

FIRST REGULAR SESSION

SENATE BILL NO. 296

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS WIGGINS, HOUSE, STOLL, SCHNEIDER, SCOTT,
DePASCO, KLARICH, FLOTRON, ROHRBACH, MUELLER AND STEELMAN.

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L1444.011

TERRY L. SPIELER, Secretary.

AN ACT

Relating to certain duties of the department of revenue.

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

Section 1. 1. Any vehicle owner may receive license plates with words and an emblem which denotes respect for human life both before and after birth, as prescribed in this section, after a contribution of at least twenty-five dollars to the Missouri alternatives to abortion support fund established in section 2 of this act. Such license plates shall be called "Respect Life License Plates".

2. Respect life license plates shall only be issued for passenger motor vehicles subject to the registration fees provided in section 301.055, RSMo, or for a local or nonlocal property-carrying commercial vehicle licensed for a gross weight not in excess of twelve thousand pounds as provided in section 301.057 or 301.058, RSMo.

3. Respect life license plates shall bear the words "RESPECT LIFE" in place of the words "SHOW-ME STATE", shall bear an image of a single red rose placed on the plate in a conspicuous manner, and shall have a background with a color scheme chosen to complement and highlight the words "RESPECT LIFE" and the image of the red rose. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130, RSMo.

4. The contribution of at least twenty-five dollars to the Missouri alternatives to abortion support fund shall be made to the director of revenue at the time of registration of the vehicle. The director shall transfer such contributions to the state treasurer for deposit in the Missouri alternatives to abortion support fund. Upon the receipt of such contribution, payment of applicable fees and submission of any

information required by law, the director of revenue shall issue respect life license plates to the vehicle owner.

5. A fee for the issuance of personalized license plates pursuant to section 301.144, RSMo, shall not be required for respect life license plates issued pursuant to this section, unless the plates bear letters or numbers, or a combination of letters and numbers, which are personalized in a manner which would require a fee pursuant to section 301.144, RSMo. Any additional fee charged for personalizing the respect life license plates issued pursuant to this section shall be paid only once by the qualified applicant at the time of initial application.

6. There shall be no limit on the number of sets of respect life license plates a person may obtain pursuant to this section so long as such license plates are issued for vehicles owned solely or jointly by such person, and so long as a contribution of twenty-five dollars is made for each set of respect life license plates.

7. A vehicle owner who was previously issued respect life license plates but who does not make a contribution of at least twenty-five dollars to the Missouri alternatives to abortion support fund at a subsequent time of registration shall be issued new plates which are not respect life license plates, as otherwise provided by law.

8. The director of revenue shall issue samples of the respect life license plates to all offices in this state where vehicles are registered and license plates are issued. Such sample license plates shall be prominently displayed in such offices along with literature prepared by the director, by the Missouri respect life commission, or jointly, describing the license plates, the Missouri alternatives to abortion support fund, and the purposes for which the fund was created as set forth in section 2 of this act.

9. Subject to the provisions of Section 2721(b)(11) of Title 18 of the United States Code relating to the disclosure of personal information in motor vehicle records, the director of revenue shall make available to any member of the Missouri general assembly, upon request of such member, the names and addresses of individuals and corporations from the member's district who contributed to the Missouri alternatives to abortion support fund. The member may send to such individuals and corporations an acknowledgment of and written appreciation for such contribution, a reminder to renew a contribution to the fund at the time of registration of their vehicle, or any other information related to the Missouri alternatives to abortion support fund or the Missouri respect life commission. In accordance with the provisions of Section 2721(b)(1) of Title 18 of the United States Code, the director of revenue shall make available to the Missouri respect life commission to carry out the commission's functions the names and addresses of individuals and corporations throughout the state who contributed to the Missouri alternatives to abortion support fund.

10. The general assembly may appropriate moneys annually from the Missouri

alternatives to abortion support fund to the department of revenue to offset costs incurred for collecting and transferring contributions pursuant to subsection 4 of this section. Moneys appropriated to the department of revenue for such costs shall be reasonable and shall not exceed five percent of the contributions collected and transferred to the Missouri alternatives to abortion support fund pursuant to subsection 4 of this section during the preceding fiscal year.

11. The director of revenue shall promulgate all necessary rules and regulations for the enforcement of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provision of chapter 536, RSMo.

Section 2. 1. There is hereby established in the state treasury the "Missouri Alternatives to Abortion Support Fund". The state treasurer shall credit to and deposit in such fund all moneys which may be required by law to be credited to or deposited in such fund, all moneys which may be appropriated to it by the general assembly, other amounts which may be received from general revenue, grants, gifts, bequests or from federal, state or local sources, and any other sources granted or given for this specific purpose.

2. The state treasurer shall invest moneys in the Missouri alternatives to abortion support fund in the same manner as surplus state funds are invested pursuant to section 30.260, RSMo. All earnings which result from the investment of moneys in the Missouri alternatives to abortion support fund shall be credited to such fund.

3. The provisions of section 33.080, RSMo, requiring all unexpended balances remaining in various state funds to be transferred and placed to the credit of the general revenue fund of this state at the end of each biennium, shall not apply to the Missouri alternatives to abortion support fund.

4. The administration of the Missouri alternatives to abortion support fund, including but not limited to the disbursement of moneys from such fund, shall be as prescribed by the Missouri respect life commission in its rules. Moneys credited to and deposited in the fund shall only be used by the commission for the purposes authorized pursuant to this section or as otherwise provided by law.

5. Until the amount in the Missouri alternatives to abortion support fund exceeds one million dollars, not more than one-half of the money credited to and deposited in the support fund from all sources, plus all earnings from the investment of moneys in the fund credited to the fund during the previous fiscal year, shall be available for disbursement by the Missouri respect life commission pursuant to this section. When the state treasurer certifies that the assets in the fund exceed one million dollars, from that time on all credited earnings plus all future credits to and deposits in the fund from all sources shall be available for disbursement by the

commission within the limits of appropriations and for the purposes of this section. The general assembly may appropriate moneys annually from the Missouri alternatives to abortion support fund to the office of administration to pay the expenses incurred by the office of administration for budgetary, procurement, accounting and other related management functions performed by it relating to the Missouri respect life commission, to the members of the commission to pay the expenses of the members, and to the executive director and employees of the commission for salaries.

6. The purpose of the Missouri alternatives to abortion support fund is to support those private agencies which are:

- (1) Established primarily to provide alternative to abortion services;
- (2) Located in this state; and
- (3) Exempt from income taxation pursuant to the United States Internal Revenue Code.

For purposes of this section, the term "alternative to abortion services" means services or counseling offered to a woman with a crisis pregnancy or unplanned pregnancy specifically to assist her in carrying her pregnancy to term instead of having an abortion.

Section 3. 1. There is hereby established in the office of administration the "Missouri Respect Life Commission". The commission shall consist of thirteen members, two who shall be members of the Missouri senate, one from the majority party and one from the minority party, appointed by the president pro tem of the senate, two who shall be members of the Missouri house of representatives, one from the majority party and one from the minority party, appointed by the speaker of the house of representatives, and nine members, one from each congressional district, appointed by the governor with the advice and consent of the senate.

2. The four members appointed from the general assembly shall serve during their term as a member of the general assembly, and the nine congressional district members shall serve four-year terms, except that of the initial appointments, five shall be appointed for a term of four years and four shall be appointed for a term of two years. Before the expiration of the term of a congressional district member appointed by the governor, the governor shall appoint a successor whose term begins on July first next following. Each member shall serve until his or her successor is appointed. A member is eligible for reappointment. If there is a vacancy of a congressional district member for any cause, the governor shall make an appointment for the unexpired term with the advice and consent of the senate.

3. To be eligible for appointment to the commission and confirmation of the senate, a person shall demonstrate agreement with the principles and goals in sections

3 and 4 of this act regarding respect for innocent human life from conception until natural death, and the need to offer and promote alternative to abortion services for pregnant women so that such women are encouraged to carry their pregnancies to term instead of having abortions.

4. Any congressional district member may be removed by the governor for misconduct, incompetency or neglect of duty after first being given the opportunity to be heard in his or her own behalf.

5. The commission shall elect one of its members to serve as chairperson of the commission, and may elect such other officers and establish such committees as deemed necessary.

6. The commission may appoint an executive director who shall serve subject to the supervision of and at the pleasure of the commission. The executive director shall be responsible for the administrative operations of the commission and shall perform such other duties as may be delegated or assigned to the executive director by law or the commission. The executive director may obtain all necessary office space, facilities and equipment, and may hire and set the compensation of such staff as is approved by the commission, within the limitations of appropriations for this purpose.

7. Each member of the commission shall serve without compensation but shall be reimbursed for ordinary and necessary expenses incurred in the performance of his or her duties.

8. The commission shall exercise its powers and duties independently of the office of administration, except that budgetary, procurement, accounting and other related management functions shall be performed by the office of administration.

9. The commission shall meet at least quarterly.

Section 4. 1. The powers and duties of the Missouri respect life commission shall include, but not be limited to, the following:

(1) To disburse funds from the Missouri alternatives to abortion support fund and any other funds authorized by law to be disbursed by the commission;

(2) To consult with appropriate state agencies, commissions, boards and public and private agencies to determine the effectiveness of, and need for, alternative to abortion services and effectiveness of, and need for, programs that foster respect for human life both before and after birth;

(3) To facilitate information exchange and coordination among agencies and groups concerned with offering and promoting alternative to abortion services, and concerned with offering and promoting programs that foster respect for human life both before and after birth;

(4) To develop statewide educational and public informational campaigns, conferences and workshops for the purpose of developing appropriate public awareness

regarding respect for human life both before and after birth, and the need to offer and promote alternative to abortion services;

(5) To identify those groups of pregnant women at risk of obtaining abortions, identify problems and conditions such pregnant women have and encounter which causes them to choose to obtain abortions instead of choosing to carry their pregnancies to term, and propose solutions to such problems and conditions;

(6) To recommend statutory changes and appropriations to promote alternative to abortion services and to promote programs that foster respect for human life both before and after birth;

(7) To solicit and accept general revenue, grants, gifts, bequests, contributions or other aid from the general assembly, any person or business, organization or foundation, public or private, or from federal, state or local sources;

(8) To perform any other functions or duties consistent with the provisions of sections 3 and 4 of this act or otherwise required by law;

(9) To promulgate rules necessary to administer the provisions of sections 3 and 4 of this act. No rule or portion of a rule promulgated pursuant to the authority of sections 3 and 4 of this act shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

2. The Missouri respect life commission shall submit an annual report of its activities to the president pro tem of the senate, the speaker of the house of representatives and the governor before January thirty-first of each year.

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