

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 586

99TH GENERAL ASSEMBLY

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Reported from the Committee on Transportation, Infrastructure and Public Safety, January 25, 2018, with recommendation that the Senate Committee Substitute do pass.

5162S.05C

ADRIANE D. CROUSE, Secretary.

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## AN ACT

To repeal sections 210.1014 and 320.094, RSMo, and to enact in lieu thereof two new sections relating to oversight committees on public safety.

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

Section A. Sections 210.1014 and 320.094, RSMo, are repealed and two  
2 new sections enacted in lieu thereof, to be known as sections 21.851 and 320.094,  
3 to read as follows:

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

5 **(1) Three members of the senate to be appointed by the president  
6 pro tempore of the senate;**

7 **(2) Two members of the senate to be appointed by the minority  
8 floor leader of the senate;**

9 **(3) Three members of the house of representatives to be  
10 appointed by the speaker of the house of representatives;**

11 **(4) Two members of the house of representatives to be appointed  
12 by the minority floor leader of the house of representatives;**

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

15 **(6) The director of the department of agriculture, or his or her  
16 designee; and**

17 **(7) The adjutant general of the state, or his or her designee.**

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

18           **2. A majority of the members of the committee shall constitute**  
19 **a quorum, but the concurrence of a majority of the members shall be**  
20 **required for the determination of any matter within the committee's**  
21 **duties.**

22           **3. The joint committee shall make a continuous study and**  
23 **investigation into issues relating to disaster preparedness and**  
24 **awareness including, but not limited to, the following areas:**

25           **(1) Natural and man-made disasters;**

26           **(2) State and local preparedness for floods;**

27           **(3) State and local preparedness for tornados, blizzards, and**  
28 **other severe storms;**

29           **(4) Food and energy resiliency;**

30           **(5) Cyber-security;**

31           **(6) The budget reserve fund established under Article IV, Section**  
32 **27(a) of the Missouri Constitution.**

33           **4. The joint committee shall compile a full report of its activities**  
34 **for submission to the general assembly. The report shall be submitted**  
35 **not later than January first of even-numbered years and may include**  
36 **any recommendations which the committee may have for legislative**  
37 **action. The report may also include an analysis and statement of the**  
38 **manner in which statutory provisions relating to disaster preparedness**  
39 **and awareness are being executed.**

40           **5. The joint committee may employ such personnel as it deems**  
41 **necessary to carry out the duties imposed by this section, within the**  
42 **limits of any appropriation for such purpose.**

43           **6. The members of the committee shall serve without**  
44 **compensation, but any actual and necessary expenses incurred in the**  
45 **performance of the committee's official duties by the joint committee,**  
46 **its members, and any staff assigned to the committee shall be paid from**  
47 **the joint contingent fund.**

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

8 appropriated by the general assembly, shall be credited to the fund. The state  
9 treasurer shall administer the fund, and the moneys in such fund shall be used  
10 solely as prescribed in this section. Notwithstanding the provisions of section  
11 33.080 to the contrary, moneys in the fire education fund at the end of any  
12 biennium shall not be transferred to the credit of the general revenue fund.

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

27 3. There is hereby established a special trust fund, to be known as the  
28 "Missouri Fire Education Trust Fund", which shall consist of all moneys collected  
29 per subsection 2 of this section transferred to the fund from the fire education  
30 fund pursuant to this subsection, any earnings resulting from the investment of  
31 moneys in the fund, and all moneys received from gifts, grants, or other moneys  
32 appropriated by the general assembly. Each fiscal year, an amount equal to forty  
33 percent of the moneys transferred to the fire education fund collected pursuant  
34 to subsection 2 of this section shall be transferred by the state treasurer to the  
35 credit of the Missouri fire education trust fund. The fund shall be administered  
36 by the [Missouri fire safety education/advisory commission] **department of**  
37 **public safety**. Subject to appropriations, moneys in the fund shall be used  
38 solely for the purposes described in this section. Moneys shall accumulate in the  
39 trust fund until the earnings from investment of moneys in the fund can  
40 adequately support the activities described in this section, as determined by the  
41 [commission] **department of public safety**. Notwithstanding the provisions  
42 of section 33.080 to the contrary, moneys in the Missouri fire education trust fund  
43 at the end of any biennium shall not be transferred to the credit of the general

44 revenue fund.

45           4. The moneys in the fire education fund shall be appropriated to the  
46 division of fire safety to coordinate education needs in cooperation with  
47 community colleges, colleges, regional training facilities, fire and emergency  
48 services training entities and universities of this state and shall provide training  
49 and continuing education to firefighters in this state relating to fire department  
50 operations and the personal safety of firefighters while performing fire  
51 department activities. Programs and activities funded under this subsection shall  
52 be approved by the [Missouri fire safety education/advisory commission  
53 established in subsection 5 of this section] **department of public safety**. These  
54 funds shall primarily be used to provide field education throughout the state,  
55 with not more than two percent of funds under this subsection expended on  
56 administrative costs.

57           [5. There is established the "Missouri Fire Safety Education/Advisory  
58 Commission", to be domiciled in the division of fire safety within the department  
59 of public safety. The commission shall be composed of nine members appointed  
60 by the governor with the advice and consent of the senate, consisting of two  
61 firefighters, with one serving as a volunteer of a recognized fire department and  
62 one serving as a full-time firefighter employed by a recognized fire department,  
63 two members shall be fire service training officers, one member shall be a person  
64 with expertise in fire investigation, one member shall be an insurer licensed to  
65 provide insurance coverage for losses due to fire, one member who provides fire  
66 safety appliances or equipment, one member who is serving as the chief of a  
67 recognized volunteer fire department, and one member serving as the full-time  
68 chief of a recognized paid fire department. No more than five members appointed  
69 by the governor shall be of the same political party. The terms of office for the  
70 members appointed by the governor shall be four years and until their successors  
71 are selected and qualified, except that, of those first appointed, two shall have a  
72 term of four years, two shall have a term of three years and one shall have a term  
73 of two years. There is no limitation on the number of terms an appointed member  
74 may serve. The governor may appoint a member for the remaining portion of the  
75 unexpired term created by a vacancy. The governor may remove any appointed  
76 member for cause. The members shall at their initial meeting select a chair. All  
77 members of the commission shall serve without compensation for their duties, but  
78 shall be reimbursed for necessary travel and other expenses incurred in the  
79 performance of their official duties. The commission shall meet at least quarterly

80 at the call of the chair and shall review and determine appropriate programs and  
81 activities for which funds may be expended under subsection 4 of this section.]

[210.1014. 1. There is hereby created the "Amber Alert  
2 System Oversight Committee", whose primary duty shall be to  
3 develop criteria and procedures for the Amber alert system and  
4 shall be housed within the department of public safety. The  
5 committee shall regularly review the function of the Amber alert  
6 system and revise its criteria and procedures in cooperation with  
7 the department of public safety to provide for efficient and effective  
8 public notification. As soon as practicable, the committee shall  
9 adopt criteria and procedures to expand the Amber alert system to  
10 provide urgent public alerts related to homeland security, criminal  
11 acts, health emergencies, and other imminent dangers to the public  
12 health and welfare.

13 2. The Amber alert system oversight committee shall  
14 consist of ten members of which seven members shall be appointed  
15 by the governor with the advice and consent of the senate. Such  
16 members shall represent the following entities: two representatives  
17 of the Missouri Sheriffs' Association; two representatives of the  
18 Missouri Police Chiefs Association; one representative of small  
19 market radio broadcasters; one representative of large market radio  
20 broadcasters; one representative of television broadcasters. The  
21 director of the department of public safety shall also be a member  
22 of the committee and shall serve as chair of the  
23 committee. Additional members shall include one representative  
24 of the highway patrol and one representative of the department of  
25 health and senior services.

26 3. Members of the oversight committee shall serve a term  
27 of four years, except that members first appointed to the committee  
28 shall have staggered terms of two, three, and four years and shall  
29 serve until their successor is duly appointed and qualified.

30 4. Members of the oversight committee shall serve without  
31 compensation, except that members shall be reimbursed for their  
32 actual and necessary expenses required for the discharge of their  
33 duties.

34 5. The Amber alert system oversight committee shall

35 promulgate rules for the implementation of the Amber alert  
36 system. Any rule or portion of a rule, as that term is defined in  
37 section 536.010, that is created under the authority delegated in  
38 this section shall become effective only if it complies with and is  
39 subject to all of the provisions of chapter 536 and, if applicable,  
40 section 536.028. This section and chapter 536 are nonseverable  
41 and if any of the powers vested with the general assembly pursuant  
42 to chapter 536 to review, to delay the effective date or to  
43 disapprove and annul a rule are subsequently held  
44 unconstitutional, then the grant of rulemaking authority and any  
45 rule proposed or adopted after August 28, 2003, shall be invalid  
46 and void.]

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Bill

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