

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

0798L.03C

D. ADAM CRUMBLISS, Chief Clerk

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**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.

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*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Section A. Sections 8.001, 8.003, 8.007, 44.105, and 44.227, RSMo, are repealed and  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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