

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1605

99TH GENERAL ASSEMBLY

4767H.02P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 8.003, 8.007, 8.015, and 8.017, RSMo, and to enact in lieu thereof four new sections relating to the Missouri state capitol commission.

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

Section A. Sections 8.003, 8.007, 8.015, and 8.017, RSMo, are repealed and four new sections enacted in lieu thereof, to be known as sections 8.003, 8.007, 8.015, and 8.017, to read as follows:

8.003. 1. The commission shall consist of ~~[eleven]~~ **fifteen** persons, as follows: the commissioner of the office of administration; one member of the senate from the majority party, **appointed by the president pro tempore of the senate** and one member of the senate from the minority party, appointed by the ~~[president pro tempore]~~ **minority leader of the senate**; one member of the house of representatives from the majority party, **appointed by the speaker of the house of representatives** and one member of the house of representatives from the minority party, appointed by the ~~[speaker of the house of representatives]~~ **minority leader of the house of representatives**; one employee of the house of representatives appointed by the speaker of the house of representatives and one employee of the senate appointed by the president pro tempore; **two members of the general public appointed by the speaker of the house of representatives and two members of the general public appointed by the president pro tempore of the senate**; and four members appointed by the governor with the advice and consent of the senate. The lieutenant governor shall be an ex officio member of the commission.

2. The legislative members of the commission shall serve for the general assembly during which they are appointed and until their successors are selected and qualified.

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.

16 3. The four members appointed by the governor, **the two members of the general**
17 **public appointed by the speaker of the house of representatives and two members of the**
18 **general public appointed by the president pro tempore of the senate** shall be persons who
19 have knowledge and background regarding the history of the state, the history and significance
20 of the seat of state government, and the capitol but shall not be required to be professionals in
21 the subject area.

22 4. The terms of the four members appointed by the governor, **the two members of the**
23 **general public appointed by the speaker of the house of representatives, and the two**
24 **members of the general public appointed by the president pro tempore of the senate** shall
25 be four years and until their successors are appointed and qualified. Provided, however, that the
26 first term of ~~three~~ **five** public members shall be for two years, thereafter the terms shall be four
27 years. There is no limitation on the number of terms any appointed member may serve. If a
28 vacancy occurs, the governor may appoint a member for the remaining portion of the unexpired
29 term created by the vacancy. The governor may remove any member appointed by him or her
30 for cause. The members of the commission shall be reimbursed for travel and other expenses
31 actually and necessarily incurred in the performance of their duties by the office of
32 administration.

33 5. At the first meeting of the commission and at yearly intervals thereafter, the members
34 shall select from among themselves a chairman and a vice chairman.

35 6. The commission shall hold at least four regular meetings each year and such additional
36 meetings as the chairman deems desirable at a place and time to be fixed by the chairman.
37 Special meetings may be called by five members of the commission upon delivery of written
38 notice to each member of the commission. Reasonable written notice of all meetings shall be
39 given by the director to all members of the commission. Five members of the commission shall
40 constitute a quorum. All actions of the commission shall be taken at meetings open to the public.
41 Any member absent from six consecutive regular commission meetings for any cause whatsoever
42 shall be deemed to have resigned and the vacancy shall be filled immediately in accordance with
43 subsection 1 of this section.

44 7. The commission shall provide a report to the governor and the general assembly
45 annually.

8.007. 1. The commission shall:

2 (1) Exercise general supervision of the administration of sections 8.001 to 8.007;

3 (2) Evaluate and approve capitol studies and improvement, expansion, renovation, and
4 restoration projects ~~[to be paid for with funds appropriated from the state capitol commission~~
5 ~~fund]~~ **including, but not limited to, the “21st-Century State Capitol Restoration Project”,**
6 **which includes, but is not limited to, the development and implementation of a**

7 **comprehensive master plan for the restoration, protection, risk management, and**
8 **continuing preservation of the capitol building, grounds, and any annex areas. For**
9 **purposes of this section, "annex areas" shall mean the building currently occupied by the**
10 **Missouri department of transportation located at 105 West Capitol Avenue in Jefferson**
11 **City, if used to house members of the general assembly or legislative support staff, or any**
12 **new building constructed for such purposes;**

13 **(3) Exercise ongoing supervision and coordination of the capitol building, grounds,**
14 **and any annex areas;**

15 ~~[(3)]~~ (4) Evaluate and recommend courses of action on the restoration and preservation
16 of the capitol, the preservation of historical significance of the capitol and the history of the
17 capitol;

18 ~~[(4)]~~ (5) Evaluate and recommend courses of action to ensure accessibility to the capitol
19 for physically disabled persons;

20 ~~[(5)]~~ (6) Advise, consult, and cooperate with the office of administration, the archives
21 division of the office of the secretary of state, the historic preservation program within the
22 department of natural resources, the division of tourism within the department of economic
23 development and the historical society of Missouri in furtherance of the purposes of sections
24 8.001 to 8.007;

25 ~~[(6)]~~ (7) Be authorized to cooperate or collaborate with other state agencies and
26 not-for-profit organizations to publish books and manuals concerning the history of the capitol,
27 its improvement or restoration;

28 ~~[(7)] Before each September first, recommend options to the governor on budget~~
29 ~~allocation for improvements or restoration of the capitol premises]~~ (8) **On or before October**
30 **first of each year, submit to the budget director and the general assembly estimates of the**
31 **requirements for appropriations for the capitol building, grounds, and any annex areas for**
32 **the year commencing on the following first day of July;**

33 ~~[(8)]~~ (9) Encourage, participate in, or conduct studies, investigations, and research and
34 demonstrations relating to improvement and restoration of the state capitol it may deem
35 advisable and necessary for the discharge of its duties pursuant to sections 8.001 to 8.007;

36 ~~[(9)]~~ (10) Hold hearings, issue notices of hearings, and take testimony as the commission
37 deems necessary; and

38 ~~[(10)]~~ (11) Initiate planning efforts, subject to the appropriation of funds, for a centennial
39 celebration of the laying of the capstone of the Missouri state capitol.

40 2. The "State Capitol Commission Fund" is hereby created in the state treasury. Any
41 moneys received from sources other than appropriation by the general assembly, including from

42 private sources, gifts, donations and grants, shall be credited to the state capitol commission fund
43 and shall be appropriated by the general assembly.

44 3. The provisions of section 33.080 to the contrary notwithstanding, moneys in the
45 second capitol commission fund shall not be transferred and placed to the credit of the general
46 revenue fund. Moneys in the state capitol commission fund shall not be appropriated for any
47 purpose other than those designated by the commission.

48 4. The commission is authorized to accept all gifts, bequests and donations from any
49 source whatsoever. The commission may also apply for and receive grants consistent with the
50 purposes of sections 8.001 to 8.007. All such gifts, bequests, donations and grants shall be used
51 or expended upon appropriation in accordance with their terms or stipulations, and the gifts,
52 bequests, donations or grants may be used or expended for the preservation, improvement,
53 expansion, renovation, restoration and improved accessibility and for promoting the historical
54 significance of the capitol.

55 5. The commission may copyright or obtain a trademark for any photograph, written
56 work, art object, or any product created of the capitol or capitol grounds. The commission may
57 grant access or use of any such works to other organizations or individuals for a fee, at its sole
58 discretion, or waive all fees. All funds obtained through licensing fees shall be credited to the
59 capitol commission fund in a manner similar to funds the commission receives as gifts,
60 donations, and grants. The funds shall be used for repairs, refurbishing, or to create art, exhibits,
61 decorations, or other beautifications or adornments to the capitol or its grounds.

8.015. The senate chamber, the senate committee rooms, the offices of the members of
2 the senate on the third and fourth floors of the state capitol building and all other rooms and
3 offices of the state capitol building designed for or assigned ~~[by the board of public buildings]~~
4 **under section 8.007** to the use of the members and officers of the senate, and all furniture,
5 equipment and supplies therein, are reserved for the exclusive use of the members and officers
6 of the senate. These rooms, together with the furniture, equipment and supplies therein, are in
7 direct charge and control of the senate accounts committee. No use of any of said quarters other
8 than by the senate, its members or officers shall be made except with the written consent of the
9 senator or officer occupying the office rooms and upon the order of the accounts committee.

8.017. The house chamber, the house committee rooms, the offices of the members of
2 the house on the third and fourth floors of the state capitol building and all other rooms and
3 offices of the state capitol building designed for or assigned ~~[by the board of public buildings]~~
4 **under section 8.007** to the use of the members and officers of the house, and all furniture,
5 equipment and supplies therein, are reserved for the exclusive use of the members and officers
6 of the house of representatives. These rooms, together with the furniture, equipment and
7 supplies therein, are in direct charge and control of the house accounts committee. No use of any

8 of said quarters other than by the house of representatives, its members or officers shall be made
9 except with the written consent of the representative or officer occupying the office rooms and
10 upon the order of the accounts committee.

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