



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 1961		DATE: 2/21/2024
COMMITTEE: Economic Development		
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: 619-3077
REPRESENTING: NFIB (NATIONAL FEDERATION OF INDEPENDENT BUSINESS)		TITLE:
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CITY: JEFFERSON CITY		STATE: MO
		ZIP: 65101
EMAIL: Brad.Jones@nfib.org	ATTENDANCE: In-Person	SUBMIT DATE: 2/21/2024 7:55 AM
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WITNESS NAME		
BUSINESS/ORGANIZATION:		
WITNESS NAME: BYRON KEELIN		PHONE NUMBER: 314-402-0655
BUSINESS/ORGANIZATION NAME: FREEDOM PRINCIPLE MO		TITLE: PRESIDENT
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CITY: ST. LOUIS	STATE: MO	ZIP: 63110
EMAIL: freedomprinciplestl@protonmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/20/2024 6:30 PM

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We are in support of HB 1961 because the rule-making process by state departments has become burdensome and confusing for businesses and citizens. In their Fiscal Analysis, the Department of Health and Senior Services says this proposed legislation would create an indeterminable amount of time and effort for employees to research to determine what two rules would need to be rescinded and that its staff would be required to guide the rule recession through the process. Our response to this is so what? This should be done no matter what. The fact that they are not currently doing this makes this proposed law necessary. Imagine how much time and cost this puts on businesses and citizens. We believe that when a government agency proposes a new rule, its first primary responsibility should be to research the previously existing rules and make sure there is not an already existing rule, or the proposed rule is not in conflict with an already existing rule. If they determine that a rule already exists or conflicts with the proposed rule, then they should be required to change or even better eliminate the rules preceding the new proposed rules. When government agencies propose new rules, the departments should be required to ask the following questions: • Is this rule necessary? • Why is this new rule necessary? • What is the financial impact on citizens when these new rules are made? • What rules already exist and are there any current rules that are in conflict? Businesses and individuals are financially impacted directly when an agency imposes a new rule on a business or individual. These imposed new rules could require additional permits or being forced to hire additional staff or consultants to comply with these rules. Furthermore, if the agency proposes a new rule and doesn't do its due diligence in determining if there is an already existing rule, the new rule could put the business and/or individual in potential conflict with an already-existing rule thus opening itself up to potential fines or other legal challenges. The fact that these state agencies are complaining about the extra time to do their job is just an excuse. There are plenty of technological options available to make the search process for these rules simple and less time-consuming. If a state agency isn't willing to do the work to see if a rule already exists, then they shouldn't be allowed to just make a new rule.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: DON BICKHAUS		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
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CITY:		STATE: ZIP:
EMAIL: doniibecky@yahoo.com	ATTENDANCE: Written	SUBMIT DATE: 2/17/2024 5:15 PM
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Absolutely...it's time to pare down the 'rules power' in this state.



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WITNESS NAME		
REGISTERED LOBBYIST:		
WITNESS NAME: JAMES HARRIS		PHONE NUMBER: 573-761-7875
REPRESENTING: OPPORTUNITY SOLUTIONS PROJECT		TITLE: LOBBYIST
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		ZIP: 65102
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/21/2024 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:
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CITY:		STATE: ZIP:
EMAIL: arniedienoff@yahoo.com	ATTENDANCE: Written	SUBMIT DATE: 2/21/2024 11:31 PM

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I am Opposed to this Bill and its intension. This is a Safety Issue and does NOT make rational sense of Picking Good Rules VS. Bad Rules or Policy.



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: MICHAEL BERG		PHONE NUMBER: 314-644-1011	
REPRESENTING: SIERRA CLUB MISSOURI CHAPTER		TITLE: SIERRA CLUB MISSOURI CHAPTER POLITICAL DIRECTOR	
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The Sierra Club opposes House Bill 1961 and House Bill 2197. These bills are 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, these bills would throw sand in the gears. They would bring the rulemaking process to an absolute halt, preventing the adoption of regulations that protect the health of Missourians and our state's environment. The premise of the bills are 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 these, and as a result we respectfully urge the committee to reject them.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: PAMELA BARNABEE		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: pamela.barnabee@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/17/2024 2:00 PM
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HB 1961 denies state agencies the flexibility they need to implement and repeal rules. They would severely impact the rule-making process, preventing the adoption of regulations that protect the health of Missourians and our state's environment. Administrative rules, crafted by experts, and subject to public petition for repeal or adoption are critically important for a government to function. Each of our state's regulations has been adopted after notice and public comment, and all regulations are subject to petitions to amend or repeal. After public input and expert testimony, the subject-matter experts at our state agencies decide that there is a compelling reason to implement a regulation. Any person can have unnecessary regulations repealed through the same process. The practical impacts of these bills on state agencies would also be damaging. The task of identifying the two least valuable rules already on the books would take valuable agency resources away from day-to-day operations 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.



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: SAMUEL G. LICKLIDER		PHONE NUMBER: 573-418-5069	
REPRESENTING: MISSOURI REALTORS		TITLE:	
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EMAIL: sglgov@aol.com	ATTENDANCE: Written	SUBMIT DATE: 2/20/2024 8:55 PM	

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Missouri REALTORS' concern with this proposal is that we believe that entities under Professional Registration should be exempt. Generally, rules enacted by these entities are requested by the regulated professions, and the requirement that they remove two rules for each new one enacted will likely make it impossible to add new rules.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: SARAH SCHAPPE		PHONE NUMBER: 573-751-2443	
BUSINESS/ORGANIZATION NAME: JOINT COMMITTEE ON ADMINISTRATIVE RULES		TITLE: DIRECTOR	
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CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/21/2024 12:00 AM	
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