

FIRST REGULAR SESSION

HOUSE BILL NO. 1016

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SHAUL (113).

2101H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 536.305, RSMo, and to enact in lieu thereof one new section relating to the small business regulatory fairness board.

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

Section A. Section 536.305, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 536.305, to read as follows:

536.305. 1. There is hereby established the "Small Business Regulatory Fairness Board". The ~~[department of economic development]~~ **secretary of state** shall provide staff support for the board.

2. The board shall be composed of nine members appointed in the following manner:

(1) One member who is the chair of the minority business advocacy commission;

(2) One member appointed by the president pro tempore of the senate;

(3) One member appointed by the minority leader of the senate;

(4) One member appointed by the speaker of the house of representatives;

(5) One member appointed by the minority leader of the house of representatives; and

(6) Four members appointed by the governor.

3. Each member of the board, except for the public members and the chair of the minority business advocacy commission, shall be a current or former owner or officer of a small business. All members of the board shall represent a variety of small businesses, both rural and urban, and be from a variety of geographical areas of this state, provided that no more than two members shall represent the same type of small business.

4. Members of the board shall serve a term of three years and may be reappointed at the conclusion of the term. No member shall serve more than three consecutive terms.

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.

18 Appointments shall be made so that one-third of the membership of the board shall terminate
19 each year. The governor shall appoint the initial chairperson of the board and a majority of the
20 board shall elect subsequent chairpersons. The chairperson shall serve as chair for a term of not
21 more than two years.

22 5. Members of the board shall serve without compensation, but may be reimbursed for
23 reasonable and necessary expenses relating to their performance of duties, according to the rules
24 and regulations of travel issued by the office of administration. Members will be required to
25 submit an expense account form in order to obtain reimbursement for expenses incurred.

26 6. The board shall meet as often as necessary, as determined by the chairperson of the
27 board. All meetings of the board will be conducted in accordance with the governmental bodies
28 and records act, chapter 610, including closed sessions. Notice will be posted and will be
29 provided to the joint committee on administrative rules. Minutes of the meetings shall be
30 provided to all members, the office of the governor, and the joint committee on administrative
31 rules.

32 7. In addition to any other powers provided by sections 536.300 to 536.328, the board
33 may adopt any rules necessary to implement sections 536.300 to 536.328 and take any action
34 necessary to effectuate the purposes of sections 536.300 to 536.328. Any rule or portion of a
35 rule, as that term is defined in section 536.010, that is created under the authority delegated in
36 this section shall become effective only if it complies with and is subject to all of the provisions
37 of this chapter and, if applicable, section 536.028. This section and this chapter are nonseverable
38 and if any of the powers vested with the general assembly pursuant to this chapter to review, to
39 delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional,
40 then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005,
41 shall be invalid and void.

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