

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
**SENATE BILL NO. 507**  
**97TH GENERAL ASSEMBLY**

4496H.06C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 21.110, 28.060, 30.070, 32.010, 37.010, 192.007, 217.035, 261.010, 286.005, 374.020, 374.080, 620.010, 640.010, 650.005, and 660.010, RSMo, and to enact in lieu thereof sixteen new sections relating to vacancies in certain public offices, with a contingent effective date.

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

Section A. Sections 21.110, 28.060, 30.070, 32.010, 37.010, 192.007, 217.035, 261.010, 286.005, 374.020, 374.080, 620.010, 640.010, 650.005, and 660.010, RSMo, are repealed and sixteen new sections enacted in lieu thereof, to be known as sections 21.110, 26.017, 26.018, 28.060, 32.010, 37.010, 192.007, 217.035, 261.010, 286.005, 374.020, 620.010, 640.010, 650.005, 660.010, and 1, to read as follows:

21.110. If the governor receives any resignation or notice of vacancy, or if he is satisfied of the death of any member of either house, during the recess, he shall, [without delay] **within thirty days**, issue a writ of election to supply the vacancy.

**26.017. Sections 21.110, 26.018, 32.010, 37.010, 105.010, 192.007, 217.035, 261.010, 286.005, 287.610, 374.020, 620.010, 640.010, 650.005, and 660.010 may be cited as the "Executive Branch Accountability Act of 2014".**

**26.018. In case of death, resignation, removal from office, conviction after impeachment, or vacancy from any cause in the office of lieutenant governor, the governor shall immediately appoint a qualified person to serve as acting lieutenant governor to fill such vacancy. In cases of impeachment, the office shall remain vacant until such impeachment is determined. If acquitted, the lieutenant governor shall be reinstated in office. If the vacancy in the office of lieutenant governor occurs no later than twenty-two**

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.

7 **months from the start of the term, then the vacancy shall be filled by a special election held**  
8 **at the same time as the next general election, otherwise the vacancy shall not be filled by**  
9 **special election and the acting lieutenant governor shall serve the remainder of the term**  
10 **for the office of lieutenant governor.**

28.060. [He] **The secretary of state shall keep in his or her office and make available**  
2 **to the public in a web-based electronic format** an abstract of all commissions issued and  
3 appointments made by the governor, and shall register therein the substance of each commission,  
4 specifying the name of the person appointed, the office conferred, the district or county for which  
5 the appointment is made, and the term of office; and when any office shall become vacant [he]  
6 **the secretary of state shall enter, in a space to be left for that purpose, a memorandum of such**  
7 **vacancy and the occasion thereof, with a reference to any evidence deposited in his or her office.**

32.010. **1. The department of revenue is in the charge of the director of revenue. The**  
2 **director shall be appointed by the governor, by and with the advice and consent of the senate, and**  
3 **shall serve at the pleasure of the governor.**

4 **2. The director shall designate by written order filed with the governor, the**  
5 **secretary of the senate, and the chief clerk of the house of representatives, a deputy**  
6 **director of the department to act for and exercise the powers of the director during any**  
7 **vacancy in the office of director or during the director's absence for official business,**  
8 **vacation, illness, or incapacity. The deputy director shall be subject to removal at the**  
9 **pleasure of the director. Upon the commencement of any vacancy in the office, the**  
10 **governor shall appoint the deputy director as acting director of the department. In the**  
11 **event that no deputy director has been appointed, the governor shall appoint an acting**  
12 **director from among the division directors within the department.**

13 **3. The deputy director, or division director, may serve as acting director for no**  
14 **longer than one hundred and eighty days from the date the vacancy first occurs. Upon the**  
15 **completion of one hundred and eighty days, the authority of the acting director shall**  
16 **expire. The governor shall not appoint another acting director within three hundred sixty**  
17 **days of any appointment made under subsection 2 of this section. During any period of**  
18 **time in which the governor has appointed a director and submitted such person to the**  
19 **senate for its advice and consent during a regular or special session of the general**  
20 **assembly, the one hundred and eighty day period of authority for the acting director shall**  
21 **toll.**

22 **4. If the appointment of a director is returned to the governor by the senate, or does**  
23 **not receive the advice and consent of the senate, the deputy director, or division director,**  
24 **may continue to serve as acting director for no more than sixty days from the date of such**  
25 **return or failure to receive advice and consent. During any period of time in which the**

26 **governor has appointed a director and submitted such person to the senate for its advice**  
27 **and consent, the sixty day period for the acting director under this subsection shall toll.**

28 **5. The deputy director serving as acting director shall receive compensation equal**  
29 **to that of the director during the period when the deputy director is serving as acting**  
30 **director.**

31 **6. Nothing in this section shall be construed as prohibiting or otherwise limiting the**  
32 **ability of the governor to appoint a person as department head during a legislative interim**  
33 **pursuant to section 51, article IV of the Missouri Constitution.**

37.010. 1. The governor, by and with the advice and consent of the senate, shall appoint  
2 a commissioner of administration, who shall head the "Office of Administration" which is hereby  
3 created. The commissioner of administration shall receive a salary as provided by law and shall  
4 also receive his actual and necessary expenses incurred in the discharge of his official duties.  
5 Before taking office, the commissioner of administration shall take and subscribe an oath or  
6 affirmation to support the Constitution of the United States and of this state, and to demean  
7 himself faithfully in office. He shall also deposit with the governor a bond, with sureties to be  
8 approved by the governor, in the amount to be determined by the governor payable to the state  
9 of Missouri, conditioned on the faithful performance of the duties of his office. The premium  
10 of this bond shall be paid out of the appropriation for the office of the governor.

11 2. The governor shall appoint the commissioner of administration with the advice and  
12 consent of the senate. The commissioner shall be at least thirty years of age and must have been  
13 a resident and qualified voter of this state for the five years next preceding his appointment. He  
14 must be qualified by training and experience to assume the managerial and administrative  
15 functions of the office of commissioner of administration.

16 3. **The commissioner shall designate by written order filed with the governor, the**  
17 **secretary of the senate, and the chief clerk of the house of representatives, a deputy**  
18 **commissioner of the department to act for and exercise the powers of the commissioner**  
19 **during any vacancy in the office of commissioner or during the commissioner's absence for**  
20 **official business, vacation, illness, or incapacity. The deputy commissioner shall be subject**  
21 **to removal at the pleasure of the commissioner. Upon the commencement of any vacancy**  
22 **in the office, the governor shall appoint the deputy commissioner as acting commissioner**  
23 **of the department. In the event that no deputy commissioner has been appointed, the**  
24 **governor shall appoint an acting commissioner from among the division directors within**  
25 **the department.**

26 4. **The deputy commissioner, or division director, may serve as acting commissioner**  
27 **for no longer than one hundred and eighty days from the date the vacancy first occurs.**  
28 **Upon the completion of one hundred and eighty days, the authority of the acting**

29 **commissioner shall expire. The governor shall not appoint another acting director within**  
30 **three hundred sixty days of any appointment made under subsection 3 of this section.**  
31 **During any period of time in which the governor has appointed a commissioner and**  
32 **submitted such person to the senate for its advice and consent during a regular or special**  
33 **session of the general assembly, the one hundred and eighty day period of authority for the**  
34 **acting commissioner shall toll.**

35 **5. If the appointment of a commissioner is returned to the governor by the senate,**  
36 **or does not receive the advice and consent of the senate, the deputy commissioner, or**  
37 **division director, may continue to serve as acting commissioner for no more than sixty days**  
38 **from the date of such return or failure to receive advice and consent. During any period**  
39 **of time in which the governor has appointed a director and submitted such person to the**  
40 **senate for its advice and consent, the sixty day period for the acting director under this**  
41 **subsection shall toll.**

42 **6. The deputy director serving as acting director shall receive compensation equal**  
43 **to that of the director during the period when the deputy director is serving as acting**  
44 **director.**

45 **7. Nothing in this section shall be construed as prohibiting or otherwise limiting the**  
46 **ability of the governor to appoint a person as department head during a legislative interim**  
47 **pursuant to section 51, article IV of the Missouri Constitution.**

48 **8. The commissioner of administration shall, by virtue of his office, without additional**  
49 **compensation, head the division of budget, the division of purchasing, the division of design and**  
50 **construction, and the division of electronic data processing coordination. Whenever provisions**  
51 **of the constitution grant powers, impose duties or make other reference to the comptroller, they**  
52 **shall be construed as referring to the commissioner of administration.**

53 [4.] **9. The commissioner of administration shall provide the governor with such**  
54 **assistance in the supervision of the executive branch of state government as the governor requires**  
55 **and shall perform such other duties as are assigned to him by the governor or by law. The**  
56 **commissioner of administration shall work with other departments of the executive branch of**  
57 **state government to promote economy, efficiency and improved service in the transaction of state**  
58 **business. The commissioner of administration, with the approval of the governor, shall organize**  
59 **the work of the office of administration in such manner as to obtain maximum effectiveness of**  
60 **the personnel of the office. He may consolidate, abolish or reassign duties of positions or**  
61 **divisions combined within the office of administration, except for the division of personnel. He**  
62 **may delegate specific duties to subordinates. These subordinates shall take the same oath as the**  
63 **commissioner and shall be covered by the bond of the director or by separate bond as required**  
64 **by the governor.**

65 [5.] 10. The personnel division, personnel director and personnel advisory board as  
66 provided in chapter 36 shall be in the office of administration. The personnel director and  
67 employees of the personnel division shall perform such duties as directed by the commissioner  
68 of administration for personnel work in agencies and departments of state government not  
69 covered by the merit system law to upgrade state employment and to improve the uniform quality  
70 of state employment.

71 [6.] 11. The commissioner of administration shall prepare a complete inventory of all  
72 real estate, buildings and facilities of state government and an analysis of their utilization. Each  
73 year he shall formulate and submit to the governor a long-range plan for the ensuing five years  
74 for the repair, construction and rehabilitation of all state properties. The plan shall set forth the  
75 projects proposed to be authorized in each of the five years with each project ranked in the order  
76 of urgency of need from the standpoint of the state as a whole and shall be upgraded each year.  
77 Project proposals shall be accompanied by workload and utilization information explaining the  
78 need and purpose of each. Departments shall submit recommendations for capital improvement  
79 projects and other information in such form and at such times as required by the commissioner  
80 of administration to enable him to prepare the long-range plan. The commissioner of  
81 administration shall prepare the long-range plan together with analysis of financing available and  
82 suggestions for further financing for approval of the governor who shall submit it to the general  
83 assembly. The long-range plan shall include credible estimates for operating purposes as well  
84 as capital outlay and shall include program data to justify need for the expenditures included.  
85 The long-range plan shall be extended, revised and resubmitted in the same manner to  
86 accompany each executive budget. The appropriate recommendations for the period for which  
87 appropriations are to be made shall be incorporated in the executive budget for that period  
88 together with recommendations for financing. Each revised long-range plan shall provide a  
89 report on progress in the repair, construction and rehabilitation of state properties and of the  
90 operating purposes program for the preceding fiscal period in terms of expenditures and meeting  
91 program goals.

92 [7.] 12. All employees of the office of administration, except the commissioner and not  
93 more than three other executive positions designated by the governor in an executive order, shall  
94 be subject to the provisions of chapter 36. The commissioner shall appoint all employees of the  
95 office of administration and may discharge the employees after proper hearing, provided that the  
96 employment and discharge conform to the practices governing selection and discharge of  
97 employees in accordance with the provisions of chapter 36.

98 [8.] 13. The office of the commissioner of administration shall be in Jefferson City.

99 [9.] 14. In case of death, resignation, removal from office or vacancy from any cause in  
100 the office of commissioner of administration, the governor shall take charge of the office and  
101 superintend the business thereof until a successor is appointed, commissioned and qualified.

192.007. 1. The director of the department of health and senior services shall be  
2 appointed by the governor by and with the advice and consent of the senate. The director shall  
3 serve at the pleasure of the governor and the director's salary shall not exceed appropriations  
4 made for that purpose.

5 2. The director shall be a person of recognized character, integrity and executive ability,  
6 shall be a graduate of an institution of higher education approved by recognized accrediting  
7 agencies, and shall have had the administrative experience necessary to enable him to  
8 successfully perform the duties of his office. He shall have experience in public health  
9 management and agency operation and management.

10 3. **The director shall designate by written order filed with the governor, the**  
11 **secretary of the senate, and the chief clerk of the house of representatives, a deputy**  
12 **director of the department to act for and exercise the powers of the director during any**  
13 **vacancy in the office of director or during the director's absence for official business,**  
14 **vacation, illness, or incapacity. The deputy director shall be subject to removal at the**  
15 **pleasure of the director. Upon the commencement of any vacancy in the office, the**  
16 **governor shall appoint the deputy director as acting director of the department. In the**  
17 **event that no deputy director has been appointed, the governor shall appoint an acting**  
18 **director from among the division directors within the department.**

19 4. **The deputy director, or division director, may serve as acting director for no**  
20 **longer than one hundred and eighty days from the date the vacancy first occurs. Upon the**  
21 **completion of one hundred and eighty days, the authority of the acting director shall**  
22 **expire. The governor shall not appoint another acting director within three hundred sixty**  
23 **days of any appointment made under subsection 3 of this section. During any period of**  
24 **time in which the governor has appointed a director and submitted such person to the**  
25 **senate for its advice and consent during a regular or special session of the general**  
26 **assembly, the one hundred and eighty day period of authority for the acting director shall**  
27 **toll.**

28 5. **If the appointment of a director is returned to the governor by the senate, or does**  
29 **not receive the advice and consent of the senate, the deputy director, or division director,**  
30 **may continue to serve as acting director for no more than sixty days from the date of such**  
31 **return or failure to receive advice and consent. During any period of time in which the**  
32 **governor has appointed a director and submitted such person to the senate for its advice**  
33 **and consent, the sixty day period for the acting director under this subsection shall toll.**

34           **6. The deputy director serving as acting director shall receive compensation equal**  
35 **to that of the director during the period when the deputy director is serving as acting**  
36 **director.**

37           **7. Nothing in this section shall be construed as prohibiting or otherwise limiting the**  
38 **ability of the governor to appoint a person as department head during a legislative interim**  
39 **pursuant to section 51, article IV of the Missouri Constitution.**

217.035. 1. The director shall have the authority to:

2           (1) Establish, with approval of the governor, the internal organization of the department  
3 and file the plan thereof with the secretary of state in the manner in which administrative rules  
4 are filed, the commissioner of administration and the revisor of statutes;

5           (2) Exclusively prepare the budgets of the department and each division within the  
6 department in the form and manner set out by statute or by the commissioner of administration;

7           (3) [Designate by written order filed with the governor, the president pro tem of the  
8 senate, and the chairman of the joint committee on corrections, a deputy director of the  
9 department to act for and exercise the powers of the director during the director's absence for  
10 official business, vacation, illness or incapacity. The deputy director shall serve as acting  
11 director no longer than six months; however, after the deputy director has acted as director for  
12 longer than thirty days the deputy director shall receive compensation equal to that of the  
13 director;

14           (4)] Procure, either through the division of purchasing or by other means authorized by  
15 law, supplies, material, equipment or contractual services for the department and each of its  
16 divisions;

17           [(5)] (4) Establish policy for the department and each of its divisions;

18           [(6)] (5) Designate any responsibilities, duties and powers given by sections 217.010,  
19 217.810, 558.011 and 558.026 to the department or the department director to any division or  
20 division director.

21           **2. The director shall designate by written order filed with the governor, the**  
22 **secretary of the senate, and the chief clerk of the house of representatives, a deputy**  
23 **director of the department to act for and exercise the powers of the director during any**  
24 **vacancy in the office of director or during the director's absence for official business,**  
25 **vacation, illness, or incapacity. The deputy director shall be subject to removal at the**  
26 **pleasure of the director. Upon the commencement of any vacancy in the office, the**  
27 **governor shall appoint the deputy director as acting director of the department. In the**  
28 **event that no deputy director has been appointed, the governor shall appoint an acting**  
29 **director from among the division directors within the department.**

30           **3. The deputy director, or division director, may serve as acting director for no**  
31 **longer than one hundred and eighty days from the date the vacancy first occurs. Upon the**  
32 **completion of one hundred and eighty days, the authority of the acting director shall**  
33 **expire. The governor shall not appoint another acting director within three hundred sixty**  
34 **days of any appointment made under subsection 2 of this section. During any period of**  
35 **time in which the governor has appointed a director and submitted such person to the**  
36 **senate for its advice and consent during a regular or special session of the general**  
37 **assembly, the one hundred and eighty day period of authority for the acting director shall**  
38 **toll.**

39           **4. If the appointment of a director is returned to the governor by the senate, or does**  
40 **not receive the advice and consent of the senate, the deputy director, or division director,**  
41 **may continue to serve as acting director for no more than sixty days from the date of such**  
42 **return or failure to receive advice and consent. During any period of time in which the**  
43 **governor has appointed a director and submitted such person to the senate for its advice**  
44 **and consent, the sixty day period for the acting director under this subsection shall toll.**

45           **5. The deputy director serving as acting director shall receive compensation equal**  
46 **to that of the director during the period when the deputy director is serving as acting**  
47 **director.**

48           **6. Nothing in this section shall be construed as prohibiting or otherwise limiting the**  
49 **ability of the governor to appoint a person as department head during a legislative interim**  
50 **pursuant to section 51, article IV of the Missouri Constitution.**

261.010. 1. There is created a "Department of Agriculture", the main office of which  
2 shall be in Jefferson City in quarters provided by the division of design and construction. The  
3 governor, by and with the advice and consent of the senate, shall appoint a director of the  
4 department of agriculture who shall be a practical farmer, well versed in agricultural science and  
5 who shall serve at the pleasure of the governor. The director shall be in charge of the department  
6 of agriculture.

7           **2. The director shall designate by written order filed with the governor, the**  
8 **secretary of the senate, and the chief clerk of the house of representatives, a deputy**  
9 **director of the department to act for and exercise the powers of the director during any**  
10 **vacancy in the office of director or during the director's absence for official business,**  
11 **vacation, illness, or incapacity. The deputy director shall be subject to removal at the**  
12 **pleasure of the director. Upon the commencement of any vacancy in the office, the**  
13 **governor shall appoint the deputy director as acting director of the department. In the**  
14 **event that no deputy director has been appointed, the governor shall appoint an acting**  
15 **director from among the division directors within the department.**

16           **3. The deputy director, or division director, may serve as acting director for no**  
17 **longer than one hundred and eighty days from the date the vacancy first occurs. Upon the**  
18 **completion of one hundred and eighty days, the authority of the acting director shall**  
19 **expire. The governor shall not appoint another acting director within three hundred sixty**  
20 **days of any appointment made under subsection 2 of this section. During any period of**  
21 **time in which the governor has appointed a director and submitted such person to the**  
22 **senate for its advice and consent during a regular or special session of the general**  
23 **assembly, the one hundred and eighty day period of authority for the acting director shall**  
24 **toll.**

25           **4. If the appointment of a director is returned to the governor by the senate, or does**  
26 **not receive the advice and consent of the senate, the deputy director, or division director,**  
27 **may continue to serve as acting director for no more than sixty days from the date of such**  
28 **return or failure to receive advice and consent. During any period of time in which the**  
29 **governor has appointed a director and submitted such person to the senate for its advice**  
30 **and consent, the sixty day period for the acting director under this subsection shall toll.**

31           **5. The deputy director serving as acting director shall receive compensation equal**  
32 **to that of the director during the period when the deputy director is serving as acting**  
33 **director.**

34           **6. Nothing in this section shall be construed as prohibiting or otherwise limiting the**  
35 **ability of the governor to appoint a person as department head during a legislative interim**  
36 **pursuant to section 51, article IV of the Missouri Constitution.**

286.005. 1. There is hereby created a "Department of Labor and Industrial Relations"  
2 to be headed by a labor and industrial relations commission as provided by section 49, article IV,  
3 Constitution of Missouri. All the powers, duties and functions of the industrial commission are  
4 transferred by type I transfer to the labor and industrial relations commission and the industrial  
5 commission is abolished. The commission shall nominate and the governor shall appoint, with  
6 the advice and consent of the senate, the director of the department to be the chief administrative  
7 officer of the department. Members of the industrial commission on May 2, 1974, shall become  
8 members of the commission and the terms of the commission members shall be the same as  
9 provided by law for the industrial commission. Individuals appointed as members of the  
10 industrial commission shall serve the remainder of the term to which they were appointed as  
11 members of the commission. The members of the commission shall receive an annual salary of  
12 seventy-two thousand seven hundred thirty-five dollars plus any salary adjustment provided  
13 pursuant to section 105.005 payable out of the state treasury. The board of rehabilitation is  
14 abolished as hereinafter set out and on May 2, 1974, no compensation shall be paid to any person  
15 as a member of the board of rehabilitation, other provisions of the law notwithstanding. The

16 director of the department shall appoint other division heads in the department. For the purposes  
17 of subsections 6, 7, 8 and 9 of section 1 of the reorganization act of 1974, the director of the  
18 department shall be construed as the head of the department of labor and industrial relations.

19 **2. The director shall designate by written order filed with the governor, the**  
20 **secretary of the senate, and the chief clerk of the house of representatives, a deputy**  
21 **director of the department to act for and exercise the powers of the director during any**  
22 **vacancy in the office of director or during the director's absence for official business,**  
23 **vacation, illness, or incapacity. The deputy director shall be subject to removal at the**  
24 **pleasure of the director. Upon the commencement of any vacancy in the office, the**  
25 **governor shall appoint the deputy director as acting director of the department. In the**  
26 **event that no deputy director has been appointed, the governor shall appoint an acting**  
27 **director from among the division directors within the department.**

28 **3. The deputy director, or division director, may serve as acting director for no**  
29 **longer than one hundred and eighty days from the date the vacancy first occurs. Upon the**  
30 **completion of one hundred and eighty days, the authority of the acting director shall**  
31 **expire. The governor shall not appoint another acting director within three hundred sixty**  
32 **days of any appointment made under subsection 2 of this section. During any period of**  
33 **time in which the governor has appointed a director and submitted such person to the**  
34 **senate for its advice and consent during a regular or special session of the general**  
35 **assembly, the one hundred and eighty day period of authority for the acting director shall**  
36 **toll.**

37 **4. If the appointment of a director is returned to the governor by the senate, or does**  
38 **not receive the advice and consent of the senate, the deputy director, or division director,**  
39 **may continue to serve as acting director for no more than sixty days from the date of such**  
40 **return or failure to receive advice and consent. During any period of time in which the**  
41 **governor has appointed a director and submitted such person to the senate for its advice**  
42 **and consent, the sixty day period for the acting director under this subsection shall toll.**

43 **5. The deputy director serving as acting director shall receive compensation equal**  
44 **to that of the director during the period when the deputy director is serving as acting**  
45 **director.**

46 **6. Nothing in this section shall be construed as prohibiting or otherwise limiting the**  
47 **ability of the governor to appoint a person as department head during a legislative interim**  
48 **pursuant to section 51, article IV of the Missouri Constitution.**

49 **7. All powers, duties, and functions vested by law in the division of employment**  
50 **security, chapter 288, and others, are transferred by type II transfer to the department.**

51 [3.] 8. All powers, duties, and functions vested by law in the division of workers'  
52 compensation, chapter 287, and others, are transferred by type II transfer to the department.

53 [4.] 9. All the powers, duties, and functions of the board of rehabilitation, chapter 287,  
54 and others, are transferred by type I transfer to the division of workers' compensation of the  
55 department and the board of rehabilitation is abolished.

56 [5.] 10. All powers, duties and functions vested by law in the division of industrial  
57 inspections and the division of mine inspections, chapters 286, 290, 291, 292, 293, 294 and 444,  
58 which were previously transferred by type I transfer to the inspection section of the department,  
59 are transferred to the division of labor standards of the department. Employees of the division  
60 performing duties related to the mine safety and health act and the occupational safety health act  
61 shall be selected in accord with chapter 36.

62 [6.] 11. All the powers, duties, and functions vested by law in the state board of  
63 mediation under chapter 295, and others, are transferred by type II transfer to the department.

64 [7.] 12. All employees of the division of employment security shall be selected in accord  
65 with chapter 36.

66 [8.] 13. The Missouri commission on human rights, and all the authority, powers, duties,  
67 functions, records, personnel, property, matters pending and other pertinent vestiges thereof  
68 vested in the Missouri commission on human rights under chapters 213, 296, 314, and others,  
69 are transferred by type III transfer to the department. Members of the Missouri commission on  
70 human rights shall be nominated by the director for appointment by the governor, by and with  
71 the advice and consent of the senate.

374.020. 1. The chief officer of said department shall be designated as the director of  
2 the department of insurance, financial institutions and professional registration. He shall be a  
3 citizen of this state, and experienced in matters of insurance, and be appointed by the governor,  
4 by and with the advice and consent of the senate, and shall hold his office concurrently with that  
5 of the governor and until his successor is appointed and qualified, and shall be subject to removal  
6 from office by the governor at his pleasure.

7 2. [If a vacancy shall at any time occur, the same shall be filled by the governor, by  
8 appointment, subject to the confirmation of the senate, if in session; if not, then at its next  
9 session.

10 3.] **The director shall designate by written order filed with the governor, the**  
11 **secretary of the senate, and the chief clerk of the house of representatives, a deputy**  
12 **director of the department to act for and exercise the powers of the director during any**  
13 **vacancy in the office of director or during the director's absence for official business,**  
14 **vacation, illness, or incapacity. The deputy director shall be subject to removal at the**  
15 **pleasure of the director. Before entering upon his or her duties as deputy director, the**

16 deputy director shall take the oath and be bonded as required of the director in section  
17 374.030. Upon the commencement of any vacancy in the office, the governor shall appoint  
18 the deputy director as acting director of the department. In the event that no deputy  
19 director has been appointed, the governor shall appoint an acting director from among the  
20 division directors within the department.

21 3. The deputy director, or division director, may serve as acting director for no  
22 longer than one hundred and eighty days from the date the vacancy first occurs. Upon the  
23 completion of one hundred and eighty days, the authority of the acting director shall  
24 expire. The governor shall not appoint another acting director within three hundred sixty  
25 days of any appointment made under subsection 2 of this section. During any period of  
26 time in which the governor has appointed a director and submitted such person to the  
27 senate for its advice and consent during a regular or special session of the general  
28 assembly, the one hundred and eighty day period of authority for the acting director shall  
29 toll.

30 4. If the appointment of a director is returned to the governor by the senate, or does  
31 not receive the advice and consent of the senate, the deputy director, or division director,  
32 may continue to serve as acting director for no more than sixty days from the date of such  
33 return or failure to receive advice and consent. During any period of time in which the  
34 governor has appointed a director and submitted such person to the senate for its advice  
35 and consent, the sixty day period for the acting director under this subsection shall toll.

36 5. The deputy director serving as acting director shall receive compensation equal  
37 to that of the director during the period when the deputy director is serving as acting  
38 director.

39 6. Nothing in this section shall be construed as prohibiting or otherwise limiting the  
40 ability of the governor to appoint a person as department head during a legislative interim  
41 pursuant to section 51, article IV of the Missouri Constitution.

42 7. It shall not be lawful for the director or his deputy to hold any position as officer,  
43 agent or employee of any insurance or assurance company, nor shall he otherwise be directly or  
44 indirectly interested in any insurance company, except as a policyholder.

620.010. 1. There is hereby created a "Department of Economic Development" to be  
2 headed by a director appointed by the governor, by and with the advice and consent of the senate.  
3 All of the general provisions, definitions and powers enumerated in section 1 of the Omnibus  
4 State Reorganization Act of 1974 shall continue to apply to this department and its divisions,  
5 agencies and personnel.

6 2. The director shall designate by written order filed with the governor, the  
7 secretary of the senate, and the chief clerk of the house of representatives, a deputy

8 **director of the department to act for and exercise the powers of the director during any**  
9 **vacancy in the office of director or during the director's absence for official business,**  
10 **vacation, illness, or incapacity. The deputy director shall be subject to removal at the**  
11 **pleasure of the director. Upon the commencement of any vacancy in the office, the**  
12 **governor shall appoint the deputy director as acting director of the department. In the**  
13 **event that no deputy director has been appointed, the governor shall appoint an acting**  
14 **director from among the division directors within the department.**

15 **3. The deputy director, or division director, may serve as acting director for no**  
16 **longer than one hundred and eighty days from the date the vacancy first occurs. Upon the**  
17 **completion of one hundred and eighty days, the authority of the acting director shall**  
18 **expire. The governor shall not appoint another acting director within three hundred sixty**  
19 **days of any appointment made under subsection 2 of this section. During any period of**  
20 **time in which the governor has appointed a director and submitted such person to the**  
21 **senate for its advice and consent during a regular or special session of the general**  
22 **assembly, the one hundred and eighty day period of authority for the acting director shall**  
23 **toll.**

24 **4. If the appointment of a director is returned to the governor by the senate, or does**  
25 **not receive the advice and consent of the senate, the deputy director, or division director,**  
26 **may continue to serve as acting director for no more than sixty days from the date of such**  
27 **return or failure to receive advice and consent. During any period of time in which the**  
28 **governor has appointed a director and submitted such person to the senate for its advice**  
29 **and consent, the sixty day period for the acting director under this subsection shall toll.**

30 **5. The deputy director serving as acting director shall receive compensation equal**  
31 **to that of the director during the period when the deputy director is serving as acting**  
32 **director.**

33 **6. Nothing in this section shall be construed as prohibiting or otherwise limiting the**  
34 **ability of the governor to appoint a person as department head during a legislative interim**  
35 **pursuant to section 51, article IV of the Missouri Constitution.**

36 **7. The powers, duties and functions vested in the public service commission, chapters**  
37 **386, 387, 388, 389, 390, 392, 393, and others, and the administrative hearing commission,**  
38 **sections 621.015 to 621.198 and others, are transferred by type III transfers to the department of**  
39 **economic development. The director of the department is directed to provide and coordinate**  
40 **staff and equipment services to these agencies in the interest of facilitating the work of the bodies**  
41 **and achieving optimum efficiency in staff services common to all the bodies. Nothing in the**  
42 **Reorganization Act of 1974 shall prevent the chairman of the public service commission from**

43 presenting additional budget requests or from explaining or clarifying its budget requests to the  
44 governor or general assembly.

45 [3.] 8. The powers, duties and functions vested in the office of the public counsel are  
46 transferred by type III transfer to the department of economic development. Funding for the  
47 general counsel's office shall be by general revenue.

48 [4.] 9. The public service commission is authorized to employ such staff as it deems  
49 necessary for the functions performed by the general counsel other than those powers, duties and  
50 functions relating to representation of the public before the public service commission.

51 [5.] 10. All the powers, duties and functions vested in the tourism commission, chapter  
52 258 and others, are transferred to the "Division of Tourism", which is hereby created, by type III  
53 transfer.

54 [6.] 11. All the powers, duties and functions of the department of community affairs,  
55 chapter 251 and others, not otherwise assigned, are transferred by type I transfer to the  
56 department of economic development, and the department of community affairs is abolished.  
57 The director of the department of economic development may assume all the duties of the  
58 director of community affairs or may establish within the department such subunits and advisory  
59 committees as may be required to administer the programs so transferred. The director of the  
60 department shall appoint all members of such committees and heads of subunits.

61 [7.] 12. The state council on the arts, chapter 185 and others, is transferred by type II  
62 transfer to the department of economic development, and the members of the council shall be  
63 appointed by the director of the department.

64 [8.] 13. The Missouri housing development commission, chapter 215, is assigned to the  
65 department of economic development, but shall remain a governmental instrumentality of the  
66 state of Missouri and shall constitute a body corporate and politic.

67 [9.] 14. All the authority, powers, duties, functions, records, personnel, property, matters  
68 pending and other pertinent vestiges of the division of manpower planning of the department of  
69 social services are transferred by a type I transfer to the "Division of Job Development and  
70 Training", which is hereby created, within the department of economic development. The  
71 division of manpower planning within the department of social services is abolished. The  
72 provisions of section 1 of the Omnibus State Reorganization Act of 1974, Appendix B, relating  
73 to the manner and procedures for transfers of state agencies shall apply to the transfers provided  
74 in this section.

75 [10.] 15. Any rule or portion of a rule, as that term is defined in section 536.010, that  
76 is created under the authority delegated in this section shall become effective only if it complies  
77 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.  
78 This section and chapter 536 are nonseverable and if any of the powers vested with the general

79 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and  
80 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and  
81 any rule proposed or adopted after August 28, 2008, shall be invalid and void.

640.010. 1. There is hereby created a department of natural resources in **the** charge of  
2 a director appointed by the governor, by and with the advice and consent of the senate. The  
3 director shall administer the programs assigned to the department relating to environmental  
4 control and the conservation and management of natural resources. The director shall coordinate  
5 and supervise all staff and other personnel assigned to the department. He shall faithfully cause  
6 to be executed all policies established by the boards and commissions assigned to the  
7 department, be subject to their decisions as to all substantive and procedural rules and his or her  
8 decisions shall be subject to appeal as provided by law. The director shall recommend policies  
9 to the various boards and commissions assigned to the department to achieve effective and  
10 coordinated environmental control and natural resource conservation policies.

11 **2. The director shall designate by written order filed with the governor, the**  
12 **secretary of the senate, and the chief clerk of the house of representatives, a deputy**  
13 **director of the department to act for and exercise the powers of the director during any**  
14 **vacancy in the office of director or during the director's absence for official business,**  
15 **vacation, illness, or incapacity. The deputy director shall be subject to removal at the**  
16 **pleasure of the director. Upon the commencement of any vacancy in the office, the**  
17 **governor shall appoint the deputy director as acting director of the department. In the**  
18 **event that no deputy director has been appointed, the governor shall appoint an acting**  
19 **director from among the division directors within the department.**

20 **3. The deputy director, or division director, may serve as acting director for no**  
21 **longer than one hundred and eighty days from the date the vacancy first occurs. Upon the**  
22 **completion of one hundred and eighty days, the authority of the acting director shall**  
23 **expire. The governor shall not appoint another acting director within three hundred sixty**  
24 **days of any appointment made under subsection 2 of this section. During any period of**  
25 **time in which the governor has appointed a director and submitted such person to the**  
26 **senate for its advice and consent during a regular or special session of the general**  
27 **assembly, the one hundred and eighty day period of authority for the acting director shall**  
28 **toll.**

29 **4. If the appointment of a director is returned to the governor by the senate, or does**  
30 **not receive the advice and consent of the senate, the deputy director, or division director,**  
31 **may continue to serve as acting director for no more than sixty days from the date of such**  
32 **return or failure to receive advice and consent. During any period of time in which the**

33 **governor has appointed a director and submitted such person to the senate for its advice**  
34 **and consent, the sixty day period for the acting director under this subsection shall toll.**

35 **5. The deputy director serving as acting director shall receive compensation equal**  
36 **to that of the director during the period when the deputy director is serving as acting**  
37 **director.**

38 **6. Nothing in this section shall be construed as prohibiting or otherwise limiting the**  
39 **ability of the governor to appoint a person as department head during a legislative interim**  
40 **pursuant to section 51, article IV of the Missouri Constitution.**

41 7. The director shall appoint directors of staff to service each of the policy making  
42 boards or commissions assigned to the department. Each director of staff shall be qualified by  
43 education, training and experience in the technical matters of the board to which he is assigned  
44 and his or her appointment shall be approved by the board to which he is assigned and he shall  
45 be removed or reassigned on their request in writing to the director of the department. All other  
46 employees of the department and of each board and commission assigned to the department shall  
47 be appointed by the director of the department in accord with chapter 36, and shall be assigned  
48 and may be reassigned as required by the director of the department in such a manner as to  
49 provide optimum service, efficiency and economy.

50 [3.] **8.** The air conservation commission, chapter 203 and others, the clean water  
51 commission, chapter 204 and others, are transferred by type II transfer to the department of  
52 natural resources. The governor shall appoint the members of these bodies in accord with the  
53 laws establishing them, with the advice and consent of the senate. The bodies hereby transferred  
54 shall retain all rulemaking and hearing powers allotted by law, as well as those of any bodies  
55 transferred to their jurisdiction. All the powers, duties and functions of the state environmental  
56 improvement authority, chapter 260 and others, are transferred by type III transfer to the air  
57 conservation commission. All the powers, duties and functions of the water resources board,  
58 chapter 256 and others, are transferred by type I transfer to the clean water commission and the  
59 board is abolished. No member of the clean water commission shall receive or shall have  
60 received, during the previous two years from the date of his or her appointment, a significant  
61 portion of his or her income directly or indirectly from permit holders or applicants for a permit  
62 under the jurisdiction of the clean water commission. The state park board, chapter 253, is  
63 transferred to the department of natural resources by type I transfer.

64 [4.] **9.** All the powers, duties and functions of the state soil and water districts  
65 commission, chapter 278 and others, are transferred by a type II transfer to the department.

66 [5.] **10.** All the powers, duties and functions of the state geologist, chapter 256 and  
67 others, are transferred by type I transfer to the department of natural resources. All the powers,  
68 duties and functions of the state oil and gas council, chapter 259 and others, are transferred to

69 the department of natural resources by type II transfer. The director of the department shall  
70 appoint a state geologist who shall have the duties to supervise and coordinate the work formerly  
71 done by the departments or authorities abolished by this subsection, and shall provide staff  
72 services for the state oil and gas council.

73 [6.] 11. All the powers, duties and functions of the land reclamation commission,  
74 chapter 444 and others, are transferred to the department of natural resources by type II transfer.  
75 All necessary personnel required by the commission shall be selected, employed and discharged  
76 by the commission. The director of the department shall not have the authority to abolish  
77 positions.

78 [7.] 12. The functions performed by the division of health in relation to the maintenance  
79 of a safe quality of water dispensed to the public, sections 640.100 to 640.115, and others, and  
80 for licensing and regulating solid waste management systems and plans are transferred by type  
81 I transfer to the department of natural resources.

650.005. 1. There is hereby created a "Department of Public Safety" in the charge of a  
2 director appointed by the governor with the advice and consent of the senate. The department's  
3 role will be to provide overall coordination in the state's public safety and law enforcement  
4 program, to provide channels of coordination with local and federal agencies in regard to public  
5 safety, law enforcement and with all correctional and judicial agencies in regard to matters  
6 pertaining to its responsibilities as they may interrelate with the other agencies or offices of state,  
7 local or federal governments.

8 2. **The director shall designate by written order filed with the governor, the**  
9 **secretary of the senate, and the chief clerk of the house of representatives, a deputy**  
10 **director of the department to act for and exercise the powers of the director during any**  
11 **vacancy in the office of director or during the director's absence for official business,**  
12 **vacation, illness, or incapacity. The deputy director shall be subject to removal at the**  
13 **pleasure of the director. Upon the commencement of any vacancy in the office, the**  
14 **governor shall appoint the deputy director as acting director of the department. In the**  
15 **event that no deputy director has been appointed, the governor shall appoint an acting**  
16 **director from among the division directors within the department.**

17 3. **The deputy director, or division director, may serve as acting director for no**  
18 **longer than one hundred and eighty days from the date the vacancy first occurs. Upon the**  
19 **completion of one hundred and eighty days, the authority of the acting director shall**  
20 **expire. The governor shall not appoint another acting director within three hundred sixty**  
21 **days of any appointment made under subsection 2 of this section. During any period of**  
22 **time in which the governor has appointed a director and submitted such person to the**  
23 **senate for its advice and consent during a regular or special session of the general**

24 **assembly, the one hundred and eighty day period of authority for the acting director shall**  
25 **toll.**

26 **4. If the appointment of a director is returned to the governor by the senate, or does**  
27 **not receive the advice and consent of the senate, the deputy director, or division director,**  
28 **may continue to serve as acting director for no more than sixty days from the date of such**  
29 **return or failure to receive advice and consent. During any period of time in which the**  
30 **governor has appointed a director and submitted such person to the senate for its advice**  
31 **and consent, the sixty day period for the acting director under this subsection shall toll.**

32 **5. The deputy director serving as acting director shall receive compensation equal**  
33 **to that of the director during the period when the deputy director is serving as acting**  
34 **director.**

35 **6. Nothing in this section shall be construed as prohibiting or otherwise limiting the**  
36 **ability of the governor to appoint a person as department head during a legislative interim**  
37 **pursuant to section 51, article IV of the Missouri Constitution.**

38 **7. All the powers, duties and functions of the state highway patrol, chapter 43 and others,**  
39 **are transferred by type II transfer to the department of public safety. The governor by and with**  
40 **the advice and consent of the senate shall appoint the superintendent of the patrol. With the**  
41 **exception of sections 43.100 to 43.120 relating to financial procedures, the director of public**  
42 **safety shall succeed the state highways and transportation commission in approving actions of**  
43 **the superintendent and related matters as provided in chapter 43. Uniformed members of the**  
44 **patrol shall be selected in the manner provided by law and shall receive the compensation**  
45 **provided by law. Nothing in the Reorganization Act of 1974, however, shall be interpreted to**  
46 **affect the funding of appropriations or the operation of chapter 104 relating to retirement system**  
47 **coverage or section 226.160 relating to workers' compensation for members of the patrol.**

48 **[3.] 8. All the powers, duties and functions of the supervisor of liquor control, chapter**  
49 **311 and others, are transferred by type II transfer to the department of public safety. The**  
50 **supervisor shall be nominated by the department director and appointed by the governor with the**  
51 **advice and consent of the senate. The supervisor shall appoint such agents, assistants, deputies**  
52 **and inspectors as limited by appropriations. All employees shall have the qualifications provided**  
53 **by law and may be removed by the supervisor or director of the department as provided in**  
54 **section 311.670.**

55 **[4.] 9. The director of public safety, superintendent of the highway patrol and**  
56 **transportation division of the department of economic development are to examine the motor**  
57 **carrier inspection laws and practices in Missouri to determine how best to enforce the laws with**  
58 **a minimum of duplication, harassment of carriers and to improve the effectiveness of supervision**

59 of weight and safety requirements and to report to the governor and general assembly by January  
60 1, 1975, on their findings and on any actions taken.

61 [5.] **10.** The Missouri division of highway safety is transferred by type I transfer to the  
62 department of public safety. The division shall be in charge of a director who shall be appointed  
63 by the director of the department.

64 [6.] **11.** All the powers, duties and functions of the safety and fire prevention bureau of  
65 the department of public health and welfare are transferred by type I transfer to the director of  
66 public safety.

67 [7.] **12.** All the powers, duties and functions of the state fire marshal, chapter 320 and  
68 others, are transferred to the department of public safety by a type I transfer.

69 [8.] **13.** All the powers, duties and functions of the law enforcement assistance council  
70 administering federal grants, planning and the like relating to Public Laws 90-351, 90-445 and  
71 related acts of Congress are transferred by type I transfer to the director of public safety. The  
72 director of public safety shall appoint such advisory bodies as are required by federal laws or  
73 regulations. The council is abolished.

74 [9.] **14.** The director of public safety shall promulgate motor vehicle regulations and be  
75 ex officio a member of the safety compact commission in place of the director of revenue and  
76 all powers, duties and functions relating to chapter 307 are transferred by type I transfer to the  
77 director of public safety.

78 [10.] **15.** The office of adjutant general and the state militia are assigned to the  
79 department of public safety; provided, however, nothing herein shall be construed to interfere  
80 with the powers and duties of the governor as provided in article IV, section 6 of the Constitution  
81 of the state of Missouri or chapter 41.

82 [11.] **16.** All the powers, duties and functions of the Missouri boat commission, chapter  
83 306 and others, are transferred by type I transfer to the "Missouri State Water Patrol", which is  
84 hereby created, in the department of public safety. The Missouri boat commission and the office  
85 of secretary to the commission are abolished. All deputy boat commissioners and all other  
86 employees of the commission who were employed on February 1, 1974, shall be transferred to  
87 the water patrol without further qualification. Effective January 1, 2011, all the powers, duties,  
88 and functions of the Missouri state water patrol are transferred to the division of water patrol  
89 within the Missouri state highway patrol as set out in section 43.390.

90 [12.] **17.** The Missouri [veterans's] **veterans'** commission, chapter 42, is assigned to the  
91 department of public safety.

92 [13.] **18.** Any rule or portion of a rule, as that term is defined in section 536.010, that  
93 is created under the authority delegated in this section shall become effective only if it complies  
94 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.

95 This section and chapter 536 are nonseverable and if any of the powers vested with the general  
96 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and  
97 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and  
98 any rule proposed or adopted after August 28, 2009, shall be invalid and void.

660.010. 1. There is hereby created a "Department of Social Services" in **the** charge of  
2 a director appointed by the governor, by and with the advice and consent of the senate. All the  
3 powers, duties and functions of the director of the department of public health and welfare,  
4 chapters 191 and 192, and others, not previously reassigned by executive reorganization plan  
5 number 2 of 1973 as submitted by the governor under chapter 26 except those assigned to the  
6 department of mental health, are transferred by type I transfer to the director of the department  
7 of social services and the office of the director, department of public health and welfare is  
8 abolished. The department of public health and welfare is abolished. All employees of the  
9 department of social services shall be covered by the provisions of chapter 36 except the director  
10 of the department and his secretary, all division directors and their secretaries, and no more than  
11 three additional positions in each division which may be designated by the division director.

12 **2. The director shall designate by written order filed with the governor, the**  
13 **secretary of the senate, and the chief clerk of the house of representatives, a deputy**  
14 **director of the department to act for and exercise the powers of the director during any**  
15 **vacancy in the office of director or during the director's absence for official business,**  
16 **vacation, illness, or incapacity. The deputy director shall be subject to removal at the**  
17 **pleasure of the director. Upon the commencement of any vacancy in the office, the**  
18 **governor shall appoint the deputy director as acting director of the department. In the**  
19 **event that no deputy director has been appointed, the governor shall appoint an acting**  
20 **director from among the division directors within the department.**

21 **3. The deputy director, or division director, may serve as acting director for no**  
22 **longer than one hundred and eighty days from the date the vacancy first occurs. Upon the**  
23 **completion of one hundred and eighty days, the authority of the acting director shall**  
24 **expire. The governor shall not appoint another acting director within three hundred sixty**  
25 **days of any appointment made under subsection 2 of this section. During any period of**  
26 **time in which the governor has appointed a director and submitted such person to the**  
27 **senate for its advice and consent during a regular or special session of the general**  
28 **assembly, the one hundred and eighty day period of authority for the acting director shall**  
29 **toll.**

30 **4. If the appointment of a director is returned to the governor by the senate, or does**  
31 **not receive the advice and consent of the senate, the deputy director, or division director,**  
32 **may continue to serve as acting director for no more than sixty days from the date of such**

33 **return or failure to receive advice and consent. During any period of time in which the**  
34 **governor has appointed a director and submitted such person to the senate for its advice**  
35 **and consent, the sixty day period for the acting director under this subsection shall toll.**

36 **5. The deputy director serving as acting director shall receive compensation equal**  
37 **to that of the director during the period when the deputy director is serving as acting**  
38 **director.**

39 **6. Nothing in this section shall be construed as prohibiting or otherwise limiting the**  
40 **ability of the governor to appoint a person as department head during a legislative interim**  
41 **pursuant to section 51, article IV of the Missouri Constitution.**

42 **7. It is the intent of the general assembly in establishing the department of social**  
43 **services, as provided herein, to authorize the director of the department to coordinate the state's**  
44 **programs devoted to those unable to provide for themselves and for the rehabilitation of victims**  
45 **of social disadvantage. The director shall use the resources provided to the department to**  
46 **provide comprehensive programs and leadership striking at the roots of dependency, disability**  
47 **and abuse of society's rules with the purpose of improving service and economical operations.**  
48 **The department is directed to take all steps possible to consolidate and coordinate the field**  
49 **operations of the department to maximize service to the citizens of the state.**

50 [3.] **8. All the powers, duties and functions of the division of welfare, chapters 205, 207,**  
51 **208, 209, and 210 and others, are transferred by type I transfer to the "Division of Family**  
52 **Services" which is hereby created in the department of social services. The director of the**  
53 **division shall be appointed by the director of the department. All references to the division of**  
54 **welfare shall hereafter be construed to mean the division of family services of the department**  
55 **of social services.**

56 [4.] **9. The state's responsibility under public law 452 of the eighty-eighth Congress and**  
57 **others, pertaining to the Office of Economic Opportunity, is transferred by type I transfer to the**  
58 **department of social services.**

59 [5.] **10. The state's responsibility under public law 73, Older Americans Act of 1965,**  
60 **of the eighty-ninth Congress is transferred by type I transfer to the department of social services.**

61 [6.] **11. All the powers, duties and functions vested by law in the curators of the**  
62 **University of Missouri relating to crippled children's services, chapter 201, are transferred by**  
63 **type I transfer to the department of social services.**

64 [7.] **12. All the powers, duties and functions vested in the state board of training schools,**  
65 **chapter 219 and others, are transferred by type I transfer to the "Division of Youth Services"**  
66 **hereby authorized in the department of social services headed by a director appointed by the**  
67 **director of the department. The state board of training schools shall be reconstituted as an**  
68 **advisory board on youth services, appointed by the director of the department. The advisory**

69 board shall visit each facility of the division as often as possible, shall file a written report with  
70 the director of the department and the governor on conditions they observed relating to the care  
71 and rehabilitative efforts in behalf of children assigned to the facility, the security of the facility  
72 and any other matters pertinent in their judgment. Copies of these reports shall be filed with the  
73 legislative library. Members of the advisory board shall receive reimbursement for their  
74 expenses and twenty-five dollars a day for each day they engage in official business relating to  
75 their duties. The members of the board shall be provided with identification means by the  
76 director of the division permitting immediate access to all facilities enabling them to make  
77 unannounced entrance to facilities they wish to inspect.

**Section 1. This act shall become effective only upon the passage and approval by  
2 the voters of a constitutional amendment submitted to them by the general assembly  
3 regarding the governor's appointment authority, and the secretary of state shall notify the  
4 revisor of statutes of the date of the passage and approval of such constitutional  
5 amendment. This section shall terminate upon the passage and approval of such  
6 constitutional amendment, and the revisor of statutes shall designate this section in a  
7 revision bill for repeal.**

2 [30.070. When a vacancy occurs in the office of state treasurer, the  
3 governor shall immediately appoint a state treasurer to fill such vacancy for the  
4 residue of the term in which the vacancy occurred, and until his successor is  
5 elected or appointed, commissioned and qualified.]

2 [374.080. 1. The director may appoint a deputy, who shall be subject to  
3 removal at pleasure by the director, and who shall possess all the powers and  
4 perform all the duties attached by law to the office of director during a vacancy  
5 in the office, and during the absence, inability or suspension of his principal. The  
6 director shall be responsible for the acts of his deputy, who shall, before entering  
7 upon the duties of his office, take the oath and be bonded as required of the  
8 director in section 374.030. The deputy director shall assist the director in the  
9 administration of the department, and perform such duties and have such powers  
10 as the director may direct.

11 2. In the event there is an absence of the director and no deputy has been  
12 appointed, the governor shall appoint the acting director from among the division  
directors within the department.]

✓