

FIRST REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 348

## 93RD GENERAL ASSEMBLY

0631L.03T

2005

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### AN ACT

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

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*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  
2 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  
2 Enhancement Commission". The commission shall have as its purpose the design and  
3 implementation of measures intended to protect, retain, and enhance the present and  
4 future mission capabilities at the military posts or bases within the state. The commission  
5 shall consist of nine members:**

6       **(1) Five members to be appointed by the governor;**

7       **(2) Two members of the house of representatives, one appointed by the speaker of  
8 the house of representatives, and one appointed by the minority floor leader;**

9       **(3) Two members of the senate, one appointed by the president pro tempore, and  
10 one appointed by the minority floor leader;**

11       **(4) The director of the department of economic development or the director's  
12 designee, ex officio.**

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

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

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

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

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

32       6. The commission shall:

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

35       (2) Make recommendations regarding:

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

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

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

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

47       (4) Serve as a clearinghouse for:

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

49       (b) Information concerning the following:

50           **a. Issues related to the operating costs, missions, and strategic value of federal**  
51 **military installations located in the state;**

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

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

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

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

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

63           **(8) Prepare a biennial strategic plan that:**

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

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

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

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

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

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

**41.1013. 1. The governing body or county planning commission, if any, of any**  
2 **county of the second classification with more than forty-eight thousand two hundred but**  
3 **fewer than forty-eight thousand three hundred inhabitants shall provide for the planning,**  
4 **zoning, subdivision and building within all or any portion of the unincorporated area**  
5 **extending three thousand feet outward from the boundaries of any military base located**  
6 **in such county and the area within the perimeter of accident potential zones one and two**  
7 **if the county has a zoning commission and a board of adjustment established under**  
8 **sections 64.510 to 64.727, RSMo. As used in this section, the term “accident potential zones**  
9 **one and two” means any land area that was identified in the April, 1976 Air Installation**  
10 **Compatible Use Zone Report at the north and south ends of the clear zone of a military**

11 **installation located in any county of the second classification with more than forty-eight**  
12 **thousand two hundred but fewer than forty-eight thousand three hundred inhabitants and**  
13 **which is in significant danger of aircraft accidents by being beneath that airspace where**  
14 **the potential for aircraft accidents is most likely to occur.**

**41.1016. For the purposes of student resident status, military personnel, when**  
2 **stationed within the state under military orders, their spouses, and their unemancipated**  
3 **children under twenty-four years of age who enroll in a Missouri community college,**  
4 **Missouri college, or Missouri state university shall be regarded as holding Missouri**  
5 **resident status.**

Section B. Because of the need for the state of Missouri to meet the deadline for military  
2 base reorganization, section A of this act is deemed necessary for the immediate preservation of  
3 the public health, welfare, peace and safety, and is hereby declared to be an emergency act within  
4 the meaning of the constitution, and section A of this act shall be in full force and effect upon  
5 its passage and approval.

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Speaker of the House

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President Pro Tem of the Senate

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Governor