

FIRST REGULAR SESSION

SENATE BILL NO. 495

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR EMERY.

Read 1st time February 28, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

2281S.011

AN ACT

To repeal sections 208.244 and 640.090, RSMo, and to enact in lieu thereof two new sections relating to the duties of the joint committee on government accountability.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 208.244 and 640.090, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 208.244 and 640.090, to read as follows:

208.244. 1. Beginning January 1, 2016, the waiver of the work requirement for the supplemental nutrition assistance program under 7 U.S.C. Section 2015(o) shall no longer apply to individuals seeking benefits in this state. The provisions of this subsection shall terminate on January 1, 2019.

2. Any ongoing savings resulting from a reduction in state expenditures due to modification of the supplemental nutrition assistance program under this section or the temporary assistance for needy families program under sections 208.026 and 208.040 effective on August 28, 2015, subject to appropriations, shall be used to provide child care assistance for single parent households, education assistance, transportation assistance, and job training for individuals receiving benefits under such programs as allowable under applicable state and federal law.

3. The department shall make an annual report to the [joint committee on government accountability] **president pro tempore of the senate and the speaker of the house of representatives** on the progress of implementation of sections 208.026 and 208.040, including information on enrollment, demographics, work participation, and changes to specific policies. [The joint

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 committee shall meet at least once a year to review the department's report and
19 shall make recommendations to the president pro tempore of the senate and the
20 speaker of the house of representatives.]

640.090. 1. In developing, amending, or revising state implementation
2 plans to address National Ambient Air Quality Standard nonattainment areas
3 under the federal Clean Air Act, as amended (42 U.S.C. Section 7401, et seq.),
4 state plans to comply with federal regulations relating to carbon emissions for
5 existing-source performance standards (42 U.S.C. Section 7411), or nonpoint
6 source management plans under the federal Clean Water Act, as amended (33
7 U.S.C. Section 1251, et seq. and 33 U.S.C. Section 1329), for submission to the
8 United States Environmental Protection Agency based on promulgated rules and
9 regulations, the department, and its respective commissions, in collaboration with
10 the department of health and senior services, department of revenue, public
11 service commission, the department of conservation, and division of energy of the
12 department of economic development, shall prepare an implementation impact
13 report in lieu of a regulatory impact report required under section 640.015 and
14 submit such report in addition to the proposed state implementation plan, state
15 plan, or nonpoint source management plan to the governor, [the joint committee
16 on government accountability,] the president pro tempore of the senate, and the
17 speaker of the house of representatives forty-five calendar days prior to final
18 submission to the United States Environmental Protection Agency. The
19 department shall also post the implementation impact report and the proposed
20 state implementation plan, state plan, or nonpoint source management plan
21 prominently on the home page of its departmental website forty-five calendar
22 days prior to submission to the Environmental Protection Agency. If such
23 implementation impact report or state implementation plan, state plan, or
24 nonpoint source management plan is revised after such report and plan is
25 delivered to such elected officials but prior to submission to the United States
26 Environmental Protection Agency, the updated report and plan shall also be
27 delivered to the governor, [the joint committee on government accountability,] the
28 president pro tempore of the senate, and the speaker of the house of
29 representatives, and posted prominently on the home page of its departmental
30 website upon release. All implementation impact reports and plans shall remain
31 on the departmental website for no less than one year after final submission to
32 the United States Environmental Protection Agency.

33 2. The implementation impact report shall take into consideration the

34 unique policies, energy needs, resource mix, reliability, and economic priorities
35 of Missouri, and shall include, but is not limited to, the following criteria:

36 (1) The economic impact the plan will have on businesses and citizens in
37 the state, including any disproportionate impact it will have on lower income
38 populations, and any job losses or gains that are anticipated as a result of the
39 plan, rule, or regulation;

40 (2) The existence and cost efficiency of any technology that may be needed
41 to achieve the reduction goal and whether the reduction goals are achievable
42 within the allotted time frame;

43 (3) Whether the plan achieves reduction goals at a sustainable cost;

44 (4) The remaining useful life of any emitting structure affected by the
45 plan if provided by the emitting entity;

46 (5) Any existing depreciation schedules of an emitting structure that will
47 be forced into early retirement due to implementation of the plan if provided by
48 the emitting entity;

49 (6) Any policy options for the adoption of less stringent standards or
50 longer compliance schedules;

51 (7) The potential impact on taxes and the general revenue of the state;

52 (8) The potential impact on citizen health, including any evidence that the
53 pollutant contributes to health problems based upon peer-reviewed scientific
54 evidence;

55 (9) Options, to the maximum extent allowable, that provide flexibility in
56 achieving reduction goals, including the averaging of emissions or any other
57 alternative implementation measure that may further the interests of Missouri's
58 citizens;

59 (10) A cost-benefit analysis of how the plan affects the economic
60 well-being of the state, as well as the projected cost or benefits to any industry
61 affected by the plan, and projected costs or benefits to consumers and citizens;

62 (11) The potential impact of the plan on generation, supply, distributions,
63 and service reliability;

64 (12) The elements of a regulatory impact report as required under section
65 640.015;

66 (13) Information, to the extent that it is available, regarding how other
67 states are formulating their plans.

68 3. In developing, amending, or revising state implementation plans, state
69 plans, or nonpoint source management plans for submission to the United States

70 Environmental Protection Agency based on rules or regulations under:

71 (1) The federal Clean Air Act, as amended (42 U.S.C. Section 7401, et
72 seq.), the department shall hold at least one stakeholder meeting in order to
73 solicit stakeholder input from each of the following groups: electric generators
74 and load serving entities, industrial energy consumers, citizens consumer groups,
75 and renewable energy groups;

76 (2) The federal Clean Water Act, as amended (33 U.S.C. Section 1251, et
77 seq. and 33 U.S.C. Section 1329), the department shall hold at least one
78 stakeholder meeting in order to solicit stakeholder input from each of the
79 following groups: agricultural groups, municipal groups, industrial groups,
80 environmental and natural resource groups, and citizen groups.

81 4. [Before final submission of a state implementation plan, state plan, or
82 nonpoint source management plan to the United States Environmental Protection
83 Agency, the joint committee on government accountability may conduct at least
84 two public hearings within forty-five days of receiving the implementation impact
85 report and plan in order to seek public comment on the proposed state
86 implementation plan, state plan, nonpoint source management plan, or
87 implementation impact report. The joint committee on government accountability
88 may request that a representative from the United States Environmental
89 Protection Agency attend at least one of the public hearings.

90 5.] Nothing in this section shall be construed as otherwise conferring upon
91 the public service commission or the department jurisdiction over the service,
92 rates, financing, accounting, or management of any rural electric cooperative or
93 municipally owned utility, or to amend, modify, or otherwise limit the rights to
94 provide service as otherwise provided by law.

95 [6.] 5. Nothing in this section shall be construed to effect, limit, or
96 supersede section 643.640.

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