

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR

**SENATE BILL NO. 58**

**98TH GENERAL ASSEMBLY**

0286H.04C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 8.597, 21.440, 21.445, 21.450, 21.455, 21.460, 21.465, 21.530, 21.535, 21.537, 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, 208.152, 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 thirteen new sections relating to boards and commissions.

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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, 21.455, 21.460, 21.465, 21.530, 21.535, 21.537, 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, 208.152, 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RSMo, and section 105.955 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, are repealed and thirteen new sections enacted in lieu thereof, to be known as sections 33.150, 33.710, 43.518, 160.530, 191.828, 208.152, 217.550, 217.567, 320.092, 324.023, 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

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

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

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

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

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

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

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

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

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

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

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

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

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

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

160.530. 1. Beginning with fiscal year 1994 and for all fiscal years thereafter, in order  
2 to be eligible for state aid distributed pursuant to section 163.031, a school district shall allocate  
3 one percent of moneys received pursuant to section 163.031, exclusive of categorical add-ons,  
4 to the professional development committee of the district as established in subdivision (1) of  
5 subsection 4 of section 168.400. Of the moneys allocated to the professional development  
6 committee in any fiscal year as specified by this subsection, seventy-five percent of such funds  
7 shall be spent in the same fiscal year for purposes determined by the professional development  
8 committee after consultation with the administrators of the school district and approved by the  
9 local board of education as meeting the objectives of a school improvement plan of the district  
10 that has been developed by the local board. Moneys expended for staff training pursuant to any  
11 provisions of this act shall not be considered in determining the requirements for school districts  
12 imposed by this subsection.

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

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

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

33           (3) Funding for family literacy programs;

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

36           (5) Increasing parental involvement in the education of their children;

37           (6) Providing information which will assist public school administrators and teachers  
38 in understanding the process of site-based decision making;

39           (7) Implementing recommended curriculum frameworks as outlined in section 160.514;

40           (8) Training in new assessment techniques for students;

41           (9) Cooperating with law enforcement authorities to expand successful antidrug  
42 programs for students;

43           (10) Strengthening existing curricula of local school districts to stress drug and alcohol  
44 prevention;

45           (11) Implementing and promoting programs to combat gang activity in urban areas of  
46 the state;

47           (12) Establishing family schools, whereby such schools adopt proven models of one-stop  
48 state services for children and families;

49 (13) Expanding adult literacy services; and

50 (14) Training of members of boards of education in the areas deemed important for the  
51 training of effective board members as determined by the state board of education.

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

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

64 5. Prior to distributing any funds under subsection 2 of this section, the commissioner  
65 of education shall appear before the joint committee on education and present a proposed  
66 delineation of the programs to be funded under the provisions of subsection 2 of this section.  
67 The joint committee shall review all proposed spending under subsection 2 of this section and  
68 shall affirm, by a majority vote of all members serving on the committee, the spending proposal  
69 of the commissioner prior to any disbursement of funds under subsection 2 of this section.

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

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

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

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

11 section 195.070, section 334.100, and section 335.016, and of sections 334.104 and 334.112, and  
12 section 338.095 and 338.198;

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

16 (4) The office of administration shall evaluate the effect of revising sections 105.711 and  
17 105.721;

18 (5) The Missouri consolidated health care plan shall evaluate the effect of section  
19 103.178; and

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

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

208.152. 1. MO HealthNet payments shall be made on behalf of those eligible needy  
2 persons as defined in section 208.151 who are unable to provide for it in whole or in part, with  
3 any payments to be made on the basis of the reasonable cost of the care or reasonable charge for  
4 the services as defined and determined by the MO HealthNet division, unless otherwise  
5 hereinafter provided, for the following:

6 (1) Inpatient hospital services, except to persons in an institution for mental diseases who  
7 are under the age of sixty-five years and over the age of twenty-one years; provided that the MO  
8 HealthNet division shall provide through rule and regulation an exception process for coverage  
9 of inpatient costs in those cases requiring treatment beyond the seventy-fifth percentile  
10 professional activities study (PAS) or the MO HealthNet children's diagnosis length-of-stay  
11 schedule; and provided further that the MO HealthNet division shall take into account through  
12 its payment system for hospital services the situation of hospitals which serve a disproportionate  
13 number of low-income patients;

14 (2) All outpatient hospital services, payments therefor to be in amounts which represent  
15 no more than eighty percent of the lesser of reasonable costs or customary charges for such  
16 services, determined in accordance with the principles set forth in Title XVIII A and B, Public  
17 Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. Section 301, et  
18 seq.), but the MO HealthNet division may evaluate outpatient hospital services rendered under  
19 this section and deny payment for services which are determined by the MO HealthNet division  
20 not to be medically necessary, in accordance with federal law and regulations;

21 (3) Laboratory and X-ray services;

22 (4) Nursing home services for participants, except to persons with more than five  
23 hundred thousand dollars equity in their home or except for persons in an institution for mental  
24 diseases who are under the age of sixty-five years, when residing in a hospital licensed by the  
25 department of health and senior services or a nursing home licensed by the department of health  
26 and senior services or appropriate licensing authority of other states or government-owned and  
27 -operated institutions which are determined to conform to standards equivalent to licensing  
28 requirements in Title XIX of the federal Social Security Act (42 U.S.C. Section 301, et seq.), as  
29 amended, for nursing facilities. The MO HealthNet division may recognize through its payment  
30 methodology for nursing facilities those nursing facilities which serve a high volume of MO  
31 HealthNet patients. The MO HealthNet division when determining the amount of the benefit  
32 payments to be made on behalf of persons under the age of twenty-one in a nursing facility may  
33 consider nursing facilities furnishing care to persons under the age of twenty-one as a  
34 classification separate from other nursing facilities;

35 (5) Nursing home costs for participants receiving benefit payments under subdivision  
36 (4) of this subsection for those days, which shall not exceed twelve per any period of six  
37 consecutive months, during which the participant is on a temporary leave of absence from the  
38 hospital or nursing home, provided that no such participant shall be allowed a temporary leave  
39 of absence unless it is specifically provided for in his plan of care. As used in this subdivision,  
40 the term "temporary leave of absence" shall include all periods of time during which a participant  
41 is away from the hospital or nursing home overnight because he is visiting a friend or relative;

42 (6) Physicians' services, whether furnished in the office, home, hospital, nursing home,  
43 or elsewhere;

44 (7) Drugs and medicines when prescribed by a licensed physician, dentist, podiatrist, or  
45 an advanced practice registered nurse; except that no payment for drugs and medicines  
46 prescribed on and after January 1, 2006, by a licensed physician, dentist, podiatrist, or an  
47 advanced practice registered nurse may be made on behalf of any person who qualifies for  
48 prescription drug coverage under the provisions of P.L. 108-173;

49 (8) Emergency ambulance services and, effective January 1, 1990, medically necessary  
50 transportation to scheduled, physician-prescribed nonelective treatments;

51 (9) Early and periodic screening and diagnosis of individuals who are under the age of  
52 twenty-one to ascertain their physical or mental defects, and health care, treatment, and other  
53 measures to correct or ameliorate defects and chronic conditions discovered thereby. Such  
54 services shall be provided in accordance with the provisions of Section 6403 of P.L. 101-239 and  
55 federal regulations promulgated thereunder;

56 (10) Home health care services;

57 (11) Family planning as defined by federal rules and regulations; provided, however, that  
58 such family planning services shall not include abortions unless such abortions are certified in  
59 writing by a physician to the MO HealthNet agency that, in the physician's professional  
60 judgment, the life of the mother would be endangered if the fetus were carried to term;

61 (12) Inpatient psychiatric hospital services for individuals under age twenty-one as  
62 defined in Title XIX of the federal Social Security Act (42 U.S.C. Section 1396d, et seq.);

63 (13) Outpatient surgical procedures, including presurgical diagnostic services performed  
64 in ambulatory surgical facilities which are licensed by the department of health and senior  
65 services of the state of Missouri; except, that such outpatient surgical services shall not include  
66 persons who are eligible for coverage under Part B of Title XVIII, Public Law 89-97, 1965  
67 amendments to the federal Social Security Act, as amended, if exclusion of such persons is  
68 permitted under Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security  
69 Act, as amended;

70 (14) Personal care services which are medically oriented tasks having to do with a  
71 person's physical requirements, as opposed to housekeeping requirements, which enable a person  
72 to be treated by his or her physician on an outpatient rather than on an inpatient or residential  
73 basis in a hospital, intermediate care facility, or skilled nursing facility. Personal care services  
74 shall be rendered by an individual not a member of the participant's family who is qualified to  
75 provide such services where the services are prescribed by a physician in accordance with a plan  
76 of treatment and are supervised by a licensed nurse. Persons eligible to receive personal care  
77 services shall be those persons who would otherwise require placement in a hospital,  
78 intermediate care facility, or skilled nursing facility. Benefits payable for personal care services  
79 shall not exceed for any one participant one hundred percent of the average statewide charge for  
80 care and treatment in an intermediate care facility for a comparable period of time. Such  
81 services, when delivered in a residential care facility or assisted living facility licensed under  
82 chapter 198 shall be authorized on a tier level based on the services the resident requires and the  
83 frequency of the services. A resident of such facility who qualifies for assistance under section  
84 208.030 shall, at a minimum, if prescribed by a physician, qualify for the tier level with the  
85 fewest services. The rate paid to providers for each tier of service shall be set subject to  
86 appropriations. Subject to appropriations, each resident of such facility who qualifies for  
87 assistance under section 208.030 and meets the level of care required in this section shall, at a  
88 minimum, if prescribed by a physician, be authorized up to one hour of personal care services  
89 per day. Authorized units of personal care services shall not be reduced or tier level lowered  
90 unless an order approving such reduction or lowering is obtained from the resident's personal  
91 physician. Such authorized units of personal care services or tier level shall be transferred with  
92 such resident if he or she transfers to another such facility. Such provision shall terminate upon

93 receipt of relevant waivers from the federal Department of Health and Human Services. If the  
94 Centers for Medicare and Medicaid Services determines that such provision does not comply  
95 with the state plan, this provision shall be null and void. The MO HealthNet division shall notify  
96 the revisor of statutes as to whether the relevant waivers are approved or a determination of  
97 noncompliance is made;

98 (15) Mental health services. The state plan for providing medical assistance under Title  
99 XIX of the Social Security Act, 42 U.S.C. Section 301, as amended, shall include the following  
100 mental health services when such services are provided by community mental health facilities  
101 operated by the department of mental health or designated by the department of mental health  
102 as a community mental health facility or as an alcohol and drug abuse facility or as a child-  
103 serving agency within the comprehensive children's mental health service system established in  
104 section 630.097. The department of mental health shall establish by administrative rule the  
105 definition and criteria for designation as a community mental health facility and for designation  
106 as an alcohol and drug abuse facility. Such mental health services shall include:

107 (a) Outpatient mental health services including preventive, diagnostic, therapeutic,  
108 rehabilitative, and palliative interventions rendered to individuals in an individual or group  
109 setting by a mental health professional in accordance with a plan of treatment appropriately  
110 established, implemented, monitored, and revised under the auspices of a therapeutic team as a  
111 part of client services management;

112 (b) Clinic mental health services including preventive, diagnostic, therapeutic,  
113 rehabilitative, and palliative interventions rendered to individuals in an individual or group  
114 setting by a mental health professional in accordance with a plan of treatment appropriately  
115 established, implemented, monitored, and revised under the auspices of a therapeutic team as a  
116 part of client services management;

117 (c) Rehabilitative mental health and alcohol and drug abuse services including home and  
118 community-based preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions  
119 rendered to individuals in an individual or group setting by a mental health or alcohol and drug  
120 abuse professional in accordance with a plan of treatment appropriately established,  
121 implemented, monitored, and revised under the auspices of a therapeutic team as a part of client  
122 services management. As used in this section, mental health professional and alcohol and drug  
123 abuse professional shall be defined by the department of mental health pursuant to duly  
124 promulgated rules. With respect to services established by this subdivision, the department of  
125 social services, MO HealthNet division, shall enter into an agreement with the department of  
126 mental health. Matching funds for outpatient mental health services, clinic mental health  
127 services, and rehabilitation services for mental health and alcohol and drug abuse shall be  
128 certified by the department of mental health to the MO HealthNet division. The agreement shall

129 establish a mechanism for the joint implementation of the provisions of this subdivision. In  
130 addition, the agreement shall establish a mechanism by which rates for services may be jointly  
131 developed;

132 (16) Such additional services as defined by the MO HealthNet division to be furnished  
133 under waivers of federal statutory requirements as provided for and authorized by the federal  
134 Social Security Act (42 U.S.C. Section 301, et seq.) subject to appropriation by the general  
135 assembly;

136 (17) The services of an advanced practice registered nurse with a collaborative practice  
137 agreement to the extent that such services are provided in accordance with chapters 334 and 335,  
138 and regulations promulgated thereunder;

139 (18) Nursing home costs for participants receiving benefit payments under subdivision  
140 (4) of this subsection to reserve a bed for the participant in the nursing home during the time that  
141 the participant is absent due to admission to a hospital for services which cannot be performed  
142 on an outpatient basis, subject to the provisions of this subdivision:

143 (a) The provisions of this subdivision shall apply only if:

144 a. The occupancy rate of the nursing home is at or above ninety-seven percent of MO  
145 HealthNet certified licensed beds, according to the most recent quarterly census provided to the  
146 department of health and senior services which was taken prior to when the participant is  
147 admitted to the hospital; and

148 b. The patient is admitted to a hospital for a medical condition with an anticipated stay  
149 of three days or less;

150 (b) The payment to be made under this subdivision shall be provided for a maximum of  
151 three days per hospital stay;

152 (c) For each day that nursing home costs are paid on behalf of a participant under this  
153 subdivision during any period of six consecutive months such participant shall, during the same  
154 period of six consecutive months, be ineligible for payment of nursing home costs of two  
155 otherwise available temporary leave of absence days provided under subdivision (5) of this  
156 subsection; and

157 (d) The provisions of this subdivision shall not apply unless the nursing home receives  
158 notice from the participant or the participant's responsible party that the participant intends to  
159 return to the nursing home following the hospital stay. If the nursing home receives such  
160 notification and all other provisions of this subsection have been satisfied, the nursing home shall  
161 provide notice to the participant or the participant's responsible party prior to release of the  
162 reserved bed;

163 (19) Prescribed medically necessary durable medical equipment. An electronic web-  
164 based prior authorization system using best medical evidence and care and treatment guidelines  
165 consistent with national standards shall be used to verify medical need;

166 (20) Hospice care. As used in this subdivision, the term "hospice care" means a  
167 coordinated program of active professional medical attention within a home, outpatient and  
168 inpatient care which treats the terminally ill patient and family as a unit, employing a medically  
169 directed interdisciplinary team. The program provides relief of severe pain or other physical  
170 symptoms and supportive care to meet the special needs arising out of physical, psychological,  
171 spiritual, social, and economic stresses which are experienced during the final stages of illness,  
172 and during dying and bereavement and meets the Medicare requirements for participation as a  
173 hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO  
174 HealthNet division to the hospice provider for room and board furnished by a nursing home to  
175 an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement  
176 which would have been paid for facility services in that nursing home facility for that patient,  
177 in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget  
178 Reconciliation Act of 1989);

179 (21) Prescribed medically necessary dental services. Such services shall be subject to  
180 appropriations. An electronic web-based prior authorization system using best medical evidence  
181 and care and treatment guidelines consistent with national standards shall be used to verify  
182 medical need;

183 (22) Prescribed medically necessary optometric services. Such services shall be subject  
184 to appropriations. An electronic web-based prior authorization system using best medical  
185 evidence and care and treatment guidelines consistent with national standards shall be used to  
186 verify medical need;

187 (23) Blood clotting products-related services. For persons diagnosed with a bleeding  
188 disorder, as defined in section 338.400, reliant on blood clotting products, as defined in section  
189 338.400, such services include:

190 (a) Home delivery of blood clotting products and ancillary infusion equipment and  
191 supplies, including the emergency deliveries of the product when medically necessary;

192 (b) Medically necessary ancillary infusion equipment and supplies required to administer  
193 the blood clotting products; and

194 (c) Assessments conducted in the participant's home by a pharmacist, nurse, or local  
195 home health care agency trained in bleeding disorders when deemed necessary by the  
196 participant's treating physician;

197 (24) **Marital and family therapy, as defined in section 337.700, provided by a**  
198 **licensed marital and family therapist, as defined in section 337.700;**

199 The MO HealthNet division shall, by January 1, 2008, and annually thereafter, report the  
200 status of MO HealthNet provider reimbursement rates as compared to one hundred percent of  
201 the Medicare reimbursement rates and compared to the average dental reimbursement rates paid  
202 by third-party payors licensed by the state. The MO HealthNet division shall, by July 1, 2008,  
203 provide to the general assembly a four-year plan to achieve parity with Medicare reimbursement  
204 rates and for third-party payor average dental reimbursement rates. Such plan shall be subject  
205 to appropriation and the division shall include in its annual budget request to the governor the  
206 necessary funding needed to complete the four-year plan developed under this subdivision.

207 2. Additional benefit payments for medical assistance shall be made on behalf of those  
208 eligible needy children, pregnant women and blind persons with any payments to be made on the  
209 basis of the reasonable cost of the care or reasonable charge for the services as defined and  
210 determined by the MO HealthNet division, unless otherwise hereinafter provided, for the  
211 following:

212 (1) Dental services;

213 (2) Services of podiatrists as defined in section 330.010;

214 (3) Optometric services as defined in section 336.010;

215 (4) Orthopedic devices or other prosthetics, including eye glasses, dentures, hearing aids,  
216 and wheelchairs;

217 (5) Hospice care. As used in this subdivision, the term "hospice care" means a  
218 coordinated program of active professional medical attention within a home, outpatient and  
219 inpatient care which treats the terminally ill patient and family as a unit, employing a medically  
220 directed interdisciplinary team. The program provides relief of severe pain or other physical  
221 symptoms and supportive care to meet the special needs arising out of physical, psychological,  
222 spiritual, social, and economic stresses which are experienced during the final stages of illness,  
223 and during dying and bereavement and meets the Medicare requirements for participation as a  
224 hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO  
225 HealthNet division to the hospice provider for room and board furnished by a nursing home to  
226 an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement  
227 which would have been paid for facility services in that nursing home facility for that patient,  
228 in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget  
229 Reconciliation Act of 1989);

230 (6) Comprehensive day rehabilitation services beginning early posttrauma as part of a  
231 coordinated system of care for individuals with disabling impairments. Rehabilitation services  
232 must be based on an individualized, goal-oriented, comprehensive and coordinated treatment  
233 plan developed, implemented, and monitored through an interdisciplinary assessment designed  
234 to restore an individual to optimal level of physical, cognitive, and behavioral function. The MO

235 HealthNet division shall establish by administrative rule the definition and criteria for  
236 designation of a comprehensive day rehabilitation service facility, benefit limitations and  
237 payment mechanism. Any rule or portion of a rule, as that term is defined in section 536.010,  
238 that is created under the authority delegated in this subdivision shall become effective only if it  
239 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section  
240 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the  
241 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove  
242 and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority  
243 and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

244 3. The MO HealthNet division may require any participant receiving MO HealthNet  
245 benefits to pay part of the charge or cost until July 1, 2008, and an additional payment after July  
246 1, 2008, as defined by rule duly promulgated by the MO HealthNet division, for all covered  
247 services except for those services covered under subdivisions (14) and (15) of subsection 1 of  
248 this section and sections 208.631 to 208.657 to the extent and in the manner authorized by Title  
249 XIX of the federal Social Security Act (42 U.S.C. Section 1396, et seq.) and regulations  
250 thereunder. When substitution of a generic drug is permitted by the prescriber according to  
251 section 338.056, and a generic drug is substituted for a name-brand drug, the MO HealthNet  
252 division may not lower or delete the requirement to make a co-payment pursuant to regulations  
253 of Title XIX of the federal Social Security Act. A provider of goods or services described under  
254 this section must collect from all participants the additional payment that may be required by the  
255 MO HealthNet division under authority granted herein, if the division exercises that authority,  
256 to remain eligible as a provider. Any payments made by participants under this section shall be  
257 in addition to and not in lieu of payments made by the state for goods or services described  
258 herein except the participant portion of the pharmacy professional dispensing fee shall be in  
259 addition to and not in lieu of payments to pharmacists. A provider may collect the co-payment  
260 at the time a service is provided or at a later date. A provider shall not refuse to provide a service  
261 if a participant is unable to pay a required payment. If it is the routine business practice of a  
262 provider to terminate future services to an individual with an unclaimed debt, the provider may  
263 include uncollected co-payments under this practice. Providers who elect not to undertake the  
264 provision of services based on a history of bad debt shall give participants advance notice and  
265 a reasonable opportunity for payment. A provider, representative, employee, independent  
266 contractor, or agent of a pharmaceutical manufacturer shall not make co-payment for a  
267 participant. This subsection shall not apply to other qualified children, pregnant women, or blind  
268 persons. If the Centers for Medicare and Medicaid Services does not approve the [Missouri] MO  
269 HealthNet state plan amendment submitted by the department of social services that would allow  
270 a provider to deny future services to an individual with uncollected co-payments, the denial of

271 services shall not be allowed. The department of social services shall inform providers regarding  
272 the acceptability of denying services as the result of unpaid co-payments.

273 4. The MO HealthNet division shall have the right to collect medication samples from  
274 participants in order to maintain program integrity.

275 5. Reimbursement for obstetrical and pediatric services under subdivision (6) of  
276 subsection 1 of this section shall be timely and sufficient to enlist enough health care providers  
277 so that care and services are available under the state plan for MO HealthNet benefits at least to  
278 the extent that such care and services are available to the general population in the geographic  
279 area, as required under subparagraph (a)(30)(A) of 42 U.S.C. Section 1396a and federal  
280 regulations promulgated thereunder.

281 6. Beginning July 1, 1990, reimbursement for services rendered in federally funded  
282 health centers shall be in accordance with the provisions of subsection 6402(c) and Section 6404  
283 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989) and federal regulations  
284 promulgated thereunder.

285 7. Beginning July 1, 1990, the department of social services shall provide notification  
286 and referral of children below age five, and pregnant, breast-feeding, or postpartum women who  
287 are determined to be eligible for MO HealthNet benefits under section 208.151 to the special  
288 supplemental food programs for women, infants and children administered by the department  
289 of health and senior services. Such notification and referral shall conform to the requirements  
290 of Section 6406 of P.L. 101-239 and regulations promulgated thereunder.

291 8. Providers of long-term care services shall be reimbursed for their costs in accordance  
292 with the provisions of Section 1902 (a)(13)(A) of the Social Security Act, 42 U.S.C. Section  
293 1396a, as amended, and regulations promulgated thereunder.

294 9. Reimbursement rates to long-term care providers with respect to a total change in  
295 ownership, at arm's length, for any facility previously licensed and certified for participation in  
296 the MO HealthNet program shall not increase payments in excess of the increase that would  
297 result from the application of Section 1902 (a)(13)(C) of the Social Security Act, 42 U.S.C.  
298 Section 1396a (a)(13)(C).

299 10. The MO HealthNet division, may enroll qualified residential care facilities and  
300 assisted living facilities, as defined in chapter 198, as MO HealthNet personal care providers.

301 11. Any income earned by individuals eligible for certified extended employment at a  
302 sheltered workshop under chapter 178 shall not be considered as income for purposes of  
303 determining eligibility under this section.

217.550. 1. The department shall establish and operate at its correctional centers a  
2 vocational enterprise program which includes industries, services, vocational training, and  
3 agribusiness operations. The director shall have general supervision over planning,

4 establishment and management of all vocational enterprise operations provided by and within  
5 the department and shall decide at which correctional center each vocational enterprise shall be  
6 located, taking into consideration the offender custody levels, the number of offenders in each  
7 correctional center so the best service or distribution of labor may be secured, location and  
8 convenience of the correctional centers in relation to the other correctional centers to be supplied  
9 or served and the machinery presently contained in each correctional center.

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

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

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

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

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

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

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

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

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

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

7 2. Any contract authorized by this section shall be in compliance with federal law, shall  
8 be competitively negotiated by the department and the private entity, shall not result in the

9 displacement of civilian workers employed in the community or state, and shall be subject to the  
10 approval of the advisory board of vocational enterprises program created pursuant to section  
11 217.555 [and the joint committee on corrections created pursuant to sections 21.440 to 21.465].

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

21 4. Subject to the approval of the director and upon such terms as may be prescribed, any  
22 lessee operating such an enterprise may employ and discharge from employment selected  
23 offenders of the correctional center where the enterprise is operated or from other correctional  
24 centers in close proximity.

25 Offenders assigned to such an enterprise are subject to all departmental and divisional rules in  
26 addition to rules and regulations promulgated by the authorized contractor. Offenders assigned  
27 to such an enterprise for employment purposes shall be required to pay a percentage of their  
28 wages as established by the director of not less than five percent nor more than twenty percent  
29 of gross wages to the crime victims' compensation fund, section 595.045.

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

320.092. 1. Tax credits issued pursuant to sections 135.400, 135.750 and 320.093 shall  
2 be subject to oversight provisions. Effective January 1, 2000, notwithstanding the provisions  
3 of section 32.057, the board, department or authority issuing tax credits shall annually report to  
4 the office of administration, president pro tem of the senate, **and** the speaker of the house of  
5 representatives[, and the joint committee on economic development] regarding the tax credits  
6 issued pursuant to sections 135.400, 135.750 and 320.093 which were issued in the previous  
7 fiscal year. The report shall contain, but not be limited to, the aggregate number and dollar  
8 amount of tax credits issued by the board, department or authority, the number and dollar amount  
9 of tax credits claimed by taxpayers, and the number and dollar amount of tax credits unclaimed

10 by taxpayers as well as the number of years allowed for claims to be made. This report shall be  
11 delivered no later than November of each year.

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

**324.023. 1. Notwithstanding any law to the contrary, any board or commission  
2 created under chapters 214, 317, 324, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336,  
3 337, 338, 339, 340, 345, and 346 may, at its discretion, issue oral or written opinions  
4 addressing topics relating to the qualifications, functions, or duties of any profession  
5 licensed by the specific board or commission issuing such guidance. Any such opinion is  
6 for educational purposes only and is in no way binding on the licensees of the respective  
7 board or commission and cannot be used as the basis for any discipline against any  
8 licensee.**

9 **2. The recipient of an opinion given pursuant to this section shall be informed that  
10 the opinion is for educational purposes only and is in no way binding on the licensees of  
11 the board or commission and cannot be used as the basis for any discipline against any  
12 licensee licensed under chapters 214, 317, 324, 326, 327, 328, 329, 330, 331, 332, 333, 334,  
13 335, 336, 337, 338, 339, 340, 345, and 346. No board or commission may address topics  
14 relating to qualifications, functions, or duties of any profession licensed by a different  
15 board or commission.**

348.439. The tax credits issued in sections 348.430 to 348.439 by the Missouri  
2 agricultural and small business development authority shall be subject to oversight provisions.  
3 Effective January 1, 2000, notwithstanding the provisions of section 32.057, the authority shall  
4 annually report to the office of administration, president pro tem of the senate, **and** the speaker  
5 of the house of representatives[, and the joint committee on economic development] regarding  
6 the tax credits authorized pursuant to sections 348.430 to 348.439 which were issued in the  
7 previous fiscal year. The report shall contain, but not be limited to, the aggregate number and  
8 dollar amount of tax credits issued by the authority, the number and dollar amount of tax credits  
9 claimed by taxpayers, and the number and dollar amount of tax credits unclaimed by taxpayers  
10 as well as the number of years allowed for claims to be made. This report shall be delivered no  
11 later than November of each year.

361.120. 1. The director of finance shall preserve all records, reports and papers of every  
2 kind pertaining to the division of finance for a period of ten years, and shall permanently  
3 preserve all records, reports and papers of a permanent value, including articles of association

4 and all amendments thereto, and all articles of merger or consolidation and amendments thereto.  
5 The director of finance shall make a written report to the governor whenever required by the  
6 governor.

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

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

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

- 10 (1) A physician recognized as an expert in the treatment of mental illness;
- 11 (2) A physician, **licensed clinical psychologist, or other licensed clinician**, recognized  
12 as an expert in the evaluation or [habilitation] **treatment** of persons with an intellectual disability  
13 or developmental disability;
- 14 (3) A representative of groups who are consumers or families of consumers interested  
15 in the services provided by the department in the treatment of mental illness;
- 16 (4) A representative of groups who are consumers or families of consumers interested  
17 in the services provided by the department in the habilitation of persons with an intellectual  
18 disability or developmental disability;
- 19 (5) A person recognized for his expertise in general business matters and procedures;
- 20 (6) A person recognized for his interest and expertise in dealing with alcohol or drug  
21 abuse; and
- 22 (7) A person recognized for his interest or expertise in community mental health  
23 services.

24 3. Vacancies occurring on the commission shall be filled by appointment by the  
25 governor, by and with the advice and consent of the senate, for the unexpired terms. In case of

26 a vacancy when the senate is not in session, the governor shall make a temporary appointment  
 27 until the next session of the general assembly, when he shall nominate someone to fill the office.

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

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

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

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

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

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

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

2 [21.445. 1. The joint committee on corrections shall meet within ten  
 3 days after its creation and organize by selecting a chairman and a vice chairman,  
 4 one of whom shall be a member of the senate and the other a member of the  
 house of representatives. The director of research of the committee on legislative

5 research shall serve as secretary to the committee. He shall keep the records of  
6 the committee, and shall perform such other duties as may be directed by the  
7 committee.

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

11 3. A majority of the members of the committee shall constitute a quorum.

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

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

2 [21.455. It shall be the duty of the committee:

3 (1) To make a continuing study and analysis of penal and correctional  
4 problems as they relate to this state;

5 (2) To devise and arrange for a long-range program for the department  
6 and its correctional centers based on a plan of biennial development and making  
7 the recommendation of any required correctional centers in the state in  
8 accordance with the general assembly's powers of appropriation;

9 (3) To inspect at least once each year and as necessary all correctional  
10 facilities and properties under the jurisdiction of the department of corrections  
11 and of the division of youth services;

12 (4) To make a continuing study and review of the department of  
13 corrections and the correctional facilities under its jurisdiction, including the  
14 internal organization, management, powers, duties and functions of the  
15 department and its correctional centers, particularly, by way of extension but not  
16 of limitation, in relation to the

17 (a) Personnel of the department;

18 (b) Discipline of the correctional facilities;

19 (c) Correctional enterprises;

20 (d) Classification of offenders;

21 (e) Care and treatment of offenders;

22 (f) Educational and vocational training facilities of the correctional  
23 centers;

24 (g) Location and establishment of new correctional centers or of new  
25 buildings and facilities;

26 (h) All other matters relating to the administration of the state's  
27 correctional centers which the committee deems pertinent; and

(i) Probations and paroles;

28 (5) To make a continuing study and review of the institutions and  
29 programs under the jurisdiction of the division of youth services;

30 (6) To study and determine the need for changes in the state's criminal  
31 laws as they apply to correctional centers and to sentencing, commitment,  
32 probation and parole of persons convicted of law violations;

33 (7) To determine from such study and analyses the need for changes in  
34 statutory law or administrative procedures;

35 (8) To make recommendations to the general assembly for legislative  
36 action and to the department of corrections and to the division of youth services  
37 for administrative or procedural changes.]

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

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

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

9 [21.530. 1. There is established a permanent joint committee of the  
10 general assembly to be known as the "Joint Committee on Capital Improvements  
11 and Leases Oversight" to be comprised of five members of the senate  
12 appropriations committee and five members of the house of representatives  
1 budget committee. The senate members shall be appointed by the president pro  
2 tem of the senate and the house members shall be appointed by the speaker of the  
3 house.

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

6 [21.535. 1. The joint committee on capital improvements and leases  
7 oversight shall meet and organize by selecting a chairman and a vice chairman,  
8 one of whom shall be a member of the senate and the other a member of the  
9 house of representatives. The chairmanship shall alternate between members of  
10 the senate and house each two years after its organization.

6           2. The meetings of the committee shall be in Jefferson City, Missouri,  
7 and after its inception and organization it shall meet at the call of the chairman,  
8 but shall meet at least once every three months.

9           3. A majority of the members of the committee shall constitute a quorum.

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

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

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

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

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

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

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

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

22          2. The committee may, within the limits of its appropriation, employ  
23 such personnel as it deems necessary to carry out the duties imposed by this  
24 section.

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

30          [21.830. 1. There is hereby established a joint committee of the general  
assembly, which shall be known as the "Joint Committee on Missouri's Energy  
Future", 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 tem of the

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

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

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

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

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

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

2 [21.850. 1. There is hereby established a joint committee of the general  
3 assembly, which shall be known as the "Joint Committee on Solid Waste  
4 Management District Operations", which shall be composed of five members of  
5 the senate, with no more than three members of one party, and five members of  
6 the house of representatives, with no more than three members of one party. The  
7 senate members of the committee shall be appointed by the president pro tempore  
8 of the senate and the house members by the speaker of the house of  
9 representatives. The committee shall select either a chairperson or  
10 co-chairpersons, one of whom shall be a member of the senate and one a member  
11 of the house of representatives. A majority of the members shall constitute a  
12 quorum. Meetings of the committee may be called at such time and place as the  
chairperson or chairpersons designate.

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

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

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

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

2           [21.920. 1. There is established a joint committee of the general  
3 assembly to be known as the "Joint Committee on Missouri's Promise" to be  
4 composed of five members of the senate and five members of the house of  
5 representatives. The senate members of the joint committee shall be appointed  
6 by the president pro tem of the senate and the house members shall be appointed  
7 by the speaker of the house of representatives. The appointment of each member  
8 shall continue during the member's term of office as a member of the general  
9 assembly or until a successor has been appointed to fill the member's place when  
10 his or her term of office as a member of the general assembly has expired. No  
11 party shall be represented by more than three members from the house of  
12 representatives nor more than three members from the senate. A majority of the  
13 committee shall constitute a quorum, but the concurrence of a majority of the  
14 members shall be required for the determination of any matter within the  
15 committee's duties.

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

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

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

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

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

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

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

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

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

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

34 (5) Such other matters as the committee may deem necessary in order to  
35 determine the proper course of future legislative and budgetary action regarding  
36 these issues.

37 3. The committee may solicit input and information necessary to fulfill  
38 its obligations, including, but not limited to, soliciting input and information  
39 from any state department or agency the committee deems relevant, political  
40 subdivisions of this state, and the general public.

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

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

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

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

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

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

21 (1) Initially, the general assembly passes and the governor signs  
22 legislation designating specific funds in the state treasury as being funds which,  
23 due to their nature and purpose, are intended for long-term investment and  
24 growth, and accordingly, from which there shall be no appropriations for a period  
exceeding the longest duration for investments by the state treasury pursuant to

25 section 15, article IV of the Constitution of Missouri. Such legislation shall  
26 declare that it is the intention and desire of the general assembly that the state  
27 treasurer shall convey, from time to time, the designated funds, in trust, to the  
28 Missouri investment trust, and shall further declare the maximum time such  
29 funds shall remain in the Missouri investment trust before being reconveyed to  
30 the state treasurer by the investment trust; and

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

34 (3) The Missouri investment trust executes a valid, binding trust  
35 agreement, sufficient in form and substance to bind the investment trust to hold,  
36 maintain, and invest the designated funds, in trust, for the exclusive benefit of the  
37 state of Missouri, for the prescribed period, whereupon the investment trust shall  
38 reconvey the designated funds and any earnings thereon to the state treasury.

39 3. The investment trust may hold and invest funds so designated in order  
40 to satisfy the specific long-term investment goals of such funds, but the  
41 investment trust shall not be utilized to invest idle general revenue funds of the  
42 state treasury. No more than one hundred million dollars, in aggregate, may be  
43 conveyed to the investment trust pursuant to sections 30.953 to 30.971. Total  
44 assets under management by the investment trust may exceed one hundred  
45 million dollars, but no new funds may be conveyed to the investment trust until  
46 such time as previous existing transfers to the investment trust total less than one  
47 hundred million dollars.

48 4. The board of trustees of the investment trust shall consist of the state  
49 treasurer, who shall serve as chairman, the commissioner of administration, one  
50 member appointed by the speaker of the house of representatives, one member  
51 appointed by the president pro tem of the senate and three members to be selected  
52 by the governor, with the advice and consent of the senate. The persons to be  
53 selected by the governor shall be individuals knowledgeable in the areas of  
54 banking, finance or the investment and management of public funds. Not more  
55 than two of the members appointed by the governor shall be from the same  
56 political party. The initial members of the board of trustees appointed by the  
57 governor shall serve the following terms: one shall serve two years, one shall  
58 serve three years, and one shall serve four years, respectively. Thereafter, each  
59 appointment shall be for a term of four years. If for any reason a vacancy occurs,  
60 the governor, with the advice and consent of the senate, shall appoint a new  
61 member to fill the unexpired term. Members are eligible for reappointment.

62 5. Five members of the board of trustees of the investment trust shall  
63 constitute a quorum. No vacancy in the membership of the board of trustees shall  
64 impair the right of a quorum to exercise all the rights and perform all the duties  
65 of the board of trustees of the investment trust. No action shall be taken by the  
66 board of trustees of the investment trust except upon the affirmative vote of at  
67 least four of the members of the board where a quorum is present.

68           6. The board of trustees shall meet within the state of Missouri at the  
69 time set at a previously scheduled meeting or by the request of any four members  
70 of the board. Notice of the meeting shall be delivered to all other trustees in  
71 person or by depositing notice in a United States post office in a properly  
72 stamped and addressed envelope not less than six days prior to the date fixed for  
73 the meeting. The board may meet at any time by unanimous mutual consent.  
74 There shall be at least one meeting in each quarter.

75           7. In the event any trustee other than the state treasurer or the  
76 commissioner of administration fails to attend three consecutive meetings of the  
77 board, unless in each case excused for cause by the remaining trustees attending  
78 such meetings, such trustee shall be considered to have resigned from the board  
79 and the chairman shall declare such trustee's office vacated, and the vacancy shall  
80 be filled in the same manner as originally filled.

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

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

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

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

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

12           (3) To accept appropriations, gifts, grants, bequests and devises and to  
13 utilize or dispose of the same to carry out its purpose or the terms of a trust  
14 agreement;

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

20 (5) To sue and be sued;

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

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

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

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

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

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

11 3. The board of trustees shall annually prepare and have available as  
12 public information a comprehensive annual financial report showing the financial  
13 status of the investment trust as of the end of the trust's fiscal year. The report  
14 shall contain, but not be limited to, detailed financial statements prepared in  
15 accordance with generally accepted accounting principles for trust funds, a  
16 detailed listing of the investments, showing both cost and market value, held by  
17 the investment trust as of the date of the report together with a detailed statement  
18 of the annual rates of investment return from all assets and from each type of  
19 investment, a detailed list of investments acquired and disposed of during the  
20 fiscal year, a listing of the investment trust's board of trustees and responsible  
21 administrative staff, a detailed list of administrative expenses of the investment  
22 trust including all fees paid for professional services, a detailed list of brokerage  
23 commissions paid, and such other data as the board shall deem necessary or  
24 desirable for a proper understanding of the condition of the investment trust. In  
25 the event the investment trust is unable to comply with any of the disclosure  
26 requirements outlined above, a detailed statement shall be included in the report  
27 as to the reason for such noncompliance. A copy of the comprehensive annual

28 financial report as outlined above shall be forwarded within six months of the end  
29 of the investment trust's fiscal year to the governor of Missouri.

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

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

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

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

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

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

32 or her position in good faith and with that degree of diligence, care and skill  
33 which a prudent person acting in a like capacity and familiar with these matters  
34 would use in the conduct of an enterprise of a like character and with like aims.

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

53 5. With appropriate safeguards against loss by the investment trust in any  
54 contingency, the board of trustees may designate a bank or trust company to serve  
55 as a depository of trust funds and intermediary in the investment of those funds  
56 and payment of trust obligations.

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

60 7. Consistent with the exercise of its fiduciary responsibilities, the board  
61 of trustees may provide for the payment of any costs or expenses for the  
62 employees, agents, services or transactions necessary for the execution of  
63 sections 30.953 to 30.971 in the form, manner and amount that the board deems  
64 appropriate.

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

69 9. Any funds or property in the charge and custody of the board of  
70 trustees of the investment trust pursuant to the provisions of sections 30.953 to  
71 30.971 shall not be subject to execution, garnishment, attachment or any other  
72 process whatsoever and shall be unassignable, unless otherwise specifically  
73 provided in sections 30.953 to 30.971.]

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

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

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

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

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

6 (2) One-half of the members appointed by the vice chairperson from the  
7 house which he or she represents, two of whom shall be from the majority party  
8 and two of whom shall be from the minority party.

9 3. The appointment of the senate and house members shall continue  
10 during the member's term of office as a member of the general assembly or until  
11 a successor has been appointed to fill the member's place when his or her term  
12 of office as a member of the general assembly has expired.

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

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

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

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

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

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

27 5. The subcommittee shall submit annual reports to the governor and  
28 general assembly, including the senate appropriations committee and house  
29 budget committee, that summarize the findings of the subcommittee with regard  
30 to its duties in subsection 4 of this section. All reports submitted under this  
31 subsection shall be made publicly available and posted on the governor's website,  
32  
33  
34

35 the general assembly website, and each state agency website. Any portion of a  
36 report submitted under this subsection may be redacted when made publicly  
37 available, if that portion would disclose information that is not subject to  
38 disclosure under chapter 610, or any other provision of state law.

39 6. (1) The subcommittee shall make recommendations to agencies on  
40 measures to prevent fraud, waste, and abuse relating to covered funds.

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

45 (a) Whether the agency agrees or disagrees with the recommendations;  
46 and

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

48 7. The subcommittee may:

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

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

53 8. (1) Not later than thirty days after the date on which all initial  
54 members of the subcommittee have been appointed, the subcommittee shall hold  
55 its first meeting. Thereafter, the subcommittee shall meet at the call of the  
56 chairperson of the subcommittee.

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

59 9. The subcommittee may hold such hearings, sit and act at such times  
60 and places, take such testimony, and receive such evidence as the subcommittee  
61 considers advisable to carry out the provisions of this section. Each agency of  
62 this state shall cooperate with any request of the subcommittee to provide such  
63 information as the subcommittee deems necessary to carry out the provisions of  
64 this section. Upon request of the subcommittee, the head of each agency shall  
65 furnish such information to the subcommittee. The head of each agency shall  
66 make all officers and employees of that agency available to provide testimony to  
67 the subcommittee and committee personnel.

68 10. Subject to appropriations, the subcommittee may enter into contracts  
69 with public agencies and with private persons to enable the subcommittee to  
70 discharge its duties under the provisions of this section, including contracts and  
71 other arrangements for studies, analyses, and other services.

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

75 12. As used in this section, the term "covered fund" shall mean any  
76 moneys received by the state or any political subdivision under the American

77 Recovery and Reinvestment Act of 2009, as enacted by the 111th United States  
78 Congress.

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

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

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

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

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

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

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

13 3. The committee shall examine existing programs and proposals for  
14 development or expansion to identify duplication in resource allocation of  
15 wireless communication systems. The committee shall submit a report to the  
16 general assembly by August 30, 1998, in which it identifies opportunities for cost  
17 savings, increased efficiency and improved services for Missouri's citizens. The  
18 committee shall review the state's purchasing law and may recommend such  
19 changes to chapter 34 as it deems appropriate to maintain and enhance the state's  
20 wireless communication system. The committee may make such other  
21 recommendations as it deems appropriate and shall identify the costs associated  
with each such recommendation.]

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

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

2 [99.1057. Beginning in 2008, and every five years thereafter, a joint  
3 committee of the general assembly, comprised of five members appointed by the  
speaker of the house of representatives and five members appointed by the

4 president pro tempore of the senate, shall review sections 99.1000 to 99.1060.  
5 A report based on such review, with any recommended legislative changes, shall  
6 be submitted to the speaker of the house of representatives and the president pro  
7 tempore of the senate no later than February first following the year in which the  
8 review is conducted.]

2 [105.955. 1. A bipartisan "Missouri Ethics Commission", composed of  
3 six members, is hereby established. The commission shall be assigned to the  
4 office of administration with supervision by the office of administration only for  
5 budgeting and reporting as provided by subdivisions (4) and (5) of subsection 6  
6 of section 1 of the Reorganization Act of 1974. Supervision by the office of  
7 administration shall not extend to matters relating to policies, regulative functions  
8 or appeals from decisions of the commission, and the commissioner of  
9 administration, any employee of the office of administration, or the governor,  
10 either directly or indirectly, shall not participate or interfere with the activities of  
11 the commission in any manner not specifically provided by law and shall not in  
12 any manner interfere with the budget request of or withhold any moneys  
13 appropriated to the commission by the general assembly. All members of the  
14 commission shall be appointed by the governor with the advice and consent of  
15 the senate from lists submitted pursuant to this section. Each congressional  
16 district committee of the political parties having the two highest number of votes  
17 cast for their candidate for governor at the last gubernatorial election shall submit  
18 two names of eligible nominees for membership on the commission to the  
19 governor, and the governor shall select six members from such nominees to serve  
20 on the commission.

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

36 3. The term of each member shall be for four years, except that of the  
37 members first appointed, the governor shall select three members from  
38 even-numbered congressional districts and three members from odd-numbered  
districts. Not more than three members of the commission shall be members of

39 the same political party, nor shall more than one member be from any one United  
40 States congressional district. Not more than two members appointed from the  
41 even-numbered congressional districts shall be members of the same political  
42 party, and no more than two members from the odd-numbered congressional  
43 districts shall be members of the same political party. Of the members first  
44 appointed, the terms of the members appointed from the odd-numbered  
45 congressional districts shall expire on March 15, 1994, and the terms of the  
46 members appointed from the even-numbered congressional districts shall expire  
47 on March 15, 1996. Thereafter all successor members of the commission shall  
48 be appointed for four-year terms. Terms of successor members of the  
49 commission shall expire on March fifteenth of the fourth year of their term. No  
50 member of the commission shall serve on the commission after the expiration of  
51 the member's term. No person shall be appointed to more than one full four-year  
52 term on the commission.

53 4. Vacancies or expired terms on the commission shall be filled in the  
54 same manner as the original appointment was made, except as provided in this  
55 subsection. Within thirty days of the vacancy or ninety days before the expiration  
56 of the term, the names of two eligible nominees for membership on the  
57 commission shall be submitted to the governor by the congressional district  
58 committees of the political party or parties of the vacating member or members,  
59 from the even- or odd-numbered congressional districts, based on the residence  
60 of the vacating member or members, other than from the congressional district  
61 committees from districts then represented on the commission and from the same  
62 congressional district party committee or committees which originally appointed  
63 the member or members whose positions are vacated. Appointments to fill  
64 vacancies or expired terms shall be made within forty-five days after the deadline  
65 for submission of names by the congressional district committees, and shall be  
66 subject to the same qualifications for appointment and eligibility as is provided  
67 in subsections 2 and 3 of this section. Appointments to fill vacancies for  
68 unexpired terms shall be for the remainder of the unexpired term of the member  
69 whom the appointee succeeds, and such appointees shall be eligible for  
70 appointment to one full four-year term. If the congressional district committee  
71 does not submit the required two nominees within the thirty days or if the  
72 congressional district committee does not submit the two nominees within an  
73 additional thirty days after receiving notice from the governor to submit the  
74 nominees, then the governor may appoint a person or persons who shall be  
75 subject to the same qualifications for appointment and eligibility as provided in  
76 subsections 2 and 3 of this section.

77 5. The governor, with the advice and consent of the senate, may remove  
78 any member only for substantial neglect of duty, inability to discharge the powers  
79 and duties of office, gross misconduct or conviction of a felony or a crime  
80 involving moral turpitude. Members of the commission also may be removed  
81 from office by concurrent resolution of the general assembly signed by the

82 governor. If such resolution receives the vote of two-thirds or more of the  
83 membership of both houses of the general assembly, the signature of the governor  
84 shall not be necessary to effect removal. The office of any member of the  
85 commission who moves from the congressional district from which the member  
86 was appointed shall be deemed vacated upon such change of residence.

87 6. The commission shall elect biennially one of its members as the  
88 chairman. The chairman may not succeed himself or herself after two years. No  
89 member of the commission shall succeed as chairman any member of the same  
90 political party as himself or herself. At least four members are necessary to  
91 constitute a quorum, and at least four affirmative votes shall be required for any  
92 action or recommendation of the commission.

93 7. No member or employee of the commission, during the person's term  
94 of service, shall hold or be a candidate for any other public office.

95 8. In the event that a retired judge is appointed as a member of the  
96 commission, the judge shall not serve as a special investigator while serving as  
97 a member of the commission.

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

- 100 (1) Be employed by the state or any political subdivision of the state;  
101 (2) Be employed as a lobbyist;  
102 (3) Serve on any other governmental board or commission;  
103 (4) Be an officer of any political party or political organization;  
104 (5) Permit the person's name to be used, or make contributions, in  
105 support of or in opposition to any candidate or proposition;

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

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

115 11. The commission shall appoint an executive director who shall serve  
116 subject to the supervision of and at the pleasure of the commission, but in no  
117 event for more than six years. The executive director shall be responsible for the  
118 administrative operations of the commission and perform such other duties as  
119 may be delegated or assigned to the director by law or by rule of the commission.  
120 The executive director shall employ staff and retain such contract services as the  
121 director deems necessary, within the limits authorized by appropriations by the  
122 general assembly.

123 12. Beginning on January 1, 1993, all lobbyist registration and  
124 expenditure reports filed pursuant to section 105.473, financial interest

125 statements filed pursuant to subdivision (1) of section 105.489, and campaign  
126 finance disclosure reports filed other than with election authorities or local  
127 election authorities as provided by section 130.026 shall be filed with the  
128 commission.

129 13. Within sixty days of the initial meeting of the first commission  
130 appointed, the commission shall obtain from the clerk of the supreme court or the  
131 state courts administrator a list of retired appellate and circuit court judges who  
132 did not leave the judiciary as a result of being defeated in an election. The  
133 executive director shall determine those judges who indicate their desire to serve  
134 as special investigators and to investigate any and all complaints referred to them  
135 by the commission. The executive director shall maintain an updated list of those  
136 judges qualified and available for appointment to serve as special investigators.  
137 Such list shall be updated at least annually. The commission shall refer  
138 complaints to such special investigators on that list on a rotating schedule which  
139 ensures a random assignment of each special investigator. Each special  
140 investigator shall receive only one unrelated investigation at a time and shall not  
141 be assigned to a second or subsequent investigation until all other eligible  
142 investigators on the list have been assigned to an investigation. In the event that  
143 no special investigator is qualified or available to conduct a particular  
144 investigation, the commission may appoint a special investigator to conduct such  
145 particular investigation.

146 14. The commission shall have the following duties and responsibilities  
147 relevant to the impartial and effective enforcement of sections 105.450 to  
148 105.496 and chapter 130, as provided in sections 105.955 to 105.963:

149 (1) Receive and review complaints regarding alleged violation of sections  
150 105.450 to 105.496 and chapter 130, conduct initial reviews and investigations  
151 regarding such complaints as provided herein; refer complaints to appropriate  
152 prosecuting authorities and appropriate disciplinary authorities along with  
153 recommendations for sanctions; and initiate judicial proceedings as allowed by  
154 sections 105.955 to 105.963;

155 (2) Review and investigate any reports and statements required by the  
156 campaign finance disclosure laws contained in chapter 130, and financial interest  
157 disclosure laws or lobbyist registration and reporting laws as provided by sections  
158 105.470 to 105.492, for timeliness, accuracy and completeness of content as  
159 provided in sections 105.955 to 105.963;

160 (3) Conduct investigations as provided in subsection 2 of section  
161 105.959;

162 (4) Develop appropriate systems to file and maintain an index of all such  
163 reports and statements to facilitate public access to such information, except as  
164 may be limited by confidentiality requirements otherwise provided by law,  
165 including cross-checking of information contained in such statements and reports.  
166 The commission may enter into contracts with the appropriate filing officers to

167 effectuate such system. Such filing officers shall cooperate as necessary with the  
168 commission as reasonable and necessary to effectuate such purposes;

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

172 (6) Make recommendations to the governor and general assembly or any  
173 state agency on the need for further legislation with respect to the ethical conduct  
174 of public officials and employees and to advise state and local government in the  
175 development of local government codes of ethics and methods of disclosing  
176 conflicts of interest as the commission may deem appropriate to promote high  
177 ethical standards among all elected and appointed officials or employees of the  
178 state or any political subdivision thereof and lobbyists;

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

180 (8) Promulgate rules relating to the provisions of sections 105.955 to  
181 105.963 and chapter 130. All rules and regulations issued by the commission  
182 shall be prospective only in operation;

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

186 15. In connection with such powers provided by sections 105.955 to  
187 105.963 and chapter 130, the commission may:

188 (1) Subpoena witnesses and compel their attendance and testimony.  
189 Subpoenas shall be served and enforced in the same manner provided by section  
190 536.077;

191 (2) Administer oaths and affirmations;

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

197 (4) Employ such personnel, including legal counsel, and contract for  
198 services including legal counsel, within the limits of its appropriation, as it deems  
199 necessary provided such legal counsel, either employed or contracted, represents  
200 the Missouri ethics commission before any state agency or before the courts at  
201 the request of the Missouri ethics commission. Nothing in this section shall limit  
202 the authority of the Missouri ethics commission as provided for in subsection 2  
203 of section 105.961; and

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

208 16. (1) Upon written request for an advisory opinion received by the  
209 commission, and if the commission determines that the person requesting the

210 opinion would be directly affected by the application of law to the facts presented  
211 by the requesting person, the commission shall issue a written opinion advising  
212 the person who made the request, in response to the person's particular request,  
213 regarding any issue that the commission can receive a complaint on pursuant to  
214 section 105.957. The commission may decline to issue a written opinion by a  
215 vote of four members and shall provide to the requesting person the reason for  
216 the refusal in writing. The commission shall give an approximate time frame as  
217 to when the written opinion shall be issued. Such advisory opinions shall be  
218 issued no later than ninety days from the date of receipt by the commission. Such  
219 requests and advisory opinions, deleting the name and identity of the requesting  
220 person, shall be compiled and published by the commission on at least an annual  
221 basis. Advisory opinions issued by the commission shall be maintained and  
222 made available for public inspection and copying at the office of the commission  
223 during normal business hours. Any advisory opinion or portion of an advisory  
224 opinion rendered pursuant to this subsection shall be withdrawn by the  
225 commission if, after hearing thereon, the joint committee on administrative rules  
226 finds that such advisory opinion is beyond or contrary to the statutory authority  
227 of the commission or is inconsistent with the legislative intent of any law enacted  
228 by the general assembly, and after the general assembly, by concurrent resolution,  
229 votes to adopt the findings and conclusions of the joint committee on  
230 administrative rules. Any such concurrent resolution adopted by the general  
231 assembly shall be published at length by the commission in its publication of  
232 advisory opinions of the commission next following the adoption of such  
233 resolution, and a copy of such concurrent resolution shall be maintained by the  
234 commission, along with the withdrawn advisory opinion, in its public file of  
235 advisory opinions. The commission shall also send a copy of such resolution to  
236 the person who originally requested the withdrawn advisory opinion. Any  
237 advisory opinion issued by the ethics commission shall act as legal direction to  
238 any person requesting such opinion and no person shall be liable for relying on  
239 the opinion and it shall act as a defense of justification against prosecution. An  
240 advisory opinion of the commission shall not be withdrawn unless:

- 241 (a) The authorizing statute is declared unconstitutional;
- 242 (b) The opinion goes beyond the power authorized by statute; or
- 243 (c) The authorizing statute is changed to invalidate the opinion.

244 (2) Upon request, the attorney general shall give the attorney general's  
245 opinion, without fee, to the commission, any elected official of the state or any  
246 political subdivision, any member of the general assembly, or any director of any  
247 department, division or agency of the state, upon any question of law regarding  
248 the effect or application of sections 105.450 to 105.496 or chapter 130. Such  
249 opinion need be in writing only upon request of such official, member or director,  
250 and in any event shall be rendered within sixty days after such request is  
251 delivered to the attorney general.

252           17. The state auditor and the state auditor's duly authorized employees  
253 who have taken the oath of confidentiality required by section 29.070 may audit  
254 the commission and in connection therewith may inspect materials relating to the  
255 functions of the commission. Such audit shall include a determination of whether  
256 appropriations were spent within the intent of the general assembly, but shall not  
257 extend to review of any file or document pertaining to any particular  
258 investigation, audit or review by the commission, an investigator or any staff or  
259 person employed by the commission or under the supervision of the commission  
260 or an investigator. The state auditor and any employee of the state auditor shall  
261 not disclose the identity of any person who is or was the subject of an  
262 investigation by the commission and whose identity is not public information as  
263 provided by law.

264           18. From time to time but no more frequently than annually the  
265 commission may request the officials and entities described in subdivision (6) of  
266 section 105.450 to identify for the commission in writing those persons  
267 associated with such office or entity which such office or entity has designated  
268 as a decision-making public servant. Each office or entity delineated in  
269 subdivision (6) of section 105.450 receiving such a request shall identify those  
270 so designated within thirty days of the commission's request.]

2           [167.195. 1. Beginning July 1, 2008, and continuing through the  
3 2010-11 school year unless extended by act of the general assembly, all public  
4 school districts shall conduct an eye screening for each student once before the  
5 completion of first grade and again before the completion of third grade. The eye  
6 screening method utilized shall be one approved by the children's vision  
7 commission and shall be performed by an appropriately trained school nurse or  
8 other trained and qualified employee of the school district.

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

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

16           (2) When a student fails the eye screening, the school district shall send  
17 a notice developed by the commission to the parent or guardian notifying them  
18 of the results of the eye screening and propose that the student receive a complete  
19 eye examination from an optometrist or physician. Such notice shall have a place  
20 for the parent to acknowledge receipt along with an indication as to whether the  
21 student has received a complete eye examination and the results of the  
22 examination. Evidence of an examination provided by an optometrist or  
23 physician within the year preceding the school eye screening shall be sufficient  
for meeting the requirements of this section. The notice completed by the parent

24 or guardian is to be returned to the school and shall be retained in the student's  
25 file and a copy shall be sent to the department of health and senior services;

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

29 3. The "Children's Vision Commission" is hereby established which shall  
30 cease to exist on June 30, 2012, unless renewed by act of the general assembly.

31 (1) The commission shall be composed of seven members appointed by  
32 the governor: two ophthalmologists to be determined from a list of  
33 recommended ophthalmologists by the Missouri Society of Eye Physicians and  
34 Surgeons; two optometrists to be determined from a list of recommended  
35 optometrists by the Missouri Optometric Association; one school nurse; one  
36 representative from the department of elementary and secondary education; and  
37 one representative from the Missouri state school boards association. Each  
38 ophthalmologist and optometrist shall serve a one-year term as chair of the  
39 commission. Members of the commission shall serve without compensation, but  
40 may be reimbursed for reasonable and necessary expenses associated with  
41 carrying out their duties.

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

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

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

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

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

59 (e) Develop, in conjunction with the Missouri Optometric Association  
60 (MOA) and the Missouri Society of Eye Physicians and Surgeons (MOSEPS),  
61 guidelines outlining the benefits and ongoing eye care for children and  
62 summarizing the signs and symptoms of vision disorders in order for the  
63 guidelines to be made available on the MOA and MOSEPS website. The  
64 commission shall also consult with MOA and MOSEPS in the organizations'  
65 education and promotion of the guidelines;

66 (f) By December 31, 2011, the commission shall submit a report to the  
67 general assembly detailing the results and findings of the study, including but not  
68 limited to the total number of eye screenings and eye examinations, the number  
69 of students who received a follow-up examination from an optometrist,  
70 ophthalmologist, physician, or doctor of osteopathy and the results of those  
71 examinations to determine the effectiveness of eye examinations versus eye  
72 screenings.

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

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

80 6. The department of health and senior services shall provide staff  
81 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 health and  
4 senior services in:

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

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

9 (3) Designing a technical assistance program to support facilities  
10 implementing the screening program and those conducting rescreening and  
11 diagnostic audiological assessment;

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

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

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

21 (1) Three consumers, including one deaf individual who experienced  
22 hearing loss in early childhood, one hard-of-hearing individual who experienced  
23 hearing loss in early childhood and one parent of a child with a hearing loss;

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

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

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

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

31 (6) One representative of a hospital with experience in the care of  
32 newborns;

33 (7) One representative of the Missouri commission for the deaf and hard  
34 of hearing;

35 (8) One representative from each of the departments of health and senior  
36 services, elementary and secondary education, mental health, social services and  
37 insurance, financial institutions and professional registration.

38 4. The department of health and senior services member shall chair the  
39 first meeting of the committee. At the first meeting, the committee shall elect a  
40 chairperson from its membership. The committee shall meet at the call of the  
41 chairperson, but not less than four times a year.

42 5. The department of health and senior services shall provide technical  
43 and administrative support services as required by the committee. Such services  
44 shall include technical support from individuals qualified to administer infant  
45 hearing screening, rescreening and diagnostic audiological assessments.

46 6. Members of the committee shall receive no compensation for their  
47 services as members but shall be reimbursed for expenses incurred as a result of  
48 their duties as members of the committee.

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

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

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

6 (1) Two physicians appointed from lists submitted by the Missouri State  
7 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 clinical  
12 laboratories in the state;

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

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

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

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

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

19 (11) Two members of the senate appointed by the president pro tempore  
20 of the senate;

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

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

25 3. The chronic kidney task force shall:

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

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

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

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

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

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

2 [215.262. The commission shall consist of nine voting members, seven  
3 of which shall be appointed by the governor by and with the advice and consent  
4 of the senate. The appointed commission members shall include two residential  
5 general contractors, two citizens at large, one residential land developer, one  
6 residential architect and one residential engineer. The chief administrative  
7 officers of the Missouri housing development commission and the Missouri  
8 department of economic development shall also be members of the commission  
9 and shall retain their memberships on the commission for the duration of their  
10 service to the Missouri housing development commission and the Missouri  
11 department of economic development. The commission may, in its discretion,  
12 establish other ex officio members as it deems prudent, who shall stand appointed  
and qualified for membership on the commission upon the resolution of the

13 commission. Members of the commission shall serve for terms of three years,  
14 but of the first members appointed, three shall serve for a term of one year, two  
15 shall serve for a term of two years and two shall serve for a term of three years.  
16 Vacancies on the commission shall be filled for the unexpired term in the same  
17 manner as original appointments are made. The commission may remove any of  
18 its members for cause after hearing. Members of the commission on regulatory  
19 barriers to affordable housing shall receive no compensation for their services,  
20 but may be reimbursed for actual and necessary expenses incurred by them in the  
21 performance of their duties.]

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

10 2. The members shall receive no additional compensation, but shall be  
11 reimbursed for actual and necessary expenses incurred by them in the  
12 performance of their duties.

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

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

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

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

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

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

- 16 (4) One member who is an oncology nurse licensed in this state under  
17 chapter 335;
- 18 (5) One member who is a representative of a Missouri pharmacy benefit  
19 management company;
- 20 (6) One member from an organization representing licensed pharmacists  
21 in this state;
- 22 (7) One member from the business community representing businesses  
23 on health insurance issues;
- 24 (8) One member from an organization representing the leading  
25 research-based pharmaceutical and biotechnology companies;
- 26 (9) One patient advocate;
- 27 (10) One member from the organization representing a majority of  
28 hospitals in this state;
- 29 (11) One member from a health carrier as such term is defined under  
30 section 376.1350;
- 31 (12) One member from the organization representing a majority of health  
32 carriers in this state, as such term is defined under section 376.1350;
- 33 (13) One member from the American Cancer Society; and
- 34 (14) One member from an organization representing generic  
35 pharmaceutical drug manufacturers.
- 36 3. All members, except for the members from the general assembly, shall  
37 be appointed by the governor no later than September 1, 2013. The department  
38 of insurance, financial institutions and professional registration shall provide  
39 assistance to the committee.
- 40 4. No later than January 1, 2014, the committee shall submit a report to  
41 the governor, the speaker of the house of representatives, the president pro  
42 tempore of the senate, and the appropriate legislative committee of the general  
43 assembly regarding the results of the study and any legislative recommendations.]

✓