



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 269		DATE: 2/22/2023	
COMMITTEE: Government Efficiency and Downsizing			
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: BRAD JONES		PHONE NUMBER: 573-619-3077	
REPRESENTING: NATIONAL FEDERATION OF INDEPENDENT BUSINESS		TITLE: NFIB STATE DIRECTOR	
ADDRESS: 308 E. HIGH			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL: Brad.Jones@nfib.org	ATTENDANCE: Written	SUBMIT DATE: 2/21/2023 1:31 PM	
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WITNESS NAME		
REGISTERED LOBBYIST:		
WITNESS NAME: JAMES HARRIS		PHONE NUMBER: 573-761-7875
REPRESENTING: OPPORTUNITY SOLUTIONS PROJECT		TITLE:
ADDRESS: 122 EAST HIGH STREET, SUITE 200		
CITY: JEFFERSON CITY		STATE: MO
		ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/22/2023 12:00 AM
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: JEREMY CADY		PHONE NUMBER:	
REPRESENTING: AMERICANS FOR PROSPERITY		TITLE: STATE DIRECTOR	
ADDRESS: PO BOX 94			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65102
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/22/2023 12:00 AM	
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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: ARNIE C. "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: arniedienoff@yahoo.com	ATTENDANCE: Written	SUBMIT DATE: 2/14/2023 12:07 AM

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**I Oppose this Bill. You can Not pick Winners and Losers. Every Rule is there for a reason or purpose.
This is wrong and Bad Policy!**



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: ARNIE C. "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: arniedienoff@yahoo.com	ATTENDANCE: Written	SUBMIT DATE: 2/22/2023 11:29 PM
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I am Opposed to this Legislation and Public Policy. We NEED Rules and Regulations for certain circumstances.



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WITNESS NAME		
REGISTERED LOBBYIST:		
WITNESS NAME: CHARLES MILLER		PHONE NUMBER: 205-538-8876
REPRESENTING: MISSOURI CONFLUENCE WATERKEEPER		TITLE:
ADDRESS: 3120 LOCUST STREET		
CITY: SAINT LOUIS	STATE: MO	ZIP: 63108
EMAIL: charles@mowaterkeeper.org	ATTENDANCE: Written	SUBMIT DATE: 2/14/2023 7:36 AM

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

Chair Gregory and Members of the Committee, Missouri Confluence Waterkeeper is a grassroots, citizen-led conservation organization focused on clean water and dedicated to protecting fishable, swimmable water for all Missourians. Waterkeeper is a member of Waterkeeper Alliance, a global network of more than 340 independent clean water organizations across six continents, dedicated to protecting local waterways and defending right to fishable, swimmable, drinkable water. We respectfully request that the committee reject HB 269. This bill is an unnecessary, one-size fits all approach to regulation that denies state agencies the flexibility they need to implement and repeal rules. Instead of allowing our rulemaking processes and state agencies to operate as a well-oiled machine, this bill would throw sand in the gears. It would bring the rulemaking process to an absolute halt, preventing the adoption of legislation that protects the health of Missourians and our state's environment. The premise of the bill is flawed. Administrative rules, crafted by experts, and subject to public petition for repeal or adoption are a critically important of any functioning, complex, modern society. The concept that unnecessary rules are common in the Missouri Code of State Regulations ignores this rulemaking processes established by the Missouri Administrative Procedure Act. Each of our state's regulations have been adopted after notice and comment rulemaking, and all regulations are subject to petitions to amend or repeal. You can read that specific petition for repeal provision at 536.041 RSMo. This means that after public input and expert testimony, the subject-matter experts at our state agencies decided that there was a compelling reason to implement a regulation. It also means that any person can have unnecessary regulations repealed through the same process. Second, the practical impacts of this on state agencies would be disastrous. The requirement that two rules be repealed before a new rule can take effect essentially triples the burden of rulemaking (and repeal). Instead of a single rulemaking process to decide whether or not an agency should adopt a new rule, agencies are now confronted with three separate rulemaking processes. This would be in addition to the task of identifying the two least valuable rules already on the books. This will take valuable agency resources away from day-to-day operations, permit writing, and other critical tasks. In an attempt to relieve administrative burden and streamline the rulemaking process, this bill does the opposite. The valuable work that our state agencies do to protect Missouri consumers, residents, and our environment would be undermined by this bill, and as a result we respectfully urge the committee to reject it.



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WITNESS NAME		
REGISTERED LOBBYIST:		
WITNESS NAME: CHARLES MILLER		PHONE NUMBER: 205-538-8876
REPRESENTING: MISSOURI CONFLUENCE WATERKEEPER		TITLE: POLICY MANAGER
ADDRESS: 3120 LOCUST STREET		
CITY: SAINT LOUIS	STATE: MO	ZIP: 63108
EMAIL: charles@mowaterkeeper.org	ATTENDANCE: Written	SUBMIT DATE: 2/17/2023 10:09 AM

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Chair Gregory and Members of the Committee, Missouri Confluence Waterkeeper is a grassroots, citizen-led conservation organization focused on clean water and dedicated to protecting fishable, swimmable water for all Missourians. Waterkeeper is a member of Waterkeeper Alliance, a global network of more than 340 independent clean water organizations across six continents, dedicated to protecting local waterways and defending right to fishable, swimmable, drinkable water. We respectfully request that the committee reject HB 269. This bill is an unnecessary, one-size fits all approach to regulation that denies state agencies the flexibility they need to implement and repeal rules. Instead of allowing our rulemaking processes and state agencies to operate as a well-oiled machine, this bill would throw sand in the gears. It would bring the rulemaking process to an absolute halt, preventing the adoption of legislation that protects the health of Missourians and our state's environment. The premise of the bill is flawed. Administrative rules, crafted by experts, and subject to public petition for repeal or adoption are a critically important of any functioning, complex, modern society. The concept that unnecessary rules are common in the Missouri Code of State Regulations ignores this rulemaking processes established by the Missouri Administrative Procedure Act. Each of our state's regulations have been adopted after notice and comment rulemaking, and all regulations are subject to petitions to amend or repeal. You can read that specific petition for repeal provision at 536.041 RSMo. This means that after public input and expert testimony, the subject-matter experts at our state agencies decided that there was a compelling reason to implement a regulation. It also means that any person can have unnecessary regulations repealed through the same process. Second, the practical impacts of this on state agencies would be disastrous. The requirement that two rules be repealed before a new rule can take effect essentially triples the burden of rulemaking (and repeal). Instead of a single rulemaking process to decide whether or not an agency should adopt a new rule, agencies are now confronted with three separate rulemaking processes. This would be in addition to the task of identifying the two least valuable rules already on the books. This will take valuable agency resources away from day-to-day operations, permit writing, and other critical tasks. In an attempt to relieve administrative burden and streamline the rulemaking process, this bill does the opposite. The valuable work that our state agencies do to protect Missouri consumers, residents, and our environment would be undermined by this bill, and as a result we respectfully urge the committee to reject it.



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WITNESS NAME		
REGISTERED LOBBYIST:		
WITNESS NAME: JASON ZAMKUS		PHONE NUMBER: 573-291-6188
REPRESENTING: MISSOURI ASSOCIATION OF REALTORS		TITLE:
ADDRESS: 1320 ELMERINE AVENUE		
CITY: JEFFERSON CITY		STATE: MO
		ZIP: 65101
EMAIL: jzamkus@gmail.com	ATTENDANCE: In-Person	SUBMIT DATE: 2/22/2023 8:00 AM
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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: KRISTA DURLAS		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: krista.durlas@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/21/2023 11:41 AM
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I worked for many years on common sense administrative law changes at the EPA to make things easier and cheaper for businesses to make greener choices in safe handling and recycling of hazardous waste. It's important for government agencies to do things right the first time, thinking through evaluating the consequences for all the stakeholders. HB 269 is overly simplistic and fails to consider the impacts of the proposed language on the ability of our administrative agencies to do their job with the well-being of Missouri's people and their environment in mind. I urge you to vote "no" on HB 269.



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WITNESS NAME		
BUSINESS/ORGANIZATION:		
WITNESS NAME: MELISSA VATTEROTT		PHONE NUMBER: 314-581-0561
BUSINESS/ORGANIZATION NAME: MISSOURI COALITION FOR THE ENVIRONMENT		TITLE: POLICY DIRECTOR
ADDRESS: 725 KINGSLAND AVE., STE. 100 ST. LOUIS, MO		
CITY: ST. LOUIS	STATE: MO	ZIP: 63130
EMAIL: mvatterott@moenvironment.org	ATTENDANCE: Written	SUBMIT DATE: 2/17/2023 2:10 PM

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February 17, 2023 Chairman Jim Murphy Government Efficiency and Downsizing Committee Missouri House of Representatives MO House of Representatives 201 W Capitol Ave., Rm. 407-B Jefferson City, MO 65101 Dear Chairman Murphy and Members of the Committee, Missouri Coalition for the Environment (MCE) is a statewide, advocacy nonprofit organization that works to empower Missourians to protect their environment and health. HB 269 seeks to reduce the number of rules issued by the administrative bodies of the Missouri executive branch of government. The language of HB 269 is too simplistic and fails to consider the implications of the proposed language on the ability of our administrative bodies to do their job and the wellbeing of Missouri's people and their environment. For these reasons, MCE respectfully asks you to vote "no" on HB 269. HB 269 adds to RSMo. 546.014 a new provision, which states, "No rule proposed by a department, agency, commission, or board shall take effect unless the entity proposing the rule also repeals at least two of its existing rules." This language is overreaching by failing to put a limit on when this required removal of rules would no longer be needed. Simple math says that if this proposed language is codified without any limiting parameters, such as a sunset date, it will inherently stop administrative bodies from issuing new rules altogether. For example: If an agency or commission got to the point in their rule reduction where only two rules remained on the books and it had a need to issue a new rule, this bill would require the agency or commission to eliminate the remaining two rules. This would then leave the agency or commission with its sole new rule left. MCE cannot imagine that the Missouri Legislature or this committee would ever want to see an agency or commission have so few rules that it cannot actually provide the protections and oversight it has been authorized to provide. Moreover, it is a severe overreach of the legislative body to tell administrative bodies that they cannot issue new rules related to those administrative bodies' expert authority. Our administrative bodies respond to the authorities given to them by the Missouri legislature, the Governor, and the federal government. From there, it is up to them to determine based on science, changing circumstances, and the needs of Missourians to implement new rules. There have already been limitations put on commissions and agencies through policy and appropriations and other attempts to limit the powers of these bodies all together by the Missouri Legislature. If this committee wants to support the elimination of outdated or duplicative rules, MCE suggests considering another approach than what is outlined in HB 269. For this reason, we respectfully urge that you vote "no" on HB 269. Thank you for your time. Sincerely, Melissa Vatterott
Melissa Vatterott, JD Policy Director Missouri Coalition for the Environment
mvatterott@moenvironment.org (314) 727-0600, ext. 111



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: MICHAEL BERG		PHONE NUMBER: 314-644-1011	
REPRESENTING: SIERRA CLUB MISSOURI CHAPTER		TITLE:	
ADDRESS: PO BOX 432010			
CITY: ST LOUIS		STATE: MO	ZIP: 63143
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/22/2023 12:00 AM	
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