

MISSOURI ASSOCIATION OF FIRE CHIEFS

EXECUTIVE DIRECTOR REPORT LEGISLATIVE REPORT #12 2013 SESSION APRIL 8, 2013

[Senate Bill List](#)
[Senate Committees](#)
[Senate Members](#)

[House Bill List](#)
[House Committees](#)
[House Members](#)

(NEW INFORMATION WILL BE IN RED)

Firefighter Day – April 23rd (Tuesday)

Action Alert Update – The house budget is completed and sent to the Governor with \$200,000 additional fire training money in the Division of Fire Safety’s budget. This gives us nearly \$500,000 total training money, with \$400,000 coming from state GR and the balance from fireworks registration fees. Your contacts to the committee worked, now we need to focus on the Senate Appropriations Committee – Below.

THIS WEEK AT THE CAPITOL

Omnibus Public Safety Bill - HB335 is now eligible to go to the House debate calendar. As you recall, it took one bad amendment from Representative Roorda, which will allow employees of one fire district to run for another fire district board. Jorgen spoke to Representative Hinson, the chairman as well as the sponsor of the bill, and told him of our opposition. After, he and Jorgen met with the Rules Chairman; he is committed to remove the language.

Tax Reform –

The House heard the bill and will vote it out this week.

It is now the House’s turn to put their stamp on the proposal.

Well the Senate jumped off the cliff in hopes that the water is deep when the journey ends. They passed a whopper of a tax cut, some claim as much as \$600M, others believe a couple hundred million less than that. The bill captures sales taxes on more on-line purchases and phases in a ½ cent sales tax over 5 years. Those combined are only \$400M, and the cut to income (corp and individual) taxes is over \$1 billion. Remember our entire state budget is only

\$7.7 billion, but if you exclude transportation and conservation (both constitutionally protected), education foundation formula, and current Medicaid expenditures, not increases, the amount of money the state really has to spend is less than \$2B. The governor blasted the Senate, but one positive is it finally gets the discussion of center.

Sunshine Law Hearing - The Missouri Press Association was successful in placing a very bad amendment on a bill we support, which extends the sunset date to keep emergency operation and plan documents closed to the public – See SB139 below. However the companion bill in the House (HB256) has passed the House and received a lightning fast Senate Committee assignment. This will be the version that moves, and we will need to keep Sen. Schaefer’s amendment off this version of the bill when it reaches the senate floor.

The House General Laws committee heard the Missouri Press Association legislation, which mirrors the amendment noted above on SB319. Jorgen testified in opposition, primarily regarding the section that removed the “knowingly” standard on sunshine violations, making mistakes subject to a fine. The second piece we opposed was changing such fine to a mandatory one, in lieu of the current law allowing the court discretion on assessing a fine.

The House Committee recommendations are turned into the full budget committee and we will work to get an increase in the Fire Training fund when the Budget committee restructures the budget to send it to the floor for debate.

Omnibus Public Safety Bill - The big bill voted out this week was HB335. It took one bad amendment from Representative Roorda, which will allow employees of one fire district to run for another fire district board. Jorgen spoke to Representative Hinson, the chairman as well as the sponsor of the bill, and told him of our opposition. After, he and Jorgen met with the Rules Chairman, he committed to the Rep Riddle (Rules Chairman) that he would remove the language, and she agreed to release it from the committee to go to the floor for debate. The bad amendment by Rep. Roorda will be heard as a bill in Hinson’s committee

[House Budget Committee.](#)

Infrastructure was the big topic of the week. A mix of house and senate members continue to push for a 1 cent sales tax for 10 years which will generate \$8 billion for projects throughout the state. Half of the cost of rebuilding I-70 would come from this revenue source, the other would be from funds already allocated by existing highway funds. Another camp, including the House chairman and Speaker prefer the bonding method, which brings in significantly less than \$8 billion, at most probably just under \$2 billion, but it has no tax increase associated with it, and would be paid from existing general revenue over a longer period of time than the competing 10 year sales tax proposal. The two camps are far from a resolution.

The Senate Economic Development Committee passed out two bills that have not made it through the Senate in past sessions because of a lack of a deal on the over all reform of Tax Credits.

FSA Priority Issues

9-1-1

04-09-13 H Meeting set for 8:00 AM, HR 3 House-Crime Prevention

911 legislation - (HB653 – Jeannie Lauer) was heard before the House Criminal Law and Public Safety Committee. This bill, while broadly supported by our community, will have an uphill battle as we expected.

911 legislation - has been filed (HB653 – Jeannie Lauer) and was assigned to the House Criminal Law and Public Safety Committee, and scheduled for a hearing on Wednesday in the House. Exact location is not yet known. This is clearly the committee we want, but stalled this week after the sponsor decided not to file the bill.

The bill states, among other provisions, “In lieu of the tax levy authorized under section 190.305 or the sales tax imposed under section 190.335, the governing body of any county may impose, by order or ordinance, a monthly fee on any device capable of contacting 911. The fee authorized in this section shall not exceed one dollar and fifty cents per any such device capable of contacting 911, and shall be imposed solely for the purpose of funding 911 service in such county.”

Stalled this week after the sponsor decided not to file the bill. We will look for other sponsors, but it is a tax increase, which is not received warmly in with this legislature.

9-1-1 legislation is nearing introduction. We have seen a couple drafts, but no final version has been distributed. The bill will likely contain a local county option, instead of a statewide effect.

Increase Training Funds

Russ Mason testified before the Senate two weeks ago, and now the House Appropriations Committee this week. Both times he received support for his request of more training money. The Budget bills begin in the House but won't be officially introduced until late this month or even early March. Jorgen looks for an increase, hopefully \$100,000 or more, when the bills are passed out of the House, and sent to the Senate.

State Emergency Fund for Disasters

Move over Law to also include Emergency Responders

Emergency Responder Protection – two bills are moving, which incorporate first responders including firefighters into a law that increases penalties for speeding while passing such personnel while they are working.

Senator Wasson’s legislation (SB282) is out of the Senate Transportation Committee and has been placed on the Senate debate calendar. The House bill is sponsored by Rep. Shawn Rhoads – R-West Plains (HB638), and it was heard in committee.

Emergency Responder Protection - Two bills were filed, one of which was heard this week in the Senate, to incorporate first responders including firefighters into a law that increases penalties for speeding while passing such personnel while they are working. Senator Wasson’s legislation (SB282) was heard in the Senate Transportation Committee and should move out of that committee this week. The House bill is sponsored by Rep. Shawn Rhoads – R-West Plains (HB638)

Increased fines for violating traffic laws when passing by an emergency worker on the road way has been introduced (SB282 – see below).

Immunity Legislation

Legislation that provides additional liability protection for law enforcement officers while performing acts within their normal course of business has been introduced. We will attempt to expand that to firefighters and EMS as well. (HB 425)

Legislation that provides additional liability protection for law enforcement officers, while performing acts within their normal course of business, was heard this week, but appears to be dead. We wanted to amend firefighter protections onto this bill, but will have to find another vehicle. I suspect if protections for police were not supported, ours will have an uphill battle as well.

OTHER ISSUES

Workers Compensation

Workers Compensation reform was passed out of the House Committee this week.

The bill was heard in the House Committee this week. No vote was taken, but Jorgen suspect’s action on the bill will take place immediately after break.

It appears now that some organizations are opposing the bill, but specific to the occupational disease portion, which does not affect us.

Medicaid update

Medicaid expansion was voted out of House Committee this week, and should clear the Rules committee next week. Progress after that point is uncertain.

Medicaid expansion continues to receive a lot of discussion but little movement. The issue is not ripe to pass until next session, but the sponsor is working diligently to get it before the full House and Senate this year still. The bill does not impact your typical client as of yet.

Bills of potential interest

HOUSE BILLS

HB 28 Lichtenegger Authorizes any county commission, municipality, or fire protection district to adopt an order or ordinance, including a burn ban order, regarding its emergency management functions as they relate to a natural or man-made disaster.

Bill History: **04-08-13 H Set on the House Calendar**
03-28-13 H Reported do pass House-Rules
12-03-12 H Filed
01-31-13 H Referred to House Committee on House-Local Government
02-18-13 H Meeting set for 1:00 PM, HR 5 House-Local Government
02-18-13 H Public hearing completed

HB 45 Hinson Authorizes the county commission in any county to adopt certain building codes.

Bill History: 12-04-12 H Filed
01-31-13 H Referred to House Committee on House-Local Government
02-18-13 H Meeting set for 1:00 PM, HR 5 House-Local Government
02-18-13 H Public hearing completed
02-25-13 H Voted do pass from committee on House-Local Government

HB 66 Burlison Removes the provision that requires fire protection districts located in Greene County to have an audit performed every two years.

Bill History: 12-18-12 H Filed
01-31-13 H Referred to House Committee on House-Local Government
02-18-13 H Meeting set for 1:00 PM, HR 5 House-Local Government
02-18-13 H Public hearing completed
02-25-13 H Voted do pass from committee on House-Local Government

HB 115 Davis Prohibits an employer from requesting or requiring an employee or applicant to disclose any user name, password, or other means for accessing a personal account or service through an electronic device.

Bill History: 01-10-13 H Read second time

HB 118 Shull Changes the laws regarding the Open Meetings and Records Law to allow certain meetings and records regarding policies, security systems, and structural plans regarding any terrorist or public safety or health incident to be closed. Same as HB 33 and SB139 above, and will be heard this week.

Bill History: 01-10-13 H Read second time Same as HB 33 above
01-31-13 H Referred to House Committee on House-Utilities
02-25-13 Same as HB 33 and SB139 above, and will be heard this week.

HB 135 Diehl Authorizes any political subdivision to enter into design-build contracts for construction projects exceeding one million dollars.

Bill History: 01-10-13 H Read second time

HB 147 Davis Expands the procedural protections given to taxpayers in charter counties and the City of St. Louis regarding residential property tax assessments to taxpayers in any county.

Bill History: 01-14-13 H Read second time

HB 161 Gatschenberger Specifies that any voluntary annexation must only be notarized and modifies procedures regarding invalidating or challenging a previous annexation.

Bill History: **04-04-13 H Reported do pass House-Rules**

02-11-13 H Public hearing completed
02-18-13 H Voted do pass from committee on House-Local Government

[HB 234 Gatschenberger](#) Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received.

Bill History: **04-03-13 H Reported do pass House-Rules**
03-28-13 H Voted do pass from committee on House-Rules
01-23-13 H Read second time
01-31-13 H Referred to House Committee on House-Local Government
02-18-13 H Meeting set for 1:00 PM, HR 5 House-Local Government

[HB 254 Swearingen](#) Authorizes the City of North Kansas City to impose, upon voter approval, a sales tax to fund public safety improvements

Bill History: 03-28-13 H Voted do pass from committee on House-Local Government
03-14-13 H Public hearing completed
01-23-13 H Read second time

[HB 256 Jones-50](#) Extends the expiration date of certain provisions of the Open Meetings and Records Law.

Bill History: 03-25-13 S Hearing conducted
02-14-13 S Reported to the Senate and first read
02-20-13 S Referred to Senate Committee on Senate-Judiciary Civil/Criminal Jurisprudence
02-27-13 Has passed the House and received a lightening fast Senate Committee assignment. This will be the version that moves, and we will need to keep Sen. Schaefer's amendment off this version of the bill when it reaches the senate floor.

[SB 264](#) , which allows owners of property in a residential subdivision to file a petition seeking to have their subdivision excluded from a fire protection district

Bill History: **Was heard this week in the Senate Local Government Committee. Chief Mason and Chief Brown both testified in opposition to the bill. Jorgen does not see this bill moving at this time.**

HB 307 - Riddle (049) – Exempts fire protection districts in certain counties from the provision specifying that no person holding any lucrative office under this state shall hold the office of fire protection district director.

Bill History: **04-04-13 S Referred to Senate Committee on Senate-Jobs, Eco. Devo. and Local Government**

03-27-13 S Reported to the Senate and first read

03-13-13 H Set on the House Calendar

Introduced

01-28-13 H Read second time

02-11-13 H Meeting set for 1:00 PM, HR 6 House-Crime Prevention, this will be voted out on Monday, Feb 18th

02-20-13 H Recommended for House Consent Calendar

02-28-13 H Recommended for House Consent Calendar

HB 332 Sommer Removes the sunset provisions with regard to certain provisions of the Open Meetings and Records Law.

Bill History: 01-29-13 H Read second time

HB 335 Hinson Will likely be voted out on Monday, Feb 18th. This bill has been rewritten by the sponsor, who happens to be the chair, who happens to be a paramedic and worked for a fire district (Dave Hinson). He has been very accommodating.

A provision to increase filing fees for FPD board of directors from \$10 to \$50 will be included.

The \$1 per \$100 assessed valuation increase for FPD will be stripped from the bill, as the increase in tax in a no more taxes environment will sink the rest of the package.

It is being replaced with another controversial item, although no cost to the state or taxpayers is a provision creating the designation of a community paramedic. This class of paramedic would assist hospitals in follow home visits to recently discharged patients to help reduce the hospitals readmission rate.

The committee has mixed feelings on the issue, but the chairman believes in the designation and therefore will fare well in committee at least.

Changes the laws regarding public safety. This is a big omnibus public safety bill. It contains a provision allowing FPD's to increase their levy by \$1 by vote of the people. The bill also contains several provisions on EMS, killed in the line of duty benefit, and repeals various communicable disease statutes. [Read the summary.](#)

Bill History: **04-04-13 H Set on the House Calendar**

03-26-13 H Reported do pass House-Rules

2/12/13 Heard in committee.

01-30-13 H Read second time

02-18-13 H Referred to House Committee on House-Rules

02-28-13 H Voted do pass from committee on House-Rules (See above)

HB 336 Hinson Specifies that no political subdivision shall prohibit any first responder from engaging in any political activity while off duty and not in uniform unless otherwise prohibited by state or federal law.

Bill History: 03-25-13 H Reported do pass House-Rules
The Senate version was passed last week.
01-30-13 H Read second time
02-14-13 H Referred to House Committee on House-Elections
03-05-13 H Meeting set for 8:15 AM, HR 5 House-Elections
03-12-13 H Meeting reset for 8:15 AM, HR 5 House-Elections

HB 364 Roorda Allows an employee of a fire protection or ambulance district to serve as a board member of a fire protection or ambulance district if the district is not in the same county where the employee is employed.

Bill History: **04-04-13 H Voted do pass from committee on House-Local Government**
03-04-13 H Public hearing completed (Jorgen testified in opposition)
01-31-13 H Read second time
03-04-13 H Meeting set for 1:00 PM, HR 5 House-Local Government

HB 377 Kelley Repeals the expiration date of certain provisions of the Open Meetings and Records Law.

Bill History: 01-31-13 H Read second time

HB 384 Lant Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal.

Bill History: 03-06-13 H Voted do pass as amended from committee on House-Professional
Registration and Licensing
01-31-13 H Read second time
02-20-13 H Meeting set for 12:00 PM or Upon Morning Ad...House-Professional
Registration and Licensing
02-20-13 H Public hearing completed
03-06-13 H Meeting set for Upon Morning Adj., HR 5 House-Professional
Registration and Licensing

HB 407 Wieland Specifies that, if a petition to incorporate a proposed area in Jefferson County fails to be adopted, it cannot be resubmitted for three years.

Bill History: 02-14-13 H Referred to House Committee on House-Local Government

HB 417 Stream Authorizes certain political subdivisions to contract for engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank without paying prevailing wage.

Bill History: 02-05-13 H Read second time

HB 425 Wilson Specifies that all law enforcement officers are immune from personal civil liability for acts that are within the scope of their official duties, discretionary, and not performed in bad faith or with malice.

Bill History: 02-18-13 H Meeting set for 1:00 PM, HR 6 House-Crime Prevention
02-18-13 H Public hearing completed

HB 437 Funderburk Modifies provisions relating to underground facility safety.

Bill History: 02-06-13 H Read second time

HB 452 Fraker Changes the laws regarding prevailing wages on public works projects.

Bill History: 02-07-13 H Referred to House Committee on House-Workforce Dev. and
Workplace Safety

HB 453 Fraker Changes the laws regarding prevailing wages on public works projects.

Bill History: 02-18-13 H Meeting set for 1:00 PM, HR 1 House-Workforce Dev. and Workplace
Safety

HB 459 Bahr Relating to the adoption of ordinances for redevelopment.

Bill History: 02-07-13 H Read second time

HB 468 Higdon Gives sheriffs or any other law enforcement officer absolute immunity when conducting service of process at the direction of any court.

Bill History: 03-25-13 H Reported do pass House-Rules
02-07-13 H Read second time

HB 491 Roorda Establishes the Fire Equipment Distributors Regulation and Licensing Law.

Bill History: 02-11-13 H Read second time

HB 600 Kelly Modifies provisions relating to the Open Records and Meetings Law.

Bill History: 02-20-13 H Referred to House Committee on House-General Laws

HB 609 Miller Adds certain licensed emergency medical technicians to the list of individuals who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle.

Bill History: 03-28-13 H Public hearing completed
02-15-13 H Read second time

HB 612 Lichtenegger Allows county commissioners to issue ordinances regarding natural and man-made disasters.

Bill History: **04-04-13 H Referred to House Committee on House-Local Government**
02-15-13 H Read second time

HB 638 Rhoads Increases penalties for moving violations and traffic offenses occurring within an active emergency zone.

Bill History: 02-27-13 H Referred to House Committee on House-Crime Prevention

HB 642 Elmer Changes provisions governing construction management services for the state and political subdivisions.

Bill History: 03-27-13 H Public hearing completed
02-20-13 H Read second time

HB 653 Lauer Enacts provisions to provide revenues for emergency communications services.

Bill History: 03-06-13 H Public hearing completed

HB 692 Fitzpatrick Repeals the provisions regarding the prevailing hourly wage requirements and specifies that no person will be paid a prevailing wage with specified exceptions.

Bill History: 03-27-13 H Public hearing completed
03-07-13 H Referred to House Committee on House-Workforce Dev. and Workplace Safety

HB 761 Walton Gray Prohibits cities of the third and fourth classification in St. Louis County from imposing a false alarm fee on an alarm user's first occurrence of a false alarm within a 12-month period.

Bill History: 03-04-13 H Read second time

HB 809 Rowden Requires all tax districts to report to the department of revenue their non-confidential tax rate and revenue collection information for display on the department's website.

Bill History: **04-08-13 H Meeting set for 12:00 PM, HR 7 House-Government Oversight and Accountability**

HB 846 Pfautsch Repeals the requirement that reimbursement paid to a fire protection district by the City of Harrisonville for annexed property be governed by the boundary commission laws. This bill was assigned to the House Committee on House-Local Government

Bill History: 03-28-13 H Referred to House Committee on House-Local Government
04-5-13 **Was heard in the House Committee on Local Government. Central Cass County FPD testified in opposition. The witness representing the city of Harrisonville did not do himself any favors by distorting the issue so badly that it was easy for opponents to refute his testimony.**

SENATE BILLS

SB 1 Rupp Modifies the law relating to workers' compensation. – This bill is a continuation of the reform of workers comp we supported last year. It is very broad and comprehensive (see summary at the bottom of this document) - It was heard and voted out of committee this week. It is suspected that several more versions will be contemplated prior to the bill receiving substantive debate time on the senate floor.

Bill History: 12-01-12 S Filed

SB 24- Parson - Allows third and fourth class counties to adopt building codes upon a voter approval and exempts agricultural structures from county building codes

Bill History: 03-27-13 H Referred to House Committee on House-General Laws

SB 30 Brown Repeals all of the prevailing wage laws.

Bill History: 12-01-12 S Filed
01-10-13 S Referred to Senate Committee on Senate-Small Bus./Insurance/Industry

SB 66 Dixon Repeals a number of expired or obsolete committees.

Bill History: **04-03-13 H Referred to House Committee on House-Downsizing State Government**
03-28-13 S Third read and passed (Vote: Y: 33/N: 0)
12-07-12 S Filed
01-23-13 S Hearing conducted

SB 139 Kehoe Extends the expiration date for the closure of certain records, meetings and votes relating to operational guidelines and security systems to December 31, 2017.

Bill History: 03-27-13 H Referred to House Committee on House-General Laws
01-17-13 S Introduced and read first time Same as HB33 above.
02-04-13 S Meeting set for 6:00 PM or 45 minutes after...Senate-Judiciary
Civil/Criminal Jurisprudence
02-15-13 H Read second time

SB182-Provides taxation on out of state sales of vehicles to Missouri Residents.

**Bill History: 2-18 Passed Senate
4-3 Passed House
4-4 On Governor's Desk**

SB 213 Kraus Modifies provisions of law relating to tax increment financing.

Bill History: 01-28-13 S Introduced and read first time
02-12-13 S Referred to Senate Committee on Senate-Jobs, Eco. Devo. and Local
Government

SB 216 Silvey Prohibits political activity restrictions on first responders and modifies current political activity restrictions on the Kansas City Police Department.

Bill History: 04-03-13 H Meeting set for Upon Afternoon Adj., HR 6 House-Crime Prevention
01-28-13 S Introduced and read first time
02-12-13 S Referred to Senate Committee on Senate-Jobs, Eco. Devo. and Local
Government

SB 231 Munzlinger Modifies tax refund and lottery setoff procedure for unpaid healthcare expenses.

Bill History: 04-02-13 S Set on the Senate Calendar
01-29-13 S Introduced and read first time
02-14-13 S Referred to Senate Committee on Senate-Ways and Means

SB 264 Dempsey Allows owners of property in a residential subdivision to file a petition seeking to have their subdivision excluded from a fire protection district.
Will be heard this week in the Senate Local Government Committee at noon on Wednesday.
We will testify in opposition to the bill, as it would allow small segments of fire protection districts to de-annex.

Bill History: 03-29-13 Hearing 4/3 at Noon

02-05-13 S Introduced and read first time

SB 271 Nieves Creates provisions relating to emergency dispatch operator training.

Bill History: 02-06-13 S Introduced and read first time
02-26-13 S Meeting set for 3:00 PM, SCR 1 Senate-General Laws
02-26-13 heard in Senate-General Laws, Jorgen suspects this bill may move out of committee as the committee is chaired by the sponsor.

SB 272 Nieves Allows contractors who install fire sprinkler systems to apply for a certificate of registration.

Bill History: 04-02-13 S Set on the Senate Calendar
02-06-13 S Introduced and read first time

SB 282- Wasson Jay - Increases penalties for moving violations and traffic offenses occurring within an active emergency zone

Bill History – 04-02-13 S Set on the Senate Calendar
02-07-13 Introduced in the Senate
02-20-13 S Referred to Senate Committee on Senate-Transportation and Infrastructure

SB 295 Lager Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities.

Bill History: 02-11-13 S Introduced and read first time
02-20-13 S Referred to Senate Committee on Senate-Jobs, Eco. Devo. and Local Government

SB 322 Dixon Provides immunity for law enforcement officers from personal civil liability.

Bill History: 02-13-13 S Introduced and read first time

SB 383 Wallingford Modifies the Missouri Public Prompt Payment Act and the law relating to public works projects.

Bill History: **04-09-13 S Meeting set for 1:30 PM, Senate Lounge Senate-Commerce, Energy and the Environment**
02-28-13 S Referred to Senate Committee on Senate-Commerce, Energy and the Environment

SB 404 Munzlinger Modifies laws relating to emergency vehicle lighting and tow trucks, and requires the highway patrol to establish a rotation list procedure for requests for towing services.

Bill History: 03-27-13 S Committee hearing cancelled Senate-Transportation and Infrastructure
02-27-13 S Introduced and read first time

[SB 417 Lager](#) Modifies provisions relating to the Department of Natural Resources.

Bill History: 03-26-13 S Not heard in committee Senate-Commerce, Energy and the Environment

Senate Appropriations Committee

• MEMBERS:

- Kurt Schaefer, 19th, Chairman
- Scott Rupp, 2nd, Vice-Chairman
- Dan Brown, 16th
- Mike Kehoe, 6th
- Mike Parson, 28th
- David Pearce, 21st
- Rob Schaaf, 34th
- Ryan Silvey, 17th
- S. Kiki Curls, 9th
- Scott Sifton, 1st
- Gina Walsh, 13th

JOINT RESOLUTIONS

[SJR 13 Chappelle-Nadal](#) Makes St. Louis city a part of St. Louis county

Bill History: 01-17-13 S Introduced and read first time
02-12-13 S Referred to Senate Committee on Senate-Jobs, Eco. Devo. and Local Government