
31 professional registration as provided for in this subsection. The
32 board shall be composed of:

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

35 (2) Two members of the Missouri senate appointed by the
36 president pro tem of the senate with no more than one from any
37 political party;

38 (3) Two members of the Missouri house of representatives

39 appointed by the speaker of the house with no more than one
40 member from any political party;

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

44 (5) One member who practices medicine as a doctor of
45 osteopathy and who is on a list of nominees submitted to the
46 director by an organization representing Missouri doctors of
47 osteopathy;

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

51 (7) One member who is a representative of Missouri
52 hospitals and who is on a list of nominees submitted to the director
53 by an organization representing Missouri hospitals; and

54 (8) One member who is a physician and who is on a list
55 submitted to the director by an organization representing family
56 physicians in the state of Missouri.

57 3. The director shall appoint the members of the board,
58 other than the general assembly members, no later than January
59 1, 2007. Once appointed, the board shall meet at least quarterly,
60 and shall submit its final report and recommendations regarding
61 the feasibility of a health care stabilization fund to the governor
62 and the general assembly no later than December 31, 2010. The
63 board shall also submit annual interim reports to the general
64 assembly regarding the status of its progress.

65 4. The board shall have the authority to convene
66 conferences and hold hearings. All conferences and hearings shall
67 be held in accordance with chapter 610.

68 5. The director of the department of insurance, financial
69 institutions and professional registration shall provide and
70 coordinate staff and equipment services to the board to facilitate
71 the board's duties.

72 6. Board members shall receive no additional compensation
73 but shall be eligible for reimbursement for expenses directly
74 related to the performance of their duties.

75 7. The provisions of this section shall expire December 31,
76 2010.]

 [476.055. 1. There is hereby established in the state
2 treasury the "Statewide Court Automation Fund". All moneys
3 collected pursuant to section 488.027, as well as gifts,
4 contributions, devises, bequests, and grants received relating to
5 automation of judicial record keeping, and moneys received by the
6 judicial system for the dissemination of information and sales of
7 publications developed relating to automation of judicial record
8 keeping, shall be credited to the fund. Moneys credited to this fund
9 may only be used for the purposes set forth in this section and as
10 appropriated by the general assembly. Any unexpended balance
11 remaining in the statewide court automation fund at the end of
12 each biennium shall not be subject to the provisions of section
13 33.080 requiring the transfer of such unexpended balance to
14 general revenue; except that, any unexpended balance remaining
15 in the fund on September 1, 2015, shall be transferred to general
16 revenue.

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

 3. The committee shall develop and implement a plan for a
31 statewide court automation system. The committee shall have the
32 authority to hire consultants, review systems in other jurisdictions
33 and purchase goods and services to administer the provisions of
34

35 this section. The committee may implement one or more pilot
36 projects in the state for the purposes of determining the feasibility
37 of developing and implementing such plan. The members of the
38 committee shall be reimbursed from the court automation fund for
39 their actual expenses in performing their official duties on the
40 committee.

41 4. Any purchase of computer software or computer
42 hardware that exceeds five thousand dollars shall be made
43 pursuant to the requirements of the office of administration for
44 lowest and best bid. Such bids shall be subject to acceptance by
45 the office of administration. The court automation committee shall
46 determine the specifications for such bids.

47 5. The court automation committee shall not require any
48 circuit court to change any operating system in such court, unless
49 the committee provides all necessary personnel, funds and
50 equipment necessary to effectuate the required changes. No
51 judicial circuit or county may be reimbursed for any costs incurred
52 pursuant to this subsection unless such judicial circuit or county
53 has the approval of the court automation committee prior to
54 incurring the specific cost.

55 6. Any court automation system, including any pilot project,
56 shall be implemented, operated and maintained in accordance with
57 strict standards for the security and privacy of confidential judicial
58 records. Any person who knowingly releases information from a
59 confidential judicial record is guilty of a class B misdemeanor. Any
60 person who, knowing that a judicial record is confidential, uses
61 information from such confidential record for financial gain is
62 guilty of a class D felony.

63 7. On the first day of February, May, August and November
64 of each year, the court automation committee shall file a report on
65 the progress of the statewide automation system with the joint
66 legislative committee on court automation. Such committee shall
67 consist of the following:

- 68 (1) The chair of the house budget committee;
69 (2) The chair of the senate appropriations committee;
70 (3) The chair of the house judiciary committee;

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

72 (5) One member of the minority party of the house
73 appointed by the speaker of the house of representatives; and

74 (6) One member of the minority party of the senate
75 appointed by the president pro tempore of the senate.

76 8. The members of the joint legislative committee shall be
77 reimbursed from the court automation fund for their actual
78 expenses incurred in the performance of their official duties as
79 members of the joint legislative committee on court automation.

80 9. Section 488.027 shall expire on September 1, 2015. The
81 court automation committee established pursuant to this section
82 may continue to function until completion of its duties prescribed
83 by this section, but shall complete its duties prior to September 1,
84 2017.

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

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

18 2. The joint committee on economic development policy and
19 planning shall meet within ten days after its establishment and
20 organize by selecting a chairman and a vice chairman, one of whom
21 shall be a member of the senate and the other a member of the
house of representatives. These positions shall rotate annually

22 between a member of the senate and a member of the house of
23 representatives. The committee shall regularly meet at least
24 quarterly. A majority of the members of the committee shall
25 constitute a quorum. The committee may, within the limits of its
26 appropriations, employ such persons as it deems necessary to carry
27 out its duties. The compensation of such personnel shall be paid
28 from the committee's appropriations or the joint contingent fund.

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

39 4. The provisions of this section shall expire on July 1,
40 2010.]

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

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

17 (1) One member of the mental health commission,

18 appointed by the governor;

19 (2) One representative of the office of administration,
20 appointed by the governor;

21 (3) The governor or his designee;

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

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

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

31 3. The review committee established in subsection 1 of this
32 section shall be disbanded on January 1, 1996.

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

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