

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1153
93RD GENERAL ASSEMBLY

Reported from the Committee on Professional Registration and Licensing, February 22, 2006 with recommendation that House Committee Substitute for House Bill No. 1153 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

STEPHEN S. DAVIS, Chief Clerk

3236L.02C

AN ACT

To repeal section 701.353, RSMo, and to enact in lieu thereof one new section relating to the elevator safety board, with an emergency clause.

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

Section A. Section 701.353, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 701.353, to read as follows:

701.353. 1. There is hereby established an "Elevator Safety Board" to be composed of eleven members, one of whom shall be the director of the department of public safety. The remaining ten members of the board shall be appointed by the governor with the advice and consent of the senate. Each member appointed by the governor shall be appointed for a term of five years or until his **or her** successor is appointed. The governor shall fill any vacancy on the board for the remainder of the unexpired term with a representative of the same interest as that of the member whose term is vacant. No more than six members of the board, who are not employees of state or local government, shall be members of the same political party.

2. Two members of the board shall represent the interests of labor and shall be involved in the elevator industry. [Two members] **One member** of the board shall be [representatives] **a representative** of manufacturers of elevators used in this state. **One member of the board shall be an elevator installer.** One member of the board shall be an architect or mechanical engineer. One member of the board shall be a representative of owners of buildings affected by sections 701.350 to 701.380. Two members shall be building officials with responsibility for

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.

15 administering elevator regulations, one from each municipality having a population of at least
16 three hundred fifty thousand inhabitants. One member of the board shall be a representative of
17 the disabled community who is familiar with the provisions of the Federal Americans with
18 Disabilities Act. One member shall be a representative of the special inspectors.

19 3. The director of the department shall call the first meeting of the board within sixty
20 days after all members have been appointed and qualified. The members from among their
21 membership shall elect a chairman. After the initial meeting the members shall meet at the call
22 of the chairman, but shall meet at least four times per year. Six members of the board shall
23 constitute a quorum.

24 4. The members of the board shall serve without pay, but they shall receive per diem
25 expenses in an equivalent amount as allowed for members of the general assembly.

Section B. Because immediate action is necessary to ensure appropriate membership on
2 the elevator safety board the repeal and reenactment of section A of this act is deemed necessary
3 for the immediate preservation of the public health, welfare, peace, and safety, and is hereby
4 declared to be an emergency act within the meaning of the constitution, and the repeal and
5 reenactment of section A of this act shall be in full force and effect upon its passage and
6 approval.

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