

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	8 - 0 - 1
Yeas:	Barnhart, Berger, Dembrow, Hicks, Holvey, Hoyle, Jenson, Garrett
Nays:	0
Exc.:	Kennemer
Prepared By:	Erin Seiler, Administrator
Meeting Dates:	3/6, 4/15

WHAT THE MEASURE DOES: Provides that person holding appointive office in state government serves at pleasure of appointive power that made appointment. Clarifies that person may be removed from appointment to board or commission by appointing authority, if a different standard for removal does not exist.

ISSUES DISCUSSED:

- Does not expand existing authority to ability to remove for cause
- Three types of board and commission removal authority
- Default removal authority when statute is silent on standard for removing appointee from board or commission
- Limited application to state government
- Clarify new language is not primary removal authority
- Statutory definition of “appointive office”
- Possible amendment
- Impact on local government boards and commissions
- Impact on judicial branch

EFFECT OF COMMITTEE AMENDMENT: Clarifies that length of term of appointee shall not exceed four years or term specified in statutes that govern that board or commission. Clarifies that person may be removed from appointment to board or commission by appointing authority, if a different standard for removal does not exist.

BACKGROUND: Most major state agencies and departments are headed by policy-making boards and commissions. The Governor is responsible for recommending the appointment of public members to the approximately 220 boards and commissions established in statute. In addition, many of these public bodies require the President of the Senate and the Speaker of the House of Representatives to appoint members of their respective legislative bodies.

However, there is lack of statutory clarity regarding whether the appointing authority has the power to remove an individual whom they appointed. House Bill 2215-A clarifies that a person holding appointive office serves at the pleasure of the appointing authority and can be removed from the position by the appointing authority for cause, if a different standard for removal does not exist.