

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 263
95TH GENERAL ASSEMBLY

0798L.03C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 8.001, 8.003, 8.007, 44.105, and 44.227, RSMo, and to enact in lieu thereof five new sections relating to the state commissions.

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

Section A. Sections 8.001, 8.003, 8.007, 44.105, and 44.227, RSMo, are repealed and
2 five new sections enacted in lieu thereof, to be known as sections 8.001, 8.003, 8.007, 44.105,
3 and 44.227, to read as follows:

8.001. The general assembly, recognizing the work of the original state capitol
2 commission board established March 24, 1911, and the work of the capitol decoration
3 commission established April 10, 1917, and seeking to assure the future preservation,
4 **improvement, expansion, renovation, restoration**, and integrity of the capitol and to preserve
5 the historical significance of the capitol hereby establishes the [second] **Missouri** state capitol
6 commission.

8.003. 1. The commission shall consist of eleven persons, as follows: the commissioner
2 of the office of administration; one member of the senate from the majority party and one
3 member of the senate from the minority party, **appointed by the president pro tempore**; one
4 member of the house of representatives from the majority party and one member of the house
5 of representatives from the minority party, **appointed by the speaker of the house of**
6 **representatives**; one employee of the house of representatives appointed by the speaker of the
7 house of representatives and one employee of the senate appointed by the president pro tempore;
8 and four members appointed by the governor with the advice and consent of the senate. The
9 lieutenant governor shall be an ex officio member of the commission.
10 2. The legislative members of the commission shall serve for the general assembly
11 during which they are appointed and until their successors are selected and qualified.

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.

12 3. The four members appointed by the governor shall be persons who have knowledge
13 and background regarding the history of the state, the history and significance of the seat of state
14 government and the capitol but shall not be required to be professionals in the subject area.

15 4. The terms of the four members appointed by the governor shall be four years and until
16 their successors are appointed and qualified. Provided, however, that the first term of three
17 public members shall be for two years, thereafter the terms shall be four years. There is no
18 limitation on the number of terms any appointed member may serve. If a vacancy occurs the
19 governor may appoint a member for the remaining portion of the unexpired term created by the
20 vacancy. The governor may remove any [appointed] member **appointed by him or her** for
21 cause. The members of the commission shall be reimbursed for travel and other expenses
22 actually and necessarily incurred in the performance of their duties by the office of
23 administration.

24 5. At the first meeting of the commission and at yearly intervals thereafter, the members
25 shall select from among themselves a chairman and a vice chairman.

26 6. The commission shall hold at least four regular meetings each year and such additional
27 meetings as the chairman deems desirable at a place and time to be fixed by the chairman.
28 Special meetings may be called by five members of the commission upon delivery of written
29 notice to each member of the commission. Reasonable written notice of all meetings shall be
30 given by the director to all members of the commission. Five members of the commission shall
31 constitute a quorum. All actions of the commission shall be taken at meetings open to the public.
32 Any member absent from six consecutive regular commission meetings for any cause whatsoever
33 shall be deemed to have resigned and the vacancy shall be filled immediately in accordance with
34 subsection 1 of this section.

35 7. The commission shall provide a report to the governor and the general assembly
36 annually.

 8.007. 1. The commission shall:

2 (1) Exercise general supervision of the administration of sections 8.001 to 8.007;

3 (2) **Evaluate and approve capitol studies and improvement, expansion, renovation,**
4 **and restoration projects to be paid for with funds appropriated from the state capitol**
5 **commission fund;**

6 (3) Evaluate and recommend courses of action on the restoration and preservation of the
7 capitol, the preservation of historical significance of the capitol and the history of the capitol;

8 [(3)] (4) Evaluate and recommend courses of action to ensure accessibility to the capitol
9 for physically disabled persons;

10 [(4)] (5) Advise, consult, and cooperate with the office of administration, the archives
11 division of the office of the secretary of state, the historic preservation program within the

12 department of natural resources, the division of tourism within the department of economic
13 development and the historical society of Missouri in furtherance of the purposes of sections
14 8.001 to 8.007;

15 [(5)] (6) Be authorized to cooperate or collaborate with other state agencies and
16 not-for-profit organizations to publish books and manuals concerning the history of the capitol,
17 its improvement or restoration;

18 [(6)] (7) Before each September first, recommend options to the governor on budget
19 allocation for improvements or restoration of the capitol premises;

20 [(7)] (8) Encourage, participate in, or conduct studies, investigations, and research and
21 demonstrations relating to improvement and restoration of the state capitol it may deem
22 advisable and necessary for the discharge of its duties pursuant to sections 8.001 to 8.007; [and

23 (8)] (9) Hold hearings, issue notices of hearings and take testimony as the commission
24 deems necessary; **and**

25 **(10) Initiate planning efforts, subject to the appropriation of funds, for a centennial**
26 **celebration of the laying of the capstone of the Missouri state capitol.**

27 2. The "[Second] State Capitol Commission Fund" is hereby created in the state treasury.
28 Any moneys received from sources other than appropriation by the general assembly, including
29 from private sources, gifts, donations and grants, shall be credited to the [second] **state** capitol
30 commission fund and shall be appropriated by the general assembly.

31 3. The provisions of section 33.080, RSMo, to the contrary notwithstanding, moneys in
32 the second capitol commission fund shall not be transferred and placed to the credit of the
33 general revenue fund. **Moneys in the state capitol commission fund shall not be**
34 **appropriated for any purpose other than those designated by the commission.**

35 4. The commission is authorized to accept all gifts, bequests and donations from any
36 source whatsoever. The commission may also apply for and receive grants consistent with the
37 purposes of sections 8.001 to 8.007. All such gifts, bequests, donations and grants shall be used
38 or expended upon appropriation in accordance with their terms or stipulations, and the gifts,
39 bequests, donations or grants may be used or expended for the preservation, **improvement,**
40 **expansion, renovation,** restoration and improved accessibility and for promoting the historical
41 significance of the capitol.

42 5. The commission may copyright or obtain a trademark for any photograph, written
43 work, art object, or any product created of the capitol or capitol grounds. The commission may
44 grant access or use of any such works to other organizations or individuals for a fee, at its sole
45 discretion, or waive all fees. All funds obtained through licensing fees shall be credited to the
46 capitol commission fund in a manner similar to funds the commission receives as gifts,

47 donations, and grants. The funds shall be used for repairs, refurbishing, or to create art, exhibits,
48 decorations, or other beautifications or adornments to the capitol or its grounds.

44.105. 1. In a governor-declared state of emergency, the department of health and
2 senior services may suspend any provision of chapters 195 and 334, RSMo, pertaining to
3 dispensing medications. Persons who dispense medications under this section shall be trained
4 by the department of health and senior services and shall dispense medications under the
5 supervision of a licensed health care provider according to the department's strategic national
6 stockpile plan.

7 2. The department may develop effective citizen involvement to recruit, train, and accept
8 the services of volunteers to supplement the programs administered by the department in
9 dispensing medications to the population in the event of an emergency.

10 3. Volunteers recruited, trained, and accepted by the department shall comply with the
11 department's strategic national stockpile plan in dispensing medications.

12 4. The department may:

13 (1) Provide staff as deemed necessary for the effective management and development
14 of volunteer dispensing sites deployed in response to a governor-declared emergency;

15 (2) Provide or assure access to professional staff as deemed necessary for the effective
16 training and oversight of volunteers;

17 (3) Develop and provide to all volunteers written rules governing the job descriptions,
18 recruitment, screening, training responsibility, utilization, and supervision of volunteers; and

19 (4) Educate volunteers to ensure that they understand their duties and responsibilities.

20 5. Non-health care professional volunteers, whose liability is not otherwise protected by
21 section 44.045, **or section 105.711, RSMo**, shall be deemed unpaid employees and shall be
22 accorded the protection of the legal expense fund and other provisions of section 105.711,
23 RSMo.

24 6. As used in this section, "volunteer" means any person who, of his or her own free will,
25 performs any assigned duties for the department of health and senior services with no monetary
26 or material compensation **or who is employed by the state or a political subdivision.**

44.227. 1. There is hereby created a "Seismic Safety Commission", which shall be
2 domiciled in the department of public safety.

3 2. The commission shall consist of seventeen members, one who shall be a member of
4 the senate appointed by the president pro tem of the senate, one who shall be a member of the
5 house of representatives appointed by the speaker of the house of representatives, and fifteen
6 members appointed by the governor, with the advice and consent of the senate, [one each
7 representing] **with no more than two from any one of** the following professional areas:

8 architecture, planning, fire protection, public utilities, electrical engineering, mechanical
9 engineering, structural engineering, soils engineering, geology, seismology, local government,
10 insurance, business, the American Red Cross, **public education** and emergency management.

11 3. Commission members shall elect annually from its membership a chairman and vice
12 chairman. A quorum shall consist of [nine] **a majority of appointed members, but not less**
13 **than seven members, and may be met by electronic attendance and nonvoting participation**
14 **of the staff of the legislative members of the commission.** All commission members shall be
15 residents of the state of Missouri and shall have reasonable knowledge of issues relating to
16 earthquakes.

17 4. The term of office for each member of the commission appointed by the governor
18 shall be four years, except that of the initial appointments, seven members shall be appointed for
19 a term of two years and eight members shall be appointed for a term of four years. Any member
20 may be removed from office by the governor without cause. Before the expiration of the term
21 of a member appointed by the governor, the governor shall appoint a successor whose term
22 begins on July first next following. A member is eligible for reappointment. If there is a
23 vacancy for any cause, the governor shall make an appointment to become effective immediately
24 for the unexpired term.

25 5. Each member of the commission shall serve without compensation but shall receive
26 fifty dollars for each day devoted to the affairs of the commission, plus actual and necessary
27 expenses incurred in the discharge of his official duties.

28 6. The office of emergency management in the department of public safety shall provide
29 to the commission all technical, clerical and other necessary support services.

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