

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 354

91ST GENERAL ASSEMBLY

Reported from the Committee on Financial and Governmental Organization, Veterans' Affairs and Elections, March 5, 2001, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

TERRY L. SPIELER, Secretary.

0765S.05C

AN ACT

To amend chapter 105, RSMo, by adding thereto two new sections relating to Missouri commission on total compensation, with an expiration date.

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

Section A. Chapter 105, RSMo, is amended by adding thereto two new sections, to be known as sections 105.251 and 105.255, to read as follows:

105.251. 1. There is created an agency to be known as the "Missouri Commission on Total Compensation". The commission shall consist of thirteen persons, as follows: the executive director of the Missouri state employees retirement system or his or her designee, the executive director of the Missouri highway employees and highway patrol retirement system or his or her designee, the executive director of the Missouri consolidated health care plan or his or her designee, the commissioner of the office of administration or his or her designee, the director of the personnel division of the office of administration or his or her designee, one member of the senate from the majority party appointed by the president pro tem of the senate and one member of the senate from the minority party appointed by the president pro tem of the senate, one member of the house of representatives from the majority party appointed by the speaker of the house of representatives and one member of the house of representatives from the minority party appointed by the speaker of the house of representatives, and four members appointed by the governor with the advice and consent of the senate. Of the four members appointed by the governor, one shall be an employee of the state from an employee representative organization, two shall be nonmanagement state employees, and one shall be a state retiree.

2. At the first meeting of the commission and at yearly intervals thereafter, the members shall select from among themselves a chairman and a vice chairman.

3. The legislative members of the commission shall serve for the general assembly during which they are appointed and until their successors are elected and qualified.

4. The executive director of the Missouri state employees retirement system or his or her designee, the executive director of the Missouri highway employees and highway patrol retirement system or his or her designee, the executive director of the Missouri consolidated health care plan or his or her designee, the commissioner of the office of administration or his or her designee, and the director of the personnel division of the office of administration or his or her designee shall be chosen for terms of four years from the first day of January next following their appointment.

5. The terms of the four members appointed by the governor shall be four years and until their successors are appointed and qualified. Provided, however, that the first term of one nonmanagement state employee and the state retiree shall be for two years, thereafter the terms shall be four years. There is no limitation on the number of terms any appointed member may serve. If a vacancy occurs the governor may appoint a member for the remaining portion of the unexpired term created by the vacancy. The governor may remove any appointed member for cause. The members of the commission shall be reimbursed for travel and other expenses actually and necessarily incurred in the performance of their duties by the office of administration.

6. The commission shall hold at least four regular meetings each year and such additional meetings as the chairman deems desirable at a place and time to be fixed by the chairman. Special meetings may be called by seven members of the commission upon delivery of written notice to each member of the commission. Reasonable written notice of all meetings shall be given by the director to all members of the commission. Seven members of the commission shall constitute a quorum. All actions of the commission shall be taken at meetings open to the public. Any member absent from six consecutive regular commission meetings for any cause whatsoever shall be deemed to have resigned and the vacancy shall be filled immediately in accordance with subsection 1 of this section.

7. The commission shall provide a report to the governor and the general assembly annually on their activities described in section 105.255.

105.255. The commission shall:

(1) Exercise general supervision of the administration and enforcement of sections 105.251 and 105.255;

(2) Evaluate and recommend courses of action based on, but not limited to,

compensation, benefits, retention, and recruitment related issues;

(3) Advise, consult, and cooperate with other government agencies, boards or commissions on issues that overlap their respective areas of responsibility in furtherance of the purposes of sections 105.251 to 105.255;

(4) Before each October first, recommend options to the governor on budget allocation for personnel service resources, including but not limited to the areas of pay plan, retirement, and health care, that appropriately balance the total compensation package for state employees;

(5) Encourage, participate in, or conduct studies, investigations, and research and demonstrations relating to total compensation of state employees as it may deem advisable and necessary for the discharge of its duties pursuant to sections 105.251 to 105.255; and

(6) Hold hearings, issue notices of hearings and subpoenas requiring the attendance of such witnesses and the production of such evidence, administer such oaths, and take testimony as the commission deems necessary. Any of these powers may be exercised on behalf of the commission by any of its members or a hearing officer designated by it.

Section B. The provisions of sections 105.251 to 105.255 shall expire on August 28, 2006.