

FIRST REGULAR SESSION

# SENATE BILL NO. 58

98TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR DIXON.

Pre-filed December 1, 2014, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0286S.01I

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## AN ACT

To repeal sections 8.597, 21.440, 21.445, 21.450, 21.460, 21.465, 21.530, 21.537, 21.820, 21.830, 21.835, 21.850, 21.920, 30.953, 30.954, 30.956, 30.959, 30.962, 30.965, 30.968, 30.971, 33.150, 33.710, 33.850, 37.250, 43.518, 99.863, 99.971, 99.1057, 160.530, 167.195, 191.828, 191.934, 192.632, 208.952, 215.261, 215.262, 217.550, 217.567, 313.001, 320.092, 338.321, 348.439, 361.120, and 630.010, RSMo, and section 105.955 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and to enact in lieu thereof twelve new sections relating to the existence of certain committees.

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

Section A. Sections 8.597, 21.440, 21.445, 21.450, 21.460, 21.465, 21.530, 21.537, 21.820, 21.830, 21.835, 21.850, 21.920, 30.953, 30.954, 30.956, 30.959, 30.962, 30.965, 30.968, 30.971, 33.150, 33.710, 33.850, 37.250, 43.518, 99.863, 99.971, 99.1057, 160.530, 167.195, 191.828, 191.934, 192.632, 208.952, 215.261, 215.262, 217.550, 217.567, 313.001, 320.092, 338.321, 348.439, 361.120, and 630.010, RSMo, and section 105.955 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, are repealed and twelve new sections enacted in lieu thereof, to be known as sections 33.150, 33.710, 43.518, 160.530, 191.828, 208.952, 217.550, 217.567, 320.092, 348.439, 361.120, and 630.010, to read as follows:

33.150. The original of all accounts, vouchers and documents approved or to be approved by the commissioner of administration shall be preserved in his office; and copies thereof shall be given without charge to any person, county, city, town, township and school or special road district interested therein, that may require the same for the purpose of being used as evidence in the trial of the

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

6 cause, and like copies shall be furnished to any corporation or association  
7 requiring the same, under tender of the fees allowed by law; provided, that[,  
8 during each biennial session of the general assembly,] the commissioner of  
9 administration may[, in the presence of a joint committee of the house of  
10 representatives and senate,] destroy [by burning or by any other method  
11 satisfactory to said joint committee] **or dispose in the manner provided by**  
12 **law of** all paid accounts, vouchers and duplicate receipts of the state treasurer  
13 and other documents which may have been on file in the office of the  
14 commissioner of administration or his predecessor as custodian of such documents  
15 for a period of five years or longer, except such documents as may at the time be  
16 the subject of litigation or dispute. [Said joint committee shall consist of four  
17 members of the house of representatives, to be appointed by the speaker of the  
18 house of representatives, and two members of the senate, to be appointed by the  
19 president pro tem of the senate.]

33.710. 1. There is created "The Governmental Emergency Fund  
2 Committee" consisting of the governor, the commissioner of administration **as ex**  
3 **officio comptroller**, the chairman and ranking minority member of the senate  
4 appropriations committee, the chairman and ranking minority member of the  
5 house budget committee, or its successor committee, and the director of the  
6 [division of facilities management, design and construction] **department of**  
7 **revenue** who shall serve as consultant to the committee without vote.

8 2. The members of the committee shall serve without compensation but  
9 shall be reimbursed for actual and necessary expenses incurred by them in the  
10 performance of their official duties.

11 3. The committee shall elect from among its members a [chairman and  
12 vice chairman] **chair and vice chair** and such other officers as it deems  
13 necessary.

43.518. 1. There is hereby established within the department of public  
2 safety a "Criminal Records and Justice Information Advisory Committee" whose  
3 purpose is to:

4 (1) Recommend general policies with respect to the philosophy, concept  
5 and operational principles of the Missouri criminal history record information  
6 system established by sections 43.500 to 43.530, in regard to the collection,  
7 processing, storage, dissemination and use of criminal history record information  
8 maintained by the central repository;

9 (2) Assess the current state of electronic justice information sharing; and

10 (3) Recommend policies and strategies, including standards and  
11 technology, for promoting electronic justice information sharing, and coordinating  
12 among the necessary agencies and institutions; and

13 (4) Provide guidance regarding the use of any state or federal funds  
14 appropriated for promoting electronic justice information sharing.

15 2. The committee shall be composed of the following officials or their  
16 designees: the director of the department of public safety; the director of the  
17 department of corrections [and human resources]; the attorney general; the  
18 director of the Missouri office of prosecution services; the president of the  
19 Missouri prosecutors association; the president of the Missouri court clerks  
20 association; the chief clerk of the Missouri state supreme court; the [director of  
21 the] state courts administrator; the [chairman] **chair** of the state judicial record  
22 committee; the [chairman] **chair** of the court automation committee; the  
23 presidents of the Missouri peace officers association; the Missouri sheriffs  
24 association; the Missouri police chiefs association or their successor agency; the  
25 superintendent of the Missouri highway patrol; the chiefs of police of agencies in  
26 jurisdictions with over two hundred thousand population; except that, in any  
27 county of the first class having a charter form of government, the chief executive  
28 of the county may designate another person in place of the police chief of any  
29 countywide police force, to serve on the committee; and, at the discretion of the  
30 director of public safety, as many as three other representatives of other criminal  
31 justice records systems or law enforcement agencies may be appointed by the  
32 director of public safety. The director of the department of public safety will  
33 serve as the permanent chairman of this committee.

34 3. The committee shall meet as determined by the director but not less  
35 than semiannually to perform its duties. A majority of the appointed members  
36 of the committee shall constitute a quorum.

37 4. No member of the committee shall receive any state compensation for  
38 the performance of duties associated with membership on this committee.

39 5. Official minutes of all committee meetings will be prepared by the  
40 director, promptly distributed to all committee members, and filed by the director  
41 for a period of at least five years.

160.530. 1. Beginning with fiscal year 1994 and for all fiscal years  
2 thereafter, in order to be eligible for state aid distributed pursuant to section  
3 163.031, a school district shall allocate one percent of moneys received pursuant  
4 to section 163.031, exclusive of categorical add-ons, to the professional

5 development committee of the district as established in subdivision (1) of  
6 subsection 4 of section 168.400. Of the moneys allocated to the professional  
7 development committee in any fiscal year as specified by this subsection,  
8 seventy-five percent of such funds shall be spent in the same fiscal year for  
9 purposes determined by the professional development committee after  
10 consultation with the administrators of the school district and approved by the  
11 local board of education as meeting the objectives of a school improvement plan  
12 of the district that has been developed by the local board. Moneys expended for  
13 staff training pursuant to any provisions of this act shall not be considered in  
14 determining the requirements for school districts imposed by this subsection.

15         2. Beginning with fiscal year 1994 and for all fiscal years thereafter,  
16 eighteen million dollars shall be distributed by the commissioner of education to  
17 address statewide areas of critical need for learning and development, provided  
18 that such disbursements are approved by the joint committee on education as  
19 provided in subsection 5 of this section, and as determined by rule and regulation  
20 of the state board of education with the advice of [the commission established by  
21 section 160.510 and] the advisory council provided by subsection 1 of section  
22 168.015. The moneys described in this subsection may be distributed by the  
23 commissioner of education to colleges, universities, private associations,  
24 professional education associations, statewide associations organized for the  
25 benefit of members of boards of education, public elementary and secondary  
26 schools, and other associations and organizations that provide professional  
27 development opportunities for teachers, administrators, family literacy personnel  
28 and boards of education for the purpose of addressing statewide areas of critical  
29 need, provided that subdivisions (1), (2) and (3) of this subsection shall constitute  
30 priority uses for such moneys. "Statewide areas of critical need for learning and  
31 development" shall include:

32         (1) Funding the operation of state management teams in districts with  
33 academically deficient schools and providing resources specified by the  
34 management team as needed in such districts;

35         (2) Funding for grants to districts, upon application to the department of  
36 elementary and secondary education, for resources identified as necessary by the  
37 district, for those districts which are failing to achieve assessment standards;

38         (3) Funding for family literacy programs;

39         (4) Ensuring that all children, especially children at risk, children with  
40 special needs, and gifted students are successful in school;

- 41 (5) Increasing parental involvement in the education of their children;
- 42 (6) Providing information which will assist public school administrators  
43 and teachers in understanding the process of site-based decision making;
- 44 (7) Implementing recommended curriculum frameworks as outlined in  
45 section 160.514;
- 46 (8) Training in new assessment techniques for students;
- 47 (9) Cooperating with law enforcement authorities to expand successful  
48 antidrug programs for students;
- 49 (10) Strengthening existing curricula of local school districts to stress  
50 drug and alcohol prevention;
- 51 (11) Implementing and promoting programs to combat gang activity in  
52 urban areas of the state;
- 53 (12) Establishing family schools, whereby such schools adopt proven  
54 models of one-stop state services for children and families;
- 55 (13) Expanding adult literacy services; and
- 56 (14) Training of members of boards of education in the areas deemed  
57 important for the training of effective board members as determined by the state  
58 board of education.

59 3. Beginning with fiscal year 1994 and for all fiscal years thereafter, two  
60 million dollars of the moneys appropriated to the department of elementary and  
61 secondary education otherwise distributed to the public schools of the state  
62 pursuant to the provisions of section 163.031, exclusive of categorical add-ons,  
63 shall be distributed in grant awards by the state board of education, by rule and  
64 regulation, for the "Success Leads to Success" grant program, which is hereby  
65 created. The purpose of the success leads to success grant program shall be to  
66 recognize, disseminate and exchange information about the best professional  
67 teaching practices and programs in the state that address student needs, and to  
68 encourage the staffs of schools with these practices and programs to develop  
69 school-to-school networks to share these practices and programs.

70 4. The department shall include a listing of all expenditures under this  
71 section in the annual budget documentation presented to the governor and  
72 general assembly.

73 5. Prior to distributing any funds under subsection 2 of this section, the  
74 commissioner of education shall appear before the joint committee on education  
75 and present a proposed delineation of the programs to be funded under the  
76 provisions of subsection 2 of this section. The joint committee shall review all

77 proposed spending under subsection 2 of this section and shall affirm, by a  
78 majority vote of all members serving on the committee, the spending proposal of  
79 the commissioner prior to any disbursement of funds under subsection 2 of this  
80 section.

81           6. If any provision of subdivision (11) of subsection 4 of section 160.254  
82 or any provision of subsection 2 or 5 of this section regarding approval of  
83 disbursements by the joint committee on education is held to be invalid for any  
84 reason, then such decision shall invalidate subsection 2 of this section in its  
85 entirety.

191.828. 1. The following departments shall conduct on-going evaluations  
2 of the effect of the initiatives enacted by the following sections:

3           (1) The department of insurance, financial institutions and professional  
4 registration shall evaluate the effect of revising section 376.782 and sections  
5 143.999, 208.178, 374.126, and 376.891 to 376.894;

6           (2) The department of health and senior services shall evaluate the effect  
7 of revising sections 105.711 and sections 191.520 and 191.600 and enacting  
8 section 191.411, and sections 167.600 to 167.621, 191.231, 208.177, 431.064, and  
9 660.016. In collaboration with the state board of registration for the healing arts,  
10 the state board of nursing, and the state board of pharmacy, the department of  
11 health and senior services shall also evaluate the effect of revising section  
12 195.070, section 334.100, and section 335.016, and of sections 334.104 and  
13 334.112, and section 338.095 and 338.198;

14           (3) The department of social services shall evaluate the effect of revising  
15 section 198.090, and sections 208.151, 208.152 and 208.215, and section 383.125,  
16 and of sections 167.600 to 167.621, 208.177, 208.178, 208.179, 208.181, and  
17 211.490;

18           (4) The office of administration shall evaluate the effect of revising  
19 sections 105.711 and 105.721;

20           (5) The Missouri consolidated health care plan shall evaluate the effect  
21 of section 103.178; and

22           (6) The department of mental health shall evaluate the effect of section  
23 191.831 as it relates to substance abuse treatment and of section 191.835.

24           2. The department of revenue and office of administration shall make  
25 biannual reports to the [joint committee on health care policy and planning]  
26 **general assembly** and the governor concerning the income received into the  
27 health initiatives fund and the level of funding required to operate the programs

28 and initiatives funded by the health initiatives fund at an optimal level.

208.952. 1. There is hereby established [the] a **permanent** "Joint  
2 Committee on MO HealthNet". [The committee shall have as its purpose the  
3 study of the resources needed to continue and improve the MO HealthNet  
4 program over time.] **It shall be the duty of the committee to make a**  
5 **continuing study and analysis of the MO HealthNet program.** The  
6 committee shall consist of ten members:

7 (1) The chair and the ranking minority member of the house committee  
8 on the budget;

9 (2) The chair and the ranking minority member of the senate committee  
10 on appropriations committee;

11 (3) The chair and the ranking minority member of the house committee  
12 on appropriations for health, mental health, and social services;

13 (4) The chair and the ranking minority member of the senate committee  
14 [on health and mental health] **assigned to consider MO HealthNet**  
15 **legislation and matters;**

16 (5) A representative chosen by the speaker of the house of representatives;  
17 and

18 (6) A senator chosen by the president pro tem of the senate. No more than  
19 three members from each house shall be of the same political party.

20 2. A chair of the committee shall be selected by the members of the  
21 committee.

22 3. The committee shall meet as necessary.

23 4. [Nothing in this section shall be construed as authorizing the  
24 committee to hire employees or enter into any employment contracts] **The**  
25 **committee may employ such personnel or enter into such employment**  
26 **contracts as it deems necessary to carry out the duties imposed by this**  
27 **section, within the limits of any appropriation for such purpose. The**  
28 **compensation of such personnel and the expenses of the committee**  
29 **shall be paid from the joint contingent fund or jointly from the senate**  
30 **and house contingent funds until an appropriation is made therefor.**

31 5. [The committee shall receive and study the five-year rolling MO  
32 HealthNet budget forecast issued annually by the legislative budget office.

33 6.] The committee shall **cause to be conducted annually a rolling**  
34 **five-year MO HealthNet forecast and** make recommendations in a report to  
35 the general assembly by January first each year, beginning in [2008] **2017**, on

36 anticipated growth in the MO HealthNet program, needed improvements,  
37 anticipated needed appropriations, and suggested strategies on ways to structure  
38 the state budget in order to satisfy the future needs of the program.

217.550. 1. The department shall establish and operate at its correctional  
2 centers a vocational enterprise program which includes industries, services,  
3 vocational training, and agribusiness operations. The director shall have general  
4 supervision over planning, establishment and management of all vocational  
5 enterprise operations provided by and within the department and shall decide at  
6 which correctional center each vocational enterprise shall be located, taking into  
7 consideration the offender custody levels, the number of offenders in each  
8 correctional center so the best service or distribution of labor may be secured,  
9 location and convenience of the correctional centers in relation to the other  
10 correctional centers to be supplied or served and the machinery presently  
11 contained in each correctional center.

12 2. No service shall be established or renewed without prior approval by  
13 the advisory board of vocational enterprises program established by section  
14 217.555 [and the joint committee on corrections established by sections 21.440 to  
15 21.465]. [Both] The board [and the committee] shall make a finding that the  
16 establishment of the service shall be beneficial to those offenders involved and  
17 shall not adversely affect any statewide economic group or industry.

18 3. The annual report of Missouri vocational enterprises submitted to the  
19 director shall include:

20 (1) A list of the correctional industries, services, vocational training  
21 programs, and agribusinesses in operation;

22 (2) A list of correctional industries, services, vocational training programs,  
23 and agribusinesses started, terminated, moved, expanded, or reduced during the  
24 period;

25 (3) The average number of offenders employed in each correctional  
26 industry, service, vocational training program, or agribusiness operation;

27 (4) The volume of sales of articles, services, and materials manufactured,  
28 grown, processed or provided;

29 (5) An operating statement showing the profit or loss of each industry,  
30 service, vocational training program, and agribusiness operation;

31 (6) The amount of sales to state agencies or institutions, to political  
32 subdivisions of the state, or any other entity with which the vocational enterprise  
33 program does business, and the amount of open market sales, if any; and



34 (7) Such other information concerning the correctional industries, services,  
35 vocational training programs, and agribusiness operations as requested by the  
36 director.

217.567. 1. Notwithstanding the provisions of any other law to the  
2 contrary, the director is hereby authorized to contract with a private individual,  
3 corporation, partnership or other lawful entity for inmate work or vocational  
4 training projects involving the manufacture and processing of goods, wares or  
5 merchandise, or any service-related business or commercial enterprise deemed by  
6 the director to be consistent with the proper employment, training and  
7 rehabilitation of offenders.

8 2. Any contract authorized by this section shall be in compliance with  
9 federal law, shall be competitively negotiated by the department and the private  
10 entity, shall not result in the displacement of civilian workers employed in the  
11 community or state, and shall be subject to the approval of the advisory board of  
12 vocational enterprises program created pursuant to section 217.555 [and the joint  
13 committee on corrections created pursuant to sections 21.440 to 21.465].

14 3. The director may lease space in one or more buildings or portions of  
15 buildings on the grounds of any correctional center, together with the real estate  
16 needed for reasonable access to and egress from the leased premises to a private  
17 individual, corporation, partnership or other lawful entity for the purpose of  
18 establishing and operating a business enterprise. The enterprise shall at all  
19 times observe practices and procedures regarding security as the lease may  
20 specify or as the correctional center superintendent may temporarily stipulate  
21 during periods of emergency. The enterprise shall be deemed a private enterprise  
22 and is subject to all federal and state laws governing the operation of similar  
23 private business enterprises as specified by the authorized contract.

24 4. Subject to the approval of the director and upon such terms as may be  
25 prescribed, any lessee operating such an enterprise may employ and discharge  
26 from employment selected offenders of the correctional center where the  
27 enterprise is operated or from other correctional centers in close proximity.  
28 Offenders assigned to such an enterprise are subject to all departmental and  
29 divisional rules in addition to rules and regulations promulgated by the  
30 authorized contractor. Offenders assigned to such an enterprise for employment  
31 purposes shall be required to pay a percentage of their wages as established by  
32 the director of not less than five percent nor more than twenty percent of gross  
33 wages to the crime victims' compensation fund, section 595.045.

34           5. The director shall establish policies and procedures for determining the  
35 specific wages paid, workers' compensation benefits and deductions from wages  
36 to include room and board; federal, state and Social Security taxes; and family  
37 support. All deductions must not total more than eighty percent of gross  
38 wages. Provisions of the Fair Labor Standards Act shall apply to contractual  
39 offender workers.

          320.092. 1. Tax credits issued pursuant to sections 135.400, 135.750 and  
2 320.093 shall be subject to oversight provisions. Effective January 1, 2000,  
3 notwithstanding the provisions of section 32.057, the board, department or  
4 authority issuing tax credits shall annually report to the office of administration,  
5 president pro tem of the senate, **and** the speaker of the house of representatives[,  
6 and the joint committee on economic development] regarding the tax credits  
7 issued pursuant to sections 135.400, 135.750 and 320.093 which were issued in  
8 the previous fiscal year. The report shall contain, but not be limited to, the  
9 aggregate number and dollar amount of tax credits issued by the board,  
10 department or authority, the number and dollar amount of tax credits claimed by  
11 taxpayers, and the number and dollar amount of tax credits unclaimed by  
12 taxpayers as well as the number of years allowed for claims to be made. This  
13 report shall be delivered no later than November of each year.

14           2. The reporting requirements established pursuant to subsection 1 of this  
15 section shall also apply to the department of economic development and the  
16 Missouri development finance board established pursuant to section 100.265. The  
17 department and the Missouri development finance board shall report on the tax  
18 credit programs which they respectively administer that are authorized under the  
19 provisions of chapters 32, 100, 135, 178, 253, 348, 447 and 620.

          348.439. The tax credits issued in sections 348.430 to 348.439 by the  
2 Missouri agricultural and small business development authority shall be subject  
3 to oversight provisions. Effective January 1, 2000, notwithstanding the  
4 provisions of section 32.057, the authority shall annually report to the office of  
5 administration, president pro tem of the senate, **and** the speaker of the house of  
6 representatives[, and the joint committee on economic development] regarding the  
7 tax credits authorized pursuant to sections 348.430 to 348.439 which were issued  
8 in the previous fiscal year. The report shall contain, but not be limited to, the  
9 aggregate number and dollar amount of tax credits issued by the authority, the  
10 number and dollar amount of tax credits claimed by taxpayers, and the number  
11 and dollar amount of tax credits unclaimed by taxpayers as well as the number

12 of years allowed for claims to be made. This report shall be delivered no later  
13 than November of each year.

361.120. 1. The director of finance shall preserve all records, reports and  
2 papers of every kind pertaining to the division of finance for a period of ten years,  
3 and shall permanently preserve all records, reports and papers of a permanent  
4 value, including articles of association and all amendments thereto, and all  
5 articles of merger or consolidation and amendments thereto. The director of  
6 finance shall make a written report to the governor whenever required by the  
7 governor.

8 2. [During each biennial session of the general assembly the director  
9 shall, in the presence of a joint committee of the house of representatives and the  
10 senate, destroy by burning or by any other method satisfactory to said joint  
11 committee the records, papers and reports which may be disposed of pursuant to  
12 this section. The joint committee shall consist of four members of the house of  
13 representatives to be appointed by the speaker of the house of representatives  
14 and two members of the senate to be appointed by the president pro tem of the  
15 senate] **After having kept any records, reports, or papers referred to in  
16 this section for a period of ten years, the director may destroy or  
17 otherwise dispose of said records in the manner provided by law.**

630.010. 1. The state mental health commission, established by the  
2 omnibus reorganization act of 1974, section 9, appendix B, RSMo, shall be  
3 composed of seven members appointed by the governor, by and with the advice  
4 and consent of the senate. The terms of members appointed under the  
5 reorganization act before August 13, 1980, shall continue until the terms under  
6 which the members were regularly appointed expire. The terms shall be for four  
7 years. Each commissioner shall hold office until his successor has been appointed  
8 and qualified.

9 2. The commission shall be comprised of members who are not prohibited  
10 from serving by sections 105.450 to 105.482, as amended, and who are not  
11 otherwise employed by the state. The commission shall be composed of the  
12 following:

- 13 (1) A physician recognized as an expert in the treatment of mental illness;
- 14 (2) A physician, **licensed clinical psychologist, or other licensed**  
15 **clinician**, recognized as an expert in the evaluation or [habilitation] **treatment**  
16 of persons with an intellectual disability or developmental disability;
- 17 (3) A representative of groups who are consumers or families of consumers

18 interested in the services provided by the department in the treatment of mental  
19 illness;

20 (4) A representative of groups who are consumers or families of consumers  
21 interested in the services provided by the department in the habilitation of  
22 persons with an intellectual disability or developmental disability;

23 (5) A person recognized for his expertise in general business matters and  
24 procedures;

25 (6) A person recognized for his interest and expertise in dealing with  
26 alcohol or drug abuse; and

27 (7) A person recognized for his interest or expertise in community mental  
28 health services.

29 3. Vacancies occurring on the commission shall be filled by appointment  
30 by the governor, by and with the advice and consent of the senate, for the  
31 unexpired terms. In case of a vacancy when the senate is not in session, the  
32 governor shall make a temporary appointment until the next session of the  
33 general assembly, when he shall nominate someone to fill the office.

34 4. The commission shall elect from its members a chairman and a  
35 secretary. Meetings shall be held at least once a month, and special meetings  
36 may be held at the call of the chairman.

37 5. The department shall pay the commission members one hundred  
38 dollars per day for each day, or portion thereof, they actually spend in transacting  
39 the business of the commission and shall reimburse the commission members for  
40 necessary expenses actually incurred in the performance of their official duties.

[8.597. 1. There is established a joint committee of the  
2 general assembly to be known as the "Advisory Committee on  
3 Tobacco Securitization", to be comprised of five members of the  
4 senate and five members of the house of representatives. Three of  
5 the senate members shall be appointed by the president pro tem of  
6 the senate and two by the senate minority leader. Three of the  
7 house members shall be appointed by the speaker of the house and  
8 two by the house minority leader. The appointment of each  
9 member shall continue during his or her term of office as a member  
10 of the general assembly or until a successor has been duly  
11 appointed to fill his or her place when his or her term of office as  
12 a member of the general assembly has expired.

13 2. The committee shall study and recommend who the

14 financial advisors, investment bankers, and other professional  
15 advisors shall be for the authority, and shall make a written report  
16 to the authority within sixty days of passage of the bill. The  
17 committee shall also study and provide a written report by  
18 December thirty-first of each year to the authority detailing  
19 suggested allowable projects and payments for which money from  
20 the tobacco settlement securitization settlement trust fund may be  
21 used in the next appropriation cycle.]

[21.440. 1. There is established a permanent joint  
2 committee of the general assembly to be known as the "Joint  
3 Committee on Corrections" to be comprised of six members of the  
4 senate and six members of the house of representatives. The  
5 senate members shall be appointed by the president pro tem of the  
6 senate and the house members shall be appointed by the speaker  
7 of the house. The appointment of each member shall continue  
8 during his term of office as a member of the general assembly or  
9 until a successor has been duly appointed to fill his place when his  
10 term of office as a member of the general assembly has expired.

11 2. The general assembly by a majority vote of the elected  
12 members may discharge any or all of the members of the committee  
13 at any time and select their successors.

14 3. No major party shall be represented on the committee by  
15 more than three members from the senate nor by more than three  
16 members from the house.]

[21.445. 1. The joint committee on corrections shall meet  
2 within ten days after its creation and organize by selecting a  
3 chairman and a vice chairman, one of whom shall be a member of  
4 the senate and the other a member of the house of  
5 representatives. The director of research of the committee on  
6 legislative research shall serve as secretary to the committee. He  
7 shall keep the records of the committee, and shall perform such  
8 other duties as may be directed by the committee.

9 2. The regular meetings of the committee shall be in  
10 Jefferson City, Missouri, and after its inception and organization  
11 it shall regularly meet at least once every six months.

12 3. A majority of the members of the committee shall

13 constitute a quorum.

14 4. The members of the committee shall serve without  
15 compensation but shall be entitled to reimbursement for actual and  
16 necessary expenses incurred in the performance of their official  
17 duties.]

[21.450. The committee may, within the limits of its  
2 appropriation, employ such personnel as it deems necessary; and  
3 the committee on legislative research, within the limits of any  
4 appropriation made for such purpose, shall supply to the joint  
5 committee on corrections such professional, technical, legal,  
6 stenographic and clerical help as may be necessary for it to perform  
7 its duties.]

[21.460. 1. The department of corrections, each section and  
2 correctional facility within the department and, upon request, any  
3 other state agency shall cooperate with and assist the committee  
4 in the performance of its duties and shall make available all books,  
5 records and information requested.

6 2. The committee shall have the power to subpoena  
7 witnesses, take testimony under oath, compel the attendance of  
8 witnesses, the giving of testimony and the production of records.]

[21.465. It shall be the duty of the committee to compile a  
2 full report of its activities for submission to the general  
3 assembly. The report shall be submitted not later than the  
4 fifteenth of January of each year in which the general assembly  
5 convenes in regular session and shall include any recommendations  
6 which the committee may have for legislative action as well as any  
7 recommendations for administrative or procedural changes in the  
8 internal management or organization of the department or its  
9 correctional facilities. The report shall also include an analysis  
10 and statement of the manner in which statutory provisions relating  
11 to the department and its several sections are being  
12 executed. Copies of the report containing such recommendations  
13 shall be sent to the director of the department of corrections and  
14 other persons within the department charged with administrative  
15 or managerial duties.]

[21.530. 1. There is established a permanent joint

2 committee of the general assembly to be known as the "Joint  
3 Committee on Capital Improvements and Leases Oversight" to be  
4 comprised of five members of the senate appropriations committee  
5 and five members of the house of representatives budget  
6 committee. The senate members shall be appointed by the  
7 president pro tem of the senate and the house members shall be  
8 appointed by the speaker of the house.

9 2. No major party shall be represented on the committee by  
10 more than three members from the senate nor by more than three  
11 members from the house.]

[21.537. 1. The joint committee on capital improvements  
2 and leases oversight shall:

3 (1) Monitor all proposed state-funded capital improvement  
4 projects, including all operating costs for the first two years after  
5 completion of such projects;

6 (2) Monitor all new construction on any state-funded capital  
7 improvements project, excluding capital improvements projects or  
8 highway improvements of the state transportation department  
9 funded by motor fuel tax revenues;

10 (3) Monitor any repairs or maintenance on existing state  
11 buildings and facilities involving capital expenditures exceeding a  
12 specific amount of money to be determined by the committee;

13 (4) Investigate the total bonded and other indebtedness  
14 including lease purchase agreements of this state and its various  
15 departments, divisions, and other agencies as it pertains to state  
16 building projects;

17 (5) Perform budgeting analysis for all proposed capital  
18 improvement projects including all operating costs for the first two  
19 years after completion of the project and cooperate with and assist  
20 the house budget committee and the senate appropriations  
21 committee with similar analysis;

22 (6) Monitor all leases and proposed leases of real property  
23 funded with state moneys, including any operating costs or other  
24 costs associated with any such lease arrangement.

25 2. The committee may, within the limits of its  
26 appropriation, employ such personnel as it deems necessary to

27 carry out the duties imposed by this section.

28 3. The committee shall compile a full report of its activities  
 29 for submission to the general assembly. The report shall be  
 30 submitted not later than the fifteenth of January of each year in  
 31 which the general assembly convenes in regular session and shall  
 32 include any recommendations which the committee may have for  
 33 legislative action.]

[21.820. 1. There is established a joint committee of the  
 2 general assembly to be known as the "Joint Committee on  
 3 Government Accountability" to be composed of seven members of  
 4 the senate and seven members of the house of representatives. The  
 5 senate members of the joint committee shall be appointed by the  
 6 president pro tem and minority floor leader of the senate and the  
 7 house members shall be appointed by the speaker and minority  
 8 floor leader of the house of representatives. Each member shall be  
 9 appointed for a term of two years or until a successor has been  
 10 appointed to fill the member's place when his or her term has  
 11 expired. Members may be reappointed to the joint committee. No  
 12 party shall be represented by more than four members from the  
 13 house of representatives nor more than four members from the  
 14 senate. A majority of the committee shall constitute a quorum, but  
 15 the concurrence of a majority of the members shall be required for  
 16 the determination of any matter within the committee's duties.

17 2. The joint committee shall:

18 (1) Make a continuing study and analysis of inefficiencies,  
 19 fraud and misconduct in state government;

20 (2) Determine the appropriate method of obtaining data on  
 21 each entity of state government that will provide relevant  
 22 information at least biennially for the identification of potential  
 23 and actual inefficiencies in each state entity's function, duties, and  
 24 performance;

25 (3) Determine from its study and analysis the need for  
 26 changes in statutory law, rules, or policies; and

27 (4) Make any other recommendation to the general  
 28 assembly necessary to reduce inefficiencies in state government;

29 (5) Identify and acknowledge government agencies and



30 officials who perform functions in an efficient and effective manner.

31 3. The joint committee shall meet within thirty days after  
32 its creation and organize by selecting a chairperson and a vice  
33 chairperson, one of whom shall be a member of the senate and the  
34 other a member of the house of representatives. The chairperson  
35 shall alternate between members of the house and senate every two  
36 years after the committee's organization.

37 4. The committee shall meet at least four times a year. The  
38 committee may meet at locations other than Jefferson City when  
39 the committee deems it necessary.

40 5. The committee shall be staffed by legislative personnel  
41 as is deemed necessary to assist the committee in the performance  
42 of its duties.

43 6. The members of the committee shall serve without  
44 compensation but shall be entitled to reimbursement from the joint  
45 contingent fund for actual and necessary expenses incurred in the  
46 performance of their official duties.

47 7. It shall be the duty of the committee to compile a full  
48 report of its activities for submission to the general assembly. The  
49 report shall be submitted not later than the fifteenth of January of  
50 each year in which the general assembly convenes in regular  
51 session and shall include any recommendations which the  
52 committee may have for legislative action as well as any  
53 recommendations for administrative or procedural changes in the  
54 internal management or organization of state government agencies  
55 and departments. Copies of the report containing such  
56 recommendations shall be sent to the appropriate directors of state  
57 or local government agencies or departments included in the  
58 report.]

2 [21.830. 1. There is hereby established a joint committee  
3 of the general assembly, which shall be known as the "Joint  
4 Committee on Missouri's Energy Future", which shall be composed  
5 of five members of the senate, with no more than three members of  
6 one party, and five members of the house of representatives, with  
7 no more than three members of one party. The senate members of  
the committee shall be appointed by the president pro tem of the

8 senate and the house members by the speaker of the house of  
9 representatives. The committee shall select either a chairperson  
10 or co-chairpersons, one of whom shall be a member of the senate  
11 and one a member of the house of representatives. A majority of  
12 the members shall constitute a quorum. Meetings of the committee  
13 may be called at such time and place as the chairperson or  
14 chairpersons designate.

15 2. The committee shall examine Missouri's present and  
16 future energy needs to determine the best strategy to ensure a  
17 plentiful, affordable and clean supply of electricity that will meet  
18 the needs of the people and businesses of Missouri for the next  
19 twenty-five years and ensure that Missourians continue to benefit  
20 from low rates for residential, commercial, and industrial energy  
21 consumers.

22 3. The joint committee may hold hearings as it deems  
23 advisable and may obtain any input or information necessary to  
24 fulfill its obligations. The committee may make reasonable  
25 requests for staff assistance from the research and appropriations  
26 staffs of the house and senate and the committee on legislative  
27 research, as well as the department of economic development,  
28 department of natural resources, and the public service  
29 commission.

30 4. The joint committee shall prepare a final report, together  
31 with its recommendations for any legislative action deemed  
32 necessary, for submission to the general assembly by December 31,  
33 2009, at which time the joint committee shall be dissolved.

34 5. Members of the committee shall receive no compensation  
35 but may be reimbursed for reasonable and necessary expenses  
36 associated with the performance of their official duties.]

2 [21.835. Consistent with its comprehensive review of the  
3 Missouri criminal code, the joint committee on the Missouri  
4 criminal code, as established by senate concurrent resolution no. 28  
5 as adopted by the ninety-sixth general assembly, second regular  
6 session, shall evaluate removal of offenses from the sexual offender  
7 registry which do not jeopardize public safety or do not contribute  
to the public's assessment of risk associated with offenders.]

[21.850. 1. There is hereby established a joint committee of the general assembly, which shall be known as the "Joint Committee on Solid Waste Management District Operations", which shall be composed of five members of the senate, with no more than three members of one party, and five members of the house of representatives, with no more than three members of one party. The senate members of the committee shall be appointed by the president pro tempore of the senate and the house members by the speaker of the house of representatives. The committee shall select either a chairperson or co-chairpersons, one of whom shall be a member of the senate and one a member of the house of representatives. A majority of the members shall constitute a quorum. Meetings of the committee may be called at such time and place as the chairperson or chairpersons designate.

2. The committee shall examine solid waste management district operations, including but not limited to the efficiency, efficacy, and reasonableness of costs and expenses of such districts to Missouri taxpayers.

3. The joint committee may hold hearings as it deems advisable and may obtain any input or information necessary to fulfill its obligations. The committee may make reasonable requests for staff assistance from the research and appropriations staffs of the house and senate and the committee on legislative research, as well as the department of natural resources and representatives of solid waste management districts.

4. The joint committee shall prepare a final report, together with its recommendations for any legislative action deemed necessary, for submission to the general assembly by December 31, 2013, at which time the joint committee shall be dissolved.

5. Members of the committee shall receive no compensation but may be reimbursed for reasonable and necessary expenses associated with the performance of their official duties.]

[21.920. 1. There is established a joint committee of the general assembly to be known as the "Joint Committee on Missouri's Promise" to be composed of five members of the senate and five members of the house of representatives. The senate

5 members of the joint committee shall be appointed by the president  
6 pro tem of the senate and the house members shall be appointed by  
7 the speaker of the house of representatives. The appointment of  
8 each member shall continue during the member's term of office as  
9 a member of the general assembly or until a successor has been  
10 appointed to fill the member's place when his or her term of office  
11 as a member of the general assembly has expired. No party shall  
12 be represented by more than three members from the house of  
13 representatives nor more than three members from the senate. A  
14 majority of the committee shall constitute a quorum, but the  
15 concurrence of a majority of the members shall be required for the  
16 determination of any matter within the committee's duties.

17 2. The committee shall be charged with the following:

18 (1) Examining issues that will be impacting the future of  
19 the state of Missouri and its citizens;

20 (2) Developing long-term strategies and plans for:

21 (a) Increasing the economic prosperity and opportunities for  
22 the citizens of this state;

23 (b) Improving the health status of our citizens;

24 (c) An education system that educates students who are  
25 capable of attending and being productive and successful citizens  
26 and designed to successfully prepare graduates for global  
27 competition;

28 (d) Investing in, and maintaining, a modern infrastructure  
29 and transportation system and identifying potential sources of  
30 revenue to sustain such efforts; and

31 (e) Other areas that the committee determines are vital to  
32 improving the lives of the citizens of Missouri;

33 (3) Developing three-, five-, and ten-year plans for the  
34 general assembly to meet the long-term strategies outlined in  
35 subdivision (2) of this subsection;

36 (4) Implementing budget forecasting for the upcoming ten  
37 years in order to plan for the long-term financial soundness of the  
38 state; and

39 (5) Such other matters as the committee may deem  
40 necessary in order to determine the proper course of future

41 legislative and budgetary action regarding these issues.

42 3. The committee may solicit input and information  
43 necessary to fulfill its obligations, including, but not limited to,  
44 soliciting input and information from any state department or  
45 agency the committee deems relevant, political subdivisions of this  
46 state, and the general public.

47 4. By January 1, 2011, and every year thereafter, the  
48 committee shall issue a report to the general assembly with any  
49 findings or recommendations of the committee with regard to its  
50 duties under subsection 2 of this section.

51 5. Members of the committee shall receive no compensation  
52 but may be reimbursed for reasonable and necessary expenses  
53 associated with the performance of their official duties.]

[30.953. 1. There is hereby created and established as an  
2 instrumentality of the state of Missouri, the "Missouri Investment  
3 Trust" which shall constitute a body corporate and politic, and  
4 shall be managed by a board of trustees as described herein. The  
5 purpose of the Missouri investment trust shall be:

6 (1) To receive, hold, manage, invest and ultimately reconvey  
7 to the granting party any funds or property of the state of Missouri  
8 which may, from time to time, be transferred to the investment  
9 trust pursuant to the terms of a trust agreement with the state of  
10 Missouri and the provisions of sections 30.953 to 30.971. All  
11 property, money, funds, investments and rights which may be so  
12 conveyed to the investment trust shall be dedicated to and held in  
13 trust for the state of Missouri and no other until such time as they  
14 are reconveyed to the state of Missouri, all as set forth herein; and

15 (2) To perform other duties assigned by law.

16 2. The state treasurer, on behalf of the state of Missouri, is  
17 hereby authorized to convey designated funds in the state treasury  
18 to the Missouri investment trust to be held in trust for the  
19 exclusive benefit of the state of Missouri for a fixed period,  
20 pursuant to the terms and conditions of a written trust agreement  
21 and the provisions of sections 30.953 to 30.971, provided that all  
22 the following requirements have been met:

23 (1) Initially, the general assembly passes and the governor

24 signs legislation designating specific funds in the state treasury as  
25 being funds which, due to their nature and purpose, are intended  
26 for long-term investment and growth, and accordingly, from which  
27 there shall be no appropriations for a period exceeding the longest  
28 duration for investments by the state treasury pursuant to section  
29 15, article IV of the Constitution of Missouri. Such legislation  
30 shall declare that it is the intention and desire of the general  
31 assembly that the state treasurer shall convey, from time to time,  
32 the designated funds, in trust, to the Missouri investment trust,  
33 and shall further declare the maximum time such funds shall  
34 remain in the Missouri investment trust before being reconveyed  
35 to the state treasurer by the investment trust; and

36 (2) Thereafter, an appropriation by the general assembly  
37 authorizing disbursement of the designated funds from the state  
38 treasury to the Missouri investment trust; and

39 (3) The Missouri investment trust executes a valid, binding  
40 trust agreement, sufficient in form and substance to bind the  
41 investment trust to hold, maintain, and invest the designated  
42 funds, in trust, for the exclusive benefit of the state of Missouri, for  
43 the prescribed period, whereupon the investment trust shall  
44 reconvey the designated funds and any earnings thereon to the  
45 state treasury.

46 3. The investment trust may hold and invest funds so  
47 designated in order to satisfy the specific long-term investment  
48 goals of such funds, but the investment trust shall not be utilized  
49 to invest idle general revenue funds of the state treasury. No more  
50 than one hundred million dollars, in aggregate, may be conveyed  
51 to the investment trust pursuant to sections 30.953 to 30.971.

52 Total assets under management by the investment trust may  
53 exceed one hundred million dollars, but no new funds may be  
54 conveyed to the investment trust until such time as previous  
55 existing transfers to the investment trust total less than one  
56 hundred million dollars.

57 4. The board of trustees of the investment trust shall  
58 consist of the state treasurer, who shall serve as chairman, the  
59 commissioner of administration, one member appointed by the

60 speaker of the house of representatives, one member appointed by  
61 the president pro tem of the senate and three members to be  
62 selected by the governor, with the advice and consent of the  
63 senate. The persons to be selected by the governor shall be  
64 individuals knowledgeable in the areas of banking, finance or the  
65 investment and management of public funds. Not more than two  
66 of the members appointed by the governor shall be from the same  
67 political party. The initial members of the board of trustees  
68 appointed by the governor shall serve the following terms: one  
69 shall serve two years, one shall serve three years, and one shall  
70 serve four years, respectively. Thereafter, each appointment shall  
71 be for a term of four years. If for any reason a vacancy occurs, the  
72 governor, with the advice and consent of the senate, shall appoint  
73 a new member to fill the unexpired term. Members are eligible for  
74 reappointment.

75 5. Five members of the board of trustees of the investment  
76 trust shall constitute a quorum. No vacancy in the membership of  
77 the board of trustees shall impair the right of a quorum to exercise  
78 all the rights and perform all the duties of the board of trustees of  
79 the investment trust. No action shall be taken by the board of  
80 trustees of the investment trust except upon the affirmative vote  
81 of at least four of the members of the board where a quorum is  
82 present.

83 6. The board of trustees shall meet within the state of  
84 Missouri at the time set at a previously scheduled meeting or by  
85 the request of any four members of the board. Notice of the  
86 meeting shall be delivered to all other trustees in person or by  
87 depositing notice in a United States post office in a properly  
88 stamped and addressed envelope not less than six days prior to the  
89 date fixed for the meeting. The board may meet at any time by  
90 unanimous mutual consent. There shall be at least one meeting in  
91 each quarter.

92 7. In the event any trustee other than the state treasurer  
93 or the commissioner of administration fails to attend three  
94 consecutive meetings of the board, unless in each case excused for  
95 cause by the remaining trustees attending such meetings, such

96 trustee shall be considered to have resigned from the board and the  
97 chairman shall declare such trustee's office vacated, and the  
98 vacancy shall be filled in the same manner as originally filled.

99 8. Each member of the board of trustees appointed by the  
100 governor, unless prohibited by law, is entitled to compensation of  
101 fifty dollars per diem plus such member's reasonable and necessary  
102 expenses actually incurred in discharging such member's duties  
103 pursuant to sections 30.953 to 30.971.]

[30.954. As authorized pursuant to subsection 2 of section  
2 30.953, it is the intention and desire of the general assembly that  
3 the state treasurer convey to the Missouri investment trust on  
4 January 1, 2000, up to one hundred percent of the balances of the  
5 Wolfner library trust fund established in section 181.150, the  
6 Missouri arts council trust fund established in section 185.100, the  
7 Missouri humanities council trust fund established in section  
8 186.055, and the Pansy Johnson-Travis memorial state gardens  
9 trust fund established in section 253.380. On January 2, 2010, the  
10 Wolfner library trust fund, the Missouri arts council trust fund, the  
11 Missouri humanities council trust fund and the Pansy  
12 Johnson-Travis memorial state gardens trust fund shall be  
13 reconveyed to the state treasurer by the investment trust.]

[30.956. The investment trust is hereby granted, has and  
2 may exercise all powers necessary or appropriate for it or its agents  
3 or employees to carry out and effectuate its purpose, including but  
4 not limited to the following:

5 (1) To purchase, acquire, hold, invest, lend, lease, sell,  
6 assign, transfer and dispose of all funds, property, rights and  
7 securities, and enter into written contracts, releases, compromises  
8 and other instruments necessary or convenient for the exercise of  
9 its powers, or to carry out the purposes of a trust agreement or  
10 sections 30.953 to 30.971;

11 (2) To make, and from time to time, amend and repeal  
12 bylaws, rules and regulations not inconsistent with the provisions  
13 of sections 30.953 to 30.971 for the regulation of its affairs and the  
14 conduct of its business;

15 (3) To accept appropriations, gifts, grants, bequests and



16           devises and to utilize or dispose of the same to carry out its  
17           purpose or the terms of a trust agreement;

18           (4) To invest any funds or property not required for  
19           immediate disbursement in accordance with sections 30.953 to  
20           30.971, and consistent with the principles set forth in sections  
21           105.687 to 105.690, except that nothing herein shall be deemed to  
22           authorize investment in venture capital firms or small business  
23           investment companies, as defined in those statutory sections;

24           (5) To sue and be sued;

25           (6) To have a seal and alter the same at will;

26           (7) To enter into agreements or other transactions with any  
27           federal or state agency, person, or domestic or foreign partnership,  
28           corporation, association or organization;

29           (8) To procure insurance against any loss in connection with  
30           the property it holds in trust in such amounts and from such  
31           insurers as may be necessary or desirable;

32           (9) To hire or retain such agents or employees as necessary  
33           to carry out and effectuate its purpose and the requirements of  
34           sections 30.953 to 30.971.]

          [30.959. 1. The principal office of the investment trust  
2           shall be in Jefferson City. The investment trust shall have a seal  
3           bearing the inscription "Missouri Investment Trust", which shall  
4           be in the custody of the state treasurer. The courts of this state  
5           shall take judicial notice of the seal and all copies of records, books,  
6           and written instruments which are kept in the office of the  
7           investment trust and are certified by the state treasurer under the  
8           seal shall be proved or admitted in any court or proceeding as  
9           provided by section 109.130.

10           2. The board of trustees of the investment trust shall keep  
11           a complete record of all its proceedings which shall be open to the  
12           public in accordance with the provisions of chapter 610.

13           3. The board of trustees shall annually prepare and have  
14           available as public information a comprehensive annual financial  
15           report showing the financial status of the investment trust as of  
16           the end of the trust's fiscal year. The report shall contain, but not  
17           be limited to, detailed financial statements prepared in accordance

18 with generally accepted accounting principles for trust funds, a  
19 detailed listing of the investments, showing both cost and market  
20 value, held by the investment trust as of the date of the report  
21 together with a detailed statement of the annual rates of  
22 investment return from all assets and from each type of  
23 investment, a detailed list of investments acquired and disposed of  
24 during the fiscal year, a listing of the investment trust's board of  
25 trustees and responsible administrative staff, a detailed list of  
26 administrative expenses of the investment trust including all fees  
27 paid for professional services, a detailed list of brokerage  
28 commissions paid, and such other data as the board shall deem  
29 necessary or desirable for a proper understanding of the condition  
30 of the investment trust. In the event the investment trust is  
31 unable to comply with any of the disclosure requirements outlined  
32 above, a detailed statement shall be included in the report as to the  
33 reason for such noncompliance. A copy of the comprehensive  
34 annual financial report as outlined above shall be forwarded within  
35 six months of the end of the investment trust's fiscal year to the  
36 governor of Missouri.

37 4. The state auditor shall conduct an annual audit of the  
38 records and accounts of the investment trust and shall report the  
39 findings to the board of trustees and the governor.]

2 [30.962. 1. No trustee or employee of the investment trust  
3 shall receive any gain or profit from any funds or transaction of the  
4 investment trust.

5 2. Any trustee, employee or agent of the investment trust  
6 accepting any gratuity or compensation for the purpose of  
7 influencing such trustee's, employee's or agent's action with respect  
8 to the investment or management of the funds of the investment  
9 trust shall thereby forfeit the office and in addition thereto be  
subject to the penalties prescribed for bribery.]

2 [30.965. 1. The investment trust shall set up and maintain  
3 the system of accounts necessary to monitor, preserve and  
4 ultimately reconvey the funds conveyed to it pursuant to sections  
5 30.953 to 30.971. All funds, property, income and earnings  
received by the investment trust from any and all sources shall be

6 promptly credited to the appropriate account.

7 2. Unless and until invested in compliance with sections  
8 30.953 to 30.971, all moneys received by the investment trust shall  
9 be promptly deposited to the credit of the investment trust in one  
10 or more banks or financial institutions in this state. No such  
11 money shall be deposited in or be retained by any bank or financial  
12 institution which does not continually have on deposit with and  
13 pledged for the benefit of the investment trust the kind and value  
14 of collateral required by section 30.270, for depositaries of the state  
15 treasurer.

16 3. The board of trustees shall invest all funds under its  
17 control which are in excess of a safe operating balance and not  
18 subject to imminent conveyance to the state treasury. The funds  
19 shall be invested only in those investments which a prudent person  
20 acting in a like capacity and familiar with these matters would use  
21 in the conduct of an enterprise of a like character and with like  
22 aims, as provided in section 105.688. The board of trustees may  
23 delegate to duly appointed investment counselors authority to act  
24 in place of the board in the investment and reinvestment of all or  
25 part of the moneys of the trust, and may also delegate to such  
26 counselors the authority to act in place of the board in the holding,  
27 purchasing, selling, assigning, transferring or disposing of any or  
28 all of the securities and investments in which such moneys shall  
29 have been invested, as well as the proceeds of such investments  
30 and such moneys. Such investment counselors shall be registered  
31 as investment advisors with the United States Securities and  
32 Exchange Commission. In exercising or delegating its investment  
33 powers and authority, members of the board of trustees shall  
34 exercise ordinary business care and prudence under the facts and  
35 circumstances prevailing at the time of the action or decision. No  
36 member of the board of trustees shall be liable for any action taken  
37 or omitted with respect to the exercise of, or delegation of, these  
38 powers and authority if such member shall have discharged the  
39 duties of his or her position in good faith and with that degree of  
40 diligence, care and skill which a prudent person acting in a like  
41 capacity and familiar with these matters would use in the conduct

42 of an enterprise of a like character and with like aims.

43 4. No investment transaction authorized by the board of  
44 trustees shall be handled by any company or firm in which a  
45 member of the board has a substantial interest, nor shall any  
46 member of the board profit directly or indirectly from any such  
47 investment. All investments shall be made for the account of the  
48 investment trust, and any securities or other properties obtained  
49 by the board of trustees may be held by a custodian in the name of  
50 the investment trust, or in the name of a nominee in order to  
51 facilitate the expeditious transfer of such securities or other  
52 property. Such securities or other properties which are not  
53 available in registered form may be held in bearer form or in book  
54 entry form. The investment trust is further authorized to deposit,  
55 or have deposited for its account, eligible securities in a central  
56 depository system or clearing corporation or in a federal reserve  
57 bank under a book entry system as defined in the Uniform  
58 Commercial Code, chapter 400. When such eligible securities of  
59 the investment trust are so deposited with a central depository  
60 system they may be merged and held in the name of the nominee  
61 of such securities depository and title to such securities may be  
62 transferred by bookkeeping entry on the books of such securities  
63 depository or federal reserve bank without physical delivery of the  
64 certificates or documents representing such securities.

65 5. With appropriate safeguards against loss by the  
66 investment trust in any contingency, the board of trustees may  
67 designate a bank or trust company to serve as a depository of trust  
68 funds and intermediary in the investment of those funds and  
69 payment of trust obligations.

70 6. The board of trustees may employ a financial institution  
71 having fiduciary powers for the provision of such custodial or  
72 clerical services as the board may deem appropriate.

73 7. Consistent with the exercise of its fiduciary  
74 responsibilities, the board of trustees may provide for the payment  
75 of any costs or expenses for the employees, agents, services or  
76 transactions necessary for the execution of sections 30.953 to  
77 30.971 in the form, manner and amount that the board deems

78 appropriate.

79 8. The board of trustees shall take the necessary steps,  
80 consistent with the exercise of its fiduciary responsibilities, to  
81 ensure that the investment trust has sufficient available assets to  
82 satisfy any obligation to reconvey property held in trust at the end  
83 of the term established in a trust agreement.

84 9. Any funds or property in the charge and custody of the  
85 board of trustees of the investment trust pursuant to the provisions  
86 of sections 30.953 to 30.971 shall not be subject to execution,  
87 garnishment, attachment or any other process whatsoever and  
88 shall be unassignable, unless otherwise specifically provided in  
89 sections 30.953 to 30.971.]

[30.968. Upon completion of the fixed period identified in  
2 a trust agreement with the state of Missouri, the investment trust  
3 shall promptly transfer to the state treasury the current corpus of  
4 the property originally conveyed in trust, along with any interest,  
5 income or other earnings thereon.]

[30.971. For the purposes of the books and records of the  
2 state of Missouri, any funds or property held by the investment  
3 trust pursuant to sections 30.953 to 30.971 shall be treated,  
4 consistent with generally accepted accounting principles, in the  
5 same manner as property of a not-for-profit, tax-exempt beneficiary  
6 which is held in trust by a trustee for a fixed period.]

[33.850. 1. The committee on legislative research shall  
2 organize a subcommittee, which shall be known as the "Joint  
3 Subcommittee on Recovery Accountability and Transparency", to  
4 coordinate and conduct oversight of covered funds to prevent fraud,  
5 waste, and abuse.

6 2. The subcommittee shall consist of the following eight  
7 members:

8 (1) One-half of the members appointed by the chairperson  
9 from the house which he or she represents, two of whom shall be  
10 from the majority party and two of whom shall be from the  
11 minority party; and

12 (2) One-half of the members appointed by the vice  
13 chairperson from the house which he or she represents, two of

14 whom shall be from the majority party and two of whom shall be  
15 from the minority party.

16 3. The appointment of the senate and house members shall  
17 continue during the member's term of office as a member of the  
18 general assembly or until a successor has been appointed to fill the  
19 member's place when his or her term of office as a member of the  
20 general assembly has expired.

21 4. The subcommittee shall coordinate and conduct oversight  
22 of covered funds in order to prevent fraud, waste, and abuse,  
23 including:

24 (1) Reviewing whether the reporting of contracts and grants  
25 using covered funds meets applicable standards and specifies the  
26 purpose of the contract or grant and measures of performance;

27 (2) Reviewing whether competition requirements applicable  
28 to contracts and grants using covered funds have been satisfied;

29 (3) Reviewing covered funds to determine whether wasteful  
30 spending, poor contract or grant management, or other abuses are  
31 occurring and referring matters it considers appropriate for  
32 investigation to the attorney general or the agency that disbursed  
33 the covered funds;

34 (4) Receiving regular reports from the commissioner of the  
35 office of administration, or his or her designee, concerning covered  
36 funds; and

37 (5) Reviewing the number of jobs created using these funds.

38 5. The subcommittee shall submit annual reports to the  
39 governor and general assembly, including the senate appropriations  
40 committee and house budget committee, that summarize the  
41 findings of the subcommittee with regard to its duties in subsection  
42 4 of this section. All reports submitted under this subsection shall  
43 be made publicly available and posted on the governor's website,  
44 the general assembly website, and each state agency website. Any  
45 portion of a report submitted under this subsection may be  
46 redacted when made publicly available, if that portion would  
47 disclose information that is not subject to disclosure under chapter  
48 610, or any other provision of state law.

49 6. (1) The subcommittee shall make recommendations to

50 agencies on measures to prevent fraud, waste, and abuse relating  
51 to covered funds.

52 (2) Not later than thirty days after receipt of a  
53 recommendation under subdivision (1) of this subsection, an agency  
54 shall submit a report to the governor and general assembly,  
55 including the senate appropriations committee and house budget  
56 committee, and the subcommittee that states:

57 (a) Whether the agency agrees or disagrees with the  
58 recommendations; and

59 (b) Any actions the agency will take to implement the  
60 recommendations.

61 7. The subcommittee may:

62 (1) Review audits from the state auditor and conduct  
63 reviews relating to covered funds; and

64 (2) Receive regular testimony from the state auditor  
65 relating to audits of covered funds.

66 8. (1) Not later than thirty days after the date on which all  
67 initial members of the subcommittee have been appointed, the  
68 subcommittee shall hold its first meeting. Thereafter, the  
69 subcommittee shall meet at the call of the chairperson of the  
70 subcommittee.

71 (2) A majority of the members of the subcommittee shall  
72 constitute a quorum, but a lesser number of members may hold  
73 hearings.

74 9. The subcommittee may hold such hearings, sit and act at  
75 such times and places, take such testimony, and receive such  
76 evidence as the subcommittee considers advisable to carry out the  
77 provisions of this section. Each agency of this state shall cooperate  
78 with any request of the subcommittee to provide such information  
79 as the subcommittee deems necessary to carry out the provisions  
80 of this section. Upon request of the subcommittee, the head of each  
81 agency shall furnish such information to the subcommittee. The  
82 head of each agency shall make all officers and employees of that  
83 agency available to provide testimony to the subcommittee and  
84 committee personnel.

85 10. Subject to appropriations, the subcommittee may enter

86 into contracts with public agencies and with private persons to  
87 enable the subcommittee to discharge its duties under the  
88 provisions of this section, including contracts and other  
89 arrangements for studies, analyses, and other services.

90 11. The members of the subcommittee shall serve without  
91 compensation, but may be reimbursed for reasonable and necessary  
92 expenses incurred in the performance of their official duties.

93 12. As used in this section, the term "covered fund" shall  
94 mean any moneys received by the state or any political subdivision  
95 under the American Recovery and Reinvestment Act of 2009, as  
96 enacted by the 111th United States Congress.

97 13. This section shall expire March 1, 2013.]

2 [37.250. 1. The general assembly declares it is the public  
3 policy of this state to determine the most cost-effective systems to  
4 provide ubiquitous coverage of the state transparent  
5 communications between all members of all using agencies, and the  
6 necessary E911 capability to provide assured emergency response,  
7 and to reduce the response time for emergency or disastrous  
8 situations.

8 2. There is hereby created a committee on state-operated  
9 wireless communication systems to be composed of:

10 (1) The commissioner of administration or a designee;

11 (2) The director of the department of public safety or a  
12 designee;

13 (3) The director of the department of conservation or a  
14 designee; and

15 (4) The chief engineer of the department of transportation  
16 or a designee.

17 3. The committee shall examine existing programs and  
18 proposals for development or expansion to identify duplication in  
19 resource allocation of wireless communication systems. The  
20 committee shall submit a report to the general assembly by August  
21 30, 1998, in which it identifies opportunities for cost savings,  
22 increased efficiency and improved services for Missouri's  
23 citizens. The committee shall review the state's purchasing law  
24 and may recommend such changes to chapter 34 as it deems



25 appropriate to maintain and enhance the state's wireless  
26 communication system. The committee may make such other  
27 recommendations as it deems appropriate and shall identify the  
28 costs associated with each such recommendation.]

[99.863. Beginning in 1999, and every five years thereafter,  
2 a joint committee of the general assembly, comprised of five  
3 members appointed by the speaker of the house of representatives  
4 and five members appointed by the president pro tem of the senate,  
5 shall review sections 99.800 to 99.865. A report based on such  
6 review, with any recommended legislative changes, shall be  
7 submitted to the speaker of the house of representatives and the  
8 president pro tem of the senate no later than February first  
9 following the year in which the review is conducted.]

[99.971. Beginning in 2008, and every five years thereafter,  
2 a joint committee of the general assembly, comprised of five  
3 members appointed by the speaker of the house of representatives  
4 and five members appointed by the president pro tempore of the  
5 senate, shall review sections 99.915 to 99.980. A report based on  
6 such review, with any recommended legislative changes, shall be  
7 submitted to the speaker of the house of representatives and the  
8 president pro tempore of the senate no later than February first  
9 following the year in which the review is conducted.]

[99.1057. Beginning in 2008, and every five years  
2 thereafter, a joint committee of the general assembly, comprised of  
3 five members appointed by the speaker of the house of  
4 representatives and five members appointed by the president pro  
5 tempore of the senate, shall review sections 99.1000 to 99.1060. A  
6 report based on such review, with any recommended legislative  
7 changes, shall be submitted to the speaker of the house of  
8 representatives and the president pro tempore of the senate no  
9 later than February first following the year in which the review is  
10 conducted.]

[105.955. 1. A bipartisan "Missouri Ethics Commission",  
2 composed of six members, is hereby established. The commission  
3 shall be assigned to the office of administration with supervision  
4 by the office of administration only for budgeting and reporting as

5 provided by subdivisions (4) and (5) of subsection 6 of section 1 of  
6 the Reorganization Act of 1974. Supervision by the office of  
7 administration shall not extend to matters relating to policies,  
8 regulative functions or appeals from decisions of the commission,  
9 and the commissioner of administration, any employee of the office  
10 of administration, or the governor, either directly or indirectly,  
11 shall not participate or interfere with the activities of the  
12 commission in any manner not specifically provided by law and  
13 shall not in any manner interfere with the budget request of or  
14 withhold any moneys appropriated to the commission by the  
15 general assembly. All members of the commission shall be  
16 appointed by the governor with the advice and consent of the  
17 senate from lists submitted pursuant to this section. Each  
18 congressional district committee of the political parties having the  
19 two highest number of votes cast for their candidate for governor  
20 at the last gubernatorial election shall submit two names of eligible  
21 nominees for membership on the commission to the governor, and  
22 the governor shall select six members from such nominees to serve  
23 on the commission.

24 2. Within thirty days of submission of the person's name to  
25 the governor as provided in subsection 1 of this section, and in  
26 order to be an eligible nominee for appointment to the commission,  
27 a person shall file a financial interest statement in the manner  
28 provided by section 105.485 and shall provide the governor, the  
29 president pro tempore of the senate, and the commission with a list  
30 of all political contributions and the name of the candidate or  
31 committee, political party, or political action committee, as defined  
32 in chapter 130, to which those contributions were made within the  
33 four-year period prior to such appointment, made by the nominee,  
34 the nominee's spouse, or any business entity in which the nominee  
35 has a substantial interest. The information shall be maintained by  
36 the commission and available for public inspection during the  
37 period of time during which the appointee is a member of the  
38 commission. In order to be an eligible nominee for membership on  
39 the commission, a person shall be a citizen and a resident of the  
40 state and shall have been a registered voter in the state for a

41 period of at least five years preceding the person's appointment.

42 3. The term of each member shall be for four years, except  
43 that of the members first appointed, the governor shall select three  
44 members from even-numbered congressional districts and three  
45 members from odd-numbered districts. Not more than three  
46 members of the commission shall be members of the same political  
47 party, nor shall more than one member be from any one United  
48 States congressional district. Not more than two members  
49 appointed from the even-numbered congressional districts shall be  
50 members of the same political party, and no more than two  
51 members from the odd-numbered congressional districts shall be  
52 members of the same political party. Of the members first  
53 appointed, the terms of the members appointed from the  
54 odd-numbered congressional districts shall expire on March 15,  
55 1994, and the terms of the members appointed from the  
56 even-numbered congressional districts shall expire on March 15,  
57 1996. Thereafter all successor members of the commission shall be  
58 appointed for four-year terms. Terms of successor members of the  
59 commission shall expire on March fifteenth of the fourth year of  
60 their term. No member of the commission shall serve on the  
61 commission after the expiration of the member's term. No person  
62 shall be appointed to more than one full four-year term on the  
63 commission.

64 4. Vacancies or expired terms on the commission shall be  
65 filled in the same manner as the original appointment was made,  
66 except as provided in this subsection. Within thirty days of the  
67 vacancy or ninety days before the expiration of the term, the names  
68 of two eligible nominees for membership on the commission shall  
69 be submitted to the governor by the congressional district  
70 committees of the political party or parties of the vacating member  
71 or members, from the even- or odd-numbered congressional  
72 districts, based on the residence of the vacating member or  
73 members, other than from the congressional district committees  
74 from districts then represented on the commission and from the  
75 same congressional district party committee or committees which  
76 originally appointed the member or members whose positions are

77 vacated. Appointments to fill vacancies or expired terms shall be  
78 made within forty-five days after the deadline for submission of  
79 names by the congressional district committees, and shall be  
80 subject to the same qualifications for appointment and eligibility  
81 as is provided in subsections 2 and 3 of this section. Appointments  
82 to fill vacancies for unexpired terms shall be for the remainder of  
83 the unexpired term of the member whom the appointee succeeds,  
84 and such appointees shall be eligible for appointment to one full  
85 four-year term. If the congressional district committee does not  
86 submit the required two nominees within the thirty days or if the  
87 congressional district committee does not submit the two nominees  
88 within an additional thirty days after receiving notice from the  
89 governor to submit the nominees, then the governor may appoint  
90 a person or persons who shall be subject to the same qualifications  
91 for appointment and eligibility as provided in subsections 2 and 3  
92 of this section.

93 5. The governor, with the advice and consent of the senate,  
94 may remove any member only for substantial neglect of duty,  
95 inability to discharge the powers and duties of office, gross  
96 misconduct or conviction of a felony or a crime involving moral  
97 turpitude. Members of the commission also may be removed from  
98 office by concurrent resolution of the general assembly signed by  
99 the governor. If such resolution receives the vote of two-thirds or  
100 more of the membership of both houses of the general assembly,  
101 the signature of the governor shall not be necessary to effect  
102 removal. The office of any member of the commission who moves  
103 from the congressional district from which the member was  
104 appointed shall be deemed vacated upon such change of residence.

105 6. The commission shall elect biennially one of its members  
106 as the chairman. The chairman may not succeed himself or herself  
107 after two years. No member of the commission shall succeed as  
108 chairman any member of the same political party as himself or  
109 herself. At least four members are necessary to constitute a  
110 quorum, and at least four affirmative votes shall be required for  
111 any action or recommendation of the commission.

112 7. No member or employee of the commission, during the

113 person's term of service, shall hold or be a candidate for any other  
114 public office.

115 8. In the event that a retired judge is appointed as a  
116 member of the commission, the judge shall not serve as a special  
117 investigator while serving as a member of the commission.

118 9. No member of the commission shall, during the member's  
119 term of service or within one year thereafter:

120 (1) Be employed by the state or any political subdivision of  
121 the state;

122 (2) Be employed as a lobbyist;

123 (3) Serve on any other governmental board or commission;

124 (4) Be an officer of any political party or political  
125 organization;

126 (5) Permit the person's name to be used, or make  
127 contributions, in support of or in opposition to any candidate or  
128 proposition;

129 (6) Participate in any way in any election campaign; except  
130 that a member or employee of the commission shall retain the right  
131 to register and vote in any election, to express the person's opinion  
132 privately on political subjects or candidates, to participate in the  
133 activities of a civic, community, social, labor or professional  
134 organization and to be a member of a political party.

135 10. Each member of the commission shall receive, as full  
136 compensation for the member's services, the sum of one hundred  
137 dollars per day for each full day actually spent on work of the  
138 commission, and the member's actual and necessary expenses  
139 incurred in the performance of the member's official duties.

140 11. The commission shall appoint an executive director who  
141 shall serve subject to the supervision of and at the pleasure of the  
142 commission, but in no event for more than six years. The executive  
143 director shall be responsible for the administrative operations of  
144 the commission and perform such other duties as may be delegated  
145 or assigned to the director by law or by rule of the  
146 commission. The executive director shall employ staff and retain  
147 such contract services as the director deems necessary, within the  
148 limits authorized by appropriations by the general assembly.

149                   12. Beginning on January 1, 1993, all lobbyist registration  
150 and expenditure reports filed pursuant to section 105.473, financial  
151 interest statements filed pursuant to subdivision (1) of section  
152 105.489, and campaign finance disclosure reports filed other than  
153 with election authorities or local election authorities as provided by  
154 section 130.026 shall be filed with the commission.

155                   13. Within sixty days of the initial meeting of the first  
156 commission appointed, the commission shall obtain from the clerk  
157 of the supreme court or the state courts administrator a list of  
158 retired appellate and circuit court judges who did not leave the  
159 judiciary as a result of being defeated in an election. The executive  
160 director shall determine those judges who indicate their desire to  
161 serve as special investigators and to investigate any and all  
162 complaints referred to them by the commission. The executive  
163 director shall maintain an updated list of those judges qualified  
164 and available for appointment to serve as special  
165 investigators. Such list shall be updated at least annually. The  
166 commission shall refer complaints to such special investigators on  
167 that list on a rotating schedule which ensures a random  
168 assignment of each special investigator. Each special investigator  
169 shall receive only one unrelated investigation at a time and shall  
170 not be assigned to a second or subsequent investigation until all  
171 other eligible investigators on the list have been assigned to an  
172 investigation. In the event that no special investigator is qualified  
173 or available to conduct a particular investigation, the commission  
174 may appoint a special investigator to conduct such particular  
175 investigation.

176                   14. The commission shall have the following duties and  
177 responsibilities relevant to the impartial and effective enforcement  
178 of sections 105.450 to 105.496 and chapter 130, as provided in  
179 sections 105.955 to 105.963:

180                   (1) Receive and review complaints regarding alleged  
181 violation of sections 105.450 to 105.496 and chapter 130, conduct  
182 initial reviews and investigations regarding such complaints as  
183 provided herein; refer complaints to appropriate prosecuting  
184 authorities and appropriate disciplinary authorities along with

185 recommendations for sanctions; and initiate judicial proceedings as  
186 allowed by sections 105.955 to 105.963;

187 (2) Review and investigate any reports and statements  
188 required by the campaign finance disclosure laws contained in  
189 chapter 130, and financial interest disclosure laws or lobbyist  
190 registration and reporting laws as provided by sections 105.470 to  
191 105.492, for timeliness, accuracy and completeness of content as  
192 provided in sections 105.955 to 105.963;

193 (3) Conduct investigations as provided in subsection 2 of  
194 section 105.959;

195 (4) Develop appropriate systems to file and maintain an  
196 index of all such reports and statements to facilitate public access  
197 to such information, except as may be limited by confidentiality  
198 requirements otherwise provided by law, including cross-checking  
199 of information contained in such statements and reports. The  
200 commission may enter into contracts with the appropriate filing  
201 officers to effectuate such system. Such filing officers shall  
202 cooperate as necessary with the commission as reasonable and  
203 necessary to effectuate such purposes;

204 (5) Provide information and assistance to lobbyists, elected  
205 and appointed officials, and employees of the state and political  
206 subdivisions in carrying out the provisions of sections 105.450 to  
207 105.496 and chapter 130;

208 (6) Make recommendations to the governor and general  
209 assembly or any state agency on the need for further legislation  
210 with respect to the ethical conduct of public officials and employees  
211 and to advise state and local government in the development of  
212 local government codes of ethics and methods of disclosing conflicts  
213 of interest as the commission may deem appropriate to promote  
214 high ethical standards among all elected and appointed officials or  
215 employees of the state or any political subdivision thereof and  
216 lobbyists;

217 (7) Render advisory opinions as provided by this section;

218 (8) Promulgate rules relating to the provisions of sections  
219 105.955 to 105.963 and chapter 130. All rules and regulations  
220 issued by the commission shall be prospective only in operation;

221 (9) Request and receive from the officials and entities  
222 identified in subdivision (6) of section 105.450 designations of  
223 decision-making public servants.

224 15. In connection with such powers provided by sections  
225 105.955 to 105.963 and chapter 130, the commission may:

226 (1) Subpoena witnesses and compel their attendance and  
227 testimony. Subpoenas shall be served and enforced in the same  
228 manner provided by section 536.077;

229 (2) Administer oaths and affirmations;

230 (3) Take evidence and require by subpoena duces tecum the  
231 production of books, papers, and other records relating to any  
232 matter being investigated or to the performance of the commission's  
233 duties or exercise of its powers. Subpoenas duces tecum shall be  
234 served and enforced in the same manner provided by section  
235 536.077;

236 (4) Employ such personnel, including legal counsel, and  
237 contract for services including legal counsel, within the limits of its  
238 appropriation, as it deems necessary provided such legal counsel,  
239 either employed or contracted, represents the Missouri ethics  
240 commission before any state agency or before the courts at the  
241 request of the Missouri ethics commission. Nothing in this section  
242 shall limit the authority of the Missouri ethics commission as  
243 provided for in subsection 2 of section 105.961; and

244 (5) Obtain information from any department, division or  
245 agency of the state or any political subdivision reasonably  
246 calculated to lead to the discovery of evidence which will  
247 reasonably assist the commission in carrying out the duties  
248 prescribed in sections 105.955 to 105.963 and chapter 130.

249 16. (1) Upon written request for an advisory opinion  
250 received by the commission, and if the commission determines that  
251 the person requesting the opinion would be directly affected by the  
252 application of law to the facts presented by the requesting person,  
253 the commission shall issue a written opinion advising the person  
254 who made the request, in response to the person's particular  
255 request, regarding any issue that the commission can receive a  
256 complaint on pursuant to section 105.957. The commission may



257 decline to issue a written opinion by a vote of four members and  
258 shall provide to the requesting person the reason for the refusal in  
259 writing. The commission shall give an approximate time frame as  
260 to when the written opinion shall be issued. Such advisory  
261 opinions shall be issued no later than ninety days from the date of  
262 receipt by the commission. Such requests and advisory opinions,  
263 deleting the name and identity of the requesting person, shall be  
264 compiled and published by the commission on at least an annual  
265 basis. Advisory opinions issued by the commission shall be  
266 maintained and made available for public inspection and copying  
267 at the office of the commission during normal business hours. Any  
268 advisory opinion or portion of an advisory opinion rendered  
269 pursuant to this subsection shall be withdrawn by the commission  
270 if, after hearing thereon, the joint committee on administrative  
271 rules finds that such advisory opinion is beyond or contrary to the  
272 statutory authority of the commission or is inconsistent with the  
273 legislative intent of any law enacted by the general assembly, and  
274 after the general assembly, by concurrent resolution, votes to adopt  
275 the findings and conclusions of the joint committee on  
276 administrative rules. Any such concurrent resolution adopted by  
277 the general assembly shall be published at length by the  
278 commission in its publication of advisory opinions of the  
279 commission next following the adoption of such resolution, and a  
280 copy of such concurrent resolution shall be maintained by the  
281 commission, along with the withdrawn advisory opinion, in its  
282 public file of advisory opinions. The commission shall also send a  
283 copy of such resolution to the person who originally requested the  
284 withdrawn advisory opinion. Any advisory opinion issued by the  
285 ethics commission shall act as legal direction to any person  
286 requesting such opinion and no person shall be liable for relying on  
287 the opinion and it shall act as a defense of justification against  
288 prosecution. An advisory opinion of the commission shall not be  
289 withdrawn unless:

- 290 (a) The authorizing statute is declared unconstitutional;  
291 (b) The opinion goes beyond the power authorized by  
292 statute; or

293 (c) The authorizing statute is changed to invalidate the  
294 opinion.

295 (2) Upon request, the attorney general shall give the  
296 attorney general's opinion, without fee, to the commission, any  
297 elected official of the state or any political subdivision, any member  
298 of the general assembly, or any director of any department, division  
299 or agency of the state, upon any question of law regarding the  
300 effect or application of sections 105.450 to 105.496 or chapter  
301 130. Such opinion need be in writing only upon request of such  
302 official, member or director, and in any event shall be rendered  
303 within sixty days after such request is delivered to the attorney  
304 general.

305 17. The state auditor and the state auditor's duly  
306 authorized employees who have taken the oath of confidentiality  
307 required by section 29.070 may audit the commission and in  
308 connection therewith may inspect materials relating to the  
309 functions of the commission. Such audit shall include a  
310 determination of whether appropriations were spent within the  
311 intent of the general assembly, but shall not extend to review of  
312 any file or document pertaining to any particular investigation,  
313 audit or review by the commission, an investigator or any staff or  
314 person employed by the commission or under the supervision of the  
315 commission or an investigator. The state auditor and any employee  
316 of the state auditor shall not disclose the identity of any person  
317 who is or was the subject of an investigation by the commission and  
318 whose identity is not public information as provided by law.

319 18. From time to time but no more frequently than annually  
320 the commission may request the officials and entities described in  
321 subdivision (6) of section 105.450 to identify for the commission in  
322 writing those persons associated with such office or entity which  
323 such office or entity has designated as a decision-making public  
324 servant. Each office or entity delineated in subdivision (6) of  
325 section 105.450 receiving such a request shall identify those so  
326 designated within thirty days of the commission's request. ]

2 [167.195. 1. Beginning July 1, 2008, and continuing  
through the 2010-11 school year unless extended by act of the

3 general assembly, all public school districts shall conduct an eye  
4 screening for each student once before the completion of first grade  
5 and again before the completion of third grade. The eye screening  
6 method utilized shall be one approved by the children's vision  
7 commission and shall be performed by an appropriately trained  
8 school nurse or other trained and qualified employee of the school  
9 district.

10 2. Results of each eye screening shall be recorded on a form  
11 provided by the department of health and senior services,  
12 developed and approved by the children's vision commission  
13 established under this section.

14 (1) The screening results, with all individual identifying  
15 information removed, shall be sent to the state department of  
16 health and senior services via electronic form and shall compile the  
17 data contained in the reports for review and analysis by the  
18 commission or other interested parties;

19 (2) When a student fails the eye screening, the school  
20 district shall send a notice developed by the commission to the  
21 parent or guardian notifying them of the results of the eye  
22 screening and propose that the student receive a complete eye  
23 examination from an optometrist or physician. Such notice shall  
24 have a place for the parent to acknowledge receipt along with an  
25 indication as to whether the student has received a complete eye  
26 examination and the results of the examination. Evidence of an  
27 examination provided by an optometrist or physician within the  
28 year preceding the school eye screening shall be sufficient for  
29 meeting the requirements of this section. The notice completed by  
30 the parent or guardian is to be returned to the school and shall be  
31 retained in the student's file and a copy shall be sent to the  
32 department of health and senior services;

33 (3) Notwithstanding any law to the contrary, nothing in this  
34 section shall violate any provisions of Public Law 104-191, 42  
35 U.S.C. 201, et seq, Health Insurance Portability and Accountability  
36 Act of 1996.

37 3. The "Children's Vision Commission" is hereby  
38 established which shall cease to exist on June 30, 2012, unless

39 renewed by act of the general assembly.

40 (1) The commission shall be composed of seven members  
41 appointed by the governor: two ophthalmologists to be determined  
42 from a list of recommended ophthalmologists by the Missouri  
43 Society of Eye Physicians and Surgeons; two optometrists to be  
44 determined from a list of recommended optometrists by the  
45 Missouri Optometric Association; one school nurse; one  
46 representative from the department of elementary and secondary  
47 education; and one representative from the Missouri state school  
48 boards association. Each ophthalmologist and optometrist shall  
49 serve a one-year term as chair of the commission. Members of the  
50 commission shall serve without compensation, but may be  
51 reimbursed for reasonable and necessary expenses associated with  
52 carrying out their duties.

53 (2) Duties of the commission shall be as follows:

54 (a) Analyze and adopt one or more standardized eye  
55 screening and eye examination tests to carry out the requirements  
56 of this section to be used in all schools beginning with the 2008-09  
57 school year which, in the commission's estimation, have a  
58 reasonable expectation of identifying vision problems in children;

59 (b) Develop, in conjunction with the department of health  
60 and senior services, a standardized reporting form which shall be  
61 used by all school districts in carrying out the requirements of this  
62 section;

63 (c) Design and coordinate appropriate training programs for  
64 school district staff who conduct the screening exams. Such  
65 training programs may utilize the volunteer services of nonprofit  
66 professional organizations which, in the opinion of the commission,  
67 are qualified to carry out those responsibilities associated with  
68 providing the training required;

69 (d) Conduct a pilot project to track the results of the eye  
70 screenings versus eye examinations conducted based on the reports  
71 submitted by school districts to the department of health and  
72 senior services;

73 (e) Develop, in conjunction with the Missouri Optometric  
74 Association (MOA) and the Missouri Society of Eye Physicians and

75 Surgeons (MOSEPS), guidelines outlining the benefits and ongoing  
76 eye care for children and summarizing the signs and symptoms of  
77 vision disorders in order for the guidelines to be made available on  
78 the MOA and MOSEPS website. The commission shall also consult  
79 with MOA and MOSEPS in the organizations' education and  
80 promotion of the guidelines;

81 (f) By December 31, 2011, the commission shall submit a  
82 report to the general assembly detailing the results and findings of  
83 the study, including but not limited to the total number of eye  
84 screenings and eye examinations, the number of students who  
85 received a follow-up examination from an optometrist,  
86 ophthalmologist, physician, or doctor of osteopathy and the results  
87 of those examinations to determine the effectiveness of eye  
88 examinations versus eye screenings.

89 4. The department of health and senior services shall make  
90 a reasonable accommodation for public review and inspection of the  
91 data collected as part of the eye screening pilot project provided  
92 that no information is revealed that could identify any individual  
93 student who was screened or examined.

94 5. In the event that a parent or legal guardian of a child  
95 objects to the child's participation in the eye screening program,  
96 the child shall be excused upon receipt by the appropriate school  
97 administrator of a written request.

98 6. The department of health and senior services shall  
99 provide staff support to the commission.]

2 [191.934. 1. There is hereby established a "Newborn  
Hearing Screening Advisory Committee".

3 2. The committee shall advise and assist the department of  
4 health and senior services in:

5 (1) Developing rules, regulations and standards for  
6 screening, rescreening and diagnostic audiological assessment;

7 (2) Developing forms for reporting screening, rescreening  
8 and diagnostic audiological assessment results to the surveillance  
9 and monitoring system;

10 (3) Designing a technical assistance program to support  
11 facilities implementing the screening program and those conducting

12           rescreening and diagnostic audiological assessment;

13                   (4) Developing educational materials to be provided to  
14 families; and

15                   (5) Evaluating program outcomes to increase effectiveness  
16 and efficiency. The committee shall also report information  
17 concerning the newborn hearing screening program to the state  
18 interagency coordinating council, as requested, to ensure  
19 coordination of programs within the state's early intervention  
20 system, and to identify and eliminate areas of duplication.

21           3. The committee shall be composed of the following sixteen  
22 members, with no less than two such members being deaf or hard  
23 of hearing, appointed by the director of the department of health  
24 and senior services:

25                   (1) Three consumers, including one deaf individual who  
26 experienced hearing loss in early childhood, one hard-of-hearing  
27 individual who experienced hearing loss in early childhood and one  
28 parent of a child with a hearing loss;

29                   (2) Two audiologists who have experience in evaluation and  
30 intervention of infants and young children;

31                   (3) Two physicians who have experience in the care of  
32 infants and young children, one of which shall be a pediatrician;

33                   (4) One representative of an organization with experience  
34 in providing early intervention services for children with hearing  
35 loss;

36                   (5) One representative of the Missouri school for the deaf;

37                   (6) One representative of a hospital with experience in the  
38 care of newborns;

39                   (7) One representative of the Missouri commission for the  
40 deaf and hard of hearing;

41                   (8) One representative from each of the departments of  
42 health and senior services, elementary and secondary education,  
43 mental health, social services and insurance, financial institutions  
44 and professional registration.

45           4. The department of health and senior services member  
46 shall chair the first meeting of the committee. At the first meeting,  
47 the committee shall elect a chairperson from its membership. The

48 committee shall meet at the call of the chairperson, but not less  
49 than four times a year.

50 5. The department of health and senior services shall  
51 provide technical and administrative support services as required  
52 by the committee. Such services shall include technical support  
53 from individuals qualified to administer infant hearing screening,  
54 rescreening and diagnostic audiological assessments.

55 6. Members of the committee shall receive no compensation  
56 for their services as members but shall be reimbursed for expenses  
57 incurred as a result of their duties as members of the committee.

58 7. The committee shall adopt written bylaws to govern its  
59 activities.

60 8. The newborn hearing screening advisory committee shall  
61 be terminated on August 28, 2001.]

[192.632. 1. There is hereby created a "Chronic Kidney  
2 Disease Task Force". Unless otherwise stated, members shall be  
3 appointed by the director of the department of health and senior  
4 services and shall include, but not be limited to, the following  
5 members:

6 (1) Two physicians appointed from lists submitted by the  
7 Missouri State Medical Association;

8 (2) Two nephrologists;

9 (3) Two family physicians;

10 (4) Two pathologists;

11 (5) One member who represents owners or operators of  
12 clinical laboratories in the state;

13 (6) One member who represents a private renal care  
14 provider;

15 (7) One member who has a chronic kidney disease;

16 (8) One member who represents the state affiliate of the  
17 National Kidney Foundation;

18 (9) One member who represents the Missouri Kidney  
19 Program;

20 (10) Two members of the house of representatives appointed  
21 by the speaker of the house of representatives;

22 (11) Two members of the senate appointed by the president

23 pro tempore of the senate;

24 (12) Additional members may be chosen to represent public  
25 health clinics, community health centers, and private health  
26 insurers.

27 2. A chairperson and a vice chairperson shall be elected by  
28 the members of the task force.

29 3. The chronic kidney task force shall:

30 (1) Develop a plan to educate the public and health care  
31 professionals about the advantages and methods of early screening,  
32 diagnosis, and treatment of chronic kidney disease and its  
33 complications based on kidney disease outcomes, quality initiative  
34 clinical practice guidelines for chronic kidney disease, or other  
35 medically recognized clinical practice guidelines;

36 (2) Make recommendations on the implementation of a  
37 cost-effective plan for early screening, diagnosis, and treatment of  
38 chronic kidney disease for the state's population;

39 (3) Identify barriers to adoption of best practices and  
40 potential public policy options to address such barriers;

41 (4) Submit a report of its findings and recommendations to  
42 the general assembly within one year of its first meeting.

43 4. The department of health and senior services shall  
44 provide all necessary staff, research, and meeting facilities for the  
45 chronic kidney disease task force.]

[215.261. The "State Commission on Regulatory Barriers to  
2 Affordable Housing" is hereby created. The commission shall  
3 identify federal, state and local regulatory barriers to affordable  
4 housing and recommend means to eliminate such barriers. The  
5 commission shall report its findings, conclusions and  
6 recommendations in a report to be filed no later than August 31,  
7 1995, and August thirty-first of each year thereafter, with the  
8 speaker of the house of representatives, the president pro tempore  
9 of the senate and the governor. The commission may also provide  
10 a copy of its report to any unit of federal, state or local  
11 government.]

[215.262. The commission shall consist of nine voting  
2 members, seven of which shall be appointed by the governor by and



3 with the advice and consent of the senate. The appointed  
4 commission members shall include two residential general  
5 contractors, two citizens at large, one residential land developer,  
6 one residential architect and one residential engineer. The chief  
7 administrative officers of the Missouri housing development  
8 commission and the Missouri department of economic development  
9 shall also be members of the commission and shall retain their  
10 memberships on the commission for the duration of their service to  
11 the Missouri housing development commission and the Missouri  
12 department of economic development. The commission may, in its  
13 discretion, establish other ex officio members as it deems prudent,  
14 who shall stand appointed and qualified for membership on the  
15 commission upon the resolution of the commission. Members of the  
16 commission shall serve for terms of three years, but of the first  
17 members appointed, three shall serve for a term of one year, two  
18 shall serve for a term of two years and two shall serve for a term  
19 of three years. Vacancies on the commission shall be filled for the  
20 unexpired term in the same manner as original appointments are  
21 made. The commission may remove any of its members for cause  
22 after hearing. Members of the commission on regulatory barriers  
23 to affordable housing shall receive no compensation for their  
24 services, but may be reimbursed for actual and necessary expenses  
25 incurred by them in the performance of their duties.]

[313.001. 1. There is established a permanent joint  
2 committee of the general assembly to be known as the "Committee  
3 on Gaming and Wagering" which shall be composed of five  
4 members of the senate, appointed by the president pro tem of the  
5 senate and five members of the house of representatives, appointed  
6 by the speaker of the house. A majority of the members of the  
7 committee shall constitute a quorum. The members shall annually  
8 select one of the members to be the chairman and one of the  
9 members to be the vice chairman. The general assembly by a  
10 majority vote of the elected members may discharge any or all  
11 members of the committee and select their successors.

12 2. The members shall receive no additional compensation,  
13 but shall be reimbursed for actual and necessary expenses incurred

14 by them in the performance of their duties.

15 3. The committee shall be responsible for, but not limited  
16 to, legislative review of all state authorized gaming and wagering  
17 activities including proposed constitutional and statutory changes  
18 or other pertinent information that may affect the integrity of these  
19 activities. The committee is authorized to meet and act year round,  
20 employ the necessary personnel within the limits of appropriations  
21 and to report its findings annually to the general assembly.]

[338.321. 1. The "Missouri Oral Chemotherapy Parity  
2 Interim Committee" is hereby created to study the disparity in  
3 patient co-payments between orally and intravenously  
4 administered chemotherapies, the reasons for the disparity, and  
5 the patient benefits in establishing co-payment parity between oral  
6 and infused chemotherapy agents. The committee shall consider  
7 information on the costs or actuarial analysis associated with the  
8 delivery of patient oncology treatments.

9 2. The Missouri oral chemotherapy parity interim  
10 committee shall consist of the following members:

11 (1) Two members of the senate, appointed by the president  
12 pro tempore of the senate;

13 (2) Two members of the house of representatives, appointed  
14 by the speaker of the house of representatives;

15 (3) One member who is an oncologist or physician with  
16 expertise in the practice of oncology licensed in this state under  
17 chapter 334;

18 (4) One member who is an oncology nurse licensed in this  
19 state under chapter 335;

20 (5) One member who is a representative of a Missouri  
21 pharmacy benefit management company;

22 (6) One member from an organization representing licensed  
23 pharmacists in this state;

24 (7) One member from the business community representing  
25 businesses on health insurance issues;

26 (8) One member from an organization representing the  
27 leading research-based pharmaceutical and biotechnology  
28 companies;

29 (9) One patient advocate;

30 (10) One member from the organization representing a  
31 majority of hospitals in this state;

32 (11) One member from a health carrier as such term is  
33 defined under section 376.1350;

34 (12) One member from the organization representing a  
35 majority of health carriers in this state, as such term is defined  
36 under section 376.1350;

37 (13) One member from the American Cancer Society; and

38 (14) One member from an organization representing generic  
39 pharmaceutical drug manufacturers.

40 3. All members, except for the members from the general  
41 assembly, shall be appointed by the governor no later than  
42 September 1, 2013. The department of insurance, financial  
43 institutions and professional registration shall provide assistance  
44 to the committee.

45 4. No later than January 1, 2014, the committee shall  
46 submit a report to the governor, the speaker of the house of  
47 representatives, the president pro tempore of the senate, and the  
48 appropriate legislative committee of the general assembly  
49 regarding the results of the study and any legislative  
50 recommendations.]

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