

FIRST REGULAR SESSION

# HOUSE BILL NO. 348

## 93RD GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVES PEARCE (Sponsor), DAY, McGHEE, SATER, RICHARD, WELLS, FISHER, WETER, SANDER, HUBBARD, SMITH (118), SMITH (14), MUNZLINGER, RUESTMAN, DARROUGH, COOPER (158), MOORE, BIVINS, WILSON (119), DUSENBERG, SELF AND COOPER (120) (Co-sponsors).

Read 1<sup>st</sup> time January 26, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0631L.01H

---

### AN ACT

To amend chapter 41, RSMo, by adding thereto three new sections relating to the protection of military facilities and personnel.

---

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

Section A. Chapter 41, RSMo, is amended by adding thereto three new sections, to be known as sections 41.1010, 41.1013, and 41.1016, to read as follows:

- 41.1010. 1. There is hereby established the "Missouri Military Preparedness and Enhancement Commission". The commission shall have as its purpose the design and implementation of measures intended to protect, retain, and enhance the present and future mission capabilities at the military posts or bases within the state. The commission shall consist of seven members:**
- (1) Five members to be appointed by the governor;**
  - (2) One member of the house of representatives appointed by the speaker of the house;**
  - (3) One member of the senate appointed by the president pro tempore of the senate;**
  - (4) The director of the department of economic development or the director's designee, ex officio.**
- No more than three of the five members appointed by the governor shall be of the same**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 political party. To be eligible for appointment by the governor, a person shall have  
15 demonstrated experience in economic development, the defense industry, military  
16 installation operation, environmental issues, finance, local government, or the use of air  
17 space for future military missions. Appointed members of the commission shall serve  
18 three-year terms, except that of the initial appointments made by the governor, two shall  
19 be for one-year terms, two shall be for two-year terms, and one shall be for a three-year  
20 term. No appointed member of the commission shall serve more than six years total. A  
21 vacancy occurs if a legislative member leaves office for any reason. Any vacancy on the  
22 commission shall be filled in the same manner as the original appointment.

23       2. Members of the commission shall be reimbursed for the actual and necessary  
24 expenses incurred in the discharge of the member's official duties.

25       3. A chair of the commission shall be selected by the members of the commission.

26       4. The commission shall meet at least quarterly and at such other times as the chair  
27 deems necessary.

28       5. The commission shall be funded by an appropriation limited to that purpose.  
29 Any expenditure constituting more than ten percent of the commission's annual  
30 appropriation shall be based on a competitive bid process.

31       6. The commission shall:

32       (1) Advise the governor and the general assembly on military issues and economic  
33 and industrial development related to military issues;

34       (2) Make recommendations regarding:

35       (a) Developing policies and plans to support the long-term viability and prosperity  
36 of the military, active and civilian, in this state, including promoting strategic regional  
37 alliances that may extend over state lines;

38       (b) Developing methods to improve private and public employment opportunities  
39 for former members of the military residing in this state; and

40       (c) Developing methods to assist defense-dependent communities in the design and  
41 execution of programs that enhance a community's relationship with military installations  
42 and defense-related businesses;

43       (3) Provide information to communities, the general assembly, the state's  
44 congressional delegation, and state agencies regarding federal actions affecting military  
45 installations and missions;

46       (4) Serve as a clearinghouse for:

47       (a) Defense economic adjustment and transition information and activities; and

48       (b) Information concerning the following:

49       a. Issues related to the operating costs, missions, and strategic value of federal

50 military installations located in the state;

51 b. Employment issues for communities that depend on defense bases and in  
52 defense-related businesses; and

53 c. Defense strategies and incentive programs that other states are using to maintain,  
54 expand, and attract new defense contractors;

55 (5) Provide assistance to communities that have experienced a defense-related  
56 closure or realignment;

57 (6) Assist communities in the design and execution of programs that enhance a  
58 community's relationship with military installations and defense-related businesses,  
59 including regional alliances that may extend over state lines;

60 (7) Assist communities in the retention and recruiting of defense-related businesses,  
61 including fostering strategic regional alliances that may extend over state lines;

62 (8) Prepare a biennial strategic plan that:

63 (a) Fosters the enhancement of military value of the contributions of Missouri  
64 military installations to national defense strategies;

65 (b) Considers all current and anticipated base realignment and closure criteria;  
66 and

67 (c) Develops strategies to protect the state's existing military missions and positions  
68 the state to be competitive for new and expanded military missions;

69 (9) Encourage economic development in this state by fostering the development of  
70 industries related to defense affairs.

71 7. The commission shall prepare and present an annual report to the governor and  
72 the general assembly by December thirty-first of each year.

73 8. The department of economic development shall furnish administrative support  
74 and staff for the effective operation of the commission.

41.1013. 1. Any city of the fourth classification with more than two thousand four  
2 hundred but fewer than two thousand five hundred inhabitants and located in any county  
3 of the second classification with more than forty-eight thousand two hundred but fewer  
4 than forty-eight thousand three hundred inhabitants may by ordinance adopt and enforce  
5 regulations governing zoning, planning, subdivision and building within all or any portion  
6 of the unincorporated area extending two miles outward from the corporate limits of the  
7 city if the city has a zoning commission and a board of adjustment established pursuant  
8 to sections 89.010 to 89.140, RSMo. When authorized by ordinance, the zoning commission  
9 and the board of adjustment of the city shall have the same powers within the  
10 unincorporated area as they have within the corporate limits of the city.

11 2. The ordinances shall not be more, but may be less, restrictive than the

12 ordinances governing zoning, planning, subdivision and building within the corporate  
13 limits of the city. If building permits are required by the ordinances, they shall be issued  
14 without fee.

15       **3. In the event the county in which the unincorporated area is located shall create**  
16 **a county planning commission and the planning commission shall adopt an official master**  
17 **plan for the unincorporated areas of the county in accordance with the provisions of**  
18 **chapters 64 and 67, RSMo, the authority granted the city under the terms of this section**  
19 **shall terminate.**

**41.1016. For the purposes of student resident status, military personnel, when**  
2 **stationed within the state under military orders, their spouses, and unemancipated minor**  
3 **children shall be regarded as holding Missouri resident status.**