

SECOND REGULAR SESSION

HOUSE BILL NO. 1373

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KELLY (27).

Pre-filed January 3, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3228L.011

AN ACT

To repeal section 292.602, RSMo, and to enact in lieu thereof one new section relating to local emergency planning districts.

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

Section A. Section 292.602, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 292.602, to read as follows:

292.602. 1. The "Missouri Emergency Response Commission", herein to be known as the commission, is hereby established and is officially domiciled in the department of public safety. The commission shall be composed of the director of the department of economic development, or his designee; the director of the department of natural resources, or his designee; the director of the department of public safety, or his designee; the director of the department of health, or his designee; six members appointed by the governor with the advice and consent of the senate; one to represent transporters of hazardous materials; one to represent Missouri industry; one to represent local government; one chief fire officer from a recognized fire department or fire protection district; one police officer of the rank of captain or above from a recognized county or municipal police department; and one to represent the general public and four members of the general assembly, two of whom shall be appointed by the speaker of the house and two of whom shall be appointed by the president pro tem of the senate. All members of the commission shall represent the general interest of the public and shall, to the extent practicable, have technical expertise in the emergency response field. No more than three members appointed by the governor shall be of the same political party. The terms of office for the members appointed by the governor shall be four years and until their successors are selected and qualified, except that, of those first appointed, two shall have a term of three years, two shall have a term of two years and two will have a term of one year. There is no limitation on the

19 number of terms an appointed member may serve. The governor may appoint a member for the
20 remaining portion of the unexpired term created by a vacancy. The governor may remove any
21 appointed member for cause.

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

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

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

31 (2) Designate local emergency planning districts, **including a district encompassing**
32 **any home rule city with more than seventy-three thousand but less than seventy-five**
33 **thousand inhabitants located in a county of the first classification without a charter form**
34 **of government and with more than eighty-five thousand nine hundred but less than eighty-**
35 **six thousand inhabitants**, to facilitate preparation and implementation of emergency plans,
36 appoint members of a local emergency planning committee for each local emergency planning
37 district, support and coordinate the activities of such committees, review the emergency plans
38 submitted by local emergency planning committees, and make recommendations to the local
39 emergency planning committees regarding those plans;

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

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

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

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

54 (7) Enter into such agreements with other state agencies, local governments and other

55 political subdivisions of the state, the federal government and other persons as is determined to
56 be appropriate to implement the Federal Act and the provisions of sections 292.600 to 292.625;
57 (8) Allot funds as specified in section 292.604 to local emergency planning committees;
58 (9) Develop a data management system to store and retrieve information submitted under
59 the provisions of sections 292.600 to 292.625 and the Federal Act. The commission and the
60 department will provide assistance to local emergency planning committees and fire departments,
61 fire protection districts, volunteer fire protection services and others to make this information
62 readily available to them for planning and emergency response purposes.