

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5541-06
Bill No.: HCS for SS for SCS for SB 843
Subject: Boards, Commissions, Committees and Councils; Health and Senior Services; Historic Preservation; Professional Registration and Licensing
Type: Original
Date: April 27, 2018

Bill Summary: This proposal modifies the composition, duties, or repeals outright certain administrative boards, commissions, committees and councils.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND				
FUND AFFECTED	FY 2019	FY 2020	FY 2021	Fully Implemented (FY 2023)
General Revenue	Unknown	Unknown	Unknown	(Less than \$4,848)
Total Estimated Net Effect on General Revenue	Unknown	Unknown	Unknown	(Less than \$4,848)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS				
FUND AFFECTED	FY 2019	FY 2020	FY 2021	Fully Implemented (FY 2023)
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses. This fiscal note contains 11 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS				
FUND AFFECTED	FY 2019	FY 2020	FY 2021	Fully Implemented (FY 2023)
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)				
FUND AFFECTED	FY 2019	FY 2020	FY 2021	Fully Implemented (FY 2023)
Total Estimated Net Effect on FTE	0	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS				
FUND AFFECTED	FY 2019	FY 2020	FY 2021	Fully Implemented (FY 2023)
Local Government	\$0	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Revenue** assume section 143.1015 removes the sunset provision on the Foster Care Fund. The Department believes that this makes this fund available for donations/contributions of individual or corporate tax refunds.

The Department estimates that General Revenue could decrease by \$17,061 each fiscal year while the Foster Care and Adoptive Parents Recruitment and Retention Fund increases by an estimated \$17,061 each year.

Oversight notes this proposal, in Section 143.1015, removes the sunset on the Foster Care and Adoptive Parent Recruitment and Retention Fund (0979). According to the Fund Activity reports issued by the Office of the State Treasurer, the fund had the following activity over the past three fiscal years:

Fiscal Year	Receipts/Transfers In	Disbursements/ Transfers Out	Ending Balance
FY 2015	\$3,613	(\$29)	\$7,578
FY 2016	\$3,368	\$0	\$10,946
FY 2017	\$3,922	(\$49)	\$14,455

Oversight assumes removing the sunset date for this check-off would not create a material fiscal impact (three year average of \$3,634) to the state and will not reflect it in the fiscal note.

Officials from the **Office of Administration - Facilities Management Design and Construction (OA)** assume this bill would reduce the number of members of the Children's Trust Fund Board from 21 to 17. This Board is housed within the Office of Administration. Reducing the number of board members would potentially save OA money in costs associated with Board member travel and meals.

Board travel and meals is estimated at \$125/Board member, and thus, a reduction in four Board members would probably save OA around \$500.

Oversight notes that the proposal would eliminate or reduce the size of several boards and commissions; therefore, Oversight will show "unknown" savings to various state agencies for reduced board and commission expenses.

ASSUMPTION (continued)

Officials from the **Missouri Ethics Commission** assume the following:

105.955.1 increases the number members on the Missouri Ethics Commission from six to eight. The Commission will be composed of one individual from each Congressional district. The additional two members will receive per diem for each meeting they attend.

105.955.4.(2) requires the Executive Director of the Missouri Ethics Commission to contact the respective congressional districts to notifying them of their responsibility to submit eligible Commission member nominees to the Governor.

The addition of two members will require an increase to our personal services appropriation. The Commission on average meets 24 times a year. The members are allowed a \$100 per diem for each meeting attended. The estimated required increase will be \$4,800. The increase would not occur until FY 2022.

Oversight notes that the Commission would have eight members by March 16, 2022. The first full year of increases would be FY 2023.

In response to a previous version, officials from the **Office of the Secretary of State (SOS)** assumed many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the Secretary of State's Office for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, we also recognize that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what our office can sustain with our core budget. Therefore, we reserve the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

In response to a previous version, officials from the **Attorney General's Office (AGO)** assumed any potential cost arising from this proposal can be absorbed with existing resources. AGO may seek additional appropriations if the proposal results in a significant increase in cases.

ASSUMPTION (continued)

Officials from the **Department of Natural Resources** assume this proposal will not result in a significant fiscal impact to their organization.

Officials from the **Office of the State Treasurer, Department of Economic Development, the Department of Social Services, the Office of the State Auditor, the Office of Administration (Division of Accounting), the Department of Mental Health, the Department of Health and Senior Services, the Department of Public Safety - Missouri Veterans Commission, the Office of Prosecution Services, the Missouri Senate, and the Department of Elementary and Secondary Education and the Department of Insurance, Financial Institutions and Professional Registration** each assume the proposal will have no fiscal impact on their respective organizations.

In response to a previous version, officials from the **Office of the Governor, the Department of Revenue and the Missouri House of Representatives** each assumed the proposal will have no fiscal impact on their respective organizations.

<u>FISCAL IMPACT - State Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021	Fully Implemented (FY 2023)
GENERAL REVENUE FUND				
<u>Savings</u> - various state agencies Reduction of Board Members	Unknown	Unknown	Unknown	Unknown
<u>Cost</u> - MEC additional board members per diem	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>(\$4,848)</u>
ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>	(Less than <u>\$4,848</u>)
<u>FISCAL IMPACT - Local Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021	Fully Implemented (FY 2023)
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

The membership of the Missouri Military Preparedness and Enhancement Commission is modified by requiring the Governor to appoint two additional members. (Section 41.1010).

The act repeals the Missouri State Unemployment Council and requires the State Auditor to fulfill a duty of the Council regarding a study of the Missouri unemployment system. (Sections 29.415 and 288.475).

Under current law, there are 6 members of the Missouri Ethics Commission (MEC).

FISCAL DESCRIPTION (continued)

This act increases the membership of the MEC to 8, with one member from each Congressional district, beginning in 2022. From the enactment of this act until 2021 there will be 4 members on the MEC with membership increasing to 6 in 2021 and 8 in 2022.

Furthermore, current law requires four members to constitute a quorum and four affirmative votes for any action or recommendation of the commission. This act reduces those thresholds to three members for a quorum and three affirmative votes for any action or recommendation. Beginning March 16, 2021, the threshold increases to 4 upon increasing the membership of the MEC to 6 members. Beginning March 16, 2022, the threshold increases to 5 upon increasing the membership of the MEC to 8 members.

Current law provides that the Governor may only appoint members to the MEC from lists submitted to the Governor by the Congressional District Committees. This act permits the Governor to appoint any eligible person, whether such person was submitted to the Governor by a Congressional District Committee or not.

Each member of the MEC must reside in the congressional district from which he or she was appointed. If such person removes his or her residence from the congressional district then the position on the MEC shall be vacated.

The act requires the Executive Director of the MEC to notify the Congressional District Committee within 120 days of a the occurrence of a vacancy or at least 120 days prior to the expiration of a term for which the committee may submit eligible nominees to the Governor for appointment to fill the vacancy. Moreover, within 30 days of a vacancy occurring due to resignation or removal or 90 days before a vacancy due to expiration of a term, the Congressional District Committees shall submit a list of at least 2 and no more than 5 names of eligible nominees to the Governor from which the Governor shall choose a person to fill any such vacancy.

These provisions regarding the Missouri Ethics Commission contain an emergency clause. (Sections 105.955 and 105.959).

The expiration date for the Foster Care and Adoptive Parents Recruitment and Retention Fund and a tax refund checkoff to such fund are removed and the administration of the Fund is changed from the Foster Care and Adoptive Parents Recruitment and Retention Fund Board, which is repealed by the act, to the Missouri State Foster Care and Adoption Board. (Section 143.1015 and 453.600).

FISCAL DESCRIPTION (continued)

The composition of the Missouri Women's Council is modified. The Council is reduced from fifteen to thirteen members with nine, rather than eleven, members appointed by the Governor. Such members shall serve terms of four, rather than three, years and may be reappointed. The Council, rather than the Governor, shall annually elect a chair and vice-chair. (Section 186.007).

The Missouri Area Health Education Centers Council is repealed and the Director of the Department of Health and Senior Services shall assume all duties of the Council. (Section 191.980).

The State Board of Health and the State Board of Senior Services are consolidated into the newly created State Board of Health and Senior Services (Sections 91.640, 189.015 to 189.035, 191.400, 192.005 to 192.710, 192.2030, and 701.040).

The act repeals the State Hospital Advisory Council (Section 192.240).

The Unmarked Human Burial Consultation Committee is repealed and the Missouri Advisory Council on Historic Preservation shall assume all duties of the Committee. (Sections 194.400 to 194.409).

The State Board of Health and Senior Services, rather than the Life Sciences Research Board, shall be responsible for overseeing the umbilical cord blood bank grant program (Section 191.756).

A subcommittee on the development of a comprehensive entry point system for long-term care within the MO HealthNet Oversight Committee is repealed. (Section 208.955). The Professional Services Payment Committee is also repealed. (Section 208.197).

This act changes the membership of the Board for Certification of Interpreters from five members to three. One of the members shall be deaf, one shall be a certified interpreter, and one shall be either deaf or a certified interpreter. (Sections 209.287 and 209.307).

The act reduces the membership of the Children's Trust Fund Board from twenty-one to seventeen members with eight, rather than twelve, public members appointed by the Governor. The representative categories of membership on the Board are modified. (Section 210.170).

FISCAL DESCRIPTION (continued)

This act modifies the membership of the Task Force on the Prevention of Sexual Abuse of Children to remove members of the General Assembly; add the directors of Children's Division, the Department of Mental Health, and the Children's Trust Fund Board; remove two teachers and add a school principal and a school counselor; and remove the at-large member. Additionally, the act requires the Director of the Department of Social Services to appoint all members currently appointed by the Governor. The act directs the Task Force to focus on the prevention and treatment of child sexual abuse. The Department of Social Services, beginning January 1, 2019, shall work with the Task Force to make yearly reports to the General Assembly. Finally, the Task Force may adopt and submit to the Commissioner of Education and the State Board of Education policy recommendations addressing sexual abuse of children as specified in the act. This provision is identical to SB 845 (2018). (Sections 160.2100, 160.2110, 210.1200, and 210.1210).

The act codifies the creation of the Missouri Advisory Council on Historic Preservation, which was originally created by executive order. The Council shall have authority to review and approve nominations to the National Register, review completed state historic preservation plans, and provide guidance to the state historic preservation officer. (Sections 253.408 and 253.412).

The duties of the Interior Design Council are transferred to the Division of Professional Registration. The Council's role shall be to advise, guide, and make recommendations to the Director of the Division. The Director of the Division, rather than the Governor, shall appoint members of the Council. (Sections 324.406 to 324.436).

The composition of the Missouri Film Commission is changed by removing the General Assembly members from the Commission. (Section 620.1200).

The Director of the Department of Mental Health, rather than the Governor, shall appoint certain members of the Missouri Commission on Autism Spectrum Disorders and such members may be reappointed. (Section 633.200).

Currently, two members of the Elevator Safety Board shall be building officials with responsibility for administering elevator regulations, one from each municipality having a population of at least three hundred fifty thousand inhabitants. This act provides that the two members shall be building officials, with one having responsibility for administering elevator regulations. The requirement that each such member come from a municipality with a certain population is repealed. (Section 701.353).

The Missouri State Penitentiary Redevelopment Commission is repealed. (Sections 217.900 to 217.910).

FISCAL DESCRIPTION (continued)

Under current law, the Governor, with the advice and consent of the Senate, appoints members to the following advisory commissions and committees: the Advisory Commission for Clinical Perfusionists, the Missouri Acupuncturist Advisory Committee, the Advisory Commission for Dental Hygienists, the Advisory Commission for Anesthesiologist Assistants, the Advisory Commission for Physical Therapists, and the Advisory Commission for Physician Assistants. This act transfers such appointment power to the Director of the Division of Professional Registration. (Sections 324.177, 324.180, 324.478, 332.086, 334.430, 334.625, and 334.749). These provisions are identical to SB 844 (2018).

This act modifies membership of the Missouri State Board of Nursing to require that one member be an advanced practice registered nurse.

This legislation contains an emergency clause for sections 105.955 and 105.959.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the State Auditor
Office of Administration
Office of the Governor
Department of Revenue
Department of Social Services
Department of Economic Development
Department of Health and Senior Services
Department of Natural Resources
Department of Insurance, Financial Institutions and Professional Registration
Office of the State Treasurer
Department of Mental Health
Department of Public Safety
Missouri Veterans Commission
Office of Prosecution Services
Missouri House of Representatives
Missouri Senate
Department of Elementary and Secondary Education
Missouri Ethics Commission
Office of the Secretary of State
Attorney General's Office

Ross Strobe



Acting Director
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