

SECOND REGULAR SESSION

HOUSE BILL NO. 1751

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HARRIS (23).

Read 1st time April 26, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4998L.011

AN ACT

To amend chapter 287, RSMo, by adding thereto one new section relating to workers' compensation.

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

Section A. Chapter 287, RSMo, is amended by adding thereto one new section, to be known as section 287.978, to read as follows:

287.978. 1. As used in this section the following terms shall mean:

(1) "Council", the "Missouri State Workers' Compensation Council" created under subsection 2 of this section;

(2) "Department", the department of labor and industrial relations;

(3) "Director", the director of the department of labor and industrial relations;

2. There is hereby created a "Missouri State Workers' Compensation Council" which shall consist of ten appointed voting members and four appointed nonvoting members.

3. The members of the council shall be appointed as follows:

(1) The ten voting members shall be appointed to the council by the director. Five voting members shall be appointed on account of their vocation, employment, or affiliations being representative of employers. Five voting members shall be appointed on account of their vocation, employment, or affiliations being representative of employees;

(2) The four nonvoting members shall be appointed to the council by the director. Three nonvoting members shall be representatives of insurers authorized to do workers' compensation insurance business in this state. One nonvoting member shall be an employee of the department and shall serve as chairperson of the council.

3. Six voting members shall constitute a quorum and the council shall act only upon

19 the affirmative vote of at least five of the voting members. The council shall meet no fewer
20 than four times yearly. Members of the council shall serve without compensation, but are
21 to be reimbursed the amount of actual expenses. Actual expenses shall be paid from funds
22 appropriated from the general revenue.

23 4. The department shall provide professional and clerical assistance as needed for
24 regularly scheduled meetings.

25 5. All council members shall serve for a term of six years. At the end of a council
26 member's term he or she may be reappointed; however, he or she shall serve no more than
27 two terms for a maximum of twelve years.

28 6. The council shall advise the department in carrying out the purposes of this
29 chapter. The council shall submit annually by January fifteenth to the governor and the
30 general assembly its recommendations regarding amendments of this chapter.

31 7. The council shall present to the department every proposal of the council for
32 changes in this chapter and shall seek the department's concurrence with the proposal.
33 The department shall give careful consideration to every proposal submitted by the council
34 for legislative or administrative action and shall review each legislative proposal for
35 possible incorporation into department recommendations. The council shall also report
36 its views upon any pending bill to the proper legislative committee.

37 8. The council shall have access to only the records of the department that are
38 necessary for the administration of this chapter and to the reasonable services of the
39 employees of the department. The council may request the director or any of the
40 employees appointed by the director or any employee subject to this chapter to appear
41 before it and to testify relative to the functioning of this chapter and to other relevant
42 matters. The council may conduct research of its own, make and publish reports, and
43 recommend to the department needed changes in this chapter or in the rules of the
44 department as it considers necessary.

45 9. The council, unless prohibited by a concurrent resolution of the general
46 assembly, shall be authorized to commission an outside study of Missouri workers'
47 compensation law. The study shall be conducted every five years, the first being conducted
48 in fiscal year 2009. The study shall be funded subject to appropriation from the general
49 revenue in an amount no greater than twenty-five thousand dollars.