

HB 526 -- ADMINISTRATIVE HEARING COMMISSION

SPONSOR: Pratt

COMMITTEE ACTION: Voted "do pass" by the Committee on Judiciary by a vote of 10 to 0.

Currently, all authority to hear administrative appeals regarding the rules on environmental control, mining, natural resources, air conservation, and water conservation is vested in the Administrative Hearing Commission. This bill authorizes the commission to recommend decisions based on comments from the parties, consent order, agreed settlement or by disposition of a default judgment, judgment on the pleadings, or summary judgment. The same authority will be granted to the Hazardous Waste Management Commission, Land Reclamation Commission, Safe Drinking Water Commission, Air Conservation Commission, and Clean Water Commission in order to make final decisions in their specified areas of regulation.

FISCAL NOTE: No impact on state funds in FY 2008, FY 2009, and FY 2010.

PROponents: Supporters say that the bill increases the efficiency of the Administrative Hearing Commission in handling cases and allows for an easier disposition of cases where there is no issue of fact. Currently, in cases before the commission where there is no issue of fact, the commission cannot rule by a summary judgment.

Testifying for the bill were Representative Pratt; Missouri Bar Association; Associated Industries of Missouri; St. Louis Regional Chamber and Growth Association; Roger A. Walker; and Norella Huggins.

OPponents: There was no opposition voiced to the committee.