

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend SCS/House Bill No. 103, Page 2, Section A, Line 15,

2 by inserting immediately thereafter the following:

3 "37.005. 1. Except as provided herein, the office of  
4 administration shall be continued as set forth in house bill 384,  
5 seventy-sixth general assembly and shall be considered as a  
6 department within the meaning used in the Omnibus State  
7 Reorganization Act of 1974. The commissioner of administration  
8 shall appoint directors of all major divisions within the office  
9 of administration.

10 2. The commissioner of administration shall be a member of  
11 the governmental emergency fund committee as ex officio  
12 comptroller and the director of the department of revenue shall  
13 be a member in place of the chief of the planning and  
14 construction division.

15 3. The office of administration is designated the "Missouri  
16 State Agency for Surplus Property" as required by Public Law 152,  
17 eighty-first Congress as amended, and related laws for disposal  
18 of surplus federal property. All the powers, duties and  
19 functions vested by sections 37.075 and 37.080, and others, are  
20 transferred by type I transfer to the office of administration as  
21 well as all property and personnel related to the duties. The

1 commissioner shall integrate the program of disposal of federal  
2 surplus property with the processes of disposal of state surplus  
3 property to provide economical and improved service to state and  
4 local agencies of government. The governor shall fix the amount  
5 of bond required by section 37.080. All employees transferred  
6 shall be covered by the provisions of chapter 36 and the Omnibus  
7 State Reorganization Act of 1974.

8 4. The commissioner of administration shall replace the  
9 director of revenue as a member of the board of fund  
10 commissioners and assume all duties and responsibilities assigned  
11 to the director of revenue by sections 33.300 to 33.540 relating  
12 to duties as a member of the board and matters relating to bonds  
13 and bond coupons.

14 5. All the powers, duties and functions of the  
15 administrative services section, section 33.580 and others, are  
16 transferred by a type I transfer to the office of administration  
17 and the administrative services section is abolished.

18 6. The commissioner of administration shall, in addition to  
19 his or her other duties, cause to be prepared a comprehensive  
20 plan of the state's field operations, buildings owned or rented  
21 and the communications systems of state agencies. Such a plan  
22 shall place priority on improved availability of services  
23 throughout the state, consolidation of space occupancy and  
24 economy in operations.

25 7. The commissioner of administration shall from time to  
26 time examine the space needs of the agencies of state government  
27 and space available and shall, with the approval of the board of  
28 public buildings, assign and reassign space in property owned,  
29 leased or otherwise controlled by the state. Any other law to

1 the contrary notwithstanding, upon a determination by the  
2 commissioner that all or part of any property is in excess of the  
3 needs of any state agency, the commissioner may lease such  
4 property to a private or government entity. Any revenue received  
5 from the lease of such property shall be deposited into the fund  
6 or funds from which moneys for rent, operations or purchase have  
7 been appropriated. The commissioner shall establish by rule the  
8 procedures for leasing excess property.

9 8. The commissioner of administration is hereby authorized  
10 to coordinate and control the acquisition and use of electronic  
11 data processing (EDP) and automatic data processing (ADP) in the  
12 executive branch of state government. For this purpose, the  
13 office of administration will have authority to:

14 (1) Develop and implement a long-range computer facilities  
15 plan for the use of EDP and ADP in Missouri state government.  
16 Such plan may cover, but is not limited to, operational  
17 standards, standards for the establishment, function and  
18 management of service centers, coordination of the data  
19 processing education, and planning standards for application  
20 development and implementation;

21 (2) Approve all additions and deletions of EDP and ADP  
22 hardware, software, and support services, and service centers;

23 (3) Establish standards for the development of annual data  
24 processing application plans for each of the service centers.  
25 These standards shall include review of post-implementation  
26 audits. These annual plans shall be on file in the office of  
27 administration and shall be the basis for equipment approval  
28 requests;

29 (4) Review of all state EDP and ADP applications to assure

1 conformance with the state information systems plan, and the  
2 information systems plans of state agencies and service centers;

3 (5) Establish procurement procedures for EDP and ADP  
4 hardware, software, and support service;

5 (6) Establish a charging system to be used by all service  
6 centers when performing work for any agency;

7 (7) Establish procedures for the receipt of service center  
8 charges and payments for operation of the service centers. The  
9 commissioner shall maintain a complete inventory of all  
10 state-owned or -leased EDP and ADP equipment, and annually submit  
11 a report to the general assembly which shall include starting and  
12 ending EDP and ADP costs for the fiscal year previously ended,  
13 and the reasons for major increases or variances between starting  
14 and ending costs. The commissioner shall also adopt, after  
15 public hearing, rules and regulations designed to protect the  
16 rights of privacy of the citizens of this state and the  
17 confidentiality of information contained in computer tapes or  
18 other storage devices to the maximum extent possible consistent  
19 with the efficient operation of the office of administration and  
20 contracting state agencies.

21 9. Except as provided in subsection 12 of this section, the  
22 fee title to all real property now owned or hereafter acquired by  
23 the state of Missouri, or any department, division, commission,  
24 board or agency of state government, other than real property  
25 owned or possessed by the state highways and transportation  
26 commission, conservation commission, state department of natural  
27 resources, and the University of Missouri, shall on May 2, 1974,  
28 vest in the governor. The governor may not convey or otherwise  
29 transfer the title to such real property, unless such conveyance

1 or transfer is first authorized by an act of the general  
2 assembly. The provisions of this subsection requiring  
3 authorization of a conveyance or transfer by an act of the  
4 general assembly shall not, however, apply to the granting or  
5 conveyance of an easement to any rural electric cooperative as  
6 defined in chapter 394, municipal corporation, quasi-governmental  
7 corporation owning or operating a public utility, or a public  
8 utility, except railroads, as defined in chapter 386. The  
9 governor, with the approval of the board of public buildings,  
10 may, upon the request of any state department, agency, board or  
11 commission not otherwise being empowered to make its own transfer  
12 or conveyance of any land belonging to the state of Missouri  
13 which is under the control and custody of such department,  
14 agency, board or commission, grant or convey without further  
15 legislative action, for such consideration as may be agreed upon,  
16 easements across, over, upon or under any such state land to any  
17 rural electric cooperative, as governed in chapter 394, municipal  
18 corporation, or quasi-governmental corporation owning or  
19 operating a public utility, or a public utility, except railroad,  
20 as defined in chapter 386. The easement shall be for the purpose  
21 of promoting the general health, welfare and safety of the public  
22 and shall include the right of ingress or egress for the purpose  
23 of constructing, maintaining or removing any pipeline, power  
24 line, sewer or other similar public utility installation or any  
25 equipment or appurtenances necessary to the operation thereof,  
26 except that railroad as defined in chapter 386 shall not be  
27 included in the provisions of this subsection unless such  
28 conveyance or transfer is first authorized by an act of the  
29 general assembly. The easement shall be for such consideration

1 as may be agreed upon by the parties and approved by the board of  
2 public buildings. The attorney general shall approve the form of  
3 the instrument of conveyance. The commissioner of administration  
4 shall prepare management plans for such properties in the manner  
5 set out in subsection 7 of this section.

6 10. The commissioner of administration shall administer a  
7 revolving "Administrative Trust Fund" which shall be established  
8 by the state treasurer which shall be funded annually by  
9 appropriation and which shall contain moneys transferred or paid  
10 to the office of administration in return for goods and services  
11 provided by the office of administration to any governmental  
12 entity or to the public. The state treasurer shall be the  
13 custodian of the fund, and shall approve disbursements from the  
14 fund for the purchase of goods or services at the request of the  
15 commissioner of administration or the commissioner's designee.  
16 The provisions of section 33.080 notwithstanding, moneys in the  
17 fund shall not lapse, unless and then only to the extent to which  
18 the unencumbered balance at the close of any fiscal year exceeds  
19 one-eighth of the total amount appropriated, paid, or transferred  
20 to the fund during such fiscal year, and upon approval of the  
21 oversight division of the joint committee on legislative  
22 research. The commissioner shall prepare an annual report of all  
23 receipts and expenditures from the fund.

24 11. All the powers, duties and functions of the department  
25 of community affairs relating to statewide planning are  
26 transferred by type I transfer to the office of administration.

27 12. The titles which are vested in the governor by or  
28 pursuant to this section to real property assigned to any of the  
29 educational institutions referred to in section 174.020 on June

1 15, 1983, are hereby transferred to and vested in the board of  
2 regents of the respective educational institutions, and the  
3 titles to real property and other interests therein hereafter  
4 acquired by or for the use of any such educational institution,  
5 notwithstanding provisions of this section, shall vest in the  
6 board of regents of the educational institution. The board of  
7 regents may not convey or otherwise transfer the title to or  
8 other interest in such real property unless the conveyance or  
9 transfer is first authorized by an act of the general assembly,  
10 except as provided in section 174.042, and except that the board  
11 of regents may grant easements over, in and under such real  
12 property without further legislative action.

13 13. Notwithstanding any provision of subsection 12 of this  
14 section to the contrary, the board of governors of Missouri  
15 Western State University, University of Central Missouri,  
16 Missouri State University, or Missouri Southern State University,  
17 or the board of regents of Southeast Missouri State University,  
18 Northwest Missouri State University, or Harris-Stowe State  
19 University, or the board of curators of Lincoln University may  
20 convey or otherwise transfer for fair market value, except in fee  
21 simple, the title to or other interest in such real property  
22 without authorization by an act of the general assembly. [The  
23 provisions of this subsection shall expire August 28, 2017.]

24 14. All county sports complex authorities, and any sports  
25 complex authority located in a city not within a county, in  
26 existence on August 13, 1986, and organized under the provisions  
27 of sections 64.920 to 64.950, are assigned to the office of  
28 administration, but such authorities shall not be subject to the  
29 provisions of subdivision (4) of subsection 6 of section 1 of the

1 Omnibus State Reorganization Act of 1974, Appendix B, RSMo, as  
2 amended.

3 15. All powers, duties, and functions vested in the  
4 administrative hearing commission, sections 621.015 to 621.205  
5 and others, are transferred to the office of administration by a  
6 type III transfer." ; and

7 Further amend said bill, page 57, Section B, line 3, by  
8 inserting after the word "recalls" the following:

9 ", and the importance of allowing higher education institutions  
10 to provide responses to potential property lessors in a timely  
11 manner", and further amend line 4 by inserting after the word  
12 "section" the following: "37.005 and", and further amend line 7  
13 by inserting after the word "section" the following: "37.005  
14 and"; and

15 Further amend the title and enacting clause accordingly.