

SECOND REGULAR SESSION

# HOUSE BILL NO. 2394

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROSS.

6046H.021

D. ADAM CRUMBLISS, Chief Clerk

## AN ACT

To repeal sections 109.221, 109.225, and 109.255, RSMo, and to enact in lieu thereof three new sections relating to boards of record control.

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

Section A. Sections 109.221, 109.225, and 109.255, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 109.221, 109.225, and 109.255, to read as follows:

109.221. 1. The state shall establish ~~[and administer]~~ a "State Historical Records Advisory Board". The state historical records advisory board shall consist of ~~[twelve]~~ **seven** members appointed ~~[by the governor, with the advice and consent of the senate]~~ **and administered by the secretary of state**. Each member shall serve for a term of three years, except for the first members appointed, which shall have four members that serve one year, four members that serve two years and four members that serve three years. Thereafter, each member shall serve three years. The secretary of state **or his or her designee** shall serve as chairman of the board and as the state historical records coordinator and his vote shall break any tie vote of the board. The executive director of the state historical society of Missouri shall serve as an ex officio member of the board. The board shall meet when called by the chairman, but shall meet at least annually. The board shall adopt written procedures to govern its activities. The board shall report annually to the general assembly on its activities.

2. ~~[The state historical records advisory board is assigned to the office of the secretary of state.]~~ Members of the board shall receive no compensation for their service, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

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 board shall be the central advisory body for historical records planning and for  
17 projects relating to historic records developed and carried out within the state of Missouri. The  
18 board may perform duties such as sponsoring and publishing surveys of the conditions and needs  
19 of historical records in the state; soliciting or developing proposals for projects to be carried out  
20 in the state with the National Historical Publications and Records Commission, hereafter called  
21 "commission", financing; reviewing records proposals by institutions in the state and making  
22 recommendations from these to the commission; developing, revising, and submitting to the  
23 commission state priorities for historical records projects following guidelines developed by the  
24 commission; and reviewing, through reports and otherwise, the operation and progress of records  
25 projects in the state.

26           4. The board may seek funds available through the National Historical Publications and  
27 Records Commission for the subvention of all or part of the costs of printing and manufacturing  
28 volumes that have been formally endorsed by the commission.

29           5. The board may seek funds from the National Historical Publications and Records  
30 Commission for sponsoring and publishing surveys of the conditions and needs of historical  
31 records in the state; for soliciting or developing proposals for projects to be carried out in the  
32 state for preservation of historical records and publications; for reviewing records proposals by  
33 institutions in the state and making recommendations from these to the commission; and for  
34 developing, revising, and submitting to the commission state priorities for historical records  
35 projects following guidelines developed by the commission. The board may further carry out  
36 those necessary duties to fulfill its purpose of helping in the collection and preservation of  
37 Missouri's historical records and such other duties as may be prescribed by law.

38           6. The secretary of state, as state historical records coordinator, may fund and  
39 administer~~[, with the advice of the state historical records advisory board,]~~ grant requests for  
40 preservation of local records. In carrying out this subsection the secretary of state shall have the  
41 power to promulgate necessary rules and regulations. No rule or portion of a rule promulgated  
42 under the authority of this section shall become effective unless it has been promulgated pursuant  
43 to the provisions of section 536.024. Funds retained by the recorder of a county or a city not  
44 within a county and deposited in a recorder's fund for records preservation purposes pursuant to  
45 subsection 1 of section 59.319 may be used by a recorder of a county or a city not within a  
46 county toward any local matching funds requirement for funding pursuant to the grant program  
47 authorized by this subsection. A recorder's application for grant funding pursuant to this  
48 subsection shall not be penalized in any way because local funds collected pursuant to subsection  
49 1 of section 59.319 are to be used to fund any local matching funds requirement.

109.225. 1. There is hereby established the "Missouri Board on Geographic Names".  
2 The board shall be assigned for administrative purposes to the office of the secretary of state.

- 3           2. The board shall consist of nineteen members as follows:
- 4           (1) The secretary of state, who shall serve as chair of the board;
- 5           (2) ~~Nine~~ **Eight** citizens of Missouri appointed by the secretary of state;
- 6           (3) The director or the director's designee of the department of transportation;
- 7           (4) The director or the director's designee of the department of conservation;
- 8           (5) The director or the director's designee of the department of natural resources;
- 9           (6) **The director or the director's designee of the department of agriculture;**
- 10          (7) The commissioner or the commissioner's designee of the office of administration;
- 11          ~~(7)~~ **(8)** The director or the director's designee of the state archives;
- 12          ~~(8)~~ **(9)** The executive director or the executive director's designee of the state historical
- 13 society of Missouri;
- 14          ~~(9)~~ **(10)** The director or the director's designee of the United States Geological Survey;
- 15          ~~(10)~~ **(11)** The director or the director's designee of the United States Forest Service; and
- 16          ~~(11)~~ **(12)** The director or the director's designee of the United States Corps of
- 17 Engineers.
- 18          3. Appointed members of the board shall serve three-year terms and shall serve until
- 19 their successors are appointed. Vacancies on the board shall be filled in the same manner as the
- 20 original appointment and such member appointed shall serve the remainder of the unexpired
- 21 term.
- 22          4. The board shall meet annually and as otherwise required by the secretary of state.
- 23          5. The board shall designate from its members a vice chair and shall adopt written
- 24 guidelines to govern the management of the board.
- 25          6. Each member of the board shall serve without compensation, but may be reimbursed
- 26 for their actual and necessary expenses incurred in the performance of their duties as members
- 27 of the board.
- 28          7. The secretary of state shall designate an employee of the secretary of state's office as
- 29 executive secretary for the board, who shall serve as a nonvoting member and shall maintain the
- 30 records of the board's activities and decisions and shall be responsible for correspondence
- 31 between the board and the United States Board on Geographic Names and other agencies.
- 32          8. The board shall:
- 33           (1) Receive and evaluate all proposals for changes in or additions to names of geographic
- 34 features and places in the state of Missouri to determine the most appropriate and acceptable
- 35 names for use in maps and official documents of all levels of government;
- 36           (2) Make official recommendations to the United States Board on Geographic Names
- 37 on behalf of the state of Missouri with respect to each proposal;

38 (3) Assist and cooperate with the United States Board on Geographic Names in matters  
39 relating to names of geographic features and places in Missouri;

40 (4) Assist in the maintenance of a Missouri geographic names database as part of the  
41 national database;

42 (5) Maintain a list of advisors who have special interest and knowledge in Missouri  
43 history, geography, or culture and consult with such advisors on a regular basis in the course of  
44 the board's deliberations;

45 (6) Develop and revise state priorities for geographic records projects following  
46 guidelines of the United States Board on Geographic Names; and

47 (7) Submit a report on its activities annually to the general assembly.

48 9. The board may apply for moneys through federal and state grant programs to sponsor  
49 and publish surveys of the condition and needs of geographic records in the state of Missouri and  
50 to solicit or develop proposals for projects to be carried out in the state for preservation of  
51 geographic records and publications.

109.255. 1. The secretary of state is hereby authorized to appoint and serve as chairman  
2 of a local records board to advise, counsel, and judge what local records shall be retained, copied,  
3 preserved, or disposed of and in what manner these functions shall be carried out by the director.  
4 This board shall represent a wide area of public interest in local records and shall consist of at  
5 least twelve members one of whom shall represent school boards, one constitutional charter city,  
6 one third class city, one fourth class city, [~~one village, one township, one for each class of county~~  
7 ~~of the first and second class, one third or fourth class county, one higher education,]~~ one  
8 historical society, **two of whom shall represent counties of the first or second classification,**  
9 **two of whom shall represent counties of the third or fourth classification,** and such other  
10 members as the secretary of state shall direct.

11 2. The members of the board of record control shall serve staggered terms and may be  
12 removed at the pleasure of the secretary of state.

13 3. The members of the board of control shall receive no salary but may be compensated  
14 for travel expenses if the budget of the secretary of state permits.

15 4. The board shall meet at such times as the chairman may call them.

16 5. The director with advice of the board of record control shall issue directives to guide  
17 local officials on the destruction of local records and nonrecord materials.

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