

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 869, Page 23, Section 347.048, Line 18,
2 by inserting after all of said line the following:

3
4 "620.010. 1. There is hereby created a "Department of Economic Development" to be
5 headed by a director appointed by the governor, by and with the advice and consent of the senate.
6 All of the general provisions, definitions and powers enumerated in section 1 of the Omnibus State
7 Reorganization Act of 1974 shall continue to apply to this department and its divisions, agencies
8 and personnel.

9 2. The powers, duties and functions vested in the public service commission, chapters 386,
10 387, 388, 389, 390, 392, 393, and others, and the administrative hearing commission, sections
11 621.015 to 621.198 and others, are transferred by type III transfers to the department of economic
12 development. The director of the department is directed to provide and coordinate staff and
13 equipment services to these agencies in the interest of facilitating the work of the bodies and
14 achieving optimum efficiency in staff services common to all the bodies. Nothing in the
15 Reorganization Act of 1974 shall prevent the chairman of the public service commission from
16 presenting additional budget requests or from explaining or clarifying its budget requests to the
17 governor or general assembly.

18 3. The powers, duties and functions vested in the office of the public counsel are transferred
19 by type III transfer to the department of economic development. Funding for the general counsel's
20 office shall be by general revenue.

21 4. The public service commission is authorized to employ such staff as it deems necessary
22 for the functions performed by the general counsel other than those powers, duties and functions
23 relating to representation of the public before the public service commission.

24 5. All the powers, duties and functions vested in the tourism commission, chapter 258 and
25 others, are transferred to the "Division of Tourism", which is hereby created, by type III transfer.

26 6. All the powers, duties and functions of the department of community affairs, chapter 251
27 and others, not otherwise assigned, are transferred by type I transfer to the department of economic
28 development, and the department of community affairs is abolished. The director of the department
29 of economic development may assume all the duties of the director of community affairs or may
30 establish within the department such subunits and advisory committees as may be required to
31 administer the programs so transferred. The director of the department shall appoint all members of
32 such committees and heads of subunits.

33 7. The state council on the arts, chapter 185 and others, is transferred by type II transfer to
34 the department of economic development, and the members of the council shall be appointed by the
35 director of the department.

36 8. The Missouri housing development commission, chapter 215, is assigned to the

Standing Action Taken _____ Date _____

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1 department of economic development, but shall remain a governmental instrumentality of the state
2 of Missouri and shall constitute a body corporate and politic.

3 9. All the authority, powers, duties, functions, records, personnel, property, matters pending
4 and other pertinent vestiges of the division of manpower planning of the department of social
5 services are transferred by a type I transfer to the "Division of Workforce Development", which is
6 hereby created, within the department of economic development. The division of manpower
7 planning within the department of social services is abolished. The provisions of section 1 of the
8 Omnibus State Reorganization Act of 1974, Appendix B, relating to the manner and procedures for
9 transfers of state agencies shall apply to the transfers provided in this section.

10 10. All the authority, powers, functions, records, personnel, property, contracts, matters
11 pending and other pertinent vestiges of the division of employment security within the department
12 of labor and industrial relations related to job training and labor exchange that are funded with or
13 based upon Wagner-Peyser funds, and other federal and state workforce development programs
14 administered by the division of employment security are transferred by a type I transfer to the
15 division of workforce development within the department of economic development.

16 11. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
17 under the authority delegated in this section shall become effective only if it complies with and is
18 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
19 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
20 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
21 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
22 August 28, 2008, shall be invalid and void.

23 12. The department of economic development shall provide assistance to local officials,
24 civic leaders, and interested citizens in achieving their stated community objectives for future
25 development and complying with the requirements of local and state incentive programs.
26 Notwithstanding the requirements of sections 67.453 to 67.475, sections 67.1401 to 67.1576,
27 sections 99.300 to 99.660, sections 99.800 to 99.865, sections 99.915 to 99.1060, sections 100.010
28 to 100.200, sections 100.300 to 100.620, sections 238.200 to 238.280, and sections 353.010 to
29 353.190, no political subdivision shall be prohibited from implementing any local incentive
30 program due to the political subdivision's failure, following the initial valid approval of the local
31 incentive program, to provide any required report, publication, or notice or hold any hearing with
32 respect to the previously approved local incentive program unless:

33 (1) The department of economic development has provided notice by certified mail to the
34 chief elected officer of the political subdivision of such failure to file or comply with a report,
35 publication, notice, or hearing requirement; and

36 (2) The political subdivision does not correct any instances of noncompliance by filing all
37 past due reports, providing all past due publications or notices, holding all past due hearings, and
38 correcting all inaccuracies identified in the notice from the department of economic development
39 within sixty days of receipt thereof."; and
40

41 Further amend said bill by amending the title, enacting clause, and intersectional references
42 accordingly.