

MISSOURI ASSOCIATION OF FIRE CHIEFS

EXECUTIVE DIRECTOR REPORT LEGISLATIVE REPORT #5 2012 SESSION

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***Items in red are new.**

THIS WEEK IN THE LEGISLATURE

Even though not my idea I like this. Our lobbyist is using this area to give various types of information that may be of general interest. I decided to use the idea as well.

The Legislature attempted to digest the Governor's budget recommendations however specifics were not yet fully disclosed. As the details of the budget are released, the House and Senate Budget members will start discussions with Agency leaders asking questions. Some of this began last week on overall themes, but not on specific line items.

Turmoil in the Senate could soon spread to the House. The Courts tossed the newly drawn senate districts set to take effect for the 2012 election, and now the House maps are under fire. Since there are no new senate districts, as of today, senators are unclear for which district they will be running when they have to declare on election filing day at the end of February. More confusion is not what the legislature needs.

The Senate and House continued "priority" week. The House passed a constitutional amendment capping tax collections and requiring tax cuts in certain instances, as well as a bill sun setting agency rules, requiring these rules to be promulgated thereby allowing new comments and input from the private sector. The Senate has a similar bill, but only requires the rule to be reviewed, not re-promulgated.

The Senate took on the Employment Discrimination bill, however no resolution yet, but did pass the bill restricting the right to establish the State Health Exchange to the legislature. This bill will be submitted to the voters in November. The debate calendar was filled up on Thursday with several bills regarding prevailing wage, and right to work, as well as one requiring agencies to review administrative rules. The big bill conspicuously missing is the workers comp revision, which remains in committee.

The Senate has clearly established their priorities by filling the debate calendar with prevailing wage and right to work legislation. These bills will be very contentious and will likely take a couple weeks to complete. Numerous bills have been filed to suspend or eliminate the prevailing wage. Many of the bills are a result of the rebuilding costs to public infrastructure, including schools in Joplin. Each legislator has their own version, but the intent is the same. These bills were voted out of committee this week, and placed on the debate calendar.

The House will be hearing their own versions of prevailing wage changes this week in committee.

BUDGET

The governor delivered his state of the State address. Legislative priorities were mixed in his speech heavily, but details on the budget were thin. The budget gap he needed to fill was \$500M plus, and did so primarily through cuts to higher education institutions cuts and efficiencies in the Medicaid budget, including reduced payments to Medicaid managed care companies.

The Governor's proposal eliminates the \$200,000 firefighter training passed last year. The governor withheld the money, and is now making the withhold permanent.

The Governor spoke of the tornado relief in Joplin, threw the fiscal conservatives an unexpected gift by proclaiming "Missourians don't want a handout. Missourians don't want a bailout", and furthered his point by noting the reduction of 4,100 state workers from the payroll.

His jumpstart job program consists of;

- One, grow more auto supplier jobs in Missouri;
- Two, sell more Missouri-made goods overseas;
- Three, prepare more workers for high-tech careers;
- Four, train and hire more veterans;
- Five, jumpstart innovation in science and technology;
- Six, target high-growth industries;
- Seven, create jobs in rural communities.

No mention of the healthcare exchange This was “priority” week. The workers comp bills, addressing employer liability, occupational disease and the broke second injury fund. This bill will get voted out this week, and likely debated on the floor.

Last week the House and Senate heard bills designed to place *AUTOMATIC* sunsets on administrative rules and regulations. In addition, it expands the role of the petition process, allowing for greater opportunity to challenge all existing administrative rules and regulations. While this sounds like an interesting way to force changes to bad regulation, it also would overwhelm the administrative agencies so much that any new approvals would grind to a halt for years, as well as tossing good regulation. Last year the House passed the bill and the senate liked the concept, but was not sure that was the way to clean out the administrative rules that were out of date. We suspect significant debate on this bill.

FSA PRIORITIES

None of our bills have been filed as of yet. Similar to last year with only 2 or 3 exceptions we will be in a reactive mode, especially with the probable continued retrenchment due to the adverse budget figures.

HOUSE BILLS OF INTETEST

[HB 1029 Flanigan](#) Authorizes the Oversight Division of the Committee on Legislative Research to conduct program evaluations involving budget transparency and accountability

Bill History: 01-05-12 H Referred to House Committee on House-Budget

[HB 1040 Hinson](#) Adds department of transportation emergency response vehicles and motorist assistance vehicles to "emergency vehicle" classification of section 304.022

Bill History: 01-05-12 H Read a second time

[HB 1056 Lant](#) Authorizes a surcharge for offsetting emergency services costs in McDonald County. (This bill is gaining strong opposition from the tourism community.)

Bill History: This bill is gaining strong opposition from the tourism community. It was heard this week and the committee wants to see an agreement in the community first before pursuing the bill. 01-05-12 H Read second time

[HB 1089 White](#) Eliminates the prevailing wage in Missouri

Bill History: 01-05-12 H Read second time. See HB 1176

[HB 1108 Lauer](#) Requires a telecommunications company to provide caller location information in certain emergency situations.

Bill History: . 01-31-12 H Meeting set for 12:00 PM, HR 1 House-Utilities 01-05-12 H Read second time

[HB 1114 Weter](#) Requires Taney County to appoint an emergency services board for administering central dispatching of emergency services

Bill History: 01-05-12 H Read second time

[HB 1121 Kander](#) Changes the laws regarding the filing of a financial interest statement with the Missouri Ethics Commission.

Bill History: 01-05-12 H Read second time

[HB 1148 Gatschenberger](#) Prohibits the use of hand-held electronic wireless communications devices while driving, unless such devices are equipped for hands-free operation and are being used in such manner.

Bill History: 01-05-12 H Read second time

[HB 1176 Schoeller](#) Exempts certain construction work done for a school district or a county, city, town, or village from the prevailing wage if it is in a disaster area.

Bill History: These bills were heard in committee this week, and will likely be voted out this coming week and make it to the floor for debate.

[HB 1198 Fisher](#) Changes the laws regarding prevailing wages.

Bill History: See HB 1176.

[HB 1210 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: This was heard last week, and received a fair amount of resistance from the committee members, as they were unsure why ambulances instead of other debt collectors should take priority on the lien of a tax refund. The other concern expressed by the committee was taking money from people who needed it to just purchase essentials. Referred to local government. This will be heard this week.

[HB 1224 Brattin](#) Requires all employers and business entities to enroll and actively participate in a federal work authorization program and imposes stricter penalties for employing unauthorized aliens.

Bill History: Introduced

[HB 1291 Nance](#) Requires a person conducting a home inspection to be licensed by the Division of Professional Registration within the Department of Insurance, Financial Institutions and Professional Registration.

Bill History: 01-26-12 H Referred to House Committee on House-Professional Registration and Licensing. Introduced

[HB 1301 McCaherty](#) Changes the requirements for licensure as an emergency medical technician for honorably discharged veterans.

Bill History: Introduced

NEW HOUSE BILLS

[HB 1458 Hinson](#) Changes various provisions regarding fire protection and emergency services.
(No bill details yet)

Bill History: Introduced

[HB 1493 Fraker](#) Modifies prevailing wage provisions by requiring a governing body of a county to submit one hourly wage rate for each occupational title.

Bill History: Introduced

[HB 1523 Meadows](#) Specifies that, beginning January 1, 2013, certain specified building codes will be deemed the official state codes.

Bill History: Introduced

[HB 1536 Burlison](#) Allows, upon voter approval, a political subdivision to replace any personal property taxes levied for funding the political subdivision with a revenue-neutral increase in local sales or real property taxes.

Bill History: Introduced

SENATE BILLS OF INTEREST

[SB 497 - Munzlinger](#) - Increases the penalties for the crimes of trespassing and false impersonation and creates the crime of impersonating a public servant

Bill History: referred to Senate Judiciary

[SB 540 - Chappelle-Nadal](#) - Bars discriminatory employers from receiving public works contracts and requires employers to provide cause to terminated employees

Bill History: referred to senate small business

SB 567 - Wright-Jones Prohibits all drivers, regardless of age, from text messaging while operating moving motor vehicles on any highway in this state and prohibits anyone from being stopped solely to determine compliance with the state text messaging ban. Supporting the bill were **State Farm Ins. & GM, MO Trucking Assoc., MODOT Employee's Assoc., State Medical Assoc., City of KCMO, Highway Patrol (wants it as a primary law)**

Bill History: No opposition

[SB 568 - Parson](#) - Expands Missouri's Move Over Law to include vehicles operated by Transportation Department employees

Bill History: This bill was heard and supported by the Jackson County Fire Protection Dist., KC Board of Police Commissioners, Highway Patrol. No opposition

[SB 572 - Dempsey](#) - Modifies the law relating to workers' compensation. It also addresses employer liability, occupational disease and the broken second injury fund.

BILL HISTORY: This bill remains in committee for another week, despite being approved by the committee last week. Will be voted out this week and be debated. There is no consensus on the language of this bill from the republican caucus, although there is among the business groups. 01-17-12 S Voted do pass as substitute from committee on Senate-Small Bus./Insurance/Industry

[SB592 – Lager-Modifies the law relating to the Missouri Human Rights Act and employment discrimination](#)

This is a pro-business, pro-employer bill that is once again a top priority for Senator Lager, as well as, both House and Senate Republican leadership. This bill is a major component of the highly publicized “Business Climate Coalition” legislative package advanced by Missouri’s leading business groups and advocates.

This bill plugs some holes the court made in the whistleblower law with a decision involving the Enterprise Leasing Company. The governor vetoed this bill last year because the bill included a broader. Proponents argue that this bill levels the litigation “playing field” for employers and curbs relatively recent overreaching by pro-plaintiff, Missouri judges that have extended worker’s rights beyond that established even by federal civil rights laws.

Bill History: Remains on the Senate Debate calendar after receiving extensive debate last week. On the floor for debate. No changes in the bill. Same bill was vetoed by the governor last year.

[SB 642 Wasson](#) Increases penalties for moving violations and traffic offenses occurring within an active emergency zone.

Bill History: Introduced

[SB 646 Engler](#) Makes the results of certain types of field tests for controlled substances admissible as evidence in certain preliminary hearings and applications for arrest warrants.

Bill History: Introduced

[SB 651 Schaefer](#) Creates a home inspector licensing board and procedures for licensing home inspectors.

Bill History: Introduced

[SB 652 Lager](#) Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities.

Bill History: Introduced

[SB 668 Lembke](#) Requires the collector in St. Louis County to mail resident taxpayers a statement of the property taxes the taxpayer owes by October 20th.

Bill History: Introduced