

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

(Vetoed by the Governor)

This bill changes the laws regarding boards, commissions, and committees.

Currently, the membership of the Joint Committee on Transportation Oversight includes seven members from the standing transportation committees of both the House of Representatives and Senate. The bill specifies that the committee must be composed of seven Senators with at least four being members of the standing Transportation Committee of the Senate and seven members of the House of Representatives with at least four being members of the standing Transportation Committee of the House of Representatives. The selection of the chair and vice chair of the committee is specified in the bill (Section 21.795, RSMo).

The bill renames the Joint Committee on Government Accountability as the Joint Committee on Oversight and Government Accountability. The committee must analyze the operations and performance of all branches of state government, including the management of state programs; procurement of goods and services by state agencies; leases of real property funded with state moneys; and all construction, repairs, and maintenance on any state-funded capital improvements project excluding specified projects. The committee must make recommendations to the General Assembly for legislative action to reorganize state government; improve performance; promote efficiency and economy; and prevent or detect waste, fraud, or abuse. The committee must review specified state departments and statewide office holders according to a schedule specified in the bill (Section 21.820).

The Joint Committee on the Justice System is established consisting of members of the General Assembly and three ex-officio members as specified in the bill, including a member of the House of Representatives and the Senate appointed by the Minority Floor Leader of each chamber. The committee must review and monitor all aspects of the state's justice system as specified in the bill and file a report with the General Assembly by January 15, 2016, and every year thereafter, of its activities and any findings or recommendations for legislative action. The joint committee must establish a permanent subcommittee on the Missouri criminal code to periodically review the criminal laws of the state. The joint committee may select an advisory committee to aid the subcommittee, consisting of a representative of the Missouri Supreme Court, a representative of the Office of the Attorney General, and other individuals known to be interested in the improvement of the state's criminal laws. The subcommittee must present to the

General Assembly a criminal code revision bill as it finds appropriate in each tenth year (Section 21.880).

The Joint Committee on Tax Policy must assume specified duties of the Joint Committee on Economic Development Policy and Planning regarding the designation of an enterprise zone or a satellite zone (Sections 135.210 and 135.230).

The bill repeals provisions that allow a parent or guardian to provide to the county recorder of deeds a signed declaration stating his or her intent for a child to attend a home school to minimize unnecessary truancy investigations (Section 167.042).

The Joint Committee on MO HealthNet must study the efficacy of the program as well as the resources needed to continue and improve the MO HealthNet Program. The committee must meet at least three times a year. The committee may hire an employee or enter into employment contracts as it deems necessary within the limits of any appropriation for that purpose. The compensation of the personnel and the expenses of the committee are to be paid from the Joint Contingent Fund or jointly from the Senate and House of Representatives contingent funds until an appropriation is made. The committee must annually conduct a rolling five-year MO HealthNet forecast and submit an annual report to the General Assembly beginning January 1, 2016 (Section 208.952).

The bill requires the board and the members of a child abuse and neglect (CAN) review board to objectively decide whether a preponderance of the evidence establishes that an individual is responsible for child abuse or neglect and to make decisions based only on the facts presented to it. The board must act independently of the Children's Division in the Department of Social Services so as to assure that due process of the law is afforded to all parties in the proceedings. These provisions cannot be construed to prohibit the department or division from providing any training or administrative support to the boards. Currently, each review board must 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. The bill repeals the requirement that the members consist of the specific and suggested professionals but requires that each member be a Missouri resident and specifies that the term of office of each member will be three years. At the time of an appointment, no more than five members of any board can be of the same political party as the Governor. The bill specifies that a current employee of the Department of Social Services cannot serve on a review board (Section 210.153).

The Senate and House standing committees with jurisdiction over

corrections issues or penal and correctional institutions must assume specified duties of the Joint Committee on Corrections (Sections 217.025 - 217.567).

Currently, the Oversight Division of the Joint Committee on Legislative Research must perform an actuarial analysis on any new or revised mandated health care benefit proposed by the General Assembly and a recommendation must be delivered to the Speaker of the House of Representatives and the President Pro Tem of the Senate prior to being enacted. The bill specifies that the analysis must be conducted on any new or revised mandated benefit enacted by the General Assembly and a recommendation must be delivered to the Speaker and the President Pro Tem prior to July 1 of the year following its enactment (Section 376.1190).

The provisions regarding the Entrepreneurial Development Council must expire on December 31, 2015 (Section 620.050).

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 an intellectual or developmental disability. The bill specifies 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 an intellectual or developmental disability (Section 630.010).

The provision requiring the General Assembly to annually appropriate \$3 million to the Cyber Crime Investigation Fund is repealed. The program to distribute grants to multi-jurisdictional Internet crime law enforcement task forces through the fund is re-authorized until December 31, 2024. The provisions regarding the program had expired on June 5, 2012 (Section 650.120).

The bill repeals the provisions regarding the following committees, commissions, task force, boards, and councils that have dissolved or expired as required by their authorizing statutes:

- (1) Advisory Committee on Tobacco Securitization (Section 8.597);
- (2) Joint Committee on Corrections (Sections 21.400 - 21.465);
- (3) Joint Committee on Capital Improvements and Leases Oversight (Sections 21.530 - 21.537);
- (4) Joint Committee on Terrorism, Bioterrorism, and Homeland Security (Section 21.800);
- (5) Joint Committee on Urban Agriculture (Section 21.801);

- (6) Joint Committee on the Missouri Criminal Code's review of the sexual offender registry (Section 21.835);
- (7) Joint Committee on Solid Waste Management District Operations (Section 21.850);
- (8) Joint Committee on the Reduction and Reorganization of Programs within State Government (Section 21.910);
- (9) Joint Committee on Missouri's Promise (Section 21.920);
- (10) Missouri Investment Trust and its board of trustees (Sections 30.953 - 30.971);
- (11) 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 (Sections 33.150, 167.042, 361.120, and 386.145);
- (12) Joint Subcommittee on Recovery Accountability and Transparency (Section 33.850);
- (13) Committee on State-operated Wireless Communications Systems (Section 37.250);
- (14) The SB 844 version of the provisions passed in 2010 that created the Missouri Ethics Commission (Section 105.955);
- (15) Children's Vision Commission and the requirement that all public school districts conduct specified eye screenings for each student (Section 167.195);
- (16) Alzheimer's State Plan Task Force (Section 191.115);
- (17) Newborn Hearing Screening Advisory Committee (Section 191.934);
- (18) Technical Advisory Committee on the Quality of Patient Care and Nursing Practices (Section 197.291);
- (19) Coordinating Council on Special Transportation (Section 208.275);
- (20) MO HealthNet Oversight Committee (Section 208.955);
- (21) State Commission on Regulatory Barriers to Affordable Housing (Sections 215.261 and 215.262);

- (22) Farm-to-Table Advisory Board (Section 262.950);
- (23) Advisory Committee on License Plate Design (Section 301.129);
- (24) Joint Committee on Gaming and Wagering (Section 313.001);
- (25) Missouri Oral Chemotherapy Parity Interim Committee (Section 338.321);
- (26) Health Care Stabilization Fund Feasibility Board (Section 383.250);
- (27) Doubly enacted provisions regarding the Court Automation Committee and the Statewide Court Automation Fund (Section 476.055);
- (28) Joint Committee on Economic Development Policy and Planning (Section 620.602); and
- (29) Review Committee for Purchasing within the Department of Mental Health (Section 630.461).