

# MISSOURI ASSOCIATION OF FIRE CHIEFS

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## EXECUTIVE DIRECTOR REPORT LEGISLATIVE REPORT #5 FOR 2010 SESSION FEBRUARY 15, 2010

### STATE BUDGET

**The budget will begin to be molded into the House position now that the budget bills have been introduced. The sub-committees will begin amending the bills next week before sending them to the full Budget Committee in early to mid March.**

### LEGISLATION

Many bills relate to taxes, not increasing them, but reallocating their use. Several proposals eliminate income tax, and allow the state or city to replace lost revenue with an increase in sales tax, and expand to what the sales tax applies. For instance, all services, going to the doctor, would now be subject to sales tax.

**One proposal [SJR 29 - Purgason](#) - eliminates income taxes and increases sales tax, as well as expanding what is subject to sales taxes, was voted out of committee and will be debated by the Senate as early as two weeks.**

There are also several property tax bills filed, many of which you have seen in the past, but a couple new ideas as well. I do not expect these bills to make much progress, but I do look for some initiative petitions to be filed and appear on the ballot over the next couple of election cycles, so we will have to monitor the secretary of states office closely as that is where the initiatives must be filed prior to circulation for signatures to get on the ballot.

### 9-1-1

The following is not our bill. Review and let me know your thoughts.

[HB1574](#) --- Sponsor: [Sander, Therese \(022\)](#) --- CoSponsor: [Jones, Kenny \(117\)](#)

Establishes provisions relating to 911 emergency communications service

HB 1574 -- (LR# 3589L- 01I)

Introduced and Read First Time (H)

Update: Read but not assigned to committee

**UPDATE: No change**

PROPERTY TAX FIX-First of several. Does nothing about our issue, but the 1<sup>st</sup> to get steam.

**SB588 - Modifies provisions of law requiring notices of projected tax liability**

**This substitute is now on the debate calendar. It permits all counties, with the exception of charter form counties and Clay County; to opt out of the provisions of SB 711 (passed two years ago) mandating that counties provide an estimated tax liability statement to property owners whose assessed valuation is increased. The bill requires additional information regarding the potential impact of increased assessment on property taxes and contact information is included in the tax impact statement that all property owners receive.**

**SB736 - Modifies provisions of law regarding the collection of taxes**

This bill allows certain counties of the first and second classification to collect property taxes using electronic records and disbursements. County collectors of these counties are required by the fifteenth day of each month to file, with the county clerk and auditor, a detailed statement of all taxes and license fees collected during the preceding month. Taxing authorities will be required to request notification of current taxes paid under protest by February 1, and county collectors must provide the information by March 1. Currently, in counties without a charter form of government the collector collects a seven percent fee for the collection of delinquent taxes. In counties with a charter form of government and St. Louis City, the collector collects a two percent fee for the collection of such taxes. Under this act, in counties adopting a charter form of government after January 1, 2008, the collector shall collect a seven percent fee for the collection of delinquent taxes, while the collector in counties adopting a charter form of government before January 1, 2008, shall collect a two percent fee. The provisions contained in a county's charter authorizing the collection of a fee for the collection of back taxes which conflict with state law will control.

Currently, all counties, except counties with a charter form of government excluding St. Charles County, are required to establish a "Tax Maintenance Fund" to be used solely as a depository for funds received or collected for the purpose of funding additional costs and expenses incurred in the collector's office. Under this act, counties adopting a charter form of government after January 1, 2008, shall be required to establish such a fund as well. In the event a county of the third or fourth classification abolishes its township organization or the county collector becomes a collector-treasurer, the collector treasurer shall assume all duties, compensation, and requirements of the collector-treasurer.

**UPDATE: The Senate Committee on Jobs, Economic Development and Local Government passed this bill out consent.**

FUEL TAX EXEMPTION-No report

LODD BENEFIT-No report

SPILLER PAY

**SB680 Crowell** - Under current law, when more than 50 gallons of petroleum, natural gas, natural gas liquids, liquefied natural gas, or synthetic gas are spilled or released, it is considered a hazardous substance emergency. This act changes the minimum threshold to 3,000 gallons.

Under current law, if a political subdivision or volunteer fire protection district provides services in response to a hazardous substance emergency, the person who controls the hazardous substance is liable for reasonable and necessary costs incurred by the political subdivision or fire protection district. This act limits the person's liability to 25% of the reasonable and necessary costs.

Update: This bill was assigned to the Senate Commerce, Consumer Protection, Energy and the Environment Committee\_ Senator Brad Lager is the chairman of this committee. It was scheduled for a hearing, but then removed from the hearing list late in the week. We are working on some ideas that may bring more certainty to the meaning of the statute and will visit with the sponsor to see if it addresses some of his concerns. UPDATE: We are working on some ideas that may bring more certainty to the meaning of the statute and will visit with the sponsor to see if it addresses some of his concerns.

**Update: This bill will be heard before the Senate Commerce, Consumer Protection, Energy and the Environment Committee on Tuesday, February 16<sup>th</sup> at 3 p.m. Senator Brad Lager is the chairman of this committee. Take a moment and link to the committee roster and call your senator, if they are on this committee, and ask that they oppose this bill. We have some changes that we are getting ready to send to the sponsor of SB680. They would tighten the billing process some, but still allow the current billing process. I will let you know more today or tomorrow.**

**HOUSE BILLS:**

**HB1216** - Exempts real property owned by individuals 65 years of age and older from increases in the tax rate and assessed valuation until the owner moves, sells the property, or fails to notify of continued eligibility.

Update: Read, but not assigned to committee.

**UPDATE: NO CHANGE**

[HB 1261 Komo, Sam](#)

Allows political subdivisions to replace any property taxes levied for funding the political subdivision with a sales tax (LR# 3438L.01I)

Update: Read but not assigned to committee

**UPDATE: NO CHANGE**

[HB 1282 Roorda, Jeff](#)

Requires all basic life support ambulances and stretcher vans to be equipped with an automated external defibrillator and be staffed by at least one individual trained in its use (LR# 3616L.01I)

**UPDATE: NO CHANGE**

[HB 1285 Roorda, Jeff](#)

House Home Page. House Bill List. HB 1285. Requires all counties and fire protection districts to adopt and enforce the 2003 ICC International Fire Code

Update: Read but not assigned to committee

**UPDATE: NO CHANGE**

[HB 1286 Roorda, Jeff](#)

Allows licensed ambulance services, licensed emergency medical response agencies, and not-for-profit organizations which provide or contract for ambulance services to establish peer review committees (LR# 3621L.01I)

Update: Read but not assigned to committee

**UPDATE: NO CHANGE**

[HB 1340 Dugger, Tony](#)

House Home Page. House Bill List. HB 1340. Repeals the authorization for a sales tax of up to 1% for operation costs with a specified annual reduction of the property tax levy for fire protection districts in Douglas County

Update: Read but not assigned to committee

UPDATE: This bill was assigned and heard in committee this week. Apparently there is no fire protection district in Douglas County, therefore this law allowing a fire protection district in Douglas County to enact a 1% sales tax.

**UPDATE: NO CHANGE**

**HB 1344 Dugger, Tony**

Changes the laws regarding the assessment and collection of volunteer fire protection association fees in Douglas County

Update: Read but not assigned to committee

**UPDATE: NO CHANGE**

**HB 1351 Ruestman, Marilyn**

Authorizes an income tax credit for volunteer firefighters who complete certain training programs

Update: Read but not assigned to committee

**UPDATE: NO CHANGE**

[HB 1361 -Komo, Sam](#)

House Home Page. House Bill List. HB 1361. Allows, upon voter approval, political subdivisions to replace any personal property taxes levied for funding the political subdivision with a revenue-neutral increase in the local sales tax

Update: Read but not assigned to committee

**UPDATE: NO CHANGE**

**HB 1371 Roorda, Jeff**

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 he or she is employed

Update: Read but not assigned to committee

**UPDATE: NO CHANGE**

[HB1403](#) --- Sponsor: [Cox, Stanley \(118\)](#) --- CoSponsor: [Sater, David \(068\)](#)

Establishes the Andrew Jackson Vote Restoration Act which requires certain elections to be held even if the number of candidates filing for a position is equal to the number of positions available

HB 1403 -- (LR# 3990L- 01I)

Read Second Time (H)

Update: Read but not assigned to committee. (We opposed this bill last year)

No change

Update: This bill was heard last week, and FSA testified in opposition. We do not believe this bill will make it out of the House, and maybe not out of committee.

**UPDATE: NO CHANGE**

[HB 1419 Fallert, Joseph Jr.](#)

House Home Page. House Bill List. HB 1419. Prohibits any person, except law enforcement personnel, from climbing, standing, or working on top of any tanker trailer stopped along any highway unless proper safety precautions are taken.

**UPDATE: NO CHANGE**

**HB 1444 Jones, Timothy W.**

Requires certain public governing bodies to hold a public meeting and to allow public comment four business days prior to voting on certain issues.

Update: Read but not assigned to committee

No change

Update: Referred; Special Standing Committee on General Laws

**UPDATE: NO CHANGE**

**HB 1445 Jones, Timothy W.**

Changes the laws regarding the Open Meetings and Records Law, commonly known as the Sunshine Law.

Update: Read but not assigned to committee (We opposed this bill last year, although the final version late in session was not too harmful.)

**UPDATE: NO CHANGE**

**HB 1464 Hodges, Steve**

Requires health care facilities to notify local fire departments when oxygen is supplied in a residential setting (LR# 3149L.01I) We may see some changes that will not be too onerous to local departments.

Update: Read but not assigned to committee

Update: Jorgen visited with Representative Hodges, after visiting with Randy Cole on other ideas to resolve this issue, and suggested to the Representative that each person conspicuously display a placard so the fire department can be warned when arriving at their place of residents of any gases stored in the home. He liked that idea. Not yet assigned to committee.

**UPDATE: NO CHANGE**

**HB1565** --- Sponsor: [Gray, Rochelle \(081\)](#) --- CoSponsor: [Chappelle-Nadal, Maria \(072\)](#)

Provides for fire protection district incorporation and election of board members in certain counties . This is in answer to the Northeast Fire District Fiasco. Among other things it requires a 5 member board as well as 3 year terms. (St Louis Post-Dispatch has editorialized they are in favor of this bill.)

HB 1565 -- (LR# 3880L- 01I)

Introduced and Read First Time (H)

Update: Read but not assigned to committee

**UPDATE: NO CHANGE**

**HB1566** --- Sponsor: [Gray, Rochelle \(081\)](#)

Requires certain political subdivisions to establish a civil service commission for fire departments. This could have a significant fiscal impact on large fire departments.

HB 1566 -- (LR# 3779L- 01I)

Introduced and Read First Time (H)

Update: Read but not assigned to committee

**UPDATE: NO CHANGE**

[HB1573](#) --- Sponsor: [Meadows, Tim \(101\)](#) --- CoSponsor: [Schieffer, Ed \(011\)](#)

Exempts certain previously licensed emergency medical technicians whose license lapsed prior to 1998 from the education and training requirements for relicensure  
HB 1573 -- (LR# 3523L- 01I)

Introduced and Read First Time (H)

**UPDATE: NO CHANGE**

[HB1578](#) --- Sponsor: [Calloway, Don \(071\)](#)

Requires fire protection district boards to have five members and shortens terms to three years . Similar to HB 1565

HB 1578 -- (LR# 3794L- 02I)

Introduced and Read First Time (H)

Update: Read but not assigned to committee

**UPDATE: NO CHANGE**

**HB 1592 Hobbs, Steve**

Authorizes Boone County to establish occupancy standards for residential rental property and to establish licensing and inspection procedures.

Update: Read but not assigned to committee

**UPDATE: NO CHANGE**

**HB 1663 Roorda, Jeff**

Authorizes certain fire protection districts to convert property taxes for emergency services to be used for general revenue purposes if the county has an emergency services sales tax.

Update: Read but not assigned to committee

[HB1679](#) --- **Sponsor:** [Roorda, Jeff \(102\)](#)

Changes the laws regarding certain city sales taxes and authorizes certain cities to impose, upon voter approval, a sales tax of up to 0.5% for the operation of public safety departments.

Update - Introduced

**UPDATE: NO CHANGE**

[HB 1681 - AMBULANCE DISTRICT SALES TAXES - Roorda, Jeff](#)

House Home Page. House Bill List. HB 1681. Allows ambulance districts to impose, upon voter approval, a sales tax in lieu of a property tax to fund the district.

Update - Introduced

**UPDATE: NO CHANGE**

**HB1693 --- Sponsor: Schlottach, Charles (111)**

Creates an offense of endangerment of emergency personnel or emergency responders.

Update - Introduced

**UPDATE: NO CHANGE**

**HB1706 --- Sponsor: Viebrock, James (134)**

Removes fire protection districts in Greene County from certain audit requirements.

Update - Introduced

**UPDATE: NO CHANGE**

**HB1769 --- Sponsor: Bivins, Walt (097)**

Requires all public governmental bodies to make and retain a verbatim audio recording of any closed meeting.

Update - Introduced

**UPDATE: NO CHANGE**

**HB1976 --- Bivins, Walt (097)** Modifies provisions of law authorizing an emergency service sales tax in St. Louis County. This is the House version of the SB638.

Update: Introduced

**UPDATE: NO CHANGE**

**HB1977 --- Sponsor: Wasson, Jay (141)** Includes emergency medical technician-intermediate in various provisions regarding licensure of emergency medical technicians

Update: Introduced

**UPDATE: NO CHANGE**

**HB1991 --- Sponsor: Schlottach, Charles (111)** Modifies provisions of law regarding emergency service boards

Update: Introduced

**UPDATE: NO CHANGE**

## **SENATE BILLS**

**SB580 - Modifies various provisions relating to political subdivisions.** Modifies various provisions relating to political subdivisions. Sponsor: Griesheimer. LR Number: 3635S.01I. Fiscal Note: Committee: Jobs, Economic Development and Local

Government. Last Action: 1/13/2010 - Second Read and Referred S Jobs, Economic Development and Local Government Committee. Journal Page: <http://www.senate.mo.gov/10info/bills/sb580.htm>

**SECTION 94.902**

**This section authorizes the City of Grandview to seek voter approval to levy a sales tax of up to one-half percent to fund public safety improvements for the city. Such improvements may include expenditures on equipment, city employee salaries and benefits, and facilities for police, fire, and emergency medical providers.**

**UPDATE: NO CHANGE**

**SB638– Lemke** -This act exempts retail sales of food items consummated within St. Louis County from the county's emergency services sales tax. The St. Louis County emergency services sales tax will automatically terminate five years from the effective date of the tax. Upon termination of the emergency services sales tax, St. Louis County will be permanently barred from imposing or re-authorizing such tax.

Update – Hearing Scheduled Local Gov Committee on Wednesday at 1 p.m. in the Senate Lounge. Economic dev and Local Government Committee

Update – Heard in the Senate Local Gov Committee on Wednesday at 1 p.m. in the Senate Lounge. The sponsor offered a substitute, which placed a 20 year sunset on the tax, and state during committee that he would also change the provision to allow the voters to reauthorize after 20 years instead of the existing language prohibiting a reauthorization vote. Several law enforcement entities, including St. Louis Prosecutor Bob McCullough, testified in opposition. This bill will probably be dramatically modified or die in committee. Economic dev and Local Government Committee

**UPDATE: NO CHANGE**

**SB 739 - Lembke** - Relating to fire Department employee residency requirements  
1/11/2010 -- S First Read--SB 739-Lembke

Update: Read but not assigned to committee

Update: Referred S Jobs, Economic Development and Local Government Committee

Update: This bill will be heard in the Senate Jobs, Economic Development and Local Government Committee on Feb 10<sup>th</sup>.

**UPDATE: NO CHANGE**

**SB 741 - Griesheimer** - Allows members of an ambulance district board of directors to be subject to recall from office

Update - 1/19/2010 -- Referred to Senate Financial and Governmental Organizations and Elections Committee

**UPDATE: NO CHANGE**

**SB 790 - Shoemyer** - Relating to identifiable information in registries maintained by public governmental bodies to assist certain individuals in case of a disaster or emergency

Update – Introduced

UPDATE: Referred S Judiciary and Civil and Criminal Jurisprudence Committee

**UPDATE: NO CHANGE**

**SB 795 - Mayer** - Relating to blasting safety

Update - Introduced

Update – Referred to Senate Agriculture and will be heard on Wednesday

**UPDATE: NO CHANGE**

**SB 810 - Lager** - Modifies provisions relating to the regulation of fireworks

This act specifies that the state fire marshal has the authority to issue permits to manufacture and ship fireworks, as well as sell them. Currently, the state fire marshal cannot issue a permit to a person under eighteen years of age. Under this act, the state fire marshal shall also not issue a permit to a person who has been found guilty of or has pleaded guilty to a felony or fails to provide proof of liability insurance as required by rule.

Under this act, the state fire marshal may examine records of fireworks sales to assure compliance with the regulations on manufacturers, distributors, and jobbers selling consumer fireworks to seasonal retailers.

Update - Introduced

Update - 2/8/2010 - Hearing Scheduled S Financial and Governmental Organizations and Elections

**UPDATE: NO CHANGE**

**SB881 - Modifies various provisions relating to political subdivisions**

**SECTION 321.018**

Persons contracting to provide professional services for a fire protection district shall not receive compensation after termination of the contract by the governing body of such political subdivision, except for services actually rendered.

**SECTION 321.130**

This section states that any fire protection district director who is found guilty of or pleads guilty to a felony shall immediately forfeit such office.

**SECTION 321.711**

Currently, the number of signatures required on a petition to have an election to recall a fire protection district board member is at least 25% of the number of voters who voted in the most recent gubernatorial election in that district. This act changes the number of signatures needed to 20%.

**Update: These provisions were amended onto the Omnibus Local Government Bill (SB580). It received first round approval on Wednesday evening. It will be report as part of that bill from now on.**

## JOINT RESOLUTIONS

**HJR56** - Proposes a constitutional amendment replacing the individual and corporate income tax and sales and use tax with a fair sales tax on retail sales of new tangible property and taxable services.

Update: Read but not assigned to committee

UPDATE: NO CHANGE

**UPDATE: HAS BEEN ASSIGNED TO THE HOUSE WAYS AND MEANS COMMITTEE**

**HJR67** - Proposes a constitutional amendment exempting from property tax all property of any citizen of the state 65 years of age or older.

Update: Read but not assigned to committee

**UPDATE: NO CHANGE**

HJR68 - Proposes a constitutional amendment eliminating the personal property tax and limiting the tax on real property to no more than 1% of the property's true value.

Update: Read but not assigned to committee

**UPDATE: NO CHANGE**

## NEW LEGISLATION INTRODUCED

### HOUSE

**HB2070** --- **Sponsor:** Kelly, Chris (024)

Provides for using tax revenues from taxes levied for joint central fire and emergency dispatching services.

**Update: Introduced**

**HB2084** --- **Sponsor:** Englund, Vicki (085) Establishes the Toxic Fire Retardant Prevention Act

**Update: Introduced**

### SENATE

**SB 927** - **Cunningham** - Requires certification for certain contractors who work on fire sprinkler systems.

**Update: Referred S Financial and Governmental Organizations and Elections Committee**