

SECOND REGULAR SESSION

HOUSE BILL NO. 2796

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE RODEN.

6845H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 292.602, RSMo, and to enact in lieu thereof two new sections relating to the Missouri division of fire safety.

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

Section A. Section 292.602, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 190.540 and 292.602, to read as follows:

190.540. Notwithstanding any other provision of law, the Bureau of Emergency Medical Services (EMS) shall be removed from the department of health and senior services effective August 28, 2016, and officially domiciled under the division of fire safety in the department of public safety.

292.602. 1. The "Missouri Emergency Response Commission", herein to be known as the commission, is hereby established and is officially domiciled **under the division of fire safety** in the department of public safety. The commission shall be composed of the director of the department of economic development, or his designee; the director of the department of natural resources, or his designee; the director of the department of public safety, or his designee; the director of the department of health and senior services, or his designee; six members appointed by the governor with the advice and consent of the senate; one to represent transporters of hazardous materials; one to represent Missouri industry; one to represent local government; one chief fire officer from a recognized fire department or fire protection district; one police officer of the rank of captain or above from a recognized county or municipal police department; and one to represent the general public and four members of the general assembly, two of whom shall be appointed by the speaker of the house and two of whom shall be appointed by the president pro tem of the senate. All members of the commission shall represent the general

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 interest of the public and shall, to the extent practicable, have technical expertise in the
15 emergency response field. No more than three members appointed by the governor shall be of
16 the same political party. The terms of office for the members appointed by the governor shall
17 be four years and until their successors are selected and qualified, except that, of those first
18 appointed, two shall have a term of three years, two shall have a term of two years and two will
19 have a term of one year. There is no limitation on the number of terms an appointed member
20 may serve. The governor may appoint a member for the remaining portion of the unexpired term
21 created by a vacancy. The governor may remove any appointed member for cause.

22 2. All members of the commission shall serve without compensation for their duties, but
23 shall be reimbursed for necessary travel and other expenses incurred in the performance of their
24 official duties.

25 3. The Missouri emergency response commission in conjunction with the department
26 shall:

27 (1) Carry out those responsibilities designated under sections 292.600 to 292.625 and
28 implement sections 292.600 to 292.625 and the Emergency Planning and Community
29 Right-to-Know Act of 1986, Public Law 99-499, as amended, and all rules and regulations
30 promulgated pursuant thereto, herein to be known as the Federal Act;

31 (2) Designate local emergency planning districts to facilitate preparation and
32 implementation of emergency plans, appoint members of a local emergency planning committee
33 for each local emergency planning district, support and coordinate the activities of such
34 committees, review the emergency plans submitted by local emergency planning committees,
35 and make recommendations to the local emergency planning committees regarding those plans;

36 (3) Establish a single filing point for all reports and filings that are required to be
37 submitted to the commission under the provisions of sections 292.600 to 292.625 and the Federal
38 Act;

39 (4) Accept, receive and administer grants or other funds or gifts from public and private
40 agencies, including the federal government, for the purpose of carrying out the functions and
41 responsibilities enumerated in sections 292.600 to 292.625;

42 (5) Provide assistance to the local emergency planning committees for the purpose of
43 carrying out the functions and responsibilities enumerated in sections 292.600 to 292.625 and
44 the Federal Act by utilizing all available expertise both public and private, including, but not
45 limited to, the departments of natural resources, public safety and health;

46 (6) Provide training to local emergency planning committees and other local officials to
47 accomplish the purposes and objectives of the Federal Act and the provisions of sections 292.600
48 to 292.625. The department of public safety will coordinate the provisions of such training and
49 periodically report to the commission on training activities;

50 (7) Enter into such agreements with other state agencies, local governments and other
51 political subdivisions of the state, the federal government and other persons as is determined to
52 be appropriate to implement the Federal Act and the provisions of sections 292.600 to 292.625;

53 (8) Allot funds as specified in section 292.604 to local emergency planning committees;

54 (9) Develop a data management system to store and retrieve information submitted under
55 the provisions of sections 292.600 to 292.625 and the Federal Act. The commission and the
56 department will provide assistance to local emergency planning committees and fire departments,
57 fire protection districts, volunteer fire protection services and others to make this information
58 readily available to them for planning and emergency response purposes.

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