

FIRST REGULAR SESSION

# HOUSE BILL NO. 674

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES MERIDETH, HUNTER, MAYER, STEVENSON, WAGNER,  
DAVIS (122), KUESSNER (Co-sponsors), ENGLER, BEAN, SMITH (118), COOPER (120), QUINN,  
MUNZLINGER, RUESTMAN AND WILSON (130).

Read 1<sup>st</sup> time March 13, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

2098L.011

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### AN ACT

To amend chapter 253, RSMo, by adding thereto two new sections relating to the state historical monuments, memorials, and markers board, with penalty provisions.

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

Section A. Chapter 253, RSMo, is amended by adding thereto two new sections, to be  
2 known as sections 253.393 and 253.394, to read as follows:

253.393. 1. There is hereby established the "State Historical Monuments,  
2 Memorials, and Markers Board" within the department of natural resources. The board  
3 shall consist of twelve members appointed by the governor, with the advice and consent of  
4 the senate. Each member shall serve for a term of three years, except for the first members  
5 appointed, which shall have four members that serve one year, four members that serve  
6 two years and four members that serve three years. Thereafter, each member shall serve  
7 three years. The director of the department of natural resources shall serve as chairman  
8 of the board and his or her vote shall break any tie vote of the board. The executive  
9 director of the state historical society of Missouri shall serve as an ex officio member of the  
10 board. The board shall meet when called by the chairman, but shall meet at least annually.  
11 The board shall adopt written procedures to govern its activities. The board shall report  
12 annually to the general assembly on its activities.

13 2. Members of the board shall receive no compensation for their service, but shall  
14 be reimbursed for their actual and necessary expenses incurred in the performance of their  
15 duties.

16 3. The board shall:

17 (1) Hold public meetings in accordance with chapter 610, RSMo, regarding the

18 addition, modification, or removal of any permanent monument on any site under the  
19 control of the department or amending practice or permitted public ceremony;

20 (2) Maintain an inventory of historical monuments, memorials, or markers, on state  
21 sites, veterans grave markers on state, municipal, and private property; and

22 (3) File and publish an annual report of the activity and status of all historically  
23 designated monuments, memorials, and veterans' grave markers.

253.394. 1. The department of natural resources shall not erect, modify, or remove  
2 any permanent monument, flag, memorial, insignia, emblem, or marker on any site under  
3 control of the department or amend any departmental practice or permitted public  
4 ceremony without providing public notice and holding a public hearing. Such public  
5 notice shall be published in the Missouri Register at least sixty days prior to any action to  
6 erect, modify, or remove any permanent monument, flag, memorial, insignia, emblem, or  
7 marker. Such public hearing shall be held at or as near to the site as is possible, and shall  
8 be held at least thirty days prior to any action to erect, modify, or remove any permanent  
9 monument, flag, memorial, insignia, emblem, or marker. The department shall publish a  
10 notice of such hearing once a week for two consecutive weeks in any newspaper qualified  
11 pursuant to section 493.050, RSMo, to publish legal notices in the local area containing the  
12 site. The second such notice shall be published at least ten days before the hearing is  
13 scheduled.

14 2. Any monument, flag, memorial, insignia, emblem, or marker that was in place  
15 on December 21, 2002, on any site under control of the department shall be replaced by  
16 August 28, 2003, and shall remain in place unless modified or removed pursuant to the  
17 procedures of subsection 1 of this section.

18 3. Any person knowingly removes, defaces, or destroys any monument, memorial,  
19 or veterans' grave marker shall be guilty of a class A misdemeanor.