



GOVERNOR OF MISSOURI

JEFFERSON CITY
65102

JEREMIAH W. JAY NIXON
GOVERNOR

P.O. Box 720
(573) 751-3222

July 13, 2009

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Bill No. 751 entitled:

AN ACT

To repeal sections 414.530, 414.560, and 414.570, RSMo, and to enact in lieu thereof three new sections relating to the Missouri propane education and research act.

I disapprove of House Bill No. 751. My reasons for disapproval are as follows:

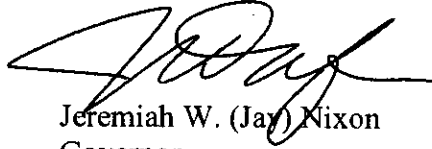
The Missouri Propane Education & Research Council (MOPERC) was authorized by legislation in 1993. MOPERC assesses a levy on odorized propane which is used to fund various MOPERC activities. Since its inception, MOPERC has operated under a statutory framework that permits appropriate oversight by the Missouri Department of Natural Resources. House Bill No. 751 would remove many of those oversight provisions. For instance:

- The director of the Department of Natural Resources could no longer conduct a referendum on his or her own initiative to determine if the industry favors termination or suspension of MOPERC;
- The role of the director of the Department of Natural Resources in the appointment of members to the council will be eliminated;
- The authority to adopt an annual spending plan following public comment would be shifted from the director of the Department of Natural Resources to MOPERC;
- Management of the assessment process would be transferred from the director of the Department of Natural Resources to MOPERC; and
- The director of the Department of Natural Resources could no longer require reports from MOPERC on their activities or reports on compliance, violations and complaints regarding the implementation of sections 414.500 to 414.590, RSMo.

The oversight contained in current law is needed to maintain an adequate monitoring structure over the activities of MOPERC.

In accordance with the above stated reasons for disapproval, I am returning House Bill No. 751 without my approval.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jay Nixon", written over the printed name.

Jeremiah W. (Jay) Nixon
Governor