

HCS SS SB 575 -- BOARDS, COMMISSIONS, AND COMMITTEES

SPONSOR: Dixon (Haahr)

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Downsizing State Government by a vote of 8 to 0.

This bill repeals a number of committees that have dissolved or expired as required by their authorizing statutes.

The defunct committees are the Advisory Committee on Tobacco Securitization (Section 8.597); Joint Committee on Corrections (Sections 21.400 to 21.465); Joint Committee on Capital Improvements and Leases Oversight (Sections 21.530 to 21.537); Joint Committee on Terrorism, Bioterrorism, and Homeland Security (Section 21.800); Joint Committee on Urban Agriculture (Section 21.801); Joint Committee on Missouri's Energy Future (Section 21.830); Joint Committee on the Missouri Criminal Code review of sexual offender registry (Section 21.835); Joint Committee on Solid Waste Management District Operations (Section 21.850); Joint Committee on the Reduction and Reorganization of Programs within State Government (Section 21.910); Joint Committee on Missouri's Promise (Section 21.920); Missouri Investment Trust and its board (Sections 30.953 to 30.971); Joint Subcommittee on Recovery Accountability and Transparency (Section 33.850); Committee on State-operated Wireless Communications Systems (Section 37.250); the SB 844 (2010) version of a section that created the Missouri Ethics Commission (Section 105.955); the Children's Vision Commission (Section 167.195); Alzheimer's State Plan Task Force (Section 191.115); Newborn Hearing Screening Advisory Committee (Section 191.934); Technical Advisory Committee on the Quality of Patient Care and Nursing Practices (Section 197.291); Coordinating Council on Special Transportation (Section 208.275); State Commission on Regulatory Barriers to Affordable Housing (Sections 215.261 and 215.262); Farm-to-Table Advisory Board (Section 262.950); the Advisory Committee on License Plate Design (Section 301.129); Joint Committee on Gaming and Wagering (Section 313.001); Missouri Oral Chemotherapy Parity Interim Committee (Section 338.321); Health Care Stabilization Fund Feasibility Board (Section 383.250); doubly enacted version of Court Automation Committee (Section 476.055); Joint Committee on Economic Development Policy and Planning (Section 620.602); and the Review Committee for Purchasing within the Department of Mental Health (Section 630.461).

The bill also repeals a joint legislative committee that was created to oversee the destruction of certain documents by the Commissioner of Administration, the Division of Finance, and the Public Service Commission.

Currently, the membership of the Joint Committee on Transportation Oversight includes seven members from each of the House and Senate transportation committees. This provision specifies that the committee must be composed of seven members of the Senate and seven members of the House of Representatives (Section 21.795).

The bill modifies the existing Joint Committee on Government Accountability by renaming the committee as the Joint Committee on Oversight and Government Accountability. The committee is charged with analyzing the operations and performance of all branches of state government, including management of state programs, procurement of goods and services, leases of real property, and construction, repair and maintenance of state capital improvements project. The committee is also charged with making recommendations to the General Assembly on legislative action to reorganize state government. The committee must review state departments and statewide office holders according to a schedule set forth in the act (Section 21.820).

The bill creates a permanent joint committee of the General Assembly to be known as the Joint Committee on Judiciary and Justice. The committee must consist of members of the General Assembly and three ex officio members. The committee is charged with reviewing of all aspects of the state's justice system and making any recommendations for legislative change to the General Assembly. A permanent subcommittee of the committee must be established to periodically review the criminal code. An advisory committee is established to aid the subcommittee, consisting of representatives of the Missouri Supreme Court, the Attorney General, and other individuals known to be interested in the improvement of the state's criminal laws (Section 21.880).

The Joint Committee on Tax Policy must assume certain duties of the Joint Committee on Economic Development Policy and Planning regarding approval of enterprise zone designations (Sections 135.210 and 135.230). The standing Senate and House committees with jurisdiction over corrections issues must assume certain duties of the Joint Committee on Corrections (Sections 217.025 and 217.035).

The act provides that the Entrepreneurial Development Council must expire on December 31, 2015 (Section 620.050). The program to distribute grants to multi-jurisdictional Internet crime law enforcement task forces is re-authorized until December 31, 2020. The program had expired on June 5, 2012 (Section 650.120).

This bill amends the Joint Committee on MO HealthNet to have as its purpose of study the efficacy of the program as well as the resources needed to continue and improve the MO HealthNet program

over time. The committee must receive and obtain information from the departments of Social Services, Mental Health, Health and Senior Services, and Elementary and Secondary Education as applicable, regarding the projected budget of the entire MO HealthNet program including projected MO HealthNet enrollment growth, categorized by population and geographic area.

The committee must meet at least three times a year and there must be a public comment period at every meeting. The committee is authorized to hire an employee or enter into employment contracts. The compensation of the personnel and the expenses of the committee will be paid from the joint contingent fund or jointly from the Senate and House of Representatives until an appropriation is made. The committee may also hire or contract for an executive director to conduct investigations to fulfill the duties of the committee (Section 208.952). The bill also repeals the MO HealthNet Oversight Committee in Section 208.955.

The bill modifies the provisions of the Child Abuse and Neglect (CAN) Review Board. This bill requires the board members to act independently of the Department of Social Services as unbiased finders of fact so as to assure that due process of the law is afforded to all parties in the proceedings.

Current law requires each CAN Review Board that is created to consist of nine members appointed by the Governor with the advice and consent of the Senate consisting of four specific professionals and four suggested professionals. This bill no longer requires that the members consist of the specified professionals. The list of the specific professionals may instead offer testimony in review proceedings before the boards for expert advice. The witnesses must be subject to cross-examination. This bill also specifies that no employee, former employee, contractor, or an immediate family member of an employee, former employee or contractor of the Department of Social Services will serve on a CAN Review board (210.153).

Currently, the State Mental Health Commission includes one member who is a physician recognized as an expert in the evaluation or habilitation of persons with disabilities. This act provides that the member must be a physician, licensed clinical psychologist, or other licensed clinician recognized as an expert in the evaluation or treatment of persons with disabilities (Section 630.010).

PROPONENTS: Supporters say that this bill repeals several committees and extends others. Many of these committees have either not met in approximately five years, have no demonstrated desire by the General Assembly to maintain, the statutory authority has expired and no one has attempted to extend it, or the

legislative obligations have been fulfilled.

Testifying for the bill were Senator Dixon and Missouri Family Network.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say that some of the language could interfere with the issuance of bonds if legislative members are on the board.

Testifying on the bill were Brett Berri, Office of Administration.